

Minutes

Of the Ordinary Council Meeting

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

Date: 23 March 2021

Time: 6.00pm



RURAL CITY OF
WANGARATTA

Brendan McGrath
Chief Executive Officer

TABLE OF CONTENTS

	Page No.
1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS	5
2. OPENING PRAYER	5
3. PRESENT	5
4. ABSENT	5
5. ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE	5
ORDER OF BUSINESS	5
6. CITIZEN CEREMONY	5
7. CONFIRMATION OF MINUTES	5
8. CONFLICT OF INTEREST DISCLOSURE	6
9. RECEPTION OF PETITIONS	7
9.1 PETITION REGARDING THE RURAL CITY OF WANGARATTA REGISTER OF PUBLIC ROADS	7
9.2 PETITION REGARDING TRAFFIC CONDITIONS AND SPEED LIMITS IN CHESHUNT AND WHITFIELD, KING VALLEY	9
10. HEARING OF DEPUTATIONS	10
PRESENTATION OF REPORTS	10
11. COUNCILLOR REPORTS	10
OFFICERS' REPORTS	11
12. EXECUTIVE SERVICES	11
13. CORPORATE SERVICES	12
13.1 REVIEW OF THE PROCUREMENT POLICY FOR PUBLIC CONSULTATION.....	12
13.2 UPDATED INSTRUMENT OF DELEGATION BY COUNCIL TO MEMBERS OF COUNCIL STAFF	16
13.3 REAPPOINTMENT OF DIRECTORS TO THE WANGARATTA LIVESTOCK EXCHANGE PTY LTD	19
13.4 GOVERNANCE RULES AMENDMENT.....	22
14. COMMUNITY WELLBEING	26
14.1 COMMUNITY RESILIENCE EVENTS FUND PROGRAM.....	26
<i>COUNCILLOR HERRY AND COUNCILLOR BENTON LEFT THE MEETING AT 6.17PM HAVING PREVIOUSLY DECLARED A CONFLICT OF INTEREST</i>	26
<i>COUNCILLOR HERRY AND COUNCILLOR BENTON RETURNED TO THE MEETING AT 6.21PM.</i>	28
15. INFRASTRUCTURE SERVICES	33
15.1 PETITION - LACK OF DRAINAGE AND FOOTPATH ALONG WILSON ROAD.....	33
15.2 PETITION - LACK OF MAINTENANCE AT PELICAN COURT PARK	36
15.3 WANGARATTA CLAY TARGET CLUB - SITE REHABILITATION WORKS.....	40
16. DEVELOPMENT SERVICES	44
16.1 PLANNING SCHEME AMENDMENT REQUEST - REITH ROAD EQUINE PRECINCT	44
16.2 PLANNING SCHEME AMENDMENT C81- CONSIDERATION OF THE PANEL REPORT	50

16.3	WANGARATTA ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE - APPOINTMENTS TO COMMITTEE.....	58
17.	SPECIAL COMMITTEE REPORTS	61
18.	ADVISORY COMMITTEE REPORTS.....	61
19.	MINUTES OF ADVISORY COMMITTEE MEETINGS	62
19.1	RECORD OF ADVISORY COMMITTEE REPORTS	62
20.	NOTICES OF MOTION	63
20.1	NOTICE OF MOTION NO 66. - CR DAVID FULLER.....	63
21.	URGENT BUSINESS	65
22.	PUBLIC QUESTION TIME.....	65
23.	CONFIDENTIAL BUSINESS	65
24.	CLOSURE OF MEETING.....	65

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 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:

Ms Irene Grant, Mr David Fuller, Mr Dean Rees, Mr Harry Bussell, Mr Harvey Benton, Ms Ashlee Fitzpatrick, Mr Jack Herry

Officers:

Brendan McGrath - Chief Executive Officer
Marcus Goonan - Director Infrastructure Services
Jaime Chubb - Director Community Wellbeing
Sarah Brindley – Director Corporate Services
Stephen Swart – Director Development Services

4. **ABSENT**

Nil.

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

ORDER OF BUSINESS

6. **CITIZEN CEREMONY**

Nil.

7. **CONFIRMATION OF MINUTES**

RESOLUTION:

(Moved: Councillor D Fuller/Councillor H Benton)

That Council read and confirm the Minutes of the Ordinary Meeting of 23 February 2021 as a true and accurate record of the proceedings of the meeting.

Carried

8. CONFLICT OF INTEREST DISCLOSURE

In accordance with section 130 of the Local Government Act 2020 a Councillor who has a conflict of interest in respect of a matter must disclose a conflict of interest in the manner required by Council's Governance Rules and exclude themselves from the decision making process in relation to that matter, including any discussion or vote on the matter and any action in relation to the matter.

Clause 28.1 of Council's Governance Rules requires a Councillor to indicate that they have a conflict of interest by clearly stating:

- The item for which they have a conflict of interest; and
- whether their conflict of interest is general or material; and
- the circumstances that give rise to the conflict of interest.

Immediately prior to the consideration of the item in which they have a conflict of interest, a Councillor must indicate to the meeting the existence of the conflict of interest and leave the meeting.

A Councillor who discloses a conflict of interest and leaves a Council Meeting must now communicate with any participants of the meeting while the decision is being made.

- Councillor Harvey Benton declared a conflict of interest in relation to item 13.3 Reappointment of directors to the Wangaratta Livestock Exchange Pty Ltd due to his association with one of the directors of the Wangaratta Livestock Exchange as an employer or associate lawyer engagement.
- Councillor Harvey Benton declared a conflict of interest in relation to item 14.1 Community Events Fund Program due to being a member of the Springhurst Recreation Reserve.
- Councillor Jack Herry declared a conflict of interest in relation to item 14.1 Community Events Fund Program due to being a Committee member with the Wangaratta Farmers' Market and a producer that sells through the Wangaratta Farmers' Market.
- Mayor Dean Rees declared a conflict of interest in relation to item 15.1 Petition – Lack of Drainage and Footpath Along Wilson Road due to owning a property within the vicinity and having signed the petition.

9. RECEPTION OF PETITIONS

9.1 PETITION REGARDING THE RURAL CITY OF WANGARATTA REGISTER OF PUBLIC ROADS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Executive Services Coordinator
File No: IC21/484

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

Executive Summary

A petition/joint letter containing 42 signatures from ratepayers, residents, workers and business owners of Cozens Street, Vincent Road, Newman Street, Greta Road, Bullivant has been received.

The petition requests that Cozens Street Wangaratta be included in the Rural City of Wangaratta Register of Public Roads.

A copy of the letter has been provided to Councillors under separate cover.

RESOLUTION:

(Moved: Councillor I Grant/Councillor H Bussell)

- 1. That the petition letter regarding the addition of Cozens Street to the Rural City of Wangaratta's Register of Public Roads be received.***
- 2. That the petition be referred to the Chief Executive Officer for a report to a future Council Meeting.***

Carried

Conclusion

Clause 14 of the Rural City of Wangaratta Governance Rules provides that a petition presented to the Council may be dealt with in any of the following ways.

The petition may:

- be received;
- where the petition relates to an item listed on the agenda, be considered in conjunction with that agenda item;
- be referred to the Chief Executive Officer for consideration and response;
- be referred to the Chief Executive Officer for a report to a future Council meeting.

Where the petition relates to an operational matter, council must refer it to the Chief Executive Officer for consideration.

Where a petition relates to a planning matter which is the subject of a public notification process under the *Planning and Environment Act 1987*, the petition will be treated as a joint submission in relation to that planning matter.

Where a petition relates to a matter which is the subject of a community engagement process under the *Local Government Act 2020*, the petition will be treated as a joint submission in relation to that matter.

Attachments

- 1 Cozens Street Petition - Confidential

9.2 PETITION REGARDING TRAFFIC CONDITIONS AND SPEED LIMITS IN CHESHUNT AND WHITFIELD, KING VALLEY

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Executive Services Coordinator
File No: IC21/570

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

Executive Summary

A petition/joint letter containing 112 signatures from the residents and visitors of the Rural City of Wangaratta concerning the speed limits and traffic conditions that presently exist in the surrounds of Cheshunt and Whitfield in the King Valley has been received.

A copy of the letter has been provided to Councillors under separate cover.

RESOLUTION:

(Moved: Councillor H Bussell/Councillor A Fitzpatrick)

- 1. That the petition letter regarding the speed limits and traffic conditions in Cheshunt and Whitfield be received.***
- 2. That the petition be referred to the Chief Executive Officer for a report to a future Council Meeting.***

Carried

Conclusion

Clause 14 of the Rural City of Wangaratta Governance Rules provides that a petition presented to the Council may be dealt with in any of the following ways.

The petition may:

- be received;
- where the petition relates to an item listed on the agenda, be considered in conjunction with that agenda item;
- be referred to the Chief Executive Officer for consideration and response;
- be referred to the Chief Executive Officer for a report to a future Council meeting.

Where the petition relates to an operational matter, council must refer it to the Chief Executive Officer for consideration.

Where a petition relates to a planning matter which is the subject of a public notification process under the *Planning and Environment Act 1987*, the petition will be treated as a joint submission in relation to that planning matter.

Where a petition relates to a matter which is the subject of a community engagement process under the *Local Government Act 2020*, the petition will be treated as a joint submission in relation to that matter.

