

Agenda

For the Ordinary Council Meeting

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

Date: Tuesday, 10 December 2019

Time: 6PM



RURAL CITY OF
WANGARATTA

Brendan McGrath
Chief Executive Officer

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Rural City of Wangaratta Live Stream

Clause 91(4) of the Governance and Meeting Conduct Local Law provides the following:

“This public meeting is being recorded to improve access to the meeting for our community. The recording will be published and will be retained by Council in accordance with Council’s legal obligations. As a visitor in the public gallery, your presence may be recorded.”

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

4. ABSENT

5. ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE

Nil.

ORDER OF BUSINESS

6. CITIZEN CEREMONY

7. CONFIRMATION OF MINUTES

RECOMMENDATION:

That Council read and confirm the Minutes of the Ordinary Meeting of 19 November 2019 as a true and accurate record of the proceedings of the meeting.

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

Nil.

10. HEARING OF DEPUTATIONS

PRESENTATION OF REPORTS

11. COUNCILLOR REPORTS

Nil

OFFICERS' REPORTS

12. EXECUTIVE SERVICES

12.1 2020 ORDINARY COUNCIL MEETING DATES & VENUES

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Executive Service Coordinator
File No: IC19/1030

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

Executive Summary

This report is presented to Council for consideration of the dates and venues for Council meetings in 2020.

RECOMMENDATION:

That Council endorses the following schedule of Ordinary Council Meeting dates and venues for 2020:

No Ordinary January Meeting scheduled

25 February 2020	6.00pm Wangaratta
24 March 2020	6.00pm Carboor
28 April 2020	6.00pm Whorouly
26 May 2020	3.00pm Wangaratta
23 June 2020	6.00pm Wangaratta
28 July 2020	6.00pm Wangaratta
25 August 2020	3.00pm Wangaratta
22 September 2020	6.00pm Greta
20 October 2020 (third week)	6.00pm Springhurst
24 November 2020	6.00pm Wangaratta
15 December 2020 (third week)	6.00pm Wangaratta

Background

Section 89 (4) of the *Local Government Act 1989* (The Act) requires that reasonable notice be given to the public of meetings of the Council. This has been achieved by publishing the date and location of the meeting in the Wangaratta Chronicle on 2 consecutive Fridays prior to the meeting and the Annual Calendar of Meetings on Council's website.

Council has maintained a custom of conducting four Council Meetings annually in rural townships throughout the Rural City of Wangaratta since 1997.

A summary of the Council Meeting locations follows:

LOCATION	No. Meetings
Boorhaman Hall	4
Bowmans/Murmungee Hall	4
Carboor Hall	4
Cheshunt Hall	4
Edi Upper Hall	4
Eldorado Hall	4
Everton Hall	4
Glenrowan Multi-Purpose Centre	4
Greta/ Hansonville	4
Milawa Hall	4
Moyhu Hall	4
Myrrhee Hall	4
Oxley Hall	4
Peechelba Community Facility	4
South Wangaratta CFA Shed	4
Springhurst Hall	4
Tarrawingee Hall	4
Whitfield Swinburne Pavilion	4
Whorouly Multi-purpose Centre	4

Council must establish its schedule of Ordinary Council Meeting dates and venues for 2020 to allow for notice to be given and advance planning. A January 2020 meeting will be scheduled if required.

A draft schedule of the 2020 Ordinary Council Meeting dates and venues has been developed to achieve a geographical spread of rural meetings throughout the year.

Implications

Policy Considerations

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

Financial/Economic Implications

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

Legal/Statutory

Section 89 (4) of the Act requires that reasonable notice be given to the public of meetings of the Council.

Social

Conducting Ordinary Council Meetings in rural townships promotes closer interaction with all areas of the municipality.

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017 - 2021 Council Plan:

Goal

We are Thriving

We will plan, research and advocate for the future:

Ensuring access opportunities for all residents by holding a minimum of four Council Meetings in rural townships.

Strategic Links**b) Other strategic links**

N/A

Risk Management

There are no moderate or extreme risks associated with this report.

Consultation/Communication

Public notification will be provided of Council's 2020 Ordinary Meeting dates and venues.

Conclusion

Council must determine a meeting schedule for the coming year to provide notice to the community regarding the time and location of Council Meetings.

Attachments

Nil.

13. CORPORATE SERVICES

13.1 2019/20 MID YEAR BUDGET REVIEW

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	10 December 2019
Author:	Manager - Finance
File No:	IC19/883

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

Executive Summary

This report is presented to Council to provide an update of Council's full year forecast financial position compared to the Adopted Budget for 2019/20, and to propose that Council adopts the 2019/20 Budget Review as its budget reporting framework for the remainder of the 2019/20 financial year.

RECOMMENDATION:

That Council:

- 1. Having considered the 2019/20 Budget Review, adopts the 2019/20 Budget Review as the reference framework for all future budget reporting for the 2019/20 financial year, and***
- 2. Adopts the increase of \$476,000 in the capital works budget in the 2019/20 Budget Review.***
- 3. Notes any identified savings to the end of the financial year, 30 June 2020 will be utilised to offset the increase in the capital works budget of \$476,000.***

Background

Council officers have undertaken a thorough revision of projected income and expenditure for the 2019/20 financial year. The revised targets will become the benchmark framework for future budget reporting.

It is Council's practice to undertake a budget reassessment midway through each financial year. To this end, a comprehensive review of Council's 2019/20 financial position was undertaken having regard to the following matters:

- The requirement under the *Local Government Act 1989* to establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management.
- Council's audited financial position as at 30 June 2019.
- Projects and works carried forward from the 2018/19 year.

- Income received in 2018/19 in relation to the 2019/20 year.
- Outcomes of funding applications.
- Works undertaken in response to opportunities.
- Known adjustments to income and expenditure.

An explanation of movements since the Adopted Budget to the Budget Review are provided for the:

1. Net operating result and underlying surplus (deficit)
2. Capital expenditure
3. Borrowings.

Implications

Policy Considerations

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

Financial/Economic Implications

Full year 2019/20 Summary

	Adopted Budget 2019/20 \$'000	Current Budget (including Carry Overs) 2019/20 \$'000	Budget Review 2019/20 \$'000	Increase /(Decrease) \$'000
Operating Surplus/(Deficit)	3,677	3,346	3,498	152
Adjusted Underlying (Deficit)	(3,597)	(3,931)	(4,158)	227
Borrowings	2,204	2,204	2,204	0
Capital Works Expenditure	39,690	42,715	43,191	476

Income Statement

The adopted budget surplus was \$3.677 million. The budget review surplus is \$3.498 million, representing an overall unfavourable movement of \$179,000, or a favourable movement of \$152,000 when compared to the Current Budget which includes the carry over adjustments reported at the Ordinary Council meeting held September 2019.

A comparison of the adjusted underlying surplus shows an overall unfavourable movement of \$227,000 (when compared to the Current Budget) and can be explained by the following large favourable and unfavourable movements:

Favourable

1. Additional rates and charges revenue as a result of supplementary rate notices \$49,300
2. Additional statutory fees for Planning Permits \$57,500
3. Additional statutory fees Community Compliance \$22,000

4. Reduction of loan interest for borrowings, \$211,000
5. Reduction of delivery and contract projects, \$390,000
6. Increase in grants for Home Care and Linkages, \$1.320 million
7. Additional reimbursements for Flood Recovery for the Flood Event 13 December 2019, \$2.012 million
8. Additional recycling fees \$58,000
9. Additional user fees for long day care centre, \$150,000
10. Increase in user fees and sponsorship for performing arts, \$94,000
11. Increase in user fees for community care \$110,000
12. Additional sale of Industrial land that settled in 19/20, \$325,000
13. Carry forward contributions for deferred projects, \$150,000
14. Reduction in the Marketing Strategy and Brand Redesign, \$200,000

Unfavourable

15. A decrease in grant income from the Victorian Grants Commission, \$111,513
16. Reduction in rental income and outgoings due to DELWP occupying a reduced area of office space, \$203,500
17. Reduction of interest income from cash on deposits and investments, \$205,000
18. Increase in Home Care and Linkages costs, \$1.320 million
19. Increase in emergency management works due to the Flood Recovery for the Flood Event 13 December 2019, \$2.012 million
20. Increase in Service costs, \$450,000
21. Additional organics processing, \$148,000
22. Additional Waste cost, \$114,000
23. Increase in horticulture and vegetation costs, \$167,000
24. Reduction in user fees for Veterans Home Care, \$33,000
25. Increase in training budget, \$50,000
26. Increase in software maintenance, \$134,000
27. Increase in insurance claims minor, \$34,000

Capital Works

The adopted budget contained capital works expenditure of \$39.690 million.

In September 2019 Council resolved to carry over capital expenditure of \$3.054 million from the 2018/19 year and also resolved to reduce Council's capital expenditure in the 2018/19 budget by \$30,000 resulting in \$42.715 million capital works program.

The capital works for the 2019/20 Budget Review is \$43.191 million, which results in an increase of \$476,000 from the adjusted capital works budget approved at the Ordinary Council Meeting held September 2019.

The increase of \$476,000 can be explained by the following large movements:

1. Savings have been identified on the following projects:
 - \$35,000 Renew Signs
 - \$43,008 Building and Planning Online
 - \$40,000 Document Scanning Software

- \$64,700 Mobility Solution
 - \$120,000 IT Asset Renewal - 2019/20
 - \$30,000 Corporate Calendar Re-Imagined
 - \$48,504 Gallery Feasibility Study
 - \$83,289 Design - Greta Rd/Mason St Roundabout Improvement
 - \$150,000 Renewal - Kerb and Channel
 - \$33,862 Williams Road Kerb and Channel
 - \$50,000 Appin Street Drainage Renewal
 - \$115,000 Wangaratta Flood Mitigation Strategy and Design
 - \$25,262 Female Friendly Facility - Moyhu Recreation Reserve
 - \$60,210 South Wangaratta Reserve Lighting Upgrade
 - \$285,000 Implementation of Marketing & Branding Strategy
2. Increase of \$201,000 for the Organics Shredder
 3. Increase of \$101,000 for the Wangaratta Depot Building Refurbishment
 4. Increase of \$31,588 for the RPP Glenrowan drainage near preschool
 5. Increase of \$159,343 for Morgan Street road & drainage renewal
 6. Increase of \$108,744 for CBD Pedestrian Improvements - CBD Masterplan
 7. Increase of \$140,005 for Cusack & Spearing Street - Drainage & Car Parking Renewal due to service relocation and design changes
 8. Increase of \$40,000 for Barr Two Oval Lighting Development
 9. Increase of \$403,740 for HP Barr Oval 2 Drainage & Restoration Works
 10. Increase of \$35,770 for Glenrowan Recreation Reserve Project
 11. No change to the Plant Replacement Reserve however, the following projects to be included, Tait Radio Upgrade \$130,000, Arrow Kerb & Channel Machine \$78,500 and 8t Excavator with assorted attachments (\$225,000) and deferral of Tip Truck Giga \$240,000, Howard Stealth, \$20,000, Howard Procut x 2 \$20,000, Slasher Howard EHD 180 \$28,500 and Tip Truck Mitsubishi Fighter Vegetation \$125,000
 12. New Capital project Bindall Avenue Recreation Reserve BBQ, \$20,000
 13. Reallocation of funding of various IT projects into ICT Strategy Implementation, \$339,750
 14. Completion of the Murrell Street Subdivision, \$41,962

Borrowings

Borrowings will be required in 2019/20 as planned, in line with the capital works program.

Legal/Statutory

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

Social

There are some social impacts contained within the budget review due to either the ceasing or deferral of some projects.

Environmental/Sustainability Impacts

There are some environmental/sustainability impacts within the budget review.

2017 – 2021 Council Plan (2019 Revision)

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 legislative, governance and compliance requirements will be met.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

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

Consultation/Communication

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

Conclusion

A thorough revision of projected income and expenditure for the 2019/20 financial year has been undertaken.

The revised targets from the Budget Review will become the benchmark framework for future budget reporting for the remainder of the 2019/20 financial year.

Attachments

- 1 Revised 2019/20 Budget Income Statement & Capital Works [↓](#)

13.2 PROTECTED DISCLOSURES POLICY 2019 REVISION

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Manager People & Governance
File No: IC19/974

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 approve revisions to the Protected Disclosures Policy. The Policy has been the subject of minor revisions made by the Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019. The relevant provisions commence 1 January 2020.

RECOMMENDATION:

That Council:

- 1. Endorses the Protected Disclosures Policy revision, to be called the Public Interest Disclosure Policy, for public exhibition***
- 2. Invites public submissions regarding the 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 10 January 2020.***
- 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 revised Public Interest Disclosure Policy at the next available Ordinary Council Meeting***
- 4. If no submissions are received under the Local Law, resolves to approve the Public Interest Disclosure Policy revision without further resolution.***

Background

The Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act amends the Protected Disclosure Act to rename it the Public Interest Disclosures Act (Act) and makes a number of other changes which, so far as these are relevant to the policy:

- Rename ‘protected disclosure’ as ‘public interest disclosure’;
- Revises the definition of ‘improper conduct’, to consolidate it with the definition of ‘specified conduct’, and add professional misconduct as a new type of improper conduct;
- Enables the CEO to refer a complaint about a Councillor to the Independent Broad-based Anti-corruption Commission (IBAC) without the discloser losing the protections of the Act on account of them reporting the matter to the wrong person (the CEO is the wrong person to receive a Councillor disclosure).

The other amendments are to more accurately define ‘detrimental action’ to align with the definition in the Act. Other administrative amendments are also made.

Implications

Policy Considerations

This policy is to ensure Council meets its obligations under the Protected Disclosure Act, to be renamed the Public Interest Disclosure Act.

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

Goal - We are Sustainable

Review of policies and refresher training is necessary to ensure good governance.

Risk Management

A review of the Policy is necessary to ensure the Policy complies with the law.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Consult	The public will be invited to comment on the Policy prior to Council's decision.	Communication of Policy Meetings with interested parties.

Options for Consideration

1. Council may endorse the Policy for public consultation; or
2. Council may wish to further revise the Policy prior to public consultation.

Conclusion

Revision is required and allows for the Policy to comply with a change in the law.

Attachments

- 1 Public Interest Disclosure Policy 2020 [↓](#)
- 2 Protected Disclosure Policy 2019 [↓](#)
- 3 Community Impact Statement - Public Interest Disclosure Policy [↓](#)

14. COMMUNITY WELLBEING

14.1 DRAFT EVENT POLICY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Events Attraction Coordinator
File No: IC19/347

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 acknowledge the two submissions (1 verbal, 1 written) received in response to the community consultation for the Event Policy draft.

This is a framework policy that seeks to document existing practices, create clarity for event requirements and introduces a requirement for an Event Permit to be issued by Council (for low, medium and high impact events).

RECOMMENDATION:

That Council:

- 1. Adopts the Event Policy 2019 for immediate implementation;***
- 2. Makes a commitment to review the waste and sustainability of Council run and funded events and develop sustainability guidelines and recycling requirements to be introduced;***
- 3. Notify submitters in writing of Council's decision.***

Background

The Rural City of Wangaratta Event Policy has been developed in response to the Events & Attraction Strategy 2018-2023.

This policy provides the basis for further operational documents to be developed as part of this project such as notification and application forms, information fact sheets, event guides and process flowcharts.

The Event Policy up for adoption was out for community consultation for 28 days and there were two submissions received (1 verbal discussion, 1 written). The submissions were in response to the waste and sustainability elements of the Event Policy and provided recommendations for Council to further develop this aspect of our operations in relation to events. A full outline of the submissions is

detailed in the body of consultation summary below and the changes that have been made in the report are detailed in table 1, page 3 below.

While the Policy broadly addresses environmental impact and amenity, the ambition in 20/21 to develop and implement a clear position on how waste and sustainability (e.g. plastic, recycling and organics) are managed for Council funded events (Events & Attraction Strategy actions 8.1.1 and 8.1.2).

Throughout the development of this Policy and associated documents, we have sought feedback from other related Council departments on how the event guide and information fact sheets can clearly address important event elements such as waste and sustainability.

Whilst the Policy broadly addresses environmental impacts and amenity, a number of actions outlined in the Events & Attraction Strategy for 20/21 will strengthen Councils direction around environmental considerations of waste, and sustainability at Council funded events. Based on the feedback received internally from the waste and environment teams, as well as from the community submissions, fact sheets will be updated to include recommendations around:

- Avoid single use plastics – use compostable plates, cups and food containers. Ditch the straw;
- Ask food vendors to avoid single use sauce packets for a condiment station instead;
- Avoid products with excessive packaging or buy in bulk where items are loose;
- Minimising printed promotional material, take your promotions online;
- Provide water refill stations and remind attendees to bring their own cups and water bottles (through online advertising, on tickets);
- Advise vendors plastic bags are not to be used. Alternative sustainable or reusable options should be used (e.g. boomerang bags);
- Refrain from using balloons as decorations or give aways during the event.

By working with the sustainability and waste teams within Council we believe that the concerns raised by these submissions will be addressed within the 20/21 year following further research in to best practise and having a complete understanding the challenges of event organisers and vendors alike.

TABLE 1:

Wording from draft policy	Changes to wording implemented
<i>Events must:</i>	
Demonstrate responsible use of water, energy and management of waste;	Demonstrate responsible use of water, energy and management of waste including the promotion of free water stations at events;
Consider and plan for a reduction in waste using wastewise principles	Events must use packaging that is either recycling or compostable;

Wording from draft policy	Changes to wording implemented
<i>Events must:</i>	
	Demonstrate the responsible use of power, with consideration given to solar where possible;
Have minimal negative impact on the region's natural and built environment;	Have no foreseen negative impact on the region's natural and built environment;

Implications

Policy Considerations

Event & Attractions Strategy 2018-2023
 Environmental Impact Strategy
 Waste Management Strategy 2018-2023

Financial/Economic Implications

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

Legal/Statutory

Although there are no legal/statutory implications it is in the best interests of Council to lead the way in waste management and sustainability at events and an area of high importance for the community.

Social

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

Environmental/Sustainability Impacts

There are environmental and sustainability impacts that have been identified through the consultation process of this report and will be addressed as a separate project in the 20/21 year.

In line with the completion of the Environmental Sustainability Strategy 2020-2025 (to be completed in 2020), and changes to State Government Policy, it is timely that Council demonstrates stronger leadership and begins to be a driver in this area.

Council supports the banning of single use plastic bags and to develop this further would be to ban plastic straws, balloons and polystyrene as part of the events guidelines developed in 20/21.

2017-2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Creative

We will research and advocate:

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

To make sure that everything we do – from building assets to delivering events – considers the physical, social, cultural and financial needs of our community members.

We will plan and make decisions for the future:

You will be able to see the direction of our projects and services – in partnership with you we are focused on achieving a sustainable and vibrant future and our plans and decisions will be consistent with that.

We will focus on our business:

We service our community by managing our waste and recycling stream.

The non-negotiables

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

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

Event & Attractions Strategy 2018-2023

Environmental Impact Strategy

Waste Management Strategy 2018-2023

Environmental Sustainability Strategy 2020-2025 (completed in March 2020)

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
If there is no Policy	Moderate	There is no guiding framework for approving and managing events within the municipality.		Developing a policy to address the needs of the organisation and the community.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform		
Consult	Provide RCOW staff the opportunity to give feedback.	One on one meetings with RCOW staff from 13 Council departments. Workshop with RCOW staff 30/7/19.
	Provide event organisers the opportunity to respond.	The draft policy was sent to key event organisers/managers, the Arts, Culture & Heritage Advisory Committee and Section 86 Committees for preliminary feedback.
	Community Consultation	Following the Council meeting on 15/10/19, the policy will be out for community consultation for a period of 28 days.
Involve	Community Consultation	Key event proponents and the community are invited to provide feedback on the Policy.

The two submissions received were complementary of Council's environmentally sustainable initiatives to date however, acknowledge the increasing pressure on waste and recycling and the importance for Council to develop clear direction into addressing these concerns locally.

There were concerns about the vagueness of some of the points under Environmental Impact and Amenity within the policy and this has been addressed and noted above under the background header.

The submissions included recommendations for;

- How waste is dealt with at events including no single use items;
- Providing three bin stations for recycling, organics and waste;
- No plastic bottled water;
- Reusable/washable cups for hot drink/coffee vans;
- Reusable/insulated cups available for purchase; and
- Providing free water stations and refillable water bottles available for purchase.

These recommendations have been considered in the changes made in the policy and will also help inform the future direction of events in relation to the development of waste and sustainability guidelines.

Options for Consideration

1. Council adopts the policy with changes as outlined in the table under background heading;
2. Council would like further review in to the position of events in relation to waste and sustainability;
3. Council rejects this policy.

Conclusion

This policy and associated documents will ensure that all events held on public or private land within the Rural City of Wangaratta Local Government Area are effectively managed, and negative impacts to the community and environment are avoided or minimised.

Attachments

- 1 Draft Event Policy [↓](#)

14.2 MAX PARKINSON LODGE TRANSFER

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	10 December 2019
Author:	Director - Community Wellbeing
File No:	IC19/841

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 Councillors to update on the outcome of the Expression of Interest for the transfer of the Max Parkinson Lodge facility.

Council made available an EOI process throughout September/October 2019 to facilitate the transfer of the facility to an appropriately registered social housing authority that would be able to provide appropriate and needed housing to the Wangaratta community.

There were three proposals submitted to Council. The assessment criteria was established as:

- Financial return to Council – 5%
- Target group represents the most at-risk members of community - 25%
- Nature, quality and timing of works - 10%
- Relevant experience and capacity to deliver construction works - 15%
- Financial standing - 15%
- Proposed approach to management - 30%

These proposals have now been reviewed and assessed and a recommendation is provided to Council.

RECOMMENDATION:

That Council enters into a tripartite agreement with the Director of Housing and Beyond Housing Network Limited to facilitate the transfer of the land and buildings at Lot 1 PS 710744 Volume 11508 Folio 883, situated at 8 Sadler Street, Wangaratta

Background

The Max Parkinson Lodge (MPL) facility at 8 Sadler Street, Wangaratta is a purpose built eight-bedroom residential care facility. Council acquired the land on which MPL is built in 1969. The building development was funded in 1989 through a Local Government and Community Housing Program grant from the Minister of Housing and Construction, Victoria. As part of the project, Council contributed \$123,460.

The building itself was named in memory of Mr Max Parkinson (who passed away on 2 September 1991) in recognition of his tireless and selfless service to the senior citizens of Wangaratta. Mr Parkinson formed part of the sub-committee, which in partnership with Council, established the first Meals on Wheels service for Wangaratta. Max was instrumental in assisting the service to become fully operational and in the first year alone, over 3,000 meals were delivered to the elderly.

The facility was managed by St. Johns Village until 2000 and later used by the Aged and Disability Day Activity Service (ADDAS - later known as the Planned Activity Group PAG) after Council was unable to secure a suitable tenant that would comply with the requirements of the funding agreement. The Planned Activity Group remained at the facility until 30 June 2009 when they relocated to the HP Barr Community Centre. Max Parkinson Lodge has remained vacant since then. Council has continued to provide maintenance to the property at a cost of approximately \$14,000 per year.

The building is currently not suitable for use or occupation. A building condition report in July 2016 identified significant issues relating to the structure. An estimate of works required on the building (without significant layout changes) is in the vicinity of \$300,000. Council continues to maintain the facility and provide security and service connections. This totals approximately \$15,000 annually.

Under the terms of the original funding agreement, if Council was to sell the building, instead of transferring the facility, it would be required to return funds to the to the Director of Housing. The amount that would need to be returned following the sale would be determined by a formula set out in the original contract - the original amount of the grant multiplied by MV2, divided by MV1 - where MV1 is the market value of the building (including land) at the date of completion (1990) And where MV2 is the market value of the building (and land) now. The property was valued in September 2019 for \$325,000. If Council was to sell the property it would be required to return \$257,457 to the Department. There are also terms within the funding agreement that dictate the possible uses of the facility.

At the September 2016 Ordinary Council meeting, Council resolved to proceed with an expression of interest process with the Department of Health and Human Services to identify a suitable registered housing authority to transfer the facility for a social housing outcome. Under Section 191 of the Local Government Act 1989, Council may transfer, exchange or lease any land to the Crown, a Minister or any public body for public or municipal purposes. No comments or submissions were received during the review period.

The following three years required significant negotiation with the Department of Health and Human Services regarding the terms and conditions of the transfer. The current Public Use zoning of the land was questioned by DHHS as they had previously proposed that Council rezone the land to residential use. Discussions with Council's Planning officers has advised that it is not necessary to re-zone the land for the public housing purpose and that a planning permit would be appropriate.

In September 2019, Council advertised the Expression of Interest for the transfer of the MPL facility and land. The process identified that the principal objectives of the process for Council are to:

3.1 achieve a financial return to Council; and

3.2 select a well credentialed Proponent to:

3.2.1 provide safe, integrated and high-quality affordable housing at the Site for the most at-risk members of the Rural City of Wangaratta community;

3.2.2 enter into a Tripartite Agreement; and

3.2.3 take a transfer of ownership of the Site.

As part of the process, each proposal was required to include provide information regarding the following:

1. Financial contribution

A statement setting out the proposed financial contribution for the transfer of the Site, expressed in Australian dollars, plus GST. Council acknowledges that the financial contribution need not reflect the market value of the Site.

2. Proponent's eligibility

Evidence of the Proponent's status as a Registered Agency.

3. Proposed Target Group

Details of the Proponent's proposed Target Group, and an explanation of how that Target Group represents the most at-risk members of the Rural City of Wangaratta community.

4. Intention whether or not to develop Site

A statement as to whether the Proponent intends to:

- (a) retain the existing affordable housing dwellings at the Site; or
- (b) demolish and construct new affordable housing on the Site.

5. Refurbishment of existing dwellings

(If the Proponent intends to retain the existing affordable housing dwellings) details of any refurbishment works which the Proponent proposes to carry out (nature, quality and timing of works).

6. Development of new dwellings

(If the Proponent intends to construct new affordable housing on the Site) details of the nature, quality and timing of the proposed development works.

7. Capacity to carry out works

(If the Proponent intends to refurbish the existing dwellings or develop new dwellings):

(a) evidence of the Proponent's capacity to deliver the project, including:

- (i) the Proponent's experience in undertaking other similar projects involving the refurbishment or development of affordable housing dwellings;
- (ii) details of the Proponent's financial structure for the project, including:
 - the proposed ratio of debt to equity funding; and
 - a statement of support from the Proponent's debt provider; and

(iii) details of the Proponent's proposed project team for the project; and
(b) details of approvals required prior to carrying out the works (eg: planning and building permits).

8. Proponent's operational capacity

Evidence of the Proponent's financial position, including:

- (a) balance sheet; and
- (b) profit and loss statement, for the previous 2 financial years.

9. Ongoing management of Site

Details of the Proponent's proposed approach to the ongoing management of the dwellings at the Site (including complaint-handling), to ensure that:

- (a) the dwellings at the Site are operated competently; and
- (b) the occupation of dwellings at the Site by members of the Target Group does not unreasonably impact or interfere with the safety and amenity of surrounding areas.

Proposals

Three proposals were received by Council by the due date. A further email was received after the closing date by a local community organisation offering to discuss an alternative solution if a successful housing organisation was not secured.

The details of the proposals are summarised in the attached assessment documentation.

Implications

Financial/Economic Implications

The Max Parkinson lodge facility has been maintained by Council since it was constructed in 1991. It currently costs Council \$15,000 per year for service connection charges and security. This cost would cease once the transfer has occurred.

The property was valued in September 2019 for \$325,000, with an expected sale period of 6 months due to a narrow market segment.

There are terms within the initial funding agreement (1990) that require Council to return funds to the Department of Housing (now the Department of Health and Human Services) if the property was sold. This amount is based on the current market value (at the time of sale). If Council was to sell the property instead of transferring it, Council would be required to return \$257,457 to the Department.

As part of the Expression of Interest, organisations were asked to provide a statement setting out their proposed financial contribution for the transfer of the site, expressed in Australian dollars, plus GST. Council did acknowledge that the financial contribution need not reflect the market value of the site.

The financial contributions put forward in the proposals are reflected in the assessment table.

Legal/Statutory

As a condition of transfer, the Proponent will be required to enter into a tripartite agreement between Council, the Director of Housing and the Proponent prior to the transfer taking effect, which will provide for the following:

- (a) the Proponent acknowledges that s 107 of the Act applies to the Site;
- (b) the Director of Housing acknowledges that Council is relieved from any obligations set out in the 1990 Agreement;
- (c) the Proponent agrees to assume Council's obligations under the 1990 Agreement;
- (d) variation of the 1990 Agreement to broaden the Target Group to reflect the Proponent's Proposal; and
- (e) any other relevant matters arising from the Proposal.

The transfer of the Site to the Proponent is subject to Council, the Director of Housing and the Proponent agreeing on the terms of the Tripartite Agreement and executing the Tripartite Agreement.

Legal advice has been obtained throughout this process to ensure due process has been followed.

Social

Housing stress is a growing issue in the municipality. In 2016, Beyond Housing Network provided crisis service to 220 Rural City of Wangaratta residents.

In that year, 51% of lone person households in Wangaratta were living with rent related poverty (compared to 47% for the Victorian Hume Region) and 71% of one parent families were living below the poverty line (compared to 60% for the Victorian Hume Region)

Issues contributing to housing stress include relationship breakdown, family violence, mental health challenges, and financial difficulties. The benefits of long term, secure and affordable housing for individuals and families cannot be underestimated. Considerable research demonstrates that homelessness causes and/or exacerbates poor mental and physical health, creates significant barriers to education and employment, results in trauma and disengagement of children from education, isolates people from their networks and the broader community and can lead to anti-social/criminal behaviour.

This project will provide significant increases in the availability of safe and accessible housing for people and families within our community who are at risk of homelessness. This will have a profound impact on their capacity to live safe and healthy lives, whilst also supporting their positive contribution to our community.

Environmental/Sustainability Impacts

Environmental and sustainability considerations have been reflected in the proposals for the developments. These impacts will continue to be assessed appropriately throughout the planning process.

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Thriving

We will plan and make decisions for the future:

In partnership with the right organisations we will make sure that everyone feels safe in their own homes, in their streets and in their communities

The non-negotiables

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

Strategic Links

Municipal Public Health and Wellbeing Plan

Action: Advocate, facilitate and support projects that provide safe, accessible and affordable housing options appropriate to the needs of all community members

Risk Management

There is a risk that the successful proposal will be met with significant community objection. This will be managed by the approvals process and reflected accordingly in the consideration of the development.

The expression of interest process required organisations to clearly outline their proposed model of management and operations. The capacity to ensure the facility integrates safely within the community is important. These considerations are reflected in the assessment table.

Should Council not progress with the transfer of the facility, there is the risk that it will result in further and more significant decline in its integrity and condition of the facility. There is also the risk that Council will be viewed as not adequately managing the future use of the facility and potentially enabling a significant community need to be met.

Consultation/Communication

As per the requirements of section 189 of the Local Government Act, Council advised of the intent to transfer the land and facility the promotion of the Expression of Interest. There were no submissions received.

The expression of interest process for the transfer of the facility was also publicly advertised within the local community.

There will be planning and building processes as part of the redevelopment of the site that will require appropriate consultation with surrounding neighbours and the broader community. These will be implemented as part of the approvals process. A communications strategy will be developed to support the process.

The descendants of Max Parkinson will be informed of the process to be undertaken and any concerns arising will be dealt with respectfully.

Options for Consideration

1. Council proceed with the recommended transfer of the Max Parkinson Facility and subsequent land to Beyond Housing.
2. Council elect to transfer the land to an alternative proposal.
3. Council elected to sell the facility and land and return funds to the Department of Health and Human Services as per the original contractual arrangement.
4. Council elect to utilise the facility for an alternative use.
5. Council elect to do nothing and continue to maintain and monitor the site.

Conclusion

Access to safe and secure housing is social determinant of health and wellbeing. The lack of social housing within our community is a barrier to some people maintaining their capacity to provide homes for themselves and their families.

There are many reasons people become at risk of homelessness. As a community, the development of this proposal will help provide real support to help transition people back into secure housing, and support their participation in the community, education and employment.

Attachments

- 1 Evaluation Form - Confidential

14.3 DRAFT WALKING AND CYCLING STRATEGY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Projects and Recreation Coordinator
File No: IC19/973

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 detail the development of the draft Walking and Cycling Strategy and to seek endorsement of the draft strategy being placed on public exhibition prior to the final Strategy being presented at a future Council meeting.

A significant amount of infrastructure is dedicated to walking and cycling and there is strong demand for further investment in this area. This strategy seeks to provide a framework for prioritising and decision making when deciding to invest in the walking and cycling space.

The strategy has been informed by a significant community engagement process, reviews of existing Council plans and strategies, external documents relevant to the Wangaratta community and best practice and industry standards.

RECOMMENDATION:

That Council:

- 1. Endorses the Draft Walking and Cycling Strategy***
- 2. Places the Draft Walking and Cycling Strategy on public exhibition for a period of at least 60 days, ending on Tuesday 11 February 2020***
- 3. Considers the submissions received and a final Walking and Cycling Strategy at a future Council meeting.***
- 4. If no submissions requesting change are received for the Strategy, adopts the Draft Walking and Cycling Strategy without further resolution.***

Background

The draft Walking and Cycling has been developed to guide the way Council delivers infrastructure that supports the ability of people within our community to be active, to safely move around, and to stay connected.

Wangaratta has an extensive network of pathways and trails which connect many destinations within the municipality, particularly within the urban area. With more than 240km of pathways with an estimated replacement value of \$22.5m plus a number of gaps in the network and potential new routes, the need for investment into walking and cycling infrastructure is strong. Walking and cycling provides a range of benefits to the community including physical and mental health, social, economic and positive environmental outcomes.

A longstanding cycling culture within Wangaratta is one of our community's strengths but it has also been challenged by an increasingly vehicle-centric mindset. An increase in actual and perceived risk of riding on-road has also led to a greater proportion of our community having a strong preference for riding off-road with full separation from vehicles.

Implications

Policy Considerations

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

Financial/Economic Implications

There are no direct financial or economic implications identified for the subject of this report. The strategy identifies a significant amount of actions to undertake over the ten-year lifespan of the strategy and beyond – there are \$20.55m of works identified in the initial ten years. Not all of these costs will be borne by Council with some projects identified within Growth Area Structure Plans and subject to development contributions and others that will be targeted at future grant applications. Many actions are also included in other projects and plans such as those within the railway precinct and the CBD which have funding already committed. There are also various allocations within existing budgets for footpath and shared path works. An additional budget allocation of \$250,000 will be included for Council consideration in the 2020/21 budget process.

The actions within the strategy will be further scoped for consideration in future budget processes. A number of actions within this strategy will also assist in the development of the municipality as a cycling friendly city which is a strong tourism market.

	2018/2019 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income	\$36,800			
Expense	\$29,713			
Net Result	+ \$6,287			

Savings were made due to Council staff completing some of the work rather than an engaged consultant.

Legal/Statutory

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

Social

There are a range of social benefits which will be outcomes from the implementation of this strategy. An example of these is the physical health benefits associated with providing improved opportunities for people to undertake physical activity. This will have physical benefits including helping to address the obesity of our community and flow-on effects such as reduced risk of various diseases such as diabetes, cardiovascular disease, various cancers and osteoarthritis.

Mental health and social benefits will also be achieved as an outcome of implementing this strategy through creating public environments which facilitate improved connections between people and reducing feelings of stress, anxiety and depression.

Environmental/Sustainability Impacts

The increase of walking and cycling, as a choice over vehicle movements, has a positive impact on our environment. As such, the implementation of the strategy, and the achievement of increased walking and cycling rates across the community will have benefits on the environmental sustainability of our municipality.

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

We will research and advocate:

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

We will create and deliver:

- Exceptional services and programs that help our families to be healthy, happy and connected
- Quality and accessible pathways, cycling and walking tracks that build local and regional connections

We will plan and make decisions for the future:

- To ensure we are responding to the current and future recreational needs of our community and creating sustainable and quality recreation reserves throughout our municipality
- By acknowledging our municipality as both rural and urban and developing a new vision together that reflects our future
- To assist the community to reduce their impact on the environment
- In partnership with the right organisations, we will make sure that everyone feels safe in their own homes, in their streets and in their communities

The non-negotiables

- Our community can access recreation facilities and programs. We can all lead an active and healthy lifestyles
- Our rural communities are supported and recognised as significant contributors to the economic and social character of the municipality
- Our team will make the best and most efficient use of Council's resources

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

In 2030, 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 2017-2021**

2.1.1 – Promote and support accessible, affordable and inclusive opportunities for girls and women of all abilities and ages to be part of all elements of community life including sport, cultural, education, employment and leadership roles

5.1.4 – Ensure key community facilities, precincts and spaces are family friendly to ensure parents and carers can easily participate in community life

5.3.2 – Consider design in community and recreational precincts, facilities and spaces in a way that enhances safety and passive surveillance.

Recreation Strategy

7.1.2 – Develop concurrently a Walking and Cycling Strategy for the Rural City of Wangaratta in conjunction with key stakeholders.

7.1.3 – Encourage greater informal use of recreation reserves and facilities by:

- Providing safe off-road access
- Increasing the diversity of available opportunities such as nature walks, walking circuits, exercise stations, informal recreation opportunities for young people and older adults, seating/picnic facilities and play spaces.

7.2.3 – Work with key groups to establish and promote unstructured recreation opportunities for specific groups in the community.

7.5.6 – Promote walking and cycling throughout the community to increase levels of physical activity and health for all age groups by:

- Walking/cycling groups; walking/cycling routes; and directional signage on trails

Open Space Strategy

6.1.7 – Develop and enhance linear links and corridors, shared pathways, safe linked walking and cycling routes to key destinations.

7.1.1 – Improve the bicycle network along the Ovens River to provide continuous pedestrian and cycling linkages in the Wangaratta are, including the completion of the shared path linkage between Northern Beaches and central Wangaratta.

7.1.2 – Enhance the trail network along One Mile Creek and better link urban areas to the CBD.

7.4.1 – In Whitfield, consult with the community on developing a walking/cycling trail along the King River linking Whitfield and Cheshunt.

Rural Placemaking Plans

Each of the five Rural Placemaking Plans identify a number of walking and cycling related actions which have been considered and incorporated within the draft strategy.

Environmental Sustainability Strategy

Action 30 - Include public transport, bicycle and pedestrian networks and facilities in all new developments and retrofit opportunities (buildings and subdivision), including potential for future cycling and public transport options. Include sensitive design for disabled and elderly users.

Action 47 – Plan and improve facilities to support public transport users, walking and cycling.

Consultation/Communication

Significant consultation has occurred through the development of the draft strategy. The main period of consultation was undertaken from January to March 2019 with a range of opportunities available for people to provide input – these included online surveys; interactive mapping; written submissions; stakeholder workshops; a rural community roadshow and phone interviews. Over 300 online/written submissions were received with another 60 people engaged through the workshops, information sessions and interviews.

The draft Walking and Cycling Strategy is proposed to be placed on public exhibition for a period of 60 days, a range of activities will be undertaken to raise awareness of the opportunity for the community to provide comment on the draft strategy. Those who have made contributions will be advised of the current status of the draft strategy and the opportunity to provide further input.

Options for Consideration

1. That Council endorse the draft Walking and Cycling Strategy and seek community feedback by placing the draft on public exhibition for a period of no less than 60 days. **(Recommended)**
2. That Council not endorse the draft Walking and Cycling Strategy and seek further adjustments prior to being returned to Council for endorsement at a future meeting. **(Not recommended)**

Conclusion

The Walking and Cycling Strategy is an important planning document to guide Council in its decision making. Walking and cycling are two of the key activities that enable our community to be physically active and to travel around and through our community. A significant infrastructure base is required to support this activity and a sound strategic approach is needed to ensure it is done so in an effective and efficient manner.

Attachments

- 1 Draft Walking and Cycling Strategy [↓](#)

14.4 REVISED LOGO

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	10 December 2019
Author:	Director - Community Wellbeing
File No:	IC19/1031

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 recommendation for the future direction of the Rural City of Wangaratta brand identity. This recommendation is made following stakeholder engagement and feedback on the draft brand identity, focusing on the revised logo concept presented below.

The outcomes and summary of this process are included in the report and have been considered and reflected in the recommendation.

RECOMMENDATION:

That Council:

- 1. Acknowledges the feedback received from the individuals and groups involved in the targeted stakeholder engagement, as set out in the recommendation from the August Ordinary Council meeting.***
- 2. Adopts the revised logo.***
- 3. Progresses implementation of the marketing strategy with the incorporation of the new logo.***

Background

Council has recognised that there is currently an inconsistent and inadequate approach to the branding and marketing of the organisation and the municipality. The result is that there is a weak ability to position and market our unique offer to potential new investors, businesses, residents and visitors.

Research and consultation into the current logo and branding identified that there was a lack of a coherent message, strong identity and clear sense and communication of purpose. As such, people struggle to connect with the Rural City of Wangaratta brand and what it means.

To achieve the objective of driving increased investment, growth and visitation to the municipality, a new brand identity and marketing strategy has been developed.

Combined with a range of strategic actions across Council, the new brand and marketing approach will facilitate the goal of long-term sustainability for the region and strong economic growth.

The initial process of developing a new logo involved extensive community engagement and consultation – the first draft logo was developed to represent a ‘W’ that symbolised the waterways and rivers. These outcomes, along with a draft Marketing and Branding Strategy, were presented to Council at the August 2019 Ordinary Council meeting. At that meeting, the following motion was adopted by Council.

That Council:

- 1. Acknowledge and consider the community and stakeholder submissions made during the formal review period.*
- 2. That this council endorse the draft marketing and branding strategy and branding identity as approved in the 2019/2020 budget forthwith, using the existing logo as it's foundation.*
- 3. That over the period of 6 months, consultation takes place together with the custodians of our land and others, to formulate a meaningful logo, which may well mean acceptance of the present logo, but which may represent the wishes of the citizens of the Rural City of Wangaratta, our rivers, wine, cheese and agricultural producers and local business.*
- 4. That Council request officers bring a report on implementation of a reconciliation action plan to a future council meeting.*

The community feedback surrounding the ‘W’ logo proposal had a strong focus on the move away from a representation of the cormorant.

1. Significance of the cormorant

There was a high level of support for the prominence of the cormorant in the brand of the municipality. From a cultural and historic perspective, as well as being a unique story and representation of the city name, many people felt that the cormorant was a significant part of the identity of the municipality.

2. Story of the cormorant

Despite the high levels of feedback indicating the support of the cormorant many people also acknowledged that the cultural story of the cormorant is not well known. Council has committed to working with the indigenous community to facilitate the recognition of the cormorant more prominently throughout the community including through public art and cultural story telling.

Council acknowledged the community feedback and resolved to take further time to redevelop the draft logo and formulate a meaningful concept. Further engagement with stakeholder groups was also committed to test the revised draft logo concept.

Revised logo concept

Following the August Council meeting, Council worked closely with the design agency to formulate a revised draft logo that reflected the cormorant, whilst still symbolising a contemporary and progressive approach. The following was selected as the preferred draft logo:



Design rationale for the new concept



Consultation has been undertaken with the below stakeholder groups.

Stakeholder Group:
Agriculture and Agribusiness Advisory Committee
Arts Culture and Heritage Advisory Committee
Business Wangaratta Chamber of Commerce Inc.
Economic Development and Tourism Advisory Committee
Indigenous Stakeholders: <ul style="list-style-type: none"> • Uncle Freddie • Darren Moffitt • Anita Cooper
Youth Council

Stakeholder Feedback summary:

	Yes	No	Other
Does the new logo reflect what you want in a logo?	<ul style="list-style-type: none"> • It's a step forward • More heart than the W • Simple, minimal and representative of where we live. • Connects rivers and the cormorant. • More meaningful than W • Yes, but not everyone will recognise it as a cormorant. 	<ul style="list-style-type: none"> • It doesn't look like a long neck cormorant. Neither does the current one but it is more representative 	<ul style="list-style-type: none"> • The current logo isn't broken. • Concept is a good representation of cormorant and rivers. • There is a need to move forward. • Use more colour e.g. make rivers blue.
Is this a move forward from the current logo?	<ul style="list-style-type: none"> • Yes, it's a modern way of telling a story. • Yes, but head of cormorant needs to be more reflective of a cormorant. • Yes – more so than the W. Would like to see marketing collateral to appreciate the full brand representation as logo is only one element. 	<ul style="list-style-type: none"> • It's a modern design that has been designed with future in mind. • Yes, but will need marketing to explain the story. • Why is there a need to modernise? 	<ul style="list-style-type: none"> • Design rationale is helpful in understanding the story. • Why is there such a huge focus on the logo which plays a small part of the brand strategy?

