

Agenda

For the Ordinary Council Meeting

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

Date: Tuesday, 25 February 2020

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

RECOMMENDATION:

THAT MAYOR DEAN REES BE GRANTED LEAVE OF ABSENCE FOR THE PERIOD MONDAY 15 JUNE 2020 TO SUNDAY 2 AUGUST 2020.

ORDER OF BUSINESS

6. CITIZEN CEREMONY

7. CONFIRMATION OF MINUTES

RECOMMENDATION:

That Council read and confirm the Minutes of the Ordinary Meeting of 10 December 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**10. HEARING OF DEPUTATIONS****PRESENTATION OF REPORTS****11. COUNCILLOR REPORTS**

Nil

OFFICERS' REPORTS**12. EXECUTIVE SERVICES**

Nil

13. CORPORATE SERVICES

13.1 QUARTERLY FINANCE REPORT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Manager Finance
File No: IC19/1170

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 quarterly progress report on its financial performance for the period ending 31 December 2019 for the 2019/20 financial year.

RECOMMENDATION:

That Council:

- 1. Notes the Quarterly Finance Report for the period ending 31 December 2019.***
- 2. Notes the Councillor Expense reporting for the period ending 31 December 2019 and that this information is available on Council's website.***

Background

The Quarterly Finance Report is a statutory requirement under the Local Government Act 1989. Council has completed its second quarter financial reporting process to manage and monitor its financial position against the annual budget.

Implications

Policy Considerations

The Councillor Support Policy 2016, Part 5 - Councillor Expense Reporting requires a report on a quarterly basis of individual Councillor support expenses to be presented to Council. The policy states:

68 Quarterly Reporting

(1) In the interests of accountability and transparency, all expenses or costs paid by Council on behalf of Councillors or reimbursed to Councillors will be publicly reported to Council on a quarterly basis. This will include quarterly and annual cumulative details of individual support expenses for items including—

- (a) Travel;
- (b) Child Care/Family Care;
- (c) Conferences, Seminars, Training;
- (d) Individual Memberships;
- (e) Mobile Phone and Tablet (including replacement costs – unless faulty);
- (f) Events; and
- (g) Photocopying.

(2) This information will also be made available on Council's website for the current term of office.

Councillor Support expenses for October – December 2019 (Quarter 2), are included as attachment 1 to this report.

Financial/Economic Implications

The Annual Budget projected a surplus of \$3.678 million.

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 in December 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.

In December 2019 Council considered the 2019/20 Mid Year Budget Review and adopted the 2019/20 Budget Review as its budget reporting framework for the remainder of the 2019/20 financial year.

The Revised Annual Budget now projects a surplus of \$3.347 million.

Quarter 2 Year to Date Summary

	19/20 Adopted Budget \$'000	19/20 Revised Budget \$'000	19/20 YTD Actual \$'000	19/20 YTD Revised Budget \$'000	YTD Variance \$'000	YTD Variance %
Income	67,470	71,605	49,888	48,197	1,691	4%
Expenses	63,793	68,258	29,582	31,479	1,897	6%
Surplus / (deficit) for the year	3,677	3,347	20,306	16,719	3,588	21%
Capital Works Expenditure	39,690	43,253	13,113	16,869	4,404	22%

Operating Result

Council's performance is overall better than expected for the 6 months ended 31 December 2019.

When compared to Council's 2019/20 Budget, Council's income results are within 4% of budget and expenditure results are within 6% of budget.

The major variances are:

Income

1. User fees income is tracking to revised budget.
2. Capital grant income is tracking above budget mainly due to receipt of \$520k for WISAC and \$870k for Roads to Recovery.
3. Reimbursement are over budget because we received \$660k in November and December for 2016 and 2018 Stormwater and Floods claims.

Expenses favourable movements

1. Materials and services expenditure is underspent across all parts of the organisation.
2. Depreciation and amortisation is underspent by \$1.867 million due to some road seals fully depreciated and transfer of new completed assets from work-in-progress still to be done.

Capital Works

The 2019/20 capital works budget is \$43.253 million, including additional carry over capital works adopted at the September 2019 Ordinary Council Meeting. At 31 December 2019 Council has delivered \$13.113 million, which represents approximately 30% of the annual budget amount.

Councillor Expenses

The figures for the quarter ended are understated as most claims were submitted in February and will be reflected in the March quarter report.

Legal/Statutory

This report has been prepared in accordance with the Local Government Act, Australian Accounting Standards, Council Plan 2017 – 2021, Annual Budget 2019/20 and the 2019/20 Capital Works Program.

Specifically, in accordance with the Local Government Act, Section 138 requires the Chief Executive Officer, at least every three months, to prepare a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date and to present this report to Council.

Social

Council plans for and delivers a number of projects contained in the 2019/20 budget that provides a positive social impact for the community.

Environmental/Sustainability Impacts

Council plans for and delivers a number of projects contained in the 2019/20 budget that supports its Environmental Sustainability Strategy.

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Sustainable

What we do everyday:

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

Risk Management

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

Consultation/Communication

Consultation has been undertaken with Council managers and the Corporate Management Team and the matter is now ready for Council consideration.

Options for Consideration

The Chief Executive Officer is required to, at least every three months, prepare a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date and to present this report to Council.

Conclusion

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

Attachments

- 1 December 2019 Financial Report [!\[\]\(687b6c142f51ac6f390f8bd444e38d03_img.jpg\) !\[\]\(861b7aaa71df51b93037a486c3b17630_img.jpg\)](#)
- 2 December 2019 Balance Sheet [!\[\]\(605f40b2c3d6e1d01a5766f59c82e1d4_img.jpg\) !\[\]\(5f28278c0ebbde07efa8ee7d80530cb7_img.jpg\)](#)

13.2 QUARTERLY COUNCIL PLAN MEASURES REPORT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Governance & Reporting Advisor
File Name: 2018-2019 - Council Plan Reporting
File No: IC20/75

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

Executive Summary

This report is presented to Council to communicate Council's performance against the measures detailed in the Council Plan 2017-2021 (2019 Revision) for Quarter 2 of the 2019/20 financial year.

RECOMMENDATION:

That Council receives the Council Plan 'What You Will See in the Council Plan Measures Report 2019/2020' and the 'Council Plan Measures Report' for Quarter 2 of the 2019/2020 financial year.

Background

Part of Council's mission is to provide the leadership necessary to maintain open communication and community engagement. Providing reports to the community on Council's progress against the Council Plan outcomes will assist to achieve this mission.

These results measure our progress against what is important and allow ourselves and everyone in our community to understand the impact that we are having.

Implications

Two reports are provided.

The first being the Council Plan 'What You Will See in 2019/2020' which provides information on the Quarter 2 progress of projects or initiatives to be delivered in the 2019/20 financial year.

Of the projects or initiatives identified by Council to be completed during 2019/20 and listed within 2017-2021 Council Plan (2019 Revision) under 'What You Will See in 2019/2020', 43 remained in progress at the commencement of Quarter 2. The following has since been achieved:

- Four (4) project/initiative has been Completed;
- Three (3) projects/initiatives Nearing Completion;
- Thirteen (16) projects/initiatives On-going with one (1) (*North and South Wangaratta Reserve Lighting Upgrade*) Off Track;
- Fifteen (15) projects/initiatives are Underway with one (1) (*Gun Club Rehabilitation*) Off Track;
- Four (4) projects/initiatives have Started with two (2) (*Tourism Marketing Campaign, Venue Management Software to streamline booking systems – Implementation*); and
- One (1) project/initiative which has Not Started (*Comprehensive service planning framework*) and which will no longer be proceeding.

The second report being provided is the Council Plan Measures which provides the Quarter 2 results for measures that were set in the Council Plan.

Of the 22 quarterly measures set in the 2017-2021 Council Plan (2019 Revision) Council has achieved the following results for Quarter 2:

- Fifteen (15) measures achieved green indicators meaning that performance was within 5% of target;
- Five (5) measures achieved yellow indicators meaning that that performance was within 10% of target; and
- Two (2) measures achieved red indicators meaning that performance was more than 10% outside of target.

There were several notable performances where measures have exceeded the Quarter 2 targets and these measures include but are not limited to;

- Number of ticket sales for Wangaratta Performance Arts and Convention Centre (WPACC);
- Average number of days to close a customer request;
- Percentage of customer requests overdue by more than 60 days; and
- Cost of Maternal and Child Health Service per hour of service delivered.

Policy Considerations

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

Financial/Economic Implications

There is no immediate financial impact related to this report.

Legal/Statutory

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

Social

The Council Plan 2017-2021 (2019 Revision) provides for the achievement of several social objectives.

Environmental/Sustainability Impacts

The Council Plan 2017-2021 (2019 Revision) provides for the achievement of several Environmental/Sustainability objectives.

Council Plan 2017-2021 (2019 Revision)

This report supports the Council Plan 2017-2021 (2019 Revision):

WE ARE SUSTAINABLE**The Non-Negotiables**

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

We will Plan, Research & Advocate for the Future

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

WE ARE INSPIRED**The Non-Negotiables**

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

What we do everyday

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



Risk Management

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

Conclusion

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

Attachments

- 1 'What You Will See in 2019/2020' - Quarter 2 Report [↓](#) 
- 2 Council Plan Measures - Quarter 2 Report [↓](#) 

13.3 AUDIT ADVISORY COMMITTEE MEMBER APPOINTMENT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Governance & Reporting Advisor
File Name: Audit Advisory Committee
File No: IC20/88

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

Executive Summary

This report is presented to Council to re-appoint External Independent Member, Ms Rowan O'Hagan, to Wangaratta Rural City Council's Audit Advisory Committee.

RECOMMENDATION:

That Council appoints Ms Rowan O'Hagan as an External Independent Member to Wangaratta Rural City Council's Audit Advisory Committee, for term of three years, expiring in February 2023.

Background

The Audit Advisory Committee (AAC) Charter states that the primary objective of the AAC is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Committee comprises of a minimum of five members - two Councillors and three external, independent persons.

Appointments of external independent members shall be made by Council by way of a public advertisement, except for where Part 1, Clause 5.3 of the Audit Advisory Committee Charter 2019 (Charter) applies which states:

'(3) A sitting member can reapply via an expression of interest, without the need for public advertisement, and be appointed for a subsequent term, up to a maximum of two consecutive terms. All reappointments following each external independent member's second term must be publicly advertised.'

A vacancy exists due to the end of Ms Rowan O'Hagan's external independent member three-year term. However, this is Ms O'Hagan's first term and as per clause 5.3 of the Charter, Ms O'Hagan reapplied via an expression of interest to be re-appointed for a subsequent term. Hence, no public advertisement or expression of interest process was undertaken for this vacancy.

The attributes of an effective Committee member as detailed in the Charter include:

- Shows good judgement and is balanced in their consideration of issues and takes a whole of entity perspective;
- Knows the business of the entity; understands the role of the Committee and the expectations of Council; takes the time to understand changes that affect how the entity operates and its risks;
- Brings knowledge and expertise to bear in committee deliberations;
- Displays a constructive and positive attitude in dealings with other committee members, committee advisors and observers;
- Is a good communicator, builds effective networks and relationships while maintaining necessary confidences;
- Devotes sufficient time to committee business; and
- Displays independence of mind on committee deliberations and asks the 'hard' questions when necessary.

Implications

Policy Considerations

Audit Advisory Committee Charter 2019 sets out the terms for appointment of external independent persons.

Financial/Economic Implications

Advisory Committees provide a positive outcome for the sustainability of the local community.

Legal/Statutory

The appointment of Advisory Committees is provided for in the *Local Government Act 1989*.

Social

Advisory Committees provide the opportunity for two-way engagement between Council and Community members.

Environmental/Sustainability Impacts

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

2017 - 2021 Council Plan (2019 Revision)

This report supports the 2017 - 2021 Council Plan (2019 Revision):

Pillar

We are Sustainable

The Non-Negotiables

Our legislative, governance and compliance requirements will be met

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
The Audit Advisory Committee does not achieve its objectives	Possible	Minor	Medium	Re-advertise membership

Options for Consideration

1. Council reviews Ms Rowan O'Hagan's Expression of Interest and appoints her, for the term specified, to fill the current external independent member vacancy on the Wangaratta Rural City Council's Audit Advisory Committee.
2. Council does not re-appoint Ms Rowan O'Hagan as an external independent member to Wangaratta Rural City Council's Audit Advisory Committee from the Expression of Interest received. This option will require a public expression of interest to be undertaken for this vacancy.

Conclusion

Following consideration of Ms Rowan O'Hagan's Expression of Interest to be re-appointed to Council's Audit Advisory Committee, filling the external independent member vacancy will assist the Committee in continuing to provide Council with advice, feedback and guidance.

Attachments

- 1 Expression of Interest - Audit Advisory Committee - Confidential

13.4 RISK MANAGEMENT POLICY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Governance & Reporting Advisor
File No: IC20/322

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 Risk Management Policy 2014 (Policy).

This Policy outlines Wangaratta Rural City Council's (Council's) commitment to effective risk management.

RECOMMENDATION:

That Council:

- 1. Endorses the Risk Management Policy 2020 revision 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 27 March 2020***

And,

- 3. If submissions are received:***
 - 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 submissions and any hearings held and resolves the revised Risk Management Policy at the next available Ordinary Council Meeting***
- 4. If no submissions requesting amendments are received: resolves to approve the Risk Management Policy 2020 revision without further resolution.***

Background

Effective risk management is important to Council because by having robust risk management practices it enables the Council to maximise opportunity, minimise loss and improve decisions and outcomes

The *Local Government Act 1989* (the Act) requires Council to maintain adequate internal control systems and an effective risk management framework is a critical element of such systems.

This review was undertaken to ensure that the Policy continues to reflect the risk management approach and practices used by organisation. Additionally, the following reference materials were considered to ensure Council's risk management practices are aligned to best practice and address the key elements to ensure effective risk management.

- Australian/New Zealand Standards AS/NZS ISO 31000:2009 Risk Management - Principles and Guidelines;
- Local Government Act 1989 (Vic);
- Relevant legislations; and
- Other related good practice guides.

Summary of Revisions

The main revision made to the Policy was to streamline it to provide a more strategic overview of Council's risk management approach.

A supporting Risk Management Framework has been developed details Council's operational risk management practices.

Implications

Policy Considerations

Whilst undertaking revisions to this Policy, the Fraud and Corruption Policy was considered to ensure consistency in approaches and fraud risk tolerances across both policies.

Financial/Economic Implications

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

Legal/Statutory

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

Social

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

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 (2019 Revision):

PILLAR

We are Sustainable

Our Non-Negotiables

Our legislative, governance and compliance requirements will be met

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
The Risk Management Policy is not representative or does not support organisational risk processes	Possible	Minor	Medium (5)	On-going review of the Risk Management Policy to ensure it remains relevant and reflect Council's current approach to risk management

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Consult	The public will be invited to comment on the Policy via the public exhibition process.	Comments received through the public exhibition process will be reviewed and addresses accordingly (e.g. via hearings)



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

It is recommended that Council approves the revisions made to the Policy and endorses the Policy being placed on public exhibition.

Attachments

- 1 Draft - Risk Management Policy 2020 [!\[\]\(0551a83d441798e532995956b603f604_img.jpg\)](#) 
- 2 Risk Management Policy - Community Impact Statement [!\[\]\(73ae654e8897db9b21f1bf9d9efc07ef_img.jpg\)](#) 

14. COMMUNITY WELLBEING

14.1 YOUTH COUNCIL 2020 ENDORSEMENT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Youth Development Officer
File No: IC20/279

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

Executive Summary

This report is presented to Council to seek endorsement of nominations recently invited for membership of the 2020 Youth Council. Nominations were sought from:

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

In total there were fifteen nominations received.

RECOMMENDATION:

That Council:

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

Macy Nichol	Wangaratta High School
Cristina Coxhell	Cathedral College
Stephanie Grant	Wangaratta High School
Jennifer Taylor	Galen Catholic College
Toby Miliankos-King (returning)	Wangaratta High School
Jacques Simian	Galen Catholic College
Chloe Royal	Cathedral College
Izabelle Taylor	Borinya Wangaratta Community Partnership
Kyan Ambrosio	Cathedral College
Yasmina Miliankos-King	Cathedral College Wangaratta
Brooke Watson	Cathedral College
Mackenzie Nash-Webster	Rutherglen High School
Chiara Lestino	Galen Catholic College
Mia Marshall	Cathedral College
Tiah Bonacci	Cathedral College

Background

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

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

Nominations for Youth Council were advertised through:

- Wangaratta Chronicle;
- Social media platforms;
- Rural City of Wangaratta website, and
- Existing school networks and newsletters.

Implications**Policy Considerations**

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

Financial/Economic Implications

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

Legal/Statutory

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

Social

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

Environmental/Sustainability Impacts

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

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

Pillar

We are inspired

Our non-negotiables

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

Our community is given opportunities for everyone to participate and contribute to social, economic and cultural life.

What we do every day:

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

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

Work with young people to further develop activities for youth.

b) Other strategic links

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

c) Rural City of Wangaratta Youth Charter

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

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Limited Youth involvement in Council	likely	minor	medium	Maintain Youth Council program and commitment to youth engagement. Encourage Youth Council participation

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Youth Council nominees	Correspondence
Consult	Youth Council Providers	Correspondence & meetings
Involve	Councillors, Operational staff	Correspondence, meetings
Collaborate		
Empower		

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

Conclusion

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

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

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

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

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

The proposed recommendation is presented to Council for its consideration.

Attachments

Nil.

15. INFRASTRUCTURE SERVICES

15.1 C24051 - CUSACK STREET AND SPEARING STREET DRAINAGE UPGRADE

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Project Officer
File No: IC20/4

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 C24051 Cusack Street and Spearing Street Drainage Upgrade and approve allocation of additional funds.

RECOMMENDATION:

That Council:

- 1. Approve the allocation of an additional \$123,577.00 excl GST to C24051 Cusack Street and Spearing Street Drainage Upgrade,***
- 2. Award the contract C24051 Cusack Street and Spearing Street Drainage Upgrade to Bordignon Excavations Pty Ltd,***
- 3. Authorises the Chief Executive Officer to sign and seal documents for C24051 Cusack Street and Spearing Street Drainage Upgrade, and***
- 4. Disclose the contract price for C24051 Cusack Street and Spearing Street Drainage Upgrade.***

Background

Cusack & Spearing Streets are subject to flooding during rain events creating hazards for vehicles and pedestrians. This project will remove these issues and formalise sections of informal car parking.

Tenders were advertised through Eprocure and the Wangaratta Chronicle.

The Tender was evaluated against the following criteria:

Cost 40%
Capacity 30%
Capability 30%

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

Tenders closed on 15 January 2020 and seven (7) submissions were received as follows:

Jarvis Delahey Contractors Pty. Ltd.
Rostem Pty Ltd
Landmark Contracting Pty. Ltd.
North East Civil Construction Pty Ltd
Excell Gray Bruni
Hills Civil Contracting
Bordignon Excavations Pty Ltd

Following the tender evaluation there is a funding shortfall of \$123,577.00 excl GST.

Implications

Policy Considerations

Specific Council policies or strategies that relate to this report include:

- Council Procurement Policy
- Asset Management Policy
- Drainage Asset Management Plan

Financial/Economic Implications

The additional funds will be reallocated from under spend in other capital projects.

Additional funds required for Cusack and Spearing Street drainage arose from a change in the drainage design. A large diameter gas main, water services and multiple optic fibre crossing, at various depths, required a change from pipe to box culverts.

This has increased the tendered price through change in materials, construction methods and service relocations.

Legal/Statutory

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

Social

The upgrade of the stormwater system and car parking in the area will benefit local residents in the Hospital precinct by reducing flooding and increasing formalised parking bays.

Environmental/Sustainability Impacts

The Natural Resource Management and Sustainability Officer has inspected the area of the drainage network from One Mile Creek to Spearing Street.

All works will be monitored during construction to minimise impact within the tree protection zones.

2017 – 2021 Council Plan (2019 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We will plan, research and advocate for the future:

To develop options for overcoming drainage deficiencies within rural and urban areas.

What we do every day:

We look after and invest in our assets including bridges, major culverts, and drains.

We will focus on our business:

By enhancing the way we plan and deliver infrastructure projects.

Our non-negotiables:

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

A Healthy Environment - A combination of pollution prevention, water capture and treatment measures have improved the quality of stormwater and made it a valuable water resource.

This has been achieved by including a Gross Pollution Trap within the design to ensure environmental expectations from the community are met.

b) Other strategic links

- Wangaratta Health Precinct Structure Plan
- Wangaratta Car Parking 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)	Moderate (3)	4	Project Manager to monitor
Contractor Injury	Minor (2)	Major (4)	4	Project Manager to monitor contractors OH&S performance
Community concerns	Minor (2)	Moderate (3)	5	Project Manager to monitor

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Ongoing communication with user groups and residents through the life of the project	Website, Newsletter, meetings, phone calls & Chronicle
Consult	North East Health/ Ambulance Victoria	On Site Meetings
Collaborate	Preferred Contractor	Pre-Start and On-site inspections.

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

Options for Consideration

1. To award the contract as recommended
2. To appoint another contractor
3. Not to award the contract

Conclusion

Recommend that contract C24051 Cusack Street and Spearing Street Drainage Upgrade is awarded to Bordignon Excavations Pty Ltd.

Allocate additional funding of \$123,577.00 excl GST to C24051 Cusack Street and Spearing Street Drainage Upgrade, from underspend in the 2019/20 Capital Works program.

Attachments

- 1 C24051 - Cusack St - Spearing St Drainage Upgrade - Evaluation Report - Confidential

15.2 C23859 - OVENS AND FAITHFULL STREETS INTERSECTION IMPROVEMENTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Project Officer
File No: IC20/10

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 C23859 Ovens and Faithfull Streets Intersection Improvements.

The project will improve the configuration of the existing roundabout through pulling back the existing kerb lines, installation of pedestrian crossings and improved street lighting to enhance vehicle and pedestrian safety.

RECOMMENDATION:

That Council:

- 1. Award contract C23859 Ovens and Faithfull Street's Improvements to Jarvis Delahey Contractors Pty;***
- 2. Authorises the Chief Executive Officer to sign and seal documents for C23859 Ovens and Faithfull Street's Intersection Improvements; and***
- 3. Discloses the contract price for C23859 Ovens and Faithfull Streets Intersection Improvements.***

Background

The existing intersection at Ovens and Faithfull Streets is a significant safety concern for all road users and pedestrians. This project will improve vehicle circulation, reduce vehicle speed and provide a safer intersection for all users. It will also complement the recently completed Ovens Street redevelopment works.

Tenders were advertised through eProcure and the Wangaratta Chronicle. Tenders closed on 13 December 2019 and two submissions were received.

The Tenders were evaluated against the following criteria:

Cost	40%
Capacity	30%
Capability	30%

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

At the close of tender, tenders were received from the following companies:

Excell Gray Bruni Pty Ltd
Jarvis Delahey Contractors Pty Ltd

Implications

Policy Considerations

These works are supported by The Wangaratta Project – A Masterplan for the City.

Financial/Economic Implications

Funding for the C23859 Ovens and Faithfull Streets Intersection Improvements are included in Council's 2019/20 budget.

Legal/Statutory

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

Social

Works at the intersection will provide increased safety for all road users and pedestrians.

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

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

The Wangaratta Project - CBD Masterplan 2016.

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

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

Options for Consideration

1. To award the contract as recommended
2. To appoint another contractor
3. Not to award the contract

Conclusion

Recommend that contract C23859 Ovens and Faithfull Street's Intersection Improvements be awarded to Jarvis Delahey Contractors Pty.

Attachments

- 1 C23859 - Ovens & Faithfull Street Roundabout - Evaluation Report - Confidential

15.3 MITCHELL AVENUE BIKE PUMP TRACK

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Project Manager
File No: IC20/64

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

Executive Summary

This report is presented to Council to seek the allocation of funds to the 2019/20 budget for the construction of the Mitchell Avenue Reserve Pump Track.

The works include the following:

- Construction of Pump Track (\$250,000),
- Demolition of the existing Yarrunga Pool buildings, these are on the pump track site (\$50,000 - \$80,000),
- Installation of parkour/skate elements (\$70,000 - \$100,000)

RECOMMENDATION:

That Council allocates \$400,000 in the 2019/20 budget to construct the Mitchell Avenue Reserve Pump Track.

Background

A commitment was made to the community to develop the Mitchell Avenue Reserve precinct after the demolition of the Yarrunga Pool in 2016.

- The Mitchell Avenue Reserve Masterplan has been developed and is in the process of being implemented.
- The pump track construction is seen as a way of appeasing the BMX community due to the removal of the BMX jumps in late 2019.
- The tendering process has been completed for the pump track but not yet awarded.

Implications

Policy Considerations

Specific Council policies or strategies that relate to this report include:

- Mitchell Avenue Reserve Master Plan
- Access & Inclusion Plan
- Economic Development and Tourism Strategy
- Municipal Public Health and Wellbeing Plan

Financial/Economic Implications

The proposed budget and LTFP allocates \$400,000 to the Mitchell Avenue Reserve Pump Track in 2020/21. This proposal will bring the funding into 2019/20 budget.

Legal/Statutory

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

Social

The development of the Pump Track is a positive contribution to the neighbourhood and surrounds. The objective is to create a Pump Track which can be enjoyed by young people in Wangaratta. It is recognised that such a facility will be utilised by bicycles, skateboards, scooters and blades.

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 Healthy

As a community we have access to the services and facilities we need to keep us healthy. We can move around and be active, get medical attention and join in social, cultural and recreational activities with our friends and family.

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

Wangaratta is a thriving regional centre, renowned for its high-standard housing, employment, retail businesses, industry, sports and recreation, culture and tourism.

The increase in walking and cycling has contributed to the health of individuals.

b) Walking and Cycling Strategy

Action Plan Item 4.03 – Construction of a Pump Track in line with the Mitchell Avenue Reserve Master Plan.

Action Plan Item 5.08 - A key destination within Wangaratta for the cycling community to connect into.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Funding not allocated	Minor (2)	Minor (2)	4	Funds are in the 2020/21 proposed budget

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Ongoing communication with user groups and residents through the life of the project	Website, Newsletter, meetings, phone calls & Chronicle, visualisation boards.
Consult	Community consultation into the Mitchell Avenue Reserve Master Plan to determine the future needs for Mitchell Avenue Reserve.	Several engagement activities were undertaken in 2016 and 2017 including meetings, drop in sessions, surveys etc
Involve	BMX community review of draft Pump Track design.	Meeting, plans, visualisation boards, 3D renders.

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

Conclusion

That funds are allocated to the 2019/20 budget to construct the Mitchell Avenue Reserve Pump Track so that a key project within the Mitchell Avenue Reserve Master Plan is delivered for the community.

Attachments

Nil.

15.4 C23927 - AERODROME DEVELOPMENT STAGE 1 & STAGE 2 MASTER GRADING

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Project Officer
File No: IC20/250

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

Executive Summary

This report is presented to Council to recommend the award of contract C23927 Aerodrome Development Stage 1 and Stage 2 Master Grading.

This procurement will appoint a suitably qualified contractor to construct new pavement, grade and extend the existing services. The project will support Code C aircraft and prepare the location for future hangars as part of the Wangaratta Airport Master Plan.

The project will support the expansion of avionics businesses and attract tourism companies to the Rural City of Wangaratta.

