



Rural City of
Wangaratta

Agenda

For the Ordinary Council Meeting
Carboor Soldiers Memorial Hall and Recreation Reserve - Carboor-Everton Road,
Carboor 3678 **29 March 2022**

Contents

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.....	5
9.	Reception of Petitions	6
10.	Hearing of Deputations.....	6
	Presentation Of Reports.....	6
11.	Councillor Reports.....	6
	Officers' Reports	6
12.	Executive Services.....	6
13.	Community Wellbeing	6
14.	Corporate Services	7
	14.1 Revocation of Related Parties and Interests Policy	7
	14.2 Quarter 2 Forecast Review.....	9
	14.3 Biannual Audit and Risk Report.....	13
	14.4 Council Plan Strategic Indicators and Actions Update (Quarter 2 - October to December 2021).....	15
	14.5 Wangaratta Livestock Exchange - Strategic Plan	18
15.	Infrastructure Services	21
	15.1 Waste Services Policy 2022	21
	15.2 C34282 Concrete Works - Panel of Suppliers	23
	15.3 C34281 Minor Tree Services - Panel of Suppliers	25
	15.4 C34014 Whitfield Streetscape and Intersection Works	27
16.	Development Services	30
	16.1 Draft Climate Mitigation and Adaptation Policy	30
	16.2 Draft Roadside Conservation Management Plan.....	33
	16.3 Planning permit application PInApp20/063 - 145 Murrumgee Road Murrumgee - Use and Development of Land for Earth and Energy Resources Industry (processing of ore for winning gold)	37
	16.4 Planning permit application PInApp21/213 - 8 Fairway Drive Waldara - Development of Five Dwellings and Five Lot Subdivision	42
17.	Special Committee Reports.....	49

18.	Advisory Committee Reports.....	49
19.	Minutes of Advisory Committee Meetings.....	49
20.	Notices of Motion	49
21.	Urgent Business.....	49
22.	Public Question Time	49
23.	Confidential Business.....	49
24.	Closure of Meeting	49
	Attachments.....	49
14.1	Revocation of Related Parties and Interests Policy	
	Attachment 1 Related Parties and Interests Policy 2017.....	50
14.2	Quarter 2 Forecast Review	
	Attachment 1 January 2022 - Income Statement	70
	Attachment 2 January 2022 - Balance Sheet.....	71
	Attachment 3 January 2022 - Statement of Capital Works	72
14.3	Biannual audit and risk report	
	Attachment 1 Biannual audit and risk report	73
14.4	Council Plan Strategic Indicators and Actions Update (Quarter 2 - October to December 2021)	
	Attachment 1 Quarter 2 Strategic Indicators	79
	Attachment 2 Quarter 2 Actions Update.....	80
15.1	Waste Services Policy 2022	
	Attachment 1 Waste Services Policy 2022.....	91
16.1	Draft Climate Mitigation and Adaptation Policy	
	Attachment 1 Community Submissions.....	100
	Attachment 2 Draft CMAP.....	107
16.2	Draft Roadside Conservation Management Plan	
	Attachment 1 Community Feedback Submissions	112
	Attachment 2 Final Draft Roadside Conservation Management Plan.....	115
16.3	Planning permit application PInApp20/063 - 145 Murmungee Road Murmungee - Use and Development of Land for Earth and Energy Resources Industry (processing of ore for winning gold)	
	Attachment 1 PInApp20/063 - Proposed permit conditions	191
	Attachment 2 PInApp20/063 - Assessment against the Wangaratta Planning Scheme	198
	Attachment 3 PInApp20/063 - Development Plans	225
16.4	Planning permit application PInApp21/213 - 8 Fairway Drive Waldara - Development of Five Dwellings and Five Lot Subdivision	
	Attachment 1 PInApp21/213 - Proposed permit conditions	234
	Attachment 2 PInApp21/213 - Assessment against the Wangaratta Planning Scheme and consideration of objections.....	239
	Attachment 3 PInApp21/213 - Plans	264
	Attachment 4 Endorsed plans of Planning Permit PInApp16/092.01	268