Implications**Policy Considerations**

The logo will directly impact the delivery of the Marketing and Branding Strategy that was adopted by Council at the August Council meeting.

Financial/Economic Implications

The development of the revised draft logo cost an additional \$17,800. This cost was absorbed in the budget allocation of the Marketing and Branding Strategy.

Legal/Statutory

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

Social

The Branding and Marketing project will have significant social and economic impacts for our community. From improving the visual presence of council and the community, to stimulating growth in tourism, investment and population, the project will create long lasting benefits.

Part of the branding and marketing collateral will focus on telling the story of Wangaratta, local people and businesses. They will be reflected throughout the brand images and campaigns and will help to celebrate the breadth of opportunity, creativity and innovation that exists within our community.

Environmental/Sustainability Impacts

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

2017– 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

We are growing.

Our economy and community are growing because we offer exciting opportunities and potential. We have a strong economic development strategy and continue to attract new businesses, residents and visitors to the region.

We will create and deliver:

- Collateral that promotes the unique characteristics and position of the municipality for investment.
- Tourism products and experiences that build our attraction to visitors.
- Innovative and flexible visitor services that respond to the changing expectations of people visiting our region.
- Marketing campaigns that attract new residents and clearly position Wangaratta as a great place to live and work.

- Programs and training that support our local businesses and attract people to the CBD

We will focus on our business:

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

Strategic Links;

- a) Rural City of Wangaratta Tourism and Economic Development Strategy
- b) Rural City of Wangaratta Masterplan for the City

Risk Management

Should the new logo be adopted by Council there is a moderate risk that not all of the community will be supportive of the new direction. This may cause some reputational challenges for Council.

Should the new logo not be adopted by Council there is a high risk that marketing projects will be delayed. This may result in the perception that resources have been misallocated and that the objectives of the branding project are not met.

For both of these risks a thorough communications strategy will be implemented to respond to and address community concerns.

Consultation/Communication

The brand project has involved several stages of extensive community and stakeholder consultation.

This stage of stakeholder consultation has included one on one meetings, and group information sessions. Feedback has been presented to Councillors as part of the process and is reflected within this report.

Options for Consideration

1. Council undertake further community engagement to gain a more extensive view of the draft logo from a larger number of people.
2. Council elect to retain the existing logo and progress with the Marketing and Branding Strategy implementation.
3. Council develop a further alternative logo for community consideration.

Conclusion

The revised draft logo has been developed to reflect the significance of the cormorant in our community's cultural story. The adoption of the logo will allow for immediate progression of marketing and branding projects that will help to build a strong and recognisable brand for our municipality.

Council has set clear targets for the branding and marketing focus – build growth in the investment, attraction and visitation for the municipality. The ability to

progress with contemporary marketing collateral will support the development of our brand, and the recognition of our unique assets and strengths.

Attachments

Nil.

15. INFRASTRUCTURE SERVICES

15.1 C23364 - FLEET VEHICLE LEASING

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Manager - Field Services
File No: IC19/817

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 award contract C23364 - Vehicle Fleet Lease Services for the Fully Maintained Operating Lease of Council's Light Commercial and Passenger Vehicle Fleet.

RECOMMENDATION:

That Council:

- 1. Awards C23364 - Vehicle Fleet Lease Services to LeasePlan;***
- 2. Authorises the Chief Executive Officer to sign and seal documents for Contract C23364 - Vehicle Fleet Lease Services; and***
- 3. Discloses the contract price for Contract C23364 - Vehicle Fleet Lease Services.***

Background

A detailed study has been completed on the costs currently being incurred by Council under the existing model of outright purchasing and operating its light commercial and passenger vehicle fleet.

Fleet costs have been compared and significant savings have been identified in moving the fleet to an Operating Lease arrangement. Whole of life charges including purchase, accessories, registration, maintenance, tyres, fuel and administration were compiled for each vehicle to assess the fleet's costs.

Specifications for 39 vehicles were drafted and issued for tender T1819/068 Vehicle Lease Services, requesting pricing for the vehicles under a Fully Maintained Operating Lease strategy and awarded to LeasePlan by Council at its Ordinary meeting on 20 August 2019. The preferred supplier identified errors relating to fuel and insurance inclusions in the tendered amount and after discussions the contract process ceased and the decision was made to re-tender the contract.

Tender for C23364 – Vehicle Lease Services were invited via eProcure on 15 October 2019.

Tenders closed at 2:00pm on the 15 November 2019.

There were 7 tender submissions received. One tender was non-conforming.

The term of the contract is for either 3 or 5 years based upon vehicle utilisation.

- 11 vehicles for a term of 3 years or 120,000 kms
- 28 vehicles for a term of 5 years or 100,000 kms

Implications

Policy Considerations

Procurement Policy.

Financial/Economic Implications

Fleet costs have been compared and significant savings have been identified in moving the fleet to an Operating Lease arrangement.

There is allowance in the existing budget to transition the fleet from capital purchase to lease.

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

The supply of new vehicles with current conforming emission standards versus our current aging fleet will reduce our environmental impact.

The majority of passenger and medium SUVs will be supplied as Hybrid vehicles further reducing Council's emissions.

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Sustainable

We will plan and make decisions for the future:

To make sure that everything we do – considers the financial needs of our community.

We will focus on our business:

By striving for innovative solutions to business needs.

The non-negotiables

Our team will make the best and 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

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Increase costs at end of first lease period	Possible	Major	9	Revenue from the sale of existing vehicles will be kept in reserve. Continue 60c per km charge to operational budgets.

Consultation/Communication

N/A

Options for Consideration

1. Continue with current Capital Purchasing strategy.
2. Move to a fully maintained operating lease.

Conclusion

Council has a large fleet of vehicles which are currently fully purchased through the annual plant replacement program and operational costs are budgeted and adjusted annually. A fully maintained operational lease offers significant savings and adds surety for costs over the life of the lease.

Following a comprehensive evaluation of tenders against the pre-determined evaluation criteria and weightings, LeasePlan is recommended for awarding of C23364 – Vehicle Lease Services.

Attachments

- 1 C23364 - Vehicle Lease Services - Evaluation Report - 21 November 2019 - Confidential

15.2 C23018 – WANGARATTA RAILWAY PRECINCT – URBAN STREET RENEWAL

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Manager Infrastructure Planning and Delivery
File No: IC19/820

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 award contract C23018 – Wangaratta Railway Precinct – Urban Street Renewal.

RECOMMENDATION:

That Council:

- 1. Awards the contract C23018 Wangaratta Railway Precinct – Urban Street Renewal to Excell Gray Bruni Pty Ltd;***
- 2. Authorises the Chief Executive Officer to sign and seal documents for C23018 Wangaratta Railway Precinct – Urban Street Renewal; and***
- 3. Discloses the contract price for C23018 Wangaratta Railway Precinct – Urban Street Renewal.***

Background

The Victorian Government – acting through Regional Development Victoria - has approved a Regional Jobs and Infrastructure Fund grant for the delivery of the Wangaratta Gateway Precinct Project.

Project includes works in Docker Street, Norton Street and Cusack Street. These works include:

- Improving the station entrance area, defining the public realm and pedestrian spaces from vehicle areas and creating a place that enables people to spend time.
- Upgrading pedestrian pathways and creating accessible linkages to areas surrounding the station. This component of the project is part of the Wangaratta Loop, a shared cycle/pedestrian trail which is another key project in the CBD Masterplan.

- Tree plantings and landscaping to improve the amenity and comfort of the station, soften the dominance of the existing infrastructure and create a link to surrounding streets.
- Installation of new seating, lighting, and improved signage.
- Renewal of drainage network components.
- Reconfiguration of car parking. The existing car parking will be redesigned to make parking areas less dominant, more efficient and easier to access.
- Upgraded road pavement throughout the precinct.

Contractors were asked to provide two lump sum prices; one was to complete all three streets and the second was to complete Docker Street and Norton Street only.

Tenders for C23018 – Wangaratta Railway Precinct – Urban Street Renewal were advertised on Eprocure and in The Chronicle.

Tenders closed at 2:00pm on 5 November 2019.

There were 2 tenders received.

The tender evaluation team included Council's Manager – Infrastructure, Planning & Delivery, Technical Services Coordinator, Project Manager and a Probity Auditor from Crowe Horwath.

Implications

Policy Considerations

Procurement Policy.

Financial/Economic Implications

External funding of \$2,500,000 has been granted to this project, with the balance of funds coming from Council. The preferred tender price is within the budget forecast for the overall project.

Legal/Statutory

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

Social

The area surrounding the Wangaratta station currently has a bare, car-dominated, edge of town feel, broken up by the occasional hive of business activity. The project will create an immediate sense of character and identity for people entering Wangaratta via the precinct. It will establish the precinct as a destination in its own right, and create a clear and enticing link to the heart of the CBD. In addition the project will enable and encourage existing and new trail cyclists to make use of rail transport when using their bikes in and around Wangaratta.

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Growing

We will plan, research and advocate for the future:

To promote regional cycle tourism for the benefit of our community and the local economy

We will create and deliver:

Timely and appropriate infrastructure to support our growth areas.

A city centre that is unique, diverse and active

Quality and accessible pathways, cycling and walking tracks that build local and regional connections

We will plan and make decisions for the future:

We will respond to the challenges that face our organisation and community in innovation and effective ways. We will partner, collaborate and advocate to make sure that we will have a sustainable and vibrant future.

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

Our infrastructure provides community links to recreational, business, services, social and cultural spaces

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
Timeframe and achieving the proposed timelines	Minor (2)	Moderate (3)	5	Project Manager to monitor
Unsatisfactory quality of works	Minor (2)	Minor (2)	4	Project Manager to monitor
Contractor Injury	Minor (2)	Moderate (3)	5	Project Manager to monitor contractors OH&S performance
Community concerns	Minor (2)	Moderate (3)	5	Communication Plan

The project will cause significant disruption to vehicle movement, parking and to a lesser extent pedestrian movement for the duration of the construction. The project will try to minimise these disruptions and to communicate them well in advance.

Consultation/Communication

There has been extensive consultation through-out the project commencing with the CBD Masterplan work through to most recently, drop-in sessions and one-on-ones during the concept design stage. Council adopted the concept designs in open Council which provided further opportunity for input.

A detailed communication plan will commence once the contract is awarded and continue for the duration of the construction phase.

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Ongoing communication with businesses & residents through the life of the project	Letters, meetings, phone calls, social media & Chronicle advertisement
Involve	VicTrack Railway Authority	Emails, Meetings, Phone Calls

Conclusion

Following a comprehensive evaluation of tenders against the pre-determined evaluation criteria and weightings, Excell, Gray Bruni Pty Ltd scored the highest and offer value for money.

Attachments

- 1 C23018 – Wangaratta Railway Precinct – Urban Street Renewal - Evaluation Report - Confidential
- 2 Probity Report - Confidential

15.3 C23216 - PROVISION OF CLEANING SERVICES

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Project Officer
File No: IC19/823

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 award contract C23216 Provision of Cleaning Services.

Council is seeking a suitably experienced cleaning Contractor to carry out cleaning of nominated Council properties, to ensure that Council facilities are attractive, safe and effective for use by the users.

RECOMMENDATION:

That Council:

- 1. Awards the contract C23216 Provision of Cleaning Services to Ausbright Facilities Management;***
- 2. Authorises the Chief Executive Officer to sign and seal documents for C23216 Provision of Cleaning Services; and***
- 3. Discloses the contract price for C23216 Provision of Cleaning Services.***

Background

Council's current cleaning contract expires on 31 January 2020.

The tender has called for cleaning providers to engage in cleaning of nominated Council properties for an initial term of contract commencing on the 31 January 2020 for Three (3) years. Council may at its absolute and sole discretion extend the Contract by a further Twenty Four (24) month term.

Tenders for C23216 Provision of Cleaning Services were advertised on Eprocure and the Chronicle.

Tenders closed at 2:00pm on Wednesday 13 November 2019.

The tender evaluation team included Council's Manager – Infrastructure, Planning and Delivery, Procurement Specialist and Project Officer.

There were 6 tenders received.

Implications

Policy Considerations

Procurement Policy.

Financial/Economic Implications

The cleaning contract is funded from Council's operating budget.

Legal/Statutory

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

Social

The cleaning services contractor must ensure that all Council buildings are cleaned to a standard that is expected by the community.

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Established

Our infrastructure is developed and maintained based on what we understand is important to the people who live, work and visit here.

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
Unsatisfactory quality of works	Minor (2)	Minor (2)	4	Project Manager to monitor
Contractor Injury	Minor (2)	Moderate (3)	5	Project Manager to monitor contractors OH&S performance
Community concerns	Minor (2)	Moderate (3)	5	Communication Plan

Consultation/Communication

No consultation is required.

Conclusion

Following a comprehensive evaluation of tenders against the pre-determined evaluation criteria and weightings, Ausbright Facilities Management scored the highest and offer value for money.

Attachments

- 1 C23216 - Provision of cleaning services - Evaluation Report - Confidential

15.4 C23175 - SISELY AVENUE & SWAN STREET INTERSECTION UPGRADE

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Project Officer
File No: IC19/826

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 award contract C23175 Sisely Avenue and Swan Street Intersection Upgrade.

The project will improve the pavement on the corner of Sisely Avenue & Swan Street, Wangaratta. The pavement has deteriorated to the point where it is requiring continual repair and maintenance.

RECOMMENDATION:

That Council:

- 1. Awards contract C23175 Sisely Avenue and Swan Street Intersection Upgrade to O'Loughlin Excavations Pty Ltd;***
- 2. Authorises the Chief Executive Officer to sign and seal documents for C23175 Sisely Avenue and Swan Street Intersection Upgrade; and***
- 3. Discloses the contract price for C23175 Sisely Avenue and Swan Street Intersection Upgrade.***

Background

The Rural City of Wangaratta has been successful in receiving \$290,000 in funding from Regional Roads Victoria's Fixing Country Roads Program to improve the pavement conditions at the Sisely Avenue and Swan Street intersection.

A significant volume of traffic use Sisely Avenue to access the west end and the southern industrial precinct of Wangaratta, with an average Daily Traffic (ADT) volume of 8,172 vehicles.

The pavement has deteriorated to the point where it is requiring continual repair and maintenance. Isolated pavement defects and extensive shoving and rutting have occurred over time due to poor subgrade conditions, combined with increased vehicle traffic volume have all contributed to the pavement failure.

Tenders for C23715 Sisely Avenue and Swan Street Intersection Upgrade were advertised as follows:

Advertisement	Date
Eprocure	9/10/19
Chronicle	11/10/19

Tenders closed at 2:00pm on 6 November 2019.

There were 3 tenders received.

The tender evaluation team included two Project Managers and a Project Engineer.

Implications

Policy Considerations

Procurement Policy.

Financial/Economic Implications

2019/20 capital project budget allocated \$580,000 to this project. Available funds are \$525,249 - the expenditure so far is for design, planning and project management. This budget includes \$290,000 in funding from Regional Roads Victoria's Fixing Country Roads Program, with a matching cash contribution of \$290,000 from Council (Roads to Recovery).

Legal/Statutory

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

Social

Safer conditions for vehicles and pedestrians at this busy intersection will be welcomed by the community.

Environmental/Sustainability Impacts

EPA category B soil contamination due to the railway corridor requires removal. The tender allows for cartage of category B material to an EPA licensed facility in Melbourne. The remainder of the site's soil is classified as EPA fill material with naturally occurring higher fluoride levels - this material can be disposed of at the Bowser landfill.

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Growing

We will create and deliver:

Timely and appropriate infrastructure to support our growth areas.

We will plan and make decisions for the future:

We will respond to the challenges that face our organisation and community in innovation and effective ways. We will partner, collaborate and advocate to make sure that we will have a sustainable and vibrant future.

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

Manufacturing and service industries continue to grow.

b) Other strategic links

Freight and Land Use Strategy
North – West Growth Area – Structure Plan

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeframe and achieving the proposed timelines	Minor (2)	Moderate (3)	5	Project Manager to monitor
Unsatisfactory quality of works	Minor (2)	Minor (2)	4	Project Manager to monitor
Contractor Injury	Minor (2)	Moderate (3)	5	Project Manager to monitor contractors OH&S performance
Community concerns	Minor (2)	Moderate (3)	5	Communication Plan
Contaminated Material Exposed	Minor (2)	Moderate (3)	5	Project Manager to monitor, ensure exclusion zones are in place.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Ongoing communication with businesses & residents through the life of the project	Letters, meetings, phone calls, social media & Chronicle advertisement
Consult	Local freight & bus companies	Letter, phone calls
Involve	VicTrack Railway Authority	Emails, Meetings, Phone Calls

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

Conclusion

This project will rectify the poor pavement conditions at the intersection of Sisely Avenue and Swan Street, Wangaratta and better cater for increased traffic. Following a comprehensive evaluation of tenders against the pre-determined evaluation criteria and weightings, O'Loughlin Excavations Pty Ltd scored the highest and offer value for money.

Attachments

- 1 C23175 - Sisely Avenue and Swan Street Intersection - Evaluation Report - Confidential

15.5 C23470 CONSTRUCTION OF NEW BRIDGES OVER HODGSON CREEK

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Project Officer
File No: IC19/944

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

Executive Summary

This report is presented to Council to provide details of the evaluation of C23470 Construction of new bridges over Hodgson Creek.

RECOMMENDATION:

That Council:

- 1. Award the contract C23470 Construction of New Bridges over Hodgson Creek to Nelmac Pty Ltd, dependent on Department of Treasury and Finance funding approval.***
- 2. Authorises the Chief Executive Officer to sign and seal documents for Contract C23470 Construction of New Bridges over the Hodgson Creek, when available; and***
- 3. Discloses the contract price for Contract C23470 Construction of New Bridges over the Hodgson Creek.***

Background

In December 2018 bridge No. 193 on Kay's Road over Hodgson Creek, Tarrawingee and bridge No. 162 on Farmer's Road over Hodgson Creek, Everton Upper failed due to flooding associated with a major storm event.

The replacement of these two bridges are to be funded by the Department of Treasury and Finance as part of the State Funded – December 2018 Flood Recovery Program.

The Rural City of Wangaratta sought a suitably qualified contractor to complete replacement bridges over Hodgson Creek at Kays Road and Farmers Road via an open tender process.

Advertisement	Date
Tenderlink	23/10/2019
Chronicle	25/10/2019

Tenders closed at 2:00pm on Thursday 14 November 2019.

There were 5 tenders received.

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

Implications

Policy Considerations

Procurement Policy

Financial/Economic Implications

These works are funded from the State Government – December 2018 Flood Recovery Program.

Legal/Statutory

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

Social

Access to properties beyond the damaged bridges has been impacted with alternative routes in use.

Environmental/Sustainability Impacts

These works are with waterway areas and will be undertaken in accordance to North East Catchment Management requirements.

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Growing

We will create and deliver:

Timely and appropriate infrastructure to support our growth areas.

We will plan and make decisions for the future:

We will respond to the challenges that face our organisation and community in innovative and effective ways. We will partner, collaborate and advocate to make sure that we will have a sustainable and vibrant future.

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
Timeframe and achieving the proposed timelines	Minor (2)	Moderate (3)	5	Project Manager to monitor
Unsatisfactory quality of works	Minor (2)	Minor (2)	4	Project Manager to monitor
Contractor Injury	Minor (2)	Moderate (3)	5	Project Manager to monitor contractors OH&S performance
Community concerns	Minor (2)	Moderate (3)	5	Communication Plan

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Ongoing communication with residents through the life of the project	Letters, meetings, phone calls, social media & Chronicle advertisement
Consult	Contact NECMA for working in waterway permit and utility authorities for working near assets.	Letter, phone calls, permits as required.

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

Conclusion

This project replaces two bridges damaged during the December 2018 storm event at Hodgson Creek (Kays Road, Tarrawingee and Farmers Road, Everton Upper). Following a comprehensive evaluation of tenders against the pre-determined evaluation criteria and weightings, Nelmac Pty Ltd scored the highest and offer value for money.

Attachments

- 1 C23470 - Construction of Bridges Over Hodgson Creek - Evaluation Report - Confidential

16. DEVELOPMENT SERVICES

16.1 WANGARATTA PLANNING SCHEME AMENDMENT C77 - WANGARATTA AERODROME

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Strategy Planner
File No: IC19/853

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

Executive Summary

This report is presented to Council to:

- Consider the submissions received in relation to Amendment C77 – Wangaratta Aerodrome.
- Inform and advise Council about the content of the submissions and key issues raised in response to Amendment C77.
- Seek Council's agreement to make changes to the exhibited Amendment documents to respond to submissions, as detailed in the discussion below.
- Seeks Council's agreement to adopt Amendment C77 with changes and submit the Amendment to the Minister for Planning for final approval in accordance with section 31 of the *Planning and Environment Act 1987* (the Act).

RECOMMENDATION:

That Council:

1. ***Considers all submissions to Wangaratta Planning Scheme Amendment C77 – Wangaratta Aerodrome, pursuant to Section 22(1) of the Planning and Environment Act 1987.***
2. ***Makes changes to the exhibited Amendment C77 documents in accordance with the changes identified and recommended in Attachment 1.***
3. ***Adopts Wangaratta Planning Scheme Amendment C77 – Wangaratta Aerodrome with changes pursuant to Section 29(1) of Planning and Environment Act 1987.***
4. ***Submits Amendment C77 to the Minister for Planning for approval under section 35 of the Planning and Environment Act 1987.***
5. ***Notifies submitters to Amendment C77 of Council's decision.***

Background

What Amendment C77 proposes?

Amendment C77 proposes to implement the objectives of the *Wangaratta Aerodrome Master Plan 2017* (WAMP) and the relevant objectives of the *Wangaratta Urban Waterways Flood Investigation 2017* (WUWFI).

The primary vision of the WAMP is for the Wangaratta Aerodrome is: “*to become an economically viable aviation hub, supporting regional business growth, community services and general aviation needs, while providing local employment opportunities and respecting environmental values*”. The supporting objectives to this vision are:

- Protect the airport’s primary function for aviation.
- Recognise the airport as a valuable community asset.
- Ensure planning and provision of appropriate infrastructure.
- Ensure compliance with Civil Aviation Safety Authority (CASA) standards and requirements.
- Support aviation related development on the site.
- Support the growth of existing businesses on the aerodrome site.
- Facilitate opportunities for future aviation related businesses on aerodrome site.

The Amendment (as exhibited) specifically seeks the following changes:

Ordinance Changes (changes to the text in the Wangaratta Planning Scheme)

Zone Change

- Insert a new Schedule to Clause 37.01 Special Use Zone – Schedule 8 (Wangaratta Aerodrome);

Overlay Changes

- Insert a new Schedule 6 to Clause 43.02 Design and Development Overlay – Schedule 6 (Wangaratta Aerodrome – Obstacle Height Areas 1, 2 and 3);

Mapping Changes (see Attachments 2 - 4)

- Rezone land at 72 and 74 Brian Higgins Drive, Laceby, 69 Brian Higgins Drive, Laceby and 663 Greta Road, Laceby from Public Use Zone to Special Use Zone –Schedule 8;
- Rezone land at 663 Greta Road, Laceby from Farming Zone to Special Use Zone –Schedule 8;
- Amend Planning Scheme Map No’s 18 and 34 to apply the Special Use Zone 8;
- Insert new Design and Development Overlay Map Nos 22DDO, 23DDO, 24DDO, 25DDO, 34DDP and 35DDO;
- Amend the Design and Development Overlay Map No 18DDO;

- Amend the Flood Overlay and Land Subject to Inundation Overlay Map NOS 18LSIO-FO and 34LSIO-FO.
- Amend the Schedule to Clause 72.03 to list new maps.

Why is Amendment C77 required?

Amendment C77 is required to implement the objectives and land use planning objectives of the WAMP and the objectives of the WUWFI, as it relates to the Wangaratta Aerodrome.

In August 2018, Council adopted the WAMP which replaced the earlier Wangaratta Aerodrome Master Plan 2003 and was undertaken to ensure best management practices and sound land use planning in addressing the diverse aviation and community interests for the Aerodrome precinct. It has been adopted as a strategic document of Council that will support the activities and decisions made in relation to the future development of the Wangaratta Aerodrome. The WAMP encompasses a 20 year planning horizon and considers existing aerodrome facilities, current and future infrastructure, surrounding land uses and future trends in aviation that may influence future demand and development.

A key objective of the WAMP is to protect the aerodrome's primary function for aviation purposes and provide appropriate infrastructure to support future ancillary and complementary business development. It also identifies areas for enhancement and expenditure including space for future industrial development associated with air freight, recreational hangars, changes to fuel filling area and widening taxi areas.

The present Public Use Zoning of the Wangaratta Aerodrome does not appropriately reflect the future intentions for the precinct, particularly in that it is limited to broadly defined 'transport' uses. The amendment proposes to rezone the Aerodrome to a Special Use Zone with a new Schedule 8 related specifically to aviation and associated activities. This will allow a range of ancillary and complementary uses to occur at the Aerodrome in terms of both public and private development.

The WAMP also undertook a review of the Obstacle Limitation Surface Plan (OLS) surrounding the Aerodrome. An OLS represents the series of surfaces associated with each runway at an airport that define the airspace that must be protected from obstacles so that aircraft in the initial stages of flight, or in the vicinity of the airport, can fly safely. An OLS has been in place for the Aerodrome as part of previous Wangaratta Aerodrome Master Plan 2003, however has not been formally recognised through the planning scheme.

To give formal effect under the planning scheme to the updated OLS and ensure that future development does not penetrate protected airspace, the amendment also proposes to introduce a new Design and Development Overlay – Schedule 6 (DDO6) to land which is within the updated OLS as identified by the WAMP. DDO6 proposes controls to protect against structures penetrating protected airspace by applying the height limits as recommended in the WAMP. It requires planning permits for any tall structures such as aerials, antennas, domestic wind turbines, flagpoles, canopy trees and tall vegetation or other high structures which would

exceed the OLS heights. A planning permit is not triggered by DDO6 for any buildings and works which are below the OLS height limits.

The Amendment also proposes to implement the WUWFI's objective to use updated flood data to inform planning of the area. As the WUWFI has been completed by NECMA and proposes changes to the Flood Overlay (FO) and the Land Subject to Inundation Overlay (LSIO), it is now sought to update the flood information for the Aerodrome Precinct for consideration in future planning outcomes.

Exhibition of Amendment C77

- The amendment was placed on public exhibition from 3 October 2019 to 6 November 2019, in accordance with the requirements of the *Planning and Environment Act 1987*, and included the following:
- Direct notification to prescribed Ministers, government departments, statutory authorities;
- Extensive notification to impacted land owners and occupiers, particularly those within the proposed DDO6;
- Fact Sheets provided to all landowners within the proposed DDO6;
- Public notice published in the Wangaratta Chronicle on 27 September 2019.
- Notice in the Victorian Government Gazette on Thursday 3 October 2019.

Submissions to Amendment:

Four (4) submissions to the Amendment were received from Government agencies. All submissions were in support of the proposed Amendment and three (3) of the submissions sought no changes. One (1) submission generally supported the Amendment subject to changes to the Special Use Zone.

No formal submissions were received from landowners.

Key Issues

A full analysis of submissions is contained in Attachment 1, including recommendations for changes to the amendment in response to submissions.

The submission from the Department of Environment, Land, Water and Planning (DELWP) indicated support for the amendment but raised comments that additional biodiversity considerations should be included in the application requirements and decision guidelines of the proposed SUZ8. The submission sought the addition of specific application requirements and decision guidelines in response.

Proposed changes to address submissions

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

- Modify the Application Requirements at both Clause 3.0 (Subdivision) and Clause 4.0 (Buildings and Works) of SUZ8 to insert the following:

- *the likely impacts of development, if any, on site or any adjacent land, including native vegetation, waterways and other biodiversity values; and*
- *any mitigation measures to be implemented to avoid impacts on the native vegetation, waterway or biodiversity values present on site or on adjacent land.*
- Modify the Decision Guidelines at both Clause 3.0 (Subdivision) and Clause 4.0 (Buildings and Works) of SUZ8 to insert the following:
 - *the implications and potential impacts of the proposal on any native vegetation, waterway and other biodiversity values present on site and on any adjoining land; and*
 - *whether impacts on native vegetation, waterways or other biodiversity values present on site and on adjoining land can be avoided and whether appropriate mitigation measures have been included as part of the proposed development.*

Consideration of Submissions

Following exhibition of an amendment, Council must consider all submissions received pursuant to sections 22 and 23 of the Act. Where a submission requests a change to the amendment, Council must:

- (a) Change the amendment in the manner requested; or*
- (b) Refer the submission to a Panel appointed by the Minister; or*
- (c) Abandon the amendment or part of the amendment.*

Council officers have considered all submissions to the Amendment and note that only one (1) submission seeks a change. Officers have considered that the requested change is reasonable and will not significantly alter the intent of the Amendment or operation of the proposed SUZ8. Noting that there are no objections to the Amendment, making the requested changes to the documentation addresses the matters raised in the submissions and there are no unresolved matters that should be referred to a Panel.

Therefore, the Amendment can be adopted with changes and submitted to the Minister for Planning for approval.

Implications

Policy Considerations

The Wangaratta Aerodrome Master Plan 2017 has been previously adopted by Council and sets out the future vision, objectives and strategies for the Aerodrome over a 20 year period. Amendment C77 proposes to appropriately implement the objectives and strategies of the Master Plan into the Wangaratta Planning Scheme.

Clause 13.02-1S of the Planning Policy Framework (PPF) refers to Bushfire Planning and has the objective to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. The policy includes strategies to protect human life by reducing the vulnerability of communities to bushfire through prioritising the protection of human life over all other policy consideration, directing population growth and development to low risk bushfire locations and reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process. The policy also requires that no strategic planning document, local planning policy, or planning scheme amendment be approved that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

It is noted that the Amendment documentation has been prepared with the input of the CFA. A referral was also provided to CFA, however no formal response has been received.

The proposed rezoning of land to Special Use Zone –Schedule 8 will result in the potential for new development within the Wangaratta Aerodrome Precinct area (with the exception of the runways). The land adjacent the north and west boundaries has a rating of BAL-FZ, (under *AS 3959-2009*) however a 19 metre building setback can be achieved and would ensure that future development areas achieves a BAL-12.5 rating. Consequently, a decision guideline is proposed for buildings and works within the SUZ8 relating to achieving BAL-12.5 rating for new development

Clause 18.04-1S of the PPF refers to Planning for airports and airfields. The objective of this clause is to strengthen the role of Victoria's airports and airfields within the state's economic and transport infrastructure, facilitate their siting and expansion and protect their ongoing operation. The amendment supports the general objectives and strategies of this policy including protecting airports from incompatible land uses, ensuring that planning of airports and land use decisions are integrated, provision is made for associated businesses that service airports and ensuring the planning of airports identifies and encourages activities that complement the role of the airport

Financial Implications/Economic Implications

Financial

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

Economic Impacts

The Amendment supports the Wangaratta Aerodrome's primary function for aviation purposes and implements a new zoning and overlay which will support existing land uses and enable complementary land uses within the precinct. The proposed SUZ8 allows a greater number of aviation related uses to be undertaken without the need for a planning permit. This will benefit development of the Wangaratta Aerodrome for both public and private activities.

The updated Flood Overlay and Land Subject to Inundation Overlay to the Wangaratta Aerodrome precinct will also act to mitigate economic risk associated with flooding impacts.

Legal/Statutory

Council has statutory obligations to consider all submissions to the Amendment under Section 22 and 23 of the *Planning and Environment Act 1987*.

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

Social

The Amendment will have positive social outcomes for the Rural City of Wangaratta in that it proposes to implement new provisions that will support and protect the aerodrome's primary function as an airport and enables the continued provision and improvement of emergency services and associated social benefits. The Amendment will require planning permit applications for any building and works proposed in the Aerodrome precinct which will ensure that any potential amenity, traffic and safety impacts of development proposals are properly considered by the responsible authority.

Environmental/Sustainability Impacts

Preparation of the Amendment has considered environmental impacts and made further changes to ensure that adequate provisions are in place for consideration of future development. The proposed SUZ8 includes application requirements and decision guidelines to ensure that the potential environmental impacts of development proposals are properly considered and mitigated as appropriate. These provisions have been included with direction from DELWP in the submission to the Amendment.

The amendment is outside the Bushfire Management Overlay (BMO) and is within the Bushfire Prone Area (BPA). CFA have been consulted during the development of the WAMP and the preparation of Amendment C77, including the preparation of a Bushfire Risk Assessment for the site.

The preparation of the WAMP included consideration of protected ecological communities, and various endangered species close to the aerodrome site. No protected species or areas have been identified on the aerodrome site and there are no known species of flora or fauna that will be affected by future development at Wangaratta Aerodrome.

The expansion of the area currently zoned for airport purposes includes 20.25ha of Farming Zone. The loss of this agricultural land is not expected to result in unacceptable agricultural or environmental effects, as this land is not high quality productive land and planning controls within the proposed SUZ8 will adequately manage development.

The amended Flood Overlay and Land Subject to Inundation Overlay will also ensure that flood and inundation matters are properly considered, where relevant.

2017 – 2021 Council Plan (2019 Revision)

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.

The non-negotiables

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

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

In 2030 transport to, from and within the Rural City of Wangaratta is easy, quick, safe, accessible and affordable for all.

The Wangaratta Airport continues to provide a key transport linkage in and out of the Rural City of Wangaratta. Its infrastructure and services have continued to be upgraded over the past twenty years to meet modern needs and challenges of the airline industry and growing demand for air transport.

b) Other strategic links

- Wangaratta Aerodrome Master Plan (2017)
- Wangaratta Urban Waterways Flood Investigation (2017)

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	<i>We will keep you informed</i>	Notice in Government Gazette Letters to prescribed Ministers, affected agencies and affected landowners and occupiers Fact Sheet and information on changes for landowners and community.
Consult	<i>We will keep you informed listen and acknowledge concerns and provide feedback on how public input influenced the decision</i>	Providing information to the community Meeting and discussing with members of the community and landowners.

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Involve	<i>We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how the public input influenced the decision</i>	Opportunity for submissions and questions to the Amendment. Changes made to the amendment document to address concerns raised during the exhibition (see Attachment 1)
Collaborate		
Empower		

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

Options for Consideration

Option 1 (Recommended Option)

Resolve to adopt Amendment C77 with changes (as documented at Attachment 1) pursuant to Section 29(1) of *Planning and Environment Act 1987* and submit Amendment C77 to the Minister for Planning for approval under section 35 of the *Planning and Environment Act 1987*. This option addresses those changes requested in submissions and ensures there are no unresolved matters from the submission period.

Option 2

Resolve to adopt Amendment C77 without changes pursuant to Section 29(1) of *Planning and Environment Act 1987* and Submit Amendment C77 to the Minister for Planning for approval under section 35 of the *Planning and Environment Act 1987*. This is not recommended as the submission requesting changes was made generally in support of the Amendment and the changes are considered reasonable.

Option 3

Abandon the amendment under section 23(1)(c) of the Act. There are not sufficient grounds to abandon the Amendment based on the submissions received by Council and a detailed assessment of the proposal. This option would also fail to implement the recommendations of the WAMP and the key objectives and land use planning considerations.

Conclusion

Amendment C77 represents the implementation of objectives and land use planning considerations of the Wangaratta Aerodrome Master Plan 2017, which will guide the future development of the Wangaratta Aerodrome as well as protect the airspace from inappropriate development. The Amendment also proposes to update the Flood Overlay and the Land Subject to Inundation Overlay for the Aerodrome Precinct to inform planning decisions.

The submissions received in response to the Amendment support the proposed changes and seek some additions to address specific issues.

This report summarises the submissions received and identifies changes proposed to the Amendment. There are no unresolved objections or matters to the Amendment and it may now be adopted with changes.

Attachments

- 1 Amendment C77 - Summary of Submissions [↓](#)
- 2 Amendment C77 - DDO Map [↓](#)
- 3 Amendment C77 - LSIO/FO Map [↓](#)
- 4 Amendment C77 - Zone Map [↓](#)

16.2 DOMESTIC ANIMAL MANAGEMENT PLAN 2017 - 2021

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Planning Coordinator
File No: IC19/961

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 adopt the Domestic Animal Management Plan (DAMP) 2017 – 2021 (Revision 2019) following public consultation and receipt of a submission. Council has a statutory obligation under the *Domestic Animals Act 1994* to prepare a DAMP.

RECOMMENDATION:

That Council:

- 1. *Adopts the Domestic Animal Management Plan 2017 – 2021.***
- 2. *Provides Department of Jobs, Precincts and Regions with a copy of the adopted Domestic Animal Management Plan 2017 – 2021.***

Background

Council has a statutory obligation under the *Domestic Animals Act 1994* to prepare a DAMP and submit it to State Government for approval. The DAMP also has to be reviewed annually.

A new DAMP has been prepared and recently reviewed.

The revisions include the update of statistics and dates, the inclusion of the new Council structure and a revision of actions, some of which have been added, amended or removed if no longer relevant.

The DAMP 2017 – 2021 (revision 2019) sets out how Council applies its statutory obligations to the management of domestic and semi domestic/feral animals and is underpinned by Local Law 1 of 2018.

The DAMP details Council's commitment to:

- Documenting current processes and practices under the Rural City of Wangaratta's animal management responsibilities;
- Increase pet owners' knowledge of the principles of responsible pet ownership to enhance community safety and awareness;

- Assist the Bureau of Animal Welfare, a branch of the Department of Jobs, Precincts and Regions, to achieve its stated objectives of reducing the numbers of dogs and cats being euthanized;
- Maximise the numbers of dogs and cats that are registered in the Wangaratta municipality;
- Minimise the harmful effect of domestic pets on the population of native birds mammals and reptiles;
 - Take into account community views on animal management matters;
 - Comply with the relevant provisions of the *Domestic Animals Act 1994*;
 - Ensure responsible conduct of domestic animal businesses.

As a result of the revision of the DAMP, community consultation and formal exhibition was undertaken.

Consultation

Consultation took place between 27 September 2019 and 25 October 2019. Adverts were placed in the Wangaratta Chronicle and on Council's website inviting public comment.

One submission was received commenting and complimenting Council on the state of off leash parks and expressing concern regarding any future reduction of these areas.

No suggestions or recommendations were included in the submission received and as a result does not require Council to undertake any further action relating to the DAMP.

Implications

Policy Considerations

The Local Law (1 of 2018) Community Amenity is relevant to this report and provides the guidance for implementing certain sections of the DAMP.

Financial/Economic Implications

There are no financial or economic implications identified for the subject of this report as implementation of the DAMP will be carried out by the community compliance team as part of their general duties.

Legal/Statutory

There is a statutory obligation under Section 68A of the *Domestic Animals Act 1994* to prepare a DAMP.

Social

There are no direct social implications however it is recognised that the incorrect management of domestic animals such as feral cat populations or uncontrolled dogs will impact the community adversely.

Environmental/Sustainability Impacts

It is acknowledged that feral cats have an adverse impact on native fauna populations. The DAMP deals with this aspect.

Options for Consideration

Approval of the DAMP.

Conclusion

This report on the outcome of the DAMP consultation process is presented for Council to adopt the Domestic Animal Management Plan 2017 – 2021 in its entirety and without change.

Attachments

- 1 Domestic Animal Management Plan 2017-2021 [↓](#)

16.3 PLANNING PERMIT APPLICATION PLNAPP19/162 - TRADE SUPPLIES AND SIGNAGE (49 OXLEY-GRETA WEST ROAD, OXLEY)

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Planner
File No: IC19/983

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 is for the use and development of land for trade supplies and associated business identification signage. The activities for which approval is sought has been occurring without authorisation for approximately four years and this application has occurred following enforcement action. The subject land is located within the Farming Zone, approximately 1.3 kilometres west of the township of Oxley. The proposed use involves the sale and distribution of fertiliser to agricultural businesses.

Formal notice of the application was given to nearby affected land owners and occupiers on 10 October 2019. At the time of writing this report a total of eleven submissions have been received, four of which are considered to be objections to the proposal and seven supportive submissions.

The proposal has been assessed against the relevant Planning Scheme provisions and is considered acceptable subject to conditions.

RECOMMENDATION:

That Council resolves to:

- 1. Issues a Notice of Decision to Grant a Planning Permit with respect to Application 19/162 for Use and Development of Land for Trade Supplies and Development of Business Identification Signage at 49 Oxley-Greta West Road Oxley subject to the permit conditions contained within Attachment 1; and***
- 2. Advise the applicant and all submitters of Council's decision.***

Property Details (refer to Attachment 2)

The subject land is located within the Farming Zone, approximately 1.3 kilometres west of the township of Oxley. The subject land is also affected by the Floodway Overlay, Land Subject to Inundation Overlay and Bushfire Management Overlay. The subject land is made up of one lot with an area of approximately 2.13 hectares and is irregular in shape.

The subject land has frontage to Oxley-Greta West Road of approximately 182 metres along which an existing crossover providing vehicular access is located. The subject land is located at the corner of Oxley-Greta West Road and Wangaratta-Whitfield Road however it does not have any direct frontage to Wangaratta-Whitfield Road.

The subject land contains one dwelling with an associated garage or carport. Two large sheds are located to the north of the dwelling generally within a large area of compacted ground. Along the northern boundary of this area are three structures identified by the applicant as former train carriages. Along the western boundary of this area are three silos while a further two silos are located immediately to the west of the outbuilding located within the centre of the area of compacted ground. Two bunkers are located along the eastern boundary of the area of compacted ground. An existing structure forming a sign is located at the south-western corner of the subject land. Vegetation is scattered throughout the subject land.

Land/Address	49 Oxley-Greta West Road Oxley
Zones and Overlays	Farming Zone Floodway Overlay Land Subject to Inundation Overlay Bushfire Management Overlay
Why is a permit required	Use of Land for Trade Supplies (Clause 35.07-1) Buildings and Works Associated with a Section 2 Use (Clause 35.07-4) Buildings and Works Within 20 Metres of a Road (Clause 35.07-4) Buildings and Works (Clause 44.03-2, Clause 44.04-2) Buildings and Works associated with Retail Premises (Clause 44.06-2)

Proposal in Detail (refer to Attachment 3)

The application is for the use and development of land for trade supplies and development of associated business identification signage. The proposal seeks approval to legitimise the operation of an existing business which has been operating without the required planning permission. The proposal also seeks approval for the development of a business identification sign.

The proposed use as described in the application appears to generally reflect Council's knowledge of how the use has been operating with some additional detail provided regarding how the use is proposed to operate into the future. The proposed development including the signage has already been developed and no significant alterations to the existing layout of buildings and other development is proposed.

The proposal is to use the area of compacted ground located at the north east corner of the subject land for trade supplies. The specific activity proposed is to sell from this premises, fertilisers to primary producers in either retail or wholesale

form. This area is shared by the proposed trade supplies business and an existing transport depot business operating from the same site. The transport depot business is not subject to this application. The application includes a plan defining the extent of the proposed use and shows this area to be 5610 square metres. This area is generally flat compacted ground but is not sealed.

Aside from the existing transport depot building located approximately in the centre of the proposed trade supplies site area and the water tank, all other buildings or structures located within this area are unauthorised and planning approval is sought for those structures as part of this application. These buildings and structures include three storage containers (old train carriages) located along the north-eastern boundary of the site area, three silos located along the north-western boundary of the site area, two silos abutting the existing transport depot building located the west of it and two bunkers located further west of the centrally located existing transport depot building. The application does note that the silos are transportable. All of this existing development is proposed to remain as it is, except for the bunkers which are to be re-orientated such that they can be accessed from the north-east and relocated slightly to the east.

Access to the site is proposed to be via the existing crossover located along the north-eastern boundary of the proposed site area. A large open area and an access way which encircles the existing transport depot building provide for vehicle access and egress without reversing. This space also provides for vehicles accessing the site to access the various parts of the site where different materials are stored. The layout of the proposed site area also indicates areas available for truck parking and the storage of portable machinery.

The application indicates that the largest vehicle required to be able to access the site is a B-Double truck with a length of 25 metres. A variety of other vehicles are to access the site as part of the proposed use including trucks, loaders, spreaders and passenger vehicles with trailers. The application indicates that customer pick-ups are to occur as part of the proposed use but only occasionally.

The application explains that the nature of the fertiliser distribution business dictates that the proposed use is somewhat weather dependent. The application claims that when weather conditions are optimal there is a spike in demand for the fertiliser which requires off-site deliveries to be made seven days per week. The application indicates that operations on the subject land are proposed to primarily occur between 7am and 8pm during winter and 6am and 9pm in summer.