Attachments

- 1 Petition Regarding Speed Limits and Traffic Conditions in Cheshunt and Whitfield King Valley - Confidential

In accordance with section 130 of the Local Government Act 2020 a councillor who has a conflict of interest in respect of a matter must disclose the conflict of interest in the manner required by Council's Governance Rules and exclude themselves from the decision making process in relation to that matter, including any discussion or vote on the matter and any action in relation to the matter.

Clause 28.1 of Council's Governance Rules requires a councillor to indicate that they have a conflict of interest by clearly stating:

- (a) the item for which they have a conflict of interest; and
- (b) whether their conflict of interest is general or material; and
- (c) the circumstances that give rise to the conflict of interest.

Immediately prior to the consideration of the item in which they have a conflict of interest, a councillor must indicate to the meeting the existence of the conflict of interest and leave the meeting.

A councillor who discloses a conflict of interest and leaves a Council meeting must not communicate with any participants in the meeting while the decision is being made.

10. HEARING OF DEPUTATIONS

PRESENTATION OF REPORTS

11. COUNCILLOR REPORTS

NOTICE OF CONDOLENCE:

(Moved: Councillor D Rees/Councillor D Fuller)

Councillor D Rees moved a Notice of Condolence:

I seek support for the following notice of condolence:

The Rural City of Wangaratta notes with sadness the passing of BPangerang Elder Uncle Freddie Dowling. Uncle Freddie was a champion

of his people and throughout his life made a significant contribution to furthering the cause of the BPangerang people. His contributions to the history of the BPangerang included authoring several books capturing stories of the past. I thank Uncle Freddie for the impact of his work not just on the BPangerang people, but as an educator and as a leader of all residents in North East Victoria.

Carried

Councillor Ashlee Fitzpatrick

Thank you Mr. Mayor. I just want to talk on this month we celebrated the International Women's Day with the 2021 theme – Choose to Challenge. In our community, I was quite proud we saw a number of community groups hold events advocating for women and girls and celebrating women's achievements. I want to make a special mention and thank the Women's Health Goulburn Northeast for organising the Women's March for Justice – We Chose to Challenge on Monday the 15th of March and we joined more than 500 people from across the Goulburn Valley and Northeast Victoria and over 100,00 people across the country to come out onto the streets and say enough is enough. We have had enough of the broader national culture in Australia that treats women and girls with disrespect but I want to thank you to the men and to my colleagues in the room who came and stood beside us and support the women so much for justice. We will continue to take a stand violence against women and to call for safety and justice for women and girls in all walks of life in every workplace, every organisation and committee, every sporting team and every home. Thank you.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor J Herry)

Councillor D Fuller moved a motion:

That Councillor Fitzpatrick's Report be included in the 23 March 2021 Ordinary Council Meeting minutes.

Carried

OFFICERS' REPORTS

12. EXECUTIVE SERVICES

Nil.

13. CORPORATE SERVICES

13.1 REVIEW OF THE PROCUREMENT POLICY FOR PUBLIC CONSULTATION

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Procurement Specialist
File No: IC21/252

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 to commence the process of seeking public feedback on the annual review of Council's Draft Procurement Policy (the draft policy).

RESOLUTION:

(Moved: Councillor J Herry/Councillor I Grant)

That Council:

- 1. Endorses the Draft Procurement Policy 2021 for public exhibition;***
- 2. Invites public submissions regarding the Draft Procurement Policy 2021 in accordance with Council's "Major Council Policy Consultation Local Law No.4 of 2015" up to 5pm on Friday 23 April 2021;***
- 3. If submissions requesting changes to the policy are received:***
 - a. Establishes a Special Committee of Council to hear submissions on the Draft Procurement Policy 2021, if required, at a time to be determined***
 - b. Reviews and considers adopting the Draft Procurement Policy 2021 at the Ordinary Council Meeting on 25 May 2021, taking into consideration all submissions made.***
- 4. If no submissions requesting changes to the policy are received, adopts the Draft Procurement Policy 2021 without further resolution.***

Carried

Background

Council adopted a procurement policy in 2016 in compliance with section 186A(1) of the *Local Government Act 1989* (the Act). Section 186A(7) of the Act requires Council to review its procurement policy at least once in each financial year, having regard to any guidelines made by the Minister with respect to form or content. Any changes arising from that review must be adopted by Council. The current procurement policy has been formulated with regard to the Victorian Local Government Best Practice Procurement Guidelines 2013 and the Municipal Association of Victoria Model Procurement Policy (Updated) August 2011.

Council officers have reviewed the current procurement policy and have incorporated the new branding guidelines for 2021 to the policy (*refer attachment*). No other changes have been made.

Policy Considerations

Council must review the procurement policy in this financial year ending 30 June 2021.

The proposed policy is a Major Council Policy and therefore must be subject to the consultation process set out in the Major Council Policy Consultation Local Law No. 4 of 2015.

Financial/Economic Implications

The proposed policy sets out the principles, processes and procedures that will apply to all purchases of goods, services and works made by Council. The proposed policy aims to achieve value for money and continuous improvement in the provision of services for the community.

Legal/Statutory

Section 186A (7) of the Local Government Act 1989 requires Council to review the Procurement Policy at least once in each financial year, having regard to any guidelines made by the Minister. That is the purpose of this report.

Whilst the Local Government Act 2020 received Royal Assent on 24 Mar 2020 it only comes into effect in stages, meaning the requirements of the new Act do not yet affect council's Procurement Policy. This Policy will therefore return for a further update and engagement in December 2021 once the new requirements come into force.

Social

The draft policy includes council's commitment to the strategic use of local suppliers to encourage economic development where such purchases are justified on value for money grounds, while remaining compliant with the Competition and Consumer Act 2010 and other fair trading legislation requirements.

Environmental/Sustainability Impacts

The Council's draft policy encourages the sourcing of environmentally sustainable goods, services and works.

2017 – 2021 Council Plan

This report supports the 2017-2021 Council Plan (Revision 2020):

Goal

We are Sustainable

What we do every day

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

We will ensure our workforce systems and processes are efficient and effective.

We provide a robust and transparent governance framework.

We will plan, research and advocate for the future:

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

To ensure our risks are managed strategically and effectively.

The non-negotiables

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

Our legislative, governance and compliance requirements will be met.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

The draft policy aims to achieve high standards of probity, transparency, accountability, and risk management.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Community	Website Public notice in local newspaper Make copy available for public inspection at Council's Customer Service counter
Consult	Audit Advisory Committee	Request advice Request submissions
Involve		Consider submissions

The proposed policy is a Major Council Policy and is subject to the provisions of the Major Council Policy Consultation Local Law No. 4 of 2015 which requires a public exhibition and submission process to be undertaken. This process is planned to commence with Council endorsement at the Ordinary Council Meeting on 23 March 2021 and conclude with adoption of the reviewed procurement policy at the Ordinary Council Meeting on 25 May 2021.

A public notice will be published in the Wangaratta Chronicle on Friday 26 March 2021 explaining the submission process. Submissions will be received up to 5pm on 23 April 2021.

In their written submission, a person may also request to be heard by a Committee of Council in support of their submission, prior to Council considering the proposal. A Special Committee of Council will be established to hear submissions on the proposed policy, if required, at a time to be determined.

Options for Consideration

1. Proceed to public exhibition with the attached Draft Procurement Policy – Recommended.
2. Proceed to public exhibition with a revised Draft Procurement Policy.

Conclusion

The review process ensures compliance with the requirements of Section 186A (7) of the Local Government Act 1989 which is still in force and requires a review of the procurement policy in each financial year.

Officers believe the Draft Procurement Policy is now ready to be put out for public exhibition.

Attachments

- 1 Draft Procurement Policy 2021
- 2 Procurement Policy 2021 Community Impact Statement

13.2 UPDATED INSTRUMENT OF DELEGATION BY COUNCIL TO MEMBERS OF COUNCIL STAFF

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Governance and Reporting Advisor
File No: IC21/396

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 update the Wangaratta Rural City Council (Council) instrument of delegation to members of Council staff (instrument).

Council powers, duties and functions within various Acts and Regulations, which contain a specific power of delegation, cannot be delegated through the Chief Executive Officer but must be made directly to Council staff to ensure the effective management of the day-to-day operations of the Council.

This update includes the insertion of provisions due to the introduction of an online food premises registration portal under the *Food Act 1984*. It also contains changes to various other Acts regarding powers, duties, and functions that have been revoked or amended.

RESOLUTION:

(Moved: Councillor A Fitzpatrick/Councillor I Grant)

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Wangaratta Rural City Council (Council) resolves that:

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff (Attachment 1), the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.***
- 2. The instrument comes into force immediately and that the common seal of Council is affixed to the instrument.***
- 3. On the coming into force of the instrument all previous delegations from Council to members of Council staff (other than the Chief Executive Officer) are revoked.***

4. *The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

Carried

Background

The instrument must be updated because of changes to Acts causing powers, duties, and functions to be inserted, revoked, or amended.

Implications

Policy Considerations

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

Financial/Economic Implications

The update confirms arrangements which reflect current operational requirements to ensure services are delivered effectively and efficiently.

Legal/Statutory

The powers conferred on the Council under some legislative instruments cannot be delegated through the CEO and must be delegated by resolution directly to Council staff.