Rural City of Wangaratta Live Stream

Clause 24 of the Governance Rules provides the following:

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

1. Acknowledgement of Traditional Owners

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

2. Opening Prayer

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

3. Present

4. Absent

5. Acceptance of Apologies & Granting of Leave of Absence

Order of Business

6. Citizen Ceremony

7. Confirmation of Minutes

Recommendation:

That Council read and confirm the Minutes of the Ordinary Meeting of 22 February 2022 as a true and accurate record of the proceedings of the meeting.

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 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.

9. Reception of Petitions

10. Hearing of Deputations

Presentation Of Reports

11. Councillor Reports

Nil

Officers' Reports

12. Executive Services

Nil

13. Community Wellbeing

Nil

14. Corporate Services

14.1 Revocation of Related Parties and Interests Policy

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	29 March 2022
Author:	Governance and Reporting Advisor
File No:	IC22/145

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 formally revoke the Related Parties and Interests Policy 2017.

Following changes in legislation, Council's Related Parties and Interests Policy 2017 is no longer relevant or required. It is therefore recommended that the policy be formally revoked and removed from Council's policy register.

Recommendation:

That Council revokes the Related Parties and Interests Policy 2017.

Background

The Related Parties and Interests Policy 2017 was adopted by Council at its Ordinary meeting held 19 September 2017. A copy of the policy is attached to this report at Attachment 1.

The policy establishes the requirements for the lodgment of Primary and Ordinary Returns as required by section 81 of the *Local Government Act 1989*.

It is recommended that this policy be revoked by formal resolution of Council and removed from Council's policy register for the following reasons:

- Section 81 of the *Local Government Act 1989* has been repealed and is no longer in force.
- The provisions for primary and ordinary returns contained in the *Local Government Act 1989* have been replaced by provisions for personal interests returns in the *Local Government Act 2020*.
- The legal requirements of personal interests returns are set out in the *Local Government Act 2020* and the *Local Government (Governance and Integrity) Regulation 2020*.

Implications

Policy Considerations

The Related Parties and Interests Policy 2017 is no longer required and it is appropriate that the policy be revoked.

Financial/Economic Implications

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

Legal/Statutory

The legal requirements of personal interests returns are set out in the *Local Government Act 2020* and the *Local Government (Governance and Integrity) Regulation 2020*.

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.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Strengthening our Leadership

1.2 An efficient and effective Council

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

Leadership: An efficient and effective Council

Risk Management

No risks have been identified with the subject of this report.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	We will communicate – we will be transparent	Information published on Council website (minutes of decision; current Council policies)

Council's current adopted major policies are published on the Council website. A major policy which has been revoked will be removed from the website.

Options for Consideration

The revocation of the policy is based on changes in legislation. Council may decide to not revoke the policy, however the provisions of the policy are no longer relevant.

Conclusion

Due to changes in legislation, it is appropriate the Related Parties and Interests Policy 2017 be formally revoked.

Attachments

1 Related Parties and Interests Policy 2017 [↓](#) 

14.2 Quarter 2 Forecast Review

Meeting Type: Ordinary Council Meeting
Date of Meeting: 29 March 2022
Author: Manager Finance
File No: IC22/65

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

The Quarter 2 Forecast Review is presented to Council to provide an update of Council's year-to-date (YTD) financial performance and expected full year forecast based on developments over the last three months.

Recommendation:

That Council endorses the Quarter 2 Forecast Review, including

1. The reduction to projected accounting surplus of \$2.75 million
2. The increase to the capital works budget of \$2.42 million
3. The Environmental Upgrade Agreement Quarterly Statement

Background

Council has completed its second quarter financial reporting process to manage and monitor its financial performance against budget.