The activities carried out on the subject land as part of the proposed use as described in the application include receiving deliveries of stock by trucks to the subject land, transference of stock to silos and bunkers on site, loading of stock onto a truck or spreader for delivery to customers, loading of spreader onto trucks to be transported to farms to carry out spreading of fertiliser and bagging of fertiliser on site. The applicant has indicated that during times of the year when there is low demand for fertiliser distribution, trucks associated with the use are used for haulage. The application indicates that transference of stock occurs using the auger and loader. The only exception to this is in regard to the delivery of lime and gypsum which is dumped directly into the bunkers. The production of fertilisers is not proposed to occur on site.

The capacity for storage of fertiliser on site is currently 80 tonnes of storage across three silos (2 with 30 tonne capacity and 1 with 20 tonne capacity) and 100 tonnes of storage across two bunkers (1 with 40 tonne capacity and 1 with 60 tonne capacity). The old train carriages are used to store one tonne bags of fertiliser and other items. The application indicates that a total of 51 one tonne bags are stored in these containers with the largest number listed as being stored in one carriage being 22. Given that the carriages appear to be the same size it can be assumed that there is capacity to store 66 one tonne bags in the carriages.

The maximum number of workers required to be on site as part of the proposed use is three and this includes two employees and the business owner. The application indicates that employees are only to be working on the subject land during daylight hours. Although operations related to truck movements can occur after daylight hours.

The application has indicated some measures to reduce the impacts of dust caused by both vehicle movements and storage of fertiliser materials. These include the availability of sprinklers along the drive way to minimise drive way dust and the existence of a cover over one of the bunkers. The applicant has indicated that if required a cover could also be placed over the second bunker.

The application also indicates some existing and proposed measures to minimise the visual impact of the proposed use and development. These include the planting of trees around the property with an orchard being specifically mentioned and located near Wangaratta-Whitfield Road. The application indicates that planting is to occur along the frontage of the subject land to Oxley-Greta West Road.

The proposed business identification sign is to be located at the south-western corner of the subject land facing towards Wangaratta-Whitfield Road. The proposed sign is to be mounted on the ground with a height of 1.2 metres and a width of 2.4 metres. The sign features the logo of the business and some other writing in green on a light coloured background (see Attachment 4).

Referrals

External Referrals

The application was referred to the following referral authorities under Section 55 of the Planning and Environment Act 1987.

Referral Authority	Response
Goulburn Murray Water	No objection subject to conditions including that native vegetation must be maintained along Factory Creek and that product stockpiles must be located on impervious surfaces within bunded areas.
North East Catchment Management Authority	No objection subject to conditions regarding the minor relocation and reorientation of bunkers and the removal of fill from a nearby area to the bunkers.
Country Fire Authority	No objection

Environmental Protection Agency	Response provided indicating that a Section 55 referral is not required. Advice provided regarding particular guidelines including separation distance, noise and odour.
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Internal Departmental Advice

Department	Response
Technical Services Unit	No objection subject to standard conditions.

Advertising

Notice of the application was given on 10 October 2019 under Section 52 of the Planning and Environment Act 1987, to all land owners and occupiers who could be affected by the proposal.

Eleven submissions have been received. Four of those submissions are considered to be objections to the proposal. Concerns raised by objectors with respect to the proposal are summarised as follows:

Ground for submission	Concern raised	Comments/Response
Application is not consistent with existing unauthorised use	The information submitted with the application significantly understates the number of vehicle movements and extent of plant operation involved in the proposed use.	The application included information about the activities which occur as part of the proposed use and also acknowledged that during times of peak demand the operation can significantly increase in scale. This information is sufficient to enable an assessment as to whether the proposed use is appropriate and whether suitable conditions can be imposed on any permit granted.
Noise	<p>The auger backfires when shutting down which generates excessive noise.</p> <p>General machinery and vehicle noise at all hours of the day adversely impacts the amenity of nearby residents at all times.</p>	<p>This is recognised as a significant noise source and will be taken into account in the broader assessment of noise later in this report.</p> <p>The Noise from Industry in Rural Victoria (NIRV) provides guidance on acceptable levels of noise and specifies different noise levels as being acceptable for different times of the day and week. This</p>

Ground for submission	Concern raised	Comments/Response
	<p>Deliveries to the subject land have previously occurred late at night which creates unreasonable amenity impacts to nearby residents.</p> <p>Vehicles using Oxley-Greta West Road to enter and exit the subject land, and in particular the spreader, generate unacceptable traffic noise which adversely impacts the amenity of nearby residents.</p> <p>Noisy maintenance work on vehicles and machinery is undertaken as part of the proposed use, particularly at weekends.</p> <p>Screen planting does not address the issue of noise.</p> <p>The orchard mentioned in the application is not appropriately located to provide any form of buffer and includes inappropriate species.</p>	<p>will be taken into account in the broader assessment of noise later in this report.</p> <p>Late night deliveries have the potential to generate excessive noise and this will be taken into account in the broader assessment of noise later in this report.</p> <p>Normal use of the road network is not considered to be an unreasonable noise source.</p> <p>This is considered to be an ancillary activity to the proposed use and this will be taken into account in the broader assessment of noise later in this report.</p> <p>Generally screen planting has minimal impact on noise and is generally not recommended for the purpose of ameliorating noise issues.</p> <p>The orchard or other vegetation screening does not have the potential to assist in addressing the impacts of noise. This will be taken into account in the broader assessment of noise later in this report.</p>
Visual impact	The proposed use operates with an untidy yard which results in an unsightly view for nearby residents and those	There is policy support for protecting rural character from unsightly development and therefore it may be appropriate to impose conditions requiring

Ground for submission	Concern raised	Comments/Response
	<p>passing through the area along nearby roads.</p> <p>The orchard mentioned in the application is not appropriately located to provide any form of buffer and includes inappropriate species.</p>	<p>screen planting on any permit granted.</p> <p>In terms of visual impact the orchard appears well placed to provide a buffer from the proposed site area to the dwelling on adjacent land to the south east. The existing dwelling on the subject land and existing vegetation surrounding that dwelling appear to also contribute to a reasonable visual buffer to the site area.</p>
Dust	<p>Fertiliser dust travels from the subject land to nearby land causing a nuisance for residents.</p> <p>The source of dust generated by the proposed use is primarily from the boom of the auger when it is in a raised position and from vehicle and machinery movements.</p> <p>Loading of trucks generates airborne particles.</p> <p>Fertiliser materials stored in bunkers creates unreasonable dust impacts for nearby residents when this material is being shifted.</p> <p>Vehicles associated with the proposed use have on</p>	<p>This is an issue that has the potential to cause unreasonable amenity impacts. This will be taken into account in the broader assessment of dust later in this report.</p> <p>This is an issue that has the potential to cause unreasonable amenity impacts. This will be taken into account in the broader assessment of dust later in this report.</p> <p>This is an issue that has the potential to cause unreasonable amenity impacts. This will be taken into account in the broader assessment of dust later in this report.</p> <p>This is an issue that has the potential to cause unreasonable amenity impacts. This will be taken into account in the broader assessment of dust later in this report.</p> <p>This is considered to be a matter of safe and proper loading of vehicles which is outside of the jurisdiction of planning.</p>

Ground for submission	Concern raised	Comments/Response
	<p>occasions spilled fertiliser materials onto local roads.</p> <p>Screen planting does not address the issue of dust.</p> <p>The orchard mentioned in the application is not appropriately located to provide any form of buffer and includes inappropriate species.</p>	<p>Whilst screen planting can be part of a strategy to reduce dust, other measures are usually necessary also. This will be taken into account in the broader assessment of dust later in this report.</p> <p>The orchard or other vegetation screening does have the potential to assist in addressing the impacts of dust. This will be taken into account in the broader assessment of dust later in this report.</p>
Impact on waterways and local ground water	<p>There is a significant risk of eutrophication of nearby waterways arising due to the proposed use because fertiliser products may spill and be washed into nearby waterways.</p> <p>There is a significant risk of adverse impacts to local groundwater as a result of fertiliser products being absorbed due to the proposed use and this is adversely affecting the water quality of a nearby residential swimming pool.</p>	<p>The application was referred to both Goulburn Murray Water and North East Catchment Management Authority who both are concerned with managing waterways. These risks would appear to have been addressed by permit conditions imposed by those authorities which require a minor relocation and reorientation of the bunkers and the installation of a sealed ground surface for the bunkers and installation of bunding.</p> <p>The application was referred to both Goulburn Murray Water and North East Catchment Management Authority who both are concerned with managing waterways. These risks would appear to have been addressed by permit conditions imposed by those authorities which require a minor relocation and reorientation of the bunkers and the installation of a sealed ground surface for the bunkers and installation of bunding. Whilst it is possible that there is a link between the water quality of the swimming pool and</p>

Ground for submission	Concern raised	Comments/Response
		the proposed use, there has not been sufficient evidence presented demonstrating a clear link to would make it reasonable to refuse the application on that basis.
Inappropriate use for local area	<p>The proposed use has an unacceptable impact on the amenity of nearby residents.</p> <p>The proposed use would if approved establish a de facto industrial area.</p>	<p>A broader assessment of what constitutes an acceptable amenity impact for residents in the context of the local area is carried out later in this report.</p> <p>The proposed use is classified as a retail use however it is acknowledged that the proposed operation does have a lot in common with an industrial activity. This type of activity is a permissible use in the Farming Zone.</p>
Hours of operation	The proposed use operates at all hours which generates unacceptable amenity impacts.	The proposed hours of operation as expressed in the application appear to be indicative only and do not volunteer any limits. The potential amenity impacts associated with the proposed hours of operation will be assessed later in this report.
Lack of enforcement	<p>The proposed use has operated unauthorised for several years without any regulatory oversight.</p> <p>If a planning permit is granted for this application with conditions it is unlikely these conditions will be complied with based on previous lack of consideration shown by the business operator to nearby residents.</p>	<p>The matter has been brought before Council and must be assessed in the same manner as any other application.</p> <p>Any conditions on any permit granted must be complied with otherwise the permit holder risks enforcement action.</p>
Traffic	The proposed use generates excessive	The number of vehicle movements generated by the

Ground for submission	Concern raised	Comments/Response
	traffic movements which adversely impact the amenity of local residents.	proposed use is not considered to have any increased impact on traffic in the local area.
Lighting	When operating outside of daylight hours the proposed use requires lighting which adversely impacts the amenity of neighbours.	This issue can be addressed by applying a condition on any permit granted requiring lighting to be baffled to ensure no direct light is emitted towards adjacent dwellings.
Future expansion of proposed use	The proponent of the proposed use plans to expand the business in the future.	Council must assess the application based on the scale of the operation proposed as described in this application. Any future expansion of the business would need to comply with the conditions of any permit granted for the proposed use or otherwise would need to seek approval for whatever changes the expansion of the business necessitates.
Environmental Licenses	A license from the Environmental Protection Agency should be required due to the amount of product handled.	The application was referred to the Environmental Protection Agency who advised that the proposed use did not require any type of license.

Submissions in support of the application

The application attracted seven submissions in support of the proposal. These submissions generally focused on the importance of the business carried out on the subject land to local agricultural businesses and the local economy.

The submissions also highlighted the seasonal requirements of a business of this type and therefore opposed any restrictions on the hours of operation of the business. More broadly the submissions in support also expressed concern at the potential for a precedent to be set in regard to the right for agricultural businesses to operate freely in the local area and defended the proposed use as being consistent with the purpose of the zone.

It is acknowledged that the business performs a service which is of considerable value to the local agricultural economy and these submissions have helped to highlight this point to Council. It is however the responsibility of Council to consider potential land use conflicts when assessing applications for planning permits. This business has operated without authorisation and as such should not benefit from that occurrence.

The key issue for this application is whether land use conflicts arising from the proposed use can be managed to an acceptable level given the context of the site. The characteristics of the site are such that the decision made for this application is not regarded as setting any precedent for the use of land in more typical farming areas.

Assessment under the Planning and Environment Act 1987

Section	Clause	Provision
Planning Framework	12.03-1S	River Corridors, Waterways, Lakes and Wetlands
	13.02-1S	Bushfire Planning
	13.03-1S	Floodplain Management
	13.05-1S	Noise Abatement
	13.06-1S	Air Quality Management
	13.07-1S	Land Use Compatibility
	14.01-1S	Protection of Agricultural Land
	14.02-2S	Water Quality
	15.01-6S	Design for Rural Areas
	15.03-2S	Aboriginal Cultural Heritage
	17	Economic Development
	17.01-1S	Diversified Economy
Municipal Planning Policy	21.03-3	Rivers
	21.04-1	Floodplains
	21.04-3	Bushfire
	22.04	Oxley Township
	22.08	Advertising Signs Policy
Zoning	35.07	Farming Zone
Overlays	44.03	Floodway Overlay
	44.04	Land Subject to Inundation Overlay
	44.06	Bushfire Management Overlay
Particular Provisions	52.05	Signs
	52.06	Car Parking
	52.17	Native Vegetation
	52.29	Land Adjacent to a Road Zone Category 1
	53.02	Bushfire Planning
Decision Guidelines	65.01	Approval of an Application or a Plan

Planning Policy Framework

Clause 12.03-1S – River Corridors, Waterways, Lakes and Wetlands

This policy seeks to ensure that water bodies are not adversely impacted by development. The proposal was referred to both Goulburn Murray Water and North East Catchment Management Authority who both considered the potential impact of the proposal on the health of nearby waterways. Both consented to the proposal subject to conditions aimed at protecting the waterway from eutrophication.

Clause 13.02-1S – Bushfire Planning

The subject land is affected by the Bushfire Management Overlay. The application was referred to the Country Fire Authority who consented to the proposal.

Clause 13.03-1S – Floodplain Management

This policy seeks to ensure that development within identified flood prone areas is appropriate. The proposal was referred to North East Catchment Management Authority who consented to the proposal subject to conditions which appear to be aimed at ensuring that the proposal does not lead to eutrophication.

Clause 13.05-1S – Noise Abatement

This policy seeks to ensure that sensitive land uses are not unreasonably impacted by noise. The policy directs that certain guidelines are relevant to the assessment of noise. Amenity impacts from noise is addressed in more detail later in this report.

Clause 13.06-1S – Air Quality Management

This policy seeks to ensure that appropriate buffer distances are in place between sensitive land uses and land uses which reduce air quality. The proposed use has the potential to generate fertiliser dust and dust more generally. Amenity impacts from dust are addressed in more detail later in this report.

Clause 13.07-1S – Land Use Compatibility

This policy seeks to ensure that land uses and development are compatible with the land use functions and character of the area. The policy directs that this can be achieved through a range of design, operational and land use separation measures. This policy supports the idea of applying conditions to any permit granted to manage land use conflicts.

Clause 14.01-1S – Protection of Agricultural Land

This policy has the objective of preserving productive farmland. The area proposed to be used is already an area of compacted ground used by the land owner for business purposes and is unlikely to return to agriculture. The subject land and surrounding area is also made up of small lots which although being zoned for farming are generally too small for this purpose. The proposal therefore is not considered to adversely impact on agricultural land because the subject land is considered to already be lost to agriculture.

Clause 14.02-2S – Water Quality

This policy seeks to protect water quality by discouraging incompatible land uses in areas subject to flooding unless the land can be managed to prevent adverse impacts. In this instance both North East Catchment Management Authority and Goulburn Murray Water have required conditions which will effectively manage the risk to water quality arising from the proposal.

Clause 15.01-6S – Design for Rural Areas

This policy seeks to protect rural character by ensuring that development along township approaches and tourist routes is sympathetically located. The subject land is located close to the township of Oxley and is visible from Wangaratta-Whitfield Road, which is a tourist route. The appearance of the proposed use and development is somewhat contradictory to this policy and as such conditions requiring screen planting should be required as part of any permit granted.

Clause 15.03-2S – Aboriginal Cultural Heritage

This policy seeks to ensure that any planning permit is consistent with the requirements of the Aboriginal Heritage Act 2006. The application included a Due Diligence Assessment which was reviewed by the local Registered Aboriginal Party which identified that a Cultural Heritage Management Plan is not required for the proposed development due to significant ground disturbance having already occurred.

Clause 17 – Economic Development

This policy seeks to support economic development and directs that planning should facilitate this by resolving land use conflicts.

Clause 17.01-1S – Diversified Economy

This policy seeks to support rural economies to grow and diversify. The proposed use and development would contribute to the economic diversity of the municipality and also supports agricultural businesses in the area to operate and therefore the proposed use and development is supported by this policy.

Municipal Planning Policy

Clause 21.03-3 – Rivers

This policy seeks to protect rivers in the municipality and specifically identifies a key strategy to this being the protection of water quality through the retention and re-establishment of riparian vegetation. Such measures have been included as a permit condition by Goulburn Murray Water.

Clause 21.04-1 – Floodplains

This policy generally seeks to ensure that development avoids flood prone areas and that flood risks associated with development are mitigated. The proposal generally locates all proposed buildings outside of flood prone areas and the proposal has been consented to by North East Catchment Management Authority subject to conditions.

Clause 21.04-3 – Bushfire

The subject land is affected by the Bushfire Management Overlay. The application was referred to the Country Fire Authority who consented to the proposal.

Clause 22.04 – Oxley Township

This policy seeks to set guidelines for development in Oxley by dividing the township into several precincts. The subject land is located on the opposite side of the road to Precinct H for which the only strategy is to support pedestrian connectivity between that area and Snow Road which is not something that can reasonably be required in relation to this application. This statement does however appear to recognise the area nearby to the subject land as having residential characteristics despite its rural zoning. This is relevant to the assessment of what amenity impacts are reasonable in this area.

Clause 22.08 – Advertising Signs Policy

This policy provides general direction for signage in the municipality including most relevantly to have signs that avoid visual clutter and respond to the character of the local area. There is no specific guidance on business identification signs such as the one proposed. The proposed sign is to be located at the south-western corner of the subject land facing towards the corner of Wangaratta-Whitfield Road. The proposed sign is to be positioned directly on the ground with a height of 1.2 metres and width of 2.4 metres. The logo of the business and some other details are included on the sign but not to the extent which would represent visual clutter. The logo and writing on the sign is green in front of a light coloured background which blends into the landscape. The proposed sign is therefore considered to be consistent with this policy.

Zoning

Clause 35.07 – Farming Zone

The subject land is located within the Farming Zone. Pursuant to Clause 35.07-1 (Table of Uses, Farming Zone) a permit is required for the use of land for trade supplies. Pursuant to Clause 35.07-4 (Buildings and Works, Farming Zone) a permit is also required for buildings and works associated with a Section 2 Use. A permit is also triggered by the proposed development being within 20 metres of a road.

Trade Supplies

The application is for the use and development of the land for trade supplies. Pursuant to Clause 73.03 (Land Use Terms) Trade Supplies is defined as:

Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in:

- a) *Automotive repairs and servicing;*
- b) *Building;*
- c) *Commerce;*
- d) *Industry;*
- e) *Landscape Gardening;*
- f) *The medical profession;*
- g) *Primary production; or*
- h) *Local government, government departments or public institutions.*

The proposed use involves the sale of fertiliser to primary producers by wholesale and therefore is consistent with this definition.

Purpose of the Zone

The purpose of the Farming Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework. 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.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Decision Guidelines

The proposal is generally consistent with the majority of decision guidelines listed under Clause 35.07-6 (Decision Guidelines, Farming Zone). The majority of these decision guidelines are addressed below.

The subject land is able to accommodate the proposed use and development, given that no effluent disposal is required.

The existing road network is considered adequate to accommodate the modest increase in traffic which is expected to be generated by the proposal.

There is no potential for the proposal to adversely impact agriculture because the subject land and nearby land is considered to have already been lost to agriculture due to the fragmentation of the land into small lots which are currently generally being used for rural residential purposes. It could also be argued that the proposed use supports agriculture in the area because it supplies a product and associated service (spreading) to the agricultural industry in the area.

There are environmental risks associated with this proposal which relate to water quality and the potential for eutrophication. Both North East Catchment Management Authority and Goulburn Murray Water have consented to the proposal subject to conditions which seek to ameliorate the identified environmental risks. It is therefore considered that the proposal satisfactorily mitigates those risks.

The visual impact of the proposed development has the potential to have an adverse impact on the rural character of the area. This can be satisfactorily addressed by requiring vegetation screening along prominent vantage points to the subject land,

specifically the view from Wangaratta-Whitfield Road and along the frontage of the subject land to Oxley-Greta West Road.

Compatibility with Nearby Land Uses

The proposed use and development has considerable potential to cause amenity impacts on adjoining and nearby land which is used primarily for rural residential purposes despite the land being zoned for farming. The primary causes of potential amenity impact are noise and dust while other potential impacts raised by objectors such as visual impact and traffic are considered minor in their potential to adversely impact on amenity of nearby residents. Taken together these issues can be considered to have a potentially significant adverse amenity impact on nearby land. The cumulative effect of these issues is further increased by the proposed hours of the use for general operations and the occasional activities which are proposed to occur outside of these hours indicated in the application.

This leads to two key questions for this application. They are:

- What is an acceptable amenity impact in the context of the subject land and local area?
- Does the proposal generate adverse amenity impacts which exceed those considered acceptable? And if so, can this be addressed through permit conditions?

Acceptable Level of Amenity Impacts

The subject land is located within the Farming Zone which has been acknowledged to be a working zone through numerous Victorian Civil and Administrative Tribunal (VCAT) cases. An example is *Simpkin v Mansfield SC* [2012] VCAT 1433 (19 September 2012).

The average size of lots in the immediate vicinity of the subject land is generally around 2 hectares. All of the nearby lots within approximately 200 metres of the subject land also contain a dwelling. It should be noted that land immediately to the west, on the opposite side of Wangaratta-Whitfield Road is characterised by much larger lots. The subject land is therefore located at a transitional point between large rural type lots and smaller rural residential style lots. Nevertheless the subject land and immediate vicinity is typical in character of a Rural Living Zone far more so than the Farming Zone.

The level of residential amenity which can reasonably expected will vary with the context of the land and usually will be dictated by the zone. Even if this application were to proceed by applying standards of acceptable amenity impacts as if the land was within a Rural Living Zone, this would still allow for more significant amenity impacts than in any of the residential zones, because the Rural Living Zone is considered to be a working zone as it provides for many non-residential uses. This point was highlighted by the Tribunal member in *Cosmic Kennels v Greater Geelong CC* [2016] VCAT 7 (11 January 2016).

Given that the subject land is not actually zoned Rural Living, the standard of residential amenity to be expected certainly should not be any greater than that of a Rural Living Zone and it could actually be reasonably argued that the appropriate standard is somewhere between that of a Rural Living Zone and a Farming Zone. Given the context of the subject land and immediate vicinity applying the same standard of residential

amenity as would be applied in an actual Rural Living Zone area is appropriate. A similar approach was taken by the Tribunal in *Harris v Mansfield SC* [2018] VCAT 1504 (8 October 2018).

Assessment of Potential Amenity Impacts

The potential amenity impacts which are considered to be a risk as a result of the proposal or which have been raised by objectors are visual impact, intrusive lighting, increased traffic generation, generation of fertiliser dust and dust more generally and generation of noise. The proposed hours of operation, while not in themselves a potential amenity impact have an obvious relationship with the identified potential amenity impacts.

Visual Impact

The proposal is already operating without authorisation and therefore it is possible to see the visual impact already. It is quite clear that the site appears inconsistent with the character of the local area. The impact of this is however considered relatively minor and can be addressed relatively easily through permit conditions requiring plant screening which obscures views of the site area from nearby roads. With such a condition, the visual impact of the proposal is considered to be acceptable.

Intrusive Lighting

The proposed operating hours indicated in the application do include some non-daylight hours, particularly in winter. These operating hours would require lighting to enable the proposed use to be carried out safely. Glare from lighting does have the potential to have a significant adverse amenity impact which could be unacceptable depending on the specific detail. This issue can be addressed by including a permit condition on any permit granted which requires all external lighting to be baffled such that no direct light is emitted towards nearby dwellings.

Traffic

The application included information which indicated that during the busiest times of the year the maximum number of vehicle movements per day associated with the proposed use would be approximately 24. It is acknowledged that many of the objections raised the concern that the information submitted with the application had significantly underestimated the scale and intensity of the proposed use. It is considered however that even if the application did significantly underestimate vehicle movements, the number of vehicle movements would still not yet be approaching a level which would have any significant impact on the operation of the local road network. Noise associated with vehicles leaving from the subject land and returning to it is considered to be normal road noise and not an unreasonable amenity impact.

Dust

There is a significant risk of dust causing unreasonable adverse amenity impacts on nearby land. The main sources of dust appear to be attributable to two main causes.

Firstly, the transference and storage of fertiliser materials on the subject land. Secondly the use of heavy vehicles and machinery on the site area which is not sealed.

Based on a site visit and information submitted with the application, three fertiliser products are stored on site. Lime and gypsum are delivered by truck and dumped directly into the bunkers. Phosphate is delivered by truck then transferred using the auger to the silos. Phosphate is also loaded into bulker bags from the silos and then stored in the train carriages. As was raised in some of the objections received for this application, these processes appear to have a significant risk of allowing a significant amount of fertiliser dust to be generated. Further to this the setback distances from the site area to nearby dwellings is in the case of some of the dwellings less than 100 metres. Depending on the wind conditions there is a significant risk of unacceptable dust impacts as a result of the proposal.

The application indicated some potential measures which could be practised to ameliorate the risks of unacceptable levels of dust. These suggestions include both bunkers having a cover installed rather than just one as is currently the case and using sprinklers along the drive-way on dry and windy days to suppress dust. It is understood that the sprinklers are already installed. While these measures may have some significant impact on dust, they are not detailed enough or extensive enough to satisfy Council that unreasonable amenity impacts from dust will be avoided.

There does appear to be many viable options which could be employed to reduce the impacts of dust. These options include but are not limited to sealing or carrying out some other surface treatment to the site area, constructing taller bunkers, installing roofs or some other form of covers over material stored in bunkers and utilising a chute on the end of the augur when transferring material. The suggestions made in the application may also form part of an acceptable strategy to address the issue of dust. A suitable permit condition could require a Dust Management Plan to be submitted and approved. Such a plan would need to describe in detail how dust will be managed. Subject to an appropriate plan, it is considered that impacts from dust can be reduced to an acceptable level.

Noise

The generation of noise associated with the proposed use appears to be the most significant concern of nearby residents. The vehicles and machinery used on the subject land are noisy and there is limited opportunity to avoid creating such noise while carrying out the proposed use. A key characteristic regarding whether a certain level of noise is acceptable is at what time of the day and the week it is occurring. The relevant guidelines regarding acceptable noise levels for different times, days and in different contexts are set out in *Noise from Industry in Rural Victoria* (EPA, 2011). This document known as the NIRV sets out acceptable noise levels to be subjected to within different zones during different times of the day or week.

The maximum acceptable noise level for noise generated within a Rural Living Zone and received within a Rural Living Zone (zone used to assess acceptable amenity impacts as explained earlier in this report) is:

45 decibels	During the day (0700-1800 Monday-Friday and 0700-1300 Saturdays)
38 decibels	During the evening (1800-2200 all days, 1300-1800 Saturdays and 0700-1800 Sundays and public holidays)
33 decibels	During the night 2200-0700

It is worth noting that there are greater allowances for noise set out in the NIRV for the Farming Zone.

The main noise sources generated by the proposed use appear to be from the engines of heavy machinery and trucks accessing the site, from activities of loading and unloading materials and plant and the operation of the auger. Objectors also raised concerns that maintenance of vehicles and machinery on site generated significant noise. Noise from vehicles involved in the proposed use, using the local road network was also raised as a noise source although this is considered to be normal road noise.

The main activity occurring on site as part of the proposed use appears to be loading and unloading. This includes receiving deliveries of fertiliser materials to the site and transferring those materials to where they are stored, transferring fertiliser materials into one tonne bags and loading trucks or spreaders with fertiliser materials and/or plant in preparation to deliver to a customer. The auger or loader is involved in these processes which means that generally whenever any type of loading or unloading is occurring on site there is likely to be two engines running, that of a vehicle and that of the auger or loader. This appears to be the primary noise sources associated with the proposed use. The type of noise generated by the maintenance of vehicles is likely to also include engine noise.

The application suggests some measures for mitigating noise impacts. These are to purchase a loader which would reportedly be much quieter than the existing loader used on site, and to propose additional planting along Oxley-Greta West Road.

Council does not have any definitive information regarding the level of noise generated by the proposed use. There does appear to be a likelihood that at some times during the unauthorised operation of this use, the maximum noise levels may have been exceeded. Some aspects of the proposed use appear to generate more noise than other aspects of the proposed use however it is unclear from the information to hand which activities forming part of the proposed use comply with the noise guidelines and at which times of day they comply. It would seem very unlikely that the proposed use would not generally comply with the guidelines during the day however all other times are under doubt and it would be inappropriate to allow the proposed use to operate outside the day period without proper evidence that the proposed use will not cause unacceptable levels of noise. The measures proposed by the applicant to address noise issues appear to be inadequate in the case of screen planting which would have only a very minor impact, and unproven in the case of the purchasing of a new loader.

This issue can only be satisfactorily resolved by carrying out acoustic testing to ascertain whether or not the proposed use complies with the guidelines. Until such time as a report is provided to the satisfaction of Council from an acoustic engineer, it would be inappropriate to allow the noise producing activities of the proposed use to occur outside of the day period. The only reasonable exception to this would be to allow vehicles which

have been loaded during the day period to enter and exit the site outside of the day period. This is considered to be a reasonable allowance because already loaded vehicles entering and exiting the site would be a lower level of noise than that associated with loading and unloading activities and would last for a relatively brief period of time. Not allowing vehicles to simply enter and exit the site at any time would be an unreasonable imposition. It is recommended that a condition be included on any permit granted restricting all loading and unloading activities and all maintenance activities involving engine noise from occurring outside the day period.

It is not recommended to include the requirement for acoustic testing as a permit condition on any permit granted because the application can be approved with the restriction to only carry out the proposed use during the day period and this would create an acceptable outcome with regard to noise. If the permit applicant wished to seek to amend any permit granted to extend these operating hours then they would be able to do so and subject to a favourable acoustic testing report demonstrating that noise levels will be within the relevant guidelines.

Hours of Operation

It is acknowledged that the recommended restrictions on hours of operation would undermine the ability of the proposed use to be carried out given the way the proposed use is described in the application. In particular, during the times in which demands on the business peak the recommended restrictions on hours of operation would impact the proposed use. It is unclear whether business operations would be able to be adapted such that the recommended conditions could be complied with or whether the business would be unviable.

Further Restrictions

Although Council is confident that the proposed use will comply with the noise guidelines during the day period based on how the use is currently proposed, it is necessary to impose some further restrictions which will have the effect of keeping the scale and intensity of the proposed use within some limits. Even if only occurring during the day, the proposed use still has the potential to exceed noise guidelines if the amount of fertiliser material stored on site were to increase as this may lead to a significant increase in the number of vehicles and machinery operating at any one time.

It is therefore recommended that a condition be included on any permit granted restricting the quantity of fertiliser material stored on site to 300 tonnes. This limit would not impinge on the proposed use as described in the application, but does guard against any significant increase in the scale and intensity of the use.

Differentiating Between Two Separate Uses

As identified in the information submitted with the application, the subject land is also used for an existing truck depot which has reportedly been carried out from the subject land for approximately 25 years. It appears likely that this use has existing use rights under the provisions of the Planning Scheme. The truck depot use is considered to be

separate to the trade supplies use, has not received any complaints and as such is not being investigated. This application does not seek permission for the truck depot.

With regard to enforcement of the conditions recommended for this permit, there could be difficulty differentiating between what activities form part of the existing transport depot use and which activities form part of the trade supplies use.

Overlays

Clause 44.03 – Floodway Overlay & Clause 44.04 – Land Subject to Inundation Overlay

The subject land is partially affected by the Land Subject to Inundation Overlay which covers a portion of the subject land east of the dwelling and another small area in approximately the location of the proposed bunkers. Pursuant to Clause 44.04-2 (Buildings and Works, Land Subject to Inundation Overlay) a permit is required for buildings and works.

The subject land is also partially affected by the Floodway Overlay which covers the western portion of the subject land including the south-western portion of the proposed site area. Pursuant to Clause 44.03-2 (Buildings and Works, Floodway Overlay) a permit is required for buildings and works. A portion of the proposed bunkers is within the affected area.

North East Catchment Management Authority have consented to the proposal subject to conditions which include a minor relocation of the bunkers further away from areas within the Floodway Overlay, a re-orientation of the bunkers to have the opening face north-east and the removal of fill located to the south and west of the newly required bunker location. These conditions will help to ensure that fertiliser does not enter the nearby waterway as a result of the proposed use and development.

Given that the proposal has been consented to by North East Catchment Management Authority, the proposal is considered to be consistent with Clause 44.03-7 and 44.04-8 Land Subject to Inundation Overlay (Decision Guidelines).

Clause 44.06 – Bushfire Management Overlay

The subject land is partially affected by the Bushfire Management Overlay which covers the entirety of the proposed development site. Pursuant to Clause 44.06-2 (Permit Requirement, Bushfire Management Overlay) a planning permit is required for buildings and works associated with a retail premises. Trade supplies is nested as a retail premises in the Wangaratta Planning Scheme.

The proposed development included in this application is for storage only and is constructed of generally non-flammable materials. For this reason Council considered it appropriate to waive the information requirements normally required under Clause 44.06-3 (Application Requirements, Bushfire Management Overlay).

The application was referred to Country Fire Authority who consented to the granting of a permit without any conditions. The proposal is therefore considered to be consistent with Clause 44.06-8 (Decision Guidelines, Bushfire Management Overlay).

The mandatory condition required under Clause 44.06-5 (Mandatory Condition, Bushfire Management Overlay) will be included on any permit granted.

Particular Provisions

Clause 52.05 – Signs

The subject land is located within the Farming Zone. Pursuant to Clause 35.07-7 (Signs, Farming Zone) signs within the Farming Zone are assessed under Category 4 of Clause 52.05. Pursuant to Clause 52.05-14 (Category 4 – Sensitive Areas, Signs) a planning permit is required for the development of a business identification sign and the maximum size for a business identification sign is 3 square metres. The proposed sign has a total area of 2.88 square metres and therefore can be approved.

The proposed sign features a green logo and writing on a light coloured background and therefore blends into the landscape. The sign features clear and concise information and therefore does not contribute to visual clutter or lead to any safety risks for road users. The scale of the proposed sign is relatively modest and is acceptable in the context of the site and surrounds. For these reasons the proposed sign is considered to be consistent with Clause 52.05-8 (Decision Guidelines, Signs).

Clause 52.06 – Car Parking

The proposal is for the use of the subject land for trade supplies. Pursuant to Clause 52.06-5 (Number of Car Parking Spaces Required under Table 1, Car Parking) there is a requirement to provide 10 per cent of the site area as car parking. The plans do not designate any particular area for car parking however there appears to be ample space to accommodate car parking on site and the exact location for vehicles to park would likely vary. It is also noted that the number of customers expected to visit the subject land is expected to be very low as explained in the application. The proposal is therefore considered to be consistent with this clause.

Clause 52.17 – Native Vegetation

The proposal does not include the removal of any native vegetation.

Clause 52.29 – Land Adjacent to a Road Zone Category 1

The subject land is located adjacent to a Road Zone Category 1, which is Wangaratta-Whitfield Road. The proposal does not actually propose to create access to Wangaratta-Whitfield Road and therefore no planning permit is required under this clause.

Clause 53.02 – Bushfire Planning

This clause sets out a series of bushfire mitigation objectives for development. Given the type of development proposed, being associated with storage and constructed of generally non-flammable materials, the bushfire risk is extremely low. The application

was referred to Country Fire Authority who consented to the application. The proposal is therefore considered to be consistent with this clause.

Decision Guidelines

Clause 65.01 – Approval of an Application or a Plan

The proposal is assessed against the decision guidelines of Clause 65.01 below:

- The matters set out in Section 60 of the Act - The proposal is consistent with all matters raised under Section 60 of the Planning and Environment Act 1987.
- The Municipal Planning Strategy and the Planning Policy Framework - The Municipal Planning Strategy and Planning Policy Framework have been addressed previously in this report.
- The purpose of the zone, overlay or other provision - The purpose of the zone and relevant overlays and other provisions have been addressed previously in this report.
- Any matter required to be considered in the zone, overlay or other provision - The relevant decision guidelines under the zone, relevant overlays and other provisions are addressed previously in this report.
- The orderly planning of the area - The proposal is not expected to adversely impact the orderly planning of the area subject to recommended permit conditions.
- The effect on the amenity of the area - The potential impact on the amenity of nearby sensitive land uses can be managed to an acceptable level through permit conditions.
- The proximity of the land to any public land - The subject land is adjacent to Factory Creek which is public land. Potential impacts on the creek have been addressed through permit conditions imposed by Goulburn Murray Water and North East Catchment Management Authority.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality - There is a risk to water quality associated with this application, however it has been addressed through permit conditions imposed by Goulburn Murray Water and North East Catchment Management Authority.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site - Stormwater runoff will be managed by bunding been required as a permit condition by Goulburn Murray Water.
- The extent and character of native vegetation and the likelihood of its destruction - No native vegetation is proposed to be removed as part of this proposal.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate - This proposal does not threaten any native vegetation.

- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard - The subject land is both flood prone and fire prone. The area of the proposed use and development is largely outside of the flood affected areas and potential impacts arising from this are addressed through permit conditions. The development associated with this proposal is non-flammable storage structures which do not create a fire risk.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts - The site area contains sufficient space to carry out all normal loading and unloading activities as described in the application.

Consultation

The planning application was advertised as per the notification requirements under the Planning and Environment Act 1987. Eleven submissions were received, four of which were considered to be objections.

A conciliation meeting was not held. The reason for this was due to this application being brought about as a result of enforcement action. Conciliation was unlikely to have led to an agreement and would have delayed this matter being determined.

Implications

Policy Considerations

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

Financial Implications

The proposal does not have any impact on Council's financial resources as such. 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

A Due Diligence Assessment was submitted with the application which confirmed that due to significant ground disturbance, a Cultural Heritage Management Plan is not required.

Social

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

Environmental/Sustainability Impacts

Environmental/ sustainability impacts are addressed in the proposed permit conditions.

Economic Impacts

The proposal would allow for an existing unauthorised business to continue operating in the local area which would contribute to the economic diversity of the local area.

Referrals/Public Notice

2018 – 2021 Council Plan (2019 Revision)

This report supports the 2018-2021 Council Plan:

Goal

We are sustainable

We will plan, research and advocate for the future by accurately understanding the constraints and opportunities that face our organisation, our community and our region.

We are thriving

We will plan, research and advocate for the future to ensure the health and social needs of our community are understood and considered.

We are growing

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

We ensure new developments comply with legislation and the needs and characteristics of our community.

We ensure that land is used and developed in a manner that is economically, socially and environmentally responsible.

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.

We will focus on our business to ensure we understand and plan for the long term opportunities, challenges and priorities that face our growth potential.

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.

We are inspired

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

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Refuse to Issue a Permit – Applicant appeals decision at VCAT	High	Moderate	Moderate	Representation of Council at VCAT
Notice of Decision to grant a permit – Objector/s appeal decision to VCAT	High	Moderate	Moderate	Representation of Council at VCAT
Notice of Decision to grant a permit – Applicant appeals permit conditions at VCAT	High	Moderate	Moderate	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 the owners and occupiers of nearby properties.
Consult	All submissions to the application will be considered.	All submissions have been reviewed and summarised in this report along with response to concerns raised.
Involve	Opportunity to make a submission.	Notice of Application sent to the owners and occupiers of nearby properties.
Collaborate	Not applicable	Not applicable
Empower	Not applicable	Not applicable

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

Options for Consideration

Issue a Notice of Decision to Grant a Permit (NOD) with respect to Planning Permit PInApp19/162 for the Use and Development of Land for Trade Supplies and Development of Business Identification Signage at 49 Oxley-Greta West Road Oxley.

OR

Refuse the application.

Conclusion

The proposal is for the use and development of land for trade supplies and development of associated business identification signage. The proposed sign is an acceptable sign given the context of the site. The proposed development is considered acceptable subject to conditions.

Attachments

- 1 PInApp19/162 - Recommended Permit Conditions [↓](#)
- 2 PInApp19/162 - Site Plan Sheet 1 [↓](#)
- 3 PInApp19/162 - Site Plan Sheet 2 [↓](#)
- 4 PInApp19/162 - Sign Plan [↓](#)

17. SPECIAL COMMITTEE REPORTS

Nil

18. ADVISORY COMMITTEE REPORTS

Nil

19. **RECORDS OF ASSEMBLIES OF COUNCILLORS & MINUTES OF ADVISORY COMMITTEE MEETINGS**

19.1 RECORD OF ASSEMBLY OF COUNCILLORS & ADVISORY COMMITTEE REPORTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 10 December 2019
Author: Executive Assistant - Corporate Services & Councillors
File Name: Assemblies of Councillors
File No: IC19/511

Executive Summary

Assembly of Councillors:

An “Assembly of Councillors” is a meeting at which matters are considered that are intended or likely to be the subject of a Council decision and is either of the following:

- a meeting of an advisory committee where at least one Councillor is present; or
- a planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

At an assembly of Councillors, a written record is kept of:

- a) the names of all Councillors and members of the Council staff attending;
- b) the matters considered;
- c) any conflict of interest disclosures made by a Councillor attending; and
- d) whether a Councillor who has disclosed a conflict of interest leaves the assembly.

The written record of an assembly of Councillors is, as soon as practicable:

- a) reported at an Ordinary Meeting of the Council; and
- b) incorporated in the Minutes of that Council meeting.

Date	Meeting details	Refer
12 November 2019	Wangaratta Economic Development & Tourism Advisory Committee & Agriculture & Agribusiness Advisory Committee	Attachment
13 November 2019	Place Naming Advisory Committee	Attachment
18 November 2019	Councillor Briefing Forum	Attachment
19 November 2019	Pre-Council Meeting Discussion	Attachment
25 November 2019	Councillor Briefing Forum	Attachment
2 December 2019	Councillor Briefing Forum	Attachment

Advisory Committee Meetings:

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

1. Wangaratta Economic Development & Tourism Advisory Committee & Agriculture & Agribusiness Advisory Committee Minutes – 12 November 2019
2. Place Naming Advisory Committee Minutes – 13 November 2019

RECOMMENDATION:***That Council:***

- 1. receives the reports of Assemblies of Councillors***
- 2. notes the minutes of these Advisory Committees***

Attachments

- 1 Assembly of Councillors - Wangaratta Economic Development & Tourism Advisory Committee & Agriculture & Agribusiness Advisory Committee - 12 November 2019 [↓](#)
- 2 Assembly of Councillors - Place Naming Committee Advisory Committee - 13 November 2019 [↓](#)
- 3 Assembly of Councillors - Councillors Briefing Forum - 18 November 2019 [↓](#)
- 4 Assembly of Councillors - Pre Council Meeting Discussion - 19 November 2019 [↓](#)
- 5 Assembly of Councillors - Councillors Briefing Forum - 25 November 2019 [↓](#)
- 6 Assembly of Councillors - Councillors Briefing Forum - 2 December 2019 [↓](#)
- 7 Wangaratta Economic Development & Tourism Advisory Committee & Agriculture & Agribusiness Advisory Committee Meeting Minutes -12 November 2019 [↓](#)
- 8 Place Naming Advisory Committee Minutes - 13 November 2019 [↓](#)

20. NOTICES OF MOTION

Nil

21. URGENT BUSINESS**22. PUBLIC QUESTION TIME****23. CONFIDENTIAL BUSINESS****RECOMMENDATION:**

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

23.1 CEO PERFORMANCE REVIEW AND KEY PERFORMANCE INDICATORS

Item 23.1 is Confidential under the terms section 89(2) of the Local Government Act 1989 as it contains information relating to : (a) personnel matters.

23.2 WANGARATTA SPORTS & AQUATICS CENTRE OPERATIONAL MANAGAEMENT

Item 23.2 is Confidential under the terms section 89(2) of the Local Government Act 1989 as it contains information relating to : (d) contractual matters and (e) proposed developments.