The power to delegate is contained within each of the various Acts and Regulations listed in the instrument.

The legislative changes reflected in the updated instrument are contained in the updated instrument (**Attachment 1**) and listed in the table in **Attachment 2**.

The subject matter does not raise any issues in respect of the Charter of Human Rights and Responsibilities.

Social

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

Environmental/Sustainability Impacts

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

Council Plan

This report supports the council plan strategic priority of a sustainable organisation by maintaining effective and efficient processes.

There are many Acts and Regulations, which confer a responsibility on councils to act or determine matters. It is not practical for Council alone to exercise the many statutory powers, duties and functions bestowed on the Council.

Given the extensive list of services provided by local government it would be practically impossible for the council to make all decisions. Local government everywhere uses delegations to senior officers to provide an appropriate level of service within acceptable time frames.

Risk Management

It is important to ensure that Council has properly delegated powers, duties and functions, to avoid any issues regarding the legality of a decision or an action purportedly made or taken on behalf of the council.

Efficiency and effectiveness of service delivery may be reduced if delegations are not considered on a regular basis to reflect on-going operational requirements.

Consultation/Communication

There is no requirement to consult with the community regarding the subject of this report.

Options for Consideration

Option 1 - Recommended:

That the delegations are adopted as per the recommendation. Many decisions are made under Council delegation and this will ensure decision-making power is appropriately allocated by formal delegations.

The delegations recommended for adoption have been well established. The changes involved reflect changes in various Acts and are consistent with the approach taken in the past.

Option 2 – Not recommended:

That the delegations are not adopted, meaning that they remain with Council. This would lead to slow and ineffective decision-making processes ultimately impacting productivity and service delivery capacity.

Conclusion

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

Attachments

- 1 Instrument of delegation from Council to members of Council staff
- 2 Changes to the instrument of delegation by Council to members of council staff

13.3 REAPPOINTMENT OF DIRECTORS TO THE WANGARATTA LIVESTOCK EXCHANGE PTY LTD

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Governance and Reporting Advisor
File No: IC21/438

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 reappoint independent directors, whose terms of appointment have expired or will soon expire, to the board of the Wangaratta Livestock Exchange Pty Ltd (WLE).

Councillor Harvey Benton left the meeting at 6:12pm having previously declared a conflict of interest. .

RESOLUTION:

(Moved: Councillor H Bussell/Councillor D Fuller)

That Council:

- 1. Reappoints the Directors listed in confidential attachments 1, 2, 3 and 4 to the Wangaratta Livestock Exchange Pty Ltd, each for a term of 2 years commencing 24 March 2021 and ending 23 March 2023.***
- 2. Authorises the Mayor and Chief Executive Officer to sign and seal a record of the resolution in paragraph 1 above that documents the date and time that it is signed and includes the Directors' names and the length and the start and end dates of their terms.***

Carried

Councillor Harvey Benton returned to the meeting at 6:15pm.

Background

WLE directors were appointed by Council following a thorough recruitment and selection process.

The terms of appointment of 4 directors have expired or will soon expire. These directors have consented to being reappointed for a term of 2 years and have provided signed consent forms (confidential attachments 1, 2, 3 and 4) and should be reappointed as they have performed satisfactorily.

WLE is a single member company. As the sole member (shareholder) of WLE, the power to appoint a person as a Director by resolution in a General Meeting lies solely with Council under clause 15.1.2(a) of the WLE Constitution (the constitution, Attachment 5).

Council has the power to make decisions by recording and signing them. The recording of this decision is deemed to be the passing of a resolution. Further, the resolution is deemed to have been passed at a General Meeting, notwithstanding that a physical meeting was not convened. The date and time of the meeting is deemed to be the date and time that the resolution is signed. Refer to clauses 13.2.1 and 13.3.1 of the constitution.

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

Council must comply with the provisions of the *Corporations Act 2001* and, from a legal perspective, the obligations set out in the constitution.

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.

Council Plan

This report supports achievement of the council plan strategic objective of growing the economy and community by ensuring that the livestock exchange is managed in an appropriate structure for business growth and sustainability.

Risk Management

Reappointing appropriately skilled and experienced directors to WLE mitigates risk by ensuring WLE strategies and decisions are well informed.

Consultation/Communication

The WLE directors whose terms of appointment have expired or will soon expire have been consulted regarding their interest in reappointment. Each of them has submitted a signed consent to do so.

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

Options for Consideration

Option 1 - Reappoint the Directors as outlined in this paper. Recommended.

Option 2 - Do not reappoint the Directors and commence a process seeking expressions of interest in the Director positions. Not recommended as this will create an additional risk for the company due to uncertainty, and a perceived lack of confidence in some Directors.

Conclusion

The terms of appointment of 4 Directors of WLE have expired or will soon expire and they have consented to reappointment for a term of 2 years. They should be reappointed as they have performed satisfactorily and hold appropriate skills and experience for the roles.

Attachments

- 1 Confidential Company Director Consent Form 1 - Confidential
- 2 Confidential Company Director Consent Form 2 - Confidential
- 3 Confidential Company Director Consent Form 3 - Confidential
- 4 Confidential Company Director Consent Form 4 - Confidential
- 5 Wangaratta Livestock Exchange Pty Ltd Constitution

13.4 GOVERNANCE RULES AMENDMENT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Governance and Reporting Advisor
File No: IC21/463

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 commence the process of community engagement in amending its Governance Rules.

The long-standing tie-breaking process of electing a Mayor or Deputy Mayor by lot was included in the Governance Rules adopted in 2020 but is not permitted by the *Local Government Act 2020* (the Act) and must be removed.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor I Grant)

That Council:

- 1. Endorses the proposed amended Governance Rules (Attachment 1) for public exhibition.***
- 2. Invites public submissions regarding the proposed amended Governance Rules for a 28-day period.***
- 3. Where no public submissions requiring changes are received on the proposed amended Governance Rules, resolves to approve the amended Governance Rules without further resolution.***
- 4. Where any public submissions requiring changes on the proposed amended Governance Rules are received, takes those public submissions into account when deciding to adopt the amended Governance Rules.***

Carried

Background

Council has received advice that the tie-breaking process of electing a Mayor or Deputy Mayor by lot included in the Governance Rules adopted by council in 2020 is not permitted by the Act.

The Act requires that the election must be by an absolute majority of the Councillors and if an absolute majority of the Councillors cannot be obtained, the Council may resolve to conduct a new election at a later specified time and date.

Therefore, Council's Governance Rules must be amended and a version incorporating this change has been drafted (Attachment 1). Attachment 2 provides an excerpt of the relevant clauses of the Governance Rules showing the proposed changes.

Implications

Policy Considerations

The Governance Rules are a major council policy and the provisions of the Major Council Policy Consultation Local Law (the local law) may apply as this amendment could be considered a major council policy proposal.

However the definition of a major council policy proposal explicitly excludes any proposed change consisting of only minor amendments such as those that are of an insubstantial nature that do not alter purpose or outcomes or do not impact related policies or stakeholders.

The proposed amendment does not alter the purpose, outcome or impact on stakeholders but simply ensures that electing a Mayor or Deputy Mayor complies with the Act. Consequently, in this case, the local law does not apply.

Financial/Economic Implications

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

Legal/Statutory

Section 25 of the Act requires that the election of a Mayor must be by an absolute majority of the Councillors and if an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.

Section 27 of the Act provides that section 25 of the Governance Rules applies to the election of the Deputy Mayor.

Section 60 of the Act concerns the Governance Rules and:

- requires inclusion of a process for the election of the Mayor and the Deputy Mayor
- allows Council to amend its Governance Rules
- mandates a process of community engagement in amending its Governance Rules

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.

Council Plan

This report supports achievement of council plan strategic objectives by ensuring that council is a sustainable organisation through good governance and council decision-making.

Risk Management

The amended Governance Rules will mitigate legal risk by ensuring compliance with the Act.

Consultation/Communication

The Act requires that a process of community engagement is followed in amending the Governance Rules. Only a minor amendment is proposed so it is appropriate that council employs a simple public submission process as outlined in the following table.

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Draft amended Governance Rules are available for public review	Public notice and the draft are exhibited on the council website
Consult	Public invited to make submissions over a 28-day period	Written submissions accepted and considered.

Options for Consideration

1. Council endorses the proposed amended Governance Rules for public consultation for the period proposed. This provides for the amendment required for compliance with the Act and allows a 28-day consultation period for community consideration of this simple change – Recommended.
2. Council chooses a different approach to community engagement on the proposed amended Governance Rules – Not recommended.
3. Council may wish to further revise the Governance Rules prior to public consultation – Not recommended.

Conclusion

The proposed amended Governance Rules and the recommended process of community engagement for amending them comply with the requirements of the Act.

Attachments

- 1 Governance rules March 2021
- 2 Pages from Governance rules marked up

14. COMMUNITY WELLBEING**14.1 COMMUNITY RESILIENCE EVENTS FUND PROGRAM**

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Executive Assistant Community Wellbeing
File No: IC21/534

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

Executive Summary

This report is presented to Council to consider endorsement of the recommended funded projects for the Community Resilience and Recovery Program's Community Events Fund.

Councillor Herry and Councillor Benton left the meeting at 6.17pm having previously declared a conflict of interest.

