

# Minutes

## Of the Ordinary Council Meeting

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

**Date:** 23 June 2020

**Time:** 6PM



RURAL CITY OF  
**WANGARATTA**

Brendan McGrath  
Chief Executive Officer



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1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

2. **OPENING PRAYER**

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

3. **PRESENT**

Councillors:

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

Officers:

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

4. **ABSENT**

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

**ORDER OF BUSINESS**

6. **CITIZEN CEREMONY**

Nil.

7. **CONFIRMATION OF MINUTES**

**RESOLUTION:**

**(Moved: Councillor H Benton/Councillor A Fitzpatrick)**

***That Council read and confirm the Minutes of the Ordinary Meeting of 26 May 2020 as a true and accurate record of the proceedings of the meeting.***

**Carried**

## 8. CONFLICT OF INTEREST DISCLOSURE

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

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

## 9. RECEPTION OF PETITIONS

Nil.

## 10. HEARING OF DEPUTATIONS

Nil.

## PRESENTATION OF REPORTS

### 11. COUNCILLOR REPORTS

Nil.

### OFFICERS' REPORTS

### 12. EXECUTIVE SERVICES

Nil.

### 13. CORPORATE SERVICES

#### 13.1 COMMUNITY SATISFACTION SURVEY 2020 RESULTS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 June 2020  
**Author:** Media and Communications Coordinator  
**File No:** IC20/956

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 share the results of the 2020 Victorian Local Government Community Satisfaction Survey.

#### **RESOLUTION:**

**(Moved: Councillor H Bussell/Councillor D Fuller)**

***That Council notes the results of the 2020 Community Satisfaction Survey.***

**Carried**

#### Background

Council participates in the State-wide Local Government Community Satisfaction Survey. The survey provides feedback about how Council is performing across a number of measures. It also provides Council with a means to fulfil some statutory reporting requirements. The Survey is coordinated by the Department of Environment, Land, Water and Planning (DELWP) and is conducted by JWS Research.

#### Implications

Results of the 2020 Community Satisfaction survey are very positive, with improved scores on all major measures now placing Council ahead of the state-wide and regional Council average in a number of areas

For **Overall Performance** Council's rating has improved to 62, up 3 points from the previous year and above the average for Regional Centres (56) and State-wide (58).

For **Overall Council Direction** the Rural City of Wangaratta scored 61, which is 11 points higher than the average for Regional Centres and 10 points higher than the State-wide average.

As seen in the tables below, nearly all measures improved from the previous year, with the biggest leap occurring for Building and Planning permits, which moved up 7 points from 47 to 54.

JWS Research advises that Council should look to build upon gains in perceptions of Building and Planning Permits, as well as attend to resident concerns over Unsealed Roads.

## Summary of Wangaratta Rural City Council performance

Services	Wangaratta 2020	Wangaratta 2019	Regional Centres 2020	State-wide 2020	Highest score	Lowest score
 Overall performance	62	59	56	58	Aged 65+ years	Aged 35-49 years
 Overall council direction	61	59	50	51	Aged 65+ years	Aged 35-49 years
 Customer service	70	70	70	70	Aged 65+ years	Aged 18-34 years
 Art centres & libraries	78	77	74	74	Aged 65+ years	Aged 35-49 years
 Appearance of public areas	76	74	72	72	Aged 35-49 years, Urban Area residents	Rural Area residents, Aged 50-64 years
 Recreational facilities	69	71	70	70	Aged 65+ years	Aged 18-49 years
 Community & cultural	69	66	69	68	Aged 65+ years	Aged 35-49 years
 Waste management	68	69	66	65	Aged 65+ years	Aged 35-49 years
 Environmental sustainability	62	61	61	60	Aged 18-34 years	Aged 35-49 years
 Bus/community dev./tourism	61	58	60	59	Aged 18-34 years	Aged 50-64 years

## Summary of Wangaratta Rural City Council performance



Services	Wangaratta 2020	Wangaratta 2019	Regional Centres 2020	State-wide 2020	Highest score	Lowest score
Informing the community	60	57	56	59	Aged 65+ years	Aged 35-49 years
Local streets & footpaths	58	57	59	58	Aged 35-49 years	Aged 50-64 years
Sealed local roads	57	57	55	54	Urban Area residents	Rural Area residents
Consultation & engagement	55	53	51	55	Aged 65+ years	Aged 35-49 years
Lobbying	54	51	52	53	Aged 18-34 years	Aged 35-49 years
Building & planning permits	54	47	57	51	Aged 18-34 years, Urban Area residents	Rural Area residents, Aged 35-49 years
Community decisions	52	51	50	53	Aged 65+ years	Aged 35-49 years
Unsealed roads	48	48	55	44	Urban Area residents	Rural Area residents
Parking facilities	47	46	49	55	Men	Aged 65+ years