24. CLOSURE OF MEETING**ATTACHMENTS**

**Rural City Of Wangaratta
Comprehensive Income Statement**

	Adopted Budget 2019/20	Current Budget (incl Carry Overs) 2019/20	Budget Review 2019/20	Variance to Current Budget 2019/20	Variance to Current Budget 2019/20
	\$'000	\$'000	\$'000	\$'000	\$'000
Income					
Rates and charges	33,656	33,656	33,706	49	0%
Statutory fees and fines	1,204	1,204	1,308	103	9%
User fees	7,810	7,792	8,170	377	5%
Contributions - cash	275	275	437	162	59%
Grants - Operating	15,432	15,442	16,715	1,273	8%
Grants - Capital	7,572	7,572	7,487	(85)	(1%)
Net gain/(loss) on sale/disposal of property, infrastructure,	819	822	1,147	325	40%
Reimbursements	80	80	2,164	2,085	2619%
Other revenue	621	621	472	(149)	(24%)
Total Income	67,470	67,465	71,606	4,141	6%
Expenses					
Employee benefits	24,163	24,128	24,206	(78)	(0%)
Materials and services	20,058	20,141	24,208	(4,067)	(20%)
Depreciation and amortisation	18,822	18,822	18,822	0	0%
Finance costs	645	645	434	211	33%
Other expenses	105	382	438	(56)	(15%)
Total Expenses	63,792	64,119	68,108	(3,989)	(6%)
Surplus/(deficit) for the year	3,677	3,346	3,498	152	5%
Reconciliation to Adjusted Underlying Surplus / (Deficit)					
Capital grants (non-recurring)	6,180	6,180	6,095	(85)	(1%)
Contributions capital (non-recurring)	275	275	360	85	31%
Net gain / loss on sale of assets	819	822	1,147	325	40%
Reimbursements capital	0	0	54	54	0%
Adjusted Underlying Surplus / (Deficit)	(3,597)	(3,931)	(4,158)	(227)	6%

**Rural City Of Wangaratta
Statement of Capital Works**

	Adopted Budget 2019/20 \$'000	Current Budget 2019/20 \$'000	Revised Budget 2019/20 \$'000	Variance To Current Budget (incl Carry Overs) 2019/20 \$'000	Variance To Current Budget (incl Carry Overs) 2019/20 \$'000
Property					
Land	-	-	-	-	
Land Improvements	1,997	2,016	2,036	20	1%
Total land	1,997	2,016	2,036	20	1%
Buildings	1,156	1,284	1,313	29	2%
Heritage Buildings	-	-	-	0	0%
Leasehold improvements	-	-	-	0	0%
Total buildings	1,156	1,284	1,313	29	2%
Total property	3,153	3,300	3,349	49	1%
Plant and equipment					
Heritage plant and equipment	-	-	-	0	0%
Plant, machinery and equipment	1,634	1,801	1,767	(34)	(2%)
Fixtures, fittings and furniture	452	472	472	0	0%
Computers and telecommunications	745	893	836	(56)	(6%)
Book collection	187	187	195	8	4%
Artworks	6	6	11	5	98%
Total Plant and equipment	3,025	3,357	3,281	(77)	(2%)
Infrastructure					
Roads	8,345	9,036	8,884	(152)	(2%)
Bridges	294	316	316	1	0%
Footpaths and cycleways	732	773	882	109	14%
Drainage	2,045	2,378	2,375	(4)	(0%)
Recreation, Leisure and Community Facilities	15,932	16,770	17,228	458	3%
Waste management	2,796	3,363	3,588	225	7%
Parks, Open Spaces and Streetscapes	817	880	616	(263)	(30%)
Aerodromes	990	990	980	(9)	(1%)
WIP Off Street Car Parks	1,564	1,552	1,692	140	9%
Total Infrastructure	33,513	36,057	36,562	504	1%
Total capital works	39,690	42,715	43,191	476	1%
Represented by:					
New asset expenditure	20,925	22,047	21,939	(108)	(0%)
Asset renewal expenditure	12,001	13,904	13,700	(204)	(1%)
Asset expansion expenditure	-	-	-	-	-
Asset upgrade expenditure	6,764	6,764	7,552	789	12%
	39,690	42,715	43,191	476	1%



Responsible Officer: Manager People and Governance Authorising Officer: Director Corporate Services	Policy Type:	Major Council Policy
	Adoption Date:	August 2019
	Approved By:	Council
	Review Cycle:	3 years
	Review Date:	August 2022
	WIM Reference:	F17/862

STATEMENT AND PURPOSE

This Policy seeks to:

- encourage and facilitate the making of disclosures about improper conduct of the Council, its Councillors, staff and Associates of Council and the disclosure of detrimental action taken in reprisal for a person making a disclosure; and
- to provide for the confidentiality of the content of those disclosures and the confidentiality of the identity of persons who make those disclosures.

Associates of Council extend to include contractors working in-house, staff on exchange, members of Special Committees, members of Advisory Committees, volunteers, work experience students, or graduate placements who perform work for Council, as well as external suppliers and other contractors and subcontractors.

This policy is framed in accordance with the *Public Interest Disclosure Act 2012 (Vic)* (the Act) and Regulations and the Independent Broad-Based Anti-Corruption Commission (IBAC) guidelines. The Rural City of Wangaratta is a public body subject to the Act.

SCOPE

This Policy applies to the Council, its Councillors, staff and Associates of Council who are involved in improper conduct or detrimental action, or who wish to make disclosures relating to the Council, its Councillors, staff or Associates of Council who are alleged to be involved in improper conduct or detrimental action.

A person (i.e. not organisation or company) may make a disclosure under the Act. The person may come from within the organisation, or be an ordinary member of the public.

Public interest disclosures relating to a Councillor may only be made to the Ombudsman or IBAC.

POLICY

Council does not tolerate improper conduct in the conduct of its affairs by Councillors, staff or Associates of Council, nor the taking of detrimental action in reprisal against those who come forward to disclose such conduct.

Council will take all reasonable steps to protect the identity of any person making a public interest disclosure, where the disclosure is made in accordance with the Act.



Council is committed to the aims and objectives of the Act. It recognises the value of integrity, transparency and accountability in its administrative and management practices, and supports the making of disclosures that reveal improper conduct.

Disclosures may be made about improper conduct on the part of the Council, its Councillors, staff or Associates of Council. Disclosures may also be made about detrimental action taken in reprisal, or in connection with, a disclosure made about improper conduct.

The conduct or action being disclosed may have taken place, still be occurring, or is believed will occur or be engaged in.

DEFINITIONS Improper conduct is:

- (a) corrupt conduct; or
- (b) conduct of a public officer or public body that constitutes:
 - a criminal offence;
 - serious professional misconduct;
 - dishonest performance of public functions;
 - intentional or reckless breach of public trust;
 - intentional or reckless misuse of information or material gained in the performance of functions as a public officer or public body;
 - a substantial mismanagement of public resources;
 - a substantial risk to the health or safety of one or more persons;
 - a substantial risk to the environment; or
- (c) conduct of a person that:
 - adversely affects the honest performance by a public officer or public body of their functions as a public officer or public body;
 - is intended to adversely affect the effective performance or exercise by a public officer or public body of the functions or powers of the public officer or public body and results in the person (or an associate) obtaining:
 - a licence, permit, approval, authority or other entitlement under any Act or subordinate instrument;
 - an appointment to a statutory office or as a member of the board of any public body under any Act or subordinate instrument;
 - a financial benefit or real or personal property;
 - any other direct or indirect monetary or proprietary gain,
 that the person or associate would not have otherwise obtained; or
 - conduct of any person that could constitute a conspiracy or attempt to engage in any of the conduct referenced in (a), (b), or (c) above,
 but does not include conduct that is trivial.

Corrupt conduct is conduct described in (c) above that involves an indictable offence (an offence punishable by imprisonment for five years or more) or the common law offences of attempting to pervert the course of justice, bribery of a public official, perverting the course of justice, or misconduct in public office.



Detrimental action includes action causing loss, injury or damage; intimidation or harassment; or discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action, taken or threatened against the discloser in reprisal for having made the disclosure.

Examples of "detrimental action" include, but are not limited to:

- A public body demotes, transfers, isolates, or changes the duties of a person for making a disclosure;
- A person threatens, abuses or carries out other forms of harassment, directly or indirectly, against the person who makes a disclosure and his or her family or friends;
- A public body discriminates against the person who makes a disclosure or his or her family and associates in subsequent applications for jobs or tenders.

ROLES & RESPONSIBILITIES

Any person can report improper conduct or detrimental action.

Councillors, Staff and Associates of Council

Councillors, staff and Associates of Council are encouraged to report improper conduct and detrimental action. Disclosures about staff or Associates of Council may only be made to the staff member's Manager, or Director; the Chief Executive Officer (CEO), or the Public Interest Disclosure Co-ordinator. Disclosures must be made in private.

Disclosures about Councillors must be made to IBAC.

CEO

The CEO may only receive disclosures that relate to the Council, its staff and Associates of Council. The CEO cannot receive disclosures that relate to Councillors. If the CEO incorrectly receives a disclosure about a Councillor and considers it may be a public interest disclosure, he/she should refer it to the IBAC within 28 days of receipt under the 'no wrong door' principle, which ensures the protections in the Act apply to the discloser if they mistakenly notify the wrong person of their disclosure.

The CEO must refer all disclosures to the Public Interest Disclosure Co-ordinator for assessment, unless the disclosure relates to the Public Interest Disclosure Co-ordinator, in which case the disclosure must be forwarded to the Public Interest Disclosure Co-ordinator's manager.

The CEO must ensure the confidentiality of all disclosures and the person making the disclosure.

Managers

Managers may only receive a disclosure that is made by, or relates to, a staff member, or an Associate of Council that the manager directly or indirectly manages.

Managers must refer all disclosures to the Public Interest Disclosure Coordinator for assessment, unless the disclosure relates to the Public Interest Disclosure Co-ordinator, in which case the disclosure must be forwarded to the Public Interest Disclosure Co-ordinator's manager.

Managers must ensure the confidentiality of all disclosures and the person making the disclosure.

Public Interest Disclosure Policy

Council Policy



RURAL CITY OF WANGARATTA

Public Interest Disclosure Co-ordinator (PDC)

The PDC may only receive disclosures that relate to the Council, its staff and Associates of Council. The PDC cannot receive disclosures that relate to Councillors. If the PDC incorrectly receives a disclosure about a Councillor and considers it may be a public interest disclosure, he/she should refer it to the IBAC within 28 days of receipt under the 'no wrong door' principle, which ensures the protections in the Act apply to the discloser if they mistakenly notify the wrong person of their disclosure. The PDC must assess the disclosure to determine if it meets the requirements to attract the protections of the Act. If the disclosure is assessed as a public interest disclosure, the PDC must assist the CEO to notify IBAC.

The PDC must ensure the confidentiality of all disclosures and the person making the disclosure. The PDC is also responsible for the provision of welfare services for any person making a public interest disclosure and for the welfare needs of Councillors, staff, Associates of Council, or other people involved in an investigation.

The PDC is responsible for establishing and maintaining this policy and associated procedure and providing training and advice to Councillors, staff and Associates of Council.

PRIVACY

Information related to any public interest disclosure must be held within the records management system (WIM), with appropriate levels of security and access set and maintained.

BREACHES

Council will ensure that all disclosures under this procedure, and public interest complaints referred to it by IBAC for investigation, are investigated confidentially, promptly and thoroughly. Investigations will be undertaken in accordance with Council's Public Interest Disclosure Procedure.

It is a criminal offence under the Act to disclose information connected with a disclosure made in accordance with the Act, including the identity of the discloser. The penalties for breaching confidentiality obligations include financial penalties and imprisonment.

Councillors, staff and Associates of Council must be aware of Council's intention to:

- take appropriate disciplinary action against any person involved in improper conduct or detrimental action;
- report improper conduct and detrimental action to IBAC; and
- refer to Victoria Police for potential prosecution any party to the matter, if the improper conduct or detrimental action is of a criminal nature.

Council may also pursue recovery of any financial loss through civil proceedings.

MONITORING AND EVALUATION

The Public Interest Disclosure Policy will be monitored by the Corporate Management Team regularly and by the Audit Advisory Committee every three years.

Changes to this Policy require Council approval.

REFERENCES

COUNCIL POLICIES



Councillor Code of Conduct
Disciplinary Policy and Procedure
Employee Code of Conduct
Respectful Behaviour and Treatment Policy

LEGISLATION

Independent Broad-based Anti-corruption Commission Act 2011 (Vic)
Ombudsman Act 1973 (Vic)
Public Interest Disclosure Act 2012 (Vic)

GUIDELINES

IBAC Guidelines for making and handling public interest disclosures; and for welfare management

REVIEW & APPROVAL

This Policy will be reviewed in three years from the date of endorsement, or as required by legislation, or if Council determines a need has arisen.



Responsible Officer: Manager People and Governance Authorising Officer: Director Corporate Services	Policy Type:	Council Policy
	Adoption Date:	August 2019
	Approved By:	Council
	Review Cycle:	3 years
	Review Date:	August 2022
	WIM Reference:	F17/862

STATEMENT AND PURPOSE

This Policy seeks to:

- encourage and facilitate the making of disclosures about improper conduct of the Council, its Councillors, staff and Associates of Council and the disclosure of detrimental action taken in reprisal for a person making a disclosure; and
- to provide for the confidentiality of the content of those disclosures and the confidentiality of the identity of persons who make those disclosures.

Associates of Council extend to include contractors working in-house, staff on exchange, members of Special Committees, members of Advisory Committees, volunteers, work experience students, or graduate placements who perform work for Council, as well as external suppliers and other contractors and subcontractors.

This policy is framed in accordance with the *Protected Disclosure Act 2012 (Vic)* (the Act) and Regulations and the Independent Broad-Based Anti-Corruption Commission (IBAC) guidelines. The Rural City of Wangaratta is a public body subject to the Act.

SCOPE

This Policy applies to the Council, its Councillors, staff and Associates of Council who are involved in improper conduct or detrimental action, or who wish to make disclosures relating to the Council, its Councillors, staff or Associates of Council who are alleged to be involved in improper conduct or detrimental action.

A person (i.e. not organisation or company) may make a disclosure under the Act. The person may come from within the organisation, or be an ordinary member of the public.

Protected disclosures relating to a Councillor may only be made to the Ombudsman or IBAC.

POLICY

Council does not tolerate improper conduct in the conduct of its affairs by Councillors, staff or Associates of Council, nor the taking of detrimental action in reprisal against those who come forward to disclose such conduct.

Council will take all reasonable steps to protect the identity of any person making a protected disclosure, where the disclosure is made in accordance with the Act.



Council is committed to the aims and objectives of the Act. It recognises the value of integrity, transparency and accountability in its administrative and management practices, and supports the making of disclosures that reveal improper conduct.

Disclosures may be made about 'improper conduct' on the part of the Council, its Councillors, staff or Associates of Council. Disclosures may also be made about 'detrimental action' taken in reprisal, or in connection with, a disclosure made about improper conduct.

The conduct or action being disclosed may have taken place, still be occurring, or is believed will occur or be engaged in.

DEFINITIONS

Improper conduct is either "corrupt conduct" or "specified conduct":

Corrupt conduct is conduct that involves an indictable offence (an offence punishable by imprisonment for five years or more) or the common law offences of attempting to pervert the course of justice, bribery of a public official, perverting the course of justice, or misconduct in public office.

Specified conduct is conduct that, if proved, would constitute a criminal offence, or reasonable grounds for dismissal.

Examples of "improper conduct" include, but are not limited to:

- conduct of any person that adversely affects the honest performance by a public officer or public body of their official functions e.g. offering or taking a bribe, favouring a friend in a recruitment decision;
- conduct of a public officer or public body that:
 - constitutes or involves a dishonest performance of their official functions e.g. misusing a corporate credit card;
 - constitutes or involves knowingly or recklessly breaching public trust e.g. assaulting a client or publishing false data;
 - involves misuse of information obtained in their official capacity e.g. insider trading;
- conduct of a person intended to adversely affect the performance of a public officer or body, leading to a benefit described in the Act;
- conduct that could constitute a conspiracy;
- in the case of "specified conduct", conduct of a public officer or public body that involves substantial mismanagement of public resources, or a substantial risk to public health, or safety, or the environment e.g. ignoring major safety problems with public infrastructure.

Detrimental action is harassment or discrimination, or other adverse action, taken against the discloser in reprisal for having reported the alleged improper conduct.

Examples of "detrimental action" include, but are not limited to:

- A public body demotes, transfers, isolates, or changes the duties of a person for making a disclosure;
- A person threatens, abuses or carries out other forms of harassment, directly or indirectly, against the person who makes a disclosure and his or her family or friends;



- A public body discriminates against the person who makes a disclosure or his or her family and associates in subsequent applications for jobs or tenders.

ROLES & RESPONSIBILITIES

Any person can report improper or corrupt conduct.

Councillors, Staff and Associates of Council

Councillors, staff and Associates of Council are encouraged to report improper conduct. Disclosures about staff or Associates of Council may only be made to the staff member's Manager, or Director; the Chief Executive Officer (CEO); or the Protected Disclosure Co-ordinator, and must be made in private.

Disclosures about Councillors must be made to IBAC.

CEO

The CEO may only receive disclosures that relate to the Council, its staff and Associates of Council. The CEO cannot receive disclosures that relate to Councillors.

The CEO must refer all disclosures to the Protected Disclosure Co-ordinator for assessment, unless the disclosure relates to the Protected Disclosure Co-ordinator, in which case the disclosure must be forwarded to the Protected Disclosure Co-ordinator's manager.

The CEO must ensure the confidentiality of all disclosures and the person making the disclosure.

Managers

Managers may only receive a disclosure that is made by, or relates to, a staff member, or an Associate of Council that the manager directly or indirectly manages.

Managers must refer all disclosures to the Protected Disclosure Coordinator for assessment, unless the disclosure relates to the Protected Disclosure Co-ordinator, in which case the disclosure must be forwarded to that person's manager.

Managers must ensure the confidentiality of all disclosures and the person making the disclosure.

Protected Disclosure Co-ordinator (PDC)

The PDC may only receive disclosures that relate to the Council, its staff and Associates of Council. The PDC cannot receive disclosures that relate to Councillors.

The PDC must assess the disclosure to determine if it meets the requirements to attract the protections of the Act. If the disclosure is assessed as a protected disclosure, the PDC must assist the CEO to notify IBAC.

The PDC must ensure the confidentiality of all disclosures and the person making the disclosure. The PDC is also responsible for the provision of welfare services for any person making a protected disclosure and for the welfare needs of Councillors, staff, Associates of Council, or other people involved in the investigation.

The PDC is responsible for establishing and maintaining this policy and associated procedure and providing training and advice to staff and Associates of Council.



PRIVACY

Information related to any protected disclosure must be held within the records management system (WIM), with appropriate levels of security and access set and maintained.

BREACHES

Council will ensure that all protected disclosures are investigated confidentially, promptly and thoroughly. Investigations will be undertaken in accordance with Council's Protected Disclosure Procedure.

It is a criminal offence under the Act to disclose information connected with a disclosure made in accordance with the Act, including the identity of the discloser. The penalties for breaching confidentiality obligations include financial penalties and imprisonment.

Councillors, staff and Associates of Council must be aware of Council's intention to:

- take appropriate disciplinary action against any person involved in improper conduct;
- report improper conduct to IBAC; and
- refer to Victoria Police for potential prosecution any party to the matter, if the improper conduct is of a criminal nature.

Council may also pursue recovery of any financial loss through civil proceedings.

MONITORING AND EVALUATION

The Protected Disclosure Policy will be monitored by the Corporate Management Team regularly and by the Audit Advisory Committee every three years.

Changes to this Policy require Council approval.

REFERENCES

COUNCIL POLICIES

Councillor Code of Conduct
Disciplinary Policy and Procedure
Employee Code of Conduct
Equal Opportunity Policy

LEGISLATION

Independent Broad-based Anti-corruption Commission Act 2011 (Vic)
Integrity and Accountability Legislation Amendment (A Strong System) Act 2015 (Vic)
Ombudsman Act 1973 (Vic)
Protected Disclosure Act 2012 (Vic)

GUIDELINES

IBAC Guidelines for making and handling protected disclosures; and for welfare management

REVIEW & APPROVAL

This Policy will be reviewed in three years from the date of endorsement, or as required by legislation, or if Council determines a need has arisen.



Major Council Policy Community Impact Statement

Public Interest Disclosure Policy

Council provides the following information to the community in respect of the proposed major council policy.

PART A - General

Background

Council is considering approving a revised major council policy, the Public Interest Disclosure Policy (the Policy).

Purpose

This Policy outlines Council's commitment to Public Interest Disclosures and its approach to reporting and managing disclosures and learning from the findings of any investigations.

The Policy contains provisions that support achievement of the legislated objectives of Council.

PART B - Overall Impact Assessment

The Policy is an existing policy of Council and has been the subject of minor revisions to comply with changes that give effect to the *Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019*, the relevant provisions of which commence operation on 1 January 2020.

A procedure supporting the Policy will be updated at the same time the Policy amendments take effect, which amendments also implement the changes to the law commencing 1 January 2020.

The Policy maintains the current position that Council does not tolerate improper conduct in the conduct of its affairs by Councillors, staff or associates of Council, nor the taking of detrimental action in reprisal against those who come forward to disclose such conduct. Council will take all reasonable steps to protect the identity of any person making a protected disclosure, where the disclosure is made in accordance with the Public Interest Disclosure Act. Council is committed to the aims and objectives of the Act. It recognises the value of integrity, transparency and accountability in its administrative and management practices, and supports the making of disclosures that reveal improper conduct.

The amendments to the Policy:

- alter the title of the policy to match the new title of the Protected Disclosure Act (to be Public Interest Disclosure Act),
- replace the phrase 'protected disclosure' with 'public interest disclosure',
- update the definition of 'improper conduct' to include 'specified conduct', and
- permit the CEO, for a complaint wrongly made to him or her about a Councillor, to refer it to the IBAC.

Major Council Policy Community Impact Statement
Public Interest Disclosure Policy

Measures of success of the policy

The success of the policy will be best measured by the extent to which it improves transparency within Council's actions and the actions of individual Councillors, staff and associates of Council.

Existing legislation that might be used instead

There is no existing local legislation that could be adapted for this purpose. State legislation requires the Policy to exist.

State legislation more appropriate

There is no existing State legislation that could be adapted for this purpose. State legislation requires the Policy to exist.

Overlap of existing legislation

There is no overlap with existing legislation or policies. State legislation requires the Policy to exist.

Overlap of planning scheme

The policy has no relevance to the Planning Scheme.

Risk assessment

The policy enhances the probity of Council's processes in regards to public interest disclosures.

The approach addresses the risk that improper conduct may occur within Council.

Legislative approach adopted

The policy operates in conjunction with relevant sections of the following Acts.

Local Government Act 1989

Independent Broad-based Anti-corruption Commission (IBAC) Act 2011

Public Interest Disclosure Act 2012

Restriction of competition

Council has conducted a review of the policy in accordance with National Competition Principles. The results of that review are attached.

The policy has no National Competition Policy implications.

Major Council Policy Community Impact Statement
Public Interest Disclosure Policy

Penalties

The Public Interest Disclosure Act outlines penalties for criminal offences related to detrimental action; disclosure of details related to an assessable disclosure; making a false complaint, or providing false information; and civil penalties for detrimental action.

Permits

The policy does not make provision for the issue of permits.

Fees

There is no reference to fees.

Performance standards or prescriptive

It is considered appropriate that the policy is a mix of performance standards and prescribed actions.

Comparison with neighbouring and like Councils

The policy is a standard approach as adopted by many Councils. It is based on a review of other Council public interest disclosure policies.

Charter of Human Rights

Council has assessed the policy for compatibility with the Charter of Human Rights and Responsibilities. A report of this assessment is attached.

The policy is considered to be compatible with the Charter of Human Rights.

Consultation

In accordance with Council's Major Council Policy Consultation Local Law, Council will invite submissions from interested parties.

All submissions and any proposed changes will be considered by Council prior to the policy being adopted.

Submissions

Submissions are invited from the community in regards to the policy in accordance with clause 7 of the Major Council Policy Consultation Local Law No. 4 of 2015.

A notice to this effect will be advertised in the Chronicle newspaper, and also on Council's website, indicating that submissions will be received for 28 days.

Persons making submissions can request an opportunity to address Council. A Special Committee of Council has been established to hear submissions on the policy on the Tuesday following the close of submissions.

Major Council Policy Community Impact Statement

Public Interest Disclosure Policy

All submissions will be considered by Council at the Ordinary Meeting of Council scheduled for 28 February 2020 (date to be confirmed).

Part C - Specific Provisions**Objectives**

The objectives have been specified.

Legislative Compliance

Relevant acts have been documented.

Application

The policy applies to all Councillors, staff and associates of Council

Major Council Policy Community Impact Statement

Protected Disclosures Policy

Major Council Policy Human Rights Charter Assessment

Protected Disclosures Policy

As from 1 January 2008 all public authorities (including Councils) are required to act in accordance with the Human Rights Charter, and to consider human rights when making a decision.

The Charter is a law that protects the rights of all people in Victoria. It introduces standards and a framework to assist public authorities to consider the rights of all interested parties, and to be better able to strike a balance between an individual's rights and those of competing public interests.

The rights in the Charter may be subject to reasonable limitations in order to achieve this balance. As with all discerning decision making, if limitations are applied, this must be documented.

There are twenty rights listed in the Charter that promote the principles of freedom, respect, equality and dignity. These are listed at the end of this document.

Section	Rights Impacted Positive	Rights Impacted Negative	Justification and alternatives
STATEMENT AND PURPOSE	Nil	Nil	Describes the purpose.
SCOPE	Nil	Nil	Sets out who the policy applies to.
POLICY	Yes	Nil	People are encouraged to make disclosures. The policy sets out equitable and transparent provisions for managing protected disclosures. There are no restrictions on human rights.
ROLES AND RESPONSIBILITIES	Nil	Nil	
BREACHES	Nil	Nil	Outlines the consequences for engaging in improper conduct, or detrimental action which has been proven.
MONITORING AND EVALUATION	Nil	Nil	Provides a timeframe for reviewing the policy.
REFERENCES	Nil	Nil	Identifies related documents.
REVIEW & APPROVAL	Nil	Nil	Specifies when the policy will next be reviewed.

Major Council Policy Community Impact Statement

Protected Disclosures Policy

Victoria's Charter of Human Rights and Responsibilities

The Charter sets out the rights, freedoms and responsibilities that are shared by all Victorians and protected by law.

The Charter protects the following rights in Victoria:

- Right to be recognised and treated equally before the law;
- Right to life and to not have your life taken without a lawful reason;
- Protection from cruel treatment or punishment, including torture and medical treatment without consent;
- Freedom from forced work or slavery;
- Right to move freely within Victoria, to come into and leave Victoria, and to choose where to live;
- Right to privacy and to protect your reputation;
- Freedom of thought, conscience, religion and belief;
- Right to hold an opinion and freedom of expression;
- Right to gather together, take part in a peaceful demonstration or protest, and to join groups such as political, sport or union groups;
- Protection of families and children;
- Right to take part in public life, including the right to vote;
- Right to enjoy your culture, practise your religion, and speak your language;
- Right not to have your property taken away, unless the law says it can be taken;
- Right not to be arrested or detained unfairly, and right to the security of person, such as protection from harassment and threats in everyday life;
- Right to be treated humanely when arrested or detained;
- Protection of children in the criminal process;
- Right to a fair hearing;
- Rights in criminal proceedings including the right to be presumed innocent until proved guilty; and
- Right not to be tried or punished more than once for the same crime.

Major Council Policy Community Impact Statement

Protected Disclosures Policy

Major Council Policy National Competition Policy Assessment**Protected Disclosures Policy****Introduction**

A policy must not restrict competition unless it can be demonstrated that:

- The benefits of the restrictions to the community as a whole outweigh the costs; and
- The objectives of the policy can only be achieved by restricting competition.

This report applies the competition test to the Protected Disclosures Policy.

Purpose and Scope

These sections set out the purpose of the policy and who it applies to.

They do not contain any restriction on competition.

Policy

This section sets out the policy settings related to the control of fraud and corrupt conduct within Council.

It does not contain any restriction on competition



EVENTS POLICY

Responsible Officer: Manager Arts Culture and Events	Adoption Date:	[Choose date]
	Approved By:	Choose an item.
Authorising Officer: Director Community Wellbeing	Review Date:	[Choose date]
	Policy Type	Council Policy

INTRODUCTION

This policy provides a framework for the assessment and approval of temporary events. These events take place on public or private land; and in public buildings owned and managed by Council.

Events provide significant benefits to the social, cultural and economic wellbeing of the community. Council supports the development and staging of festivals and events within the community whilst recognising the need to minimise potential negative impacts on the community.

Council also recognises that coordinated responses and clear guidelines are important for event organisers to effectively plan and prepare for each event. This document ensures that external event organisers understand the legal requirements for events held within the Rural City of Wangaratta Local Government Area.

CONTEXT

This policy sets out the requirements for event organisers to obtain an Event Permit to conduct an event on public land managed by Council; and

It also sets out requirements for events on private land requiring Council approval pursuant to Victorian State legislative requirements.

SCOPE

This policy applies to all events on public land within the Rural City of Wangaratta LGA and any events on private land requiring statutory consent.

This policy does not apply to:

- Unpublicised social and family gatherings where less than 50 people are invited, and no equipment or infrastructure is required. (Local Law No.1 Community Amenity applies.)
- Seasonal use of sporting fields by schools and registered sporting clubs

Choose an item. [Choose date]

1

- Commercial filming and photography
- Commercial or community fitness training (LLP24 Conducting Exercise and or Personal Training in Public Parks applies)

PURPOSE

The purpose of this policy is to ensure that all events held on private and public land within the Rural City of Wangaratta Local Government Area are effectively managed, and negative impacts to the community and environment avoided or minimised.

POLICY

DEFINITION

An Event is any organised activity, where an open area, facility, venue, road or temporary structure is to be used by more people than that are usually found in that location.

A Low Impact Event is an event where the following **ALL** occur;

- There is less than 500 people attending at any one time and,
- There are less than 5 caterers or food vendors and,
- Limited temporary infrastructure is present, (up to two 3m x 3m marquees, inflatable amusements or a small stage);
- There is no noise above 65db and,
- There is limited impact on parking and no need for road closures or changes to traffic conditions.

A Medium Impact Event is an event where **ANY** of the following occur;

- There is between 500 and 3000 people present or,
- There is less than 15 caterers or food vendors or,
- Moderate temporary infrastructure required (10 Marquees up to 3m x 6m, temporary stage over 8m x 8m) or,
- There is amplified music or noise above 65db or,
- Live animals are present at the event or,
- The event precinct is substantially enclosed, or
- An admission fee is required for entry to the event space.

A High Impact Event is an event where **ANY** of the following occur;

- Over 3,000 people are expected or,
- Over 15 caterers or food vendors are operating or,
- There is substantial temporary infrastructure required including marquees over 10m x 10m in size, large stages and amusement rides or,
- There is a display of fireworks or pyrotechnics or,
- Amplified music is operating with an Environment Protection Authority (EPA) exemption in place or,
- There is substantial additional traffic to the area and changes to traffic conditions or road closures are required.

Choose an item. [Choose date]

2

A Public Gathering is a gathering of community organisations, friends or families for the purpose of celebration, protest or organised activity of up to 100 people. A permit is not required for gatherings of this type.

A Public Gathering with minor infrastructure is as above but with the inclusion of a single element of event infrastructure which could include marquee, food vendor, amusement ride or stage. A permit is not required for gatherings of this type.

POLICY PRINCIPLES

Programmed activities and events are an important use of public space, when the benefits they produce include:

Community Benefit and Cultural Experience

- Demonstrate clear benefit to the community as a core outcome;
- Provide activity that develops communities, builds capacity, provides opportunities for residents to participate, and supports people coming together;
- Encourage recreation and leisure opportunities that support people from all sections of the community;
- Partner with local community groups, charities, services and/or businesses;
- Promote a culture of creativity, learning and physical activity;
- Provide rich cultural experiences, foster local talent and recognise artistic/cultural strengths of the community;

Economic Impact

- Contribute to the local economy, support local businesses and promote tourism;
- Provide a diverse range of activities across the year and municipality;

Environmental Impact

- Demonstrate responsible use of water, energy and management of waste including the promotion of free water stations at events;
- Events must use packaging that is either recycling or compostable;
- Demonstrate the responsible use of power, with consideration given to solar where possible;

Amenity

- Provide a welcoming, healthy and safe experience;
- Have no foreseen negative impact on the region's natural and built environment;
- Balance the impact with benefits for the community;
- Are supported by other key stakeholders, such as Victoria Police

The programming of events in public space will be balanced against:

- Impacts on local amenity;
- The use of parks for informal rest and relaxation;
- Impacts on public space, roads, reserves environment and assets.

Choose an item. [Choose date]

3

REQUIREMENT FOR PERMIT AND AGREEMENT

An event may only be conducted on Council managed land if:

- A permit has been issued; or
- The applicant has entered into an agreement with the Council in a form required by the Council.

Generally, permits will be issued for a duration of one year/event.

Established events which have a history of high-quality event management and meet Council Plan objectives may be considered for multi-year permits.

ASSESSMENT AND APPROVAL

All events must complete a notification or application form and provide the relevant documentation before assessment commences.

The table below outlines the various event application processes. Council reserves the right to nominate the type of permit application processes to be undertaken by an event proponent.

Applications can be submitted up to 18 months prior to the proposed event date.

Application Process	Application Requirements	Minimum time to apply, prior to the event	Approvals
Public Gatherings	<ul style="list-style-type: none"> • Notification to Council only, no permit required • \$20M Public Liability Insurance 	7 Working Days	Customer Service Officer or Committee of Management
Public Gatherings with low level infrastructure	<ul style="list-style-type: none"> • Notification to Council only, no permit required • \$20M Public Liability Insurance for event and • \$20M Public Liability Insurance for infrastructure provider 	14 Working Days	Customer Service Officer or Committee of Management
Low Impact Event	<ul style="list-style-type: none"> • Application form to be completed • \$20M Public Liability Insurance • Simple Event Risk and Emergency Management Plan, Site Plan* 	21 Working Days	Team Leader Events, Event Attraction Coordinator or Committee of Management
Medium Impact Event	<ul style="list-style-type: none"> • Application Form to be completed • \$20M Public Liability Insurance 	30 Working Days	Manager, Arts Culture & Events

Choose an item. [Choose date]

4

	<ul style="list-style-type: none"> • All plans as required by relevant legislation* 		
High Impact Event	<ul style="list-style-type: none"> • Application Form to be completed • \$20M Public Liability Insurance • All plans as required by relevant legislation* 	90 Working Days or as required by relevant legislation	Director, Community Wellbeing

* Additional information and a regulated approval process may be necessary if your event requires a Planning Permit, Prescribed Temporary Structure approval or an Occupancy Permit for Place of Public Entertainment (POPE).

Times are an estimate and may vary depending on the complexity of your application.

ASSESSMENT OF APPLICATIONS

Event Applications will be assessed under the following criteria:

- Managing competing demands for use of the public domain, so a balance of opportunities are provided for the whole community;
- Limited disruptions for local community accessing space;
- Minimising impacts on local community as far as practicable;
- Use of events to improve safety or risk at key times or locations;
- Ability of the event organiser to produce the event demonstrated through all of:
 - Relevant experience of event organisers;
 - Suitable risk management and safety practices;
 - Other endorsements or certification where relevant;
 - Sporting events require ratification from recognised national and state peak bodies;
- Control of Environmental Impact demonstrated through all of:
 - Minimal and temporary impact on site;
 - Protection of trees, shrubs, lawns, flowerbeds and park infrastructure;
 - Avoiding overuse of any open space;
 - Sustainable event practices;
- Site suitability demonstrated through:
 - Availability of suitable amenities as relevant;
 - Appropriateness of event on site; determined by size, layout, activities and potential risks or impacts;
- Provides positive, tangible benefits to the community including:
 - Contributing to positive health and wellbeing outcomes;
 - Is inclusive and accessible to all members of the community;
 - Contributes to the vibrancy of the communities artistic and cultural values;
 - Provides a healthy, enjoyable and safe experience;
 - Contributes to a positive economic impact for local business.

Choose an item. [Choose date]

5

King George V Memorial Garden

Due to the heritage nature of the garden, a higher level of protection against potential damage or overuse must be applied including the protection of heritage trees. Specific management plans must be supplied that addresses impact to sensitive root zones, heritage assets and garden beds.

Applications not seen to be aligning with this policy or the assessment criteria above may be rejected at the decision of the Council.

LIMITATIONS AND RESTRICTIONS

All events must comply with relevant government standards and regulations including, but not limited to:

- Building Act 1993
- Crown Land (Reserves) Act 1978
- Environmental Protection Act 1970
- Food Act 1984
- Fundraising Act 1998
- Liquor Control Reform Act 1998
- Local Government Act 1989
- Major Sporting Events Act 2009
- Municipal Emergency Management Plan
- Occupational Health and Safety Act 2004
- Planning and Environment Act 1987
- Road Management Act 2004
- Victorian Legislation
- Working with Children Act 2005
- Rural City of Wangaratta Community Amenity Local Law

Council may cancel or modify events at any stage due to:

- Public safety concerns
- Extreme weather
- Identified high risks
- Site safety or conditions

EVENT REQUIREMENTS

Events must meet all legal requirements, including (but not limited to) obtaining approvals related to building occupancy, camping, health, and liquor licensing.

Council officers may consult other agencies, including Victoria Police, EPA, CFA, Ambulance Victoria and VicRoads, in considering applications and applying conditions to the event.

Road closures and on-road events require a traffic management plan and are subject to approval from a Council Road Safety Engineer.

Choose an item. [Choose date]

6

All events require public liability insurance of \$20M indemnifying Council.

Where necessary, applicants must develop and implement other relevant event plans including (but not limited to) risk management, emergency management, noise management, site and waste management.

Applicants may be required to conduct additional public notification activities to ensure that affected community members are aware of proposed event activities. This may include;

- Advertising in local newspapers
- Direct mail to affected residents
- Temporary signage (including electronic signage)

FEES

Fees are set through the annual Council budget process, or as varied by Council resolution. Events requiring a Planning Permit, Prescribed Temporary Structure approval or an Occupancy Permit for Place of Public Entertainment (POPE) will be required to pay the associated statutory fees.

Fees are payable to the Council before the commencement of the event.

Event organisers are required to reimburse Council for the cost of any restoration or repairs which are required as a result of the event and/or its associated activities. A bond in advance may be required.

CANCELATIONS AND REFUNDS

Cancellations and requests for refunds are only accepted in writing prior to the event.

The following conditions apply;

- Refunds will not be given to cancellations on the event day due to incidents of acts of nature and/or bad weather. The possibility of inclement weather needs to be taken into account in the planning process. Council does not provide wet weather alternative arrangements.
- Refunds will not be provided if the event does not go ahead.

TERMINATION

Council reserves the right to terminate an event permit if any of the below apply:

- permit conditions are breached;
- any laws are broken;
- a misrepresentation is identified in an application.

COUNCIL SUPPORTED OR SPONSORED EVENTS

Events that are financially supported by Council through Grants, Sponsorship Agreements or Waiving of fees are still required to abide by application and permit processes. These events

Choose an item. [Choose date]

7

must also acknowledge Council as a sponsor of the event as specified in the individual funding agreement.

Unless specified in a financial agreement with Council, supported events must pay any fees, charges or bonds as determined by Council.

EVENTS ON PRIVATE LAND

Events held on Private Property must be in accordance with the Wangaratta Planning Scheme including Place of Assembly requirements. Additional approvals may be required including Occupancy Permits for a Place of Public Entertainment, Noise Approvals, Waste Approvals and Traffic Management Approvals.

PUBLIC RALLIES & DEMONSTRATIONS

Organisers of a public rally must notify Council and Victoria Police of their intention to host a rally or demonstration on public land or local roads (no permit is required.)

Where a demonstration or rally seeks to install infrastructure, staging or marquees on public land; or access Council infrastructure (including power and water) then an event permit is required.

EVENTS INVOLVING ANIMALS

Events which involve the use of animals to any degree must comply with all state and federal legislation and the guidelines of their peak body or licencing agency.

APPEAL PROCESS

All appeals regarding the event permitting process must be presented to Council in writing. Appeals will be considered by a member of the Rural City Corporate Management Team, independent to the initial application and the applicant will be advised in writing of the appeal outcome.

In the case of an appeal relating to a Planning Permit, Prescribed Temporary Structure approval or an Occupancy Permit for Place of Public Entertainment (POPE), the regulated process will be followed.

Choose an item. [Choose date]

8

REFERENCES

Rural City of Wangaratta Council Plan 2017-2021 Our Roadmap for the future

The Wangaratta Project – A masterplan for the City 2016

Rural City of Wangaratta Municipal Public Health and Wellbeing Plan 2017-2021

Rural City of Wangaratta Events & Attraction Strategy 2018-2023

Environmental Impact Strategy

Waste Management Strategy

Rural City of Wangaratta Community Amenity Local Law No 1. 2014

REVIEW

Any change or update which materially impacts and alters this policy must be by CEO approval following review by the Corporate Management Team. This policy will be reviewed annually or if there has been a material change to any relevant laws.

Choose an item. [Choose date]

9



RURAL CITY OF WANGARATTA

WALKING AND CYCLING STRATEGY

2020 to 2030



Acknowledgement of Country

In the spirit of reconciliation, the Rural City of Wangaratta acknowledges the traditional custodians of the land. We pay our respects to their Elders past, present and emerging.

About this document

This document is a Walking and Cycling Strategy for the Rural City of Wangaratta. It has been developed by the Rural City of Wangaratta. Elements of the document and parts of the community engagement were undertaken by consultancy firm, @Leisure and the Rural City of Wangaratta acknowledges the work they have completed for this strategy.

Maps

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Disclaimer

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Executive Summary

Council's Walking and Cycling Strategy is a significant strategic document that will guide the way Council delivers infrastructure that supports the ability of people within our community to be active, to safely move around, and to stay connected. The strategy is a 10-year plan that aims to increase the number of walking and cycling journeys made by people of all ages and abilities. We have an extensive network of tracks, trails and paths that already exist within the municipality – many of which are regularly used by people to make daily trips, by tourists to explore our region, and by locals to move throughout their neighbourhoods. This strategy focuses on leveraging the more than 240km of paths that already connect many destinations throughout Wangaratta, and developing key connections and extensions that enhance the way people move around, and throughout our communities.

Balancing a positive walking and cycling culture alongside the real need for vehicles is a challenge for many Councils and communities. To support the growth of people making trips by bike and on foot, this strategy focuses not just on infrastructure projects, but on supporting a community that is aware, encouraging and protective of people who choose to travel as a pedestrian or cyclist. We aim to make it the preferred mode of transport for more people, in more corners of our municipality.

The strategy is divided into two focus areas – A Connected City, and Safe and Linked Rural Communities. Within these focus areas there are 6 strategic directions that include 144 actions that will actively promote, support and enable people to move throughout the municipality.

Strategic Directions

1. A walkable community
2. An easy and accessible off-road cycling network
3. A safe and convenient on-road cycling network
4. A fit-for-purpose and sustainable sport cycling network
5. A user-experience approach to walking and cycling developments
6. Effective programs, promotion, advocacy and governance

Introduction

Wangaratta has an extensive network of pathways and trails which connect many destinations within the municipality, particularly within the urban area. The network includes over 240km of footpaths and shared trails with an estimated replacement value of \$22.5m¹. The Wangaratta community also has a longstanding cycling culture. Amongst regional cities in Victoria, Wangaratta rates second highest for owning a working bicycle and equal highest for riding at least once per week.² However, in recent times the culture of cycling has been challenged by a vehicle-centric mindset and an increased perception of the level of risk of cycling on-road. The Rural City of Wangaratta has developed bicycle path strategies in 1991 and 1999, however a number of actions remain incomplete. These projects have been reviewed to determine their current status and if warranted have been included within this strategy.

Purpose

The Walking and Cycling Strategy is a municipal wide strategy to guide the planning, development, management and promotion of walking and cycling pathways and trails. Council is committed to creating a more connected municipality with a better transport system, where residents, visitors and workers have a reduced need to travel by car. Council endeavours to make walking and cycling the easiest and most enjoyable way for the community to move around the municipality.

The objectives of the strategy are:

- To encourage more people of all ages, backgrounds and abilities to walk and ride
- To enhance the cycling tourism products on offer in Wangaratta
- To evaluate the existing walking and cycling network for connectivity, safety, comfort and amenity
- To coordinate planning and delivery of priority walking and cycling infrastructure
- To deliver strategies for promotion, education, advocacy and support of walking and cycling
- To identify and provide strategic direction for the Wangaratta bicycle network

Development

The strategy has analysed a range of information sources and influences before identifying priority projects to be delivered across the municipality. In this strategy, cyclists and walkers include anyone riding a bicycle or walking for recreation, travel, tourism or competition and includes those using mobility aids. Encouraging more people to use active forms of transport is a key aspect of transitioning Wangaratta towards a more sustainable and equitable future.

¹ Roads Asset Management Plan 2019 (RCOW)
² RACV Regional Transport Needs Survey (2013)

Community Engagement

This strategy has been informed by an extensive community engagement process to determine community sentiment towards walking and cycling and to identify issues, challenges and opportunities to be considered.

A range of engagement tools were used to ascertain viewpoints from both key stakeholders who are either interested or influencers in the walking and cycling space and also from the community who may simply be users of the walking and cycling network.