RECOMMENDATION:

(Moved: Councillor I Grant/Councillor D Fuller)

That Council:

1. Awards the total of \$26,500 to fund the following projects as part of the Community Resilience and Recovery Program's Community Events Funding Program:

Applicant	Project	Location	Recommended funding amount
Milawa Primary School	Movie Night	John McAleese Park Milawa (Milawa Hall - backup)	\$1,000.00
Sustainable King Valley Inc	Movie Night, Plastic Free July/War on Waste	Cheshunt hall	\$800.00
Oxley Residents' Association and Oxley Shire Hall Committee of Management	Oxley – Then and Now	Oxley Town Hall and grounds	\$1,000.00
Wangaratta Landcare and Sustainability Inc.	Sustainable Connections: Respecting history and connecting to shape the future.	Wangaratta Landcare and Sustainability Inc	\$900.00

Whorouly Football & Netball Club	Whorouly Community Winter Sports Season Launch	Whorouly Recreation Reserve	\$1,000.00
Whitfield Rec. Reserve Committee of Management in conjunction with King Valley United Football Netball Club (KVUFNC)	Community Dinner for the community by the community	KVUFNC and Whitfield Tennis Club	\$1,000.00
Off-Grid Living Festival	Off-Grid Living Festival	Centennial Park in Eldorado	\$1,000.00
King Valley CWA (Country Women's Association)	King Valley CWA Green High Tea	Red Feet Winery, King Valley	\$600.00
Moyhu Tennis Club	10 week program to include Family and community night social tennis	Moyhu Tennis Club, Moyhu	\$1,000.00
Springhurst Recreation and Community Hall Reserve	Community Fair	Springhurst Recreation Reserve	\$1,000.00
Tarrawingee Community Group	Community Connections – meet, reconnect and celebrate with your neighbours.	Plough Inn, Tarrawingee	\$1,000.00
MDYC Moyhu Gymnastics club	Girls Staying Sporty	Moyhu Gymnastics club	\$1,000.00
Wangaratta Croquet Club Inc	Social Day	Club rooms and Marquee	\$1,000.00
Wanagaratta Lions Club	Road Safety School Open Day	Ryan Avenue Safety School	\$600.00
Wangaratta Farmers Market	Wangaratta Farmers Market Back on the ground.	Farmers Market	\$1,000.00
Wangaratta Social group	Native flora and fauna in the park	Wangaratta	\$1,000.00
Wangaratta Symphony Orchestra (WSO)	WSO: Open Day inaugural performance	Wangaratta Uniting Church	\$1,000.00
Da Vinci Social Club Inc (DVSC Inc)	Multicultural Day	Club rooms	\$1,000.00
Wangaratta Community Toy Library	40th Birthday Party in the Park	Apex Park	\$1,000.00
Merriwa Industries	Creating Community connections for people of all Abilities.	Wangaratta showgrounds, at Norm Mills oval	\$1,000.00
Wangaratta Rangers Baseball/softball club Inc	Come and try Baseball at Wangaratta Rangers	Targoora Park	\$600.00
Wangaratta Community Radio Association Incorporated (OAK FM)	OAK FM Open Day	Radio Station	\$1,000.00

Goulburn and North East Arts Alliance (GANAAA)	Across the Arts Forum-Elemental	GoTAFE	\$1,000.00
Mullinmur Billabongs Community Education Hub	Reflections on Mullinmur Art Exhibition	Mullinmur Billabong Community Education Hub	\$1,000.00
Wangaratta rod and custom club	Trivia Day	Club rooms	\$1,000.00
North East Multicultural Association	Wangaratta City and Shire Harmony Day Celebration	Wangaratta CWA Hall	\$1,000.00
Into Our Hands Community Foundation	Into Our Hands-Bushfire funding announcement for north east Victoria	Wangaratta	\$1,000.00
Charlies	Performance by young people for young People	Charlies, Wangaratta	\$1,000.00
		TOTAL	\$26,500.00

Carried

Councillor Herry and Councillor Benton returned to the meeting at 6.21pm.

Background

The Community Events Fund was established to provide financial support to community organisations within the Rural City of Wangaratta who wished to hold events to bring their community back together after the disruptions of the devastating bushfires of January 2020 and the Covid-19 pandemic.

“Community sector organisations are embedded in their local communities, build and maintain social connections and networks, and develop the strengths of people and families, all of which contribute to day to day resilience.” – *Victorian Council of Social Service, Building Resilient Communities, 2017.*

The Program received 29 applications with a total funding request of \$27,500. Twelve of these applications were from the rural designated areas of Wangaratta, with the remaining 17 designated as town based or covering a catchment of the entire municipality.

The applications have been assessed and/or reviewed by the following:

- Community Resilience & Recovery Coordinator
- Events Team Leader
- 28 applications were shortlisted based on eligibility and quality of application.

The second stage of assessment scored the 28 applications based on a pre-determined scoring matrix. The program recommends that all 28 projects be endorsed to the value of \$26,500 for funding.

This program is not a grant program, but a program that will directly fund community organisations to hold events that will help to reconnect their communities.

Applications were open from Tuesday 26, January 2021 – Friday 19th February 2021.

Alignment with Bushfire Recovery Victoria's Recovery Guidelines

Bushfire Recovery Victoria (BRV) has outlined five pillars to recovery, including Social Recovery. Social Connections and networks increase resilience and promote recovery. Community organisations are crucial to maintaining and building vital social connections that help people cope with change and crises. The Bushfires of January 2020 followed by Covid-19 have placed an undue amount of stress on our communities. Holding events that reconnect the community is the first step in helping to re-establish those key support systems. The organisations best placed to hold these events are the ones already established within the community. This community driven method is the cornerstone of BRV's recovery approach. The application process was implemented to ensure that there was consideration behind the event proposals, and transparency both from a Council and a BRV perspective as to which groups were funded.

Implications

Policy Considerations

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

Financial/Economic Implications

As part of Council's 2020/21 budget, an allocation of \$20,000 was approved from the Rural Placemaking budget for this program, of which, \$6,000 will be required.

\$20,500 from the Community Resilience and Recovery Program has also been allocated for the Community Events Fund Program.

The Community Resilience and Recovery Program has a total allocation available of \$40,000 to the successful community organisations.

There are surplus funds to the value of \$13,500 which will remain in the Rural Placemaking Project for other activities.

Legal/Statutory

As the Community Resilience and Recovery Program is funded via a Bushfire Recovery Victoria Grant, if the community groups were unable to hold an event then the funds would be returned to Council and must be utilised for resilience and recovery related activities by 30 June 2022.

Social

The allocation of funds to community groups achieves social outcomes that benefit our community. Community organisations provide opportunities for people to meet, to develop a sense of belonging, and to create a sense of purpose. They encourage significant levels of volunteering, benefiting both the volunteers and the communities with whom they work in helping to build networks and friendships for people who may be at risk of social exclusion.

Other social implications relate to the impact unfunded projects may have on community organisations. All unsuccessful projects are supported to develop their projects and applications to strengthen future funding opportunities – both within Council and through other avenues. Assessment of project submissions takes into consideration the social impact of projects for communities.

Environmental/Sustainability Impacts

All events applications were considered with any potential environmental impact in mind.

2017 – 2021 Council Plan (2020 Revision)

This report supports the 2013-2017 Council Plan:

Goal

We are Thriving

We will plan, research and advocate for the future:

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

The non-negotiables

Our urban and rural townships are safe and equitable. Everyone can participate and contribute.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Group/s capacity to implement project with available volunteer or staff capacity.	3. Possible	2. Minor	Medium	Constant communication and monitoring throughout project implementation.

Consultation/Communication

The community Events Fund Program was developed with community involvement. Discussions with community members from bushfire impacted areas of the Rural City of Wangaratta between August and December 2020 indicated that most community groups (including representatives from hall committees, schools, local CFA, local associations) were unable to gather after the fires due to Covid-19 restrictions. Not only had they missed that debrief opportunity, they had missed their community connections throughout the year because of Covid-19. Further discussions with members of similar organisations across Wangaratta indicated the same issues, as well as issues around lack of funds due to an inability to hold events. These groups also indicated a desire to do things themselves to try and reconnect their communities.

This program empowered community groups to propose their own events to reconnect their communities.

The Community Events Fund Program was promoted through a range of communication methods including:

- Direct emails to database of businesses and community groups
- Rural City of Wangaratta Connections Page (Wangaratta Chronicle)
- Media release and editorial in local media
- Economic Development newsletter and Projects and Recreation newsletter
- Social media content
- Council’s webpage.

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Involve	to come up with a way for community groups to lead reconnection events	conversations, email
Empower	for community groups to decide how they want to reconnect their community tools	application for event funding

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

Options for Consideration

1. That Council endorse the recommendation to fund 28 projects to the value of \$26,500.00.
2. That Council endorse the recommendation of funded projects with amendments.
3. That Council does not endorse the recommendations and the Community Resilience and Recovery Coordinator provides an alternative to holding community events.

Conclusion

Following assessment, 28 of the 29 applications are recommended for funding. Upon endorsement of the Community Events Fund Program recommendation, successful and unsuccessful applicants will be notified.

Attachments

Nil.