### 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.

	2019/2020 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income				
Expense	15,640 inc GST	15,640 inc GST	Nil	Fees for third party survey
Net Result	15,640 inc GST	15,640 inc GST		

### Legal/Statutory

The Community Satisfaction Survey assists with Council’s statutory reporting requirements.

### Social

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



## **Environmental/Sustainability Impacts**

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

## **2017 – 2021 Council Plan (2020 Revision)**

This report supports the 2017-2021 Council Plan:

### **Goal**

We are Sustainable

**We will plan and advocate for the future:**

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

## **Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Broader Community	Place survey results on website
Consult		
Involve	Selected participants	Through phone interviews
Collaborate		
Empower		

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

## **Options for Consideration**

The report is for noting.

## **Conclusion**

Council's Overall Performance has continued to improve since 2016 and now places the Rural City of Wangaratta in a strong position in comparison to similar Councils and all other Councils across Victoria. Council should look to consolidate these gains in coming years by continuing to respond to areas where the community has had lower perceptions of Council, such as Building and Planning Permits and Unsealed Roads.

## **Attachments**

- 1 Community Satisfaction Survey 2020 

**14. COMMUNITY WELLBEING**

Nil.

## 15. INFRASTRUCTURE SERVICES

### 15.1 DRAFT PARKLANDS MASTERPLAN

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 June 2020  
**Author:** Project Officer  
**File No:** IC20/568

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

#### Executive Summary

This report is presented to Council to endorse the draft Parklands Masterplan to be placed on public exhibition.

The Wangaratta Parklands Precinct is an area of approximately 56 hectares. The sites consist of various formal and informal recreation spaces, community buildings, natural landscapes and shared pathways.

The Wangaratta Parklands Masterplan provides a vision, design principles and key projects for the precinct to guide development and use of the facilities over the next twenty years. The overarching goal of the Masterplan is to ensure the Parklands is developed in a way that ensures future investment is made in a sound manner and maximises positive outcomes for the Wangaratta community.

#### **RESOLUTION:**

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

#### ***That Council:***

- 1. Endorse the draft Parklands Masterplan for a 60 day public exhibition period, seeking feedback from the community and stakeholders until close of business on Friday 28 August 2020***
- 2. If no submissions requesting changes to the Masterplan are received, adopts the Parklands Masterplan without further resolution.***

**Carried**

#### Background

The Parklands Precinct is one of Council's key community and recreation precincts. Several facilities are located within the precinct as shown on the location map below:



The Masterplan is required to provide direction to ensure the precinct is further developed in a strategic and collective manner.

### **Implications**

#### **Policy Considerations**

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

#### **Financial/Economic Implications**

Council has committed \$75,000 (GST exclusive) in the 2019/20 budget for the development of the Wareena Park & Parklands Masterplans. The Parklands Masterplan will allow Council to accurately plan and incorporate deliverables within Council's 10-year Capital Works program. It will also provide Council with the opportunity to seek external funding.

The Parklands Precinct will increase economic benefit through regional sport and events.

## **Legal/Statutory**

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

## **Social**

The Masterplan will continue to build on the Parklands welcoming and safe environment for all ages. Encouraging both exercise and social interaction, to improve health and wellbeing.

The location of the Parklands Precinct and its ability to connect with the CBD, waterways and shared path network is a key driver to encourage users to walk or ride to the precinct.

## **Environmental/Sustainability Impacts**

The draft Masterplan has identified the preservation and enhancement of existing vegetation along roads and key pedestrian paths.

The Masterplan aims to improve the overall environmental performance of the site by encouraging sustainable practices. The plan identifies opportunities to further develop sustainable buildings and water saving initiatives.