RECOMMENDATION:

That Council:

- 1. Award the contract C23927 Aerodrome Development Stage 1 Stage 2 Master Grading to Jarvis Delahey Contractors,***
- 2. Authorises the Chief Executive Officer to sign and seal documents for C23927 Aerodrome Development Stage 1 and Stage 2 Master Grading, and***
- 3. Disclose the contract price for C23927 Aerodrome Development Stage 1 and Stage 2 Master Grading.***

Background

Wangaratta Airport Infrastructure Development Plan Master Plan identified the Wangaratta Airport as critical infrastructure for the region. The project is part of the works that will be undertaken to deliver the necessary technical requirements to upgrade the airport's infrastructure and facilities. This project will prepare the location for future construction of airport hangars.

Tenders were advertised through eProcure and the Wangaratta Chronicle. Tenders closed on 16 January 2020 and one submission was received.

The tender evaluation team included two Project Managers and Council's

Delivery and Contracts Coordinator.

The Tender was evaluated against the following criteria:

Cost	40%
Capacity	30%
Capability	30%

At the close of tender, one tender was received from Jarvis Delahey Contractors Pty. Ltd.

Implications

Policy Considerations

The project is supported by the Wangaratta Aerodrome Masterplan.

Financial/Economic Implications

Funding for C23927 Aerodrome Development Stage 1 and Stage 2 Master Grading is included in Council's 2019/20 budget.

Council has received \$413,500 (ex GST) in funding from the Commonwealth Government, Regional Jobs and Investment Packages – Goulburn Valley Local Infrastructure Stream.

The project will provide financial growth and economic development through:

- growth in avionics businesses and tourism
- training opportunities for the Royal Australian Air Force and flight Schools
- freight improvement capabilities

Legal/Statutory

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

Social

The project will benefit the community by providing additional support to the Air Ambulance service through technical and functional upgrades. In addition to attracting future aeronautic events and tourism growth and opportunities.

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 create and deliver:

Tourism products and experiences that attract visitors.

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

N/A

b) Other strategic links

Wangaratta Aerodrome Master Plan 2017.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeframe and achieving the proposed timelines	Minor (2)	Minor (2)	4	Project Manager to monitor
Unsatisfactory quality of works	Minor (2)	Moderate (3)	5	Project Manager to monitor
Contractor Injury	Minor (2)	Moderate (3)	5	Project Manager to monitor contractors OH&S performance
Community concerns	Minor (2)	Minor (2)	4	Project Manager to monitor

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Ongoing communication with user groups and community.	Website, Newsletter, meetings, phone calls, social media & Chronicle
Consult / Involve	User groups	On-site meetings, phone calls, emails.

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

Options for Consideration

1. Award tender. Continue with procuring hangar, concrete slab, service connection and firefighting service.
2. Not award civil contract and retender works. Request another extension of time from the grant provider.
3. Not award civil contract but continue with hangar, concrete slab, service connection and firefighting service tender and construction. The hangar will be unusable without the civil works being completed and non-compliant with grant agreement.
4. Not award civil contract and discontinue project entirely. Return funding to grant body.

Conclusion

The evaluation panel recommend that contract C23927 Aerodrome Development Stage 1 and Stage 2 Master Grading is awarded to Jarvis Delahey Contractors.

Attachments

- 1 C23927 - Wangaratta Airport Stage 1 Development and Stage 2 Master Grading - Evaluation Report - Confidential

15.5 AMENDMENT TO CONTRACT C23018 WANGARATTA RAILWAY PRECINCT - URBAN STREET RENEWAL FOR NORTH EAST WATER ADDITIONAL WORKS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Project Manager
File No: IC20/315

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 amend Contract C23018 – Wangaratta Railway Precinct to include additional works associated with the relocation and renewal of North East Water (NEW) assets in the precinct – to be funded by NEW.

Contract C23018 – Wangaratta Railway Precinct was awarded to Excell Gray Bruni (EGB) at the December Council meeting. The approved contract sum included provision for the relocation of NEW assets directly impacted by the works, identified in the design, and included as a part of the tender process.

Officers, in conjunction with NEW, have established that there is an opportunity to renew all of the NEW assets in the vicinity of the works, and to upsize the existing infrastructure to accommodate for future growth in demand for water supply. These additional works are to be carried out by EGB, under the terms of the existing Council Contract, and funded by NEW.

RECOMMENDATION:

That Council:

- 1. Approve an amendment to C23018 - Wangaratta Railway Precinct, with an additional allocation of \$1,074,960.00 (Ex GST), with this additional allocation to be funded by NEW, and***
- 2. Authorise the Chief Executive Officer to sign documents to vary the Contract Sum for C23018 - Wangaratta Railway Precinct to reflect the revised value.***
- 3. Include the additional amount of \$1,074,960.00 (ex GST) in the 2020/2021 financial year budget both as income and expense.***

Background

Through the development of the Wangaratta Railway Precinct Project, Officers have been in discussions with NEW representatives – amongst many others – in relation to the impacts of the works on their assets and advocating for potential opportunities to be identified and explored.

This has resulted in NEW wanting to take the opportunity to renew, and upsize, the water supply mains in the precinct, in conjunction with the Council civil works, rather than simply modifying the assets where there is conflict with construction.

Completing the NEW works concurrently, gives NEW a benefit in reduced construction costs, and timely procurement and construction. More importantly this will give the community a benefit in reduced disruption, and better levels of service in their water supply, with the risk of breakages and repairs being reduced improving reliability, and increased water volumes available through the upsized mains.

The amendment to Contract C23018 – Wangaratta Railway Precinct is before Council as the Procurement Policy requires that a variation to a contract of greater than 10% of the original value, requires the approval of the next delegation level. In this instance Council awarded the Contract, and only Council can amend it to this value.

Officers have signed an In-Principle Agreement with NEW to the arrangement, and have received written confirmation of the lump-sum contribution for the works from an appropriate Officer and Executive level.

The inclusion of the additional NEW works is likely to require the assessment of an Extension Of Time (EoT) request in accordance with the terms of the Contract. The impacts of the EoT will be assessed when submitted.

Amending the Contract in the way proposed is considered the best way forward for these works. EGB are an approved supplier to NEW, and already have a Contract obligation to perform works on the NEW assets to the necessary standards. This amendment increases the quantity and value of the work but doesn't change the customer and contractor risk profiles.

Implications

Policy Considerations

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

Financial/Economic Implications

There are no significant financial or economic implications identified for the subject of this report. In summary, the pertinent financial figures are:

	VALUE (Ex GST)
ORIGINAL CONTRACT VALUE	\$6,038,108.50
EXISTING NEW WORKS	\$280,000.00
REVISED NEW WORKS	\$1,354,960.00
AMENDMENT TO VALUE OF NEW WORKS	\$1,074,960.00
AMENDED CONTRACT VALUE	\$7,113,068.50

There is no net change to Council's direct funding amount.

Legal/Statutory

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

Social

Amending the current contract to include the NEW works will have positive benefits in relation to social impacts. If the works are not undertaken concurrently as proposed, the streets would need to be dug up again in the short term, resulting in repeated disruption to water supplies and construction activities.

Environmental/Sustainability Impacts

The proposal will have positive benefits in relation to environmental and sustainability impacts. If the works are not undertaken concurrently as proposed, the streets would need to be dug up again in the short term, wasting resources and materials.

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 our growth and development 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

Risk Management

Officers believe that appropriate risk management has occurred in the administration of this matter, and it is now ready for Council consideration.

Consultation/Communication

Officers have consulted widely with this project and the matter is ready for Council consideration.

Options for Consideration

Given that the funds necessary for the amended Contract Value have been agreed to be provided by NEW, there are minimal options worth considering.

1. Not amending the Contract, as an option, and just doing the minimum changes to the NEW assets would result in negative outcomes for the community and NEW. Additional disruption, increased costs, reduced reliability in water supply are each very real possibilities of this option, with NEW needing to complete the works in the short to midterm.

Not amending the Contract, as an option, and putting the increased scope of works out to tender, would result in costly delays as we seek to advertise and procure. There is also the potential for contract claims if the works were awarded to a separate company, who would need access to the EGB site, and the two companies not cooperating.

Conclusion

The amendment to Contract C23018 – Wangaratta Railway Precinct, to include the additional works associated with the relocation and renewal of North East Water (NEW) assets – to be funded by NEW – is seen as a recommended outcome.

Attachments

1 NEW - funding agreement - Confidential

16. DEVELOPMENT SERVICES**16.1 PLANNING APPLICATION PLNAPP19/158.01 - RENEWABLE ENERGY FACILITY (SOLAR INSTALLATION), LACEBY**

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	25 February 2020
Author:	Senior Planner
File No:	IC20/252

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 recommending approval for the use and development of the land for a renewable energy facility (solar installation) and alteration to access to a road zone category 1, with the subject site being located at Lot 1 TP253930 on Wangaratta-Kilfeera Road and Snow Road in Laceby.

The proposal was advertised to adjacent and nearby landowners and occupiers, as well as in the local newspaper and on Council's website.

Objections received raised the following key concerns:

- Removal of highly productive agricultural land
- Removal of paddock trees
- Floodway overlay
- Visual amenity
- Temperature rise
- Fire risk
- Impact on flora and fauna
- Impact on tourism

The proposal was amended to avoid removal of the paddock trees and re advertised to the objectors. No objections have been withdrawn.

The proposal was referred as required, with no objection to the proposal from the referral authorities.

RECOMMENDATION:***That Council:***

- 1. Issue a Notice of Decision to grant a permit with respect to planning permit PlnApp19/158.01 for the use and development of a renewable energy facility (solar installation) and alteration to access to a road in Road Zone Category 1 at Lot 1 TP253930, Wangaratta-Kilfeera Road, Laceby; subject to permit conditions contained within Attachment 2; and***
- 2. Advise the applicant, submitters and referral authorities of Council's decision.***

More detailed information on the proposal can be found in the attached assessment report (see Attachment 1).

Background**Site Description Including Site Plan**

The subject site is located to the south of the rural city of Wangaratta at Laceby. It is located at the intersection of the Wangaratta-Kilfeera and Snow Roads. The lot is irregular in shape and measures approximately 130 hectares in area with frontages to Snow Road measuring approximately 970 metres, Wangaratta-Kilfeera Road measuring approximately 1225 metres and O'Connell Lane measuring approximately 1200 metres. The land is currently used for grazing with a farm building located in the south east corner. There are currently three existing access points, being two from Snow Road and one from the Wangaratta-Kilfeera Road.



Proposal in Detail

This proposal is for the use and development of the land for a Renewable Energy Facility (Solar Installation) and the creation of a new access from Snow Road which is a Category 1 Road. No vegetation is proposed to be removed and Tree Protection Zones have been identified on plans for endorsing.

The proposal intends to construct and operate 201,348 panels producing 60 megawatts of energy that will be transmitted directly into an existing 66 Kilovolt powerline that extends along the northern boundary. Each panel is approximately 2 metres in height and 1 metre in width and fixed to linear mounts, being aligned north-south to allow the panels to track the sun throughout the day. The panels are mounted in rows across the site allowing for tree protection zones, internal access and an external perimeter break between the security fencing and panels – see diagram below.

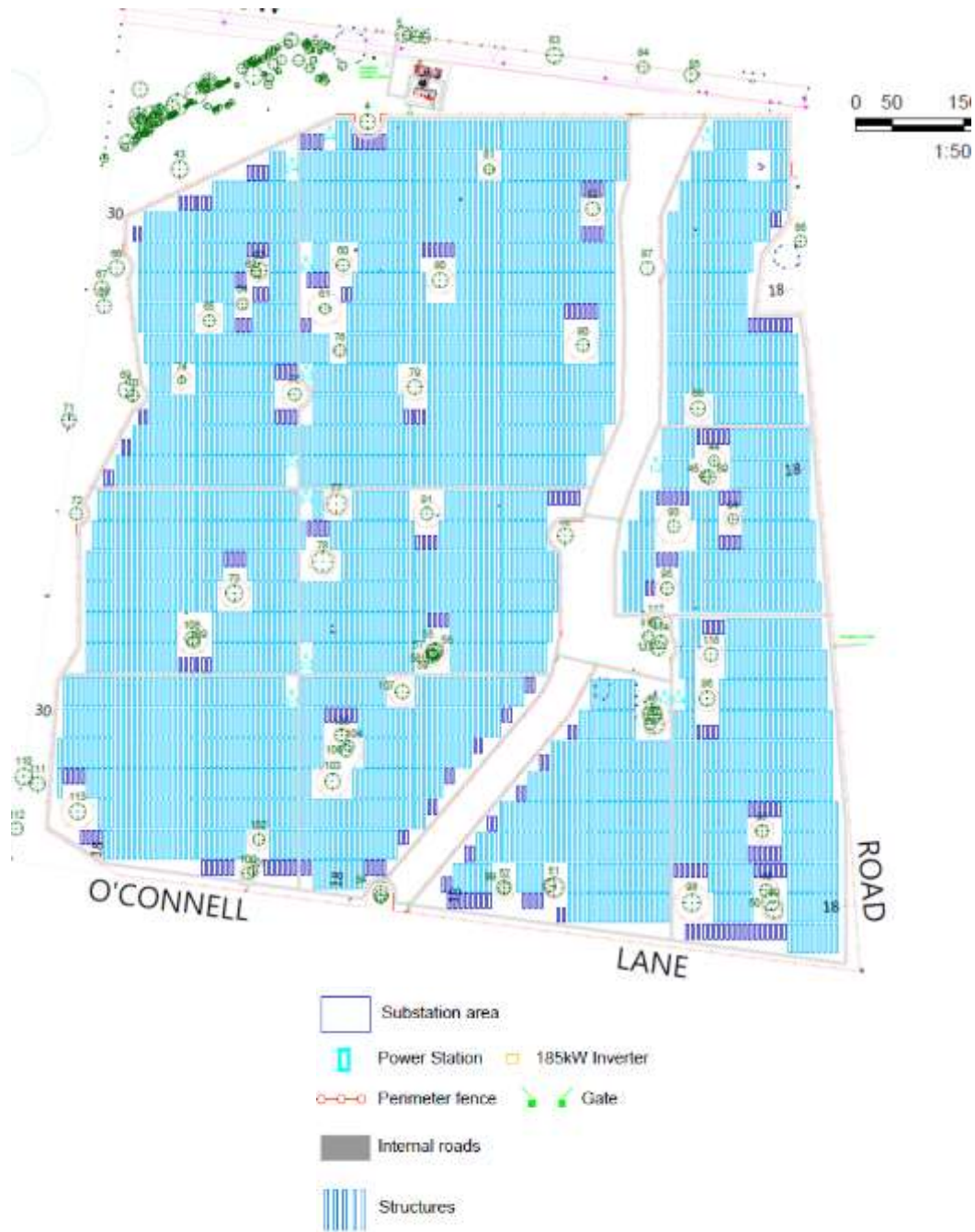


Diagram of the proposed layout of the panels and substation, with internal access road, access via Snow Road and Tree Protection Zones indicated.

Summary of key issues to be considered in the assessment.

- Conflict between the new use and agricultural use
- Loss of agricultural land
- The impact of the development in the floodway overlay on the development and on the flood paths and surrounding area
- Objections
- Area of Cultural Heritage Sensitivity

Implications

Policy Considerations

Summary of the planning considerations including state, local and scheme provisions.

Permit triggers

Clause 35.07 - Farming Zone
Clause 44.03 – Floodway Overlay
Clause 52.09 – Road Zone 1

Planning Policy Framework

Clause 11 Settlement
Clause 11.01-1S Settlement
Clause 13.02-1S Bushfire Planning
Clause 13.03-1S Floodplain Management
Clause 13.07-1S Land Use Compatibility
Clause 14 Natural Resource Management
Clause 14.01-1S Protection of Agricultural Land
Clause 14.01-2S Sustainable Agricultural Land Use
Clause 19.01-2S Renewable Energy
Clause 19.01-1R Renewable Energy – Hume
Clause 21.01 Wangaratta Snap Shot
Clause 21.02 Settlement
Clause 21.04-1 Floodplains
Clause 21.04-3 Bushfire
Clause 21.05 Natural Resource Management
Clause 22.01 Rural Land Use and Agriculture

Others

Clause 53.13 – Renewable Energy Facility (other than a wind farm)
Clause 65 – Decision Guidelines
Hume Regional Growth Strategy 2014
Solar Energy Design and Development Guidelines 2019
An assessment of Versatility of Agricultural Land in the Rural City of Wangaratta 2000
Council Plan 2017 – 2021

Assessment under the Planning and Environment Act

Farming Zone

Purpose

The proposal provides for the ongoing use of the land for agriculture as there is proposed grazing around and under the panels and this is at a stated rate of about 40% of the usual herd that could be accommodated if the development were not there. Due to the fact that the life of the facility is limited to 30 years it is therefore not permanently removing land from agricultural production. This proposal will allow for some limited employment with the applicant stating that there will be jobs in construction, albeit temporary during the construction period and then ongoing maintenance of the site and panels. There is also the ongoing employment for farming on the site.

The subject site is located in farming land with a number of smaller lifestyle lots nearby but none that share any boundary with the subject site. It is considered that as there is a road and screening between the smaller farming lots and the solar facility that the community amenity is still safeguarded and there will be no off site effects. This is farming land and there could be a range of farming activities that, it is considered, would have greater impact than the proposal, on the community amenity and have off site effects, such as feedlots. This proposal is not near an urban area.

Decision Guidelines

The land has been assessed as being capable of accommodating the use. The floodplain management authority has not objected. The proposal meets a number of requirements from DELWP's *Solar Energy Facilities Design and Development Guideline 2019* with regards to location in that it does not involve the removal of any native trees, is accessible from main roads, is not located near urban areas and is able to be connected directly to the electricity network via the easement on the site. The design of the panels themselves allow for minimal glint or glare and the maximum height of the panel is no greater than 4 metres.

A Visual Impact Assessment determined that the majority of views to the proposed development from public viewing points would be contained or obscured by vegetation and topography. Where the visual impact is considered to be high at some points from Snow Road and Wangaratta-Kilfeera Road these could be mitigated by intermittent boundary screen planting accommodated in appropriate setbacks.

The proposal is consistent with the majority of the purpose and decision guidelines of the Farming Zone.

Floodway Overlay

The North East Catchment Management Authority (NECMA) has determined that the majority of the site would be subject to inundation from the Fifteen Mile Creek System. NECMA has not objected to the application and requested permit conditions for amended plans that will require the development to be constructed in a manner which will ensure that all works can be implemented without detrimental off site impacts and allow for minimal damage to the facility in a flood event.

It is considered that, given the North East Catchment Management Authority have not objected and have assessed that the development can be implemented if certain requirements are met, the proposal can be supported.

Planning Policy Framework

This proposal will bring sustainable power to the region and municipality, allowing for the continued growth of the region and municipality through the provision of reliable, affordable, clean and sustainable electricity for residents and businesses.

The Country Fire Authority (CFA) has assessed the proposal and has not objected and has issued conditions for any permit that is issued. These consider Risk and Emergency Management, Access, Water Supply and the management of the Vegetation/Fuel on site. It is considered that thorough risk based planning has been undertaken with regards to bushfire.

The subject site, although being identified as being of High Agricultural Versatility at a local level is not of state strategic significance as identified in the Hume Regional Growth Plan. This is due to the fact that it is not within an irrigation area and is used primarily for dry cropping and grazing. The proposed solar facility has a limited life and will not permanently remove land from being able to be farmed. The proposal allows for some farming activity to continue on the site.

The proposal has been assessed against the DELWP's Design and Development Guidelines and it is considered that all relevant requirements have been met for a Renewable Energy Facility.

This proposal will support the residents and businesses in the municipality and region.

Particular and General Provisions

The proposal requires an access from Snow Road for the life of the facility for maintenance and this requires the support of VicRoads. VicRoads does not object to the proposal, but require that during construction the access is from Wangaratta-Kilfeera Road.

It is considered that the proposal will result in orderly planning of the area with minimal effect on the amenity of the area, certainly not as much as some farming activities might have. It is considered that the activity is fairly passive apart from minor noise from the collection of energy as it is passed from the panels to be taken into the network. However, as this is not an urban area it will not affect sensitive uses. No native vegetation is proposed to be removed and landscaping to create a buffer around the perimeter will be implemented. It is considered that the proposal will result in acceptable outcomes in terms of the decision guidelines of Clause 65.

Other Relevant State and Local Policy / Strategies

The Hume Regional Growth Plan 2014 (the growth plan) informs of projected population growth and the need to support this growth and business. The proposal provides affordable and sustainable power to support households and businesses. The growth plan also recognises that due to the decline of industries associated with agriculture that some areas could transition towards their use for renewable energy generation. The subject site is not recognised as being of state significance and is not within an irrigation area. It is currently used for dry cropping and grazing and will not be permanently removed from agricultural use. The flood hazard can be addressed as advised by NECMA. It is considered that the proposal accords with relevant parts of the growth plan.

The proposal accords with DELWP's 'Solar Energy Facilities Design and Development Guidelines'. The State Government has also set in place targets to achieve renewable energy generation and the proposed facility will contribute toward achieving these targets. It is considered that the proposal has thoroughly considered and addressed the relevant guidelines and this further supports the argument for support of the proposal.

The Council Plan states 'We are Sustainable' and goes into detail about identifying and promoting options to maximise sustainable design for residential, industrial and commercial development. This proposal contributes to this outcome.

Financial/Economic 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 carried out in accordance with the *Planning and Environment Act 1987*.

Social

The potential social impacts are positive overall with the greater weight being given to net community benefit as the proposal will form part of the electricity network for the state providing clean energy.

Environmental/Sustainability Impacts

The proposal forms part of a drive towards the use of renewable and sustainable energy in state policy.

Area of Cultural Heritage Sensitivity

There is an area of cultural heritage sensitivity over the subject site and this requires an approved Cultural Heritage Management Plan and this has been addressed and received by council.

2017 – 2021 Council Plan (2019 Revision)

This report supports the strategic direction of the 2017-2021 Council Plan:

Goal

We are Sustainable

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

b) Other strategic links

Hume Regional Growth Plan 2014

Solar Energy Design and Development Guidelines 2019 (DELWP)
An assessment of Versatility of Agricultural Land in the Rural City of Wangaratta
2000

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Notice of Decision to grant permit – objectors appeal decision at VCAT	High	Moderate	Moderate	Representation of Council at VCAT
Notice of Decision to grant permit – applicant appeals permit conditions at VCAT	High	Moderate	Moderate	Representation of Council at VCAT
Refuse to issue a permit – applicant appeals decision at VCAT	High	Moderate	Moderate	Representation of Council at VCAT

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Advertising has been undertaken pursuant to Section 52 of the Planning and Environment Act 1987.	Letters to adjacent and nearby landowners and occupiers, advertisement in the local newspaper and on Council website.
Consult	All submission to the application to be considered.	All submissions have been reviewed and summarised in this report and associated attachment along with responses to concerns.
Involve	Council Meeting VCAT	Questions allowed
Collaborate	Not applicable	Not applicable
Empower	Not applicable	Not applicable

Notification of the application has been carried out as required by the Planning and Environment Act 1987 and all objections considered as part of the assessment.

Summary of submissions

Ten objections have been received and the main concerns raised by the objectors are summarised below:

- Removal of highly productive agricultural land
- Removal of paddock trees
- Floodway Overlay
- Visual amenity
- Temperature rise
- Fire risk
- Impact on flora and fauna
- Impact on tourism

An assessment of the objections and responses to issues raised are contained in Attachment 1.

Options for Consideration

1. Support the assessing Officer's recommendation to grant a permit
2. Overtun the assessing Officer's recommendation and determine that a Notice of Decision to refuse to grant a permit issue.

Conclusion

It is concluded that after assessment against all the relevant provisions of the Wangaratta Planning Scheme and consideration of all relevant state and local strategies, as well as consideration of all objections that the proposal should be supported, subject to conditions.

Attachments

- 1 Assessment Report [!\[\]\(1e63609ed98a835f4eb8c01936fe5abe_img.jpg\)](#) 
- 2 Proposed Permit Conditions [!\[\]\(667a6241441d64e420cc3455b8ca30eb_img.jpg\)](#) 

16.2 PLANNING PERMIT APPLICATION PLNAPP19/212 - BOUNDARY REALIGNMENT - 1350 ALLANS LANE, MEADOW CREEK

Meeting Type: Ordinary Council Meeting
Date of Meeting: 25 February 2020
Author: Senior Planner
File No: IC20/297

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

Executive Summary

This application seeks approval for the realignment of a common boundary between Lot 1 and Lot 2 on Title Plan 377609M creating a 3.1 hectares allotment containing an existing dwelling and agricultural shedding. The balance lot measures 54.4 hectares.

The subject site is located in Meadow Creek approximately 8 kilometres to the north east of the township of Moyhu in the King Valley. This is farming area and to the south east is significant areas of state forest.

The proposal was advertised to adjoining and nearby landowners and occupiers and Council has not received any objections.

The key issues for consideration are identified as –

- Conflict between farming activities and rural lifestyle living.
- Incremental loss of productive agricultural land.

The proposal has been assessed against the provisions of the Wangaratta Planning Scheme and it does not support the purpose of the Farming Zone and does not accord with appropriate decision guidelines. The proposed is not supported by the state and local policy.

RECOMMENDATION:

That Council:

1. Refuse to Grant a Permit with respect to Planning Permit Application PInApp19/212 for a Boundary Realignment at 1350 Allans Lane Meadow Creek based on the following grounds:

- 1. The proposal does not support the Purpose of the Farming Zone and does not accord with the decision guidelines at Clause 35.07.***
- 2. The proposal when assessed against the relevant state, regional and local planning policies is not considered to be supported. The relevant planning policies being:***

- **Clause 11**
- **Clause 14**
- **Clause 17**
- **Clause 21.02**
- **Clause 21.05**
- **Clause 22.01**

3. The proposal is not supported by local and state strategic documents being:

- **An Assessment of the Versatility of Agricultural Land in the Rural City of Wangaratta April 2000.**
- **Hume Regional Growth Plan 2014.**

2. Notify the applicant and referral authorities are notified of Council's decision.

More detailed information on the proposal can be found in the attached assessment report – see Attachment 1.

Background

Site Description including Site Plan

The subject site is located at 1350 Allans Lane, Meadow Creek. The property is made up of two allotments; Lot 1 TP377609M being 47.3 hectares and Lot 2 TP377609M being 10.2 hectares. Lot 1 currently contains all agricultural associated shedding and the dwelling that is located in the south-east of the site where access is provided on to Meadow Creek Road. The land is in the Farming Zone and the Vegetation Protection Overlay has been applied along the eastern and western property boundaries to protect significant roadside and boundary vegetation. The surrounding area is comprised of large agricultural allotments with very few dwellings along Meadow Creek Road and Box Forest Road.