15. INFRASTRUCTURE SERVICES

15.1 PETITION - LACK OF DRAINAGE AND FOOTPATH ALONG WILSON ROAD

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Manager Infrastructure Planning and Delivery
File No: IC21/313

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

Executive Summary

A petition was tabled at Council's Ordinary meeting on the 23 February 2021. The petition is seeking that Council consider footpath and drainage works along Wilson Road

This report addresses the request made by the petitioners and provides recommendation for Council consideration.

Mayor Dean Rees left the meeting at 6.22pm having previously declared a conflict of interest.

RECOMMENDATION:

That Council:

- 1. Includes the construction of a footpath and drainage along Wilson Road in a future year's capital works program; and*
- 2. Responds to the first signatory with details of the resolution of Council.*

RESOLUTION:

(Moved: Councillor H Benton/Councillor A Fitzpatrick)

That Council:

- 1. Includes the construction of a footpath and drainage along Wilson Road in a future year's capital works program; and***
- 2. Responds to the first signatory with details of the resolution of Council.***
- 3. As per the walking and cycling strategy listing these works as high***

priority. The works to be referred to the 2021-2022 budget for design and the 2022-2023 budget for considerations.

Carried

Mayor Dean Rees returned to the meeting at 6.24pm.

Background

The shared path along Wilson Road is listed as a high priority in the Walking and Cycling Strategy. It is listed for design in the 2021/22 financial year and construction in 2022/23 financial year, dependant on budget allocation.

Drainage works will be completed at the same time as the footpath installation.

Implications

Policy Considerations

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

Financial/Economic Implications

The estimated cost of a shared path on one side from Weir/Chandler St to the King River bridge is \$330,000. The estimated cost for a standard footpath both sides from Thomas St is \$128,250.

Legal/Statutory

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

Social

Installation of this footpath would increase the connectivity for the residents of the area.

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 Established

We will research and advocate:

To facilitate drainage and road infrastructure to support future growth plans

We will create and deliver:

Timely and appropriate infrastructure to support our growth areas

We will focus on our business:

By enhancing the way we plan and deliver infrastructure projects.

The 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**

N/A

b) Other strategic links

Walking and Cycling Strategy

Risk Management

There are no moderate or high risks for the purpose of this report.

Consultation/Communication

Council Officers and Councillors have had several one on one meetings with residents regarding this project.

Options for Consideration

1. Council could not adopt the recommendations of this report. No works would be completed.
2. Council could allocate funding to the project now. Works could be completed by the end of the year.

Conclusion

A footpath should be considered in a future year's capital works program as detailed in the Long-Term Financial Plan.

Attachments

- 1 Petition - Lack of drainage and footpath along Wilson Road - Confidential

15.2 PETITION - LACK OF MAINTENANCE AT PELICAN COURT PARK

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Manager Infrastructure Planning and Delivery
File No: IC21/317

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

Executive Summary

A petition was tabled at Council's Ordinary meeting on the 23 February 2021. The petition is seeking that Council consider additional maintenance and upgrade works at Pelican Court Park.

This report addresses the request made by the petitioners and provides recommendation for Council consideration.

RESOLUTION:

(Moved: Councillor H Benton/Councillor J Herry)

That Council:

- 1. Notes Officers will conduct a once off additional maintenance clean up works on the existing fence, trees and shrubs;***
- 2. Requests Officers review the green space for addition to the tree planting register for 2021/22;***
- 3. Confirms that the green space doesn't require additional services as per Council's Play Space Strategy 2017 – 2027; and***
- 4. Responds to the first signatory with details of the resolution of Council.***

Carried

Background

A petition was tabled at the February Council meeting with the requests detailed below.

1. New Fences at rear and front of park to meet AS/NZS ISO 1300 for Risk Assessment of Children's' Playgrounds and KidSafe Australia 2020 recommendations for providing a safe environment.
2. Request more plants, trees to provide a barrier and beautify the area to enhance the playground.

3. Placement of a water tap/drink fountain in the park

Pelican Court Park is located off Murdoch Road approximately 3km from Merriwa Park.

The Park is designed as “Green Space” not a playground park. As noted, the residents have paid for the installation of the existing play equipment in the park.

As detailed in Council’s Play Space Strategy 2017 – 2027 all urban residents should ideally have access to a park within an approximate 10-minute walk, and desirably within approximately 800m.

There are parks located inside or just outside of this radius from Pelican Court. Bindall Avenue Reserve and Targoora Park are within 1km and the Mitchell Avenue Development is 1.5km.

The Fence at the rear of the green space is a private rural fence and should be removed if it is hazardous. Officers will review the existing fence. There is no requirement to fence between Council and private land, practically open green space.

The services offered in this green space are the same as other green spaces in and around the municipality. Some general maintenance of the existing park should be completed. The area will be reviewed for a future tree planting schedule.

Implications

Policy Considerations

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

Financial/Economic Implications

The additional maintenance works have an estimated cost of \$3,000.

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 (2020 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Established

We will create and deliver:

Timely and appropriate infrastructure to support our growth areas

We will focus on our business:

By enhancing the way we plan and deliver infrastructure projects.

The 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

N/A

b) Other strategic links

Play Space Strategy 2017 - 2027

Risk Management

N/A

Consultation/Communication

No consultation has been undertaken.

Options for Consideration

1. Council could approve the installation of a new fence, drinking fountain, additional plantings and play equipment. Estimated additional cost \$50,000.

Conclusion

Pelican Court park is fit for purpose as a green space and requires no additional work.

Attachments

- 1 Petition - Lack of maintenance at Pelican Court Park - Confidential

15.3 WANGARATTA CLAY TARGET CLUB - SITE REHABILITATION WORKS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Project Officer
File No: IC21/322

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 recommend the award of contract C29492 Wangaratta Clay Target Club Site Rehabilitation.

In 2016 the Environment Protection Authority Victoria (EPA) issued the Wangaratta Clay Target Club (WCTC) with a Clean Up Notice for lead found in the ground and water at the site including the adjacent Recreation Reserve.

Clean up works at the Reserve have been completed and remediation works are now set to commence at the WCTC.

This report will appoint a suitably qualified contractor to undertake the rehabilitation works in line with the Clean Up Plan (CUP) requirements.

Funding has been received from the Department of Environment, Land, Water and Planning (DELWP) to deliver the works.

RESOLUTION:

(Moved: Councillor H Benton/Councillor H Bussell)

That Council:

- 1. Awards Contract C29492 Wangaratta Clay Target Club Site Rehabilitation to Enviropacific Ltd;***
- 2. Authorises the Chief Executive Officer to sign and seal documents for C29492 Wangaratta Clay Target Club Site Rehabilitation;***
- 3. Appoints the Chief Executive Officer to superintendent for the project; and***
- 4. Discloses the contract price for C29492 Wangaratta Clay Target Club Site Rehabilitation.***

Carried

The Director of Infrastructure Services disclosed the Contract Price at AUD 1,022,047.86.

Background

Clean up works have since been completed at the North Wangaratta Reserve, with works now set to commence at the WCTC in April.

The works include the preparation, compliance and implementation of approved management plans, including the development of a Construction Environmental Management Plan (CEMP) and a material tracking plan. Obtaining permits and approvals relating to the management and handling of contaminated soil, and providing documentation as requested by the auditor.

Ground works include the relocation of three existing trap houses to better control the trajectory of targets and shots, capping of contamination material, drainage construction, including drainage improvements along Detour Road.

The remediation works have been tendered and Council Officers have evaluated the submissions.

Implications

Policy Considerations

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

Financial/Economic Implications

In 2018 the Department of Environment, Land, Water & Planning (DELWP) provided Council with funding of up to \$3,000,000 (GST exclusive) as part of the Environmental Management of Victorian Shooting Ranges and a \$62,000 in kind contribution from Council. Giving a total project budget of \$3,062,000 (GST exclusive). Considering the costs of this project and previous clean up works the available budget is \$1,166,728 (GST exclusive) to deliver the remaining clean up works and appoint an environmental consultant to assist in the delivery of the EPA CUP.

The funding body (DELWP) have provided a letter (attachment 2) confirming an outstanding income amount of \$1,000,000 (GST exclusive) payable to Council upon completion of the agreed milestone deliverables.

Legal/Statutory

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

Social

The works are being completed in line with the EPA issued Clean up Notice.

Environmental/Sustainability Impacts

There are potential environmental and sustainability impacts if these works are not undertaken.

2017 – 2021 Council Plan (2020 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Sustainable

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

N/A

b) Other strategic links

N/A

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeframe and achieving the proposed timelines	Minor (2)	Moderate (3)	5	Project Manager to monitor
Community concern	Minor (2)	Moderate (3)	5	Project manager to monitor
Unsatisfactory quality of works	Minor (2)	Moderate (3)	5	Project Manager to monitor
Works timeline exceed EPA CUP notice.	Major (3)	Moderate (3)	6	Project Manager to monitor
Works do not meet EPA CUP requirements.	Major (3)	Major (4)	7	Project Manager & Coordinator to manage.

Consultation/Communication

Extensive engagement has been undertaken with the WCTC and if contract is awarded will continue to collaborate throughout the delivery of this project.

Stakeholder engagement with surrounding residents, sporting clubs and businesses will be maintained throughout the duration of works.

Continued engagement with DELWP as the funding body will continue throughout the project.

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

Options for Consideration

1. Do not approve C29492 Wangaratta Clay Target Club Site Rehabilitation and re-advertise. The requirements of the EPA Clean-up notice will not be delivered.