## **2017 – 2021 Council Plan (2019 Revision)**

This report supports the 2017-2021 Council Plan:

### **Goal**

We are Growing

### **The non-negotiables**

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

## **Strategic Links**

### **a) Rural City of Wangaratta 2030 Community Vision**

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

### **b) Other strategic links**

Rural City of Wangaratta Events and Attractions Strategy 2018 – 2023 “Increase tourism through marquee live performance and sporting event attraction”  
“Upgrade event venues across the municipality to encourage marquee events”.

## **Risk Management**

Nil.

## **Consultation/Communication**

The draft Masterplan addresses the strategic direction of the Precinct, capturing the future direction of key users. Council recognises the draft Masterplan may not address individual stakeholder requirements, relating to building or infrastructure improvements. Further assistance will be provided to stakeholders to further develop their individual requirements outside of this plan.

Prior to the development of the draft masterplan, significant consultation was undertaken with key user groups and community members, including:

- In July 2019 key user groups were invited to participate in an engagement survey capturing their requirements and future aspirations. A substantial number of responses were received.
- In October 2019 three public consultation sessions were held, capturing feedback from a wider range of community members and key users.
- In January 2020 a follow up consultation session was held, with 21 key precinct user groups, including:
  - Wangaratta Hardcourt Tennis Club
  - Wangaratta Netball Association
  - Wangaratta Bowls and Sports Club
  - Wangaratta Scout Group
  - Wangaratta Small Bore Rifle Club
  - Wangaratta Tigers Junior Football Club
  - Wangaratta Rovers Football & Netball Club
  - Rovers United Cricket Club
  - AFL NE Border (Wangaratta Umpires Board)
  - Agricultural & Industrial Society
  - Lions Club Wangaratta
  - Murray Bushrangers Football Club
  - Wangaratta District Cricket Association
  - Wangaratta Cycling Club
  - Wangaratta Football & Netball Club
  - Wangaratta Kennel & Obedience Dog Club
  - Wangaratta Magpies Cricket Club
  - Wangaratta Poultry Club
  - Wangaratta Sports Club
  - Wangaratta Table Tennis
  - Wangaratta Woodworkers

Consultation completed to date has provided a basis to develop the draft Masterplan in line with user requirements.

The current climate of (COVID-19) has restricted Council from undertaking further consultation sessions. Council Officers will instead plan to consult directly with user groups during an extended 60-day public consultation period. Stakeholders will have the opportunity to provide direct feedback for consideration into the final Masterplan.

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

### **Options for Consideration**

1. Endorse the plan for community consultation as per the recommendation
2. Further develop the plan before taking to the community

### **Conclusion**

The Parklands Precinct is home to multiple sporting and community groups. The draft Masterplan maximises outcomes for all users and ensures future investment is delivered in a strategic manner.

A significant amount of public and focused consultation has been undertaken and Officers now believe the Draft Parklands Masterplan is ready for public exhibition.

### **Attachments**

- 1 Draft Parklands Masterplan 

## 15.2 PLACE NAMING COMMITTEE MEMBERSHIP

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 June 2020  
**Author:** Executive Assistant - Infrastructure Services  
**File No:** IC20/947

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

### **Executive Summary**

This report is presented to Council to provide details of recent advertising for new members of the Place Naming Committee and consider appointments.

#### **RESOLUTION:**

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

#### ***That Council:***

- 1. appoint 7 members (as per the confidential attachment) to the Place Naming Committee for terms nominated, effective immediately; and***
- 2. write to members advising them of their appointment.***

**Carried**

***Cr Ken Clarke disclosed the names of those who were appointed to the committee (listed below):***

***Julie Allen – 3 year term***

***Marg Pullen – 3 year term***

***Andy Kimber – 3 year term***

***Ben Watts – 3 year term***

***David James – 3 year term***

***Dawn Fox – 3 year term***

***Neil Brock – 2 year term***

### **Background**

2 members of the Place Naming Committee became unwell during 2019 creating vacancies on the Committee. Advertising was undertaken in late 2019 for the entire membership to allow for annual rotating terms of 1, 2 or 3 years. Existing members were invited to renominate however 2 members declined due to health reasons and 4 members renominated. No other nominations were received at that time.

As the Committee was left with only 4 members (Charter allows for up to 9 members), advertising was again undertaken in March 2020 with 3 nominations



received. A skills matrix of nominations received is attached. 6 nominations received are for 3 years and 1 nomination is for 2 years.