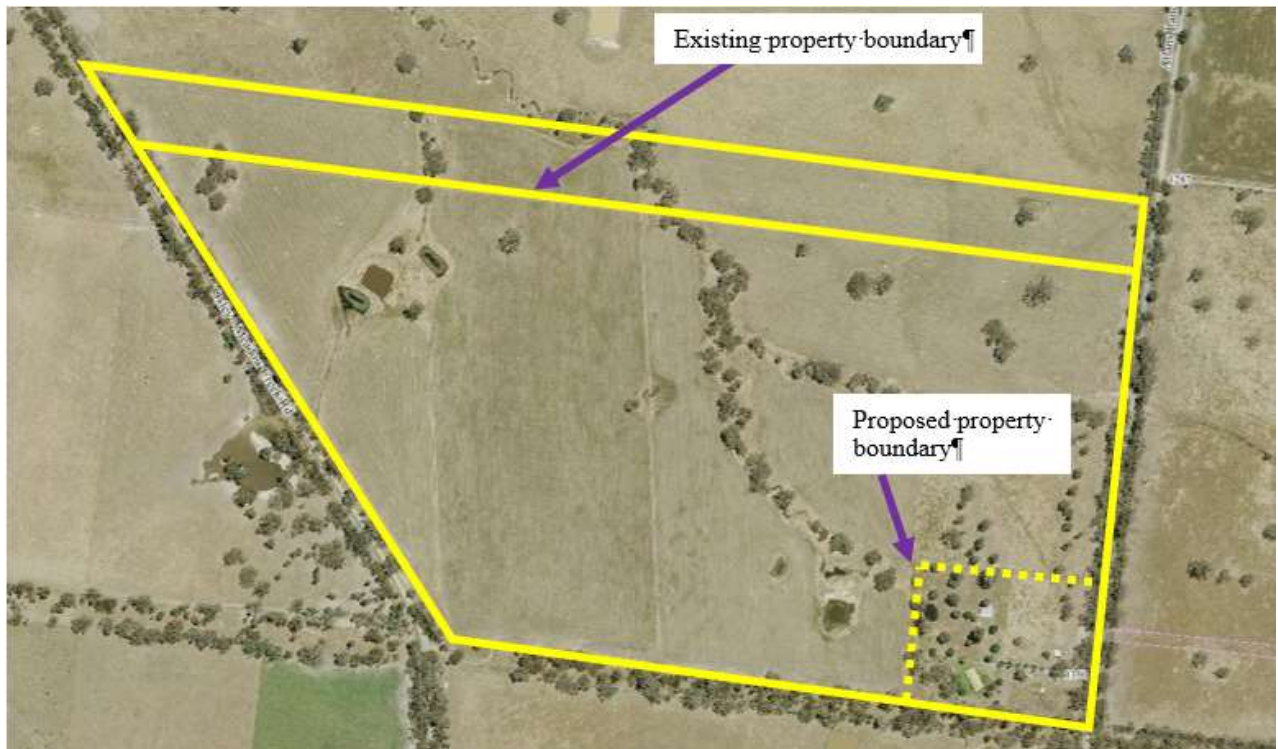


Plan 1: The subject site at 1350 Allans Lane, Meadow Creek (highlighted).

Proposal in Detail

It is proposed to realign the common boundary between Lot 1 and Lot 2 TP 377609M MOYHU, as per Plan 2. Lot 1 currently contains the existing dwelling and has an area of 47.3 hectares, and Lot 2 an area of 10.2 hectares.

The re-subdivision proposes to modify the boundary to create a 3.1 hectare allotment containing the existing dwelling and agricultural shedding. The boundary proposed is the existing fence line.



Plan 2: proposed subdivision layout at 1350 Allans Lane, Meadow Creek (highlighted).

Summary of key issues to be considered in the assessment

- Conflict between farming activities and rural lifestyle living.
- Incremental loss of productive agricultural land.

Implications

Policy Considerations

Summary of the Planning Considerations Including State, Local and Scheme Provisions

Permit Triggers

Clause 35.07 – Farming Zone

Planning Policy Framework

Clause 11.01-1R Settlement – Hume

Clause 12.03-1S River corridors, waterways, lakes and wetlands
Clause 13.07-1S Land use compatibility
Clause 14.01-1S Protection of agricultural land
Clause 14.01-2R Agricultural productivity - Hume
Clause 14.02-1S Catchment planning and management
Clause 17.01-1R Diversified economy – Hume
Clause 21.01-2 Key influences and issues Clause 21.02-1 Settlement network
Clause 21.03-3 Rivers
Clause 21.05-1 Rural land use and agriculture
Clause 21.05-2 Water
Clause 21.12 Reference documents
Clause 22.01-2 Subdivision in rural areas

Others

Clause 65.02 Decision Guidelines
Hume Regional Growth Plan 2014
An Assessment of the Versatility of Agricultural Land in the Rural City of Wangaratta 2000
Area of Cultural Heritage Sensitivity

Assessment under the Planning and Environment Act

The application is considered to be inconsistent with the relevant Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF) clauses and the Farming Zone identified in the Wangaratta Planning Scheme.

The PPF and LPPF contain policy that directly discourages the type of subdivision that is proposed. The application has identified that the subdivision will have no relation to the agricultural use being undertaken on the current site and will effectively be a rural lifestyle lot, in contradiction to the policy at Clause 13.07-1S, Clause 21.05-1 and Clause 22.01-2, as this creates a land use conflict between agriculture and residential that has the potential to limit the operation and expansion of surrounding agricultural properties. Furthermore, the existing agricultural shedding and cattle yards are proposed to remain on the dwelling lot and not on the balance lot.

The surrounding area is genuine agricultural land where there is no access to the services required for residential land uses. The re-subdivision proposed will allow an additional dwelling to be constructed as of right on the balance lot which will result in the further loss of productive agricultural land and potential for the clustering of dwellings in the area. Clause 14.01-1S identifies there being increased pressure on the development of rural land for residential practices and discourages the inappropriate fragmentation of agricultural land for residential purposes. The clause encourages the protection of farmland that is of strategic significance in the local or regional context.

The Hume Regional Growth Plan, identified in Clause 72.08 Background documents, at Clause 11.01-1R specifies the subject site and surrounding land throughout the king valley as being agricultural land of strategic importance. The plan identifies the Hume Region as being one of Australia's major food producing areas and relies on the findings of the Hume Region Rural Land Use Study (2012).

The plan discourages the fragmentation of agricultural land to avoid conflicting land uses. The surrounding area is further documented in 'An Assessment of the Versatility of Agricultural Land in the Rural City of Wangaratta', Department of Natural Resources and Environment (April 2000). This reference document at Clause 21.12 of the Wangaratta Planning Scheme identifies the subject site as 'high' versatility and the land along the King River to the west as being 'very high' agricultural versatility. Clause 21.05 and Clause 22.01 discourage the fragmentation of land within 'high' or 'very high' agricultural versatility areas.

VCAT cases provide precedent for decision and has considered the excision of dwellings. In *Liprino v Wangaratta Rural CC [2006] VCAT 841* the decision references *Parkworth Pty Ltd & Anor v Casey CC [2002] VCAT 1594* stating that the fragmenting of farm land into small lots makes the land unable to utilise genuine farming practices. The decision goes on to further state that land prices are transformed from agricultural to residential and per hectare prices are inflated causing issues for neighbouring farmers if they wish to expand in the future. Furthermore, there is no guarantee that the balance lot will be used for agriculture in the future, as a dwelling can be constructed on the site without the need for a planning permit which will further fragment the Farming Zone and cause further land use conflict between residential and agricultural land uses.

In *Parker v Wangaratta Rural CC [2016] VCAT 59* VCAT's decision was to refuse the application as it did not meet Planning Policy Framework, Local Planning Policy Framework and the purpose of the Farming Zone.

It is recommended that the planning application be refused on the basis that it is inconsistent with the agricultural provisions of the relevant Planning Policy Framework and Local Planning Policy Framework and the Farming Zone provision of the Wangaratta Planning Scheme.

Financial/Economic Implications

The proposal does not have any impact on Council's finances as such. Should the matter be appealed at the Victorian Civil and Administrative Tribunal then Council will likely incur costs associated.

Legal/Statutory

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

Social

The potential social impacts are of detrimental consequences to the rural communities that rely on the preservation of their farming businesses remaining viable, providing employment and social cohesion within these communities along with connectivity to the municipality. There is potential for conflict between the use of the land for farming purposes and rural lifestyle living constraining any prospective farming business to expand or change activities potentially and setting up amenity concerns.

Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for this subject of this report. However, many farms retain native vegetation and this is susceptible to loss without ongoing protection and sustainable management of the land.

Cultural Heritage

The subject site has an Area of Cultural Heritage Sensitivity and the proposal is exempted from the requirements of a Cultural Heritage Management Plan.

2018 -2021 Council Plan (2019 Revision)

This report supports the 2018-2021 Plan

Goal

We will plan, research and advocate for the future:

- To advance the opportunities and potential of our agricultural communities and industries.
- To facilitate considered planning and development in line with long term strategic objectives for the sustainability of our community and environment.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

b) Other strategic links

Hume Regional Growth Plan 2014

An Assessment of the Versatility of Agricultural Land in the Rural City of Wangaratta 2000

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Refuse to issue permit – applicant appeals decision to VCAT	Moderate	Moderate	Moderate	Representation of Council at VCAT
Grant permit with conditions – applicant appeals conditions at VCAT	Low	Moderate	Low	Representation of Council at VCAT

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Advertising has been undertaken pursuant to Section 52 of the Planning and Environment Act 1987.	Letters to adjacent and nearby landowners and occupiers, advertisement in the local newspaper and on Council website.
Consult	Advertising has been undertaken pursuant to Section 52 of the Planning and Environment Act 1987.	
Involve	Council Meeting VCAT	Questions allowed
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

Refuse to Grant a Permit with respect to planning permit application PInApp19/212 for a Boundary Realignment at 1350 Allans Lane Meadow Creek VIC 3678

Or

Issue a Permit, subject to conditions.

Conclusion

It is concluded that the proposal does not support the purpose of the Farming Zone, does not accord with what are considered to be appropriate decision guidelines and when assessed against relevant policy the proposal should be refused.

Attachments

- 1 Assessment Report [!\[\]\(609f3372828e3526d7ce4ba9a1b5248e_img.jpg\)](#) 

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: 25 February 2020
Author: Support Officer - Infrastructure
File Name: Assemblies of Councillors
File No: IC19/1416

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
3/12/2019	Audit Advisory Committee Meeting	Attachment
2/12/2019	Councillors Briefing Forum	Attachment
9/12/2019	Councillors Briefing Forum	Attachment
10/12/2019	Pre-Council Meeting Discussion – December Council Meeting	Attachment
16/12/2019	Councillors Briefing Forum	Attachment
16/12/2019	Arts, Culture and Heritage Advisory Committee Meeting	Attachment
20/1/2020	Councillors Briefing Forum	Attachment

28/1/2020	Councillors Briefing Forum	Attachment
3/2/2020	Councillors Briefing Forum	Attachment

Advisory Committee Meetings:

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

1. Audit Advisory Committee Meeting – 12 September 2019
2. Audit Advisory Committee Meeting – 17 September 2019
3. Arts Culture & Heritage Advisory Committee Meeting – 16 December 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 - Councillors Briefing Forum - 2 December 2019 [↓](#) 
- 2 Assembly of Councillors - Audit Advisory Committee Meeting - 3 December 2019 [↓](#) 
- 3 Assembly of Councillors - Councillors Briefing Forum - 9 December 2019 [↓](#) 
- 4 Assembly of Councillors - Pre Council Meeting Discussion - 10 December 2019 [↓](#) 
- 5 Assembly of Councillors - Councillors Briefing Forum - 16 December 2019 [↓](#) 
- 6 Assembly of Councillors - Arts Culture & Heritage Advisory Committee Meeting - 16 December 2019 [↓](#) 
- 7 Assembly of Councillors - Councillors Briefing Forum - 20 January 2020 [↓](#) 
- 8 Assembly of Councillors - Councillors Briefing Forum - 28 January 2020 [↓](#) 
- 9 Assembly of Councillors - Councillors Briefing Forum - 3 February 2020 [↓](#) 
- 10 AUDIT ADVISORY COMMITTEE MEETING - Minutes - 12 September 2019 [↓](#) 
- 11 AUDIT ADVISORY COMMITTEE MEETING - Minutes - 17 September 2019 [↓](#) 
- 12 ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE MEETING - Minutes - 16 December 2019 [↓](#) 

20. NOTICES OF MOTION

Nil

21. URGENT BUSINESS

22. PUBLIC QUESTION TIME

23. CONFIDENTIAL BUSINESS

Nil

24. CLOSURE OF MEETING

ATTACHMENTS

Rural City of Wangaratta										Ref
Income Statement as at 31st December 2019										
	19/20 Adopted Budget	19/20 Revised Budget	19/20 YTD Actual	19/20 YTD Revised Budget	YTD Variance	YTD Variance	%			
Income	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	%			
Rates and charges	33,656	33,706	33,697	33,687	10	0%		1		
Statutory fees and fines	1,204	1,308	580	626	(46)	(7%)		2		
User fees	7,810	8,170	4,440	4,223	217	5%		3		
Contributions - cash	275	437	149	95	55	58%		4		
Grants - Operating	15,432	17,128	6,356	7,028	(671)	(10%)		5		
Grants - Capital	7,572	7,073	1,996	561	1,435	256%		6		
Reimbursements	80	2,164	801	171	630	368%		7		
Other revenue	621	472	250	229	21	9%		8		
Net gain/(loss) on sale/disposal of property, infrastructure	819	1,147	1,618	1,578	40	3%		9		
Total Income	67,470	71,605	49,888	48,197	1,691	4%				
Expenses										
Employee benefits	24,163	24,206	12,221	11,968	(252)	(2%)		1		
Materials and services	20,058	24,358	9,415	9,700	284	3%		2		
Depreciation and amortisation	18,822	18,822	7,540	9,407	1,867	20%		3		
Finance costs	645	434	167	182	15	8%		4		
Other expenses	104	438	239	221	(17)	(8%)		5		
Total Expenses	63,793	68,258	29,582	31,479	1,897	6%				
Surplus / (deficit) for the year	3,677	3,347	20,306	16,719	3,588	21%				

1. \$55k reduction in local law estimated income and \$10k higher than anticipated planning application fees.
2. \$35k Aged care community and home care package income, \$21k entrance fees, \$33k higher of facilities, \$10k café income higher than anticipated and \$52k additional revenue from road reserve permits.
3. Higher than anticipated planning cash contributions received during the first half of the year.
4. \$420k Commonwealth Home Support Funding for 3rd Quarter was paid in Dec 2019 - usually paid in the first week of new quarter. Finance will correct the posting between operating and capital grants.
5. Reimbursements for December 2019 Stormwater and Floods claims have not been phased correctly. We received \$660k in November and December.
6. Interest on investments now \$26k above revised budget.
7. Employee costs are on track against full year budget.
8. Depreciation of Roads Seals is under budget due to some seals fully depreciated and transfer of new completed assets from work-in-progress.
9. Other expenses are on track against full year budget.

Rural City of Wangaratta									
Statement of Capital Works as at 31 December									
	19/20 Adopted Budget	19/20 Revised Budget	19/20 YTD Actual	19/20 YTD Revised Budget	YTD Variance	YTD Variance			
	\$	\$	\$	\$	\$	\$	%		
Property									
Land Improvements	1,996,900	2,036,173	474,549	311,800	(162,749)	(162,749)	(52%)		
Total Land	1,996,900	2,036,173	474,549	311,800	(162,749)	(162,749)	(52%)		
WIP Buildings	1,155,750	1,312,857	371,344	366,457	(4,887)	(4,887)	(1%)		
Total buildings	1,155,750	1,312,857	371,344	366,457	(4,887)	(4,887)	(1%)		
Total Property	3,152,650	3,349,030	845,892	678,257	(167,635)	(167,635)	(25%)		
Plant and equipment									
Plant and equipment	1,634,207	1,766,706	789,245	845,087	55,842	55,842	7%		
Furniture and fittings	452,465	471,569	45,657	133,261	87,604	87,604	66%		
Computers and telecommunications	745,448	836,439	112,678	124,569	11,891	11,891	10%		
Artworks	5,544	10,979	6,876	6,876	(0)	(0)	(0%)		
Book collection	187,061	194,854	85,606	94,760	9,154	9,154	10%		
Total Plant and equipment	3,024,725	3,280,547	1,040,064	1,204,553	164,489	164,489	14%		
Infrastructure									
Waste management	2,795,850	3,587,504	2,240,279	2,555,997	315,717	315,717	12%		
Sealed roads and substructure	5,092,874	5,716,569	2,652,883	3,312,748	659,865	659,865	20%		
Gravel Roads and substructure	2,151,630	2,186,988	623,871	282,903	(340,968)	(340,968)	(121%)		
Bridges	293,750	316,475	66,130	104,829	38,699	38,699	37%		
Kerbing	1,100,000	1,043,138	542,473	523,340	(19,133)	(19,133)	(4%)		
Drainage	2,044,670	2,374,501	849,543	1,266,093	416,550	416,550	33%		
Footpaths	731,573	840,317	241,533	240,949	(584)	(584)	(0%)		
Bikepaths	0	41,345	41,612	0	(41,612)	(41,612)	(100%)		
Off Street Car Parks	1,563,500	1,692,400	81,870	741,799	659,929	659,929	89%		
Parks, Open Spaces and Streetscapes	817,250	616,322	130,627	187,693	57,066	57,066	30%		
Recreation, Leisure and Community Facilities	15,932,303	17,228,173	3,750,429	5,744,430	1,994,001	1,994,001	35%		
Aerodromes	989,507	980,284	6,060	25,284	19,224	19,224	76%		
Total Infrastructure	33,512,907	36,624,016	11,227,310	14,986,064	3,758,755	3,758,755	25%		
Total capital works expenditure	39,690,282	43,253,593	13,113,265	16,868,874	3,755,609	3,755,609	22%		
Represented by:									
Renewal expenditure	11,582,147	12,557,473	4,845,501	5,277,188	431,687	431,687	8%		
Upgrade expenditure	6,348,396	7,550,962	2,461,010	2,750,316	289,306	289,306	11%		
New Assets expenditure	20,559,739	21,938,710	5,804,544	8,841,371	3,036,827	3,036,827	34%		
Rehabilitation expenditure	1,200,000	1,206,448	2,211	-	(2,211)	(2,211)	(100%)		
Total Capital Works Expenditure	39,690,282	43,253,593	13,113,265	16,868,874	3,755,609	3,755,609	22%		

Councillor Expenditure 01/10/2019 to 31/12/2019									
Expense	Ashlee Fitzpatrick	David Fuller	Dean Rees	Harold Bussell	Harvey Benton	Ken Clarke	Mark Currie	Total	
Accommodation & Meals	394		388			369		1,150	
Conferences & Seminars	527		115			541		1,184	
Meeting Expenses	55							55	
Salaries & Wages	7,137	7,137	22,084	7,137	7,137	6,518	7,137	64,290	
Superannuation						619		619	
Travelling	151	60	6			36		253	
Total	8,264	7,197	22,594	7,137	7,137	8,083	7,137	67,551	

Rural City of Wangaratta	30 June 2018	30 June 2019	31st December 2019
Balance Sheet as at 31st December	\$	\$	\$
Assets			
Current assets			
Cash and cash equivalents	31,974,226	20,938,737	18,224,778
Rate receivables	951,490	1,020,861	16,831,328
Other receivables - current	3,112,560	6,064,419	5,999,842
Inventories	1,394	104	1,559
Assets held for sale	3,788,000	2,110,462	2,110,462
Other assets - current	401,806	641,497	493,071
Investments in associates	0	0	0
Total Current assets	40,229,476	30,776,082	43,661,040
Non-current assets			
Receivables non-current	7,200	3,600	3,600
Financial assets non-current	10,000	10,000	10,000
Property, plant and equipment and infrastructure	533,986,301	555,428,616	560,335,959
Book collection	549,189	746,326	747,148
Intangible Assets - Landfill	0	1,880,390	1,880,390
Total Non-current assets	534,552,690	558,068,932	562,977,098
Total Assets	574,782,166	588,845,014	606,638,138
Liabilities			
Current liabilities			
Payables - current	4,415,470	8,174,912	3,315,863
Trust funds and deposits	1,237,602	1,487,532	4,055,172
Provisions - current	5,676,538	5,198,217	5,176,052
Interest bearing loans and borrowings - current	552,394	442,148	246,199
Total Current liabilities	11,882,003	15,302,809	12,793,287
Non-current liabilities			
Provisions non-current	14,676,151	16,503,352	16,503,352
Interest bearing loans and borrowings non-current	8,186,265	7,744,117	7,744,117
Total Non-current liabilities	22,862,416	24,247,469	24,247,469
Total liabilities	34,744,420	39,550,279	37,040,756
Net assets	540,037,746	549,294,735	569,597,382
Equity			
Accumulated surplus	165,723,428	174,941,752	178,868,633
Other reserves	11,506,389	12,067,840	12,064,377
Asset revaluation reserve	353,028,155	358,358,073	358,358,073
Accumulated surplus - current year	9,779,775	3,927,071	20,306,300
Total Equity	540,037,746	549,294,735	569,597,382

Council Plan 2017 - 2021 (2019 Revision)
 'What You Will See in 2019/20' - Q2 Progress Report

WE ARE THRIVING			
What You Will See in 2019/2020	Status	Tracking	
Wangaratta Indoor Sports and Aquatics Centre Delivery	Underway 30-59%	ON TRACK	Project is now progressing well and will be completed November 2020.
HP Barr Reserve Oval 2 - Drainage and Restoration works	Underway 30-59%	ON TRACK	Project has started and will be completed by March 2020.
Delivery of Glenrowan Recreation Reserve Upgrade Project	Completed 100%	ON TRACK	Project is complete
Implementation of the Waste Management Strategy (WMS)	Nearing Completion 80-99%	ON TRACK	<p>Implementation of the Waste Management Strategy actions are currently progressing satisfactorily.</p> <p>Actions include:</p> <ul style="list-style-type: none"> - A polystyrene extruder has been purchased for the Transfer Station; - A sorting pad and machinery has been established at the landfill to recover recyclable waste from landfill; - Council is participating in the garage sale trail to recover hard waste; - Expansion of the kerbside collection of organics to rural townships is underway for December 2019; - Upgrade of electronic waste facilities at the Transfer Station has occurred; and - Aftercare and maintenance program has been developed for the 18 known landfills and a feasibility assessment has occurred for the Eldorado Landfill. <p>The roll out of organic bins has occurred to Milawa, Oxley, Hamilton Park and Glenrowan and collections are underway. Organics plant construction is complete and commissioning is underway.</p>
Mental Health and Family Violence Program	Underway 30-59%	ON TRACK	Components of this program have been completed including the 16 days of activism. Projects such as Coffee with a cop and further mental health programs will be undertaken within this financial year.
North and South Wangaratta Reserve Lighting Upgrade	On-going 60-79%	OFF TRACK	South Wangaratta is completed. North Wangaratta is ready to Tender but funding agreement is still not signed (possibly not funded).
WJ Finlay Oval Lighting Upgrade	On-going 60-79%	ON TRACK	Project is progressing well. On ground civil works to start end of January 2020. Completed March 2020.
Senior Citizens Centre - Feasibility Study	Underway 30-59%	ON TRACK	The Senior Citizens Feasibility study is underway. A meeting has been scheduled with the consultant and club members on 31/01/20.
Implementation of Play Space Strategy - Year 2	Nearing Completion 80-99%	ON TRACK	The two play spaces for the 2019/20 financial year have been upgraded. Works at Baltimore Estate Park are yet to be completed.
Mitchell Avenue Children's Garden Construction	Started 1-29%	ON TRACK	Expression of Interest (EOI) process complete, funding split over two years. Will be tendered in March 2020.

WE ARE GROWING

What You Will See in 2019/2020	Status	Tracking	Comment
Progression of Draft Brand Strategy	Underway 30-50%	ON TRACK	Work has commenced and is on track to meet scheduled delivery dates.
Wangaratta Aerodrome Infrastructure Development	Underway 30-50%	ON TRACK	Infrastructure Design Plans and tender documents for the infrastructure upgrades and commercial hanger build have been completed and tender process started.
Develop Growth Area Infrastructure	On-going 60-70%	ON TRACK	Planning Scheme Amendment has been approved. First subdivision proposal submitted for the North West Growth Area. Long term plan in place for infrastructure development.
Participation in Tourism North East (TNE) programs	On-going 60-70%	ON TRACK	Participation in TNE activities is on track for FY19/20 - Representation at TEDMM meetings. Cycle Signage Strategy audit undertaken in October. The Human Capital research report on employment in hospitality industry has been completed.
Business Development and Support Programs	On-going 60-70%	ON TRACK	Business development workshops were held during the second quarter. Ongoing support for new and developing business with the coordination of pre-planning meetings. Bushfire Ready and ASBAS workshop were well attended.
Tourism Marketing Campaign	Started 1-20%	OFF TRACK	Delayed due to reporting on logos for the brand and awaiting style guide and collateral. Commenced a social media campaign at Christmas to run through until January.

WE ARE ESTABLISHED			
What You Will See in 2019/2020	Status	Tracking	Comment
Railway Precinct Redevelopment	Underway 30-59%	ON TRACK	Project has started, funding is split over two year. Completed Dec 2020.
Delivery of our Asset Renewal Program 2019/2020	On-going 60-79%	ON TRACK	Renewal program is underway and will be completed by June 2020.
Progression of major projects from 'The Wangaratta Project' in line with successful funding provision and Council's priorities	Underway 30-59%	ON TRACK	Major projects are progressing in line with Council priorities.
Implementation of the annual Rural Community Planning projects identified within the District Plans	On-going 60-79%	ON TRACK	The Milawa and Springhurst Township infrastructure plans have been completed. 70% of works in Springhurst have been completed, ahead of time. Rural Signage is still on hold pending the branding strategy. Consultation is underway in Glenrowan and Whitfield with regards to their infrastructure plans.
Preparation of municipality-wide Cycling Strategy	Nearing Completion 80-99%	ON TRACK	The draft strategy has been released for public exhibition and will be reviewed and presented to council in April 2020 for adoption.
Design and planning completed for the Waldara Drainage Scheme	On-going 60-79%	ON TRACK	Have started the process to acquire final section of land for the bund installation in early 2020.
Annual Gravel Re-sheeting and Resealing Programs	On-going 60-79%	ON TRACK	Programs are running to schedule. Resealing is complete. Re-sheeting 26kms completed out of a 77km program. Completed June 2020.
Drainage and upgrade of Linder Road - Design and Land Acquisition	Underway 30-59%	ON TRACK	Design has started, design only project. Will be completed June 2020.
Council Asset Data, Condition and Renewal Policy Development - Buildings and Systems	On-going 60-79%	ON TRACK	Project is progressing well and will be completed June 2020.

WE ARE INSPIRED

What You Will See in 2019/2020	Status	Tracking	Comment
Wangaratta Performing Arts and Convention Centre Services Feasibility Study	On-going 60-79%	ON TRACK	Work on-going - Running as per schedule and within budget.
Art Gallery Feasibility Study Outcomes	On-going 60-79%	ON TRACK	Work on-going - Running as per schedule and within budget.
Library Self Service, security and stock control through RFID Technology	On-going 60-79%	ON TRACK	Work on-going - Running as per schedule and within budget.
Wangaratta Parklands Precinct Master Plan	Underway 30-59%	ON TRACK	A consultant has been appointed and works are underway. User group and council staff workshops are scheduled for 30/1/20.
Development of enabling frameworks for project management, change management and innovation	Underway 30-59%	ON TRACK	Project Management Framework has been developed and employee training program is being launched from February 2020.
Investigate lighting treatments within CBD Precinct as an extension of the Christmas Decoration Project	Completed 100%	ON TRACK	Reid and Murphy Street Lights have been fully installed.
Venue Management Software to streamline booking systems - Implementation	Started 1-29%	OFF TRACK	ICT Strategy has identified Event Management Software upgrade as a key component of stage 1 and consequently the scope of the original project has been revised to be incorporated into larger project.