Council's projected accounting surplus has decreased by \$2.93 million to \$7.73m. The projected underlying operating deficit (calculated by removing capital related income from the accounting surplus) has increased by \$3.40m to \$4.79m, largely due to the impact of depreciation and non-recurrent write off of capital works in progress that do not meet asset recognition criteria.

The 2021/22 Capital Works Budget has increased by \$2.42 million to \$30.91 million.

Implications

Policy Considerations

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

Financial/Economic Implications

Rural City of Wangaratta 31 January 2022	21/22 Adopted Budget	21/22 Adopted Quarter 1 Forecast	21/22 Quarter 2 Forecast Review	21/22 Q1 to Q2 Forecast Variance
	\$'000	\$'000	\$'000	\$'000
Income	80,274	82,964	84,605	1,641
Expenses	70,102	72,484	76,878	4,394
Surplus / (deficit) for the year	10,172	10,480	7,727	(2,753)
Capital Works Expenditure	27,282	28,495	30,913	2,418

The Chief Executive Officer is of the opinion that a revised budget is not required, pursuant to Section 97(3) of the *Local Government Act 2020*.

Income Statement – Surplus Decrease

Council's Quarter 2 Forecast Review projects a \$2.75 million unfavourable movement to surplus. While Council has been successful in pursuing additional funding by way of non-recurrent operating and capital grants that have increased total income, this is offset by additional obligations as a result of operating grant funding seen through increased materials and services, in addition to projected increases to depreciation and other expenses.

The depreciation forecast has been adjusted following the infrastructure revaluation completed in 2020/21 and a more recent review of useful lives. The full year depreciation forecast is now \$18.68 million, which is a \$1.33 million increase on the Adopted Quarter 1 Forecast.

Other expenditure includes the write-off of works in progress that do not meet the asset recognition criteria. As Council completes capital works projects, the work appears on the balance sheet as works in progress, or WIP. Once the asset is completed, a process is undertaken to recognise these assets in the appropriate class on the balance sheet and commence depreciating them. If through this process any expenditure is identified that cannot be attributed to an asset which Council owns or controls, it must be written off through the income statement. In this case, significant write off has been identified in relation to utility services relocation for the Railway Precinct project, which has influenced the \$2.16 million unfavourable forecast adjustment to other expenses, in addition to other immaterial projects. This is a non-cash item.

Further explanation of year-to-date budget performance and projected full year forecast adjustments can be found in the notes to the attached Income Statement.

Capital Works Program – Increase to Budget

Council's Capital Works Program projected full year forecast has increased by \$2.42 million to \$30.91 million. The increase can be attributed to:

- The addition of new projects including Aerodrome Wildlife Fencing \$225k (partially funded), New Waste Truck \$288k, COVID Safe Outdoor Activation \$460k (fully funded), Transfer Station Upgrades for Glass Collection \$278k (fully funded) and WSAC Gym Equipment \$37k.
- Other budget adjustments made under Council's Budget Variation Policy, including increase to North Wangaratta Lighting Upgrade \$85k, increase to Glenrowan Heritage Project \$1.52 million, increase to Peipers Lane Bridge Reconstruction \$55k, increase to WSAC Extension (multi-year project, expenditure brought forward from 22/23) and decreases to Wangaratta Showgrounds Cricket Club Improvements \$90k and Wangaratta Sports Development Centre Roof Decking and Canopy \$97k. Savings of \$408k have also been identified across road projects and returned under Council's Budget Variation Policy.

Year-to-date delivery of the Capital Works Program is \$7.51 million, with a further \$14.60 million of commitments in place. Weather impacts and the ability to get contractors on site, due to both restrictions and demand in the industry, influence the year-to-date budget variance.

See attached Statement of Capital Works for further detail.

Balance Sheet

Council's working capital is in a strong position at 297% due to borrowings drawn down in 20/21 and the delivery profile of Council's Capital Works Program. Liquidity is forecast to reduce over the remainder of the financial year as delivery of the 21/22 Budget continues, though will stay within the levels identified in Council's Ten-Year Financial Plan.