### **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**

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

#### **Environmental/Sustainability Impacts**

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

### **2017 – 2021 Council Plan (2019 Revision)**

This report supports the 2017-2021 Council Plan:

#### **Goal**

We are established  
We are growing

### **Strategic Links**

#### **a) Rural City of Wangaratta 2030 Community Vision**

N/A

#### **b) Other strategic links**

N/A

### **Risk Management**

N/A

### **Consultation/Communication**

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

### **Conclusion**

The Place Naming Committee provides advice to Council on proposals for road and place naming in the Rural City of Wangaratta municipality.

The Charter allows for up to 9 members of the Place Naming Committee and the seven nominees have the historical knowledge and networks to undertake the work required. Therefore, it is recommended that the 7 members be appointed to the Place Naming Committee.

### **Attachments**

- 1 2020 PLACE NAMING COMMITTEE NOMINATIONS MATRIX - Confidential

## 16. DEVELOPMENT SERVICES

### 16.1 PLANNING SCHEME AMENDMENT C76 - WANGARATTA INDUSTRIAL LAND USE STRATEGY - PANEL REPORT AND NEXT STEPS IN THE AMENDMENT PROCESS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 June 2020  
**Author:** Strategy Planner  
**File No:** IC20/788

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 as the relevant Planning Authority, to consider:

- the recommendations of the Panel Report for Wangaratta Planning Scheme Amendment C76 – Wangaratta Industrial Land Strategy; and
- adopting the amendment with changes, as per the Panel Report recommendations.

In summary, the Panel determined that Council's approach to Amendment C76 is well founded and strategically justified and recommends that the Amendment be adopted with minor changes that address more specific issues raised in submissions.

#### **RESOLUTION:**

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

#### ***That Council:***

- 1. Considers the Wangaratta Planning Scheme Amendment C76 Panel Report and the recommendation of this report in accordance with Section 27 of the Planning and Environment Act 1987 (the Act);***
- 2. Adopts Planning Scheme Amendment C76 – Wangaratta Industrial Land Use Strategy, with changes recommended by the Panel in accordance with Section 29 of the Act;***
- 3. Submits the amendment to the Minister for Planning pursuant to Section 31 of the Act for approval in accordance with Section 35 of the Act;***
- 4. Delegates to the Director Development Services authority to approve changes to the Local Policy content of Amendment C76 in order to enable it to be translated in a policy neutral manner into the new***

***Planning Policy Framework (PPF) of the Wangaratta Planning Scheme, currently being considered for approval by the Minister for Planning.***

**5. *Notifies submitters in writing of Council's decision.***

**Carried**

**Background**

Wangaratta Planning Scheme Amendment C76 was been prepared by Council to implement the relevant recommendations of the Wangaratta Industrial Land Use Strategy, which was adopted by Council in 2017.

**What Amendment C76 proposes?**

The Amendment proposes to make changes to the Wangaratta Planning Scheme to enable the implementation of the Wangaratta Industrial Land Use Strategy 2017 (the Strategy), including policy changes and rezoning of land in accordance with the objectives of the Strategy.

The overall aim of the Strategy is to:

- Ensure that there are sufficient opportunities to accommodate a range of industrial uses in Wangaratta.
- Produce a planning framework to guide development in the industrial areas of the city.
- Inform future changes to the Wangaratta Planning Scheme, including the application of zones, overlays and policies.

**Authorisation, Exhibition and Submissions**

At the Ordinary Meeting of 17 October 2017, Council resolved to adopt the draft Wangaratta Industrial Land Use Strategy 2017 and seek authorisation to exhibit Amendment C76 to implement the relevant recommendations of the strategy.

The amendment was authorised for exhibition by the Minister for Planning's delegate on 23 August 2018.

Amendment C76 was placed on public exhibition from 18 April 2019 to 27 May 2019, in accordance with the requirements of the Planning and Environment Act 1987, and included notification to relevant Referral and Government Agencies and Prescribed Ministers, land owners and occupiers directly impacted by the proposed changes and within the Wangaratta Chronicle on 12 April 2019 and the Victorian Government Gazette on 18 April 2019.

A total of 11 formal submissions were received following the close of the exhibition period. Eight submissions were received from landowners and three submissions were received from authorities. Following the completion of the exhibition process, Council officers considered the issues raised in submissions and contacted submitters to discuss.