WE ARE SUSTAINABLE			
What You Will See in 2019/2020	Status	Tracking	Comment
Organics Processing Plant Completion	Completed 100%	ON TRACK	Project is complete, commissioning is underway.
Rural Townships Organics Roll Out	Completed 100%	ON TRACK	All the bins were rolled out in December with the collection also starting in December - the project ran smoothly and within budget.
Gun Club Rehabilitation	Underway 30-50%	OFF TRACK	Final designs are being completed. EPA approval still required.
Deliver our roadside weed management spraying program	On-going 60-79%	ON TRACK	Our FY19/20 Spraying program is on track, contractors continuing to target noxious weeds on Council managed roadsides.
Improved employee experience and performance through enhanced on-boarding and talent management	Started 1-29%	ON TRACK	First deliverables soon to be implemented and scoping for Stage 2 work is advanced.
Business Intelligence - Agile reporting to support business decisions	On-going 60-79%	ON TRACK	Work is on-going. Project is running as per schedule and within budget. SharePoint (Internal projects and team intranet) has been launched as a collaboration tool across the organisation.
On-line lodgement and payment of permits, animal renewals and infringements	Underway 30-50%	ON TRACK	Work has commenced and is on track. The online payment component is complete. A fully integrated lodgement for animal renewals and infringements is scheduled within the ICT Strategy Roadmap.
Comprehensive service planning framework	Not Started 0%	ON HOLD	Funding for this project has been reallocated in the Mid-Year Budget. This project will no longer proceed.
Domestic Waste Water Management	On-going 60-79%	ON TRACK	Work is on-going. Project is running as per schedule and within budget.
ICT Strategy Implementation - Commencement	Underway 30-50%	ON TRACK	Work has commenced and is on track. Within the ICT Strategy Roadmap, Council has also prioritised strengthening the backend infrastructure and network and Disaster Recovery Plan.
Environmental Sustainable Strategy 2014 - Review and update	Underway 30-50%	ON TRACK	Review of current strategy and development of new ESS underway - Draft to be sent to internal stakeholders in February for comment before being presented to Council in March.

	STATUS	TRACKING	GUIDANCE FOR COMMENTARY
Key:	Completed 100%	ON TRACK OFF TRACK	ON TRACK: Completed - On time and within budget OFF TRACK: Completed - But did not meet delivery dates and/or ran over budget
	Nearing Completion 80-99%		ON TRACK: In progress and nearing imminent completion (within 1-3 months) OFF TRACK: In progress and nearing imminent completion (within 1-3 months) but outside of budget and/or delivery dates not being met
	On-going 60-79%		ON TRACK: Work on-going - Running as per schedule and within budget OFF TRACK: Work on-going but over budget and/or delivery dates not being met
	Underway 30-50%		ON TRACK: Work has commenced and are on track and meeting scheduled delivery dates OFF TRACK: Work has commenced but some concerns about completing as per works schedule
	Started 1-29%		ON TRACK: Work started and meeting scheduled delivery dates OFF TRACK: Work started but concerns scheduled deliverable dates can not be achieved
	Not Started 0%		ON TRACK: Work has not commenced. Scheduled to commence later in FY2019/20 OFF TRACK: Work has not commenced. Scheduled commencement date missed and intervention is required

We Are Established

MEASURES & TARGETS	RESULTS (Year to Date)	COMMENTS
<p>E04: Value of infrastructure per head of municipal population</p> <p>YTD Target for 19/20: \$18000.00</p> <p>YTD Actual for 19/20: \$17761.03</p>	<p>Period \$</p> <p>YTD \$</p> <p>Legend: Actual, Target, Target (YTD), Actual (YTD)</p>	<p>Result within target for Property Plant & Equipment less specialised and non-specialised land.</p> <p>Source: Balance Sheet at month end, TechOne</p>

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We Are Growing

MEASURES & TARGETS	RESULTS (Year to Date)	COMMENTS
<p> G01: Median number of processing days taken between receipt of planning application and a decision</p> <p>YTD Target for 19/20: 55.00 YTD Actual for 19/20: 55.33</p>		<p>On track to meet this target for 2019/20.</p> <p>Source: Tech 1 Data as submitted to PPARS (Planning Permit Activity Reporting System)</p>
<p> G02: Percentage of planning decisions made within 60 days</p> <p>YTD Target for 19/20: 82.00% YTD Actual for 19/20: 69.04%</p>		<p>Results for the second quarter of 2019/20 steadily improving. More complex applications generally take longer for a decision to be made.</p> <p>Source: Tech 1 Data submitted to PPARS</p>
<p> G04: Number of new housing lots released in municipality</p> <p>YTD Target for 19/20: 75.00 YTD Actual for 19/20: 122.00</p>		<p>Source: New Titles Allocated</p>





We Are Inspired

MEASURES & TARGETS	RESULTS (Year to Date)	COMMENTS
<p> I01: Number of attendees at the Wangaratta Art Gallery</p> <p>YTD Target for 19/20: 19117.00 YTD Actual for 19/20: 16808.00</p>		<p>Gallery 2 closed due to hot season (no A/C). One week lost due to change over - Quiet period prior to Christmas is normal.</p> <p>Source: Door Counter</p>
<p> I06: Number of ticket sales for WPACC</p> <p>YTD Target for 19/20: 10349.00 YTD Actual for 19/20: 13476.00</p>		<p>Source: SABO</p>
<p> I08: Average number of days to close a customer request</p> <p>YTD Target for 19/20: 14.00 YTD Actual for 19/20: 5.20</p>		<p>On track and work on-going. Running as per established target of 14 days to close a customer request.</p> <p>In December 2019, the average days a customer request remained open was 5.4 days which is within the established targets range.</p> <p>Directors continue to work with teams to follow up with customers on cases awaiting a response</p>






We Are Sustainable

MEASURES & TARGETS	RESULTS (Year to Date)	COMMENTS
<p>S01: Percentage of Council decisions made at meetings closed to the public</p> <p>YTD Target for 19/20: 4.00% YTD Actual for 19/20: 3.75%</p>		<p>There were two items included in the confidential business section of the December 2019 Ordinary Council Meeting agenda. Item 1: CEO Performance Review and Key Performance Indicators and Item 2: Wangaratta Sports & Aquatics Centre operational Management.</p> <p>Source: December 2019 Ordinary Council Meeting Minutes</p>
<p>S02: Percentage of kerbside collection waste diverted from landfill</p> <p>YTD Target for 19/20: 61.00% YTD Actual for 19/20: 60.66%</p>		<p>Tracking on target - The summer months are the highest produces of waste.</p> <p>Source: Tipsite for the general waste and the organics. JJ Richards Invoice for the recycling.</p>
<p>S03: Native Plants planted in the Municipality - Greening Wangaratta Program</p> <p>YTD Target for 19/20: 3499.98 YTD Actual for 19/20: 6196.00</p>		<p>No trees were planted in December 2019 due to heat. The Bush Regen team have planted approximately 20 trays of seeds to be repotted into tube stock in the coming few months to be used as part of the tree planting program.</p>



We Are Thriving

MEASURES & TARGETS	RESULTS (Year to Date)	COMMENTS
<p> T01: Number of visits to aquatic facilities per head of population</p> <p>YTD Target for 19/20: 2.52 YTD Actual for 19/20: 2.26</p>	 <p>Period #</p> <p>Jul Oct Jan Apr</p> <p>Actual Target Target (YTD) Actual (YTD)</p> <p>YTD #</p>	<p>Source: S18/913 YMCA Monthly reports 2018</p>
<p> T02: Percentage of children enrolled to participate in the Maternal & Child Health Service</p> <p>YTD Target for 19/20: 95.00% YTD Actual for 19/20: 100.94%</p>	 <p>Period %</p> <p>Jul Oct Jan Apr</p> <p>Actual Target Target (YTD) Actual (YTD)</p> <p>YTD %</p>	<p>Source: F16/258 MCH Reporting and Performance Measures</p>
<p> T03: Cost of Maternal and Child Health Service per hour of service delivered</p> <p>YTD Target for 19/20: \$67.00 YTD Actual for 19/20: \$60.11</p>	 <p>Period \$</p> <p>Jul Oct Jan Apr</p> <p>Actual Target Target (YTD) Actual (YTD)</p> <p>YTD \$</p>	<p>Source: S18/7822 (E-mails of hours worked are placed here, currently provided by finance) and PowerBudget General Ledger 030 (employee benefits, materials and services) - Monthly Actuals</p>





Responsible Officer: Governance & Reporting Advisor Authorising Officer: Director Corporate Services	Policy Type:	Major Council Policy
	Adoption Date:	February 2020
	Approved By:	Council
	Review Cycle:	Three (3) Years
	Review Date:	February 2023
	WIM Reference:	

STATEMENT AND PURPOSE

This policy outlines Council's commitment to effective risk management.

SCOPE

This policy applies to all Councillors, Council employees and associates of Council.

Associates of Council 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.

COMMITMENT

Risk is inherent in all activities and effective management of risk is good business practice. It creates value by minimising loss and identifying opportunities. It is often a mandatory legal requirement.

Risk will be managed consistent with the standard - *Australian/New Zealand Standards AS/NZS ISO 31000:2009 Risk Management - Principles and Guidelines*.

Risks will be managed strategically and effectively through a proactive, integrated and structured approach provided by the risk management framework that is based on the standard.

Risk management activities will be funded to support achievement of the organisation's objectives.

POLICY

AIM

The risk management approach will aim to:

1. **Achieve Council objectives**
2. **Ensure a common understanding of risk across the organisation**
3. **Maximise value for money**
4. **Enhance governance**
5. **Implement robust controls for proactive and efficient responses to events that minimise loss**
6. **Enable the organisation to identify and capitalise on opportunities**

RISK TYPES

Risks are classified into one of three categories: Strategic, Project or Operational.

Strategic Risks	Major risks that affect achievement of strategic objectives.
Project Risks	Risks that have the potential to affect a project outcome.
Operational Risks	Risk of loss or disruption to service due to poor or failed internal processes, errors, system failures or inadequate policies.

RISK MANAGEMENT PROCESS

The risk management process includes the following elements:

Identifying... risks to generate a list based on events that might create, enhance, prevent, degrade, accelerate or delay the achievement Council's objectives.

Analysing and assessing... risks, including identifying the causes and sources of risks, the positive and negative consequences, and the likelihood that those consequences can occur.

Controlling... risks through measures or actions that effectively reduce the risk.

Evaluating... risks to determine if further treatment is needed and setting the priority for that treatment.

Treating... risks where controls are not effectively reducing the risk or the risk to the organisation is unacceptable.

Monitoring & Reporting... on identified risks, incidents and trends.

Embedding... risk management practices into all processes through communication and consultation.

PRINCIPLES

Risk management will be consistent with the principles identified in the standard – *Australian/New Zealand Standards AS/NZS ISO 31000:2009 Risk Management – Principles and Guidelines* – including the following:

1. **Creates and protects value**

2. Forms an integral part of all processes
3. Is an essential part of decision making
4. Explicitly addresses uncertainty
5. Is systematic, structured and timely
6. Is based on the best available information
7. Is context aware
8. Recognises human and cultural factors
9. Is transparent and inclusive
10. Is dynamic, iterative and responsive to changes

RISK APPETITE

Risk is inherent in all activities. To support decisions that benefit the community and help to achieve objectives, Council has defined risk appetite statements for each of its strategic risk types.

The risk appetite statements are provided in the risk management framework and are defined for financial, reputational, environmental & public health, occupational health & safety and operational/process outcomes.

CMT will monitor the appropriateness of the risk appetite statements and adjust them if necessary.

RISK MANAGEMENT FRAMEWORK

The risk management framework is designed to help apply this policy. It will ensure that risk management information is easily accessible and is used as an input to decision making and accountability at all levels of the organisation.

The framework provides the key principles, supporting processes and tools and summarises the responsibilities for risk management.

BREACHES

Breaches of this policy will be referred to CMT for consideration and determination on what action to take.

MONITORING AND EVALUATION

This policy will be reviewed by CMT and the Audit Advisory Committee every three years to ensure the content remains relevant and continues to reflect the organisations current risk management practices.

DEFINITIONS

Risk Appetite	<i>means</i>	the level of risk an organisation is prepared to accept in pursuit of its objectives.
Risk Management	<i>means</i>	coordinated activities to direct and control an organisation regarding risk.

Risk Management Framework	<i>means</i>	a set of components that provide the foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management throughout the organisation.
Risk Management Policy	<i>means</i>	a statement of the overall intentions and direction of an organisation related to risk management.
Risk	<i>means</i>	the effect of uncertainty on your objectives.
Risk Tolerance	<i>means</i>	the maximum specific level of risk an organisation is willing to take regarding each risk.

REFERENCES

LEGISLATION

Local Government Act 1989

EXTERNAL GUIDANCE

Australian/New Zealand Standards AS/NZS ISO 31000:2009 Risk Management - Principles and Guidelines

INTERNAL DOCUMENTS

Risk Management Framework

Fraud and Corruption Control Policy

Fraud and Corruption Control Procedure

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

Risk Management 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 Risk Management Policy (the Policy).

The Policy outlines Wangaratta Rural City Council's (Council's) commitment to effective risk management and mandates a proactive, integrated and structured management of risk across Council.

Purpose

The Policy details that Council is committed to managing risk in accordance with the *Australian/New Zealand Standards AS/NZS ISO 31000:2009 Risk Management - Principles and Guidelines*.

Additionally, it outlines that Council is committed to ensuring that our risks are managed strategically and effectively.

PART B - Overall Impact Assessment

There have been significant revisions made to the Risk Management Policy which was adopted by Council in September 2014.

The Policy has been revised to ensure it reflects the current risk management practices used by organisation. Additionally, the Policy has been streamlined to provide a more strategic overview of Council's risk management approach.

Although substantial revisions have been made to the Policy, Council remains committed to managing risk in accordance with the *Australian/New Zealand Standards AS/NZS ISO 31000:2009 Risk Management - Principles and Guidelines*.

The Policy details that the purpose of Council's risk manage approach is to:

1. Achieve Council objectives
2. Ensure there is a common understanding of risk across the organisation
3. Maximise value for money
4. Enhance governance
5. Implement robust controls to enable proactive and efficient response to events to minimise loss
6. Enable the organisation to identify and capitalise on opportunities

Major Council Policy Community Impact Statement
Risk Management Policy

The previous policy contained large amounts of content which detailed how risk management processes would be operational implemented. To return the Policy to addressing the overarching risk management principles which Council adopts to effectively management risk, the operational information has been extracted from the Policy.

A Risk Management Framework (Procedure) has been developed which contains the information on the operational processes which enable the identification, assessment, management and control of risks which supports the revised Policy.

Measures of success of the policy

The success of the policy will be best measured by the extent to which it improves effectiveness of Council's risk management processes. Evidence of this include the development of risk reporting and the inclusion of risk assessments in all Council's decision making.

Existing legislation that might be used instead

Council should adopt a Risk Management Policy to provide a clear position to Councillors and staff on the risk management objectives, principles and processes of Council.

State Legislation more appropriate

The provisions of the Policy are an appropriate solution as required by the Act.

Overlap of existing legislation

There is no overlap with existing legislation or policies.

Overlap of Planning Scheme

The policy has no relevance to the Planning Scheme.

Risk Assessment

The Policy enhances the effectiveness of Council's risk management processes.

The approach addresses the principles in which Council will identify, assess, manage and control Strategic, Project and Operational risks faced by the organisation in an effort to enable proactive and efficient response to events to minimise loss.

Legislative approach adopted

The policy operates in conjunction with the relevant sections of the Act.

Major Council Policy Community Impact Statement
Risk Management Policy

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.

Penalties

The Policy imposes an obligation only on Council itself and therefore no practical sanction can apply.

Permits

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

Fees

The Policy does not prescribe any 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 all Councils. It is based on the risk management principles as detailed in the *Australian/New Zealand Standards AS/NZS ISO 31000:2009 Risk Management - Principles and Guidelines*.

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.

Major Council Policy Community Impact StatementRisk Management Policy

Persons making submissions can request an opportunity to address Council. A Special Committee of Council will be established to hear submissions on the Policy.

Any submissions received will be considered by Council.

Part C - Specific Provisions

Statement and Purpose

The Statement and Purpose of the Policy have been rewritten.

Scope

The Policy applies to all Councillors, Council employees and associates of Council.

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.

Commitment

This policy details that Council is committed to managing risk in accordance with the *Australian/New Zealand Standards AS/NZS ISO 31000:2009 Risk Management – Principles and Guidelines*.

Risk Management Purpose

The revised Policy details that the purpose of Council's risk manage approach is to:

1. Achieve Council objectives
2. Ensure there is a common understanding of risk across the organisation
3. Maximise value for money
4. Enhance governance
5. Implement robust controls to enable proactive and efficient response to events to minimise loss
6. Enable the organisation to identify and capitalise on opportunities

Risk Management Principles

The Risk Management Principles included in the Policy align line with the principles identified in the *Australian/New Zealand Standards AS/NZS ISO 31000:2009 Risk Management - Principles and Guidelines*.

The application of Council's approach to risk management aspires to ensure that it:

1. Creates and protects value
2. Forms an integral part of all processes
3. Is an essential part of decision making
4. Explicitly address uncertainty
5. Is systematic, structured and timely
6. Is based on the best available information

Major Council Policy Human Rights Charter Assessment

Procurement Policy

7. Is context aware
8. Recognises human and cultural factors
9. Is transparent and inclusive
10. Is dynamic, iterative and responsive to changes

Major Council Policy Human Rights Charter Assessment

Procurement Policy

As from 1 January 2008 all public authorities (including Councils) are required to act in accordance with the Human Rights Charter (**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.

Issues and Purpose	Rights Impacted Positive	Rights impacted Negative	Justification and alternatives
OBJECTIVES	Nil	Nil	No impact as it sets out the purpose of the policy.
APPLICATION	Nil	Nil	No impact as it sets out who, what and when the policy applies.
POLICY	Nil	Nil	No impact as the policy sets out the provisions for the conduct of procurement activities. There are no restrictions on human rights.
DEFINITIONS	Nil	Nil	Provides relevant definitions to aid understanding of the policy provisions.

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;

Major Council Policy Human Rights Charter Assessment

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- 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 National Competition Policy Assessment

Risk Management 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 Risk Management Policy.

Objectives, Legislative Compliance and Application

These sections set out the objectives, legislative compliance and application elements of the policy.

It does not contain any restriction on competition.

Policy

This section sets out the procurement policy settings and supporting processes that will guide the conduct of Council and staff.

It does not contain any restriction on competition

Planning Permit Assessment Report – PInApp19/158.01

Application Details:

Application Number:	PInApp19/158.01
Land/Address:	Wangaratta-Kilfeera Road LACEBY VIC 3678 Lot 1 TP253930
Lot size	Approximately 130 hectares
Application is for:	Use and Development for a Renewable Energy Facility (Solar Installation); and Alteration to Access to a Road Zone Category 1
Zoning & Overlay/s:	Farming Zone Floodway Overlay
Under what clause(s) is a permit required?	<p><u>Farming Zone</u></p> <ul style="list-style-type: none"> Pursuant to Clause 35.07-1 a permit is required to USE the land for a Renewable Energy Facility and must meet the requirements of Clause 53.13 otherwise it is prohibited in the Farming Zone. Pursuant to Clause 35.07-4 a permit is required to DEVELOP the land for buildings and works associated with a Section 2 use; within 50m of a Road Zone Category 1; within 20m of another road; within 50m of a dwelling not in the same ownership; within 100m from a waterway. <p>NB. The Three Mile Creek is an artificial drain NB. Easement along northern boundary east to west belongs to electricity authority</p> <p><u>Floodway Overlay</u></p> <ul style="list-style-type: none"> Pursuant to Clause 44.03-2 a permit is required to construct a building or to construct or carry out works. A Flood Risk Report is required – submitted with application. Must be referred to NECMA. <p><u>Clause 52.29 Road Zone Category 1</u> Pursuant to Clause 52.29-2 a permit is required to create or alter access to a road in a Road Zone Category 1. Must be referred to VicRoads.</p> <p><u>Clause 53.13 Renewable Energy Facility (other than wind energy)</u> A proposal must meet the requirements of Clause 53.13 otherwise it is prohibited in the Farming Zone.</p>
Agricultural Versatility	High
Special Water Catchment Area	No
Bushfire Prone Area	Yes
Restrictive covenants on the title?	Nil
Area of Cultural Heritage Sensitivity	Yes
Current use and development:	Farm paddock

Recommendation

That Council:

1. Issue a Notice of Decision to Grant a Permit with respect to Planning Permit PInApp19/158 for Use and Development for a Renewable Energy Facility (Solar Installation); and Alteration to Access to a Road Zone Category 1; and
 2. The applicant, referral authorities and VCAT are notified of Council's decision.
-

Executive Summary

The application seeks approval for the use and development of the land for a renewable energy facility (solar installation) and alteration to access to a road in a Road Zone Category 1 at Lot 1 TP253930 on Wangaratta Kilfeera Road and Snow Road in Lace by. The site is zoned Farming with a Floodway Overlay and measures approximately 130 hectares.

The subject site is located to the south of the Rural City of Wangaratta in farming land with a number of rural lifestyle lots in the vicinity as well as larger farms. The site is identified as being of high agricultural versatility which allows for a range of agricultural activities; however, it is not within the area identified in the Hume Regional Growth Plan 2014 as being of strategic importance to the state.

The proposal was advertised and ten objections were received.

An amended proposal was submitted that excluded removal of the native trees and the proposal was re advertised to the objectors. No withdrawals have been received by Council and the objections stand.

The proposal was referred externally and internally as required.

- Department Environment, Land, Water and Planning (DELWP) was satisfied that no native trees would be removed.
- North East Catchment Management Authority (NECMA) did not object and asked for detailed plans to be submitted prior to works commencing to ensure that there will be no off site detrimental impacts due to the potential for flooding.
- Vic Roads is allowing direct access from Snow Road for maintenance only and Wangaratta-Kilfeera Road used during the construction phase. A Traffic Management Plan is required for the construction phase.

The proposal has been assessed against the Victorian Government's 'Solar Energy Facilities Design and Development Guidelines August 2019' and satisfies all relevant requirements. Further management plans will be required via conditions on any permit issued to ensure that the facility is controlled from construction to decommissioning phase in aspects regarding environment, risk and emergency, access and traffic, landscaping and construction and decommissioning activities.

The proposal has been assessed against the Wangaratta Planning Scheme, relevant state and local strategies, the current Council Plan and the Design and Development Guidelines and it is considered that there is very strong support throughout.

Proposal in Detail

This proposal is for the use and development of the land for a Renewable Energy Facility (Solar Installation) and the creation of a new access from Snow Road which is a Category 1 Road. No vegetation is proposed to be removed and Tree Protection Zones have been identified on plans for endorsing. The solar installation is proposed to produce 60 Megawatts of electricity which will connect directly into an existing 66 Kilovolt powerline that extends along the northern boundary.

The proposal intends to construct and operate 201,348 panels producing 60 megawatts of energy that will be transmitted into the local network at 66 kilovolts ready for use within the local area subject to Ausnet Power Sharing Protocols. The facility is proposed to operate for 30 years within an additional 12-18 months in which to construct and 6 months to decommission. At the end of the life of the facility the land is intended to be fully restored to agricultural use. During the life of the facility it is intended to have sheep grazing at around 40% of the stocking rate of that which would be achievable if the facility were not in place.



Example of what the panels will look like in elevation.

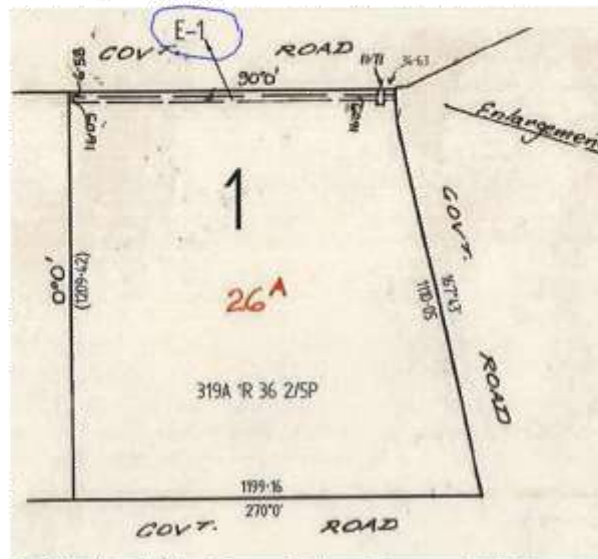
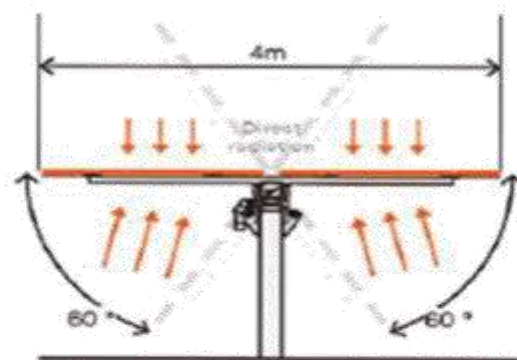


Diagram showing the location of the electricity easement along the north boundary

Each panel is approximately 2 metres in height and 1 metre in width and fixed to linear mounts, being aligned north-south to allow the panels to track the sun throughout the day. The panels are mounted in rows across the site allowing for tree protection zones, internal access and an external perimeter break between the security fencing and panels.

The panels will be connected to power stations located in 6 metres by 2 metres containers, 2.44 metres in height. The power stations are connected to a control room (15 metres by 4 metres), switch room (15 metres by 5 metres) and a battery room (4.6 metres by 3.4 metres) contained within a compound area measuring 35 metres by 70 metres. All structures are proposed to be raised off the ground level to accommodate flood flows. There will be no permanent lighting once operational.

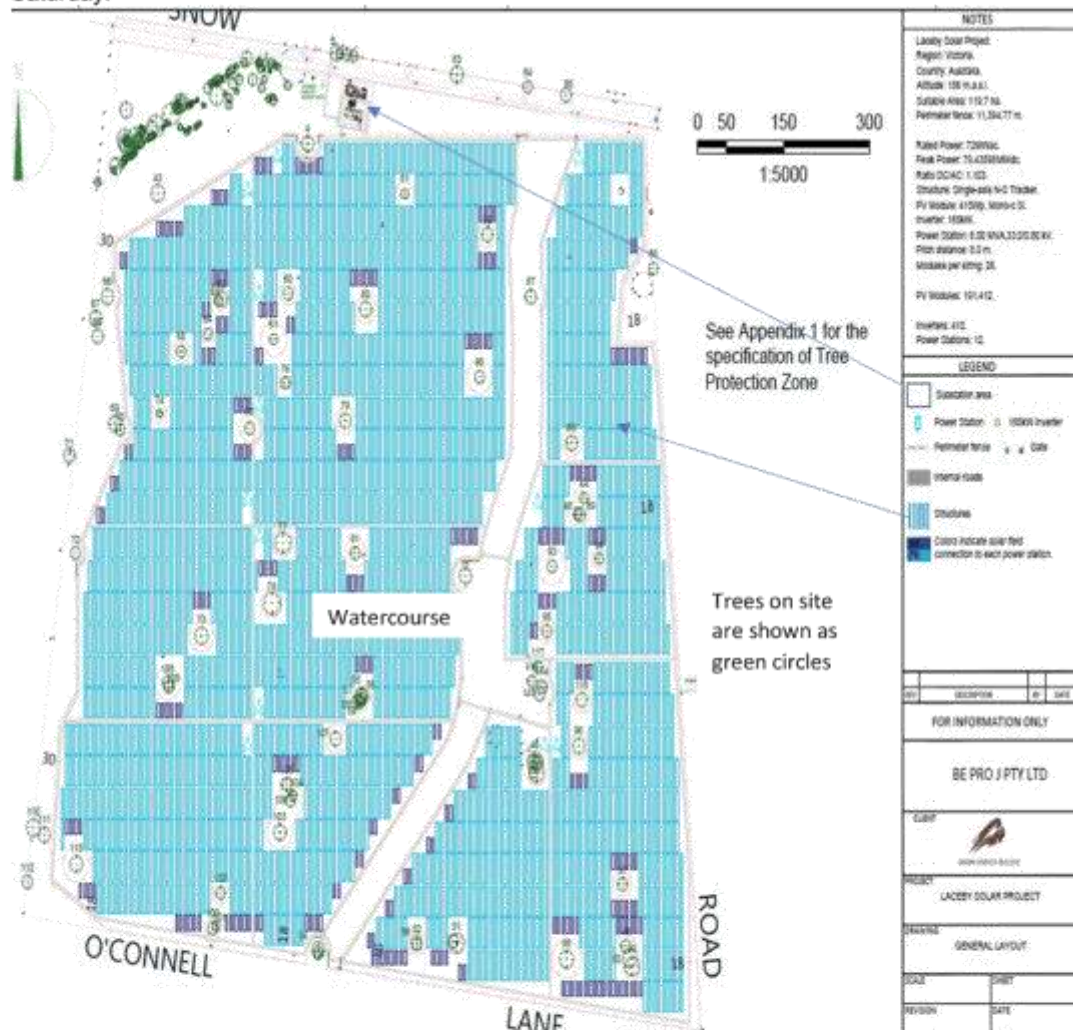


A typical panel showing the extent of tilt and width/height

The perimeter will have security fencing but no barbed wire is proposed. There will also be a perimeter road to Country Fire Authority (CFA) requirements to create a ten metre cleared fire break. A 3 metre clearance to the fence will be provided and on the external side of the security fence a 5 metre wide landscape buffer is proposed and then outside of this, a post and wire fence.