Collection of rates continues to progress, with only 4.8% of rates and charges in arrears. Ratepayers having trouble paying are encouraged to contact Council to negotiate a payment arrangement.

Environmental Upgrade Agreements – Quarterly Statement

Environmental Upgrade Agreements provide funding for sustainability or climate adaptation building upgrades. Under these loans, a lender provides finance to the property owner for the upgrade and repayment of the loan is administered through Council rates.

Section 181G of the *Local Government Act 1989* requires the Council prepare a quarterly statement in respect of Environmental Upgrade Agreements.

Council entered into one new Environmental Upgrade Agreement during the second quarter of 2021/22. This value of this agreement is \$16,720.72 and is in respect of the land located at 87 Murphy Street Wangaratta.

There are now two Environmental Upgrade Agreements are in operation with a total value of \$57,048.33. Charges due this year total \$3,942.65. Total payment of \$1,090.17 fell due this quarter, which was paid in full.

Legal/Statutory

In accordance with section 94 of the *Local Government Act 2020* (the Act), Council must prepare a budget for each financial year. Additionally, section 101 of the Act requires Council to apply principles of sound Financial Management. Section 97 of the Act requires the Chief Executive Officer, at least every three months, to prepare a statement comparing the budgeted financial performance with the actual performance to date and present this report to Council.

Section 181G of the *Local Government Act 1989* requires the Council prepare a quarterly statement in respect of Environmental Upgrade Agreements.

Social

Social benefits of the delivery of Council services and projects are outlined in the 2021/22 Budget and in the Council Plan 2021-25.

Environmental/Sustainability Impacts

Council budgets for and delivers several projects that support its Environmental Sustainability Strategy.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Strengthening our Leadership

- Maintain liquidity ratio – target > 100%
- Ensure Council's financial sustainability through transparent and accountable financial management.
- Undertake regular and transparent reporting against council's adopted Annual Budget.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Poor performance against budget	M	M	M	Regular monitoring and reporting of the budget position
Covid-19 economic impacts exceed forecasts	M	H	H	Monthly review of forecasts

Consultation/Communication

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

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

Options for Consideration

1. That Council endorse the Quarter 2 Forecast Review – recommended.
2. That Council endorse the Quarter 2 Forecast Review and proposes any recommendation(s) for alternative changes to the 2021/22 Budget forecast.

Conclusion

The Quarter 2 Forecast Review reports year-to-date performance against budget and projected full year forecast adjustments.

Attachments

- 1 January 2022 - Income Statement [↓](#) 
- 2 January 2022 - Balance Sheet [↓](#) 
- 3 January 2022 - Statement of Capital Works [↓](#) 

14.3 Biannual Audit and Risk Report

Meeting Type: Ordinary Council Meeting
Date of Meeting: 29 March 2022
Author: Governance and Reporting Advisor
File No: IC22/266

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 note the Audit and Risk Committee's Biannual Audit and Risk Report.

Recommendation:

That Council notes the Biannual Audit and Risk Report attached to this report.

Background

Biannual Audit and Risk Report

Section 54(5) of the *Local Government Act 2020* (the Act) requires that the Audit and Risk Committee (the committee) prepare a biannual audit and risk report that describes the activities of the committee and includes its findings and recommendations.

To comply with this requirement, a biannual audit and risk report was produced for the period 1 July 2021 - 31 December 2021.

The attached biannual audit and risk report (**Attachment 1**) was endorsed at the 15 February 2022 committee meeting. It is now presented to Council for noting.

Implications

Policy Considerations

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

Financial/Economic Implications

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

Legal/Statutory

Section 54(5) of the Act requires the Audit and Risk Committee to prepare a biannual audit and risk report and provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting.

The Act requires that the Chief Executive Officer must table the biannual audit and risk report at the next Council meeting.

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.