Conclusion

Contract C29492 Wangaratta Clay Target Club Site Rehabilitation is recommended to be awarded to Enviropacific Ltd.

Enviropacific Ltd have the capacity and the experience in environmental clean-up and specifically in rifle range rehabilitation works.

Attachments

- 1 C29492 Wangaratta Clay Target Club Clean Up - Evaluation Report - Confidential
- 2 Wangaratta Clay Target Club - Letter of Support DELWP - Confidential

16. DEVELOPMENT SERVICES

16.1 PLANNING SCHEME AMENDMENT REQUEST - REITH ROAD EQUINE PRECINCT

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Strategy Planner
File No: IC21/319

The following Council officers and contractors have provided advice in relation to this report and have disclosed a conflict of interest regarding the matter under consideration:

Executive Summary

This report is presented to Council to consider a request to amend the Wangaratta Planning Scheme as it applies to the Reith Road Equine Precinct, specifically to diversify the scope of uses allowed under the requirements of the Special Use Zone 7 – Reith Road Equine Precinct (SUZ7).

In 2016, Wangaratta Planning Scheme Amendment C56 was approved. Amendment C56 made changes to the Wangaratta Planning Scheme to enable a site-specific land rezoning, to facilitate complimentary private development and realise a vision of becoming a racing centre for Regional Victoria. Amendment C56 was focused on creating opportunities for registered thoroughbred horse trainers to stable and train their horses at the Wangaratta Turf Club, located near the Reith Road Equine Precinct.

A new Planning Scheme Amendment (Amendment C85) has been requested to allow the land affected by the SUZ7 to be opened up to broader equine uses (that is, uses beyond the originally intended thoroughbred horse training uses) to create greater opportunity for other equine activity that would benefit from being located within an equine focused development. The draft proposed amendment documentation for Amendment C85 is included as **Attachment 1 and 2**.

RESOLUTION:

(Moved: Councillor H Bussell/Councillor J Herry)

That Council:

- 1. Considers the request to amend the Wangaratta Planning Scheme as submitted by Habitat Planning on behalf of Property Investments Vic P/L.***
- 2. Seeks authorisation from the Minister for Planning to prepare and exhibit planning scheme amendment C85 to facilitate the requested changes to the SUZ7.***

3. Delegates to the Chief Executive Officer and Director Development Services responsibility to make any changes to documents as required by the Department of Environment, Land Water and Planning or identified by Council officers in the preparation of the planning scheme amendment material.

Carried

Background

Background to the amendment request:

- In 2016 a request to rezone approximately 43 ha land at Lot 2 PS 7041222, Reith Road from Farming Zone (FZ) to SUZ7 and apply the Development Plan Overlay 5, was considered and approved (via Planning Scheme Amendment C56). The purpose of Amendment C56 was to facilitate equine related development in association with the Wangaratta Turf Club. Amendment C56 complimented the upgrade proposed to the Wangaratta Turf Club and was to assist in the aim of becoming a major training and equine education Regional Centre for Victoria.
- Amendment C56 primarily focused on activity relating to thoroughbred horse racing and the original amendment was supported by the Minister for Transport, Planning and Local Infrastructure and the Minister for Racing.
- A development plan (required by the Development Plan Overlay 5) and subdivision permit (16/072) were approved and issued, making the site 'development ready' for investment and thoroughbred racing activity.
- To date the site has not achieved its vision and the landowners are seeking changes to the provisions approved by amendment C56 to allow a broader range of equine uses to realise the potential of the site.

The amendment request and proposed changes to existing policy:

- The amendment request specifically proposes changes to the SUZ7, in the purpose, table of uses and use of land requirements. The proposed changes to the SUZ7 are shown in **Attachment 2**.

The purpose of the zone is proposed to be broadened to include supporting the use and development of the site for additional professional equine training and related facilities for Wangaratta and the surrounding region. Current controls restrict this to professional and registered thoroughbred horse trainers.

The table of uses is proposed to be broadened to include:

- animal training on site;
- the construction of horse stables; (without the need for a permit, for harness racing, equine animal keeping or horse husbandry uses); and
- industry, for the purpose of collecting and recycling manure from the equine precinct as compost (requiring a planning permit - this

illustrates an example of an ancillary use to the main purpose of the precinct).

The zone's current provision only allows for animal training on site and construction of stables for thoroughbred trainers. Industry (other than store) is currently a prohibited use.

Proposed changes to the use of land will allow for the consideration of a dwelling to be used by any persons who are conducting equine animal keeping or horse husbandry. This is a substantial shift from current requirements, where a dwelling can only be occupied by a licenced trainer or employee of a licenced trainer.

Generally, site specific amendments for individual landowners are not supported, due to the significant resources required to administer an amendment. However, a site-specific amendment was supported in 2016, and this amendment request provides opportunity for the landowner to use the site for diverse equine related activities and support the vision and economic development opportunities associated with the Reith Road Equine Precinct.

Implications

Policy Considerations

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

Financial/Economic Implications

The proposal is considered to generate positive economic impacts for both the Wangaratta Turf Club and the City of Wangaratta generally. The Victorian Government has provided significant funding for upgrading of the training facilities for the Turf Club and actively encouraged additional private investment which will support the upgraded facilities. This amendment will facilitate substantial private sector investment in equine development for Wangaratta.

Economic benefits to the region will include use of local professional service additional accommodation for staff and purchase of feed and supplies from the local area.

Processing a proponent lead amendment request requires significant resources in the form of officer support.

There are administrative fees and costs associated with the planning scheme amendment process (including advertising and potential panel costs). The proponent has advised Council in writing that they will cover all associated amendment costs and support officers with the assessment and resolution of submissions associated with this amendment.

Supporting this request will have some impact on the ability of the Strategy Team to deliver other scheduled strategic land use projects.

Legal/Statutory

An existing planning permit for subdivision (16.072.01) was certified in February 2019. An existing Section 173 Agreement also makes up the suite of approval documents associated with the planning permit requirements for the site. Should the amendment request be supported and ultimately approved by the Minister for planning, an amendment to both the permit and Section 173 Agreement would be needed to ensure they not at odds with the new requirements of the Wangaratta Planning Scheme. The proponent has advised Council they agree with the intention to revisit the permit after the planning scheme amendment has advanced.

Social

The proposal does not identify any significant social impacts. Additional equine activity could generate activity that supports the Wangaratta Equine Hospital, and students pursuing equine studies and horse breeding via GO Tafe, which are considered positive social impacts.

Environmental/Sustainability Impacts

The proposal identifies changes to the table of uses, including a provision that will allow the consideration of a site for recycling manure into compost. This is considered to mitigate environmental impacts associated with the Reith Road Equine Precinct.

2017 – 2021 Council Plan (2020 Revision)

This report supports the 2017-2021 Council Plan:

Goal

We are Growing

We will plan research and advocate for the future:

To facilitate considered planning and development in line with long term strategic objectives for the sustainability of our community and environment.

We will focus on our business:

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

Our non-negotiables:

We encourage considered investment in the development of new, and the growth of our existing, industries and businesses.

Strategic Links

a) Rural City of Wangaratta 2030 Community Vision

The Community Vision identifies steps to achieve the key outcomes including the:

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.

This proposal is consistent protecting agricultural land for agricultural activity.

b) Other strategic links

Population and Housing Strategy, 2013: *lists diversifying residential opportunities inclusive of stabling and training opportunities for equine related activity close to GoTafe and the racecourse.*

This is further recommended as an action to support the population and housing strategic directions.

Risk Management

Consideration of this amendment request is not considered to generate moderate – extreme risk for Council.

Consultation/Communication

Should this amendment request be facilitated, an exhibition process, consistent with the requirements *Planning and Environment Act, 1987* will be followed to consult with and involve the community.

Options for Consideration

Support the request (Recommended)

The current controls have not led to the realisation of the vision for the site since their introduction in 2016. This amendment request will allow for a broader range of uses to be facilitated in the Reith Road Equine Precinct and allow for greater diversity for the occupation of the site. A planning scheme amendment is required to make these changes and facilitate these opportunities.

Do not support the request

This option will likely result in underutilisation of the site for its intended purpose. It further limits the ability to achieve a range of policy directions identified in the Council Plan, Rural City of Wangaratta 2030 Community Vision and recommendations of the Population and Housing Strategy, 2013

Conclusion

This planning scheme amendment request will assist to facilitate development associated with broader equine uses. It will help the Reith Road Equine Precinct to realise its full development potential and assist with creating opportunities for additional equine related industries including harness racing and horse husbandry previously not considered.

Attachments

- 1 Attachment 1 - C85 Draft Explanatory Report
- 2 Attachment 2 - C85 Draft SUZ7

16.2 PLANNING SCHEME AMENDMENT C81- CONSIDERATION OF THE PANEL REPORT

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	23 March 2021
Author:	Strategy Planner
File No:	IC21/358
Presenters:	Director Development Services

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 C81 – Wangaratta Urban Floodway Study 2017; and
- adopting the amendment with changes.

In summary, the Panel determined that Amendment C81 should be adopted with changes, full details are discussed within this report.