All structures other than the fences, will be located 30 metres back from the western boundary, 15 metres back from the eastern and northern boundaries and a minimum of 18 metres from the eastern and southern boundaries that abut road reserves.

Construction is anticipated to take place between 12 to 18 months and within this period the peak period for increased traffic movements will last approximately 3 months. This may be divided up or be in one block. Construction is proposed during daytime only from Monday to Saturday.



The plan shows the layout of panels (light blue) which connect to power stations (purple) which feed into the sub station located with access from Snow Road.

The facility will not require on site staff permanently but will be maintained on a regular basis. It is envisaged that two or three full time jobs will be created to run the facility. Routine maintenance on site will manage vegetation, fire breaks and keep the site clean and tidy from rubbish. The panels are self-cleaning and require no chemicals.

Access during construction will be from Wangaratta-Kilfeera Road and after that it will be from Snow Road for routine maintenance.

Site and Surrounds

The subject site is located to the south of the rural city of Wangaratta in Laceby. It is located at the intersection of the Wangaratta-Kilfeera and Snow Roads. The lot is irregular in shape and measures approximately 130 hectares in area with frontages to Snow Road measuring approximately 970 metres, Wangaratta-Kilfeera Road measuring approximately 1225 metres and O'Connell Lane measuring approximately 1200 metres. The land is currently used for grazing with a farm building located in the south east corner. There are currently three existing access points, being two from Snow Road and one from the Wangaratta-Kilfeera Road. Three waterways cross the site with one being an artificial drain and there are four dams. The land is modified pasture with scattered remnant trees with the largest clusters of significant vegetation in the north-west corner. The topography is relatively flat at around 155 metres Australian Height Datum (mAHD). There is an electricity easement that runs along the northern boundary identified as E-1. Some of the land is above flood level, whilst some areas are below. The surrounding land uses are predominantly farming with a few small lots used for rural lifestyle living.



The site viewed from the corner of Snow Road and Wangaratta-Kilfeera Road looking south west

Summary of Key Issues

- Conflict between the new use and agricultural use
- Loss of agricultural land
- Flooding
- Objections
- Area of Cultural Heritage Sensitivity

Public Notification

The proposal was advertised to adjacent and nearby owners and occupiers by way of a letter. The proposal was also advertised in the local newspaper and on Council's website.

Ten objections have been received and they are listed below with a response from the assessing officer –

Submission / Objection	Council Response
Objection 1 1. Highly productive agricultural land 2. Removal of paddock trees 3. Floodway Overlay (FO) 4. Visual impact 5. Airport 6. Temperature rise 7. Fire risk	1. The subject site is not agricultural land of state strategic significance as it is not within an irrigated area and not identified by state government as being of state significance. Locally it is identified as High Agricultural Versatility and that means it could be used for a range of different farming activities. The site has been identified as a location that can be considered in the Design and Development Guidelines. The solar facility would not permanently remove the farming land from agricultural use. The proponent has also indicated that the site can still be used for grazing during the life of the solar facility. 2. No paddock trees are to be removed. 3. The FO has been fully considered by NECMA who have not objected. Conditions on permit from NECMA will ensure that flood is addressed fully and not allowed to impact on the surrounding area or on the facility itself. 4. The visual impact has been investigated by a suitably qualified person and they have identified that overall the visual impact will be minimal and where it is more obvious, plantings of a screen will mitigate this. 5. Civil Aviation Safety Authority did not object. The panels are not reflective, rather they absorb light as is described in the technical information provided with the application. 6. The Design and Development Guidelines require a 30m separation distance from fruit farms as studies, which are few, acknowledge the potential for ambient air temperatures within the perimeter of the

	<p>facility to potentially increase by up to 3 to 4 degrees Celcius, which dissipates rapidly. The 30m separation is in response to studies that have shown that up to 30m from the solar facility the air temperature variation was indistinguishable from ambient air temperature.</p>
<p>Objection 2</p> <ol style="list-style-type: none"> 1. Inadequate consultation 2. Rezone 3. Inappropriate site 4. Flooding 5. Wildlife and feral animals on site 6. Agricultural quality of land 7. Noise and dust 8. Fire risk 9. Visual amenity 	<ol style="list-style-type: none"> 1. The proposal was advertised in accordance with the requirements at Section 52 of the Planning and Environment Act 1987. The proponent has stated that face to face discussions with land owners of adjoining properties has been undertaken. 2. There currently are no intentions to rezone the land and at this time the use and development of the land for a solar facility is not prohibited. 3. The proposal location meets the guidelines of the Design and Development Guidelines and does not remove state significance farming land, is not on topographically challenging land that requires extensive earthworks, is close to the electricity network for connection, is accessible by main roads, is a sufficient distance from urban areas and does not require the removal of native vegetation. 4. Flooding has been addressed in Objection 1. 5. Not a planning consideration. It will be up to the developers to manage the site in accordance with management plans. 6. This has been addressed in objection 1. 7. Similar to impacts from any surrounding farming land. 8. Fire risk has been addressed in objection 1. 9. Visual amenity has been addressed in objection 1.
<p>Objection 3</p> <ol style="list-style-type: none"> 1. Heat island effect 2. Security and decommissioning 3. Connecting to the electricity network 	<ol style="list-style-type: none"> 1. Heat island effect has been addressed in objection 1. The objector provides an article that cites potential research that will ask the question 'could larger solar arrays make their own rain? The article informs that this research will involve facilities that are 'the size of cities'. 2. Security is the high, internal perimeter fence with a buffer of screening plants both externally and internally. Other security measures may also be implemented. Decommissioning is documented as part of the application and a management plan required by conditions on any permit

	<p>issued will detail to the satisfaction of the Responsible Authority.</p> <p>3. The agreement between the electricity infrastructure manager and the provider is not something that Council has jurisdiction over. There is regulation and Acts controlling this.</p>
<p>Objection 4</p> <ol style="list-style-type: none"> 1. Amenity 2. Agricultural land 3. Property values 4. Screen plantings at perimeter 5. Fire risk 6. Clustering 7. Jobs 	<ol style="list-style-type: none"> 1. Visual amenity has been addressed in objection 1. 2. Agricultural land has been addressed in objection 1. 3. Property values are not a planning consideration. 4. The screen plantings are necessary and a Landscaping and Maintenance/Management Plan will be required to the satisfaction of the Responsible Authority. The visual amenity report details that the development will be most visible from some points along the Snow Road and Wangaratta-Kilfeera Road and that plantings would interrupt the visual impact. Council is satisfied that landscaping can be implemented and that it will to some extent mitigate the visual impact and that it will be maintained. 5. Fire risk has been addressed in objection 1. 6. Clustering is a consideration however there are no adjacent or nearby facilities. This is not considered clustering just because the municipality now has three solar facility proposals. 7. The proposal during the construction phase will need to employ a range of workers to undertake various jobs. Once that is completed there will be ongoing maintenance and security of the site and these have been suggested at a figure of 2-3 employees.
<p>Objection 5</p> <ol style="list-style-type: none"> 1. Property values 2. Land management practices 3. Visual impact 4. Heat island effect 5. Fire risk 6. Removal of vegetation 	<ol style="list-style-type: none"> 1. Property values are not a planning consideration. 2. Farming land is to be managed by all owners in accordance with relevant legislation – Catchment and Land Protection Act 1994. 3. Visual impact has been addressed in objection 1. 4. Heat island effect has been addressed in objection 1. 5. Fire risk has been assessed in objection 1. 6. Removal of native vegetation has been addressed in objection 1.
<p>Objections 6</p> <ol style="list-style-type: none"> 1. Amenity 2. Loss of Agricultural land 3. Glint and glare 	<p>The matters raised in this objection have been previously considered.</p>

4. Screen plantings at perimeter 5. Fire risk 6. Jobs	
Objection 7 1. Amenity 2. Agricultural land 3. Property values 4. Screen plantings at perimeter 5. Fire risk 6. Jobs	The matters raised in this objection have been previously considered.
Objection 8 1. Property Values 2. Tourism	1. Previously considered. 2. Renewable energy facilities including solar, wind and water are often points of interest for visitors to an area worldwide. Many articles cite that renewable energy facilities can be complementary to each other.
Objection 9 1. Flooding 2. Fire risk 3. Property values 4. Amenity 5. Agricultural land	The matters raised in this objection have been previously considered.
Objection 10 1. Removal of vegetation	The proposal was amended to avoid removal of native vegetation / paddock trees.

Referrals

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	<ul style="list-style-type: none"> VicRoads – referred pursuant to clause 52.29-4 and 66.03 as a Section 55 referral authority Determining - no objection and conditions given for any permit to issue NECMA – referred pursuant to clause 66.03 as a Section 55 referral authority Recommending – no objection and conditions given for any permit to issue DELWP – referred pursuant to clause 66.02 as a Section 55 referral authority Recommending for the original application and had concerns about the removal of so many paddock trees. However, the proposal was amended and due to an updated style of panel whereby less could be used for the same amount of energy collected, the trees were all able to be retained and have TPZs around them. DELWP was no longer a referral authority and they were satisfied with this outcome.
Section 52 Referrals	<ul style="list-style-type: none"> CFA – it was considered that the CFA should be notified given that there is always a fire danger with any large development particularly in the BPA. The CFA are always included in the development of renewable facilities as they have guidelines for the development. They have not objected and have given conditions for any permit to issue. AusNet – this was notified to AusNet given that they have an easement across the land, but it did not meet the requirements for a Section 55 referral. It is known that the developer will have to enter into agreement with the electricity provider given that the facility has to connect.

	<ul style="list-style-type: none"> • GMW – were notified given that there are a number of waterways on the site. GMW did not object and have given conditions for any permit to issue. • CASA – were notified as the airport is nearby and it was considered that it may have some impact on visual assessment for flights. They have informed council that they have no experience in glare assessment and do not know if flights will be affected. It is considered that should there be issues then they will be addressed directly between the airport and the management of the solar facility. • Transport Vic – notified due to concerns about the amount and status of traffic during construction particularly. Do not object. • RRV – As above for TR and no response.
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Internal Council Referrals	Advice/Response/Conditions
Environment Resources	Objected to the removal of the native trees. Conditions given for any permit to issue. The application was amended to avoid removal of native trees.
Infrastructure Services	Conditions.

Assessment

Zones and Overlays

Farming Zone

Pursuant to Clause 35.07-1 a permit is required to USE the land for a Renewable Energy Facility (Solar Installation) and must meet the requirements of Clause 53.13.

Pursuant to Clause 35.07-4 a permit is required to DEVELOP the land for buildings and works associated with a Section 2 use; within 50m of a RDZ1; within 20m of another road; within 50m of a dwelling not in the same ownership; within 100m from a waterway.

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.*

Appropriate decision guidelines are considered to be –

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *How the use and development makes use of existing infrastructure and services.*

- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*

Floodway Overlay

Pursuant to Clause 44.03-2 a permit is required to construct a building or to construct or carry out works.

The purpose of the Floodway Overlay is –

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.*
- *To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.*
- *To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.*
- *To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health*

A Flood Risk Report was submitted with the application and was referred North East Catchment Management Authority.

Appropriate decision guidelines are considered to be –

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The local floodplain development plan or flood risk report. Any comments of the relevant floodplain management authority.*
- *The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.*
- *Any other matters specified in a schedule to this overlay.*

Planning Policy Framework

Clause 11 Settlement

Planning is to anticipate and respond to the needs of existing and future communities through the provision of a range of requirements including infrastructure to support settlement.

Clause 11.01-1S Settlement

The objective is to promote the sustainable growth of Victoria and that includes provision of sustainable infrastructure.

Clause 13.02-1S Bushfire Planning

The objective of this policy is to strengthen the resilience of settlements and communities to bushfire through risk based planning that prioritises the protection of human life. This policy is applied to all proposals within a bushfire designated area and directs planning to give priority to the protection of human life above all other policy considerations and reducing the

vulnerability of communities to bushfire through consideration of risk in decision making in planning.

Clause 13.03-1S Floodplain Management

The objectives are to assist the protection of life, property and community infrastructure from flood hazard; protect the natural flood capacity of rivers, streams and floodways; protect the storage function; and protect the river health and environment.

This can be achieved by ensuring that development is assessed for its potential impact on the objectives stated.

Clause 13.07-1S Land Use Compatibility

The objective is to safeguard the community amenity whilst facilitating appropriate commercial, industrial or other uses with potential off site effects. This can be achieved by ensuring the land use is in an appropriate location and using separation measures between the uses.

Clause 14 Natural Resource Management

Planning is directed to assist in the wise use of natural resources including land and should ensure that agricultural land is managed sustainably, acknowledging the economic importance of agricultural production.

Clause 14.01-1S Protection of Agricultural Land

The objective is to protect the state's agricultural base by preserving productive farmland. This can be achieved by avoiding permanent removal.

Clause 14.01-2S Sustainable Agricultural Land Use

The objective is to encourage sustainable agricultural land use.

Clause 19.01-2S Renewable Energy

The objective is to promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met. This can be achieved by facilitating the proposal in appropriate locations and protecting energy infrastructure from competing and incompatible uses.

Clause 19.01-1R Renewable Energy – Hume

This policy directs planning to create renewable energy hubs that support co location of industries, use of those resources efficiently and with minimal waste.

Clause 21.01 Wangaratta Snap Shot

This policy clause informs us about the locality, accessibility, population, economy and tourism in the municipality. It also identifies key influences and issues. The vision is to be the 'ultimate in liveability'.

Clause 21.02 Settlement

This policy goes into more detail about the municipality and its projected growth and provides a settlement hierarchy identifying the types of land available. Laceby is identified as a rural settlement with no residentially zoned land.

Clause 21.04-1 Floodplains

The objective is to recognise and protect natural functions of floodplains and this is to be achieved by avoiding development in floodplains.

Clause 21.04-3 Bushfire

The objectives are to mitigate the risk of bushfire and to recognise the value of the vegetation and natural environment in areas of bushfire risk. This is to be achieved by avoiding development in areas of high risk and minimising clearing of vegetation by utilising good design.

Clause 21.05 Natural Resource Management

This policy informs that agriculture is a major economic industry and employment generator in the municipality and it is imperative that the productivity and versatility of agricultural land is maintained for higher agricultural versatility areas.

Clause 22.01 Rural Land Use and Agriculture

This policy pertains to housing and sheds as well as subdivision in the Farming Zone.

Particular Provisions

Clause 52.29 Land Adjacent to a Road Zone Category 1 or a Public Acquisition Overlay for a Category 1 Road

Pursuant to Clause 52.29-2 a permit is required to create or alter access to a road in a RDZ1.

The purpose is –

- *To ensure appropriate access to identified roads.*
- *To ensure appropriate subdivision of land adjacent to identified roads.*

The responsible authority must consider –

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The views of the relevant road authority.*
- *The effect of the proposal on the operation of the road and on public safety.*
- *Any policy made by the relevant road authority pursuant to Schedule 2, Clause 3 of the Road Management Act 2004 regarding access between a controlled access road and adjacent land.*

General Provisions

Clause 53.13 Renewable Energy Facility (other than a wind energy facility)

The purpose of this clause is to facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, within minimal impact on the amenity of the area.

Appropriate decision guidelines are considered to be –

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.*
- *The impact of the proposal on significant views, including visual corridors and sightlines.*
- *The impact of the proposal on strategically important agricultural land, particularly within declared irrigation districts.*
- *The impact of the proposal on the natural environment and natural systems.*
- *The impact of the proposal on the road network. Solar Energy Facilities Design and Development Guideline (Department of Environment, Land, Water and Planning, August 2019).*

This proposal was submitted to Council prior to the approval date of amendment VC161 which applies to any application to use or develop land for a renewable energy facility. VC161 makes the Minister for Planning the responsible authority for renewable energy facilities and associated utility infrastructure above 1 megawatt generation capacity. VC161 also introduces the Solar Energy Facilities Design and Development Guideline August 2019. Council consulted with the Department of Environment, Land, Water and Planning to see if the Minister would call it in and were advised to proceed with the application.

Clause 65 Decision Guidelines

Before deciding on an application or approval of a plan the responsible authority must consider as appropriate –

- *The matters set out in section 60 of the Act.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of storm water within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction. Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *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 adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*

Area of Cultural Heritage Sensitivity

An area of cultural heritage sensitivity follow the watercourses over the subject site and the applicants have submitted an Approved Cultural Heritage Management Plan which allows for the issue of a permit.

Other Relevant State and Local Policy / Strategies

Hume Regional Growth Plan 2014

Renewable Energy

The Hume Region is identified for population growth and with that comes a need to support renewable energy initiatives to support a sustainable future for growth. (11.1 Business, Industry and Services: Working in the Hume Region page 20).

The Plan directs that the planning system should continue to support the viability of farming and in place of declining industries within that sector some areas could transition towards other uses such as renewable energy generation amongst others. (11.2 Agriculture page 24).

Opportunities exist in the region for sustainable electricity generation in close proximity to existing electricity distribution infrastructure and identifies that solar energy could be located in the northern parts of the region. The region is home to key electricity infrastructure such as sub stations and networks and sustainable electricity generation that is connected to existing infrastructure could offer a regional advantage. (11.3 Energy and Earth Resources page 27).

All towns within the Hume Region have access to electricity and this network will need to be augmented to accommodate future growth. Electricity options such as renewable generation should continue to be developed as part of this network. (14.3 Energy, Communications, Water and Waste page 70).

Agricultural Land

Agriculture, manufacturing and tourism are important industry sectors. Hume's economy relies heavily on agriculture and manufacturing and this plan seeks to assist in developing a more diverse regional economy whilst maintain and enhancing key regional economic assets. Protecting strategically important agricultural land will maintain options for future changes in production in response to market demands. (Executive Summary page ii).

The economy is reliant on agriculture (largely irrigated in the Goulburn Valley) and a significant manufacturing industry. (Snap Shot of the Region page 11).

Floodplains

Waterways, rivers and wetlands in the Hume Region are highly significant environmental and economic assets providing water supply for environment, major storage, industry, farming and settlements.

The risk of flood must be considered in land use planning decisions and decisions should be based on the best quality information on flood hazards to minimise risk to life, property community infrastructure and environmental assets. New development will be directed away from areas of highest flood hazard. (12.3 Natural Hazards and Risks page 35).

Solar Energy Facilities Design and Development Guidelines August 2019 (Victorian Government)

These guidelines should be used to guide the development of and assist in the granting of a permit for ground mounted photovoltaic solar structures the main purpose of which is to export electricity generated on site to the National Electricity Market directly or via battery storage.

The Victorian Government's objective is to accelerate the development of well sited and designed renewable energy facilities in Victoria to reduce emissions, create jobs and put downward pressure on energy prices.

The Renewable Energy Act 2017 supports a target of 25% renewable energy generation by 2020 and 40% by 2025 and 50% by 2030. The Act outlines the action the Victorian Government is taking to encourage investment in renewable energy. The Plan aims to ensure that supply remains affordable, the energy system remains safe and reliable, and jobs are created benefitting the economy.

Suitable locations are identified as having minimal impacts on surrounding communities, the environment and other uses. Irrigated areas are not deemed not suitable. A solar energy facility should not lead to loss of vegetation, loss of cultural heritage or significant landscape values, loss of productive state significant agricultural land, increase natural hazard risk. A solar energy facility should not be located on land that topographically requires excessive

earthworks, close to the electricity grid network, a sufficient distance from residential areas, not in close proximity to other facilities to avoid cumulative built form concentration, away from floodplains and where there is easy access to main roads. A solar energy facility can potentially impact on cultural heritage and an applicant must consider the views of the aboriginal people before lodging. A proponent should avoid siting a facility within an identified floodplain to avoid unnecessary risk to the facility.

Landscape screening will reduce visual impacts of the facility on neighbouring sensitive uses or on public views from main roads. Indigenous native plants should be used along the perimeter of a site within setbacks, of sufficient height, width and depth at maturity to afford a screen and be managed for the life of the facility.

Glint and glare must be assessed and managed.

Security should be addressed and the site kept secure at all times.

Traffic impacts must be assessed via a Traffic Impact Assessment Report.

Noise from the site must be kept below the EPA's guidelines for Noise from Industry in Regional Victoria.

The electromagnetic and radiation interference must be limited to within safe standards as specified by The Australian Radiation Protection and Nuclear Safety Agency.

An Environmental Management Plan, Risk and Emergency Management Plan, Site Access and Traffic Management Plan and a Construction and Decommissioning Management Plan, Landscape Management Plan should be required.

Council Plan 2017-2021

The revised Council Plan 2017-2021 – The Pillars include 'We are Sustainable'.

'We will Plan, Research and Advocate for the Future.'

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

An Assessment of Versatility of Agricultural Land in the Rural City of Wangaratta April 2000

This document identifies the subject site as being within a High Versatility area. This identifies the land as being capable of a range of agricultural products.

Discussion

Farming Zone

Purpose

The proposal provides for the ongoing use of the land for agriculture as there is proposed grazing around and under the panels and this is at a stated rate of about 40% of the usual herd that could be accommodated if the development were not there. Due to the fact that the life of the facility is limited to 30 years it is therefore not permanently removing land thereby allowing for the continued retention. This proposal will allow for some limited employment with the applicant stating that there will be jobs in construction, albeit temporary during the

construction period and then ongoing maintenance of the site and panels. There is also the ongoing employment for farming on the site.

Decision Guidelines

The land has been assessed as being capable of accommodating the use and the floodplain management authority has not objected. The proposal meets a number of requirements from the Design and Development Guidelines with regards to location in that it does not involve the removal of any native trees, is accessible from main roads, is not located near urban areas and is able to be connected directly to the electricity network via the easement on the site. The design of the panels themselves allow for minimal glint or glare and the maximum height of the panel is no greater than 4 metres. A Visual Impact Assessment determined that the majority of views to the proposed development from public viewing points would be contained or obscured by vegetation and topography. Where the visual impact would be high has been determined to be at some points from Snow Road and Wangaratta-Kilfeera Road which could be mitigated by intermittent boundary screen planting accommodated in appropriate setbacks.

It is considered that the argument is weighted favourably towards the proposal given that it can be seen to support in the majority the purpose and decision guidelines of the Farming Zone.

Floodway Overlay

The response from North East Catchment Management Authority have assessed the proposal and determined that the majority of the site would be subject to inundation from the Fifteen Mile Creek System. They have not objected and have requested through conditions for any permit to issue, amended plans that will require the development to be constructed in a manner which will ensure that all works can be implemented without detrimental off site impacts and allow for minimal damage to the facility in a flood event.

It is considered that, given the North East Catchment Management Authority have not objected and have assessed that the development can be implemented if certain requirements are met, the proposal can be supported.

Planning Policy Framework

This proposal will bring sustainable power to the region and municipality, allowing for the continued growth of the region and municipality through the provision of reliable, affordable, clean and sustainable electricity for residents and businesses.

The Country Fire Authority (CFA) has assessed the proposal and has not objected and has issued conditions for any permit that is issued. These consider Risk and Emergency Management, Access, Water Supply and the management of the Vegetation/Fuel on site. They have made requirements from the 'Guidelines for Renewable Energy Installations February 2019'. It is considered that thorough risk based planning has been undertaken with regards to bushfire.

North East Catchment Management Authority (NECMA) has assessed the proposal as discussed above.

The subject site is located in farming land with a number of smaller lifestyle lots nearby but none that share any boundary with the subject site. It is considered that as there is a road and screening between the smaller farming lots and the solar facility that the community amenity is still safeguarded and there will be no off site effects. This is farming land and there could be a range of farming activities that, it is considered, would have greater impact than the

proposal, on the community amenity and have off site effects, such as feedlots. This proposal is not near an urban area.

This subject site, although being identified as being of High Agricultural Versatility by Council is not of state strategic significance as identified in the Hume Regional Growth Plan 2014. This is due to the fact that it is not within the irrigation area and is used primarily for dry cropping and grazing. Due to the fact that the solar facility has a limited life, it means that the land is not removed permanently from being able to be farmed. The proposal itself is relatively passive and still allows for some farming activity.

The proponent has assessed the proposal against the Design and Development Guidelines and so has Council and it is considered that all relevant requirements have been met for a Renewable Energy Facility. This proposal will support the residents and businesses in the municipality and region.

It is considered that the proposal, when assessed against relevant policy, is weighted favourably towards support.

Particular and General Provisions

The proposal requires an access from Snow Road for the life of the facility for maintenance and this requires the support of VicRoads. They have not objected. They require that during construction the access is from Wangaratta-Kilfeera Road.

It is considered that the proposal will result in orderly planning of the area with minimal effect on the amenity of the area, certainly not as much as some farming activities might have. It is considered that the activity is fairly passive apart from minor noise from the collection of energy as it is passed from the panels to be taken into the network. However as this is not an urban area it will not affect sensitive uses. No native vegetation is proposed to be removed and landscaping to create a buffer around the perimeter will be implemented. It is considered that the proposal will result in an acceptable outcomes in terms of the decision guidelines of Clause 65.

Other Relevant State and Local Policy / Strategies

The Hume Regional Growth Plan 2014 informs of projected population growth and the need to support this growth and business. The proposal provides affordable and sustainable power to support households and businesses. The Plan also recognises that due to the decline of industries associated with agriculture that some areas could transition towards the use for renewable energy generation. The subject site is not recognised as being of state significance and is not within an irrigation area. It is currently used for dry cropping and grazing and will not be permanently removed so it is considered very reasonable to use it for the proposal for the duration of 30 years. The flood hazard can be addressed as advised by NECMA. It is considered that the proposal accords with relevant parts of the Plan and forms a growing weighting in favour of support for this proposal.

With regards to the 'Solar Energy Facilities Design and Development Guidelines 2019 the proponent has utilised these to ensure that the proposal can be supported. It has considered and accords with all relevant guidelines. The State Government has also set in place targets to achieve renewable energy generation by certain dates and this proposal is part of the trajectory in achieving this, so the weight of support comes through from the State Government to the planning scheme. It is considered that the proposal has thoroughly considered and addressed the relevant guidelines and this further adds to the argument for support of the proposal.

The Council Plan states 'We are Sustainable' and goes into detail about identifying and promoting options to maximise sustainable design for residential, industrial and commercial development. This proposal is part of achieving sustainable and it adds to the argument growing in favour of support.