Conclusion

The completion and tabling of the Audit and Risk Committee Biannual Audit ensures that the committee complies with the requirements of the *Local Government Act 2020* and that the committee's activities can be monitored by council.

Attachments

- 1 Biannual audit and risk report [↓](#) 

14.4 Council Plan Strategic Indicators and Actions Update (Quarter 2 - October to December 2021)

Meeting Type: Ordinary Council Meeting
Date of Meeting: 29 March 2022
Author: Governance & Reporting Advisor
File No: IC22/424

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

To present the 2021-22 Quarter 2 (October – December 2021) update for Council Plan Strategic Indicators and Actions.

Recommendation:

That Council notes the Quarter 2 2021-22 results for the Council Plan 2021-2025 Strategic Indicators and Actions as contained in the attached reports.

Background

Council sets out in its four-year Council Plan its strategic objectives and the accompanying annual actions and strategic indicators for monitoring delivery and achievement of those objectives.

Council has an obligation to report six-month progress on implementing these actions and strategic indicators. This report also provides transparency and enables the community to understand the impact of what Council is doing in the areas most important to them.

Attached are the Council Plan Strategic Indicators and Actions Status Reports for Quarter 2 of the 2021-22 financial year.

Strategic Indicators

As at the end of Quarter 2, 34 of the 41 Strategic Indicators were on track, 1 was at risk and 6 were off track. Of the 14 Indicators that can be reported quarterly, Council has seen a steady increase in performance against these targets due to the gradual reduction in Covid-19 restrictions. It is anticipated that as restrictions ease further, there will be increasing attendance at Council creative, leisure and entertainment facilities which will be reflected in Quarter 3 results.

Indicators that were off track include:

- Wangaratta Performing Arts & Convention Centre (WPACC) and Wangaratta Sports & Aquatics Centre (WSAC) visitation and ticket sale numbers, primarily due to Covid-19 closures and restrictions;
- Active library borrowers within the municipality;
- An accurate record of attendees to the Wangaratta Art Gallery due to technical issues; and
- A slight decrease in the number of new residential lots being released in Quarter 2.

Council Plan Actions

249 Council actions are to be completed under the Council Plan. As at the end of Quarter 2:

- 4 items are complete
- 220 are on track for completion
- 16 are on hold or pending
- 5 are at risk
- 4 are off track

Key actions listed complete in Quarter 2 include: Council adopting its 10-year Financial Plan at the October 2021 Council Meeting which forms a key part of Council's legislative obligations under the

Local Government Act 2020; and, seeking funding to establish and maintain the municipalities flood protection system.

Actions on hold or pending are primarily due to waiting to onboard new staff to commence the works; emergency response/recovery actions that thankfully haven't been required this season; or Council Plan actions that aren't due until a later year.

The actions that are reported as off track at the end of Quarter 2 are:

- To support delivery of the Rural Placemaking Plans in partnership with our rural communities - launch events taking place in March.
- To work with education providers to ensure our young people are equipped with relevant employability skills – liaison is due to be undertaken with the Community Wellbeing and Youth Officer to develop this program.
- To promote the availability of car share providers, and access to affordable and passive transport options within the community – scope of project to be reviewed.
- Advocate for increased health, education, and community services to support population growth – scope of works to be defined for an Advocacy document.

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. Funding to deliver the actions in the Council Plan has been allocated via council's Annual Budget.

Legal/Statutory

The obligation to report six-month Council Plan actions and strategic indicators is a prescribed item in council's Governance and Management Checklist.

Social

Social benefits are outlined in the Council Plan 2021-25.

Environmental/Sustainability Impacts

Environmental and sustainability benefits are outlined in the Council Plan 2021-25.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan by providing an update on the organisation's progress in implementing its actions.

Risk Management

Council risks a reputational failure by failing to adequately monitor its key objectives. By the regular reporting of its Strategic Indicators and Actions to Council and to the Audit and Risk Committee, Council can mitigate this risk.