Changes were made to the exhibited documents to address concerns raised in submissions and assist with improving the clarity of some components of the Amendment (see **Attachment 1**). However, not all the submissions were able to be addressed as some of the requested changes are either in conflict with the intended outcomes of the Amendment, not supported on planning grounds or beyond the scope of the amendment. As a result, at its meeting of 19 November 2019, Council resolved to make changes to the amendment in response to some submissions (see **Attachment1**) and refer the amendment to a Planning Panel for consideration.

### **C76 Planning Panel**

The Panel to consider Amendment C76 was formally appointed on 3 December 2019. A Directions Hearing was held on 4 February 2020, which considered initial administrative and preliminary matters.

The Panel hearing was conducted on 10 March 2020. Council made a submission to the Panel advocating support and approval of the amendment, which also included changes to the Amendment as recommended in considering submissions to the amendment at the Meeting of 19 November 2019. The submission by Council officers also provided a response to all submissions.

One landowner appeared and presented at the Panel hearing. Another landowner was present for hearing but did not formally as part of the hearing process. As all submissions were referred to the Panel, the submissions by all remaining landowners and agencies were considered by the Panel, in the form that they were made to the public exhibition process.

A full copy of the Panel Report is attached at **Attachment 2**.

#### Panel Report Findings

The Panel Report for C76 was publicly released on 29 April 2020. The Panel's report supports the amendment subject to the following changes:

- Modify Clause 21.08 to append 'industrial area' to the 'South Wangaratta' and 'North Wangaratta' headings in 21.08-2 and replace references to an 'industrial precinct' with 'industrial area' to make them consistent with other policy references.
- Modify Clause 21.11 to merge strategies 1.2 and 1.3 at 21.11-3 to state:

*Protect the operation of McKay Casings and the Wangaratta saleyards by requesting that a permit application or planning scheme amendment proposing to introduce or intensify a sensitive use on land in a strategic buffer identified in Figure 8 include an odour assessment which demonstrates the buffer can be satisfactorily reduced.*

- Modify Figure 8 (South Wangaratta Strategic Directions Plan) of Clause 21.11 to show the full extent of the proposed strategic buffer and measure

the strategic buffer from the boundary of MacKay Casings and the operational area of the Wangaratta saleyards.

- Modify Clause 21.11 to replace references to an 'industrial precinct' with 'industrial area' to make them consistent with other policy references.
- Amend the Wangaratta Industrial Land Use Strategy 2017 to refer consistently refer to the 'South Wangaratta Industrial Area' and 'North Wangaratta Industrial Area'.

In relation to the strategic justification for Amendment C76, the Panel supported Council's approach to the Amendment and noted the following.

- There is a clear strategic thread between the existing Planning Policy Framework, the Industrial Strategy and the changes proposed to the Planning Scheme.
- The Amendment is supported by, and implements, the relevant sections of the Planning Policy Framework
- The Amendment is consistent with the relevant Ministerial Directions and Practice Notes
- The Amendment is well founded and strategically justified.

The Panel's response to the key issues raised in submissions is summarised in the following.

- In relation to the **Mackay Casings and Wangaratta saleyards buffers**, the Panel supports the implementation of the proposed strategic buffers and found that these are consistent with the EPA Publication 1518 and are strategically justified. The Panel agrees that this approach is consistent with EPA Publication 1518 which specifies the default 500 and 1,000 metre buffer measures and seeks the agent of change to prove that they can be varied.

The Panel supports Council's intentions with the revised wording to the strategies at Clause 21.11-3 (relating to the strategic buffers), however recommended rewording the strategy to positively reinforce that its key intent is to protect the operation of McKay Casings and the Wangaratta saleyards, merging the two existing strategies into one and referring to the buffers in Figure 8 of Clause 21.11 for clarity.

- In relation to the **rezoning of 218 Tone Road, Wangaratta (GOTAFE)**, the Panel supports Council's position, as resolved on 19 November 2019, the land no longer be rezoned at the request of the landowner. The Panel concluded that this matter is resolved as no other parties expressed a position on the change.
- In relation to the **identification of the North Wangaratta indicative strategic buffer area**, the Panel supports the indicative strategic buffers

to the North East Water plant and Alpine MDF facilities and that these should not be expanded to additional land, as requested by a submitter. The Panel Report concludes that the indicative strategic buffer is consistent with the guidance in EPA Publication 1518 and is appropriate and justified.