Over 300 submissions were received through a mix of online surveys, interactive mapping and written submissions whilst another 60 engaged through information sessions, workshops and telephone contact.

Literature Review

This strategy has been informed by a range of Council and industry documents to ensure that the directions and actions within the strategy are consistent with laws, regulations, standards and best practice within the industry. This includes a review of other documents produced locally relating to walking and cycling.

Benefits of Walking and Cycling

Physical Health Benefits

Australia is amongst the most obese nations in the world which leads to an increased rate of diseases such as diabetes, cardiovascular disease, various cancers and osteoarthritis. 55% of Wangaratta residents do not meet the minimums recommended in the physical activity guidelines.¹ 60.9% of the Wangaratta population are either obese or pre-obese which is more than 10% higher than the average across Victoria.²

The savings to the federal health budget from regular recreational cycling is estimated at \$82.9m per year.³

Mental Health and Social Benefits

Walking and cycling also contributes positively towards social connections between people. This increase in social interaction within the community results in much improved personal relationships and overall community health, contributing to improved mental wellbeing by reducing feelings of stress, anxiety and depression.

Economic Benefits

As a visitor attractor, cycling is a key opportunity for Wangaratta. Recreational cyclists are a high yield, high spending market and the estimated total expenditure of cycle tourists in Australia was approximately \$2.4 billion in 2010, which is growing according to state government research. The cycling economy stretches a substantial industry, including importing, retailing and servicing bicycles and related products.



¹ Municipal Public Health and Wellbeing Plan 2017-2021, Rural City of Wangaratta (2017)

² Victorian Population Health Survey, Victorian Agency for Health Information (2017)

³ Bauman, A, Rissel, C, Garrad, J, Ker, I, Speidel, R & Fishman, E (2008) Cycling: getting Australia moving – barriers, facilitators and interventions to get more Australian physically active through cycling, Canberra, Australia

Constraints

Council has a limited budget to deliver all of the projects identified in this strategy.

There is currently no ongoing grant funding available through either state or federal government to help implement this strategy.

Regulatory constraints, land ownership and site conditions may create barriers to the implementation of some of these projects.

Many projects identified in this strategy will require Council staff resourcing which may be beyond existing staffing capacity.

Regular Bicycle Riding in Wangaratta¹

70%
Own a working
bicycle

Only
28%
Ride at least
once a week

Wangaratta Facts	
Population (2018):	29,087
Area:	3,645 km ²
Cars:	18,463
Bicycles:	20,360
Residents riding at least once per week:	8,144
Shared Paths	Over 100km
Footpaths	Over 140km



¹ RACV Regional Transport Needs Survey (2013)

The Visitor Economy

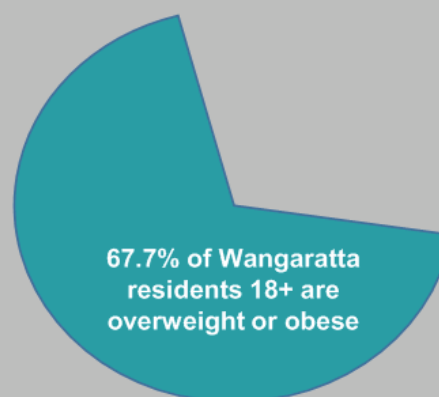
For every 1 visitor to Wangaratta	It generates \$273 to the local visitor economy
--	---

Greenhouse Gas Emissions

20km of riding to and from work each day	Saves 1.5 tonnes in greenhouse gas emissions per year ³
---	--

Economic Benefits

If 1,000 people ride an extra 200km each in one year	They will have saved \$1,000,000 in transport costs.
--	---

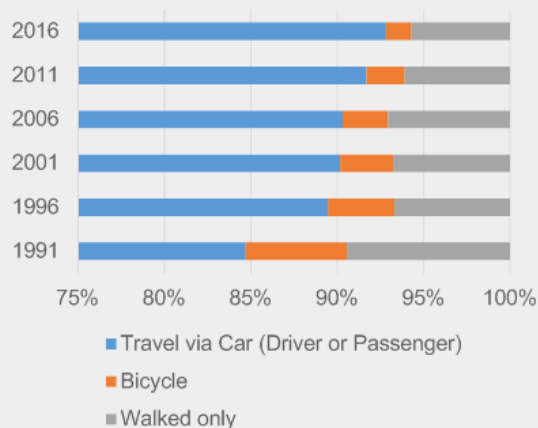


Wangaratta Residents Transport Ratings

V/Line Trains:	2.53
V/Line Coaches:	5.43
Local Buses:	5.74
Freeways/Highways:	7.52
Local Roads:	5.45
On Road Bike Paths	5.08
Off Road Bike Paths	6.83
Footpaths	5.42

Average transport ratings where 1 is very poor, 5 is average and 10 is excellent¹

Mode of travel to work of all employed persons (15+)



¹ RACV Regional Transport Needs Survey (2013)

² Victoria's Climate Change Framework

³ Cycling Benefits, Department of Transport and Main Roads QLD, 2013 (<http://www.tmr.qld.gov.au/Travel-and-transport/Cycling/Benefits.aspx>)

Strategic Context

State

The Victorian Cycling Strategy 2018-28 vision is to increase the number, frequency and diversity of Victorians cycling for transport by:

- investing in a safer, lower-stress, better-connected network, prioritising strategic cycling corridors
- making cycling a more inclusive experience

The strategic directions of Council are:

- We are thriving
- We are growing
- We are established
- We are inspired
- We are sustainable

Our Roadmap for the Future Council Plan 2017 – 2021 (2019 Revision)

Local

The Walking and Cycling Strategy is guided by the Council Plan 2017-2021 (2019 Revision) which has the following vision:

Our vision for the community is to be connected, sustainable and contemporary. To be a place where good things grow.

The Walking and Cycling Strategy complements a number of other Council strategies including:

- Municipal Public Health and Wellbeing Plan 2017-2021
- Wangaratta Open Space Strategy (2012)
- Wangaratta Recreation Strategy (2012)
- Community Access and Inclusion Plan
- Rural Placemaking Plans
- Wangaratta Car Parking Plan
- Economic Development Strategy 2018-2023
- The Wangaratta Project – CBD Masterplan
- Environmental Sustainability Strategy
- Wangaratta Urban Design Framework
- Wangaratta North West Growth Area
- Wangaratta South Growth Area
- Draft Wangaratta Health Precinct Plan

Additionally, on a regional level the following strategic documents have informed this strategy:

- Hume Region Significant Tracks and Trails Strategy 2014-2023
- North East Victoria Cycling Optimisation Masterplan

Planning Scheme Controls

This strategy will be consistent with a number of principles contained within the Wangaratta Planning Scheme. There is also an opportunity for this strategy to be endorsed as a Reference Document within the Planning Scheme. This would increase its prominence and may lead to a more effective implementation.

Movement and Place Framework

The Movement and Place Framework is the approach to transport planning introduced by Transport for Victoria in 2019 to refocus transport planning to recognise that streets perform multiple functions, not only moving people from A to B, but they also serve as key places and destinations in their own right.

The Framework recognises that there is a natural tension between the use of a street as a movement corridor and its potential use as a destination where it seeks to increase visitor dwell time. The framework introduces a mechanism to support those streets which play a critical role as a movement corridor and also those that act as a destination. It is recommended that both places and movement corridors be classified according to the framework, and that appropriate service levels are applied for each roadway.

For example, places can be recognised as those of regional significance, municipal significance, neighbourhood importance or local importance.

Streets and pathways can also be classified for walking based upon their function in accessing classified places. Cycling classifications are identified for both routes on and off-road – the highest rated classification is the Strategic Cycling Corridors which are those routes attracting the highest number of cyclists, and that are the most important in providing access to destinations and encouraging cycling as transportation.



Walkers and Cyclists

Introduction

This strategy is aimed at creating a network of paths and on-road cycling lanes to accommodate those who choose to either walk or cycle throughout the municipality.

Generally, the reason for people to undertake a journey of any kind is for one of four purposes:

- Recreation – participants who choose to undertake that activity for enjoyment, fitness or social interaction
- Tourism – those who are seeking destinations or experiences
- Commuter – those travelling for employment or education
- Lifestyle – those making short trips such as to shopping areas, playgrounds or to visit friends and family

As such, throughout this strategy these different lenses will be applied to the issues and opportunities being considered.

Walker Types

When considering who the walkers in the community are, it is important to consider those who utilise mobility devices, those with disabilities, those with prams or walking a dog.

Cyclist Types

Within the spectrum of cyclists, a generally accepted segmentation of cyclist types used in both Australia and internationally is to divide cyclists into four categories based on their willingness to accept risk and a higher-stress cycling route.

As can be seen in the table below detailing these segments, the greatest gains in participation can be made in reaching those that are less likely to accept risk and would seek a low-stress, off-road cycling network.

Cyclist Type	Behaviour	% of Popn
Strong and fearless	Will cycle regardless of road conditions and are ready to mix with traffic.	1%
Enthusied and confident	Already riding, but they could ride more and their riding experience could be better.	7%
Interested but concerned	Curious about cycling and like to ride but are afraid to do so and put off by the need to ride close to vehicles and pedestrians, especially on higher speed and higher volume roads or where conflicts are more likely.	33%
Reluctant	Will not cycle because they can't, the terrain is unsuitable or because they have no interest whatsoever in it.	60%

Safety

Introduction

Along with the necessity of having a walking and cycling network that enables people to undertake their journey, feedback received through the development of this strategy identified safety as a key determinant of a person's willingness to walk or cycle for their journey.

Crash and injury statistics for motor vehicle (only) incidents in Wangaratta remains higher than the state average. Whilst this does not directly involve walkers and cyclists it does create a perception of higher stress when utilising the road network which will therefore reduce the willingness of those riders concerned about safety when riding on the road network.

Typical mid-block pedestrian refuge



It is recognised that the basic road construction in times past has placed the needs of cyclists and in many cases pedestrians at a lower level than that of the motor vehicle. This has often been influenced by industry standard designs which leads to a situation where an acceptable, compliant and financially attractive road design is progressed in a manner which adds little or no value to other transport modes.

These projects will often increase the level of stress faced by pedestrians and cyclists as they have to navigate around the needs of the motor vehicle.

Throughout the engagement for the development of this strategy, there were a number of common concerns or ideas which focused around safety. A summary of these can be attributed to the following areas of focus which create safety concerns for walkers and cyclists:

- The culture and negative behaviour of vehicle drivers against cyclists
- The speed limit of certain roads (and more specifically, the speed of drivers on these roads when passing cyclists)
- Unsealed shoulders on roads
- Lack of signage
- Design of roads being inconsistent with cycling lanes stopping without warning and design of intersections and roundabouts
- Lack of pedestrian friendly street treatments such as pedestrian crossings and refuges on busy streets



Pedestrian Safety

The separation of pedestrians, cyclists and motor vehicles will help create a lower-stress cycling experience.

Pedestrian Related Incidents in Wangaratta (2014-2018) ¹	
Total Incidents	16
Fatal Incidents:	1
Serious Injury Incidents:	4
Speed zone 60km/h or higher	6

Pedestrian Safety when Walking Alone

Wangaratta residents have generally felt a higher level of safety when walking alone in comparison to statistics Victoria wide.²

Feeling of Safety When Walking Alone	
During the day:	95.8%
After Dark	66.6%



Cycling Safety

A majority of Victorians have real and perceived safety concerns that put them off cycling.

The Victorian Cycling Strategy 2018-28 indicates about 60% of Victorians are curious about cycling and like to ride, but they don't cycle, or cycle less, because they want a safer, lower-stress, better-connected network and a more inclusive cycling culture. They would be attracted by the comfort and safety of the cycling experience, the predictability of the journey time and the low cost.

text

Bicycle Related Incidents in Wangaratta (2014-2018) ¹	
Total Incidents	21
Fatal Incidents:	1
Serious Injury Incidents:	4
Occurred at Intersections:	13
Speed zone 60km/h or higher	12

¹ VicRoads Crash and Injury Statistics (www.vicroads.vic.gov.au)

² VicHealth Indicators Survey

Strategic Directions

1 A walkable community

Objectives

- 1a) Ensure all residents have access to a footpath
- 1b) A range of walkable tourism products
- 1c) Prioritise walking through priority infrastructure such as pedestrian crossings

4 A fit-for-purpose and sustainable sport cycling network

Objectives

- 4a) The network of cycling sport facilities should be developed to ensure they are fit-for-purpose and sustainable.

2 An easy and accessible off-road cycling network

Objectives

- 2a) Link the gaps in the network
- 2b) Link and provide improved connection to other parts of the network
- 2c) Urban residents should be within 400m of a low-stress off-road cycling network
- 2d) A range of easy to ride tourism products

5 A user-experience approach to walking and cycling developments

Objectives

- 5a) Wayfinding – signage
- 5b) Amenity - seating, drinking fountains, shade, toilets, lighting
- 5c) Environment – trees, visual appeal, public art
- 5d) Safe and secure destinations

3 A safe and convenient on-road cycling network

Objectives

- 3a) Creating connections
- 3b) An improved culture and acceptance of roadways as being for sharing

6 Effective programs, promotion, advocacy and governance

Objectives

- 6a) Ensure a coordinated approach to promotion
- 6b) Partner with stakeholders to drive participation and change to those factors areas beyond Council control.

Focus Areas

A Connected City

- Continue to enhance the walking and cycling experience within the Wangaratta CBD, Railway Precinct and Health Precinct and to build connection between our residential precincts and key destinations

Safe and Linked Rural Communities

- Focus on key rural towns alongside existing trails, with strong tourism products and to connect to key destinations.

A Connected City

Introduction

The Wangaratta CBD, railway precinct and health precinct form the heart of the commercial, employment and transport zones within Wangaratta. It is central to the Wangaratta urban area and is critical to how Wangaratta operates on a daily basis.

The activity within the Central Activities Area and the health precinct means that this is potentially the area for greatest gain when trying to encourage more walk or cycle journeys.

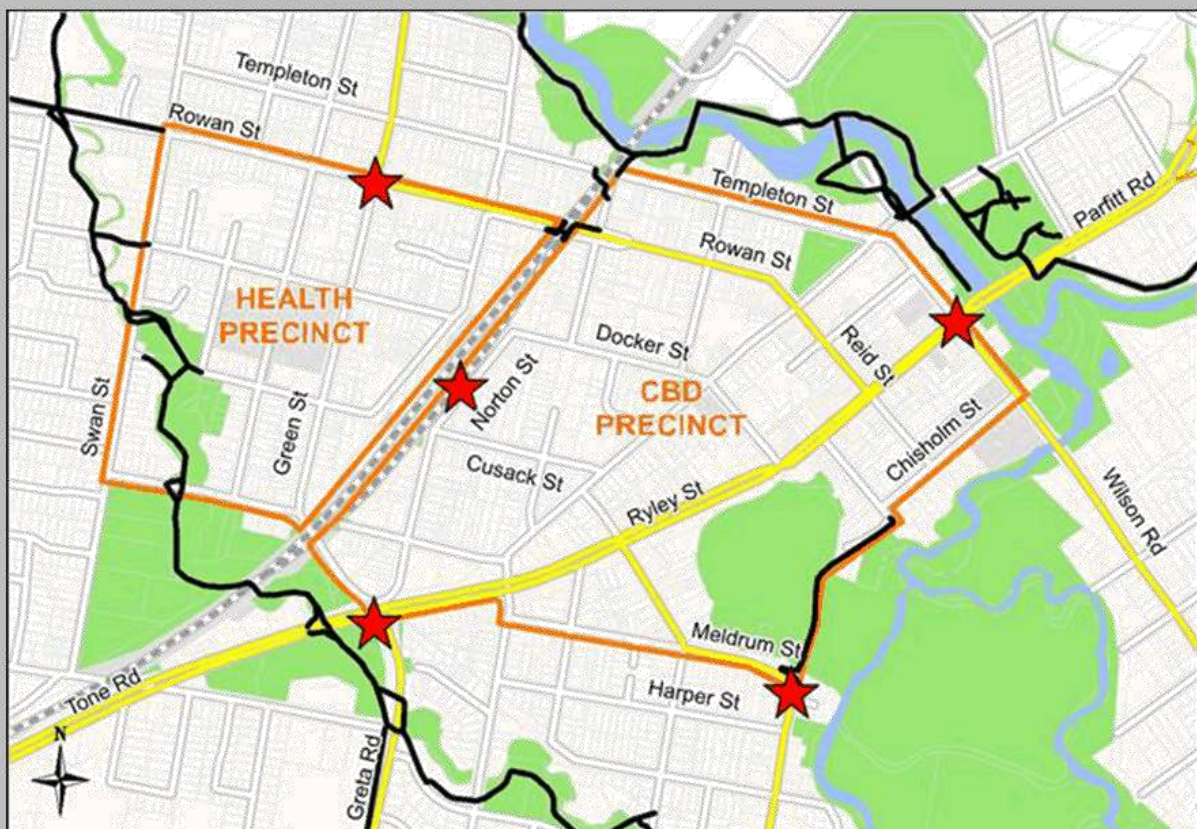
A number of strategic projects have already been completed for this broader precinct with walking and cycling a key factor in each.

This strategy, which compliments the other pieces of strategic work recommends that the preferred outcome within the Wangaratta municipality is to prioritise people over vehicles. This is most pressing in high activity areas such as the Wangaratta CBD and the health precinct.

The movement network within the CBD can be adjusted to provide additional pedestrian and cyclist safety and priority at key locations, without excessively hindering the movement of private vehicles.¹

This refinement of the existing network will allow free flowing traffic in some locations, whilst slowing down and giving pedestrians the priority in other locations.

The Central Activities Area and Health Precinct



¹ Wangaratta Urban Design Framework (2019)

Pedestrians can take advantage of smaller access locations, navigate through mid-block connections, and connect down steep inclines with relevant DDA compliant ramps and stairs. These connections are easier, simpler, and more cost effective than providing vehicle access to all locations.

The CBD precinct has the capacity to encourage walking and cycling within the existing network, the Wangaratta Car Parking Plan (2019) identified that the car parking occupancy rate is less than 85%, revealing that parking in Wangaratta is appropriate for current and medium term projected growth².

Key Destinations

The precinct is home to a number of key destinations points which should be connected to the walking and cycling network. These destinations include:

- Commercial Centre
- Wangaratta Railway Station
- GO TAFE
- Wangaratta Library
- King George V Gardens
- Sydney Beach
- Apex Park
- Wangaratta Performing Arts and Convention Centre
- Wangaratta Art Gallery
- Merriwa Park
- Wangaratta Primary School
- Wangaratta Bicycle Hub
- North East Health (Wangaratta Hospital)

Enhanced Connections

- Improved walking and cycling connections to the key parks within the Central Activities Area

- Incorporate laneway upgrades to encourage safer pedestrian passage
- Identify key vehicle routes along with key pedestrian and cycle routes to identify conflicts, separate those conflicts where possible
- Locate a pedestrian and cyclist route through the Railway Precinct and into the Health Precinct.

Precinct Approaches

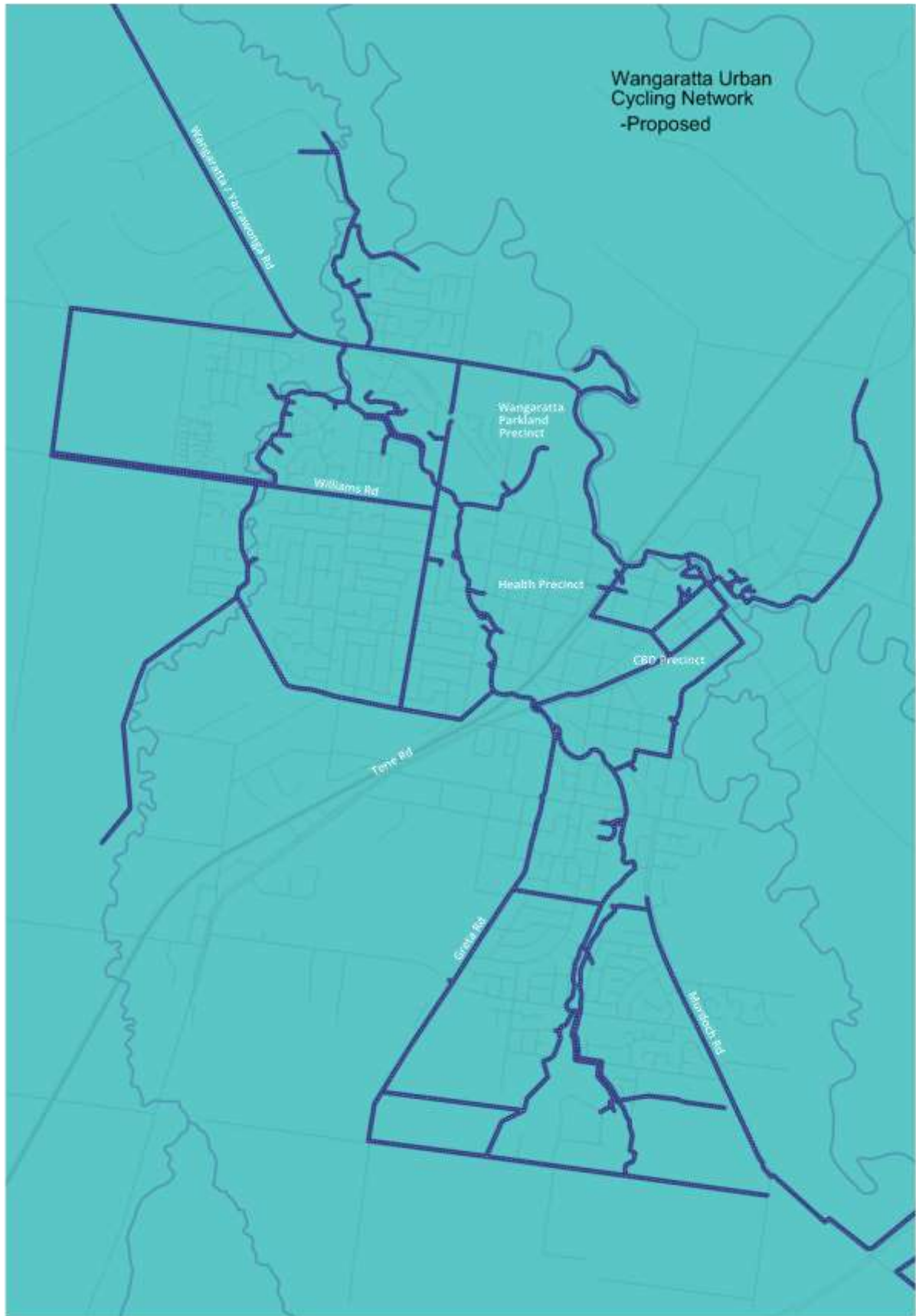
There are five gateway approaches into the Central Activities Area and the CBD. These are:

- Rowan Street
- Docker Street
- Tone Road
- Wilson Road / Faithfull Street
- Parfitt Road

Each of these approaches should be designed to ensure that walking and cycling is an attractive and convenient method of travel into the area.

Improved Experience

- Provide pedestrian and cycling friendly infrastructure within the parks within the Central Activities Area
- Reduce the vehicle speed with the Central Activities Area and around key areas within the Health Precinct to improve pedestrian and cyclist safety
- Provide infrastructure that supports inclusive mobility aids, such as mobility parking areas and level crossings for walking frames



Safe and Linked Rural Communities

Introduction

There are a number of rural communities within the Rural City of Wangaratta with a close connection to the cycling culture within the municipality. Typically, these communities are either closely connected with the Murray to Mountains Rail Trail (such as Milawa, Oxley, Everton) or have geographic conditions favourable to riding or accessible to nearby features (such as Glenrowan or Eldorado).

The vast distances between the Wangaratta urban area and the rural communities makes it a challenge to provide connections between the two areas due to the extensive cost that would be involved.

Rural Placemaking

The Rural City of Wangaratta undertook a Rural Placemaking Project through 2017 and 2018 culminating in endorsed plans for the five rural districts within the municipality.

The five plans identified a number of walking and cycling related projects, however the projects themselves had not been tested for feasibility or value. This strategy has considered the five district plans and have incorporated relevant projects into the action plans.

Glenrowan

Glenrowan is a key historical destination for the municipality and is positioned close to key nature reserves.

The Glenrowan Township Development Plan was adopted by Council in November 2016 and has a focus on walkability within the town of Glenrowan, with a number of walking trails proposed. It identifies the opportunity for pedestrian and cycle linkages to Mount Glenrowan, providing more opportunity for local recreation.

Warby Ranges National Park is a key bushwalking destination. It also provides a local mountain biking experience, however this experience is limited by restrictions imposed by Parks Victoria on new trails being constructed due to the presence of significant vegetation. It also presents as an opportunity to be a future gateway to Winton Wetlands.

Other proposed walking tracks would provide increased connectivity of the town centre with Fosters Lake and Glenrowan Recreation Reserve. At present the recreation reserve is somewhat disconnected. It is a community node which provides a gateway feature to the township and therefore presents an opportunity to be connected to the township.

Beaconsfield Parade currently has single access across the railway line, and is somewhat disconnected between the school and the centre of town.

Glenrowan to Winton Wetlands Link

The proximity of Glenrowan to Winton Wetlands presents an opportunity to create a cycling connection, the majority of this fits outside the boundary of Wangaratta and at this time there seems to be little interest in this link as a regionally significant project.

Ned Kelly Historical Features, Glenrowan



Milawa and Oxley

The townships of Milawa and Oxley have a strong cycling presence and are tourism hotspots within the municipality.

The Murray to Mountains Rail Trail extends to the townships and a gourmet food Pedal to Produce Trail has been developed focused on the townships.

This area is a strength for cycling in the Wangaratta municipality and should continue to be strengthened to build on the tourism product and the walking and cycling friendly culture within the townships.

Moyhu and the King Valley

As a tourism destination, the King Valley is lacking in infrastructure to accommodate walkers and cyclists.

There has long been a desire to connect the King Valley with the Murray to Mountains Rail Trail. Whilst this connection is extensive and costly, this strategy proposes to continue the planning and feasibility for this project. It is likely that the project can only proceed with significant external grant funding, therefore the initial investment into this project should be in the feasibility / business case and concept design stage.

The Moyhu township is divided by the Wangaratta-Whitfield Road which creates some barriers for pedestrians and cyclists

King River



Carl Schulz Reserve, Moyhu



Eldorado

The historic township of Eldorado has a strong connection with walking and cycling. A shared pathway connects through the centre of the township enabling most residents to travel comfortable throughout the township.

There are also a number of historic walks through the township which have been developed into a tourism product offering.

Eldorado also offers an interface to the Chiltern-Mt Pilot National Park which offers numerous bushwalking opportunities.

1 A Walkable Community

Objectives

- 1a) Ensure all residents have access to a footpath
- 1b) A range of walkable tourism products are available
- 1c) Prioritise walking through priority infrastructure such as pedestrian crossings

Introduction

Footpaths are necessary to enable our community to travel in the most basic form from their place of residence to the destination of their choice.

There are over 140km of footpaths within the Rural City of Wangaratta.

The desired approach to the provision of footpaths is to provide high quality, continuous footpaths so it is easy and comfortable for pedestrians and users of mobility devices to move throughout the municipality.

Footpaths are to be designed and constructed in accordance with Australian Standards and Austroads Guide to Pedestrian and Cyclist Paths.

There should be a continuous footpath connection throughout the Central Activities Area, particularly between precincts and laneways, to encourage people of all walking abilities to undertake more trips on foot throughout the Central Activities Area.

Provision of Footpaths

The desired level of service for the provision of footpaths is that a footpath will be on each side of a residential street in urban Wangaratta. However, given the financial constraints of this level of service, the

minimum level of service shall be the provision of a footpath on at least one side of the street. Streets should be assessed for usage and demand to determine those which require a footpath on both sides of the street.

Crossovers

Whilst the road, kerb and footpath are Council's responsibility, the crossover is the responsibility of the property owner. Vehicle crossovers should be located on straight street sections to ensure pedestrians have clear sightlines to oncoming vehicles.

Where possible, minimise the number of vehicle crossovers that intersect with pathways to reduce conflict

Standards for Footpaths

Typically, a minimum width of 1.5m is required for a footpath. However, this width will still create accessibility barriers by not providing sufficient width for two wheelchairs or mobility scooters to travel side by side. The provision of 1.8m wide footpaths should be adopted as a minimum with a reduction to 1.5m only by exception due to physical constraints or where the demand on the footpath is low enough to warrant a reduction.

The footpath network should avoid a number of common pitfalls including:

- Footpaths suddenly concluding or having even a small gap at a non-descript location causing the walker to turn back, find another route or cross the road at an unsuitable location
- Footpaths should be smooth and even, with no uneven or dangerous surfaces that cause people to trip and fall
- Fallen leaves, gravel or other debris can cause footpaths to be slippery

- The location of the footpath should not be prone to obstructions such as parked cars, building materials or rubbish bins
- Mechanisms should be in place to control commercial activities on footpaths such as on-street dining or merchandise displays.

Inspections and Maintenance

The inspection and maintenance program for footpaths is detailed in the Road Management Plan 2017-2021 and is determined on a risk-based hierarchy.

Whilst the formal inspection and maintenance regime is an appropriate risk mitigation tool, feedback received in the development of this strategy is that there are concerns around the level of maintenance on footpaths and off-road paths. In many cases it seems that minor maintenance such as gravel or leaf matter covering a pathway is not being reported by the community which would trigger a maintenance intervention. The inspection regime is not designed around ensuring maintenance service levels are maintained. It is recommended that service levels for pathway cleaning and maintenance be reviewed.

Private Developments

Where possible, Council should promote with private landholders the benefit in providing pedestrian thoroughfares through private plazas.

Accessibility and Safety

Tactile Ground Surface Indicators

Tactile Ground Surface Indicators are to be used throughout the municipality in accordance with current Australian Standards and VicRoads Road Design Note (RDN06). This should be implemented in the most high profile destinations and in consultation with the Wangaratta Accessibility Reference Group.

Pedestrian Clearways

- Any street furniture, café seating, A-frame signage and the like must not infringe on the pedestrian clearway.

Ramps and Steps

- All ramps and steps must be designed in accordance with Australian Standards and be DDA compliant to ensure the CBD is accessible to all pedestrians of all ages and abilities
- Ensure ramps and steps are evenly illuminated minimising potential glare, to provide comfort and safety for users throughout the day and evening
- Primary entrances and doorways should directly connect to the footpath.

Accessible Spaces

- Transitions in pavement around accessible spaces, to be consistent (i.e. avoid kerb where practical)

Pedestrian Crossings

It is the intent of this strategy to make it safe and convenient for all walking abilities to cross the street safely and comfortably, particularly at roundabouts and intersections.

To facilitate this outcome, the following guidelines should be adopted:

- Locate all pedestrian crossings on sections of straight roads, and where possible on pedestrian desire lines, to ensure sight-lines are maintained between pedestrians and approaching vehicles
- Ensure all pedestrian crossings are evenly illuminated at night
- Provide clear signage explaining the obligations of both vehicles and pedestrians
- Ensure new crossings include tactile indicators
- Ensure the design is complaint with Council's engineering standards, the Infrastructure Design Manual (latest version), Disability Discrimination Act 1992 and relevant Australian Standards

Bushwalking

Bushwalking provides an additional layer of adventure and user experience to those in our community who undertake walking for fitness or leisure.

Wangaratta and the broader northeast has a range of bushwalking options to accommodate those walkers looking for a simple hike or a multi-day adventure.

The Warby Ranges is as a key destination for bushwalking in the Rural City of Wangaratta. There are a number of tracks and the is a Warby Range Bushwalkers group provides a structured group to join if desired.

Parks Victoria have plans in place to develop a walking track through the Warby Ranges from Glenrowan through to Killawarra. This project will add value to projects identified within this strategy to connect with the Warby Ranges National Park.

The Chiltern-Mt Pilot National Park also borders the municipality with Eldorado as a key interface for the Wangaratta community. This area also offers numerous bushwalking opportunities.



1 Action Plan

Ref	Project	Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
1.01	Continue to advocate to ARTC for the provision of an all access pedestrian and cyclists underpass connecting the Health Precinct and the Central Activities Area as part of the Inland Rail project.	\$0	High	Yes	\$0
1.02	Construction of River Walk through Kaluna Park precinct	\$220,000	Medium	Design and Construct	\$220,000
1.03	Enhance pedestrian crossing points at the Ford St/Docker St/Ovens St roundabout	\$44,000	High	Design and Construct	\$44,000
1.04	Install central refuges to allow staged pedestrian crossings in three locations: 1) Dixon Street and Rowan Street; 2) Roy Street West, immediately west of the One Mile Creek bridge; and 3) Roy Street West and Dixon Street.	\$132,000	High	Design and Construct	\$132,000
1.05	Increase the permeability of the Health Precinct by providing publicly accessible through block links in the following locations: Between Docker Street and Rowan Street, reconnecting Clark Street through 121a Rowan Street; and Between Spearing Street and Green Street, through 1-9 Spearing Street and 26 Green Street	\$550,000	Medium	No	\$0
1.06	Install a pedestrian priority wombat crossing Wangaratta Railway Station across Norton Street	\$88,000	High	Design and Construct	\$88,000
1.07	Continue the construction of footpaths throughout Moyhu township.	\$110,000	Low	No	\$110,000
1.08	Enhance pedestrian crossings at Ford St / Murphy St roundabout. Also consider ease of cyclist navigation through this intersection to allow for access to the Bike Hub.	\$110,000	High	Only Design	\$10,000
1.09	Enhance pedestrian crossing points at Ovens St / Faithfull St roundabout	\$44,000	High	Design and Construct	\$44,000
1.10	Create new pedestrian crossing at Faithfull St (midblock or nearer roundabout b/w Murphy and Chisholm)	\$88,000	High	Design and Construct	\$88,000
1.11	Allocate funding to the improvement of strategic path networks, which includes installing new footpaths to address existing gaps (residential streets with no existing footpath and link/collector roads with no more than a footpath on one side of the street). Priority locations include: Eastern side of Green Street south of Cusack Street; Eastern side of Dixon Street south of Cusack Street; Southern side of Cusack Street between Clark and Spearing Street; Both sides of Clark Street between Cusack and Docker Streets; Northern side of Docker Street between Swan and Dixon Street; and Eastern side of Dixon Street between Docker and Rowan Streets.	\$1,650,000	High	Design and Construct	\$1,650,000
1.12	Upgrade existing crossing point on Chisholm Street near Wangaratta Primary School	\$44,000	High	Design and Construct	\$44,000
1.13	Upgrade the existing crossing on Green Street to a zebra crossing with flashing lights to provide a safe crossing between the visitor car park and main NHW entrance	\$88,000	High	Only Design	\$8,000
1.14	Upgrade existing crossing point at corner of Murphy Street and Faithfull Street	\$44,000	High	Only Design	\$4,000
1.15	Upgrade the Cusack Street and Green Street roundabout with altered geometry to reduce vehicle speeds or replace with a pedestrian priority intersection treatment. Maintain emergency services vehicle movement requirements.	\$44,000	High	Only Design	\$4,000

1 Action Plan

Ref	Project	Total Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
1.16	New pedestrian and bike access from the Bike Hub to Merriwa Park	\$110,000	Medium	No	\$0
1.17	Upgrade pedestrian crossing points at Rowan St / Swan St roundabout, particularly on the eastern side	\$44,000	High	No	\$0
1.18	Introduce additional wombat crossings to service NHW carparks, at the southern end of Clark Street and along Docker Street between Dixon and Green Street.	\$176,000	Medium	No	\$0
1.19	Develop kerb extensions/outstands to shorten crossing distances in the following locations: Docker Street and Green Street intersection; Dixon Street and Docker Street intersection; and Dixon Street and Cusack Street intersection	\$132,000	High	Only Design	\$12,000
19 Actions		\$3,718,000			\$2,458,000

2 An easy and accessible off-road cycling network

Objectives

- 2a) Link the gaps in the network
- 2b) Link and provide improved connection to other parts of the network
- 2c) Urban residents should be within 400m of a low-stress off-road cycling network
- 2d) A range of easy to ride tourism products

Introduction

The Rural City of Wangaratta has over 100km of shared paths¹. The network of shared paths provides the backbone of the Wangaratta Bicycle Network.

Alongside the existing and future pathways identified in this strategy, there are a number of aspirational and strategic links which could potentially be viable in the future, these are predominantly longer linkages between towns. These more strategic links will become more viable once the gaps in the existing network are addressed and people search for longer walking and cycling journeys.

A number of potential projects should be investigated further in terms of their potential usage and cost.

The strategy reinforces the concept of focusing on key destinations as key points of the Wangaratta Bicycle Network. These destinations include:

- Primary schools
- Secondary schools
- Higher education institutions
- Key employment zones
- Key community and recreation zones

Design and Construction

The preferred width of an off-road shared path is between 2.5m and 3.5m. A reduction to 2.0m is acceptable in unique circumstances where constrained by physical conditions.

During the design phase the level of proposed usage shall determine the required width of the pathway. As a general rule, paths used for commuting should be 3.0m and those with high usage should be 3.5m.

Construction

Concrete paths are the preferred construction method due to their life expectancy of over 40 years, their lower maintenance requirements and their compliance with accessibility requirements. Asphalt paths are an option if capital cost is an issue up front but over the course of their life cycle they often end up being more expensive than concrete paths.

Spray seal and granitic sand paths are less preferred construction types, they have higher maintenance requirements and costs and often these are beyond the capacity of the responsibility authority.

Ovens Riverside Trail

Incorporating the Bullawah Cultural Trail, this path is accessible from the Ovens Riverside Precinct down to Sydney Beaches or from Apex Park. It enhances the Ovens Riverside walk with two suspension path bridges over the Ovens River and follows the Showgrounds to North Beaches with access to Three Mile Creek shared path and the shared path along Yarrawonga Road out to Browning Road, Killawarra. This shared path is sealed most of the way, however has a gravel section between Waldara Drive and (Browning Road). Both Waldara Drive and Browning Road are not currently logical key end destinations apart from the link with residential properties.

The path is relatively easy to access from the railway station and links to the CBD, shops, café, arts and the Ovens River Precinct, some minor network gaps which do exist. It forms the beginning of the M2M Rail Trail and has a couple of existing navigational maps allowing for self-guided tour of historical landmarks.

Bullawah Cultural Trail

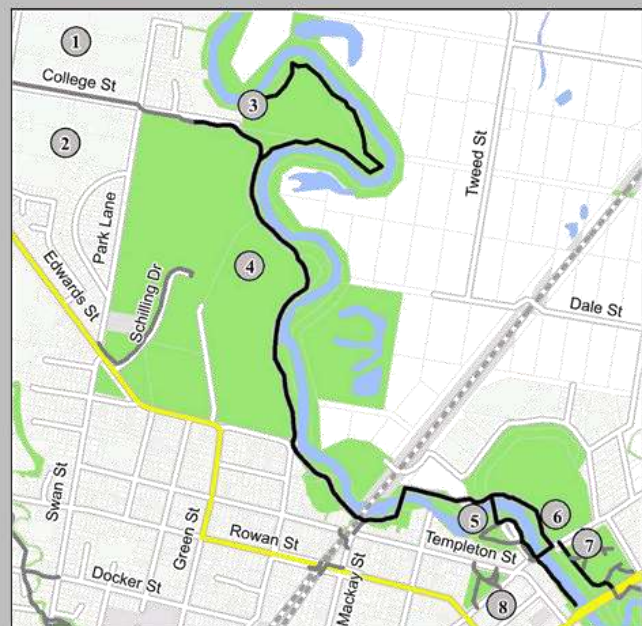
The Bullawah Cultural Trail was a partnership project the indigenous community, Council, state government and the North East Catchment Management Authority to create a 2.4km cultural education trail. The trail itself can be experienced as a self-guided family experience to discover ancient Aboriginal stories, spirituality, culture, food, sculptures, interpretive signage, the Marmungun Rock and the Bush Tucker Garden.

Apex Park

Apex Park is a key starting point/ destination for the Murray to Mountains Rail Trail and the Ovens Riverside Path/ Bullawah Cultural Trail, not to mention the close proximity to the CBD. Development of Apex Park should include:

- Connections to the Bullawah Cultural Trail from Marmungun Rock at Apex Park.

- Walking and cycling facilities and amenities, such as upgraded toilets, showers, bike parking facilities and water.
- Upgraded and visible signage to the M2M Rail Trail, Ovens Riverside Path and the CBD.
- Upgraded community notice board and enlarged map to help with navigation from the park.



Key Destinations

Key destinations along this trail include the following:

1. Borinya School
2. Galen Catholic College
3. Northern Beaches
4. Wangaratta Parklands Precinct
5. Sydney Beach
6. Painters Island Caravan Park
7. Apex Park
8. Commercial Centre

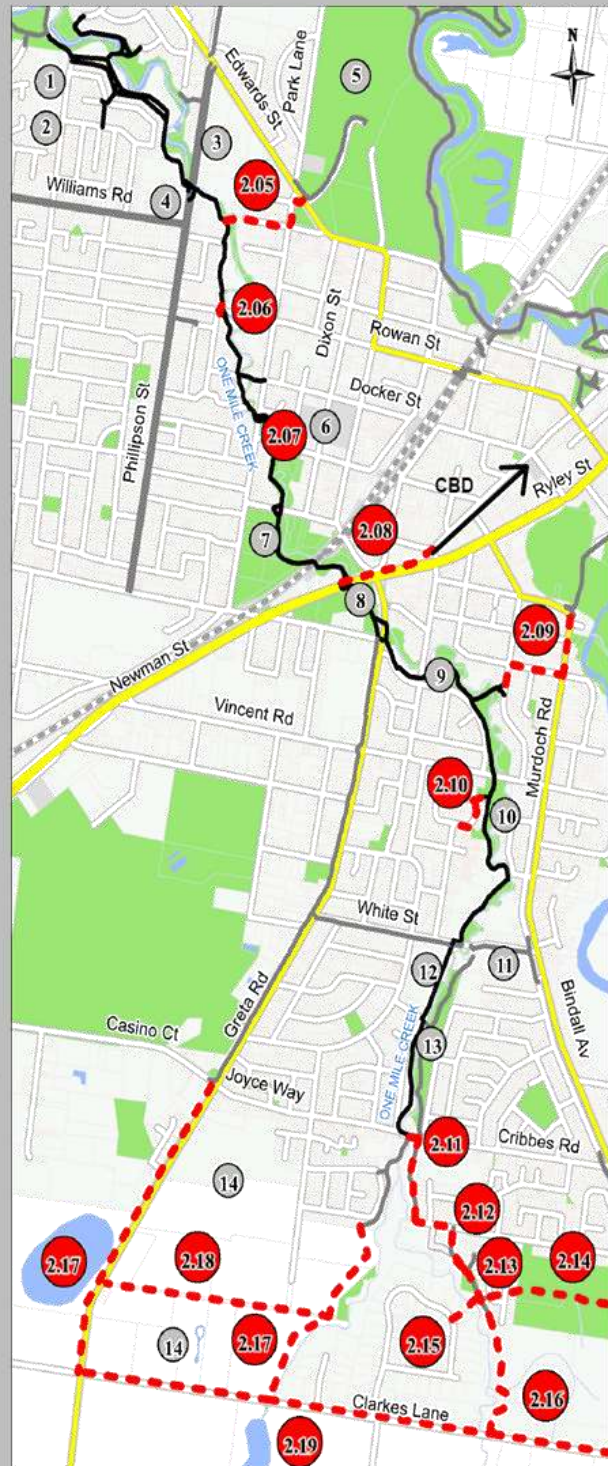
One Mile Creek Path

This path is Wangaratta's major shared path and extends from the northern end of Appin Street (where it joins Three Mile Creek) to Cribbes Road, a total of 6.6km. This path connects the north and south areas of Wangaratta. With some minor disconnect in the network, you can access the Milawa Gourmet Region Rail Trail from the south end of this path, the HP Barr Reserve and Aquatic Centre half way along, and the golf courses (Wangaratta and Jubilee) from the north end. This path also passes through a number of reserves, recreational facilities and key destinations.

The formalisation of connecting One Mile Creek with the Milawa Rail Trail on Murdoch Road would close the most prominent missing gap in this network. Other identified actions can be found on the following image and in the action plan of this strategy.