Consultation/Communication

Council Plan actions are being progressively implemented by the appropriate officers across the organisation. Several strategic indicators have been impacted by the restrictions implemented by the State Government to control the spread of COVID-19. The easing of these restrictions has led to an improvement in some indicators.

The status of Council Plan actions and strategic indicators has been communicated to executive management and the Audit & Risk Committee. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Options for Consideration

There are no options for consideration.

Conclusion

Council Plan actions are being progressively implemented. Several strategic indicators have been impacted by the restrictions implemented by the State Government to control the spread of COVID-19. The easing of these restrictions has led to an improvement in some indicators.

Attachments

- 1 Quarter 2 Strategic Indicators [↓](#) 
- 2 Quarter 2 Actions Update [↓](#) 

14.5 Wangaratta Livestock Exchange - Strategic Plan

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	29 March 2022
Author:	Director Corporate Services
File No:	IC22/507

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

The Wangaratta Livestock Exchange (WLE) is a wholly owned subsidiary of the Rural City of Wangaratta. The Board of the WLE is required to develop a long-term Strategic Plan for the future development and direction of the Saleyards.

Recommendation:

That Council considers and approves the Wangaratta Livestock Exchange Strategic Plan.

Background

The Management Services Agreement (MSA) under which the WLE board operates requires the Board to develop a long-term Strategic Plan. Under the MSA, the draft Strategic Plan must:

1. Be prepared in consultation with Council;
2. Contain a dispute resolution mechanism to address and resolve disputes with any issues raised by members of the public in relation to the Saleyards; and,
3. Address any matters requested by Council to be addressed in relation to future development and direction of the Saleyards.

Council must then review and approve, or decline to approve, the draft Strategic Plan. Once approved, the Board must subsequently review and update the Strategic Plan at least every 3 years.

The Board has now developed a Draft Five-Year Strategic Plan which is attached. (It is attached as a confidential document due to its commercial sensitivity). The Plan meets the requirements laid out above and is now read for the Councillors to formally consider and approve under council resolution.

Implications

Policy Considerations

As the WLE is independently managed by the WLE Board, it is not bound by council's Community Engagement Policy in the development of its long-term Strategic Plan.

Financial/Economic Implications

The Council Plan sets out the objective for the WLE to achieve financial surplus. The WLE is meeting this objective and the Strategic Plan will assist it developing future plans to continue to do so.

Legal/Statutory

The WLE Management Services Agreement requires the Board to develop a Strategic Plan.

Social

The WLE provides an important social function for local farmers, agents and rural community members. It's ongoing success is important to the RCOW community.

Environmental/Sustainability Impacts

The Strategic Plan includes an objective for the reduction of net carbon emissions.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Strengthening our Leadership

Objective: Ensure our partners and community share the responsibilities and benefits of putting plans into practice.

2. Expanding our Economy

Measure: WLE full year financial position – Target: Surplus

Action: Continue to support the Board of the Wangaratta Livestock Exchange to further develop its services and to strengthen its long-term financial sustainability.

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

Growth:

- We will invest in sustainable infrastructure that supports new growth.

Economy:

- We encourage and support responsible growth of our existing businesses and industries.
- We support agricultural sustainability projects and initiatives to facilitate a resilient and vibrant farming sector.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
The the WLE is not a sustainable enterprise for the RCOW community.	(2) Unlikely (may arise once in 5 to 10 years)	(3) Moderate (loss of \$50-\$500k)	(5) Medium	Development of a long term Strategic plan to set the future direction for a sustainable livestock exchange.

Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Inform community that council is undertaking the necessary governance steps for the oversight of the WLE.	Council report

As the WLE does not fall under Council's Community Engagement Policy and as the Strategic Plan is a commercially sensitive document and hence marked confidential, community consultation is not required and this matter is now ready for Council consideration.