With regards to the Agricultural Versatility, the subject site is identified as High. However it is not of state level significance and therefore it can be considered for other uses in perhaps declining farming areas. In this instance then this allows further support for the proposal due to the lack of support as significant farming land.

Conclusion

It is concluded that after assessment against all the relevant policy in the Wangaratta Planning Scheme and consideration of all relevant state and local strategies, as well as thorough consideration of all objections that the proposal has strong weighting in favour of support and it is therefore recommended that a permit should be issued.

No endorsed plans will be issued until the requirements of Condition 1 are satisfied.

RCOW Conditions**Prior to Commencement**

1. Prior to the commencement of the use and development, further plans are required to the satisfaction of the Responsible Authority and any relevant Referral Authority. These must be submitted to and approved by the Responsible Authority. The plans must be drawn up and consider / include referral authority requirements, Council's internal referral authority requirements, the Solar Energy Facilities Design and Development Guidelines, the approved Cultural Heritage Management Plan and any other documents considered relevant. The plans required are:
 - a) Landscaping and Site Management/Maintenance Plan (CFA and Council requirement)
 - b) Site Access and Traffic Management Plan (VicRoads and Council requirement)
 - c) Risk and Emergency Management Plan (CFA requirement)
 - d) Construction and Decommissioning Management Plan (Council requirement)
 - e) Stormwater Management Plan (Council requirement)

The plans will be endorsed and form part of the permit.

General

2. The use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) transport of materials, goods or commodities to or from the land
 - b) appearance of any building, works or materials
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d) presence of vermin
 - e) others as appropriate.
4. All buildings should use non-reflective external materials and muted colours to the satisfaction of the Responsible Authority.
5. The subject site must be kept neat and tidy at all times and its appearance must not in the opinion of the Responsible Authority adversely affect the amenity of the area.
6. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

Environmental Resources**Protection of Native Vegetation**

7. Prior to works commencing a detailed Landscaping and Site Management / Maintenance Plan that provides for but not limited to:

- a) A survey including all trees and vegetation to be retained with Tree Protection Zones.
 - b) Plantings along boundaries, including trees, shrubs and ground covers.
 - c) A schedule to indicate number and size at maturity to ensure that the species selected, the spacing and maturity provided visual screening to the satisfaction of the Responsible Authority.
 - d) Minimum 5 metres in width.
 - e) Include details of ongoing maintenance for the life of the facility.
8. During construction works on the site, any remnant vegetation must be protected by an appropriate Tree Retention Zone (TRZ), free of digging, trenching, excavation, stockpiles, chemical or material mixing and storage, parking or any other disturbance, and marked with a physical barrier on site. The TRZ will have a radius from the tree of at least 12 DBH (diameter of the tree at breast height) (as per Australian Standards). By default, a tree will be considered lost and require an offset if one of the above activities occurs over more than 10% of the total area of the TRZ.
9. If these exclusion zones are not put in place or construction works cannot be physically carried out without impacting these zones, these trees, whilst still retained must be counted as removed and an appropriate offset plan produced.
10. Consideration should be given to trees in the road reserves and adjoining the site accesses and boundaries which may be impacted by improvements to access to the site and construction of the renewable energy facility. If any vegetation is removed, destroyed or lopped to provide access to any of the site or construction of the facility, or the appropriate TRZ is not adhered to as in condition 1, an amended Native Vegetation Removal Report must be submitted to the satisfaction of the responsible authority. This may change the assessment pathway that the application has been assessed against.
11. Any dead, diseased or damaged plants must be replaced in accordance with the landscaping plan.

Engineering

General

12. 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.
13. 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.

Traffic and Access

14. The existing conditions survey of Wangaratta-Kilfeera Road required in the Traffic Management Plan under VicRoads condition 50 (b) iii, must be extended to cover the entire eastern frontage of the subject site along that road.
15. Prior to and during construction, the applicant or owner must implement any measures identified in the Traffic Management sub-section of the TIAR to the satisfaction of Council. The cost of such works shall be fully met by the owner. Any changes proposed to works in this report must be referred to the Responsible Authority for approval prior to substitution.
16. Prior to the commencement of the use, the permit holder must satisfy the responsible authority that:
 - a) All vehicle crossings as shown on the endorsed plan have been constructed and sealed according to Infrastructure Design Manual standards. The final locations of the crossings are to be generally in accordance with the endorsed plans. A "Consent to Work within the Road Reserve" permit must be obtained prior to undertaking works.
 - b) All internal access roads have been constructed, formed and drained to provide all-weather access, avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority.
 - c) Sufficient parking for all normal levels of activity for the subject property has been provided within the property.
17. Deliveries to and from the site for all commercial vehicles, including waste collection, must only take place between 6am and 6pm Monday to Friday. No deliveries to or from the site, including waste collection, must take place on weekends or public holidays.
18. All loading and unloading of vehicles must always be undertaken within the site, unless otherwise agreed in writing by the Responsible Authority.
19. Following commencement of the use only allocated parking spaces may be used to park vehicles. No vehicle on the site is permitted to park outside of an allocated parking space on the site.
20. Any security gate, barrier or similar device controlling vehicle access to the premises must be located a minimum of six metres inside the property to allow vehicles to steer clear of the road pavement.

Drainage

21. Before any construction commences, a Stormwater Management Plan (**SWMP**) must be prepared by a qualified engineer and submitted to and approved by the Responsible Authority. When approved, the SWMP will be endorsed and will then form part of the permit. Drawings must be produced to scale with dimensions. The information submitted must address the matters listed in the Council's Infrastructure Design Manual and must include:

- a) details of how the developed site will be drained computations including maximum discharge rate, total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority
 - b) details of any open channels or underground pipes conveying stormwater to the legal point of discharge for the subject property
 - c) measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development, and designs, computations and maintenance schedules of the treatment elements;
 - d) measures to control erosions and sediment and sediment laden water runoff, including the design details of structures.
 - e) measures taken to prevent solid or liquid contaminants from entering the external drainage network.
22. Prior to the commencement of the use the permit holder must satisfy the Responsible Authority that:
- a) The approved works do not cut off natural drainage from adjacent properties
 - b) There will not be any discharge of concentrated drainage into the adjoining road drains or culverts, unless otherwise agreed to in writing by the Responsible Authority.
 - c) All works have been constructed or carried out in accordance with the SWMP to the satisfaction of the Responsible Authority.
23. All wastewater must be disposed of and be contained within the curtilage of the site to the satisfaction of the Responsible Authority and must not be discharged directly or indirectly to an adjoining property, road or any water course or drain. Sufficient land must be set aside and kept available for the purposes of effluent disposal. Any new on-site wastewater system must be designed in accordance with Environment Protection Authority EPA Code of Practice - Onsite Wastewater Management 891.4 to the satisfaction of the Responsible Authority.

Construction

24. Before construction begins, a Site Management Plan must be submitted to and approved by the Responsible Authority, and effective measures consistent with the Plan must be taken to:
- a) Secure occupational health and safety; and
 - b) Locate any existing underground services; and
 - c) Implement effective traffic management and environmental controls; and
 - d) Establish and maintain safe construction vehicle access to the site; and
 - e) Maintain vehicle and machinery hygiene; and
 - f) Avoid the spread of soil-borne pathogens and weeds; and
 - g) Minimise erosion, sedimentation and contamination; and
 - h) Reduce the impact of noise, dust and other emissions; and
 - i) Prevent mud, dirt, sand, soil, clay or stones from entering the drainage system; and
 - j) Avoid having such materials deposited on public land by construction vehicles; and
 - k) Address the recommendations of an approved Cultural Heritage Management Plan; and

l) Establish and maintain all recommended Tree Protection Zones.

25. No excavated or construction materials may be placed or stored outside the site area or on adjoining road reserves or nature strips, unless the materials are for construction works in these reserves required as part of this permit.

26. Prior to the commencement of the use, all areas, Council assets and underground services disturbed in the course of works must be restored to their original condition, to the satisfaction of the Responsible Authority and at the expense of the permit holder. The SMP must include photos/videos and other supporting evidence of the state of Council assets at the time of lodgment of the plan.

Country Fire Authority

27. Risk and Emergency Management

- The undertaking of a comprehensive risk management process, as per CFA's Guidelines for Renewable Energy Installations 2018.
- The development of an Emergency Information Book, provided in an Emergency Information Container at site entrances, as per CFA's Guidelines for Renewable Energy Installations 2018.
- If applicable to the installation, adherence to (DR) AS/NZS 5139-2017: *Electrical installations – Safety of battery systems for use with power conversion equipment* for any battery installations, and CFA's Guidelines for Renewable Energy Installations 2018.
- If applicable to the installation, adherence to dangerous goods storage and handling requirements, as per the dangerous goods regulatory framework and any relevant Australian Standards.

28. Access

- A four (4) metre perimeter road should be constructed within the ten (10) metre perimeter Fire Break.
- Roads are to be of all-weather construction and capable of accommodating a vehicle of fifteen (15) tonnes.
- Constructed roads should be a minimum of four (4) metres in trafficable width with a four (4) metre vertical clearance for the width of the formed road surface.
- The average grade should be no more than 1 in 7 (14.4% or 8.1°) with a maximum of no more than 1 in 5 (20% or 11.3°) for no more than fifty (50) metres.
- Dips in the road should have no more than a 1 in 8 (12.5% or 7.1°) entry and exit angle.
- Incorporate passing bays at least every 600 metres which must be at least 20 metres long and have a minimum trafficable width of 6 metres. Where roads are less than 600 metres long, at least one passing bay is to be incorporated.
- Road networks must enable responding emergency services to access all areas of the facility.
- Two but preferably more access points to the site, to ensure safe and efficient access to and egress from areas that may be impacted or involved in fire. The number of access points is to be informed through a risk management process.

29. Water Supply

On-site water supply is an important part of the fire suppression system which will assist in the safe, effective and timely fire suppression activities of responding brigades. Static water storage tank installations are to comply with AS 2419.1 and the following conditions:

- The static water storage tank shall be of not less than 45,000 litres effective capacity.
- The static water storage tank(s) must be an above-ground water tank constructed of concrete or steel. The location and number of tanks should be determined as part of the site's risk management process and in consultation with a CFA delegated officer.
- The static storage tanks shall be capable of being completely refilled automatically or manually within 24 hours.
- The hard-suction point shall be provided, with a 150mm full bore isolation valve equipped with a Storz connection, sized to comply with the required suction hydraulic performance. Adapters that may be required to match the connection are 125mm, 100mm, 90mm, 75mm, 65mm Storz tree adapters with a matching blank end cap to be provided. The hard-suction point shall be positioned within 4 metres to a hardstand area and provide clear access for fire personnel.
- An all-weather road access and hardstand shall be provided to the hard-suction point. The hardstand shall be maintained to a minimum of 15 tonne GVM, 8 metres long and 6 metres wide or to the satisfaction of the relevant fire authority.
- The road access and hardstand shall be kept clear at all times.
- The hard-suction point shall be protected from mechanical damage (i.e., bollards) where necessary.
- Where the access road has one entrance, a 10 metre radius-turning circle shall be provided at the tank.
- An external water level indicator is to be provided to the tank and be visible from the hardstand area.
- Signage shall be fixed to each tank.

30. Fuel/Vegetation Management

- Grass is to be maintained at below 100mm in height during the declared Fire Danger Period.
- A fire break area of ten (10) metres width is to be maintained around the perimeter of the facilities, electricity compounds and substations. This area is to be of non-combustible mulch or mineral earth.
 - The fire break area must commence from the boundary of the facility or from the
 - vegetation screening (landscape buffer) inside the property boundary.
 - The fire break must be constructed using either mineral earth or non-combustible
 - mulch such as crushed rock.
 - The fire break must be vegetation-free at all times.
 - No obstructions are to be within fire break area (e.g., no stored materials of any
 - kind).
- Adhere to restrictions and guidance during the Fire Danger Period, days of high fire danger and Total Fire Ban days (refer to www.cfa.vic.gov.au).
- All plant and heavy equipment is to carry at least a 9-litre water stored-pressure fire extinguisher with a minimum rating of 3A, or firefighting equipment as a minimum when on-site during the Fire Danger Period.

- There is to be no long grass or deep leaf litter in areas where plant and heavy equipment will be working.

31. Conditions Specific to Solar Installations

Solar facilities are to have a 6 metre separation between solar panel banks/rows. Where this cannot be achieved, advice is to be sought from CFA's State Infrastructure and Dangerous Goods Unit (sidgu@cfa.vic.gov.au).

Solar farm operators must provide specifications for safe operating conditions for temperature and the safety issues related to electricity generation, including isolation and shut-down procedures, if solar panels are involved in fire. This information must be provided within the content of the Emergency Information Book at the main entrance of the facility.

Solar arrays are to have grass or other vegetation maintained to 100mm under the array installation or mineral earth or non-combustible mulch such as stone.

Where practicable, solar energy installations can be sited on grazed paddocks. In this case, vegetation is to be managed as per the requirements of this guideline, or as informed through a risk management process.

32. Conditions Specific to Battery Installations

- Containers/infrastructure for battery installations are to be located so as to be directly accessible to emergency responders (e.g., provided with a suitable access road).
- Adequate ventilation of the battery container/storage area is to be provided where required under (DR) AS/NZS 5139-2017; the manufacturer's requirements and/or SDS for battery storage.
- Containers/infrastructure for battery installations are to be provided with appropriate spill containment/bunding that includes provision for fire water runoff.
- Battery installations that contain dangerous goods may have to comply with the requirements of the *Dangerous Goods Act 1985*; the *Dangerous Goods (Storage and Handling) Regulations 2012*; and relevant Australian Standards.
- Battery storage manufacturers must provide specifications for safe operating conditions for temperature and the effects on battery storage if involved in fire. This information must be provided within the content of the Emergency Information Book at the main entrance of the facility.
- Battery installations are to be kept free of extraneous materials and combustible materials of all kinds. Regular inspections and housekeeping is to be conducted to ensure materials do not accumulate.
- Battery installations are to be serviced/maintained as per the manufacturer's requirements.
- Containers/infrastructure for battery installations must be clear of vegetation for ten (10) metres on all sides, including grass. CFA requires non-combustible mulch such as stone or mineral earth within this ten (10) metre area.

North East Catchment Management Authority

33. Prior to the commencement of works, amended plans to the satisfaction of the Responsible Authority and the Authority must be submitted to and approved by the Responsible Authority and the 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. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- a) Defined locations of the proposed power stations with assessed 1% AEP flood level at each location.
 - b) Details of the proposed power stations – works dimension and design arrangement.
 - c) An earthworks plan defining the extent and volume of fill associated with the transformer and substation compound, noting that the Authority requires that the extent of filling be limited to the minimum extent necessary for the operational requirements of the facility.
 - d) Detailed arrangements for solar panel racking system, noting that the lowest point of the panels is to be a minimum of 1 m above ground level (as noted in Planning Report Section 3.1 but not shown in the plans currently submitted for endorsement).
 - e) Details of the proposed perimeter fence construction. Fencing shall be of an open style that would not obstruct the conveyance of flood water across the property, for example post and wire fencing or open pool style fencing. Breakaway or hinged panels allowing for passage of flows are to be provided where 1% AEP depth exceeds 0.3 m or high debris loads are expected.
34. Where filling is proposed on any part of the site below 1% AEP flood level (substation compound and access tracks), resulting in a loss of floodplain storage, then compensatory earthworks below 1% AEP flood level must be designed to compensate any loss of flood storage by a factor of 1.3 (the volume of cut below 1% AEP level shall exceed the volume of fill below 1% AEP level by 30%). Excavations to deliver this storage must:
- Ensure that existing overland flow paths and floodplain features are retained.
 - Be self-draining.
 - Be within the development site and adjacent to the area of fill placement.
 - Provide for the equivalent hydraulic capacity.
- Prior to the commencement of works, design plans and earthwork volume calculations demonstrating compliance with the above must be submitted to and approved by the Responsible Authority and the Authority. When approved, the calculations will be endorsed and will then form part of the permit. Earthworks carried out on site must accord with the calculations.
35. Upon completion of works, a certified survey plan must be provided to the Responsible Authority and the Authority. The survey plan must show as-constructed surface levels to Australian Height Datum (AHD), in areas where earthworks have been undertaken. The survey plan shall identify all fill and borrow areas and as constructed depths of cut and fill. Any variance from the endorsed plans must be clearly indicated. Computations must be provided to demonstrate the net cut and fill volumes within the site.
36. The finished floor level of the Control Room, Switch Room and Battery Room must be constructed no lower than RL 154.8 m AHD (based on the works location shown in the currently submitted General Layout Plan).
37. Power stations are to be installed on steel or concrete piers or stumps to achieve a finished floor level a minimum of 500 mm above 1% AEP level at the works location. The area beneath the power station shall be clear of any other obstructions, including base boards that may impede the flow of flood waters. The area under the power station shall be sloped so that stormwater does not pool beneath the sub floor and the area is free draining. The power station structures shall be designed to prevent dislodgement by floodwaters and potential damage to assets on the subject property or adjacent properties.

38. All electrical wiring, power outlets, switches and other flood sensitive electrical and mechanical equipment must, to the maximum extent possible, be located a minimum of 500 mm above 1% AEP level at the location of the works. Any electrical installation below this level must be suitable for continuous submergence in water.
39. Access tracks within and around the facility shall be raised no more than 100 mm above existing surface level and, where located within 100 m of the property boundary or crossing drainage lines, raised no more than 50 mm above existing surface level. Works shall be designed and constructed to avoid diversion of impedance of the flow of floodwater to the detriment of adjoining land.
40. Any chemicals, oil, fuel, grease, waste or other potential pollutants associated with the facility stored a minimum of 300 mm above 1% AEP level.
41. All access tracks, solar arrays and other infrastructure shall provide a minimum 15 m setback from the waterway running approximately parallel to the Wangaratta-Kilfeera Road in the eastern part of the site.

Goulburn Murray Water

42. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
43. No buildings or solar panels are to be constructed within 30 metres of any waterways measured from the inside top edge of the bank.
44. If applicable, all wastewater generated from the site office or other facilities on the site must be treated and disposed of using an EPA approved system, installed, operated and maintained in compliance with the relevant EPA Code of Practice and Certificate of Approval.
45. If applicable, the associated wastewater disposal area must be located in accordance with Table 5 of the EPA Code of Practice – Onsite Wastewater Management, Publication 891.4, July 2016, from any waterways, drainage lines, dams or bores.
46. If applicable, the wastewater disposal area must be kept free of buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away.

VicRoads

47. Access to the subject land must be in accordance with figure 3-1 of revised Traffic Impact Assessment Report (TIAR) dated 21st November 2019 and the following conditions:
 - a. Direct access to the subject land from Snow Road will only be permitted for maintenance activity at the substation.
 - b. Access for all other activities associated with construction and operation of the solar farm will only be permitted from Wangaratta-Kilfeera Road.
 - c. Prior to the development coming into use, the access from the Snow Road must be constructed and sealed in accordance with VicRoads standard drawing

SD2066 Typical Rural Driveway access to residential properties Type C to the satisfaction of and at no cost to the Roads Corporation.

- d. All redundant vehicle crossings from subject land to the Snow Road must be removed and the area reinstated to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of any works on the subject land.
- e. The access from Snow Road must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (eg. by spilling gravel onto the roadway).

Traffic Management Plan

48. Before the commencement of any works on the subject land (or stages thereof) and before the engagement of any haulage contractors, a Traffic Management Plan (TMP) with reduced speed limit of 80 km/hr in lieu of proposed 60 km/hr at intersection of Wangaratta-Kilfeera Road and Snow Road is required. Additionally, in accordance with section 5.1.2 of the Traffic Impact Assessment Report (TIAR) an updated TIAR must be submitted to and approved by VicRoads and the Wangaratta Shire Council in its capacity as road authority under the Road Management Act 2004 for local and arterial (public) roads used to transport material to/from and within the vicinity of the solar energy facility.

The TMP must be prepared by a VicRoads pre-qualified consultant and shall identify the points of access to the subject land from the local road network during all phases of the development (e.g. the construction phase and on-going operations and maintenance etc).

The TMP and TIAR may be prepared and submitted in stages.

49. The TMP (for each applicable stage), without limiting the generality of the plan, must include:
- a. Prior to commencement of any works, an existing conditions survey of public roads (not including M roads) and associated road infrastructure that may be used in connection with the solar energy facility (for access, delivery of material, pre-construction or construction purposes etc), including details of the suitability of the proponent's use, design, condition and construction standard of the relevant public roads and bridges.
 - b. The existing conditions survey must be undertaken for the following locations:
 - (i) Hume Freeway off ramp at Snow Road interchange
 - (ii) Snow Road from 50 m west of Snow Road/Hume Freeway Off Ramp intersection to 50 m east of Wangaratta-Kilfeera Road intersection
 - (iii) Wangaratta-Kilfeera Road from Snow Road intersection to 50 m south of the intersection.
 - c. The designation of all vehicle access points to the site from Wangaratta-Kilfeera Road. Vehicle access points must be designed and located to ensure safe sight distances, turning movements, and avoid potential through traffic conflicts.
 - d. The designation and suitability assessment of appropriate pre-construction, construction and transport vehicle routes to and from the site. Any identified route(s) should avoid built up locations of towns, wherever practicable.
 - e. Engineering Plans and reporting demonstrating whether, and if so, how truck movements to and from the site can be safely accommodated within the road reserve. Mitigation measures are to be developed by the proponent and

agreed to by VicRoads and the Wangaratta Shire Council for all hazards including, but not limited to:

- (i) Oversize and overmass haulage;
- (ii) Traffic management;
- (iii) Removal of roadside vegetation;
- (iv) Reduction in speed limits;
- (v) Alteration to any road furniture or intersection;
- (vi) Emergency management; and
- (vii) Risk management.

f. The timing of when the works are to be undertaken.

g. A program of regular inspections to be carried out during the construction of the solar energy facility to identify maintenance works necessary as a result of construction traffic.

h. Works required by the TMP must be completed expeditiously to the satisfaction of VicRoads and the Wangaratta Shire Council.

i. A program to rehabilitate existing public roads and associated road infrastructure to a safe and usable condition to the greater standard of either the:

- Standard no less than what is required to support the proposed use; or
- The condition identified by the surveys required under the condition above.

During the following stages:

- The construction period;
- At the conclusion of the construction of the solar energy facility; or
- First two years during the operation of the solar energy facility.

50. The proponent is responsible for any damage caused to construction vehicles or other vehicles in the event that the safe and usable quality of any public road and associated infrastructure is degraded or compromised as a result of the development, and that VicRoads or the Wangaratta Shire Council will not accept liability for any such damage.

51. By no later than three (3) months after the date of completion of the solar energy facility, a post construction conditions survey of public roads (not including M roads) as identified by the approved TMP that have been used in connection with the solar energy facility (for access, preconstruction or construction purposes etc), must be submitted and approved by VicRoads and the Wangaratta Shire Council. The report shall include details of any dilapidation or damage to the roads and a program of rehabilitation in accordance with the requirements of the approved TMP.

52. The traffic management and road upgrade and maintenance works identified in the endorsed TMP must be carried out in accordance with the endorsed TMP to the satisfaction of VicRoads and the Wangaratta Shire Council.

53. The provision of a security bond (or other legal agreement as agreed in writing by VicRoads) prior to the commencement of works on the subject land equal to the reasonable estimated costs of the rehabilitation/replacement of any road infrastructure identified as being at risk by the TMP to the satisfaction of VicRoads and the Wangaratta Shire Council. A contract between the Developer and VicRoads must be prepared for the terms of use of the security bond (or other legal agreement) at no cost to, and to the written satisfaction of the Roads Corporation.

- a) All roadworks and road associated works, reporting, contracts and the provision of VicRoads road escort vehicles and personnel are to be at no cost to VicRoads or the Wangaratta Shire Council, including but not limited to all additional:
- b) Route survey work, together with all associated VicRoads bridge assessments for the over dimensional and overmass vehicles and their loads; and
- c) Traffic management resources and equipment such as variable message signs.

Functional layout plan(s)

54. Prior to the commencement of any construction (or stages thereof) on the subject land hereby approved by this planning permit:
- a) Screening (both shade cloth and planting) along the subject land's property boundary that faces (directly and indirectly) toward the Snow road reserve property boundary and that it shall be no lower than two (2) metres in height.
 - b) The TMP and updated TIAR shall clearly identify where access to the subject land is to be located on Wangaratta-Kilfeera Road.
 - c) For vehicular access to the subject land from Wangaratta-Kilfeera Road:
 - (i) A Functional Layout Plan (FLP) must be submitted and approved by VicRoads. The FLP shall be drawn to scale undertaken by a VicRoads pre-qualified consultant, clearly dimensioned to show (but not limit to) the following:
 - The intersection of Snow Road and Wangaratta-Kilfeera Road.
 - A Basic Right (BAR) turn treatment at the intersection of Snow Road and Wangaratta-Kilfeera Road in accordance with Austroads (2017) Guide to Road Design Parts 4 (Figure A28).
 - Any proposed kerb and channel as required at the intersection of Snow Road and Wangaratta-Kilfeera Road.
 - d) The swept path analysis of the following vehicles at 10 km/hr (min) and with 15 metres (min) radii:
 - (i) Simultaneous 26 metre b-double trucks (one with 0.5 metre clearances on both sides of the vehicle) entering and exiting without overlapping each other or crossing into any opposing lanes; and
 - (ii) The largest oversized or over mass vehicle as identified in the TMP (without clearances).
 - e) All services, trees, line marking, signs, on-road lighting, other existing accesses and crossovers (on both sides of the arterial road) and other infrastructure (e.g. power poles etc) that are to remain in place or to be relocated or removed.
 - f) Upon VicRoads' approval of the FLP, a Road Safety Audit must be undertaken at the detailed design stage in accordance with VicRoads' Road Safety Audit Policy.
 - g) The audit findings and the consultant's responses to the findings must be provided to VicRoads for review and approval.
 - h) Any mitigating works arising out of the audit must be carried out by the applicant at no cost and to the Roads Corporations' satisfaction.
 - i) The following roadworks shall be completed to the satisfaction of and at no cost to VicRoads: i. The BAR turn treatment at intersection of Snow Road and Wangaratta-Kilfeera Road;
 - j) Any other works as required by VicRoads within the arterial road reserve.

Expiry

55. This permit will expire if one of the following circumstances applies:
- a) The use or development is not commenced within two years of the date of this permit.

- b) The development is not completed within two years of the date of this permit
 - c) If the use is discontinued for a period of two years or more.
- The Responsible Authority may extend part (a) if a request is made in writing before the permit expires or within six months after expiry, or within twelve months if works have commenced.

Planning Note/s

- A building permit may be required for any buildings and works on site.
- A Works Within a Road Reserve may be required for any works on Council roads and reserves.

VicRoads Planning Notes

- The increase in discharge of any drainage onto the arterial road reserve from the subject land is not permitted unless approved in writing by VicRoads.
- • Separate 'detailed design' approval (fees and charges apply) and the specifications of these are required under the Road Management Act. For the purposes of this application the works will include provision of:
 - Construction of Snow Road access.
 - Basic right turn treatment
 - Any other works in the arterial road reserve.

Further information regarding VicRoads' consent to work within the road reserve can be found on the VicRoads Website;

<https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve>

Goulburn Murray Water Planning Notes

- GMW advises for the purposes of solar farm applications, solar panels are not treated as buildings. Where applicable, GMW will refer specially to either buildings or solar panels.
- Applications for a Waterway Determination can be made to Goulburn Murray Water's Diversion Operations on 1800 013 357.
- For works on waterways, it is recommended that applicant contact the relevant Catchment Management Authority as a licence may be required to undertake these works.
- The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.