RESOLUTION:

(Moved: Councillor H Benton/Councillor I Grant)

That Council:

- 1. Considers the Wangaratta Planning Scheme Amendment C81 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 C81 – Wangaratta Urban Floodway Study 2017, with the following changes in accordance with Section 29 of the Act;***
 - a) Mapping changes as per panel recommendations 3 and 4.***
 - b) Referencing the Study as a Background Document at Clause 72.08.***
 - c) Including at Clause 72.04 'Further Strategic Work' a point to do additional climate change work in conjunction with the North East Catchment Management Authority as per recommendation 2 of the Panel report.***
- 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. Notifies submitters in writing of Council's decision.***

Carried

Background

Wangaratta Planning Scheme Amendment C81 was prepared in a collaboration between the North East Catchment Management Authority (NECMA) and Council to implement the relevant recommendations of the *Wangaratta Urban Waterways Flood Investigation Report (2017)*, which was adopted by Council in 2017.

What Amendment C81 proposes:

The Amendment proposes to:

- Amend the extent of the Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO) mapping in the Planning Scheme.
- Amend the schedule to the Floodway Overlay (FO).
- Amend the schedule to the Land Subject to Inundation Overlay (LSIO).
- Amend Clause 21.12 (Reference Documents) to include the *Wangaratta Urban Waterways Flood Investigation Study Report 2017*.

C81 Planning Panel

The Panel hearing was conducted online on 4 and 5 November 2020. NECMA and Council made a joint 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. The submission by Council officers also provided a response to all submissions.

A number of submitters to the Amendment made representations to the Panel in support of their submissions.

A full copy of the Panel Report is attached at **Attachment 1**.

The Planning Panel's Recommendations:

The Planning Panel has recommended that Wangaratta Planning Scheme Amendment C81 be adopted as exhibited subject to the following:

1. *The Flood Study should not be referenced in the Planning Scheme in its current form.*
2. *If the Council intends to refer to the Flood Study as a background document in the future, further work should be completed on the Flood Study to account for the impacts of climate change.*
3. *Remove the Land Subject to Inundation Overlay mapping from the island of land at 55 Gravel Pit Road, Wangaratta South circled in blue in Figure 2.*
4. *Amend the Planning Scheme maps as follows:*
 - a) *Delete the Flooding Overlay from Map No 37 FO as it applies to 398 Markwood-Tarrowingee Road, Wangaratta (as shown in Figure 3) and*

apply the Land Subject to Inundation Overlay to the same land on Map No 37 LSIO.

- b) Delete the Flooding Overlay from Map No 18 FO as it applies to 95 Usshers Drive, Waldara (as shown in Figure 4) and apply the Land Subject to Inundation Overlay to the same land on Map No 18 LSIO.*
- 5. Delete the substantive changes proposed by Goulburn-Murray Water and adopted by Council from the Land Subject to Inundation Overlay schedule.*
 - 6. Review the Land Subject to Inundation Overlay and the Flooding Overlay schedules to ensure that they meet the current Form and Content requirements for Planning Schemes.*
 - 7. Abandon the changes proposed to Clause 21.12 to list the Flood Study as a background document.*

Consideration and response to the Panel recommendations

Panel recommendation 1:	<i>The Flood Study should not be referenced in the Planning Scheme in its current form.</i>
Panel recommendation 2:	<i>If the Council intends to refer to the Flood Study as a background document in the future, further work should be completed on the Flood Study to account for the impacts of climate change.</i>
Panel recommendation 7:	<i>Abandon the changes proposed to Clause 21.12 to list the Flood Study as a background document.</i>

Recommendation 1,2 and 7 by the Panel are interlinked and all relate to the Panel's concern that the study does not include climate change modelling, in particular that specific modelling was not undertaken to address State Planning Policy at Clause 13.01-1S:

'Natural hazards and climate change objective - To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning

Overall, the Panel considered that:

- The Flood Study represents the best currently available information about the risks of flooding in the Amendment area. However, it does not sufficiently address climate change which is expected to increase the severity and frequency of flood events.*
- The Flood Study is sufficient (in its current form) to inform the FO and LSIO mapping in the Planning Scheme.*

However, the concern over the lack of climate change modelling has lead the Panel to recommend that the Flood Study should not be referenced within the Planning Scheme. In this regard the Panel Report states:

- *The Flood Study should not be referenced in the Planning Scheme in its current form as it does not sufficiently account for the risks of climate change. An addendum to the study should be prepared which addresses climate change considerations before the Flood Study is referenced or is used to inform strategic land use planning decisions.*
- *Given the Flood Study did not account for the effects of climate change, the Panel is concerned about the implications of relying on this information for long term decisions. If the model underestimates the severity and frequency of future flood events, then the strategic direction for residential development may not adequately avoid the risk from natural hazards. Such an approach would be inconsistent with State policy at clauses 13.01 of the Planning Scheme.*

The concerns of the Panel are acknowledged; however, it is still considered that the Study should be referenced as a Background Document at Clause 74.02.

Background documents are able to be updated or changed after their referencing within the scheme provided, they have no effect on the content of the Planning Scheme. This is outlined in PPN13 (Incorporated and Background Documents). It is considered that the additional work around climate change could be added as an addendum to the background document post approval of the amendment. This will not change the planning scheme in any way and the Study itself provides important context and information about the current revision of the overlays and updated flooding information.

Currently within the Victorian Planning Provisions there is a disconnect around how planning authorities can plan for the current and emerging issues of climate change. State based policy within the Victorian Planning system requires consideration at a high policy level, however there is limited spatial recognition clearly allowable under the current spatial tools (overlays etc), with many current overlays based on past and not future or projected events.

Enquiries have been made to commence the additional work under the guidance of NECMA and undertaken by Water Tech who are the original authors of the Study.

This work may highlight some differences between the current 1% AEP flood modelling and the estimated flood conditions under a climate change scenario. Council must consider this work, in particular when directing future growth of urban settlement in projects like the Draft Low Density and Rural Residential Strategy and may have to adopt a more conservative approach to the direction of settlement.

At the same time, it will be important for Council to consider the best method for representing this information with the Scheme and this may involve further conversations with DELWP. Simply attaching this work as addendum to the Study runs the risk that this information is not front of mind when important land use decisions are being made, which spatial representation can provide.

At present the spatial recognition of two very important environmental hazards specifically relevant to our Municipality are treated in contrast to each other by the Victorian Planning Systems, yet they are both hazards to human life. Planning for Bushfire including changes to policy and bushfire hazard mapping (Bushfire Management Overlay) is controlled by the State Government and updated by the Minister on a State-wide basis without exhibition or public notice prior to approval.

The recognition of Flooding through the updating or the introduction of Flood Overlays, is not undertaken in a centralized manner and is left to Local Government and Catchment Management Authorities adopting a regular planning scheme amendment process, including full exhibition. For a comprehensive recognition of Flood hazards across Victoria, a more centralized approach must be adopted around the issue of incorporating climate change into future modelling. In the absence of this approach important hazard identification information will not be spatially recognised, at a state level and Council should continue to advocate for this issue to be managed in a more centralised approach with input from all stakeholders.

The planning scheme allows Council to list further strategic planning work that it intends to undertake at Clause 72.04 (Further Strategic Work). It is considered that Council should reference the further strategic work nominated by the Panel at this Clause to ensure its prominence in the scheme:

- That Council and NECMA undertake additional modelling to project the possible climate change impacts on riverine flooding covered by the Wangaratta Urban Waterways Flood Study and include this as an addendum to the Study.

On the basis of the discussion above, the following options are provided for Council to consider in response to recommendations 1,2 and 7:

Option 1: (Recommended)

- Agree to undertake the further climate change modelling and utilise this modelling as a Strategic Planning tool, noting the limitations and impacts.
- Adopt the Amendment with all other Panel recommendations and include the Study as a Background Document at Clause 72.08.
- Clause 72.04 – Include as ‘Further Strategic Work’ the following information:
 - That Council and NECMA undertake additional modelling to project the possible climate change impacts on riverine flooding covered by the Wangaratta Urban Waterways Flood Study and include this as an addendum to the *Wangaratta Urban Waterways Flood Investigation Report (2017)*.

Option 2:

- Agree to undertake the further climate change modelling and utilise this modelling as a Strategic Planning tool, noting the limitations and impacts.
- Accept the Panel’s recommendation and not include the Study Document as a ‘Background Document’.
- Nominate Climate change work as Further Strategic Work at Clause 72.04.

It is recommended that Council proceed with Option 1 (above) to address the concerns of the Panel and to undertake the climate change modelling, whilst still allowing the study to be referenced in the Scheme to provide useful background information to inform decision making around issues of flooding in

the Study area. It should be noted that that there are risks in proceeding with Option 1 against the Panel’s recommendation in that the Minister may disagree with Council and not reference the Study as a Background Document.

Panel recommendation 3:	<i>Remove the Land Subject to Inundation Overlay mapping from the island of land at 55 Gravel Pit Road, Wangaratta South circled in blue in Figure 2.</i>
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This recommendation supports the position of NECMA and Council at the Panel following discussion with the landowner. Officers recommend adopting this panel recommendation by changing the change the relevant mapping.