Key Destinations

1. Appin Park Primary School
2. Wangaratta District Specialist School
3. Wangaratta High School
4. St Bernards Primary School
5. Barr Reserve and WISAC
6. Health Precinct/ Hospital
7. Wareena Park Precinct
8. Batchelors Green & Wangaratta Children's Services
9. Croquet Club
10. Yarrunga Scout Hall
11. Our Lady's Primary School
12. Yarrunga Primary School
13. Mitchell Avenue Reserve
14. Southern Growth Corridor



Three Mile Creek Path

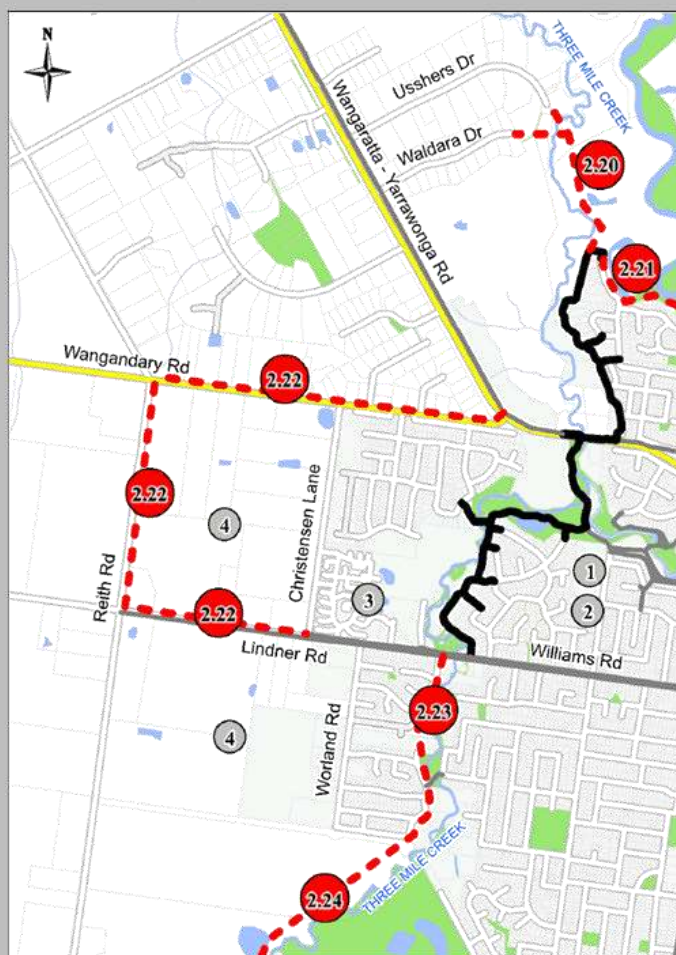
The Three Mile Creek path can be accessed at the north end of Appin Street, and connects with Williams Road. It encompasses vital links to the One Mile Creek shared path, North West Growth Area and other key destinations.

The extension of Three Mile Creek path has been identified as a key connection to South Wangaratta, including South Wangaratta Reserve. This would involve a 3.5km length construction of path between Cruse Street and Shanley Street and requires further investigation in regards to cost and feasibility.

Yarrowonga Road Pathway

The Yarrowonga Road trail commences at the end of the One Mile Creek Trail on Wangaratta-Yarrowonga Road and continues in a northerly direction past the Wangaratta Golf Club for 6km. This route takes in new estate developments off Waldara Drive, Firbank Drive and Wonga Park Drive.

The path is sealed up until Waldara Drive, where it continues as a gravel path to Browning Road, Killawarra. Both Waldara Drive and Browning Road are not currently logical key end destinations apart from the link with some residential properties.



Key Destinations

1. Appin Park Primary School
2. Wangaratta District Specialist School
3. St Johns Retirement Village
4. North West Growth Corridor

Murray to Mountains Rail Trail

The Murray to Mountains (M2M) Rail Trail running between Wangaratta and Bright and connecting to Beechworth is recognised as the flagship shared trail of northeast Victoria. The responsibility for the M2M lies with the local government through which it traverses. Significant upgrades to the trail have occurred in recent years in Alpine and Indigo Shires.

The M2M Rail Trail is recognised as the most developed Rail Trail in Australia by Rail Trails Australia and is the lead cycle tourism product for North East Victoria. An additional stretch has been added between Wangaratta and Milawa. The sealed surface provides a significant point of difference to all other rail trails in Australia as does its proximity to numerous businesses that are well resourced. The trail is used by cycle tourists and locals as a safe recreational experience given it is separated from the main roads and sealed.

The M2M Rail Trail provides the cycling spine for the region and connects with other cycling loops along the way.

Wangaratta to Milawa Link

The Wangaratta to Milawa link of the Rail Trail includes the Milawa to Oxley Pedal to Produce Trail, which is an easy, flat and highly accessible 10km return journey. It consists of many points of interest/ tourist attractions along the way, including cellar doors, farm gates, gourmet food stores and cafes/ restaurants, including the famous Brown Brothers winery.

In recent years the off-road pathway was extended from the Milawa township to the Milawa Recreation Reserve. Continuing beyond the recreation reserve which requires riding on Snow Road is desirable but is seen to be highly stressful for even the most confident riders. The continuation of the off-road path from Milawa Recreation Reserve through Markwood and returning to Everton would reconnect with the M2M Rail Trail.

The King Valley

While the M2M Rail Trail does not currently extend to the King Valley from Oxley, there has been a strong level of support for this, which would only enhance the asset further and follow the food and wine/ pedal to produce concept that the Rural City of Wangaratta identifies strongly with. There are a number of wineries along the Wangaratta – Whitfield Road, allowing for such a trail to be a key tourist route.

The King Valley also has bushland and identified gravel and hiking routes, offering a more diverse tourism attraction beyond the food and wine.

The King Valley has a range of wine, craft, food, farm gate and accommodation providers to provide the necessary attraction and accommodation services for cycle tourism.

Extending the trail to the King Valley is cost prohibitive in the short term and would require a staged approach as well as being grant ready for external funding. As an initial priority, undertaking feasibility and route planning to become grant ready will be the key focus. In regards to initial short term infrastructure projects, there can be a focus on in-town offerings.

Everton

The Murray to Mountains Rail Trail provides an opportunity for private sector investment within the Everton area in the hospitality and accommodation sectors. This opportunity may be leveraged further by enhancements to the rail trail in this area.

Accommodation already exists in Everton Upper and there are also three cellar doors in the area allowing for the opportunity to capitalise on this area as a tourism attraction.

Cheshunt to Mansfield Link

A connection between Wangaratta via Cheshunt and Mansfield has been discussed for a number of years, it was identified in the Hume Region Significant Tracks and Trails Strategy.

This opportunity would present some tourism benefits for Wangaratta and would provide improved connections with tourism destinations, such as Lake Eildon, Mount Buller and potentially Lake William Hovell depending on the route proposed. This project would require a partnership with Mansfield Shire Council.

Milawa to Bright Link

Strong community feedback has suggested the connection of the Milawa trail to the Bright trail via the Snow Road, Markwood and Everton, and/or Whorouly. This would not only enhance the tourism asset of the M2M Rail Trail but further connect the rural towns and communities of the municipality.

Springhurst to Rutherglen Link

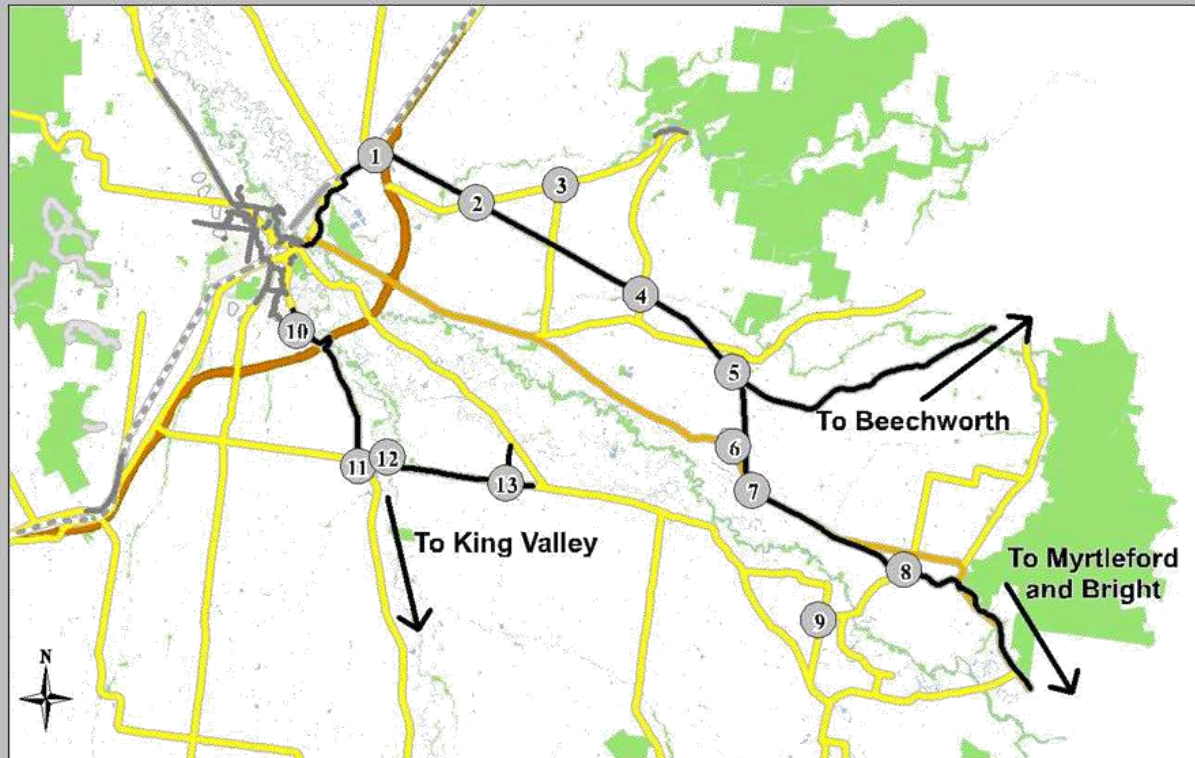
Identified in the Hume Region Significant Tracks and Trails Strategy, Northern District Plan and the 1999 Bicycle Path Strategy, there is opportunity to create a rail trail link along the already existing retired rail line between Springhurst and Rutherglen.

The majority of this link is within the Indigo Shire municipality and the project holds little value for Wangaratta residents without that work either being done first or concurrently. However, if it were to become a priority for Indigo Shire Council, then the portion within Wangaratta would offer great value for Wangaratta residents and tourists.

Disused Railway Line between Springhurst and Rutherglen¹



¹ <https://www.danielbowen.com/2013/12/02/old-railway/>

Existing Murray to Mountains Rail Trail**Key Destinations/POI**

- | | |
|------------------------------------|-------------------------------|
| 1. Bowser Station | 8. Bowmans Station |
| 2. Londrigan Station | 9. Whorouly Primary School |
| 3. Carraragarmungee Primary School | 10. Cathedral College |
| 4. Tarrawingee Station | 11. Oxley Primary School |
| 5. Everton Station | 12. Sam Miranda Winery |
| 6. Everton Primary School | 13. Milawa Recreation Reserve |
| 7. Brookfield Station | |

2 Action Plan

Ref	Project	Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
2.01	Extension of Ovens Riverside Path through Mullinmar Billabongs from Northern Beaches	\$154,000	High	Design and Construct	\$154,000
2.02	New connection along the Ovens River Shared Path to the Wangaratta Parklands Precinct	\$82,500	Medium	No	\$0
2.03	Reinforce connection to Sydney Beaches, Swing Bridge and the Ovens River Shared Path	\$44,000	Medium	No	\$0
2.04	New connection to lower Riverside Path to minimise conflict between pedestrians and cyclists along the upper Riverside walk through the Riverside Precinct	\$41,250	Medium	No	\$0
2.05	Crossing at Swan Street to connect Barr Reserve with One Mile Creek trail	\$110,000	Medium	Design and Construct	\$110,000
2.06	Crossing over Rowan Street at One Mile Creek trail to provide an alternate route for flood prone periods	\$110,000	Medium	Design and Construct	\$110,000
2.07	Enhanced connection of One Mile Creek trail to Health Precinct and CBD (as per Health Precinct Master Plan, ARTC track works and Railway Precinct Master Plan).	\$192,500	Low	Design and Construct	\$192,500
2.08	Better cycle connection between One Mile Creek trail and Ovens Street/CBD via Ryley Street/Tone Road	\$275,000	High	Design and Construct	\$275,000
2.09	Connection to Millard Street via Crisp Street and formalised crossing point across Crisp Street to join One Mile Creek trail up with Merriwa Park	\$137,500	Low	No	\$0
2.10	Sealing of connecting path between One Mile Creek trail and Smith Crescent, and construction of footpath along Smith Crescent to join up with the path	\$55,000	Low	Design and Construct	\$55,000
2.11	Formalise the extension of the One Mile Creek Trail from Cribbes Road to Wenhams Lane, including a formalised crossing at Cribbes Road.	\$90,750	High	Design and Construct	\$90,750
2.12	Investigate, design and construct connection of One Mile Creek Trail from end of Wenhams Lane to easement pathway located between 81 and 95 Wenhams Lane.	\$46,750	High	Design and Construct	\$46,750
2.13	Formalise pathway east of One Mile Creek Trail extension into Targoora Park using drainage corridors which crossover Murilla Crescent and Milnes Creek Drive	\$46,750	High	Design and Construct	\$46,750
2.14	Design and Install a pathway from edge of western edge of Targoora Park (near Milnes Creek Drive) through the reserve connecting with the pathway along Wangaratta-Whitfield Road. Give consideration to drainage issues within the reserve and along the likely path alignment.	\$178,750	High	Design and Construct	\$178,750
2.15	Connect One Mile Creek trail from Murilla Crescent with Pin Oak Drive.	\$41,250	Medium	Design and Construct	\$41,250

2 Action Plan

Ref	Project	Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
2.16	Extend the One Mile Creek Trail from Murilla Crescent to Clarkes Lane along the creekline.	\$276,261	Medium	Design and Construct	\$276,261
2.17	Shared paths to be constructed to provide a link between the south growth area and the commercial activity centre and CBD. This should include extending the One Mile Creek path on the western side of the creek (from Silver Wattle Drive to Clarkes Lane) and Greta Road shared path (from Mason Street to Clarkes Lane).	\$137,500	Medium	No	\$0
2.18	Construction of an off-road shared path connecting Greta Road to the One Mile Creek Trail through the Wangaratta South Growth Area via an existing road reserve.	\$284,264	Low	Design and Construct	\$284,264
2.19	Construction of off-road shared path within the Wangaratta South Growth Area adjacent to the future north-south local access street. To connect to east-west link from Greta Road to One Mile Creek Trail at the southern end and the northern boundary of the Growth Area	\$135,410	Low	Design and Construct	\$135,410
2.20	Investigate connection along Clarkes Lane to join M2M Rail Trail up with One Mile Creek trail (once extended), South Growth Area and shared path along Greta Road (if extended), with potential to extend as far as Tone Road.	\$220,000	Medium	No	\$220,000
2.21	Investigate the feasibility of extending Three Mile Creek path in a northerly direction from the top of Macquarie Court to Waldara Drive and Usshers Drive	\$275,000	Low	Only Design	\$24,000
2.22	Investigate the feasibility in linking up Three Mile Creek path with Ovens Riverside Path via the back of Cambridge Drive and Macquarie Court, with connections to Phillipson Street and Cambridge Drive.	\$275,000	Medium	Only Design	\$18,000
2.23	Shared paths will be provided in the north west growth area to link key community facilities such as the neighbourhood activity centre, community facilities and open space including Three Mile Creek and Yarrawonga Road path. Reith Road reservation between Lindner Road and Wangandary Road may also include an off-road shared path.	\$2,200,000	Low	No	\$0
2.24	An off-road shared path to be constructed along the western edge of Three Mile Creek (between Williams road and Cruse Street) to connect with the existing path to the north.	\$27,500	High	Design and Construct	\$27,500
2.25	Extension of Three Mile Creek Trail from Cruse Street in a southerly direction to the southern boundary of the Wangaratta North-West Growth Area	\$181,923	Low	Design and Construct	\$181,923
2.26	Investigate the feasibility of extending Three Mile Creek path in a southerly direction from Cruse Street to Shanley Street / South Wangaratta Reserve. Exploration of the extension of Tone Road shared path from Newman Street to Mason Street and Rec Reserve should also be included in this investigation.	\$797,500	Low	Only Design	\$72,500
2.27	Triangle extension of the trail at Oxley to join up Snow Road with Wangaratta Whitfield Road via Oxley Greta Road and Oxley Primary School	\$275,000	Medium	Only Design	\$25,000
2.28	Investigate feasibility to extend trail from Whitfield to Cheshunt, including the benefit it may provide to Whitfield Primary School. Should include exploration of using King Valley Road vs Edi-Cheshunt Road	\$1,347,500	High	Only Design	\$122,500
2.29	Investigate the extension of M2M rail trail from North Wangaratta Reserve to Boorhaman	\$4,400,000	High	Only Design	\$400,000
2.30	Construction of King Valley Extension - Edi to King Valley	\$1,402,500	High	Only Design	\$127,500

2 Action Plan

Ref	Project	Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
2.31	Investigate a Springhurst to Chiltern link. To be incorporated into the feasibility and design for the Springhurst to Rutherglen project.	\$3,850,000	Medium	Only Design	\$350,000
2.32	Sealing and upgrade of path from Snow Road to Cheese Factory, via Milawa Primary School, as well as to Brown Brothers.	\$60,500	High	Design and Construct	\$60,500
2.33	Investigate feasibility of extending trail from Cheese Factory to Londrigan/ Tarrawingee Road rail trail via Tarrawingee and Boralma- Tarrawingee Road	\$151,250	Low	No	\$0
2.34	Investigate feasibility of a tourist loop from Brown Brothers to Hurdle Creek Distillery to Oxley Recreation Reserve and back to the trail on Snow Road.	\$3,850,000	Low	No	\$0
2.35	Explore the Winton Wetlands/Benalla to Glenrowan Link	\$2,145,000	Low	No	\$0
2.36	Moyhu - Design and construct a 1.3km shared pathway along the Meadow Creek Road to the King River swimming spot.	\$385,000	Medium	Only Design	\$35,000
2.37	Connection from Markwood to Everton - Exploration of connection options of Markwood with Everton, Whorouly and Bright rail trail , including feasibility associated with Everton Primary School and Whorouly Primary School benefit. Consideration of route via Kerrs Road and Allans Lane.	\$1,320,000	Medium	Only Design	\$120,000
2.38	Construction of King Valley Extension - King Valley to Whitfield	\$2,392,500	High	Design and Construct	\$1,793,500
2.39	Construction of Cheshunt to Christmonts Winery	\$962,500	Medium	No	\$0
2.40	Investigate the feasibility to extend the trail from Christmonts Winery to Lake William Hovell	\$3,575,000	Medium	No	\$0
2.41	Investigate feasibility to have a Mansfield to Whitfield connection.	\$16,225,000	Medium	No	\$0
2.42	Seal the path from Gentle Annie Caravan Park in Whitfield to the Mountain View Hotel. Consider as part of the King Valley Extension of the Murray to Mountains Rail Trail	\$632,500	Low	No	\$0
2.43	Investigate the extension of the M2M rail trail from Bowser to Springhurst	\$4,950,000	High	Only Design	\$450,000
2.44	Investigate the extension of M2M rail trail from Boorhaman to Peechelba East	\$1,870,000	High	Only Design	\$170,000
2.45	Investigate a Springhurst to Rutherglen link along the already existing retired rail line.	\$4,400,000	High	Design and Construct	\$3,280,000

2 Action Plan

Ref	Project	Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
2.46	Connect the Loop to the Bike Hub, Riverside Paths and Sydney Beaches, Ovens Shared Paths and the M2M Rail Trail	\$55,000	High	No	\$0
2.47	Walking track between Oxley township and Oxley Rec Reserve	\$852,500	Low	No	\$0
2.48	Identify a connection solution for the Glenrowan Recreation Reserve to the centre of Glenrowan township.	\$55,000	Low	No	\$0
2.49	Identify a connection solution for Mount Glenrowan to the centre of Glenrowan township. Advocacy with Parks Victoria.	\$550,000	Medium	Design and Construct	\$550,000
2.50	Redesign Beaconsfield Parade to allow an enhanced cycle and pedestrian connection between Glenrowan Primary School and the centre of Glenrowan township.	\$132,000	Low	Design and Construct	\$132,000
2.51	Springhurst - Construct walking track along Anzac and School Roads.	\$330,000	Low	Design and Construct	\$330,000
2.52	Explore the extension of the bike track along Warby Range Road to connect Hamilton Park and Glenrowan with Wangaratta via Shanley Street to South Wangaratta Reserve	\$2,640,000	High	Design and Construct	\$1,968,000
2.53	Investigate the feasibility of extending the trail to create an Eldorado link/loop – starting at Londrigan Station and finishing at Tarrowingee Station	\$5,500,000	Medium	No	\$0
2.54	Construct walking/cycling pathway between Moyhu town centre and Moyhu Recreation Reserve.	\$275,000	Low	Design and Construct	\$275,000
2.55	Seal and formalise the path from Waldara Drive to Browning Road, which includes a permanent solution to the section of path that currently runs flush with Yarrawonga road (between Old School Road and Chick Road) - currently a safety issue.	\$687,500	Low	Design and Construct	\$687,500
2.56	Tarrowingee - Create path around township triangle on Great Alpine Road and Beechworth-Wangaratta Road. Council responsibility. Year 1	\$233,750	Low	Design and Construct	\$233,750
2.57	Tarrowingee - Extend path on River Road to Ovens River McCormack Bridge.	\$123,750	Low	Design and Construct	\$123,750
2.58	Investigate the extension of the rail trail from Milawa Recreation Reserve along Snow Road to Markwood.	\$1,265,000	High	Only Design	\$115,000
2.59	Construction of extension of rail trail from Oxley to Moyhu (Whitfield first)	\$1,512,500	High	Only Design	\$137,500
2.60	Investigate the realigning of the rail trail along the edge of the train line from the intersection of Mackay and Templeton Streets to the train station (as part of the implementation of the Wangaratta Loop). – being addressed as a result of the Railway Precinct Master Plan	\$165,000	High	Design and Construct	\$165,000

2 Action Plan

Ref	Project	Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
2.61	Construction of pathway along Yarrawonga Road from Sessions Road/Browning Road to Killawarra. Options include to Warby Tower Road or Francis Road in order to connect up with the Warby- Ovens National Park.	\$1,210,000	Low	Only Design	\$110,000
2.62	Investigate feasibility of pathway from Killawarra to Peechelba	\$2,227,500	Low	No	\$0
2.63	Construction of King Valley Extension - Moyhu to Edi	\$2,117,500	High	Only Design	\$192,500
2.64	Continue shared path along Wangandary Road from Wangaratta-Yarrawonga Road to existing shared path on Wangandary Road	\$255,750	Medium	Design and Construct	\$255,750
2.65	Addition of a 2.5m shared path along the northern side of Lindner Road between Reith Road and Christensen Lane. This will join up with the shared path at Christensen Lane and compliment the west bound bike lane that already exists.	\$1,039,605	Medium	Design and Construct	\$1,039,605
65 Actions		\$81,837,963			\$15,789,963

3 Safe and Convenient On-Road Cycling Network

Objectives

3a) Creating connections

3b) An improved culture and acceptance of roadways as being for sharing

Introduction

Whilst the off-road pathway network provides the backbone of the Wangaratta Bicycle Network, a complimentary network of on-road bicycle lanes accommodates those either more confident and seeking more direct routes and those that may be seeking to commute to their workplace or school.

Dedicated bike lanes are particularly attractive to those riders who are comfortable riding but are still somewhat apprehensive about sharing a road with vehicles.

Through the consultation for this strategy it was raised that there a number of wide road reserves within the urban Wangaratta area which have unsealed shoulders and gravel vehicle parking areas. These areas suffer from spread of gravel onto what should be a bicycle riding area and creates hazards which deter cyclists from using these roads.

Design Considerations

Historically, the needs of cyclists have played little role in the design of roadways. Whilst there has been some change and more and more cycling lanes are being developed appropriately on roads, there are still a number of design issues which cause a negative impact to a cyclist using the on-road network. Key issues identified through the development of this strategy include:

- On-road cycle lanes terminating without warning and at inconspicuous locations

- Cycle lanes terminating prior to roundabouts or intersections without appropriate consideration of the continuation of that route
- Roundabouts not including a bicycle lane
- Inadequate signage for cyclists using on-road bicycle lanes
- Inadequate maintenance of on-road cycling lanes where gravel and other matter causing a less safe riding surface
- Inadequate space being allocated to cyclists from either the adjoining traffic lane or parking areas
- Car parking designs should be done with consideration as to their impact on pedestrians and cyclists and the nature of the traffic movement within that road. The Wangaratta Urban Design Framework provides details to the appropriate treatments.



Protected Intersections

Signal controlled and protected intersections provide an opportunity to an opportunity to extend the separation between cyclists and vehicles whilst also providing a higher priority for cyclists .

Road Shoulders

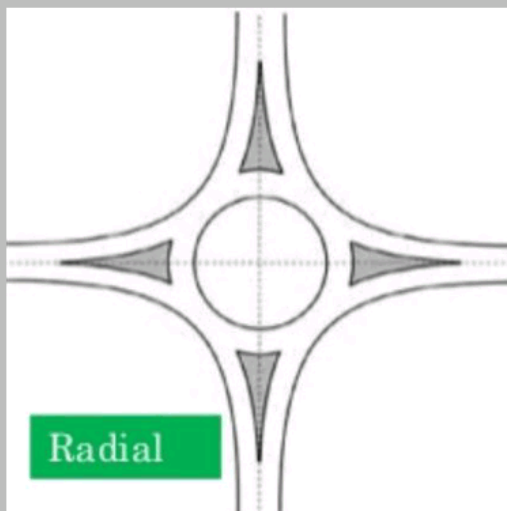
The shoulders of roadways present an opportunity for keen cyclists to undertake their journey in a more efficient manner as they tend to offer more direct routes to destinations.

Whilst road shoulders offer an additional cycling environment, they are often not maintained or designed in a manner giving proper consideration to cyclists. Shoulders are often faced with impediments such as overhanging foliage, loose stones, shredded tyres or cracked and uneven surfaces.

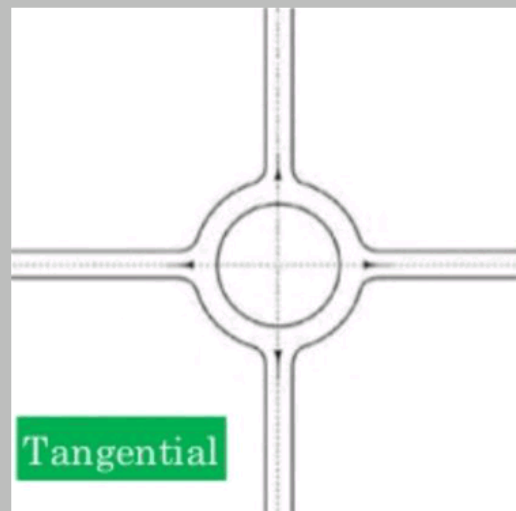
Roundabout Design

The typical design of a roundabout in Australia does not cater well for active modes of transport. One of the solutions being touted is the conversion of a standard, “tangential” roundabout to a European style “radial” roundabout. Tangential roundabouts are extended and allow for increased speeds through the roundabout. This increased speed directly affects cyclist’s safety. Radial roundabouts (also known as compact roundabouts) are far tighter for the driver which means that cars are far more likely to slow down than on tangential roundabouts. This necessarily is likely to cause fewer, incidents at much lower impacts.¹

Radial Roundabout – Typical Design



Tangential Roundabout – Lower Speed Design



¹ Revolutionise Roundabout Design for Local Road Network, 2015 AITPM National Conference, Bill Zhang & Zhimin Ma

Wilson Road

Residents along Wilson Road, while close to the CBD, have no footpaths, bike lanes or nearby trails connecting them in to the CBD. There is opportunity to develop this street in order to enhance connectivity for these residents. Wilson Road continues to develop with residential properties and therefore should be made a priority.

West End Bike Lane Network

Phillipson Street

Currently, the most prominent bike lane network that the municipality has is in the west end of Wangaratta, and includes bike lanes on either side of Phillipson Street and Williams Road.

This network includes a bike lane stretching 2km on either side of Phillipson Street exists, from Sisely Avenue up to Yarrowonga Road/ Edwards Street.

This provides a north-south connection through the west side of Wangaratta, and adjoins with the other existing bike lanes

along Williams Road, as well as a shared path on Rowan Street connecting Phillipson Street with One Mile Creek trail.

A shared path also exists north of Edwards Street alongside Galen College, connecting up to the Ovens Riverside Path.

The most significant gap in this network is the Phillipson Street/ Edwards Street intersection, which needs better design to accommodate cyclists.

Williams Road

The bike lane along Williams Road has some minor flaws in its design where the dedicated bike lane stops and starts without appropriate signage or alternative routes.

There is also a shared path along a section of Williams Road to compliment the on-road network, this connects with Three Mile Creek trail and Christensen Lane, the bike lane only continues on the south side out to Reith Road from the Three Mile Creek bridge.

Rural Road – Shoulders Not Ridable



On-road Bicycle Lane

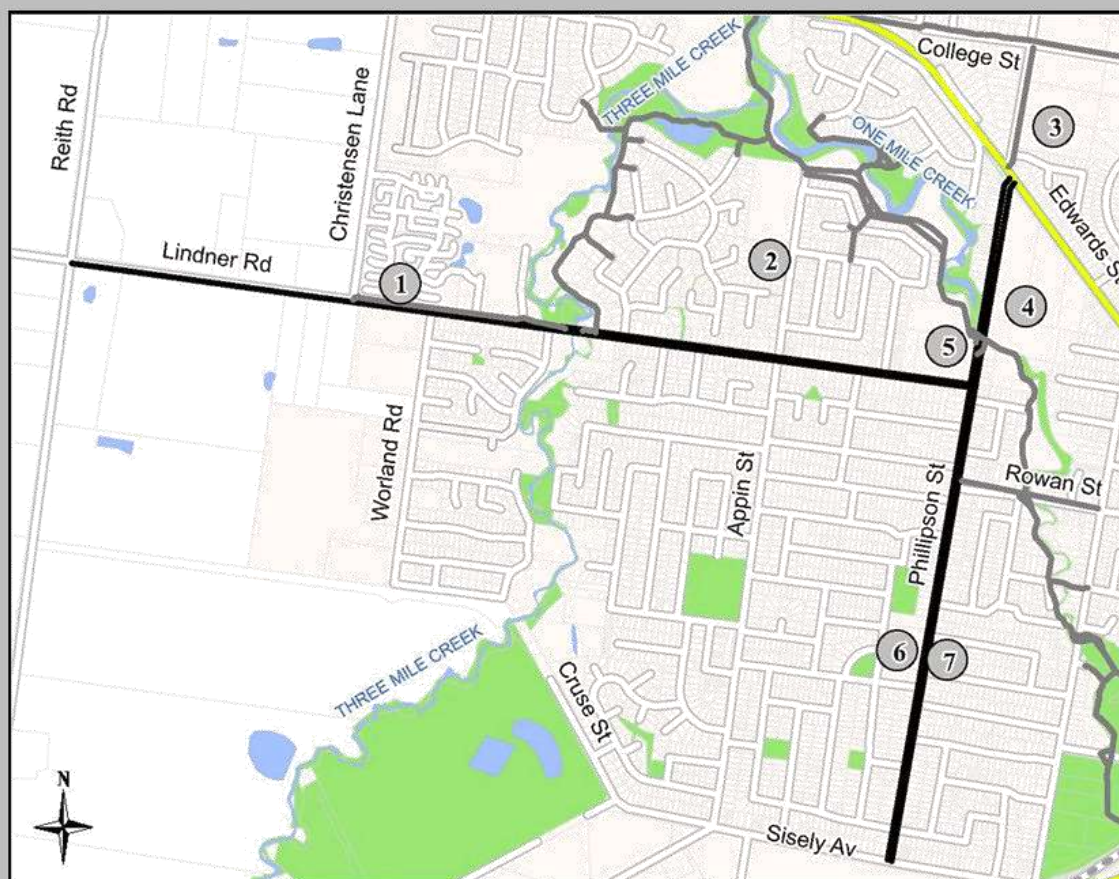


This means that there is no obvious connection for the cyclist wishing to travel in to town from Reith Road until they arrive at Christensen Lane and meet with the shared path.

There is great potential for adding a north side bike lane along Linder Road from Christensen Lane to Reith Road to close this gap in the network. This would also compliment the North West Development.

Key Destinations

1. St Johns Retirement Village
2. Wangaratta District Specialist School
3. Galen Catholic College
4. Wangaratta High School
5. St Bernards Primary School
6. Wangaratta West Primary School
7. Muntz Street Precinct which includes Buyin Time, West End Cycles and Madame Espresso



3 Action Plan

Ref	Project	Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
3.01	Investigate options for a Wangaratta to Warby Ranges Cycling Link, possibly via Shanley Street or Wangandary Road, however need to determine appropriate trail head to connect with	\$1,100,000	Medium	Only Design	\$100,000
3.02	Mark a bike lane on Ely Street with a priority turning lane into Chisholm Street	\$9,900	Medium	No	\$0
3.03	Signalisation of several intersections including: Wangandary Road and Wangaratta/Yarrowonga Road; Williams Road and Phillipson Street; Rowan Street and Green Street	\$99,000	Medium	No	\$0
3.04	Improve cycling conditions along Ford Street for better connection between the train station and Bike Hub.	\$68,750	Medium	Design and Construct	\$68,750
3.05	Health Precinct- New bike lanes along Docker Street, on both sides of the street. Locate between the verge and footpath to minimise conflict with parking and turning vehicles.	\$9,900	Medium	No	\$0
3.06	New bike lane/s connecting the Bike Hub to M2M Rail Trail via Merriwa Park and Chisholm Street, and consideration via Murphy Street pending Movement and Place classification.	\$13,200	High	No	\$0
3.07	Mark the bike lane on western side of the street for access to Wang Primary School	\$3,960	High	No	\$0
3.08	Intersection works are proposed with upgrading of the collector road network in the following locations: Christensen Lane/Lindner Road roundabout; Worland Road/Cruse Street Extension (roundabout); Cruse Street extension/North-South Local Road (roundabout)	\$198,000	High	No	\$0
3.09	Future road works include (need to integrate walking and cycling): Upgrade of Greta Road between Riley Street and Joyce Way; Upgrade of Edwards Street/Evans Street/Green Street to a four lane, two way road; Upgrade to Phillipson Street to a four lane, two way road between Williams Road and Rowan Street; Upgrade of Rowan Street to a four lane, two way road between Phillipson Street and Green Street; Upgrade of intersection of Joyce Way, Mason Street and Greta Road.	\$330,000	Medium	No	\$0
3.10	Investigate an Oxley to Glenrowan connection - sealed shoulders or extension of rail trail	\$3,575,000	Low	No	\$0
3.11	Redesign Wilson Road from Weir Street/ Chandler Street to Chisholm and Faithfull Streets to integrate pedestrian and cyclist connectivity for residents on Wilson Road.	\$302,500	Low	Only Design	\$27,500
3.12	Redesign Chisholm St, Faithfull St and Parfitt Road to connect Merriwa Park, Apex Park and the Ovens Riverside Path. Preference is for off-road shared trail but at least a well designed on-road solution.	\$209,000	High	Design and Construct	\$209,000
3.13	Redesign of the Phillipson St / Edwards St intersection to ensure better walking and cycling connection across Edwards Street.	\$110,000	Low	Design and Construct	\$110,000
13 Actions		\$6,029,210			\$515,250

4 Fit-for-purpose Sport Cycling Network

Objectives

4a) A network of sport cycling facilities that is developed to ensure they are fit-for-purpose and sustainable

Introduction

Wangaratta has a long history with cycling and records indicate organised rides and races being conducted as early as 1886. This long association with cycle sport has seen many Commonwealth and Olympic Games athletes come out of Wangaratta through the Wangaratta Cycling Club.

Cycling Victoria have five distinct designations of sport cycling¹ which will be used in this strategy. These are

- Road Cycling
- Track Cycling
- Cyclo-cross
- BMX
- Mountain Bike

Road Cycling

This category includes road races, criterium race, individual time trials and multi stage races.

The Cycling Victoria State Facilities Strategy identifies a number of key road cycling routes:

- 15 Mile Creek
- Reith Road (Time Trial)
- Boweya Road (Time Trial)
- Eldorado Loop
- Glenrowan Loop
- Moyhu Loop

These facilities offer a range of different on-road cycling experiences.

There are a number of popular road cycling routes in the Rural City of Wangaratta. These include:

- Oxley Tarrawingee Loop
- North Wang Ride
- North Wang Ride
- Oxley-Tarrawingee Loop
- Ryans-Taminick Loop
- Greta-Glenrowan Loop
- Lake Rowan-Taminick Gap Ride

These rides vary from beginner through to experienced rides which even the fittest riders will find challenging.

There is an opportunity to package these road rides into a promotional offering.

Wangaratta Showgrounds Velodrome

The Velodrome is used during the summer months by the Wangaratta Cycling Club for track cycling as part of a mix of club cycling activities. There is a core section of the club which train and race on the velodrome. The club, mirroring broader society, has expanded into other forms of cycling such as road cycling, criterium racing, cyclo-cross and mountain biking.

An assessment of the existing facility against the guidelines for outdoor velodromes as set by Cycling Victoria² identifies the track itself meeting the majority of the design requirements. However, the existing velodrome does not comply with the design requirements in relation to perimeter fencing and conflicting use of the infield area.

¹ Cycling Victoria State Facilities Strategy 2016-2026

² Cycling Victoria State Facilities Strategy 2016-2026

The condition of the track was rated in 2015 by Cycling Victoria as still very usable on the provision of cracks being filled in with instant bitumen, it was determined at the time that this would be acceptable in the short term. Cracks continue to appear on the track surface and some appear to be bordering on hazardous.

There is general acknowledgement that the life span of the track remaining fit-for-purpose is short with the surface condition and continued cracking being a strong indicator of structural weakness.

The velodrome has a plexipave acrylic surfacing which was last replaced in 2004, this product would usually be replaced every 8-10 years depending on usage.

Cyclo-cross

This is a hybrid category which combines elements mostly from cross country mountain biking and criterium racing

The Wangaratta Cycling Club has conducted trials of Cyclo-cross at the Rodeo grounds in the Wangaratta Parklands Precinct. Rounds of the Victoria Cyclo-Cross Series have been held at Sam Miranda Winery in recent years.

BMX

This category includes freestyle and track racing. There are no designated sites within the Wangaratta municipality that accommodate BMX style riding, however Council is open to conversations with the community about the use of parts of the open space network to establish BMX friendly elements. These facilities are often developed in bushland areas so careful selection of venue will be required to ensure minimal negative impact to the environment.

Mountain Bike

This category includes a multitude of sub groups but largely they fall into either downhill or cross country courses.

There has been interest shown in the establishment of mountain bike tracks within Wangaratta. The North East region of Victoria is a hub of mountain biking

The criteria used to determine the suitability of a mountain bike trail development includes a range of elements, such as:

- A primary trailhead able to be located close to town or tourism services
- A primary trailhead located at the bottom of the trail network

- Interesting scenery and topography
- Open vegetation
- Suitable soils and good amount of rock
- Plenty of elevation
- Accessible shuttle road

A large mountain bike trail park would encompass between 50km and 100km of trails with a mixture of beginner, intermediate and advanced trails and a combination

Stakeholders in the region have highlighted the need for more green trails in order to develop the mountain bike market and to appeal to a wider audience. This is supported by the North Eastern Victorian Cycling Optimisation Masterplan.

A strategic approach to make mountain biking appealing, accessible and easy to new entrants and beginners is critical for the future development of the sport. This includes consideration of the following:

- Easy mountain bike trails
- Skills parks
- Mountain bike training and skills sessions
- MTB accessible to towns

The development of further MTB networks in the North East must be supported by land managers and cycling clubs, to dedicate resources to maintain trails over time¹.

Glenrowan/Warby Ranges National Park

Black Dog Brewery (outside of Wangaratta LGA) forms part of the High Country Brewery Trail and has a connection via Cellar Track onto Booth Road into the Warby Ranges. Booth Road is now a quality gravel road however it does have connections to trails which may be more enticing for mountain bikers.

The Friends of the Warby Range constructed a walking track which starts and finishes at Wenhams Camp on Booth Road. This 4½km circuit is also open to bike riders.

Bike riding - Bike riding is permitted on open vehicle roads tracks and some management tracks including Pangerang Lookout Walk and Ridge Track to Mount Glenrowan. Riding is prohibited on all other walking tracks and areas affected by Cinnamon Fungus.

Wilson Road Rural and Community Camp Site

This site which has been occupied by a scouts group has been identified as a possible venue for a mountain bike track or training area.

The use of the space for scouts purposes may be contradictory with mountain biking activities and therefore some additional work would be required to determine the feasibility of this arrangement.

As a mountain biking venue the site has a number of limitations, mostly due to the location of the site and the lack of nearby amenities. The site is not particularly accessible to cyclists and visitors would be required to drive to the site.

Eldorado and the Chiltern-Mt Pilot National Park

Well formed vehicle tracks throughout the park provide access to a variety of short or day-long walks and are suitable for cycling, horse riding and car and four-wheel drive touring.

Cycle on forest tracks at Donchi Hill in the west, Frogs Hollow and Magenta Mine and at Cyanide Dam.

Head up to the summit of Mt Pilot and enjoy the spectacular view.

Wangaratta Primary School MTB Trail

Wangaratta Primary School has recently established a small MTB single-track trail which is open to the public.

Informal Bike Jumps

The construction of informal and ad hoc bike jumps has been an activity undertaken by young people for generations as a way of participating in cycling in a more exciting and risk-taking way.

Acknowledging the need to encourage cycling throughout a persons entire life and the static riding on pathways as a sometimes less than appealing activity for the 10-18 year old sector of society, the Rural City of Wangaratta will take an 'encourage but within boundaries approach' to these developments.

The development of these jumps is typically done without any form of consultation or approval from land managers and as such their development can sometimes cause negative consequences in other areas such as environmental damage, asset damage or creation of additional hazards for other user types.

Basic Rules

- No damaging the environment
- Wear appropriate safety gear
- No fires
- Do not bring in materials
- No damaging pathways

Identified Sites

The sites where these informal tracks are being developed include:

- Adjacent to Ovens Riverside Path near Railway line
- Adjacent to One Mile Creek pathway
- Collyndale Drive Estate near existing pathway
- Rear of Arlington Park



4 Action Plan

Ref	Project	Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
4.01	Wangaratta Showgrounds Velodrome – Plan for the removal in 5 years. Work with the Cycling Club to develop alternate club activities and facilities (e.g. criterium circuit). Consideration of a 250m elite concrete track or a 330m	\$315,000	Medium	Design and Construct	\$315,000
4.02	Construction of roadway within the Wangaratta Parklands Precinct, designed to accommodate peak usage traffic and provide a criterium circuit for training and racing.	\$137,500	Medium	Design and Construct	\$137,500
4.03	Construction of a Pump Track and bike jumps at Mitchell Avenue Reserve in line with the Mitchell Avenue Reserve Master Plan	\$550,000	High	Design and Construct	\$550,000
4.04	Construction of a series of bike jumps along existing trail networks	\$220,000	High	Design and Construct	\$220,000
4 Actions		\$1,222,500			\$1,222,500

5 A User Experience Approach to Developments

Objectives

- 5a) Wayfinding – signage
- 5b) Amenity – seating, drinking fountains, shade, toilets, lighting
- 5c) Environment – trees, visual appeal, public art
- 5d) Safe and secure destinations

Introduction

The motivation to walk or cycle as a mode of transport is not just based upon the infrastructure that is used, a significant contributor to whether somebody chooses to walk or cycle is based around the experience that they will have (or have had) on their journey.

Consistent feedback received through the engagement for this strategy and information from other literature demonstrates a number of significant contributing factors help establish a positive user experience. These include:

- Signage
- End-of-trip facilities
- Lighting
- Amenities
- Sensory appeal

Signage

Signage along shared pathways is lacking. There is little directional signage or directions for users about nearby amenities.

There is currently inconsistent and weak messaging that exists in walking and cycling signage in RCoW. Different types of signage includes:

- Directional

- Educational/Safety
- Identification

It is important to address the gaps in the existing network before exploring projects which create new networks. This includes the gaps that exist in current walking and cycling related signage.

Signage across the municipality is currently inconsistent and ineffective.

The Rural City of Wangaratta is currently working on a branding and marketing strategy which has the opportunity to pick up on these inconsistencies and develop some more effective signage.

Therefore, the key walking and cycling networks previously identified in this strategy should be made a priority when it comes to efficient and effective signage.

There has been evidence of a lack of educational messaging when it comes to the safe use of shared pathways in particular, and due to inconsistent and missing identification signage, there is often confusion about where people can and cannot cycle.

The Rural City of Wangaratta is currently working on a branding and marketing strategy which has the opportunity to pick up on these inconsistencies and develop some more effective signage.