- In relation to the **management of the North Wangaratta industrial area buffer**, the Panel supports the use of the indicative strategic buffer, rather than a planning scheme overlay as requested by a submitter. The Panel accepts Council's submissions that the use of the strategic buffer and considerations at Clause 21.11 is sufficient for assessing a permit application proposing a sensitive land use within the specified area. This is primarily because a planning scheme overlay cannot control land use and therefore would not be effective in preventing new sensitive land uses.
- In relation to the **request to rezone land in the North Wangaratta Industrial area Industrial 2 (IN2Z)** except for land within 300 metres of Bowser Road, the Panel supports Council's submission that there is no strategic justification available through any submission or the Industrial Strategy to support such a significant change.
- In relation to the **objection to the rezoning of Council-owned land between Detour Road and Bourke Road from PUZ1 to IN1Z**, the Panel supports Council approach to rezone land to IN1Z. The Panel accepts Council's submission that the Amendment only sets out the framework for assessing further permit applications, and that any impacts should be considered in subsequent planning applications.
- In relation to the **impact of proposed strategic buffers on property value and financial impacts**, the Panel concludes that there is no evidence to support these claims by submissions. The Panel considered written submissions to the Amendment, a presentation by a submitter to the Panel Hearing and a subsequent letter prepared by a valuer on behalf of the submitter. The Panel concluded that "any economic effects associated with the Amendment should be considered at the broader community (not individual) scale" and "At the broader scale, the net community benefit of ensuring available industrial land with buffers outweighs any potential individual financial impact".

The Panel also considered a number of minor matters raised in submissions in relation to drafting of the amendment:

- The Panel supports Council's position that the Wangaratta Urban Waterways Flood Investigation, 2017 should not be introduced through the Amendment, as requested by NECMA.
- The Panel supports Council's position that there is no inconsistency in the terminology proposed through the Amendment and *Delivering the Goods – Victorian Freight Plan*, July 2018, as raised in the submission from the Department of Transport.

- The Panel recommends Council adopt consistent terminology for the industrial areas and supports Council's preference to refer to industrial 'area' rather than industrial 'precinct'.
- The Panel supports Council's proposed revisions to the South Wangaratta industrial area strategic buffers map as it better represents the extent and intent of each intended buffer.

### **Planning Policy Framework (PPF) and Implications on this Amendment**

Council at its meeting on 5 May 2020 resolved to advise the Minister for Planning of its support for a policy neutral translation of the local policy section of the Wangaratta Planning Scheme into the new format PPF, subject to some further changes.

The PPF translation program is an initiative of DELWP and the Smart Planning Program, which reformats the policy section of all planning schemes state - wide, to make policy clearer and create direct links between local, State and Regional Policy.

Due to the changes being made to the PPF, the local policy content of Amendment C76 must be translated into the new format PPF, prior to its consideration by the Minister for Planning.

Therefore, it is proposed that following consideration of this amendment by Council, that the local policy component of this amendment be translated in a policy neutral manner in consultation with DELWP and the Smart Planning team.

### **Next Steps in the Amendment Process**

Council must consider the recommendations made in the Panel Report. To progress the amendment Council must:

- a) Adopt the amendment as exhibited; or
- b) Adopt the amendment subject to all or some of the recommendations of the Panel; or
- c) Abandon the amendment

The following diagram outlines the steps in the amendment process. The boxes in blue show the steps Council have completed and the boxes in orange show the steps required to finalise this amendment.





## **Implications**

### **Policy Considerations**

The Wangaratta Industrial Land Use Strategy sets out the vision, objectives, strategies, actions and implementation plan to guide this Amendment. The progression of Amendment C76 will ensure that the recommendations of the Strategy are appropriately implemented.

Implementation of the Strategy is a key strategic action of Council's Local Planning Policy Framework at Clause 21.08-2. The state-wide Planning Policy Framework also requires Council to maintain a sufficient supply of industrial land for anticipated demand.

### **Financial Implications**

There is a statutory fee for the Minister for Planning to consider and approve an amendment. The fee is \$481.30 and will be covered by the 2019/2020 Strategy budget.

### **Legal/Statutory**

All processes associated with this amendment comply with the legislative requirements of the Planning and Environment Act 1987.

### **Social**

The Amendment is expected to have positive social outcomes. The adopted Wangaratta Industrial Land Use Strategy has been developed to guide the future planning for industrial land within the Municipality, including supporting the growth of industry and employment.