Panel recommendation 4:	<i>Amend the Planning Scheme maps as follows:</i> <i>a) Delete the Flooding Overlay from Map No 37 FO as it applies to 398 Markwood-Tarrowingee Road, Wangaratta (as shown in Figure 3) and apply the Land Subject to Inundation Overlay to the same land on Map No 37 LSIO.</i> <i>b) Delete the Flooding Overlay from Map No 18 FO as it applies to 95 Usshers Drive, Waldara (as shown in Figure 4) and apply the Land Subject to Inundation Overlay to the same land on Map No 18 LSIO.</i>
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This recommendation supports the position of NECMA and Council at the Panel following discussion with the landowner. Officers recommend adopting this panel recommendation by changing the change the relevant mapping.

Panel recommendation 5:	<i>Delete the substantive changes proposed by Goulburn-Murray Water and adopted by Council from the Land Subject to Inundation Overlay schedule.</i>
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Goulburn-Murray Water withdrew their submission to the Amendment prior to the Planning Panel, therefore the proposed changes to the schedules to the overlays designed to accommodate their comments should be removed prior to submission of the Amendment for Approval to the Minister. Officers recommend adopting this panel recommendation by deleting the changes proposed by Goulburn-Murray Water. No Council recommendation is made about this Panel recommendation as Goulburn-Murray Water’s proposed changes were not part of the exhibited amendment.

6	<i>Review the Land Subject to Inundation Overlay and the Flooding Overlay schedules to ensure that they meet the current Form and Content requirements for Planning Schemes</i>
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A final check of the schedules to both overlays will be undertaken on lodgement of the Amendment with DELWP to ensure they meet current form and content requirements.

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

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

Financial Implications

The planning panel fees cost Council just under \$20,000, which was covered under the current 20/21 FYI budget. A nominal fee is required to lodge the amendment officially with the Minister for approval.

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

Options for Consideration

1. Adopt the amendment with the general changes recommended by the Panel Report, except for the Panel's recommendation 1,2 and 7 and proceed with option 1 as outlined in this report in response to recommendation 1,2 and 7. **(Recommended)**
2. 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. It is also noted that the Panel Report does not identify any reasons to abandon the amendment.

Conclusion

Wangaratta Planning Scheme Amendment C81 proposes to implement the latest and most accurate flood information for the urban extent of Wangaratta as outlined in the *Wangaratta Urban Waterways Flood Investigation Study Report 2017*. The Panel have supported these elements of the Amendment and the updating of the current flood overlays within the Scheme.

It is acknowledged that the Study does not include climate change modelling and step are being taken to undertake that work. Where the Panel has not provided

support for the amendment, the Panels comments have been considered within this report, however on balance it is considered that there is merit in not accepting those recommendations and proceeding as outlined within this report, specifically the referencing of the study as a background document.

Attachments

- 1 Wangaratta C81 Panel Report

16.3 WANGARATTA ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE - APPOINTMENTS TO COMMITTEE

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Economic Development & Tourism Project Officer
File No: IC21/451

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 the outcome of invitations for Expressions of Interest to fill the vacancies on the Wangaratta Economic Development and Tourism Advisory Committee (WEDTAC).

RESOLUTION:

(Moved: Councillor I Grant/Councillor A Fitzpatrick)

That Council:

1. ***Appoints three people from the received nominations as representatives on the Wangaratta Economic Development and Tourism Advisory Committee for a term of three years ending August 2024:***
 - ***The successful candidates are: Anna Stephenson, Rowena Tainton and Sandro Camillo.***
2. ***Advises all applicants of Council's decision.***

Carried

Background

Advisory Committee members are appointed as voluntary members to set terms of service. The advisory committees have a maximum of nine representatives with three being up for renewal annually to ensure a level of continuity. The terms of three members on the committee had an expiration date of August 2021 but each member has vacated their positions early. An expression of interest process was undertaken to fill these three vacancies. WEDTAC received five applications during this time.

Applicants are assessed against a Skills Matrix which ensures adequate representation across a number of sectors and aims to fill the skills gaps identified for each committee. The WEDTAC skills matrix includes areas such as manufacturing, export, tourism, logistics and education.

The recommended appointments to WEDTAC will assist in filling gaps within the existing skill set including sustainability, manufacturing, infrastructure, global exports and key tourism sectors such as food and wine. It is important to have a large cross section of skills across the committee to ensure all areas of business acumen are represented.

Attached to this report are copies of the applications, and assessments against the skills matrix for each nominee for WEDTAC (refer confidential attachments).

Implications

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

Community representatives on Council committees provide valuable advice and assistance to the Council. The Committees provides the opportunity for two-way engagement between Council and Community members on key industries within our municipality

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 connected.

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.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Our commitment to communicate and engage with our community about local decision making in a way that is clear, accessible and easy to understand.	Expressions of interest were open to the public for a period of 2.5 weeks. These were advertised through a number of media platforms including the local paper, the Council website, social media, LinkedIn and e-newsletters.

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

Options for Consideration

1. Council acknowledges the nominations and appoints three members to WEDTAC (recommended).
2. Council acknowledges the nominations and does not appoint any of the nominees. This option will require re-advertisement of these vacancies.

Conclusion

Following consideration of the Expressions of Interest for Council's WEDTAC it is recommended to appoint three members to WEDTAC. These appointments will assist the committee in continuing to provide Council with advice, feedback and guidance on a range of matters on economic development and tourism within the municipality.

Attachments

- 1 WEDTAC Skills Matrix and Assessment of Nominations - Confidential

17. SPECIAL COMMITTEE REPORTS

Nil

18. ADVISORY COMMITTEE REPORTS

Nil.

19. MINUTES OF ADVISORY COMMITTEE MEETINGS

19.1 RECORD OF ADVISORY COMMITTEE REPORTS

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Executive Service Coordinator
File Name: Assemblies of Councillors
File No: IC21/501

Executive Summary

Advisory Committee Meetings:

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

1. Arts, Culture, Events and Heritage Advisory Committee Meeting Minutes – 18 January 2021 (endorsed)

RESOLUTION:

(Moved: Councillor D Fuller/Councillor A Fitzpatrick)

That Council notes the minutes of these Advisory Committees.

Carried

Attachments

- 1 Arts, Culture, Events and Heritage Advisory Committee Meeting Minutes (endorsed) - 18 January 2021

20. NOTICES OF MOTION

20.1 NOTICE OF MOTION NO 66. - CR DAVID FULLER

Meeting Type: Ordinary Council Meeting
Date of Meeting: 23 March 2021
Author: Executive Services Coordinator
File No: IC21/573

Cr Fuller has given notice of his intention to move the following motion at the Ordinary Meeting of Council to be held on 23 March 2021.

Background:

During the election campaign for the 2020 Local Government Elections, the Victorian Pride Lobby called on all candidates to examine the potential for five pledges to assist and support the LGBTIQ+ community.

In conjunction with that, some candidates, made full or partial commitment to explore these pledges. During the symbolic month of March, in which we acknowledge Mardi Gras, and International Women's Day, order to lead and progress the conversation, I am asking for support from my colleagues, with this motion.

RESOLUTION:

(Moved: Councillor D Fuller/Councillor A Fitzpatrick)

Councillor D Fuller moved the following motion:

That Council undertakes the following actions:

- 1. Support our partnership for the Rainbow Ball and its associated agencies, both financially and in kind where appropriate, reviewed annually***
- 2. Initiate a Diversity and Inclusivity Reference Group or Advisory Committee with applicable terms of reference***
- 3. Ask this group to prepare a submission to council as part of the budget and council plan process to initially consider:***
 - a) Application of a form of the Rainbow Flag to relevant public facilities, and potentially on social media platforms, particularly on significant days***
 - b) Support for appropriate members of community to participate in relevant LGBTIQ+ functions and events, either virtually or in person***

- c) Resources and the ability for council as an organization to consider undertaking the rainbow tick accreditation process**
- d) Utilizing the Youth Development Officer and the Youth Council in conjunction with relevant agencies, to investigate resources required for an open conversation in the community to identify gaps in diversity and inclusivity, particularly for younger people**
- e) Subsequent conversations required to ensure our community is supportive, accessible, and inclusive for all, with a report on this due to council in the second quarter of the new financial year.**

Voting on the Motion:

For the motion: Councillor Benton, Councillor Bussell, Councillor Fuller, Councillor Fitzpatrick, Councillor Herry, Mayor Rees

Against the Motion: Councillor Grant

Carried

AMENDMENT:

(Moved: Councillor I Grant/Councillor H Benton)

Councillor I Grant moved the following amendment:

That Council supports the following actions:

- 1. Support our partnership for the Rainbow Ball and its associated agencies, both financially and in kind where appropriate, reviewed annually*
- 2. Initiate a Diversity and Inclusivity Reference Group or Advisory Committee with applicable terms of reference*
- 3. Ask this group to prepare a submission to council as part of the budget and council plan*
- 4. Request a report to be provided to Council for consideration.*

Voting on the Amendment:

For the Amendment: Councillor Benton, Councillor Bussell, Councillor Grant

Against the Amendment: Councillor Fuller, Councillor Fitzpatrick, Councillor Herry, Mayor Rees

Lost

21. URGENT BUSINESS

Nil.

22. PUBLIC QUESTION TIME

Please follow the link [23 March 2021 Ordinary Council Meeting](#) and refer to minute from 70:32 to 79:15 for public questions and responses related to item 22. Public Question Time.

23. CONFIDENTIAL BUSINESS

Nil.

24. CLOSURE OF MEETING

The Meeting closed at **7.05pm**.