Assessment Report – PInApp19/212

Application Details:

Application Details	
Planning Application Number:	PInApp19/212
Proposal	Boundary realignment.
Application lodged	08/11/2019.
Notice and submissions	Yes, letter to five neighbours. No objections were received.
Property Details	
Property Address	1350 Allans Lane, Meadow Creek.
Land Description	Lots 1 & 2 TP 377609M MOYHU.
Restrictive Covenants	None.
Existing Use	Single dwelling and existing agricultural enterprise.
Land Area	Lot 1 & Lot 2 total=57.57 hectares.
Planning Provisions	
Planning Policy Framework	Clause 11.01-1R Settlement – Hume Clause 12.03-1S River corridors, waterways, lakes and wetlands Clause 13.07-1S Land use compatibility Clause 14.01-1S Protection of agricultural land Clause 14.01-2R Agricultural productivity - Hume Clause 14.02-1S Catchment planning and management Clause 17.01-1R Diversified economy - Hume
Local Planning Policy Framework	Clause 21.01-2 Key influences and issues Clause 21.02-1 Settlement network Clause 21.03-3 Rivers Clause 21.05-1 Rural land use and agriculture Clause 21.05-2 Water Clause 21.12 Reference documents Clause 22.01-2 Subdivision in rural areas
Zone	Clause 35.07 Farming Zone
Overlays	Nil.
Particular Provisions	Not applicable.
General Provisions	Clause 65.02 Decision Guidelines
Permit Triggers	
Farming Zone	Clause 35.07-3 a permit is required to subdivide land.
Other	

Area of Aboriginal Cultural Heritage Sensitivity	Yes, application for boundary realignment exempt.
Special Water Supply Catchment	Yes.
Agricultural Versatility	High.

Subject site & locality map

The subject site is located at 1350 Allans Lane, Meadow Creek. The property is made up of two allotments; Lot 1 TP377609M being 47.3 hectares and Lot 2 TP377609M being 10.2 hectares. Lot 1 currently contains all agricultural associated shedding and the dwelling that is located in the south-east of the site where access is provided on to Meadow Creek Road. A mixture of non-native and native trees is scattered around the dwelling and along Sheep Station Creek that flows through from the north-west of the site to the south-east of the site. The site is currently used for animal grazing with a dwelling located in the south-east. The Vegetation Protection Overlay has been applied along the eastern and western property boundaries to protect significant roadside and boundary vegetation.

The surrounding area is comprised of large agricultural allotments where on a site visit activities such as animal grazing and cattle feedlots were observed. There are very few dwellings along Meadow Creek Road and Box Forest Road. The site is located approximately 8 kilometres to the north-east of the township of Moyhu, across the King River. To the east and south-east is a significant sized area of state forest.



Photo 1: The subject site at 1350 Allans Lane, Meadow Creek (highlighted).

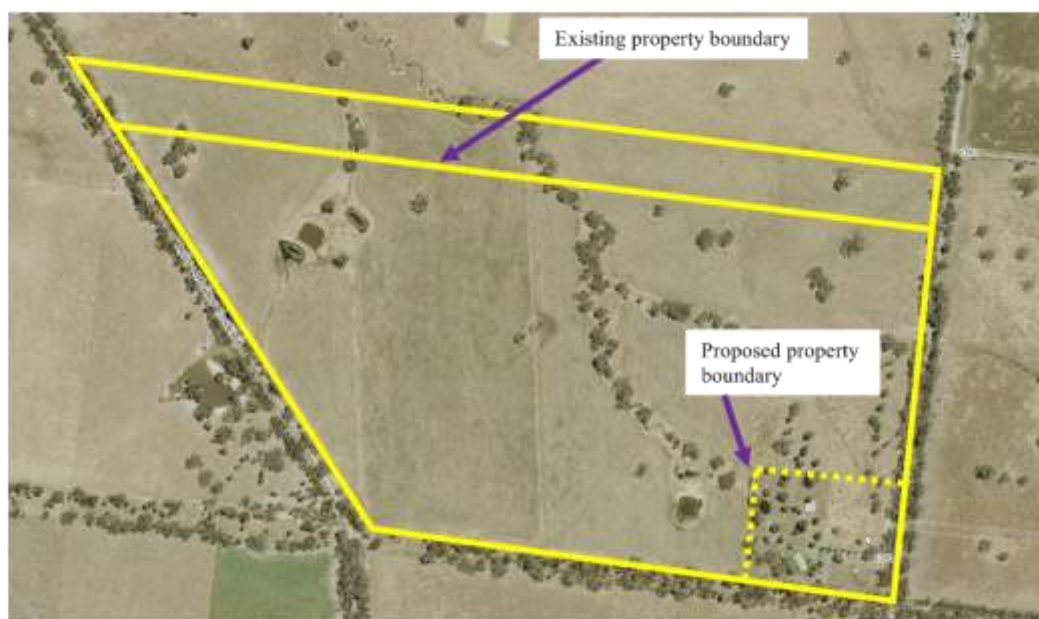


Photo 2: proposed subdivision layout at 1350 Allans Lane, Meadow Creek (highlighted).

Proposal

It is proposed to realign the common boundary between Lot 1 and Lot 2 TP 377609M MOYHU, as per Photo 2. Lot 1 currently contains the existing dwelling and has an area of 47.3 hectares, and Lot 2 an area of 10.2 hectares.

The resubdivision proposes to modify the boundary to create a 3.1 hectare allotment containing the existing dwelling and agricultural shedding. The boundary proposed is the existing fence line.

Permit/Site History

Council records show no history of planning applications for the subject site.

There are no restrictions registered on title.

Lot 1 & Lot 2 were created by instrument 1597756 on 03/12/1935.

Wangaratta Planning Scheme

Planning Policy Framework

Clause 11.01 Victoria

Clause 11.01-1S Settlement

Objective

To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Policy documents

Consider as relevant:

- Hume Regional Growth Plan (Victorian Government, 2014)

Clause 11.01-1R Settlement - Hume**Strategies**

Facilitate growth and development specifically in the regional cities of Shepparton, Wangaratta, Wodonga and Benalla.

Facilitate and strengthen the economic role of Seymour, while supporting population growth.

Support growth and development in other existing urban settlements and foster the sustainability of small rural settlements.

Support improved access to a range of employment and education opportunities, particularly in key urban locations such as Benalla, Seymour, Shepparton, Wangaratta and Wodonga

Clause 12.03 Water bodies and wetlands**Clause 12.03-1S River corridors, waterways, lakes and wetlands****Objective**

To protect and enhance river corridors, waterways, lakes and wetlands

Clause 13.07 Amenity and Safety**Clause 13.07-1S Land use compatibility****Objective**

To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.

Strategies

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

- Directing land uses to appropriate locations.

- Using a range of building design, urban design, operational and land use separation measures.

Clause 14.01 Agriculture**Clause 14.01-1S Protection of agricultural land****Objective**

To protect the state's agricultural base by preserving productive farmland.

Strategies

Identify areas of productive agricultural land, including land for primary production and intensive agriculture.

Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.

Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.

Protect productive farmland that is of strategic significance in the local or regional context.

Protect productive agricultural land from unplanned loss due to permanent changes in land use.

Prevent inappropriately dispersed urban activities in rural areas.

Protect strategically important agricultural and primary production land from incompatible uses.

Limit new housing development in rural areas by:

- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.

Identify areas of productive agricultural land by consulting with the Department of Economic Development, Jobs, Transport and Resources and using available information.

In considering a proposal to use, subdivide or develop agricultural land, consider the:

Desirability and impacts of removing the land from primary production, given its agricultural productivity.

- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.

Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

Give priority to the re-structure of inappropriate subdivisions where they exist on productive agricultural land.

Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.

Clause 14.01-2R Agricultural productivity - Hume

Strategy

Support clustering of intensive rural industries and agricultural production.

Take advantage of locational opportunities, including separation from sensitive land uses and access to transport, power, water and communications infrastructure.

Clause 14.02 Water

Clause 14.02-1S Catchment planning and management

Objective

To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.

Clause 14.02-2S Water Quality

Objective

To protect water quality.

Clause 17.01 Employment

Clause 17.01-1R Diversified economy - Hume

Strategy

Encourage appropriate new and developing forms of industry, agriculture, tourism and alternative energy production.

Local Planning Policy Framework**Clause 21.01 Introduction****Clause 21.01-2 Key influences and issues**

Key land use and planning influences relate to:

- Managing residential growth in existing areas and growth areas.
- Strengthening commercial development in designated locations.
- Protecting and enhancing the natural environment, particularly biodiversity, significant landscapes and the Ovens and King River systems.
- Managing environmental risks including flooding and bushfire.
- Protecting heritage assets.
- Maintaining and encouraging viable agricultural industries.
- Protecting agricultural areas from inappropriate fragmentation.
- Facilitating economic growth and tourism.
- Upgrading the transport network to better deal with regional freight.
- Providing services to a dispersed population sustainably

Clause 21.02 Settlement**Clause 21.02-1 Settlement network**

This clause should be read in conjunction with local area policies at Clause 21.11 Local Areas.

Context and issues

- Wangaratta is a vibrant and strategically located regional centre that has been identified in the Hume Regional Growth Plan as a Regional City with opportunity for significant residential growth.
- The Rural City of Wangaratta's population will increase by approximately 6,500 people by 2031 based on 2011 projections.
- Over 90% of this growth is planned to occur in Wangaratta Regional City.
- Most of this growth will be accommodated in the North-West Residential Growth Area and South Residential Growth Area.
- The balance of residential growth in Wangaratta Regional City will occur through intensification of residential development in the Central Activities Area (CAA) and infill development.

- Some residential development is projected to occur in Townships and Rural Townships where sewerage infrastructure and water supply is available.
- A small amount of residential development will occur incrementally in rural areas and settlements.
- There is demand for low density residential type lots in Wangaratta (lots in the 0.4 to 2 hectare size range), with market preference to the north (Waldara area), south-east (Wangaratta-Whitfield Road) and generally south-west (west of Reith Road). Potential lot sizes vary depending on whether reticulated sewer is available.
- The municipality has a number of established Townships and Rural Townships which form an attractive lifestyle setting and have capacity to accommodate a share of the municipality's residential growth.
- Townships and Rural Townships are in demand for residential developments at various densities.
- Lack of infrastructure is a limiting factor for further development, particularly water supply, drainage and reticulated sewer in Rural Townships.
- Upgrades to infrastructure in Townships and Rural Townships provide an opportunity for residential growth and sustainable economic growth.
- Rural settlements are not suitable locations for residential development that is not associated with an agricultural use.

Clause 21.05 natural resource management

Clause 21.05-1 rural land use and agriculture

- Subdivision and housing: Although subdivision may potentially impact on the productive performance of rural land, the construction and use of housing in some areas has led to the loss of agricultural use and generated conflict between rural and lifestyle uses. Both subdivision and rural housing must provide for and retain the agricultural use of the land. Any subdivision and rural housing proposals in higher agricultural productivity and versatility areas need to be directly linked to an agricultural use, retain productive agricultural use of the land and area, protect the economic potential of the land and area for agriculture, and not be used for rural lifestyle purposes.
- Subdivision and housing in rural areas can lead to difficulty in funding, provision and maintenance of services such as roads, electricity and water supply. Infrastructure may be required or be supplemented through contributions for rural subdivision and housing. Any rural subdivision and housing proposals must assess and provide infrastructure as required, including practical and legal access for service providers if needed.
- The subdivision of land for 'house lot excision' needs to protect and be closely linked with the continuing productive agricultural use of land, particularly in higher agricultural productivity and versatility areas. Any excision of land needs to maintain the agricultural land resource through minimising the parcel size of an existing house

that is to be excised and maintaining a large vacant balance of land for agricultural purposes.

Strategic directions:

Subdivision and housing:

- Ensure that rural subdivision and housing is provided with a level of infrastructure that is required for that use or development
- Ensure that any subdivision of land for 'house lot excision' maintains the agricultural land resource by minimising the parcel size of an existing house that is to be excised and maintaining a large vacant balance of land for agricultural purposes

Clause 21.05-2 Water

Context and issues

- Protection of water quality is a major issue for waterways and water storages, particularly when used for human consumption.
- Water quality can be compromised through inappropriate works or location of buildings and effluent disposal systems.
- Groundwater is an important environment and economic resource. The resource can be compromised through overuse, effluent disposal systems and other urban and agricultural drainage and effluent.
- Rural development and rural living proposals are usually supplied with some form of rural water supply. There can be a large cumulative effect on the overall catchment yield from rural and rural living developments.
- Coordination is required with water authorities to provide the integrated assessment of rural water supply through sources such as dams, bores and aquifers.

Clause 21.12 reference documents

- An Assessment of the Versatility of Agricultural Land in the Rural City of Wangaratta, Department of Natural Resources and Environment, April 2000

Clause 22.01 rural land use and agriculture

Clause 22.01-2 subdivision in rural areas

Objectives

- Ensure that land subdivision does not diminish the productive agricultural capacity of the land or general area, particularly in 'high' or 'very high' agricultural versatility areas.
- Ensure that any subdivision of land is for the rural or agricultural use and development of land, rather than for rural lifestyle lots or development.
- Ensure an adequate standard of infrastructure for rural land subdivision.

Assessment against Planning Policy Framework and Local Planning Policy Framework

In general, the application is considered to be inconsistent with the aforementioned Planning Policy Framework (PPF) and the Local Planning Policy Framework (LPPF). The PPF and LPPF contain policy that directly discourages the type of subdivision that is proposed. The application has identified that the subdivision will have no relation to the agricultural use being undertaken on the current site and will effectively be a rural lifestyle lot, in contradiction to the policy at Clause 13.07-1S, Clause 21.05-1 and Clause 22.01-2, as this creates a land use conflict between agriculture and residential that has the potential to limit the operation and expansion of surrounding agricultural properties. Furthermore, the existing agricultural shedding and cattle yards are proposed to remain on the dwelling lot and not on the balance lot.

The surrounding area is genuine agricultural land where there is no access to the services required for residential land uses. The resubdivision proposed will allow an additional dwelling to be constructed as of right on the balance lot which will result in the further loss of productive agricultural land and potential for the clustering of dwellings in the area. Clause 14.01-1S identifies there being increased pressure on the development of rural land for residential practices and discourages the inappropriate fragmentation of agricultural land for residential purposes. The clause encourages the protection of farmland that is of strategic significance in the local or regional context.

The Hume Regional Growth Plan, identified in Clause 72.08 Background documents, at Clause 11.01-1R specifies the subject site and surrounding land throughout the king valley as being strategic agricultural land of strategic importance. The plan identifies the Hume Region as being one of Australia's major food producing areas and relies on the findings of the Hume Region Rural Land Use Study (2012). The plan discourages the fragmentation of agricultural land to avoid conflicting land uses. The surrounding area is further documented in 'An Assessment of the Versatility of Agricultural Land in the Rural City of Wangaratta', Department of Natural Resources and Environment, April 2000. The reference document at Clause 21.12 of the Wangaratta Planning Scheme identifies the subject site as 'high' versatility and the land along the King River to the west as being 'very high' agricultural versatility. Clause 21.05 and Clause 22.01 discourage the fragmentation of land within 'high' or 'very high' agricultural versatility areas.

It is therefore considered that the application is inconsistent with the relevant Planning Policy Framework and Local Planning Policy Framework.

Zoning

Clause 35.07 Farming Zone

The purpose 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.

Permit trigger:

- Clause 35.07-3 a permit is required to subdivide land.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.

Decision Guidelines

Decision Guidelines	Officer's Response
General issues	
The Municipal Planning Strategy and the Planning Policy Framework.	The application is inconsistent with the relevant Planning Policy Framework and the Local Planning Policy Framework.
Any Regional Catchment Strategy and associated plan applying to the land.	Not applicable.
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	The proposal is for a resubdivision that will create a dwelling allotment approximately 3 hectares in size. A septic report was provided that shows the existing effluent disposal is functioning and that the proposed allotment size is suitable for the existing dwelling.
How the use or development relates to sustainable land management.	The proposed resubdivision does not relate to sustainable land management.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	The proposed subdivision is not suitable in comparison to the surrounding land uses and lot sizes of adjoining properties. The resultant allotment will be a rural lifestyle lot surrounding by larger agricultural properties.
How the use and development makes use of existing infrastructure and services.	The proposal is for a resubdivision, the dwelling is already existing with driveway access, power and an effluent disposal field.
Agricultural issues and the impacts from non-agricultural uses	
Whether the use or development will support and enhance agricultural production.	The application states that once subdivided, the land will not be used in association with the agriculture being undertaken on the larger allotment.

Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	The proposal will permanently remove the dwelling lot from agricultural production and will also contain the existing agricultural shedding and cattle yards.
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	The subdivision will result in an allotment that is in excess of 40 hectares that will create an as of right use for another dwelling. Depending on future positioning, this has the potential to limit larger agricultural land uses such as broiler farms or cattle feed lots.
The capacity of the site to sustain the agricultural use.	The two allotments are a combined 57 hectares in area, the existing activities can continue on the balance lot.
The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.	The balance lot contains access to several dams, however it is shown to not contain the existing agricultural shedding or the cattle yards.
Any integrated land management plan prepared for the site.	An integrated land management plan was not prepared for this application.
Dwelling issues	
Whether the dwelling will result in the loss or fragmentation of productive agricultural land.	The proposal is not for a dwelling.
Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.	
Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.	
The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.	
Environmental issues	
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.	There is no development proposed as part of this application. The applicant has provided a septic report that shows that the existing effluent disposal field is functioning with the new boundary proposed.
The impact of the use or development on the flora and fauna on the site and its surrounds.	There is no use or development proposed.
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	There is no development proposed as part of this application. Sheep Station Creek appears to have been fenced off in certain areas of the site, so as to protect the creek and surrounding vegetation.

The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	A septic report has been provided that states that the existing system is functioning. As part of this application there has been no further proposal to alter the system. It appears from the septic report that the system is properly functioning.
Design and siting issues	
The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.	No new buildings are proposed. The proposal is for a resubdivision.
The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.	
The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.	The character of the area is genuine agricultural activities. The proposal creates a small rural lifestyle property, of which the application has stated will have no relation to the agricultural activities being undertaken on the site.
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.	The proposal is a resubdivision where the is existing access on to Meadow Creek Road for both allotments. There is ample room on site for the provision of services. Should a planning permit be issued, standard conditions will be applied requiring the owner to enter into agreements with the relevant authorities for the provision of services.
Whether the use and development will require traffic management measures.	Not applicable as existing access is not proposed to be altered. There is existing access to both proposed allotments from Meadow Creek Road.

Overlays

No overlays apply to the subject site.

Particular Provisions**General Provisions**

The decision guidelines at clause 65.02 have been considered.

Decision Guidelines	Officer's Response
The suitability of the land for subdivision.	The site is not considered to be suitable for subdivision as it will create a rural lifestyle allotment in a genuine agricultural area with no access to infrastructure or services. The subdivision will allow another dwelling as of right, not requiring planning approval that in

	the future could limit certain activities of neighbouring properties.
The existing use and possible future development of the land and nearby land	The future development potential of neighbouring land is agricultural in nature, and certain agricultural activities will be limited if there were to be a dwelling constructed on the larger allotment proposed by this subdivision. This is due to certain agricultural land uses being limited by buffer distances to residential development, such as cattle feed lots, broiler farms and rural industries.
The availability of subdivided land in the locality, and the need for the creation of further lots.	There is no need to create new allotments in the surrounding area. This is because the surrounding area is utilised for agriculture and residential development is not encouraged in this area as it is a genuine farming area. Provision has not been made for the services or infrastructure required for smaller residential allotments.
The effect of development on the use or development of other land which has a common means of drainage.	It is considered that there will be no impact on drainage on site, and the two proposed allotments can manage drainage on site. Council's Technical Services Department provided no comment on this application.
The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.	The proposed new boundary is along an existing fence line. There is vegetation in the vicinity of the fence line, however the application has not proposed vegetation removal.
The density of the proposed development.	The proposal creates an allotment where a dwelling is as of right. Dwelling density will be an issue if neighbouring properties look to undertake certain land uses that require buffer distances to sensitive land uses.
The area and dimensions of each lot in the subdivision.	The dwelling lot is shown to have an area of 3.1 hectares in the south-eastern corner of the property. The balance lot is shown to have an area of 54 hectares
The layout of roads having regard to their function and relationship to existing roads.	There are no proposed internal roads. The resubdivision layout allows the two lots to maintain the existing access on to Meadow Creek Road.
The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.	Both allotments are proposed to have access to Meadow Creek Road.
The provision and location of reserves for public open space and other community facilities.	There are no reserves or public open space in the surrounding area.
The staging of the subdivision.	Staging is not proposed.
The design and siting of buildings having regard to safety and the risk of spread of fire.	This is not considered to be relevant due to the proposed lot sizes. There is

	approximately 67 metres from the dwelling to the closest proposed boundary.
The provision of off-street parking.	The smallest allotment proposed is 3.1 hectares and can accommodate requirements for off-street parking.
The provision and location of common property.	Not applicable as common property is not proposed.
The functions of any body corporate.	No body corporate is proposed.
The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.	Water, sewerage, drainage and gas are not available to the site. The dwelling contains an existing effluent disposal field.
If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sillage within the boundaries of each lot.	<p>The dwelling on site contains an effluent disposal field, which the septic report provided shows to be working properly.</p> <p>The balance lot exceeds 40 hectares, where there appears to be ample room for the positioning of an effluent disposal field that can meet the EPA code of practice requirements. Any future dwelling will have to provide an effluent disposal field proposal that is to the satisfaction of Council's Environmental Health Officer.</p>
Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.	No native vegetation is proposed to be removed, the proposed new boundary is along an existing fence line where certain exemptions are provided for native vegetation removal.

Public Notification

The planning application was advertised to five neighbours by letter. No objections were received.

Referrals

Referral Authority	Response
Internal	
Environmental Health Department	No objection and no conditions.
Environment	No objection, subject to conditions.
Environmental Health	No objection.
External	
Goulburn Murray Water (<i>Section 55</i>)	No objection and no conditions.

Assessment

The application is considered to be inconsistent with the relevant Planning Policy Framework and Local Planning Policy Framework clauses and the Farming Zone identified in the Wangaratta Planning Scheme.

The proposal for resubdivision of the two existing titles is essentially a house lot excision, as it will place the existing dwelling on the small rural lifestyle 3.1 hectares lot and create a 54.4 hectare balance lot that a dwelling can be constructed on as of right. The application states that the family wishes to sell off the existing dwelling and that there will be no relation to the agricultural activity being undertaken on the balance lot. The proposal is in contradiction of agricultural themed PPF and LPPF as the dwelling will be positioned on a small lot and there will be no relation to the agricultural activity on the balance lot. The application states that the dwelling is surplus to requirements and is proposed to be sold off. *Liprino v Wangaratta Rural CC* [2006] VCAT 841 identifies that personal and financial reasons do not outweigh planning policy provisions.

The surrounding area is genuine agricultural land with very few dwellings and infrastructure for dwellings and has been identified in the regional and local context as being of strategic importance and the fragmentation of the land is specifically discouraged in the Planning Policy Framework and Local Planning Policy Framework, as identified in the Hume Regional Growth Plan (Victorian Government, 2014) and An Assessment of the Versatility of Agricultural Land in the Rural City of Wangaratta, Department of Natural Resources and Environment, April 2000.

The *Liprino v Wangaratta Rural CC* [2006] VCAT 841 decision references *Parkworth Pty Ltd & Anor v Casey CC* [2002] VCAT 1594 stating that the fragmenting of farm land into small lots makes the land unable to utilise genuine farming practices. The decision goes on to further state that land prices are transformed from agricultural to residential and per hectare prices are inflated causing issues for neighbouring farmers if they wish to expand in the future. Furthermore, there is no guarantee that the balance lot will be used for agriculture in the future, as a dwelling can be constructed on the site without the need for a planning permit which will further fragment the Farming Zone and cause further land use conflict between residential and agricultural land uses.

Parker v Wangaratta Rural CC [2016] VCAT 59 is a decision on a dwelling excision that is located approximately 8 kilometres from the subject site further north and in proximity to the township of Oxley. VCAT's decision was to refuse the application as it did not meet Planning Policy Framework, Local Planning Policy Framework and the purpose of the Farming Zone. This decision was based on Local Planning Policy Framework similar to the policy that is currently in the Wangaratta Planning Scheme in regard to agriculture.

It is recommended that the planning application be refused on the basis that it is inconsistent with the agricultural provisions of the relevant Planning Policy Framework and Local Planning Policy Framework and the Farming Zone provision of the Wangaratta Planning Scheme.

Conclusion

In conclusion it is considered that the proposal is inconsistent with the requirements of the Wangaratta Planning Scheme and it is recommended that a decision to refuse be issued.

Recommendation

That council having given notice of Planning Application PInApp19/212 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Refuse to Grant a Permit under the provisions of Clause 35.07 of the Wangaratta Planning Scheme in respect of the land known and described as 1350 Allans

Lane, Meadow Creek, for the 'Two Lot Subdivision' in accordance with the endorsed plans, with the application dated 08/11/2019, based on the following:

Grounds of Refusal:

1. The proposal does not support the Purpose of the Farming Zone and does not accord with the decision guidelines at Clause 35.07.
2. The proposal when assessed against the relevant state, regional and local planning policies is not considered to be supported. The relevant planning policies being:
 - Clause 11
 - Clause 14
 - Clause 17
 - Clause 21.02
 - Clause 21.05
 - Clause 22.01
3. The proposal is not supported by local and state strategic documents being:
 - An Assessment of the Versatility of Agricultural Land in the Rural City of Wangaratta April 2000.
 - Hume Regional Growth Plan 2014.