Tourism North East are currently developing a strategy to address signage which will encompass all disciplines of cycling and will include trailhead and wayfinding signage. This project should be monitored to ensure that it is relevant for Wangaratta and to take advantage of opportunities that it may present.

The design and fabrication of signs should be undertaken in accordance with Australian Standard AS 2156.1 Walking Tracks: Classification and Signage.

The design of signage will also need to consider the branding and marketing work currently being undertaken by Council.

Lighting

There is currently limited lighting provided along the off-road network. This creates navigational as well as safety issues associated with travel in the dark.

Prioritisation of areas set away from lit streets will be made, and this will require further investigation to create a reasonable prioritisation list of lighting works.

End of Trip Facilities

End-of-trip facilities in this strategy are focused on venues and businesses providing facilities to accommodate their employees or visitors. Public amenities will be addressed in the following section of this strategy.

Key destinations should be provided with a range of facilities including bike hoops, bike pumps and considerations should be made to e-bike charging stations.

Certain locations should include toilets, showers and lockers to accommodate longer stays.

Bike Hoops/Storage/Lockers

The provision of safe and accessible lock up and storage facilities will help eliminate concerns for some users. In addition to the traditional bike hoop, other options allow bikes to be hung, locked, stacked or parked in a convenient manner. The Wangaratta Urban Design Framework has identified a specific design style for within the CBD area. This should be either duplicated or complimented through



Amenities

A key element of a person's experience in using a walking or cycling path is whether there are basic comforts that make their experience enjoyable. This strategy recommends adopting a number of service levels which will help ensure that basic comfort is provided for users of our pathway network.

Seating

A seat should be available every 2km along a shared pathway within the urban area. Where possible this should be located at a destination which offers basic comfort provisions.

Drinking Water

Drinking water should be made available at key destinations along trails within urban areas. The location of this should be made clear on signage along the trail.

Public Toilets

The provision of toilets should be included on signage along the trail, it is not the intent to provide public toilets along the trail but to keep users informed of the nearest public toilet, particularly at key decision points.

Shade

The provision of shade should be made where possible along a trail. Key areas of focus should be at key locations where a seat or other infrastructure is located. Consideration should also be made to providing shade along longer stretches of trail where higher levels of radiant heat may be found including those open pathways in rural areas.

Lighting

Lighting to provide pedestrian safety is desirable along all walking and shared pathways. The highest priority areas should be at intersections, decision making junctions where people may be entering or leaving the pathway and at destinations such as toilets or seating areas.

Charging Points

Consideration should be made for provision of charging points for e-bikes and mobility scooters. These may be co-located with other amenities such as toilets or seating areas.

5 Action Plan

Ref	Project	Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
5.01	Review Council's signage and line marking budget to allow for improvements to key pathways across the municipality.	\$250,000	High	Design and Construct	\$250,000
5.02	Develop a signage suite for walking and cycling infrastructure, which includes efficient and effective use of directional, educational and identification signage.	\$22,000	High	Design and Construct	\$22,000
5.03	Roll out of the signage suite	\$110,000	High	Design and Construct	\$110,000
5.04	Improve connections and legibility of existing cycling trails along One Mile Creek, Ovens River and Rail Trails, through wayfinding signage. Signage should include walking and cycling distances and approximate times.	\$220,000	High	No	\$0
5.05	Review the maintenance schedule of the municipality's trails, footpaths, shared paths and bike lanes, and adapt to meet community expectations as well as achievable outcomes.	\$50,000	Medium	Design and Construct	\$50,000
5.06	Install bicycle parking at NHW primary entrances and other locations	\$26,400	Medium	No	\$0
5.07	Reduce vehicle speeds to 40kmh at the NHW core of the Precinct	\$22,000	Medium	No	\$0
5.08	Provide additional cycling infrastructure at key points including bike hoops and bike pumps integrated into the streetscape in sculptural forms	\$132,000	High	Design and Construct	\$132,000
5.09	Review speed limits and advocate for lower speed limits in high pedestrian/cyclist usage areas	\$5,000	High	No	\$0
5.10	Review the design process for new developments in regards to pedestrian/cyclist priority	\$0	High	No	\$0
5.11	Provide suitable car parking at key trail head destinations (such as Merriwa Park and Apex Park) that allows for all day tourism and exploration of the rail trails.	\$704,000	High	No	\$0
11 Actions		\$1,541,400			\$564,000

6 Effective Programs, Promotion, Planning and Advocacy

Objectives

- 6a) Ensure a coordinated approach to promotion
- 6b) Partner with stakeholders to drive participation and change to those areas beyond Council control

Participation Programs

There are a number of programs and events that both Council and external partners currently get involved in with the aim of encouraging participation in walking and cycling.

These include the Walk2School program, Ride2Work Day and more recently a pilot program targeting youth to get riding on bikes, Cycling & Co. Key partners involved in activities such as these include:

- Tourism North East
- YMCA
- Gateway Health
- North East Health Wangaratta
- Sport North East
- Wangaratta Cycling Club
- Cycling Victoria
- Cycling Australia
- Road Safe North East
- Lions Club Apex Road Safety School
- Schools

In 2019, a partnership between Cycling Victoria, Wangaratta Cycling Club, Rural City of Wangaratta, VicHealth and Sport North East piloted a program aimed at 12-15 year olds to encourage them to ride their bikes and experiences their local community.

Schools

The Rural City of Wangaratta has received funding from VicHealth to deliver the Walk to School program for several years now, and has continued to grow in success, with all 21 primary schools in the municipality registered in 2018. Some schools have also been involved in the Bicycle Network's Ride2School program and even received funding to enhance riding opportunities for their schools.

While these programs have helped to build the culture around walking and riding to school, there are a number of infrastructure issues which exist for a number of the municipality's schools, particularly rural schools who are lucky to get a footpath connecting to their school.

Workplaces

While there are some key community champions, such as those involved in the Bicycle Reference Group, who drive the encouragement of riding to work, particularly for Ride2Work day, this activity does not have any funding allocated. There is currently a gap in the space of encouraging active travel to work in the municipality, and the reliance on cars with people travelling long distances only emphasises the strong vehicle-centric culture in which the community operate.

Given the cycling culture that already exists in the Rural City, there is great opportunity to capitalise and build on this through the encouragement of active travel to work. Stronger partnerships among different workplaces will enable a more consolidated approach to achieving the same outcome,

and with workplaces supporting one another, more success may be achieved in changing the car centric culture to having more people travelling to work on foot or bike. The Rural City of Wangaratta is also fortunate to have support from local community health services, such as Gateway Health and North East Health Wangaratta in creating more healthy work environments. The Achievement Program provides a framework and resources to enable workplaces to better meet health outcomes for their employees and Gateway Health and Northeast Health Wangaratta can support workplaces in working through this program.

Council have the opportunity to lead by example in changing corporate culture along with other high profile local employers such as Northeast Health Wangaratta.

Commercial Operators

There are two commercial operators servicing the cycling market in Wangaratta. These are

- West End Cycles
- Rock & Road Cycles

The M2M Trail has helped established a number of businesses:

- North East Coach Lines – shuttle bus services
- Driven Indulgence, Eldorado – shuttle bus services and tours
- River Tribe Adventures = shuttle bus services and tours
- Rock and Road Cycles, Wangaratta – bike hire, shuttle bus services and tours

Tourism North East has also encouraged existing businesses to become more cycle friendly through their "Cycle Friendly Business Program". This has led to many businesses expanding their service and product offer to better cater for cyclists.

Promotion

The Rural City of Wangaratta already has a key cycling tourism focus, particularly in the townships of Milawa and Oxley. The key cycling tourist attraction, the Murray to Mountains Rail Trail, covers a large geographic area of this municipality. With this asset, along with the availability of food and wine tourism attractants, Milawa and Oxley have built their cycling profile.

There are a range of different cycling-related marketing collateral within the Wangaratta community. Whilst each promotion tends to focus on specific cycling products available to residents and tourists, the multitude of maps available, the lack of consistent branding and in some cases conflicting routes ensures that the existing suite of collateral is not maximising the potential benefits that could be unlocked.

The ongoing promotion of cycling for our local community and tourists alike needs to focus on:

- Promoting Wangaratta as a cycling destination
- Encouraging local accommodation providers to supply bikes as part of their accommodation offering.
- Recognition and reinforcement of the cycle friendly terrain and great local cycling paths
- Guidance on implementing safe cycling streets with recommended street treatments

6 Action Plan

Ref	Project	Cost Estimate	Priority (H/M/L)	10 Year Plan Works	10 Year Plan Cost
6.01	Complete Movement & Place classifications for all CBD streets. - Murphy Street	\$5,000	Medium	Yes	\$5,000
6.02	Encourage cycling amongst Rural City of Wangaratta staff through inclusion in staff health and wellbeing programs	\$5,000	High	No	\$0
6.03	Encourage cycling amongst businesses through economic development activities	\$5,000	High	No	\$0
6.04	Continue to liaise with the Wangaratta Bicycle Reference Group and utilise them as an advisory body for the implementation of the actions identified in this strategy. Also establish an advisory body for the implementation of walking-related initiatives in identified in this strategy.	\$0	High	No	\$0
6.05	Advocate for improvement to walking, cycling and public transport within the municipality from key stakeholders including all levels of government, tourism bodies and other key stakeholders.	\$0	High	No	\$0
6.06	Regularly review walking and cycling data, demographic data and crash statistics to inform the monitoring, review and evaluation of this strategy	\$0	High	No	\$0
6.07	Review driving school curriculum to ensure thorough education and testing around pedestrian and cycling safety and rules are highlighted.	\$3,000	Medium	Yes	\$3,000
6.08	Improve the community's awareness of cycling and walking paths through the use of online mapping systems	\$10,000	High	Yes	\$10,000
6.09	Monitor trends in usage of different forms of walking and cycling	\$0	High	No	\$0
6.10	Investigate the user of bicycle counters along key routes, including permanent structures to measure data and as an encouragement to cyclists	\$0	High	No	\$0
6.11	Conduct a review of this strategy as per the details in the strategy.	\$0	High	No	\$0
6.12	Advocate that the Walking and Cycling Strategy become a Referenced Document under Clause 21.12 in the Wangaratta Planning Scheme.	\$0	High	No	\$0
6.13	Review needs of educational institutions as well as workplaces in having access to active modes of transport to school and work	\$0	Medium	No	\$0
6.14	Mapping - investigate opportunities to implement a 'user experience' rather than an asset-based GIS pathway layer to enable more efficient and effective modelling of user friendly routes. Once developed these should be publicly accessible.	\$10,000	High	No	\$0
6.15	Continue to identify and implement walking and cycling solutions which are consistent with the principles in this strategy	\$0	High	No	\$0
15 Actions		\$38,000			\$18,000

Project Selection and Implementation

External Reference Group

The Wangaratta Bicycle Reference Group shall be invited each year to provide input into the prioritisation of projects from the action plan. A clear brief shall be provided to the Reference Group as to the objectives which are trying to be achieved from the process.

Prioritisation – Stage 1

It is proposed to establish a working group within Council to review walking and cycling related projects. The working group shall meet at least once per year to determine prioritisation of projects for budget consideration.

The initial prioritisation shall include the following:

1. Consideration of any new actions identified which have not been included in the Walking and Cycling Strategy.
2. Consideration of feedback from the external Wangaratta Bicycle Reference Group
3. Review list of actions within each Strategic Direction to determine a high, medium or low ranking of those projects. The rankings are to be determined based upon the ability of the project to meet the objectives and/or intent of the applicable Strategic Direction.
4. Review listing of high ranking projects to identify any projects which align with other walking and cycling projects or other Council projects
5. Review upcoming Council projects which might align with other actions within the Walking and Cycling Strategy

Prioritisation – Stage 2

The second stage of project prioritisation will give consideration to the financial and project management capacity of Council and external grant opportunities. This stage will include the following:

6. Determine an appropriate budget for projects based upon Council's Long Term Financial Plan.
7. Review potential grant opportunities to enable a finalised list of projects for budget consideration based upon actual cost to Council.

Due Diligence

8. Undertake preliminary due diligence on the selected projects to identify constraints and challenges

Budget Consideration

9. Develop projects for budget consideration

Project Development

Depending on the project, there may be multiple stages required to complete the project. As such, many projects may be staged over more than one year. The various stages of project development might include:

- Feasibility Study/Business Case
- Concept Design
- Detailed Design
- Construction

As a project progresses through each stage, the cost estimate will be refined and will provide a higher level of cost surety.

Some projects may not progress past the Feasibility Study stage if they are deemed not feasible or the benefits of the project do not warrant the investment required.

Long Term Financial Plan

This strategy does not commit funds within Council's budget but provides a recommendation for future budgeting designed to achieve the outcomes and objectives within the strategy.

The projected capital renewal program for the 10 years from 2019 to 2028 for paths is \$2.482m¹. This strategy will inform the proposed renewal program and will inform a proposed new capital expenditure along with some operational expenses. The 2019-20 budget contains an allocation of \$50,000 towards new pathways (excluding that associated with other projects).

Cost Estimates

The cost estimates used throughout this strategy are estimates, where possible based upon past projects or anticipated unit rates. As such, a contingency has been applied to each project. As each project is further investigated and designed, the certainty of cost will be improve.

A standard rate of \$250 per linear metre has been applied for a 2.5m wide shared path.

A standard design rate of 10% of construction costs has been applied.

Monitoring, Review and Evaluation

Measurement

Setting measures will enable this strategy to be reviewed throughout its life. It will:

- Ensure that the objectives of the strategy can be measured with specific metrics
- Enable Council and the community to tangibly see whether the strategy is being achieved

The objectives within each strategic direction within this strategy are the key driver for project identification and selection.

Review

The strategy has a ten year lifespan however regular review and adjustments will ensure that it remains relevant and can adjust to emerging trends and changes in the external environment.

Review 1 – May to September 2022

Review 2 – May to September 2025

Review 3 – May to September 2028

Full Update – February to September 2029

The timing of the review will allow submissions into Council's budget processes for the following financial year.

No.	Metric	Baseline Measure	Target
1	Mode Share of Bicycle Trips from Wangaratta	1.2% Source: 2016 ABS Census Data – Journey to Work	2.0% Source: 2021 ABS Census Data – Journey to Work
2	Level of Bicycle Ownership	70% Source: RACV Regional Transport Needs Survey (2013)	75% Source: TBC whether RACV will repeat the survey, investigate Council led data collection for 2023
3	Level of Regular Bicycle Riding (about once per week)	28% Source: RACV Regional Transport Needs Survey (2013)	35% Source: TBC whether RACV will repeat the survey, investigate Council led data collection for 2023
4	Highest of 10 regional LGA for Bicycle Ownership	2 nd (2013) Source: RACV Regional Transport Needs Survey	1 st Source: TBC whether RACV will repeat the survey, investigate Council led data collection for 2023
5	Highest of 10 regional LGA for Regular Bicycle Riding	Eq. 1 st (2013) Source: RACV Regional Transport Needs Survey	1 st Source: TBC whether RACV will repeat the survey, investigate Council led data collection for 2023

No.	Metric	Baseline Measure	Target
6	Higher percentage of regular riding than regional Victoria	8% higher (2013) Source: RACV Regional Transport Needs Survey	10% higher (2023) Source: Source: TBC whether RACV will repeat the survey, investigate Council led data collection for 2023
7	The number of new or replacement bicycle parking hoops implemented	To be set	To be set
8	The length of new or improved on-road bicycle lanes implemented	To be set	To be set
9	The length of new or improved off-road shared paths implemented	To be set	To be set
10	Resident Transport Rating – On Road Bike Paths	5.08 (2013) RACV Regional Transport Needs Survey	5.50 (2023) Source: TBC whether RACV will repeat the survey, investigate Council led data collection for 2023
11	Resident Transport Rating – Off Road Bike Paths	6.83 (2013) RACV Regional Transport Needs Survey	7.00 (2023) Source: TBC whether RACV will repeat the survey, investigate Council led data collection for 2023
12	By 2030, increase the total percentage of females riding within Wangaratta. High female ridership is considered a good indicator of the presence of low stress cycling infrastructure.	To be set	To be set
13	By 2030, decrease the number of cyclists who are killed or injured on roads by 15% A well planned and utilised network of low stress cycling routes aims to have safety benefits for cyclists.	To be set	To be set

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Attachment 1 –Assessment of Submissions to Amendment C77: Wangaratta Aerodrome

	Submission Details	Changes requested	Officer comments	Recommendation
Submission 1 <i>Department of Environment, Land, Water and Planning (DELWP)</i>	<p>Generally supports, subject to the following comments:</p> <p>There is a significant lack of relevant specific information provided with the exhibited amendment about environmental, biodiversity and native vegetation values present on and particularly on land adjoining the subject land.</p> <p>The amendment appears to not consider the implications of the amendment on adjoining land or the potential impacts the changed uses and development may have on the values present on adjoining land.</p>	<p>That the proposed Schedule 8 to the Special Use Zone be amended at Application Requirements to include (or similar):</p> <p><i>a. the likely impacts of development, if any, on site or on adjacent land, including native vegetation, waterways and other biodiversity values; and</i></p> <p><i>b. any mitigation measures to be implemented to avoid impacts on the native vegetation, waterway or biodiversity values present on site or on adjacent land.</i></p> <p>That the proposed Schedule 8 to the Special Use Zone be amended at Decision Guidelines to include (or similar):</p> <p><i>a. the implications and potential impacts of the proposed development and use on any native vegetation, waterways and other biodiversity values present on site and on adjoining land; and</i></p> <p><i>b. whether impacts on native vegetation, waterways or other biodiversity values present on site and on adjoining land can be avoided and whether appropriate mitigation measures have been included as part of the proposed development and use.</i></p>	<p>The comments relate to the need to consider protection of biodiversity conditions generally and require consideration be given to the potential impacts of development on biodiversity for any development. This is considered to be a reasonable addition to the application requirements and is consistent with other State and local policies relating to biodiversity.</p> <p>As above, the changes seek to introduce new decision guidelines relating specifically to biodiversity and the need for any mitigation measures. It is considered reasonable to apply matters for consideration around biodiversity to ensure that these matters can be taken into consideration in any future planning decisions. The proposed additions are considered generally appropriate for addition as drafted in the submission.</p>	<p>Modify Application Requirements at Clause 3.0 and 4.0 by adding:</p> <ul style="list-style-type: none"> <i>the likely impacts of development, if any, on site or on adjacent land, including native vegetation, waterways and other biodiversity values; and</i> <i>any mitigation measures to be implemented to avoid impacts on the native vegetation, waterway or biodiversity values present on site or on adjacent land.</i> <p>Modify Decision Guidelines at Clause 3.0 and 4.0 by adding:</p> <ul style="list-style-type: none"> <i>the implications and potential impacts of the proposed development on any native vegetation, waterways and other biodiversity values present on site and on adjoining land; and</i> <i>whether impacts on native vegetation, waterways or other biodiversity values present on site and on adjoining land can be avoided and whether appropriate mitigation measures have been included as part of the proposed development.</i>

Attachment 1 –Assessment of Submissions to Amendment C77: Wangaratta Aerodrome

	Submission Details	Changes requested	Officer comments	Recommendation
Submission 2 Goulburn Murray Water	No objection to the Amendment	No specific change to the amendment	Noted	No change.
Submission 3 North East Water	No objection to the Amendment	No specific change to the amendment	Noted	No change
Submission 3 Civil Aviation Safety Authority	No comment on the Amendment	No specific change to the amendment	Noted	No change

Amendment C77 - Aerodrome

In Design and Development Overlay 6 (DDO6) Wangaratta Aerodrome Obstacle Height Areas will provide for the consideration of tall structures including aerials, antennas, domestic wind turbines, canopy trees and tall vegetation or other high structures and smaller structures located closer to the aerodrome / runway area.

Australian Height Datum (AHD) relates to mean sea level. So 153 metres AHD is 153 metres above mean sea level.

In DDO6 the height at which building or works requires a planning permit is:

- 153m AHD (or above) in Obstacle Height Area 1.
- 170m AHD (or above) in Obstacle Height Area 2.
- 196m AHD (or above) in Obstacle Height Area 3.

Ground level on a property varies. The examples below show the building height at which a planning permit is required where the ground level is 150m AHD. It is unlikely that a planning permit would be required for a standard house or shed in Obstacle Height Areas 2 or 3, as these areas are furthest away from the Aerodrome. Council's Strategic Planning Team can assist with enquiries.

Legend

10m Contour

Vicmap

Property Boundary

Proposed Planning Zone

DDO6 - Obstacle Height Area 1

DDO6 - Obstacle Height Area 2

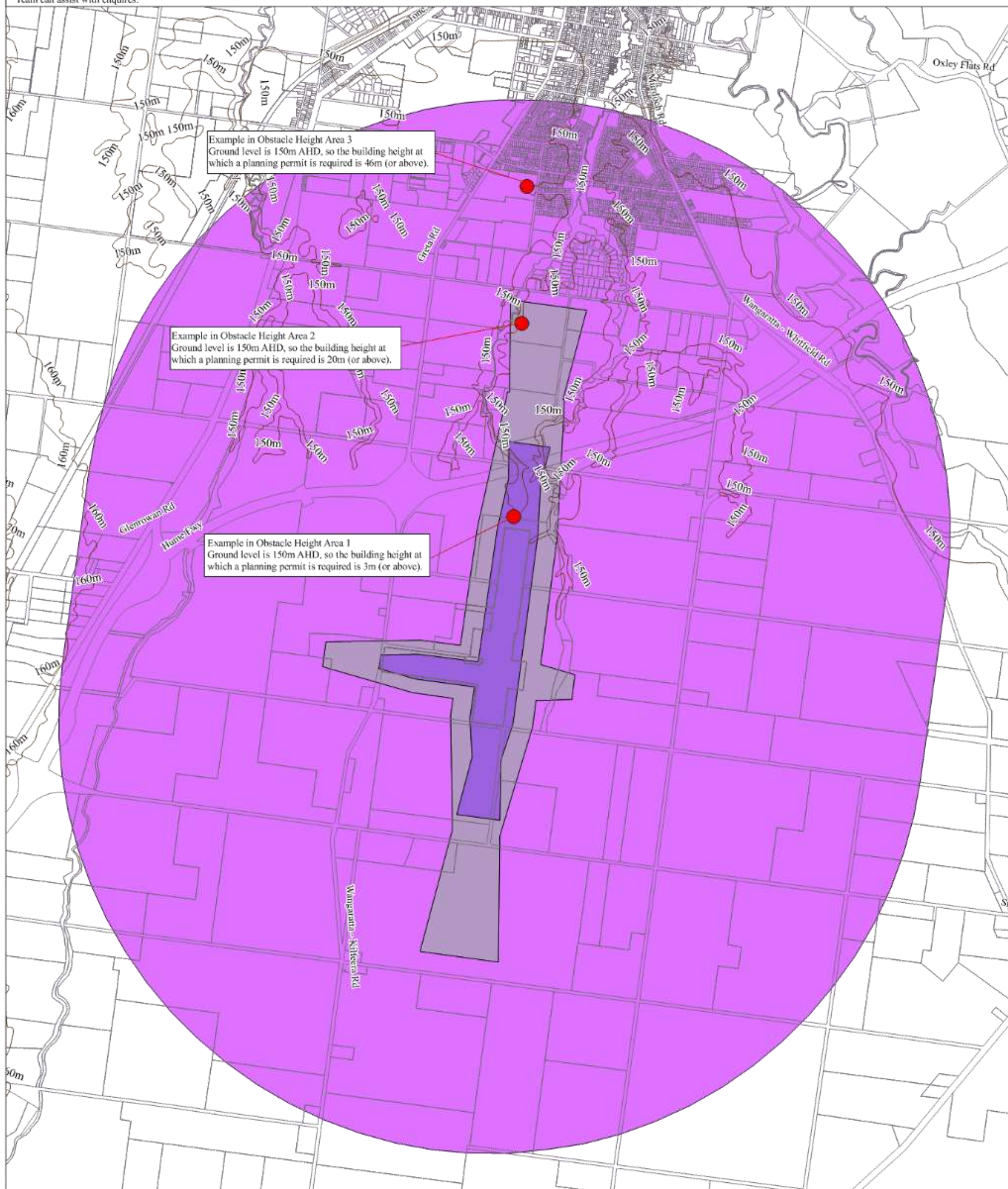
DDO6 - Obstacle Height Area 3

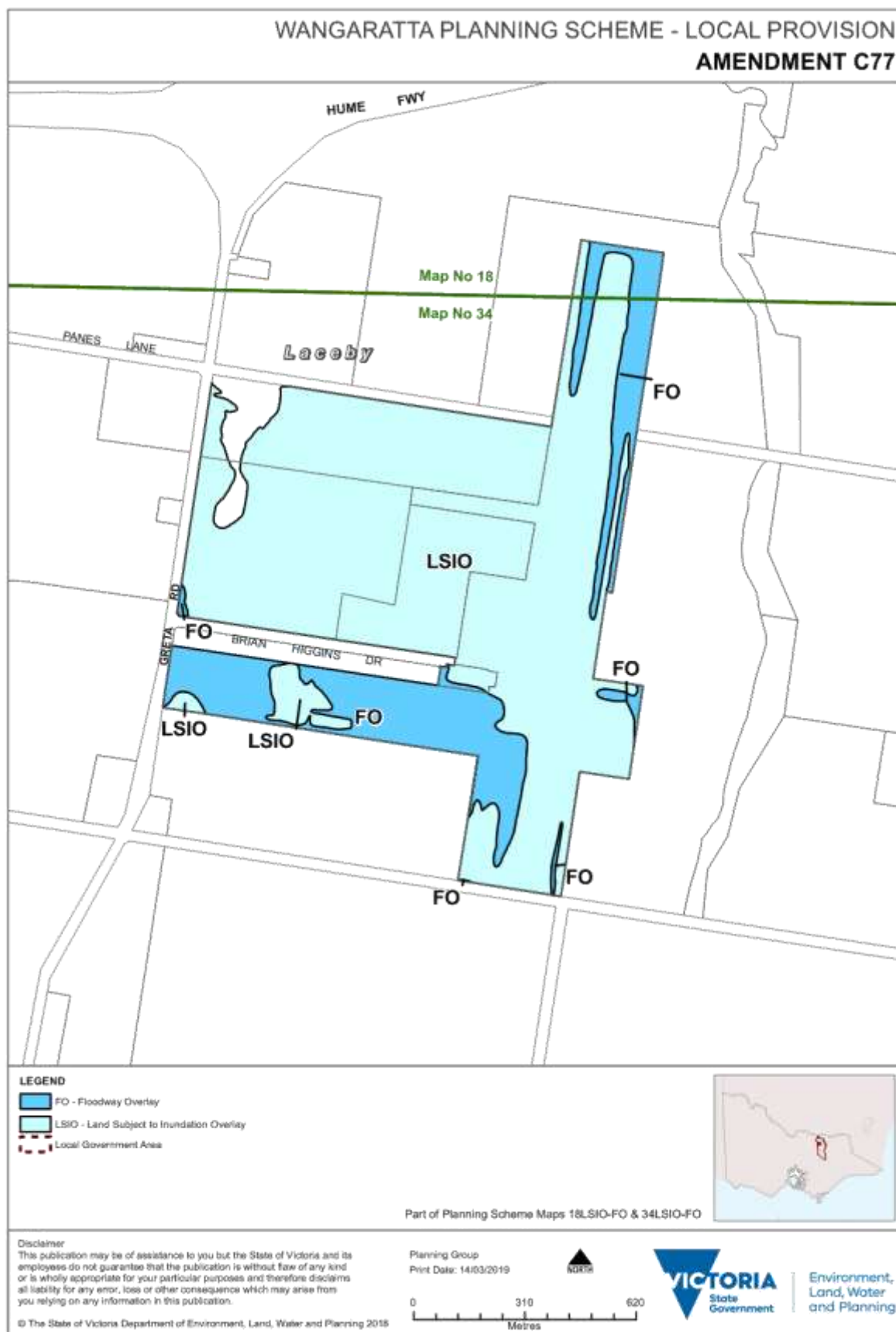


0 1
kilometres

Map Produced by: Rural City of Wangaratta, GIS
A3 - Date: 25/06/2019

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Domestic Animal Management Plan 2017-2021 (Revision 2019)



Version Control

Version number	Date of issue	Author(s)	Brief description of change
0.1	02/08/2016	Community Compliance Officer	Initial Draft
0.2	17/08/2016	Community Compliance Coordinator	1 st edit
0.3	04/01/2018	Community Compliance Coordinator	Minor edits
0.4	09/08/19	Community Compliance Coordinator	Edits

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1. INTRODUCTION

Purpose of this Domestic Animal Management Plan

Councils in Victoria are required under Section 68A of the Domestic Animals Act 1994 ("the Act") to prepare and implement a Domestic Animal Management Plan ("the Plan") at four year intervals with the objective of outlining Council's plans for animal management.

The purpose of the "Plan" is to:

- Document current processes and practices under the Rural City of Wangaratta's animal management responsibilities.
- Increase pet owners' knowledge of the principles of responsible pet ownership to enhance community safety and awareness.
- Assist the Bureau of Animal Welfare (BAW), a branch of the Department of Jobs, Precincts and Regions, to achieve its stated objectives of reducing the numbers of dogs and cats being euthanized.
- Maximise the numbers of dogs and cats that are registered in the Wangaratta municipality.
- Minimise the harmful effect of domestic pets on the population of native birds, mammals and reptiles.
- Take into account community views on animal management matters.
- Comply with the relevant provisions of "the Act".

2. DOMESTIC ANIMAL MANAGEMENT PLANS

Under **Section 68A of the Act**, every Council must prepare a Domestic Animal Management Plan, as follows:

every Council must, in consultation with the Secretary, Department of Jobs, Precincts and Regions, prepare at 4 year intervals, a Domestic Animal Management "Plan".

- (1) a Domestic Animal Management Plan prepared by a Council must—
 - (a) set out a method for evaluating whether the animal control services provided by Council in its municipal district are adequate to give effect to the requirements of the Domestic Animals Act 1994 and the Domestic Animals Regulations 2015; and
 - (b) outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of the Act in the Council's municipal district; and
 - (c) outline programs, services and strategies which the Council intends to pursue in its municipal district—
 - (i) to promote and encourage the responsible ownership of dogs and cats; and
 - (ii) to ensure that people comply with the Act, the Regulations and any related legislation; and
 - (iii) to minimise the risk of attacks by dogs on people and animals;
 - (iv) to address any over-population and high euthanasia rates for dogs and cats; and
 - (v) to encourage the registration and identification of dogs and cats; and
 - (vi) to minimise the potential for dogs and cats to create a nuisance; and
 - (vii) to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with the Act and the Regulations; and
 - (d) provide for the review of existing orders made under the Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the

management of dogs and cats in the municipal district are desirable;
and

- (e) provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and
 - (f) provide for the periodic evaluation of any program, service, strategy or review outlined under the "Plan".
- (2) every Council must—
- (a) review its "Plan" annually and, if appropriate, amend the "Plan"; and
 - (b) provide the Secretary with a copy of the "Plan" and any amendments to the "Plan"; and
 - (c) publish an evaluation of its implementation of the "Plan" in its annual report.

3. RURAL CITY OF WANGARATTA

3.1 Demographic and Council Profile

The Rural City of Wangaratta is located in north east Victoria, with a total population of approximately *27,040 residents, of whom approximately *18,000 live in urban Wangaratta. The Rural City covers an area of 3,644 sq. km.

The municipality has experienced continuing growth in retail and tourism sectors, and is widely recognised as one of Victoria's most progressive provincial centres. The region is famous for world class wine and gourmet food and is the gateway to Victoria's major ski fields. With its spectacular scenery, the region is viewed by tourists as the 'hub' from which to explore North East Victoria and Southern New South Wales.

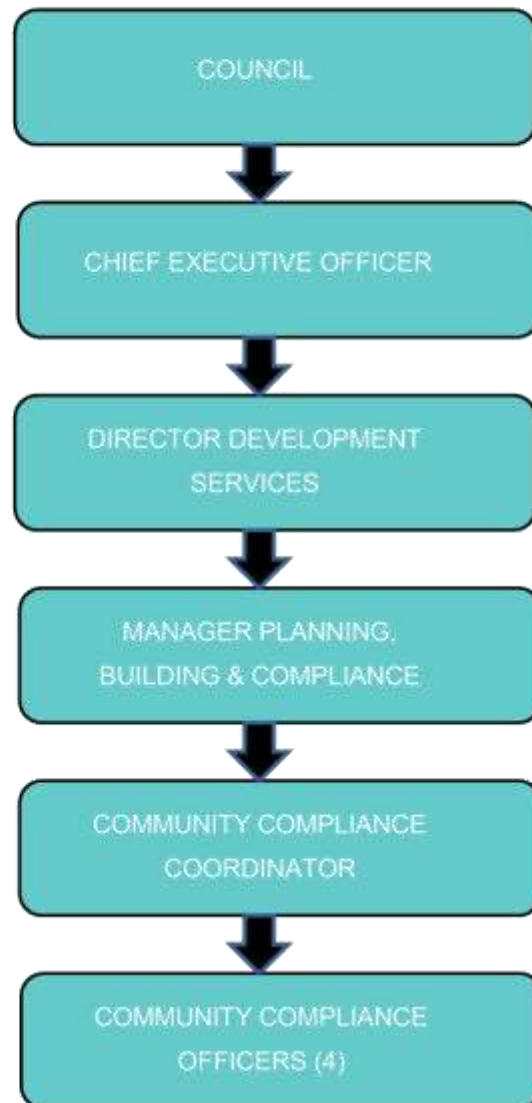
Wangaratta is a leading regional centre providing a range of services for all age groups. The Rural City of Wangaratta provides strong recreational, commercial, educational, tourism and health facilities, including regional private and public hospitals. It has diverse industry and economic stability and is the regional headquarters for several state government agencies. The main employment sectors are in the manufacturing, trades, retail, agriculture and health and community service industries.

*Source: Victoria in Future 2016 - Population and Household Projections to 2031

4. DOMESTIC ANIMAL STATISTICS AND DATA

Category	2016	2017	2018	2019
Dogs				
Number Register	4,782	4,747	4,841	4,736
Cats				
Number Register	1,578	1,597	1,610	1,624

As per the above table, the municipality is currently in a good position in relation to animal registrations. The rate of animals registered has been steady but with a slight increase in cat registrations and a slight downward trend in dog registrations 2019.

5. ANIMAL MANAGEMENT STAFFING AND OPERATIONAL STRUCTURE

6. COMMUNITY COMPLIANCE TEAM OVERVIEW

The Community Compliance Team consists of one (1) full time Coordinator, three (3) full time Community Compliance Officers and one (1) permanent part time Community Compliance Officer who perform animal management, parking compliance, aerodrome reporting, Municipal Fire Prevention and Local Laws activities. Administration support is provided by the Support Officer - Compliance who supports both the Community Compliance team and the broader Building, Planning and Compliance Services Unit. In addition to animal management, the team also oversees Litter Enforcement and compliance with Council's Local Laws.

6.1 Services provided to the community relating to Animal Management

The Community Compliance team is responsible for the animal management function provided by council. Key activities include:

- impounding of domestic animals and livestock;
- managing of complaints relating to domestic animals and livestock;
- promoting responsible pet ownership in the community;
- investigating dog attacks;
- ensuring compliance with legislation and the various codes of practice relevant to domestic animals and livestock;
- domestic animal registration process;
- investigating animal welfare issues;
- management of domestic animal businesses;
- providing advice to owners and the general community in relation to domestic animals;
- after hours animal emergencies; and
- prosecute breaches of the Domestic Animals Act 1994, Impounding of Livestock Act 1994 and Prevention of Cruelty to Animals Act 1986.

6.2 Wangaratta Rural City Council's Local Laws relating to Animal Management

The relevant extract of Local Law 1 of 2018 is found in appendix 1

7. TRAINING OF AUTHORISED OFFICERS

7.1 Current and Planned Training

A variety of training is offered and provided for all Authorised Officers. Training options are annually reviewed to ensure relevant and up to date material is provided.

The training options include animal handling courses, investigation and statement taking courses, prosecution courses, information technology courses and industry related seminars, conferences and briefings from the Department of Jobs, Precincts and Regions, Municipal Association of Victoria (MAV), Australian Institute of Animal Management (AIAM) and other relevant associations.

7.2 Our Plans

7.2.1 Objective 1:

Develop and maintain a training register for individual officers detailing completed and proposed training to maintain skills and knowledge.

Activity	When	Evaluation
Record each officer's name, completed training, along with proposed additional training opportunities in the HR training database.	March 2017 and ongoing	Annually review, to ensure accuracy and to determine whether proposed training goals have been met for each Officer. This is achieved through Council's annual review process.
Staff attendance at industry related seminars and training, such as: <ul style="list-style-type: none"> ▪ Breed Identification ▪ Department of Jobs, Precincts and Regions/Bureau of Animal Welfare Seminars ▪ Dog Bite Minimization & Bite Stick Training 	As offered	Review attendance against individual officer's training record.

8. REGISTRATION AND IDENTIFICATION

All dogs and cats over the age of 3 months must be registered with the municipality as per Section 10 (1) of the "Act". All animals must also be micro-chipped before registration can be accepted by Council.

New animal registrations for cats and dogs can be made in person at the Council's Customer Service Centre between 8.30am – 5pm Monday – Friday or by mail with the appropriate payment and copies of relevant proof required to: Rural City of Wangaratta, PO Box 238, Wangaratta, Vic 3677.

Registration forms can be downloaded online from Council's website

<http://www.wangaratta.vic.gov.au> or collected from the Council's Customer Service Centre.

Council has an agreement with the RSPCA to provide pound facilities. Animals that are not registered and not micro-chipped must be micro-chipped at the RSPCA pound prior to registration and release of the animal when the appropriate fee has been paid by the owner.

Under Section 11 of the "Act", animal registration periods expire on 9 April each year. Animal renewal notices are sent out every year in late February or early March, allowing pet owners to renew their animal's registration via the internet or in person. The Council audits the registration renewal process every year to ensure animal registration is renewed. The RSPCA pound also take registrations from members of the public on an ad hoc basis (walk in off the street).

Animals found unsecured or 'at large' from their property that are identifiable by means of microchip, council registration and an allocated Council identification tag have a higher chance of being reunited with their owners. When dogs and cats are outside of the owner's premises, Council identification tags must be worn as required under Section 20 of the Act.

The registration of animals provides the Rural City of Wangaratta with an understanding of the level of pet ownership in the community and in turn this helps Council plan for services, information and programs associated with pets in particular areas of the community.

Registration fees help fund the services provided by the Council in relation to animal management and the Bureau of Animal Welfare's responsible pet ownership campaigns and programs that are available within the municipality.

8.1 Current Education Activities

Current education/promotion of registration and identification activities include:

- publicising the requirement to register pets over the age of three months in the Wangaratta Chronicle, Wangaratta Rural City Community Connect, social media and the Council's on hold phone messages;
- animal registration renewal notices are mailed out in late February or early March each year for currently registered animals;
- Council life time identification tags are obtained by pet owners on payment of the relevant registration fee; and
- Brochures included in newly registered animal notices to provide information regarding the importance and requirements of registration.

8.2 Current Compliance Activities

Current compliance activities for registration and identification include:

- SMS messaging to all non-renewed domestic animals advising of expiry of registration and possible penalties for failing to renew registration;
- "Warm" calling of non-renewed domestic animals with payment taken over the phone and advising of possible infringements if not renewed by certain date;
- door knock targeting properties with no animals registered to identify any unregistered animals at the premises;
- door knock audit conducted each year for animal registrations that have lapsed;
- prosecution of cases where animals are not registered;
- ensuring impounded and unregistered animals are micro-chipped and registered prior to release;
- issuing notices and /or infringements for animals found unregistered and wandering at large;
- prosecuting owners of unregistered animals where infringements remain unpaid and animals remain unregistered;
- investigating Domestic Animal Business (DAB) notifications of animals being sold or given away to residents in the municipality without a "Source"

number;

- monitoring advertisements relating to animals for sale to ensure microchip numbers or 'S o u r c e' numbers are provided;
- proactive and reactive off l e a s h park and street patrols to follow up registration and ensure identification is being worn; and
- after hours emergency animal service.

8.3 Summary

The number of unregistered animals that enter the RSPCA pound is still of a high rate, which suggests a large number of unregistered animals exist within the municipality.

The Council is currently collecting data from the RSPCA to determine the percentage of unregistered animals impounded and from where the owner resides. Such data will allow the Council to focus on education and compliance activities in the locations where higher rates of unregistered animals are found. These activities will include annual municipality wide door knocking of premises.

8.4 Our Plans

8.4.1 Objective 1:

To decrease / minimise the total number of properties required for the annual door knock audit.

Activity	When	Evaluation
Educate residents of the animal registration renewal period by means of advertising/media releases, mailing of renewal notices and by placing A Frame signs in areas where high levels of un-registered animals are kept.	March - May Annually	Review media release types available each year to determine most effective advertising.
Ensure each property is audited and issued infringements where animals found to be unregistered.	July - August Annually	Record total number of properties visited and infringements issued and compare to previous results.
Ensure animal registrations have been renewed and infringements paid. Lodge unpaid infringements with Fines Victoria or Magistrates Court.	September - October Annually	Record total number of infringements unpaid and animal registrations still unregistered and compare to previous results.
Seize animals still found to be unregistered where matter found proven in Court or infringement unpaid.	Month after date	Provide media releases to send the strong message for responsible pet ownership and compliance.
Mail out of infringements for failing to renew animal registrations where animals are not departed or deceased on council database following mail out of registration renewal notices.	May – Annually	Review of numbers of animals registered compared against infringements issued for failing to renew registration.

8.4.2 Objective 2:

Maintain or increase dog and cat registrations.

Activity	When	Evaluation
Ensure all seized and impounded animals are registered to their owner prior to release.	Prior to every release.	Review annual registration numbers. Review number of dogs and cats being seized and impounded who are not registered to their owner.
Proactive door knocking in areas believed to have high number of unregistered animals via impound stats, to check for unregistered and unidentified dogs and cats. Effective advertising prior audit	Annually	Review annual increase in registration numbers. Review number of dogs and cats being seized and impounded who are not registered to their owner.
Compare council animal database against lists of microchipped animals supplied by licensed database registries.	Annually	Review annual list of animals microchipped to Wangaratta address
Conduct "warm" calling of all owners of animals with contact numbers to accept payment over phone and advise of infringements if not renewed by 1 July.	Annually	Review annual registration numbers for comparison against outstanding registrations.
Distribute SMS messages to all outstanding domestic animal registrations advising of expiry of registration and possible issuing of infringements.	Annually	Review annual registration numbers for comparison against outstanding registrations.

9. NUISANCE

9.1 Current Situation

Type of Nuisance	2016	2017	2018	2019
No. of barking dog complaints received	60	147	78	42
No. of cat traps hired	65	117	142	90

Council currently has 13 traps available for hire by the community. All traps are out on loan at any one time unless council officers are undertaking community cat trapping program to reduce feral cat numbers in identified problem areas.

9.2 Legislation/Local Law overview

The Act regulates the dog and cat nuisance issues relating to noise, trespassing and wandering animals. In addition to the Act, the Local Law (No. 1 of 2018) helps to minimise nuisances occurring as outlined below.

9.3 Local Laws relating to nuisance

9.3.1 Local Law No. 1 of 2018 – Community Amenity & Local Laws Policies – Animal Housing / Excess Animal Permits

Local Law No. 1 of 2018 – Community Amenity (and the supporting Local Laws Policies) outlines the requirements for the keeping of animals in residential areas and restricts both the number and type of animals that a resident can keep on a residential property without a permit. (Refer Appendix 1).

This includes requirements regarding animal accommodation and the need for an owner or occupier of land to ensure that all animals on that land are housed in a clean, inoffensive and sanitary condition.

9.4 Council Policies for nuisance complaints

9.4.1 Barking Dogs

The Council has a standard operating procedure for barking dog complaints to ensure all complaints received are handled in the same consistent manner by all Authorised Officers. The procedure steps out the required processes involved to investigate the complaint, liaise with the dog owner and surrounding neighbours. This process also involves the requirement of the complainant to agree to attend the Magistrates' to give evidence of the alleged offence, as well as contacting the Dispute Settlement Centre Victoria in the first instance to attempt mediation prior to council involvement.

Where nuisances are found to be proven pursuant to section 32 of the Act, the Council can issue notices to the dog owner to abate the nuisance, issue infringements and/or have the matter heard in the Magistrate's Court to seek an order from the Court for the owner to abate the nuisance.