### **Environmental/Sustainability Impacts**

The Amendment has considered environmental impacts and is expected to lead to more sustainable land use outcomes and protection of environmental values within the Municipality.

The Amendment encourages the retention of native vegetation within the development of industrial and commercial land and increases the focus on the protection of waterways through the design of buildings and subdivisions to address public land.

The Amendment also proposes an Environmental Audit Overlay to land at 12-14 Tone Road to ensure that the proper consideration will be given to potentially contaminated land.

Through updates and revisions to the policy, the Amendment also encourages the use of energy efficient building techniques to reduce long term operating costs for industry and business and encourages the use of alternative energy.

## **Economic Impacts**

The Amendment is expected to lead to positive economic outcomes for the municipality generally, through the implementation of land use strategies and policies which provide a clear vision for industry and ensuring that a supply of industrial land is available to meet current and future demands.

### **2017 – 2021 Council Plan (2019 Revision)**

This report supports the 2017-2021 Council Plan:

#### **Goal**

We are Growing

To ensure we have sufficient available and serviced industrial land to attract new businesses and advance employment opportunities.

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

### **Strategic Links**

#### **a) Rural City of Wangaratta 2030 Community Vision**

To ensure sustainable and appropriate development, the Rural City of Wangaratta has adopted carefully considered long-term planning for commercial, industrial and residential areas.

Review and update land-use zoning to strengthen protection of agricultural land for agricultural activities; set aside suitable areas for future industry growth; provide for future residential growth in both Wangaratta and around rural townships.

Facilitate an adequate supply of suitably sited and serviced industrial land

Promote an ongoing diversification of the local economy, while supporting the existing industry, manufacturing, agricultural, tourism, small business and service industry sectors.

#### **b) Other strategic links**

- Population and Housing Strategy 2013
- Wangaratta Industrial Land Use Strategy 2017
- Wangaratta Planning Scheme – Planning Policy Framework (Clause 11 and Clause 17) Local Planning Policy Framework (Clause 21.08-2)

## **Consultation/Communication**

Community consultation was undertaken as part of the process to develop the Wangaratta Industrial Land Use Strategy and Amendment C76 was exhibited for public comment. Submissions to the amendment were considered and referred to a panel.

In accordance with the direction of the Panel, the degree of public notice that was undertaken for the “strategic buffer” in South Wangaratta was reviewed. This review has identified that due to the minor mapping changes proposed during the course of the amendment that a total of 16 additional notices were required to be sent to a combination of landowners and occupiers. At the time of finalisation of this report, one additional submission was received in response to this additional notice. This submission does not raise concern with the proposed strategic buffer, however it raises concerns with the potential upgrade of Jordan’s Lane and Gravel Pit Road for use as an east west connector road into the greater North West freight route. Further discussion of this submission is contained within the submissions table at **Attachment 1**. No change to the Amendment is proposed as a result of this submission.

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

## **Options for Consideration**

1. Adopt the amendment with changes recommended by the Panel Report (**Recommended**) and other agreed changes in **Attachment 1** to this report.

The planning authority has an obligation to consider the panel report and adopt the amendment in whole or in part or abandon the amendment. The Panel Report supports Council’s approach to Amendment C76 and accepts that it is well founded and strategically justified. The Panel recommends that the Amendment be adopted with minor changes that address more specific issues raised in submissions.

2. Adopt the amendment without change (**Not recommended**)

Council has the ability not to adopt the Panel’s recommendations, with suitable justification. This option is not recommended as it ignores the recommendations of the Panel, which has been established specifically to independently consider submissions to the amendment and make appropriate recommendations.

3. Abandon the amendment (**Not recommended**)

This option is not recommended as it would effectively end the process without implementing important changes to the planning scheme in response to industrial land. Abandoning the amendment would also result in years of strategic work and financial resources on the Industrial Land Use Strategy and Amendment C76 being wasted. It is also noted that the Panel Report does not identify any reasons to abandon the amendment.



## **Conclusion**

Wangaratta Planning Scheme Amendment C76 implements important strategic planning and policy for industrial land in Wangaratta. The Amendment will provide direction for future industrial land and implement the key strategic directions of the adopted Wangaratta Industrial Land Use Strategy, including a clear vision for industry and that a sufficient supply of industrial land is available to meet current and future demand.