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

Sub Folder S19/261



Assembly of Councillors

Date: 3 December 2019
 Meeting: Audit Advisory Committee
 Commenced: 3.00pm

Councillors	Present	Absent	Apology
Cr Dean Rees - Mayor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dave Fuller - Deputy Mayor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Harvey Benton	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Harry Bussell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Ken Clarke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cr Mark Currie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cr Ashlee Fitzpatrick	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

External Committee Members	Present	Absent	Apology
Ms Gayle Lee - Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr Peter McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms Rowan O'Hagan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Officers	Present	Absent	Apology
Brendan McGrath - CEO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sarah Brindley - DCS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alan Clark - DIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Swart - DDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Smith - MF	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Glenda Beecher - MP&G	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Janelle Stein - G&RA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leanne Whiteman - SOP&G	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Conflict of Interest: Nil

Matters Considered:

Committee Actions Item Status
 Audit Advisory Committee Agenda Plan
 Audit Actions - Status Report
 Appointment of Internal Auditors
 Final Management Letter Year Ended 30 June 2019
 Finance Report
 Review of CEO Credit Card Expenses - July - October 2019
 Risk Management
 Audit Advisory Committee Performance
 Amended Council Policies
 Legal and Compliance Matters Quarter 2 2019/20

Sub Folder S18/249



Assembly of Councillors

Date: 9 December 2019

Meeting: Briefing Forum

Commenced: 3pm

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 checked="" type="checkbox"/>	<input type="checkbox"/>
Alan Clark – DIS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jaime Chubb – DCW	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sarah Brindley – DCS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Swart – DDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Penny Hargrave – ADCW	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Independent Presenters:

Nil

Conflict of interest:

N/A

Matters Considered:

- 6.1 UPDATE EVENTS & ATTRACTIONS STRATEGY IMPLEMENTATION - ELISHA NAISH, EVENT ATTRACTION COORDINATOR
- 6.2 LOW DENSITY AND RURAL RESIDENTIAL STRATEGY - UPDATE ON THE DEVELOPMENT OF A DRAFT STRATEGY
- 6.3 TOURISM NORTH EAST UPDATE - CELESTE BROCKWELL, MANAGER ECONOMIC DEVELOPMENT, ENVIRONMENT & STRATEGY
- 6.4 BREAK (4:30PM - 4:45PM)
- 6.5 BUSINESS DEVELOPMENT & INVESTMENT ATTRACTION - UPDATE - CELESTE BROCKWELL, MANAGER ECONOMIC DEVELOPMENT, ENVIRONMENT & STRATEGY
- 6.6 REVIEW BRIEFING FORUM ACTIONS

Sub Folder S18/249



Assembly of Councillors

Date: 10 December 2019

Meeting: Pre Council Meeting Discussion

Commenced: 5:00pm

Councillors:

Cr Dean Rees - Mayor
Cr Dave Fuller – Deputy Mayor
Cr Harry Bussell
Cr Ken Clarke
Cr Mark Currie
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: 16 December 2019

Meeting: Briefing Forum

Commenced: 3pm

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 type="checkbox"/>	<input checked="" 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:

Nil

Conflict of interest:

N/A

Matters Considered:

- 6.1 UPDATE EVENTS & ATTRACTIONS STRATEGY IMPLEMENTATION - ELISHA NAISH
- 6.2 TOWNSHIP ENTRANCE UPGRADES, MARCUS GOONAN
- 6.3 MEDIA AND COMMUNICATIONS ROADMAP - STEVEN BURKE
- 6.5 REVIEW BRIEFING FORUM ACTIONS
- 6.6 MONTHLY STATUS REPORTS - NOVEMBER 2019
- 6.7 GENERAL BUSINESS (5:00PM - 5:15PM)
- 6.8 CEO & COUNCILLOR ONLY BUSINESS (5:15PM - 5:30PM)
7. STATUS REPORTS
8. GENERAL BUSINESS
9. CONFIDENTIAL BUSINESS

Sub Folder S19/261



Assembly of Councillors

Date: 16 December 2019

Meeting: ACHAC

Commenced: 5.30pm

Councillors:

	Present	Absent
Cr Dean Rees - Mayor	<input type="checkbox"/>	<input type="checkbox"/>
Cr Mark Currie – Deputy Mayor	<input type="checkbox"/>	<input type="checkbox"/>
Cr Harry Bussell	<input type="checkbox"/>	<input type="checkbox"/>
Cr Ken Clarke	<input type="checkbox"/>	<input type="checkbox"/>
Cr Dave Fuller	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Harvey Benton	<input type="checkbox"/>	<input type="checkbox"/>
Cr Ashlee Fitzpatrick	<input type="checkbox"/>	<input type="checkbox"/>

Officers:

Brendan McGrath – CEO		
Alan Clark – DIS	<input type="checkbox"/>	<input type="checkbox"/>
Jaime Chubb – DCW	<input type="checkbox"/>	<input type="checkbox"/>
Sarah Brindley – DCS	<input type="checkbox"/>	<input type="checkbox"/>
Steven Swart– DDS	<input type="checkbox"/>	<input type="checkbox"/>

Apologies: Delia Jackson Patricia Boak
David Godkin (for early part of meeting)

Presenters:

Committee Members:

Marc Bongers
Margaret Brickhill
Rhonda Diffey
David Godkin
Ian Poole
Adrian Vaughan

Officers in attendance:

Penny Hargrave
Simone Nolan

Conflict of interest: NIL

Meeting Closed at: 7.30PM

Sub folder: S20/110



Assembly of Councillors

Date: 20 January 2020

Meeting: Councillors Briefing Forum

Commenced: 3pm

Councillors:

	Present	Absent
Cr Dean Rees - Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dave Fuller – 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 Mark Currie	<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: Anthony Smith, Manager Finance; Sarah Brindley, Director Corporate Services; Brendan McGrath, CEO; Stephen Swart, Director Development Services

Conflict of interest: N/A

Matters Considered:

1. Councillor Induction Program
2. Capital Projects Budget Review
3. Operational Status Reports – Directors
4. Review Briefing Forum Actions

Sub Folder S20/110



Assembly of Councillors

Date: 28 January 2020

Meeting: Councillors Briefing Forum

Commenced: 3pm

Councillors:

	Present	Absent
Cr Dean Rees - Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dave Fuller – 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 Mark Currie	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Swart– DDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Independent Presenters: Anthony Smith – outgoing Manager Finance; Rindayi Matienga – incoming Manager Finance; Sarah Brindley – Director Corporate Services; Marcus Goonan – Manager, Infrastructure Planning & Delivery

Conflict of interest: N/A

Matters Considered:

1. Councillor Reports
2. 2020/21 Capital Projects Draft Budget
3. Building Services Level Review
4. Review Briefing Forum Actions
5. General Business

Sub Folder S20/110



Assembly of Councillors

Date: 3 February 2020

Meeting: Councillors Briefing Forum

Commenced: 3pm

Councillors:

	Present	Absent
Cr Dean Rees - Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Dave Fuller – 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 Mark Currie	<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: Sarah Brindley, Director Corporate Services; Bek Nash-Webster, Grit & Resilience Program Coordinator; Rachel Harrop, Youth Development Officer

Conflict of interest: N/A

Matters Considered:

1. Councillor Reports
2. Legal Update – Industrial Manslaughter Offence
3. Grit & Resilience Project
4. Youth Council Appointments 2020
5. Review Briefing Forum Actions
6. CEO & Councillor Only business

Minutes

Of the Audit Advisory Committee Meeting

Location: Ovens Room, Municipal Offices
62-68 Ovens Street, Wangaratta

Date: 12 September 2019

Time: 3.00pm



Brendan McGrath
Chief Executive Officer

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1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

2. PRESNT/ABSENT/APOLOGIES

Committee Members Present:

Ms Gayle Lee - Chair, Mr Peter McNeill, Ms Rowan O'Hagan,
Cr Ken Clarke OAM, Cr Mark Currie

Auditors Present:

Martin Thompson - Crowe Horwath/Internal Auditor (Exited meeting at 5.12pm)

Officers Present:

Brendan McGrath - Chief Executive Officer (Exited meeting at 5.12pm), Sarah
Brindley - Director Corporate Services, Glenda Beecher - Manager People &
Governance, Janelle Stein - Governance & Reporting Advisor

Officers Apologies:

Anthony Smith - Manager Finance

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

*The Audit Advisory Committee have read and confirm the Minutes of the
Audit Advisory Committee meeting of 13 June 2019 as a true and accurate
record of the proceedings of the meeting.*

MOTION:

That the recommendation be adopted.

(Moved: Cr Ken Clarke OAM / Cr Mark Currie)

Confirmed

4. CONFLICT OF INTEREST DISCLOSURE

In accordance with sections 77A, 77B, 78 and 79 of the Local Government Act
1989 Audit Advisory Committee members 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.**

For all reports that were prepared for the 12 September 2019 Audit Advisory Committee meeting, no Council officers or contractors who provided advice in relation to those reports declared a conflict of interest regarding the matters under consideration.

Independent Member Rowan O'Hagan advised the Audit Advisory Committee that she is an Office Holder for the Wangaratta Sustainability Network. Independent Member Rowan O'Hagan disclosed this information to the Committee in relation to item 6.3 Internal Audit Report - Grants Funding Review.

The Audit Advisory Committee noted the advice but determine no conflict existed.

5. BUSINESS ARISING

5.1 COMMITTEE ACTIONS ITEM STATUS

Executive Summary

A report was presented to the Audit Advisory Committee to provide an update on the status of action items arising from prior meetings.

RECOMMENDATION:

The Audit Advisory Committee note the Audit Advisory Committee Action Sheet.

MOTION:

That the recommendation be adopted.

(Moved: Cr Ken Clarke / Independent Member Peter McNeill)

Carried

Discussion: Business Arising - Item 5.1

Out of Session Updates

The Audit Advisory Committee noted that several documents have been provided out of session and wished to discuss those items.

1. Capitalisation Process Review

Martin Thompson - Crowe Horwath/Internal Auditor advised the Committee that the scope of review was the process of moving capital works from the work in progress account (WIP Account) up and through to asset register. Completing this internal audit was driven off the back of couple years delay in Financial Report due to asset piece.

The report identified 8 recommendations, with one high risk rated recommendation. The high risk item was in relation to the process of managing the WIP Account.

The report highlights two key areas requiring focus which are the mechanics around accounting piece and the risk which exists in asset renewal.

2. VAGO Final Interim Management Letter

No comments were made by the Audit Advisory Committee as matters will be covered off in the Final Management Letter.

3. Monthly Finance Report May 2019

No comments were made by the Audit Advisory Committee as the report was from May 2019.

Actions: Business Arising - Item 5.1

As the Manager Finance, Anthony Smith, was an apology an update on the Cash Receipting Risk Register to be provided the Audit Advisory Committee out of session.

5.2 STRATEGIC AUDIT PLAN 2018/19 - 2020/21**Executive Summary**

A report was presented to the Audit Advisory Committee to review the Strategic Internal Audit Plan 2018/19 - 2020/21 (The Plan).

RECOMMENDATION:

The Audit Advisory Committee review the Strategic Internal Audit Plan 2018/19 - 2020/21 and recommend changes, if required.

MOTION:

That the recommendation be adopted.

(Moved: Independent Member Rowan O'Hagan / Independent Member Peter McNeill)

Carried

Discussion: Business Arising - Item 5.2

The Audit Advisory Committee confirmed that the process for the Strategic Audit Plan is that once the Internal Auditors are appointed then there is the opportunity to review and update the Strategic Internal Audit Plan.

Tree Management, Occupational Health & Safety and Procurement were noted as possible internal audits that could be completed during the 2019/20 financial year.

Actions: Business Arising - Item 5.2

Director Corporate Services to review current proposed audits and provide a recommendation at the next Audit Advisory Committee meeting on which internal audits could be undertaken 2019/20 financial year.

5.3 AUDIT ADVISORY COMMITTEE AGENDA PLAN

Executive Summary

A report was presented to the Audit Advisory Committee (the Committee) to review and confirm the completeness of the Committee's agenda plan.

RECOMMENDATION:

The Audit Advisory Committee notes the Audit Advisory Committee Agenda Plan and recommend changes, if required.

MOTION:

That the recommendation be adopted.

(Moved: Cr Ken Clarke / Independent Member Rowan O'Hagan)

Carried

Actions: Business Arising - Item 5.3

Audit Advisory Committee Chairperson, Gayle Lee, to meet with Council officers to review the agenda plan to ensure it contains all relevant items as defined by the Audit Advisory Committee Charter are included.

6. REPORTS

6.1 AGED DEBTORS

Executive Summary

A report was presented to the Audit Advisory Committee to provide a summary of Council's rates debtors at 30 June 2019.

RECOMMENDATION:

That the Audit Advisory Committee notes the report of Aged Debtors.

MOTION:

That the recommendation be adopted.

(Moved: Independent Member Rowan O'Hagan / Independent Member Peter McNeill)

Carried

Actions: Reports - Item 6.1

Provide advised to the Audit Advisory Committee as to whether debt collection activities are performed in-house or outsourced and the last time the arrangement was reviewed.

6.2 RISK MANAGEMENT

Executive Summary

A report was presented to the Audit Advisory Committee to provide an update on the status of treatments to reduce high and extreme risks.

RECOMMENDATION:

The Audit Advisory Committee notes:

1. *Chief Executive Officer - Current and Emerging Risks;*
2. *Quarterly High or Extreme Strategic Risk Status Report (Q1 2019/20);*
3. *VAGO Fraud and Corruption Control - Local Government Report;*
and
4. *Update on Strategic Risk Management.*

MOTION:

That the recommendation be adopted.

(Moved: Cr Ken Clarke / Cr Mark Currie)

Carried

Actions: Reports - Item 6.2

Update the Quarterly High or Extreme Strategic Risk Status Report to provide further explanation to outline/define a Treatment.

Additionally, expand the Quarterly High or Extreme Strategic Risk Status Report to incorporate 'Emerging Risks'.

6.3 INTERNAL AUDIT REPORT - GRANTS FUNDING REVIEW**Executive Summary**

A report was presented to the Audit Advisory Committee to review the internal audit report concerning the Grants Funding Review.

RECOMMENDATION:

The Audit Advisory Committee notes the findings and management responses for the Grants Funding internal audit review.

MOTION:

That the recommendation be adopted.

(Moved: Cr Ken Clarke OAM / Independent Member Peter McNeill)

Carried

6.4 AUDIT ACTIONS - STATUS REPORT**Executive Summary**

A report was presented to the Audit Advisory Committee to provide an update on the status of internal and external audit recommendations.

RECOMMENDATION:

The Audit Advisory Committee notes the update on the status of internal and external audit recommendations.

MOTION:

The Audit Advisory Committee:

- 1. recommends the Council set the CEO a KPI in relation to reducing outstanding internal and external audit actions; and*
- 2. notes the update on the status of internal and external audit recommendations.*

(Moved: Cr Ken Clarke OAM / Cr Mark Currie)

Carried

Actions: Reports - Item 6.4

Ensure all commentary is written in a manner which provides a full explanation to the Audit Advisory Committee of the work completed.

In the Open Internal and External Audit Actions Status Report include a 'sign off' date for Directors to verify the completion of audit actions.

Have the incoming Internal Auditors undertake assurance testing of a sample of completed high and medium rated audit actions to provide confirmation actions have been actioned/addressed by Council.

Councillors to raise with the Chief Executive Officer (CEO) the requirement to have an indicator in relation to outstanding internal and external audit actions added to CEO's Key Performance Indicators.

6.5 AUDIT ADVISORY COMMITTEE CHARTER REVIEW**Executive Summary**

A report was presented to the Audit Advisory Committee to provide the amended Audit Advisory Committee Charter for their review.

RECOMMENDATION:

The Audit Advisory Committee endorse the revised Audit Advisory Committee Charter (2019 Revision) to proceed through to Council for consideration and approval.

MOTION:

The Audit Advisory Committee endorse the revised Audit Advisory Committee Charter (2019 Revision) to proceed through to Council for consideration and approval, subject to the additional minor changes made by the Audit Advisory Committee.

(Moved: Independent Member Rowan O'Hagan / Independent Member Peter McNeill)

Carried

Actions: Reports - Item 6.5

Update the revised Audit Advisory Committee Charter to include:

- Revise ability to recommend a Committee member be removed following 2 non-attendances in a 12 month period, rather than 3.
- Reduce the review cycle of the Audit Advisory Committee Charter from 3 years to a 2 year cycle.
- In clause 5.3 (Memberships) add the following sentence to the end of the point "All reappointments following each independent member's second term must be publicly advertised."

6.6 AUDIT ADVISORY COMMITTEE APPOINTMENT**Executive Summary**

A report was presented to the Audit Advisory Committee to provide notice that Council will need to undertake the relevant processes to appoint an external independent member due to the end of an external independent member's three-year term.

RECOMMENDATION:

The Audit Advisory Committee notes the report.

MOTION:

That the recommendation is adopted.

(Moved: Independent Member Peter McNeill / Cr Ken Clarke)

Carried

Actions: Reports - Item 6.6

Independent Member Rowan O'Hagan to advise the Audit Advisory Committee at the 3 December 2019 as to her intentions for standing for a second term.

6.7 AMENDED COUNCIL POLICIES**Executive Summary**

A report was presented to the Audit Advisory Committee for information purposes regarding the presentation to Council of the revised Fraud and Corruption Control Policy, Protected Disclosures Policy and Asset Management Plans (Roads, Bridges and Drainage). In addition to the adoption of the Australia Day Awards and Event Policy and the Public Art Policy.

RECOMMENDATION:

The Audit Advisory Committee notes this report.

MOTION:

That the recommendation is adopted.

(Moved: Cr Ken Clarke / Independent Member Rowan O'Hagan)

Carried

Actions: Reports - Item 6.7

Complete an edit of the Fraud and Corruption Control and Protected Disclosures Policies prior to publishing to ensure grammar used throughout the documents is correct and consistent.

6.8 LEGAL AND COMPLIANCE MATTERS JUNE 2019**Executive Summary**

A report was presented to the Audit Advisory Committee for the Committee's consideration of any current legal and compliance matters.

RECOMMENDATION:

The Audit Advisory Committee notes the disclosures in relation to legal and compliance matters.

MOTION:

That the recommendation is adopted.

(Moved: Independent Member Peter McNeill / Independent Member Rowan O'Hagan)

Carried

7. OTHER BUSINESS**7.1 TENDER FOR THE PROVISION OF INTERNAL AUDIT SERVICES**

The Audit Advisory Committee were advised that the tender for the Provision of Internal Audit Services closed on Thursday 5 September 2019. Multiple tenders were received.

An Evaluation Panel has been convened and is currently reviewing tenders.

The Audit Advisory Committee will be provided with an out of session update on which Internal Auditor is recommended for appointment to obtain their endorsement of the recommendation.

8. NEXT MEETING

Tuesday 17 September 2019, 4.00pm - 5.00pm.

9. CLOSURE OF MEETING

Meeting closed at 5.47pm.

Minutes

Of the Audit Advisory Committee Meeting

Location: Ovens Room, Municipal Offices
62-68 Ovens Street, Wangaratta

Date: Tuesday 17 September 2019

Time: 4.00pm



Brendan McGrath
Chief Executive Officer

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1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

2. PRESNT/ABSENT/APOLOGIES

Committee Members Present:

Ms Gayle Lee - Chair, Mr Peter McNeill, Ms Rowan O'Hagan,
Cr Ken Clarke OAM, Cr Mark Currie

Auditors Present:

Stephen Clark - Johnsons MME/External Auditor

Officers Present:

Jaime Chubb - Acting Chief Executive Officer, Sarah Brindley - Director
Corporate Services, Anthony Smith - Manager Finance, Glenda Beecher -
Manager People & Governance, Janelle Stein - Governance & Reporting Advisor

Guest Officers:

Alan Clark - Director Infrastructure Services (entered meeting at 4.28pm)

3. CONFLICT OF INTEREST DISCLOSURE

In accordance with sections 77A, 77B, 78 and 79 of the Local Government Act 1989 Audit Advisory Committee members 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.

For the report that was prepared for the 17 September 2019 Audit Advisory Committee meeting, no Council officers or contractors who provided advice in relation to those reports declared a conflict of interest regarding the matters under consideration.

4. REPORTS

4.1 ANNUAL REPORT 2018/19

Executive Summary

This report is presented to Audit Advisory Committee for the Committee to recommend to Council its approval of the Draft Financial Statements 2018/19, Performance Statement 2018/19 and the Governance and Management Checklist for Council to give their 'in principle' approval at a Special Council meeting to be held Monday, 23 September 2019.

RECOMMENDATION:

The Audit Advisory Committee recommends Council approve 'in principle' agreement to sign the 2018/19 Draft Financial Statements, Performance Statement and Governance and Management Checklist at its Special Council Meeting to be held Monday, 23 September 2019.

MOTION:

That the recommendation be adopted.

(Moved: Independent Member Rowan O'Hagan / Independent Member Peter McNeill)

Carried

Discussion: Reports - Item 4.1

On reviewing the 2018/19 Financial Statements, the Audit Advisory Committee requested clarification regarding the timing of works undertaken at Cruse Street. This was because a member of the Committee felt the majority of contractor work for the Cruse Street project had been undertaken beyond the financial year end.

The Director Infrastructure Services was asked to step into the meeting, and on the basis of the knowledge he had available at the time advised that:

- This was not the case, with the most expensive elements of the work, including the bridge, drainage, and gross pollutant trap being completed pre 30 June 2019;
- Some of the more visible work undertaken post 30 June 2019 was the North East Water mains work and the removal of surplus material; and
- That he would further investigate the timeline of works, completion rates and invoice payments.

The Committee noted the advice provided by the Director Infrastructure Services but requested further investigation into the matter occur and then a summary of the outcomes of the investigation be provided to the Committee out of session.

Actions: Reports - Item 4.1**1. Cruse Street**

Director Infrastructure Services to investigate Cruse Street Invoice Payments and provide the outcomes of the investigation to the Audit Advisory Committee out of session.

2. CoStore Carpark

Update on the progress of exploring options in relation to CoStore Carpark to be provided to the Audit Advisory Committee at the next committee meeting.

3. Aged Debtors Report compared to Annual Report - Financial Statements

The amount included for Bad and Doubtful Debts in the Annual Report 2018-2019 had additional categories and therefore did not collate with the Aged Debtors report provided independently to the Audit Advisory Committee. Moving forward that the Aged Debtors report to include/reflect the same categories of Bad and Doubtful Debts as included in the Annual Report.

4. Cash Flow

Notes provided under the Cash Flow in the Annual Report 2018-2019 are unclear. The notes need to be revised to provide clearer explanation.

5. Certification of the Consolidated Financial Statements

Mayor Dean Rees has 'OAM' incorrectly listed after his title. OAM needs to be removed from Mayor Dean Rees title.

6. Annual Report

Alan Clark was incorrectly spelt as Alan Clarke. Name needs to be revised to reflect correct spelling.

7. Annual Report - Financial Statements WLE Employee Costs

It was noted that the Employee Costs for the Wangaratta Livestock Exchange were not listed independently. As the costs are included in the total/overall costs, note needs to be update to provide clear explanation.

8. Annual Report - Financial Statements Related Party Disclosure

Jazz Festival needs to be added under Related Party Disclosure.

9. Annual Report - Financial Statements

Typo in Business Wangaratta needs to be corrected.

10. Annual Report - Financial Statements Other Reserves

Requires a note/comment to be added under the table to provide clear explanation of figures.

11. Annual Report - Performance Statement Average Residential Rate

Figures to be reviewed and revised if required as figure provided for 2018 for the Revenue Level - Average residential rate per residential property assessment was substantially different to that provided for 2019.

Minutes – Audit Advisory Committee Meeting

17 September 2019

5. **OTHER BUSINESS**

6. **NEXT MEETING**

Tuesday 3 December 2019, 3.00pm - 6.00pm.

7. **CLOSURE OF MEETING**

Meeting closed at 5.06pm.



62-66 Ovens Street
P.O. Box 236
WANGARATTA VIC 3676
Telephone: (03) 5722 0888
Fax: (03) 5721 9526
E-mail: council@wangaratta.vic.gov.au

ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE
Monday 16 December-@ 5:30pm

Venue – Martini's Café

MINUTES

File No:


1.	<p>PRESENT</p> <p>Committee: Adrian Vaughan Margaret Brickhill David Godkin (arrived 7:00pm)</p> <p>Officers: Penny Hargrave – Manager ACE Simone Nolan – Director – Wangaratta Art Gallery</p> <p>Ian Poole Marc Bongers Rhonda Diffey</p> <p>Councillor: Cr Dave Fuller</p>	
2.	<p>APOLOGIES Delia Jackson Patricia Boak David Godkin (for the early part of the meeting)</p>	<p>Moved: Ian Poole Seconded: Adrian Vaughan <i>That apologies be accepted</i></p>
3.	CONFLICT OF INTEREST DECLARATIONS	Nil
4.	<p>MINUTES OF PREVIOUS MEETING (previously circulated)</p> <p>No meeting was held in October 2019.</p>	



5.	GENERAL BUSINESS & BUSINESS ARISING (from the previous minutes)	
	No business arising from previous meetings	
6.	AGENDA ITEMS	
6.1	<p><u>Bek Nash-Webster (G&R Coordinator) ~ How Arts can support Grit & Resilience – and the plan for the next 4 years.</u></p> <p>Bek introduced the ACHAC Committee to the Grit & Resilience Project – the background, council's role, the partnership with other organisations and the planning process for the next 4 years.</p> <p>Bek shared a video link to the Life Span Framework for members to review.</p> <p>Bek requested assistance from the committee for introductions to key community groups and key community champions.</p> <p>https://www.bing.com/videos/search?q=lifespan+Blackdog+youtube+videos&view=detail&mid=35EC623CA39456DF7BF035EC623CA39456DF7BF0&FORM=VIRE</p>	
6.2	<p><u>Outcomes from Council meeting (10/12) re: logo</u></p> <p>Cr Fuller updated the committee on the outcomes of the December Council meeting relating to the logo.</p>	
6.3	<u>Feedback from Thank Event (11/12) & discussion</u>	



	<p>This event did not take place due to low numbers. The event will be rescheduled for mid-February 2020.</p> <p>The survey is still open and the link has been resent.</p>	
6.4	<p><u>ACE Program 2020</u></p> <p>Update on Public Art process for the Railway Precinct Enhancement Project provided by Simone Nolan</p> <p>Wangaratta Performing Arts & Convention Centre Season 2020 Launch – Wednesday 5 February 2020 – evening</p>	
6.5	<p>ACE Bi – monthly report presented (copy attached with minutes)</p> <p><u>Questions raised</u></p> <p>Safety & maintenance issues at the Historical Society – raised by Rhonda Diffey</p> <p>Feedback provided 17/12/2019</p> <p>Historical Society Building – known as WH Edwards Museum (Old Fire Station)</p> <ul style="list-style-type: none"> • The building was inspected by an independent consultant in 2016. • No structural issues were reported. • 38 Components of the building were inspected, with the overall condition of the building being graded “fair”. • Since that time there has been ongoing maintenance carried out, and there are no structural concerns with the building. 	<p>That the <i>bi-monthly reports for Arts, Culture, and Events Unit presented at the December 2019 meeting be accepted as presented</i></p> <p>Moved: Margaret Brickhill</p> <p>Seconded: Rhonda Diffey</p>

	<p>Acknowledgement of Country - raised by Margaret Brickhill The question was raised as to Council's statement for Acknowledgement to Country.</p> <p>It was agreed that officers would update ACHAC on the progress of this at the February 2020 meeting.</p> <p>Artwork at Wangaratta Primary School David Godkin was commended by the ACHAC committee on the fabulous results achieved working with students at Wangaratta Primary School to deliver mural art based on a brief created by David and the students.</p> <div data-bbox="461 678 1310 981">  </div> <p>Opportunity to continue embedding public art into major capital projects and residential land developments - especially area around Cruse Street was raised by Marc Bongers. Officers to liaise with Council teams and bring update back to February ACHAC meeting.</p>	
7.	MEETING CLOSED @ 7:30pm	



8.	<p>NEXT MEETING;</p> <p>Dates for 2020</p> <table> <thead> <tr> <th>month</th><th>date</th><th>Notes</th></tr> </thead> <tbody> <tr> <td>Feb-20</td><td>10/02/2020</td><td>2nd Monday of the month</td></tr> <tr> <td>Apr-20</td><td>6/04/2020</td><td>1st Monday of the month to avoid Easter Monday</td></tr> <tr> <td>Jun-20</td><td>1/06/2020</td><td>1st Monday of the month to avoid Queen's Birthday holiday</td></tr> <tr> <td>Aug-20</td><td>10/08/2020</td><td>2nd Monday of the month</td></tr> <tr> <td>Oct-20</td><td>12/10/2020</td><td>2nd Monday of the month</td></tr> <tr> <td>Dec-20</td><td>14/12/2020</td><td>2nd Monday of the month</td></tr> </tbody> </table>	month	date	Notes	Feb-20	10/02/2020	2 nd Monday of the month	Apr-20	6/04/2020	1 st Monday of the month to avoid Easter Monday	Jun-20	1/06/2020	1 st Monday of the month to avoid Queen's Birthday holiday	Aug-20	10/08/2020	2 nd Monday of the month	Oct-20	12/10/2020	2 nd Monday of the month	Dec-20	14/12/2020	2 nd Monday of the month	
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