9.4.2.1 Cats and Dogs at large

The Community Compliance Team have developed a Domestic Animal Procedure for dealing with domestic animals found at large. In circumstances where repeat offences for roaming/trespassing cats/dogs are found and the issuing of infringements and relevant impound release fees have not encouraged the pet owner to adequately secure the cat or dog to its property, Council will consider withdrawing Infringements to instead pursue the matter in the Magistrates' Court. This can then result in a Court Order to require the owner to carry out works to ensure the animal is not able to escape from the owner's premises.

9.5 Current Education/Promotion Activities relating to nuisance animals

- Providing barking dog information kits.
- Providing information relating to building cat enclosures.
- Information provided on the Council's website.
- Promoting the state government's 'Who's for Cat's?' campaign.
- Providing information brochures from Department of Jobs, Precincts and Regions to the public.
- Articles in the Wangaratta Chronicle, Council website and social media.

- Encouraging the de-sexing of cats and dogs to reduce wandering and creating a nuisance.
- Encouraging dog owners to seek advice from professional dog trainers and trial barking dog citronella collars.

9.6 Current Compliance Activities relating to nuisance animals

- Investigating nuisance complaints in a timely manner to ensure minimal timeframes.
- Sending out barking dog formal complaint statements and barking dog log sheets with Statutory Declarations attached.
- Report outcomes of prosecutions when appropriate regarding each area of nuisance to local media to raise awareness in the community of the benefits of preventing dog and cat nuisance.
- Issuing notices to comply, notices of objection, infringements where necessary and taking the matter to the Magistrates' Court.
- Providing cat traps to residents.

9.7 Summary

In order to reduce animal nuisance problems in the community, the Council will continue promoting and providing education and compliance activities while striving to improve the activities and identify/trial new initiatives.

Council will continue the cat trapping program to ensure the program is promoted efficiently and provides assistance to residents and continue media releases relating to the Council's stance on compliance with nuisance type complaints.

9.8 Our Plans

9.8.1 Objective 1:

Investigate the feasibility of providing a formal, fenced 'off leash' areas for residents and visitors to the municipality.

Activity	When	Evaluation
Undertake feasibility activity (with community & stakeholders) to scope initiative	2018	Scoping/feasibility completed
Shape formal project submission for inclusion in council's 2018/2019 annual budget	2018	Project submission complete
Complete construction of dog park/off leash park	2019	Dog park established. Mitchell Avenue Reserve Dog Park opened in August 2019.
Monitor usage and ongoing community needs	Ongoing from 2019	Record usage data and monitor compliance (e.g. animal litter removal).

9.8.2.1 Objective 2:

Decrease the timeframe of barking dog investigations from point of lodgement to resolution.

Activity	When	Evaluation
Implement new Barking Dog Policy encouraging complainants to utilize external agencies (Dept. of Justice),	2018	Review complaints annually to evaluate percentage of complaints escalated to council.
Use barking dog Standard Operating Procedure (SOP) and revise annually.	Ongoing	Review complaints to ensure SOP's were followed.

10. DOG ATTACKS

10.1 Current data

Authorised Council Officers investigate dog attack reports thoroughly. Evidence pertaining to the incident is collated to formulate a prosecution brief. This includes taking statements from all parties involved, vet/medical reports, photographs and providing a summary with recommendations.

The brief is then reviewed by the Compliance Coordinator who makes further recommendations to the Manager Building, Planning and Compliance Services in order for the Council to decide on an appropriate course of action.

Possible courses of action Council can choose include:

- infringements (where non-serious injuries sustained);
- menacing/Dangerous Dog Declaration;
- prosecution in Magistrates' Court;
- seek destruction/compensation orders by Magistrates;
- seek surrender of attacking dog;
- seek mediation between parties; and
- obtain a letter of no complaint from the complainant to allow Officers to take no further action.

Where injuries have occurred to a person or another animal by a dog that is of a serious injury (as defined by the Domestic Animals Act 1994), the Council will strive to have the matter heard in the Magistrate's Court, where enough evidence is sufficient to form a prosecution.

Media releases of such results are also used to educate the community and promote responsible pet ownership. Animal registration fees include a subsidy to the State Government's Bureau of Animal Welfare, which help funds programs such as responsible pet ownership in schools, pre-schools, maternal health centres, hospitals and the 'We Are Family' programs.

10.2 Current Education/Promotion Activities

- Reporting outcomes of all dog attack prosecutions to local media to raise awareness in the community of the need to report dog attacks and the Council's action in relation to attacks to promote responsible pet ownership.
- Media releases relating to livestock attacks.
- Providing new residents with animal registration information.
- Promoting the effective confinement and control of dogs.
- Promoting the Bureau of Animal Welfare Responsible Pet Ownership (RPO) Schools Programs.
- Promoting puppy socialisation and obedience training.

10.3 Current Compliance Activities

- Investigating dog attacks thoroughly.
- Seizing and holding attacking dogs pending investigation/prosecution outcome.
- Providing an after-hours service to respond to reports of aggressive or attacking dogs.
- Prosecuting matters pursuant to the Domestic Animals Act 1994.
- Issuing infringements for wandering dogs.
- Issuing infringements for minor attacks where non serious injury sustained.
- Proactive declarations for Menacing or Dangerous Dogs.
- Seeking destruction Orders from Magistrates' Court where necessary.
- Seeking confinement Orders from Magistrates' Court for dogs continually found wandering or not confined to property.
- Proactive patrols of parks and streets for wandering dogs.
- Proactive patrols for guard dogs on non-residential premises.
- Recording data of reported dog attacks in the municipality.
- Seizing impounded dogs in circumstances where owners properties are believed to be unsecure, ensure dog can be secured prior release of the dog back to the owner.

10.4 Summary

The Rural City of Wangaratta will continue administering the Act and ensure compliance is met where any breach is detected.

10.5 Our Plans

10.5.1 Objective 1:

Provide targeted education and compliance campaigns in areas where data reporting shows higher numbers of dog attack incidents.

Activity	When	Evaluation
Collate and record data for dog attacks reported including, date/time, suburb, animal type, dog attack on animal/person, dog unsecured/off lead, dog unregistered, sex, entire/de-sexed.	Ongoing	Evaluate data annually to determine areas requiring specific education/compliance activities.
Initiate Education/Compliance Activities in the targeted areas to aim to reduce future incidents and to report roaming dogs etc. to prevent attacks occurring.	Annually	Evaluate this activity (and overall objective) by comparing number of dog attacks reported to council pre and post campaign.

10.5.2 Objective 2:

To minimise the incidence of dog attacks in the community

Activity	When	Evaluation
Providing proactive Education/Compliance Activities in the targeted areas of higher dog attack incidents. Educating key dog attack prevention messages (e.g. confinement of dogs to property, leash laws) through media articles, mail outs, website information. Actively patrol areas for roaming, unsecure and/or unregistered dogs.	Ongoing	Compare number of reported dog attack incidents pre and post campaign. Consider a community survey pre and post campaign, to measure any changes in knowledge about dog attack prevention. Record type and number of education materials distributed. Numbers of campaign patrols conducted. Number of media articles published.
Inform the community of outcomes of dog attacks prosecuted in Court.	Ongoing	As occurs.
Set key performance indicators for Officers to complete dog attack investigations within a 6 week timeframe.	Ongoing	Review complaints annually to evaluate percentage completed within timeframe.

10.5.3 Objective 3:

Implement the requirement to have all dogs on leash in public areas through amendments to Local Law No. 1 of 2018 and a adopt cat curfew.

Activity	Whe	Evaluation
Complete proposed changes to Local Law No. 1 of 2018 – Community Amenity	October 2020	Proposed changes to be provided to Corporate Management Team/CEO for approval.
Provide updated local law to Council for review/feedback.	December 2020	To be provided to Council for feedback
Proposed final draft to Council for public display/comment	January/ February 2021	Document on display for 28 days and submissions received
Amend document as required following feedback and send back to Council for final approval	March 2021	Changes approved as part of new local law.

11. DANGEROUS, MENACING AND RESTRICTED BREED DOGS

11.1 Current Situation - Declared Dogs currently registered within the municipality

The Rural City of Wangaratta has the following declared dogs currently registered within the municipality as at 10 June 2018:

Registered restricted breed dogs	0
Registered declared dangerous dogs	0
Registered declared menacing dogs	0

The Act defines restricted breed dogs as any one of the following breeds:

- Japanese Tosa
- Fila Brasileiro
- Dogo Argentino
- Perro de Prasa Canario (or Presa Canario)
- American Pit Bull Terrier (or Pit Bull Terrier)

Owners of restricted breed dogs are required to abide by specific regulations, in particular; secure enclosures, warning signs on premises, having the dog muzzled and on a lead at all times in public, as defined by the Act and the Domestic Animals Regulations 2005 (the Regulations).

Section 34A (a) of the Act states:

A dog is a dangerous dog if—

The dog is kept as a guard dog for the purpose of guarding non-residential premises.

As of August 2019 there are no officially registered “dangerous (guard) dogs” within the Rural City of Wangaratta however a routine inspection of local non-residential premises has revealed at least three (3) “guard” dogs that are currently registered with Council but not as the appropriate class of registration.

As of August 2019 there are no declared dangerous dogs in the municipality.

As per **Section 41A (1)** of the Act, a dog may be declared menacing if:

- (a) the dog has rushed at or chased a person; or
- (b) the dog bites any person or animal causing injury to that person or animal that is not in the nature of a serious injury.

The Council must register all dangerous/menacing/restricted breed dogs with the Victorian Dangerous Dog Register (VDDR). This is a database that records all declared dogs for all relevant parties to see. Any dangerous, menacing and restricted breed dog entered into the VDDR is declared for the life of the animal and cannot be revoked by the Council. Microchip registries are also updated.

11.2 Current Education/Promotion Activities

- Promoting the 'Dangerous Dog Hotline' (1300-101-080)
- Media releases relating to legislation/changes/updates
- Media releases relating to differences between Restricted Breed Dogs and Dangerous Dogs
- Providing information relating to declared, guard and menacing dogs.

11.3 Current Compliance Activities

- Ensuring all declared dogs are registered on the VDDR
- Regularly conducting inspections on premises housing declared dogs to ensure compliance
- Seizing dogs suspected of being Restricted Breed Dogs
- Dog declarations made where applicable
- Prosecution/Infringements issued for any determined breach
- Assessing suspected restricted breed dogs via the gazetted standard
- Flagging certain breeds from registration database for assessment.
- Conduct proactive patrols after hours for unregistered guard dogs (dangerous dogs)

11.4 Our Plans**11.4.1 Objective 1:**

Ensure declared dogs are compliant to relevant legislation and regulations.

Activity	When	Evaluation
Random property inspections of declared dogs to ensure compliance	Ongoing	Review checklists as occurs
Prosecute repeat offenders or serious breaches detected	As occurs	As occurs
After hours patrols for unregistered guard dogs in industrial areas	As occurs	As occurs
Educate the community about what is a declared dog	Ongoing	Review complaints received

11.4.2 Objective 2:

Flag certain breeds on registration database for restricted breed assessment.

Activity	When	Evaluation
Assess certain breeds with the gazetted standard for potential restricted breed dogs	Ongoing	Number of Restricted Breeds Declared from registration database
Cross reference microchip database information for potential restricted breed dogs requiring assessment	2018/19	Number of declarations compared to number of assessments

12. Overpopulation and High Euthanasia

12.1 Current Situation

Category	2016	2017	2018
Dogs			
Brought in by Council	276	213	218
Brought in by public	102	83	103
Adopted for the year	90	66	57
Euthanised for the year	35	28	23
Reclaimed for the year	242	198	197

Category	2016	2017	2018
Cats			
Brought in by council	206	184	256
Brought in by public	254	286	265
Adopted for the year	154	222	212
Euthanised for the year	224	154	157
Reclaimed for the year	47	48	66

As per the previous table, Council is currently in a positive position in relation to euthanasia rates of animals when compared to other large provincial councils, especially dogs. While cat euthanasia rates are slightly higher than the average, the percentage of cats euthanised will continue to be relatively high due to the amount of stray and/or feral cat population which breed out of human control.

Dog euthanasia rates are particularly low due to high rates of dogs being returned to owners and successful re-homing rates. Over the last 3 years there has been a significant rise in the rate of dogs being returned to owners due to more identifiable dogs being impounded such as being micro-chipped and/or wearing Council identification. The increased rate of micro-chipped dogs is mainly due to the amendment to the Domestic Animals Act 1994 in 2007, which required all newly registered cats and dogs to be micro-chipped. In addition, the RSPCA (who manage Council's pound) has a successful re-homing program with cats and dogs.

12.2 Current Education/Promotion Activities

- Promoting benefits of de-sexing to decrease wandering animals
- Promoting 'Who's for cats?' campaign
- Promoting appropriate pet selection for the owner and accommodation
- Promoting cat enclosures and build your own cat enclosures.

12.3 Current Compliance Activities

- Cat trapping program - traps are available to all residents within the Municipality and are delivered and collected by the Council staff free of charge
- Enforcement of current Legislation in relation to Cats found trespassing
- Investigating unregistered breeding establishments
- Micro-chipping all unregistered impounded animals prior to release to the owner
- Enforcing the Local Laws relating to prescribed number of animals on a property.

12.4 Our Plans

12.4.1 Objective 1:

Continue encouraging de-sexing of animals. The below activities are expected to commence in the 2019/20 pet registration cycle.

Activity	When	Evaluation
Discount registration fees for cats and dogs that are de-sexed to encourage registration of animals over 6 months of age.	Ongoing	Number of new animals registered in category yearly

12.4.2 Objective 2:

Identify illegally operated Domestic Animal Breeding (DAB) Establishments in the municipality and ensure compliance and/or close down.

Activity	When	Evaluation
Media campaigns to raise awareness of DAB definition and code of practices that must be adhered to.	Ongoing	Evaluate number of complaints received and properties identified during inspection or otherwise.
Investigate advertisements of pets for sale	Ongoing	Mandatory micro chipping of animals from breeding establishments
Audit DAB randomly to ensure compliance.	Ongoing	Number of audits compared to number of follow ups required

13. DOMESTIC ANIMAL BUSINESSES

13.1 Current data

In Victoria, the Domestic Animals Act 1994 defines Domestic Animal Businesses as any of the following:

- (a) an animal shelter, Council pound or pet shop; or
- (b) an enterprise which carries out the breeding of dogs (other than GRV greyhounds) to sell, if the enterprise has 3 or more fertile female dogs and the proprietor is not a recreational breeder; or
- (c) an enterprise which carries out the breeding of cats to sell, if the enterprise has 3 or more fertile female cats and the proprietor is not a recreational breeder; or
- (d) an enterprise which trains or boards dogs (other than GRV greyhounds) or cats for the purpose of profit; or
- (e) an enterprise which rears or keeps dogs (other than GRV greyhounds) or cats—
 - i. for the purpose of profit or sale; or
 - ii. for a fee or for exchange of services;

There are currently 8 registered domestic animal businesses within the municipality as at 2018, these include 2 pet shop/s, 3 boarding establishments, 2 breeding establishments and Council's contracted animal pound/shelter, namely the RSPCA Wangaratta.

The RSPCA manage the Council pound in Wangaratta, this contract has recently been reviewed and the relevant specifications and the terms revised and amended.

Registered domestic animal businesses are audited both randomly and on receipt of complaints.

The Council actively investigates the presence of animal businesses to ensure compliance with the relevant codes of practice and legislation.

13.2 Current Education/Promotion Activities

- Providing information to registered domestic animal businesses
- Promoting Department of Jobs, Precincts and Regions information and codes of practices
- Advertising new legislation amendments.

13.3 Current Compliance Activities

- Annual audits
- Random audits during peak seasons for particular businesses
- Investigating reports
- Monitoring advertising sites
- Renewal / Registration process
- Inspecting suspected unregistered domestic animal businesses
- Liaising with planning department to ensure planning conditions are adhered too.
- RSPCA Inspector

13.3.1 Objective 1:

Ensure domestic animal businesses are compliant with relevant legislation and codes of practice.

Activity	When	Evaluation
Monitor the Council's registration database for owners with more than 3 fertile females.	Ongoing	Compliance with local laws and related legislation.
Encourage de-sexing of animals by reducing registration fees for de-sexed animals.	Ongoing	Relevant registration accepted.
Conduct searches for unregistered domestic animal businesses via internet/media/newspapers.	Ongoing	Relevant action taken.

14. ANNUAL REVIEW OF "PLAN" AND ANNUAL REPORTING

As per 68A(3) of the Act, the Council will review its Domestic Animal Management Plan annually to assess whether any amendments are necessary in order to ensure the Plan is relevant and can be completed within the required timeframes.

In the final year of the Plan (2021), the Council will undertake a major review and prepare the next domestic animal management Plan for the 2022 – 2025 period.

APPENDIX 1 – Local Law 1 of 2018**PART G – ANIMAL MANAGEMENT****48. LIMITS ON NUMBER OF ANIMALS KEPT**

48.1 An Owner or Occupier of any land in a Residential Area or a Commercial Area must not, without a Permit, keep or allow to be kept more than three (3) different types of Animals, as listed in Table 1 in this Clause 48, at any time.

48.2 Clause 48.1 does not apply to:

- 48.2.1 an Animal Shelter owned or contracted by Council;
- 48.2.2 a registered Animal Hospital or Veterinary Surgeon Practice;
- 48.2.3 any Animal keeping permitted by the Municipal Planning Scheme; or
- 48.2.4 any Animal in respect of which a Permit has been issued by another public authority.

48.3 In addition to the limitations imposed by Clause 48.1, an Owner or Occupier of any land in a Residential Area or Commercial Area must not:

- 48.3.1 without a permit, keep or allow to be kept any more in number for each type of Animal than is set out in Table 1 in this Clause 48, according to the applicable land size; and
- 48.3.2 keep or allow to be kept any type of Animal that is designated 'Prohibited' in Table 1 in this Clause 48, according to the applicable land size.

TABLE 1

Type of Animal	Land Size (m2)		
	0-999	1000-3999	4000 and over
Dogs	2	2	2
Cats	2	2	2
Poultry (except Roosters)	3	10	10
Roosters	Prohibited	Prohibited	0
Domestic Birds	5	10	20
Domestic Rabbits	2	4	4
Horse/Donkey or similar	Prohibited	0	1 per 4,000m ²
Cattle	Prohibited	0	1 per 4,000m ²
Sheep	Prohibited	2	2 per 4,000m ²
Goats	Prohibited	2	2 per 4,000m ²
Pigs	Prohibited	Prohibited	1 per 4,000m ²
Other agricultural Animals	Prohibited	2	2 per 4,000m ²
Pigeons	0	0	0
Reptiles	5	5	5

PENALTY: MAXIMUM TWENTY (20) PENALTY UNITS**49. REMOVAL OF ANIMAL FAECES****49.1** A person in charge of an Animal must:

- 49.1.1 remove any of that Animal's faeces that is deposited on any Road or Council Land or land owned or occupied by another person; and
- 49.1.2 dispose of the Animal's faeces in a manner which does not cause any nuisance or health hazard to any person or detriment to the environment.
- 49.2 A person in charge of an Animal on any Road or Council Land must carry a Litter Device suitable to clean up any faeces left by any Animal under his or her care or control and must produce such device upon being requested to do so by an Authorised Officer.

PENALTY: MAXIMUM TWENTY (20) PENALTY UNITS**50. ANIMAL HOUSING****50.1** The owner of an Animal and the Owner or Occupier of the land on which the Animal is housed must ensure that:

- 50.1.1 the animal housing is kept in a clean and sanitary condition to the satisfaction of an Authorised Officer;
- 50.1.2 the size of the enclosure or other form of housing is adequate to house the number of animals;
- 50.1.3 the animal housing meets the welfare needs of the Animal;
- 50.1.4 the animal housing is maintained in good repair so as to not cause nuisance to neighbouring premises;
- 50.1.5 the animal housing is constructed to prevent wastewater from entering into the stormwater system or discharging to adjoining premises; and
- 50.1.6 the land surrounding the animal housing is kept clear of materials which may harbour vermin.

PENALTY: MAXIMUM TWENTY (20) PENALTY UNITS**51. PROVISION OF EFFECTIVE FENCING TO CONTAIN ANIMALS**

The owner of an Animal and/or Livestock and the Owner of the land upon which that Animal is kept must ensure that the land is adequately fenced so as to prevent any and all Animals and/or Livestock being kept on the land from escaping from that land and straying onto any Council Land or Road or otherwise being at large.

PENALTY: MAXIMUM TWENTY (20) PENALTY UNITS

52. POWER TO IMPOUND ADDITIONAL ANIMALS

Where a Magistrate has found a person to be in breach of Clause 48 and a Permit for additional Animals has not been granted, Council may enter the land on which the Animals are being kept and seize and dispose of any Animals being kept on land in breach of Clause 48 for the purpose of sale, re-homing or destruction.

PinApp19/162 – Recommended Permit Conditions

1. Prior to the commencement of the approved use and/or development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Screen planting of evergreen vegetation with a minimum mature height of 3 metres which obscures the site area from Wangaratta-Whitfield Road and Oxley-Greta West Road to the satisfaction of the Responsible Authority.
2. The use and development as shown on the endorsed plan(s) must not be altered or modified except with the prior written consent of the Responsible Authority.
3. Prior to the commencement of the approved use a Dust Management Plan must be submitted to and approved by the Responsible Authority. When approved the Dust Management Plan will be endorsed and will then form part of the permit. The Dust Management Plan must satisfy the Responsible Authority that the use will not cause unacceptable amenity impacts to nearby land as a result of dust. The Dust Management Plan must include at a minimum:
 - a) Processes for loading and unloading of fertiliser materials;
 - b) Measures for minimising the generation of dust from vehicle movements; and
 - c) Measures for preventing any dust generated from affecting nearby land.
4. Within three (3) months of the date of this permit all screen planting shown on the endorsed plans must be planted to the satisfaction of the Responsible Authority.
5. All screen planting shown on the endorsed plans must be maintained and where necessary renewed and replaced to the satisfaction of the Responsible Authority.
6. All external lighting installed on the site must be to the satisfaction of the Responsible Authority. All such lighting must be fitted with suitable shields and baffles so that no direct light is emitted which causes a nuisance to adjoining properties or a danger to road users.
7. Prior to the commencement of the approved use all other signage other than signage approved by this permit must be removed.
8. The following activities are not permitted to be carried out on public holidays or at any other time except between the hours of 7am – 6pm Monday to Saturday and Sunday 10am – 6pm:
 - a) Loading and unloading of vehicles;
 - b) Operation of mechanical auger; and
 - c) Maintenance of vehicles involving engine noise.
9. A maximum of 300 tonnes of fertiliser materials may be stored on the subject land at any one time.

Mandatory Bushfire Condition

10. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Technical Services Conditions - General

11. Plans and specifications must be prepared at the permit holder's expense by a qualified engineer and approved by the Responsible Authority before construction begins. The Authority will only approve plans and specifications complying with the current edition of the Local Government Infrastructure Design Association's **Infrastructure Design Manual (IDM)**, and drawn in AutoCAD or equivalent.

The permit holder must complete full construction of all new access ways, parking areas, drainage and related infrastructure. All works must conform to plans and specifications approved by the Responsible Authority.

Technical Services Conditions - Drainage

12. Prior to the commencement of the use the permit holder must satisfy the Responsible Authority that:
 - a) All stormwater runoff originating from or transferred through the subject property in a 10% Annual Exceedance Probability (AEP) rainfall event will either be retained on the property or be collected and conveyed by underground pipes or open channels to a legal point of discharge;
 - b) In a 1%A AEP rainfall event all stormwater runoff will be collected and conveyed to a satisfactory destination, without adversely affecting any person, infrastructure or natural features in or beyond the property;
 - c) When permission has been granted for stormwater from all or part of the subject property to be discharge directly to an adjacent waterway, effective measures must be taken to prevent backflow from the waterway during a 1% AEP flood event;
 - d) All reasonable measures have been taken to prevent solid or liquid contaminants from entering the external drainage network; and
 - e) No part of any open channel conveying stormwater from or through the developed site passes through the zone of influence of an effluent disposal field.
13. Before drainage construction begins, plans and computations, prepared according to IDM procedures and criteria, must be submitted to the Responsible Authority for approval.

Technical Services Conditions – Property Access

14. Prior to the commencement of the use the permit holder must satisfy the Responsible Authority that, unless otherwise agreed by the Authority:
- a) A vehicle crossing providing the subject property with safe and convenient access to and from a suitable public road has been designed, constructed, sealed and drained according to IDM standards to accommodate vehicles up to and including a maximum length and weight agreed by the Authority;
 - b) Vehicles can enter and leave the property while travelling only in a forward direction;
 - c) Sufficient parking for all normal levels of activity for the subject property have been provided within the property; and
 - d) All loading and unloading will take place within the property.

Technical Services Conditions - Construction

15. Before construction begins and during construction effective measures consistent with the Plan must be taken to
- a) Secure occupational health and safety;
 - b) Locate any existing underground services;
 - c) Implement effective traffic management and environmental controls;
 - d) Establish and maintain safe construction vehicle access to the site;
 - e) Maintain vehicle and machinery hygiene;
 - f) Avoid the spread of soil-borne pathogens and weeds;
 - g) Minimise erosion, sedimentation and contamination;
 - h) Reduce the impact of noise, dust and other emissions;
 - i) Prevent mud, dirt, sand, soil, clay or stones from entering the drainage system;
 - j) Avoid having such materials deposited on public land by construction vehicles; and
 - k) Establish and maintain all recommended Tree Protection Zones.
16. No excavated or construction materials may be placed or stored outside the site area or on adjoining road reserves or nature strips.
17. No tree may be removed, except for trees clearly designated for removal in the approved plans, except with the prior written agreement of the Responsible Authority.
18. Prior to the commencement of the use, all areas disturbed in the course of works must be restored to their original condition, to the satisfaction of the Responsible Authority.

Goulburn Murray Water Conditions

19. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

20. Product stockpiles must be located on impervious surfaces within bunded areas.
21. A minimum 30 metre wide buffer strip of native vegetation must be maintained and enhanced along the western side of Factory Creek that runs along the eastern boundary of the subject land. Stock must be prevented from having access to this area.

North East Catchment Management Authority Conditions

22. The storage bunkers shall be oriented with their openings facing toward the north-east with all vehicle access to be from existing hardstand area to the north (as shown on Oxley+Co "Development Site Plan", V4, 23/9/2019).
23. The western-most of the existing bunkers shall be relocated to the eastern end of the existing bunkers (as shown on Oxley+Co "Development Site Plan", V4, 23/9/2019).
24. Fill placed on land immediately to the south and west of the amended bunker location (Oxley+Co "Development Site Plan", V4, 23/9/2019) shall be removed and the site restored to pre-works level.
25. This permit will expire if one of the following applies:
 - a) The development is not commenced within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.
 - c) The use is not commenced within four years of the date of this permit.
 - d) If commenced within four years, the use is then discontinued for a period of two or more years.

The Responsible Authority may extend the date specified under part a) or c) if a request is made in writing before the Permit expires, or within six months afterwards. The Responsible Authority may extend the date specified under part b) if a request is made in writing before the Permit expires, or within twelve months afterwards.

Notes:

- Before undertaking any works that cross onto public land or roads, the permit holder must obtain a Consent to Work Within Road Reserve permit from the relevant authority.



Page 1 of 1



Page 1 of 1



Item Attachment

Item Attachment

File: F16/2117



Assembly of Councillors

Date: November 12, 2019

Meeting: Wangaratta Economic Development & Tourism Advisory Committee

&

Agriculture & Agribusiness Advisory Committee

Commenced: 5:30 pm

Councillors:

	Present	Absent
Cr Dean Rees - Mayor	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Mark Currie – Deputy Mayor	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Harry Bussell	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr David Fuller	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Harvey Benton	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Officers:

Brendan McGrath – CEO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Swart – DDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Celeste Brockwell – MSG&E	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Janine Rolles- CED&T	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rachael Richards – EDPO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Travis Vincent – BIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kate Clark – EDO (minutes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Apologies: Cr. Dean Rees, Cr. Currie, Cr. Dave Fuller, Cr. Harry Bussell, Janine Rolles, Jane Carney

Independent Presenters: Jaime Chubb (RCOW Director of Community Wellbeing)

Presented item 1 (as below) and left the meeting following.

Conflict Of Interest Disclosure: (Left the room – Returned): N/A

Matters Considered:

1. Brand Marketing Strategy Update
2. Water Supply & Security – RCOW & Surrounds

Meeting Closed at: 7:08pm

Sub Folder S19/261



Assembly of Councillors

Date: 13 November 2019

Meeting: Place Naming Committee

Commenced: 10.00am

Councillors:

Cr Ken Clarke

Present**Absent****Executive Team:**

Alan Clark – DIS

**Independent Presenters:**

Conflict of interest: Nil.

Matters Considered:

- Naming of laneways in the CBD
- Naming of roads in growth area developments
- Naming of new bridge at Cruse Street, Wangaratta
- Renaming of Tresize Street, Eldorado
- Request for plaque (McCormack family)
- Confirm meeting dates for 2020

Sub Folder S18/249



Assembly of Councillors

Date: 18 November 2019

Meeting: Briefing Forum

Commenced: 2pm

Councillors:

	Present	Absent
Cr Dean Rees - Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Mark Currie – Deputy Mayor	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Harry Bussell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Ken Clarke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dave Fuller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Harvey Benton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Ashlee Fitzpatrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Executive Team:

Brendan McGrath – CEO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alan Clark – DIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jaime Chubb – DCW	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sarah Brindley – DCS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Swart– DDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Independent Presenters:

Marsha McMonigle – Technical services Coordinator, Brad Gill – Projects & Recreation Coordinator, Ben Thomas – Manager Community & Recreation, Heather Redmond – Chair (Friends of Lacluta), Karen Jones (Friends of Lacluta), Elisha Naish – Event Attraction Coordinator, Rod Mann, Peter Adams, Leanne Mulcahy (Members of Jazz Board), Anthony Smith – Manager Finance, Brendan McGrath, Jaime Chubb – Director Community & Wellbeing.

Conflict of interest: N/A

Matters Considered:

- 6.1 CAPEX Reporting
- 6.2 Walking & Cycling Strategy
- 6.3 Friends of Lacluta
- 6.5 Jazz Festival
- 6.6 2020/21 Draft Capital Projects
- 6.7 Confidential Paper
- 6.8 Max Parkinson Lodge Transfer
- 6.9 Monthly Status Reports
- 6.10 General Business
- 6.11 Review Briefing Forum Actions
- 6.12 CEO & Councillor Only Business

Sub Folder S18/249



Assembly of Councillors

Date: 19th November 2019

Meeting: Pre Council Meeting Discussion

Commenced: 5:00pm

Councillors:

Cr Dean Rees - Mayor
Cr Mark Currie – Deputy Mayor
Cr Harry Bussell
Cr Ken Clarke
Cr Dave Fuller
Cr Harvey Benton
Cr Ashlee Fitzpatrick

Present

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Absent

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Executive Team:

Brendan McGrath – CEO
Alan Clark – DIS
Jaime Chubb – DCW
Sarah Brindley – DCS
Stephen Swart– DDS

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Officers: N/A

Apologies: N/A

Presenters: N/A

Conflict of interest: N/A

Sub Folder S18/249



Assembly of Councillors

Date: 25 November 2019

Meeting: Briefing Forum

Commenced: 3pm

Councillors:

	Present	Absent
Cr Dean Rees - Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Mark Currie	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Harry Bussell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Ken Clarke	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Dave Fuller – Deputy Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Harvey Benton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Ashlee Fitzpatrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Executive Team:

Brendan McGrath – CEO	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alan Clark – DIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jaime Chubb – DCW	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sarah Brindley – DCS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Stephen Swart– DDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Anthony Smith – Manager Finance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ben Thomas – Manager Community & Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Independent Presenters:

Marcus Goonan – Manager Infrastructure Planning & Delivery, Jamie Reid – Manager Field Services, External Presenters: Irene Grant and Robin Guiney.

Conflict of interest:

N/A

Matters Considered:

- 6.1 Monthly Manager Report
- 6.2 Ovens & Murray Regional Partnerships Briefing
- 6.3 Fleet Vehicle Leasing
- 6.4 Railway Precinct Enhancement Project
- 6.5 Sisely Avenue & Swan Street Intersection Upgrade
- 6.7 General Business
- 6.8 Review Briefing Forum Actions

Sub Folder S18/249



Assembly of Councillors

Date: 2 December 2019

Meeting: Briefing Forum

Commenced: 2pm

Councillors:

	Present	Absent
Cr Dean Rees - Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Mark Currie – Deputy Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Harry Bussell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Ken Clarke	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dave Fuller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Harvey Benton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Ashlee Fitzpatrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Executive Team:

Brendan McGrath – CEO	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Alan Clark – DIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jaime Chubb – DCW	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sarah Brindley – DCS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Swart– DDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Independent Presenters:

Kelly Timms - Events Team Leader, Jack Pickering – Planner, Clare Cowdery Manager Building Planning & Compliance, Meghan Kelly – Strategy Planner, Justin Britt – Strategy Planner, Celeste Brockwell – Manager Economic Development, Environment & Strategy, Sarah Brindley – Director Corporate Services.

Conflict of interest:

Penny Hargrave – 6.5

Matters Considered:

- 6.1 Cemetery Trust meeting
- 6.2 Australia Day awards – Summary of Results
- 6.3 Rural Australia Day Ceremonies
- 6.4 Planning Permit Application PLNAPP19/162 Trade Supplies & Signage 49 Oxley-Greta West Road Oxley
- 6.5 Planning Scheme Amendment C77 – Wangaratta Aerodrome
- 6.7 Wangaratta Planning Scheme Municipal Strategic Statement & Local Planning Policy Translation by DELWP
- 6.8 2019/20 Mid Year Budget Review
- 6.9 General Business
- 6.10 Review Briefing Forum Actions

Sub Folder S18/249

6.11 Revised Logo Feedback Presentation



**Economic Development & Tourism
Advisory Committee Meeting**
*Also present – Agriculture & Agribusiness
Committee*

62-66 Ovens Street
PO Box 238
Wangaratta 3676
Telephone (03) 5722 0888
Fax: (03) 5721 9526
E-mail: council@wangaratta.vic.gov.au

5:30pm Tuesday, November 12 2019
Ovens Room, Wangaratta Government Centre
62 Ovens Street Wangaratta

DRAFT MINUTES

File No: F16/844

1.	<p>WEDTAC COMMITTEE: John Joyce, Jamie Ramage, Ilena Young, Elizabeth Ellis, Robert Floyd, Stephen Oxley, Simon Frazer, Christine Haddrick</p> <p>AAAC COMMITTEE: Cr. Harvey Benton, Rosey Bennett, Graeme Norman, Geoff Bussell, Leon Carter, Lachlan Campbell, Bill Wilson</p> <p>Guests: Jaime Chubb (Director of Community Wellbeing)</p> <p>NON VOTING: Brendan McGrath, Stephen Swart, Celeste Brockwell, Travis Vincent, Kate Clark (minutes)</p>				
2.	<p>APOLOGIES WEDTAC- Cr. Dean Rees, Cr. Currie, Cr. Dave Fuller, Cr. Harry Bussell, Janine Rolles</p> <p>AAAC - Jane Carney</p> <p>Moved: Robert Seconded: Elizabeth</p>				
3.	<table border="1"> <tr> <td data-bbox="392 925 1064 997">CONFLICT OF INTEREST DECLARATIONS</td><td data-bbox="1064 925 1850 997">N/A</td></tr> </table>	CONFLICT OF INTEREST DECLARATIONS	N/A		
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4.	<table border="1"> <tr> <td data-bbox="392 997 1064 1264" rowspan="3">MINUTES OF PREVIOUS MEETINGS</td><td data-bbox="1064 997 1850 1093"> <p>WEDTAC RECOMMENDATION: <i>That the minutes of the meeting held on Tuesday, October 1, 2019 be confirmed as a true and accurate record of the proceedings of the meeting.</i></p> </td></tr> <tr> <td data-bbox="1064 1093 1850 1141"> <p>WEDTAC Moved: Robert Seconded: Elizabeth</p> </td></tr> <tr> <td data-bbox="1064 1141 1850 1264"> <p>AAAC RECOMMENDATION: <i>That the minutes of the meeting held on Tuesday, September 24, 2019 be confirmed as a true and accurate record of the proceedings of the meeting.</i></p> <p>AAAC Moved: Graham Seconded: Rosie</p> </td></tr> </table>	MINUTES OF PREVIOUS MEETINGS	<p>WEDTAC RECOMMENDATION: <i>That the minutes of the meeting held on Tuesday, October 1, 2019 be confirmed as a true and accurate record of the proceedings of the meeting.</i></p>	<p>WEDTAC Moved: Robert Seconded: Elizabeth</p>	<p>AAAC RECOMMENDATION: <i>That the minutes of the meeting held on Tuesday, September 24, 2019 be confirmed as a true and accurate record of the proceedings of the meeting.</i></p> <p>AAAC Moved: Graham Seconded: Rosie</p>
MINUTES OF PREVIOUS MEETINGS	<p>WEDTAC RECOMMENDATION: <i>That the minutes of the meeting held on Tuesday, October 1, 2019 be confirmed as a true and accurate record of the proceedings of the meeting.</i></p>				
	<p>WEDTAC Moved: Robert Seconded: Elizabeth</p>				
	<p>AAAC RECOMMENDATION: <i>That the minutes of the meeting held on Tuesday, September 24, 2019 be confirmed as a true and accurate record of the proceedings of the meeting.</i></p> <p>AAAC Moved: Graham Seconded: Rosie</p>				



**Economic Development & Tourism
Advisory Committee Meeting**
*Also present – Agriculture & Agribusiness
Committee*

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5.1	<p>Brand Marketing Strategy – Fixed Item Presentation from RCOW Director of Community Wellbeing, Jaime Chubb.</p>	<p>Jaime presented to the group the updated Rural City of Wangaratta Brand and Marketing Strategy.</p> <p>The reasoning for the strategy was explained - our population growth is lower than the state average, investment attraction, families looking for a tree-change, increased visitation etc.</p> <p>At this stage it is an awareness campaign to showcase all our offerings, along with call to actions – Visit, Stay & Build</p> <p>The group were presented with brand concepts and were encouraged to submit feedback (Do you feel this is representative of our town? How we should be visually represented? Etc.)</p> <p>The plan moving forward is to go to key stakeholders and advisory committees before briefing councillors at the December meeting with recommendations.</p> <p>John suggested that each committee reflect and think about the concepts, and for feedback to be emailed through to Kate and Rachael before Friday, November 15.</p>
5.2	<p>Water Supply and Security – RCOW & Surrounds</p>	<p>The committees discussed what they perceived as the current major water issues in our municipality.</p> <p>John shared an anecdote with the committees about a friend that has water rights within our municipality but does not draw any water.</p>



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	<p>Cr. Benton explained that council, as it currently sits has no stance on water security. He explained that growth is on the way (residential and business) and we need to plan for that. We cannot be complacent about this.</p> <p>Titles that have water rights attached are often paid for knowing the rain falls on that land but the owner is only entitled to 10% of that water.</p> <p>Water cannot be traded outside the zones either which is often a selling point for our region.</p> <p>The question was posed if there is a risk in letting people sell their licenses?</p> <p>At the moment data is a real issue - people do not disclose who needs a license or who has a license for what.</p> <p>Graham - I would be against trading our water rights outside of the municipality. The problem is quite a few licenses are owned by elderly people who don't have the physical capabilities to do anything with them.</p> <p>John- there needs to be a position taken by council to go to ministers with. My advice to council would be to present a succinct argument to which outcomes they want to see. Our position as the AAAC and WEDTAC should be to support council in their argument.</p> <p>The whole of the North East area uses a small amount of the water going out of the river (only 30% of our water rights were used last year</p>
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		<p>in Agriculture). There are industries (i.e. nut growers) out there looking for water and wanting a lot of it. Having the water there is a great story and value adding to potential investors.</p> <p>Lachlan provided a good deal of data in relation to the current and future water situation in the Ovens & King catchments and encouraged the groups to develop a strong data base to assist Council in its decisions regarding water security and use into the future.</p> <p>Lachlan –By 2030 it looks like we will produce 20% less water yield, and 30% by 2050- the market is slowly coming to terms with this.</p> <p>Ilana asked if it was worthwhile thinking collaboratively - bringing data together with our neighbours and taking a combined stance?</p> <p>Harvey explained that the Murray Darling Association work in this space, but from meeting minutes it is hard to ascertain their stance.</p> <p>It was reiterated that council should protect our water security/it is of the upmost importance and a factor that will spur growth in the region. It was raised that it should be part of our sales suite to give potential investors access to the data about what their water rights will be.</p> <p>Our approach should be to approach the key players and try to understand what information is available and to pull it together in a simple format to use for economic development and promotion. It was suggested that Kerry Murphy (TAFCO) is one of these key players.</p>
6.0		1) Collaboration between committees (AAAC & WEDTAC):



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	BUSINESS ARISING	<p>It was decided that Harvey and John to keep liaising on behalf of the two committees.</p> <p>2) Robert Floyd raised a question about State Government reducing Landcare Funding for local representatives. The RCOW actively encourage these representatives to apply for grants that come out that support these kind of positions. As for State funding being reduced this will need to be confirmed.</p> <p>3) Rachael advised the group that <i>Look over the Farm Gate</i> in conjunction to the <i>Victorian Farmers Federation</i> is hosting another complimentary dinner at the Springhurst Community Hall for drought effected farmers in the region. Friday, November 22 from 5pm with dinner at 7pm. Family friendly with kids activities. Please push out to your networks.</p>
7.0	NEXT MEETING	<p>WEDTAC - Our next meeting will be held on Tuesday, December 3 at 5:30pm</p> <p>AAAC- Our next meeting date is TBC</p>
8.0	MEETING CLOSED	<p>There being no further business, the meeting closed at 7:08pm.</p>



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PLACE NAMING COMMITTEE MEETING
Wednesay 13 November 2019
Warby Room, Wangaratta Government Centre @ 10.00am

MINUTES

File No: S19/731

1.	PRESENT <i>Cr Ken Clarke OAM (Chair), Alan Clark, Neil Ottaway, Julie Allen, Margaret Pullen, Ben Watts, Jon Steele, Gillian Williamson, Stephen Firms, Sandra Dalton</i>	
2.	APOLOGIES <i>Beryl Bellis (apology received after the meeting – no motion)</i>	MOTION: <i>That apologies be accepted</i> Moved: Seconded:
3.	CONFLICT OF INTEREST DECLARATIONS	<i>Nil.</i>
4.	MINUTES OF PREVIOUS MEETING (previously circulated)	MOTION: <i>That the minutes of the meeting held on 13 August 2019 be confirmed as a true and accurate record of the proceedings of the meeting.</i> Moved: Julie Allen Seconded: Margaret Pullen <div style="text-align: right;">Carried</div>
5.	BUSINESS ARISING	
5.1	Naming of laneways in the CBD – request for naming of Carpark No. 2 laneways.	21 laneways to be named. Julie Allen suggested using old Hotel names that would enable linking to the locations as per the Naming Rules. On hold pending consideration of overall vision for Council owned laneways in the CBD.
5.2	Naming of roads in growth area developments.	Number of roads unknown at this time. Alan suggested that seeking theme ideas from the public might assist the committee to come up with a list of names.



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	<p>MOTION: <i>That officers advertise seeking road naming theme ideas from the public.</i> Moved: Ben Watts Seconded: Neil Ottaway</p> <p style="text-align: right;">Carried</p>
5.3 Naming of new bridge at Cruse Street, Wangaratta	Letter sent to Bill Carile, Chairperson of the Turf Club – awaiting reply. <i>Ben to follow up with his contact at the Turf Club.</i>
5.4 Renaming of Tresize Street, Eldorado	<i>Report going to 19 November 2019 Council meeting for advertising of intention to rename the road to correct spelling.</i>
6. NEW BUSINESS	
6.1 Request from McCormack family to have a plaque placed at McCormack Bridge advising who the bridge is named after.	<p>The Committee considered the request against the Commemorative Plaques and Other Markers Policy. Decision is that the request does not meet the Policy requirements and the McCormack brothers have been recognised through the naming of the bridge.</p> <p>MOTION: <i>Advise the family of the Committee's decision.</i> Moved: Andy Kimber Seconded: Margaret Pullen</p> <p style="text-align: right;">Carried</p>
6.2 Request to provide formal recognition to retiring members for their work on the Committee since its inception in 2008.	A letter to be sent to retiring members recognising their contribution to the Committee.
7. OTHER BUSINESS (not listed on the agenda)	
Confirm meeting dates for 2020 – 2 nd Wednesday of each quarter	<p>Wednesday 12 February 2020 Wednesday 13 May 2020 Wednesday 12 August 2020 Wednesday 11 November 2020 <i>Meeting dates confirmed.</i></p>
8. NEXT MEETING: Wednesday 12 February 2019 @ 10.00am, Wangaratta Government Centre	