A Panel has considered the submissions made by landowners and authorities in relation to the Amendment and has supported Councils approach to the Amendment generally and specific responses to the submissions. The Panel Report recommends minor changes to the Amendment prior to adoption to respond to more specific issues raised in submissions.

Adoption of Wangaratta Planning Scheme Amendment C76 with changes is the final step in implementing the Wangaratta Industrial Land Use Strategy. This represents completion of an strategic action, that was identified within the Wangaratta Planning Scheme and ensures Council will meet the objectives of the Planning Policy Framework to ensure sufficient supply of industrial land.

## **Attachments**

- 1 Wangaratta Planning Scheme Amendment C76 - Assessment of Submissions 
- 2 Wangaratta Planning Scheme Amendment C76 - Panel Report 

## **Public Questions**

Please follow link [23 June 2020 Council Meeting Video](#) and refer to minute 9.50 to.13.20 for public questions and responses related to Item 16.1 Planning Scheme Amendment C76 - Wangaratta Industrial Land Use Strategy - Panel Report and Next Steps in the Amendment Process.

**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:** 23 June 2020  
**Author:** Executive Service Coordinator  
**File Name:** Assemblies of Councillors  
**File No:** IC20/49

#### 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.

<b>Date</b>	<b>Meeting details</b>	<b>Refer</b>
11/5/2020	Councillors Briefing Forum	Attached
18/5/2020	Councillors Briefing Forum	Attached
25/5/2020	Councillors Briefing Forum	Attached
26/5/2020	Pre-Council Meeting Discussion – May Council Meeting	Attached
1/6/2020	Councillors Briefing Forum	Attached

**RESOLUTION:****(Moved: Councillor A Fitzpatrick/Councillor K Clarke OAM)*****That Council:***

- 1. receives the reports of Assemblies of Councillors***

**Carried****Attachments**

- 1 Assembly of Councillors - Councillors Briefing Forum - 11 May 2020 
- 2 Assembly of Councillors - Councillors Briefing Forum - 18 May 2020 
- 3 Assembly of Councillors - Councillors Briefing Forum - 25 May 2020 
- 4 Assembly of Councillors - Pre Council Meeting Discussion - 26 May 2020 
- 5 Assembly of Councillors - Councillors Briefing Forum - 1 June 2020 

## 20. NOTICES OF MOTION

### 20.1 NOTICE OF MOTION NO 66 - CR DEAN REES

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 June 2020  
**Author:** Executive Assistant - Corporate Services & Councillors  
**File No:** IC20/1009

Cr Dean Rees has given notice of their intention to move as follows at the Ordinary Meeting of Council to be held on 23 June 2020

#### **Background**

There has been a recent community led campaign, requesting that Faithfull Street be renamed, as a consequence of reported historic references relating to the treatment of Indigenous people by the towns Pioneers. A number of submissions have been made to Council, which demonstrate a variety of opinions exist on this issue. Initial high-level consultation with local indigenous people, suggests that renaming may not be the favored course of action, and that all history is important and should be retold and learned from.

#### NOTICE OF MOTION:

*"That Council directs Officers to undertake appropriate engagement with local indigenous networks, and other interested stakeholders to discuss the recent community campaign to rename Faithfull Street, to determine whether this is an appropriate course of action, or whether an alternative is to design other forms of significant recognition and storytelling to ensure the Cultural History is acknowledged and understood"*

#### **AMENDMENT TO NOTICE OF MOTION:**

**(Moved: Councillor D Rees/Councillor H Benton)**

***"That Council directs Officers to undertake appropriate engagement with local indigenous networks, and other interested stakeholders to discuss the recent community campaign to rename Faithfull Street, to determine whether this is an appropriate course of action and to provide Council with a recommendation".***

**Carried**



**21. URGENT BUSINESS**

Nil.

**22. PUBLIC QUESTION TIME**

PLEASE FOLLOW LINK [23 JUNE 2020 COUNCIL MEETING VIDEO](#) AND REFER TO MINUTE 26.50 TO 35.15 FOR PUBLIC QUESTIONS AND RESPONSES RELATED TO ITEM 22. PUBLIC QUESTION TIME.

**23. CONFIDENTIAL BUSINESS**

Nil.

**24. CLOSURE OF MEETING**

The Meeting closed at 7.35pm.