Options for Consideration

1. That Council approves the Wangaratta Livestock Exchange Strategic Plan – recommended.
2. That Council declines to approve the Wangaratta Livestock Exchange Strategic Plan and provides written notice to the WLE Board of any changes required. – This option is not recommended. The members of the WLE Board have been appointed due to their subject matter expertise and the Strategic Plan has been developed accordingly.

Conclusion

The Wangaratta Livestock Exchange Strategic Plan meets the requirements of the Management Services Agreement and is now ready for Councillors to approve.

Attachments

- 1 Wangaratta Livestock Exchange Strategic Plan - Confidential

15. Infrastructure Services

15.1 Waste Services Policy 2022

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	29 March 2022
Author:	Waste Services Coordinator
File No:	IC22/362

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

Executive Summary

This report is presented to Council for endorsement of placing the draft Waste Services Policy 2022 on public exhibition seeking feedback from the community. From the review only one change is proposed from the Waste Services Policy 2021.

Recommendation:

That Council:

1. Endorse the Draft Waste Services Policy 2022 for a 28 day public exhibition period, inviting submissions from the community and stakeholders until close of business on Friday 30 April 2022.
2. If no submissions requiring changes to the Waste Services Policy 2022 are received, adopt without further resolution of Council.

Background

The policy sets out the Council's waste services including exceptions to these services and associated costs. The Waste Services Policy 2022 will assist in delivering the outcomes specified in Council's Waste Management Strategy. Waste collection and associated charges are set through the fees and charges process.

One change to the kerbside service for recycling and organics collection contamination "Four Strike Contamination Policy". Currently, a property will have a bin service removed if it receives four notices of high-level contamination in either recycling or organics bins within one calendar year. This resets at the start of each calendar year. Extending this time frame to four years before resetting the number of notices will assist in reducing the number of repeat offenders contributing to the contamination of these resource recovery streams.

If Council becomes aware of a situation that is causing unavoidable contamination issues, more appropriate bins can be issued to the resident.

Implications

Policy Considerations

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

Financial/Economic Implications

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

Implementation of the Policy assists in ensuring that appropriate fees are obtained to safeguard financial viability of the kerbside waste collection services.

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.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

3. Valuing our Environment

3.2 Reduce waste and enhance resource recovery

3.2.2.2 Increase the waste diversion from landfill through the increased use of recycling and organics bins throughout the community

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

M2 Strengthen positive behaviours throughout the community to minimise the negative impact of waste

Other strategic links

Waste Management Strategy

Consultation/Communication

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

Options for Consideration

1. That Council endorse the Draft Waste Services Policy 2022 as presented.
2. That Council request further changes to the Policy.

Conclusion

Upon review one minor change has been made to the kerbside service for recycling and organics collection contamination "Four Strike Contamination Policy". It is recommended to Council for endorsement of placing on public exhibition.

Attachments

- 1 Waste Services Policy 2022 [↓](#) 

15.2 C34282 Concrete Works - Panel of Suppliers

Meeting Type: Ordinary Council Meeting
Date of Meeting: 29 March 2022
Author: Manager - Field Services
File No: IC22/378

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

Executive Summary

This report is presented to Council to award suppliers to the Minor Concrete Works – Panel of Suppliers.

Recommendation:

That Council:

1. Awards Contract C34282 for the Minor Concrete Works – Panel of Suppliers to the following suppliers:
 - DJ & CL Collison Concrete and Kerb
 - Hayley Constructions
2. Authorises the Chief Executive Officer to sign and seal all the relevant contract documents for C34282 for the Minor Concrete Works – Panel of Suppliers.

Background

Council undertakes capital and renewal works each year. Some of these works involve concrete works. These works are tendered out to the external market. This panel will enable Council to continue this work without changing Council's delivery method.

Works undertaken under contracts for Minor Concrete Works – Panel of Suppliers will be undertaken within Infrastructure, Planning and Delivery and Field Services Operational and Capital Budgets.

Implications

Policy Considerations

Procurement Policy

Financial/Economic Implications

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

Legal/Statutory

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

Social

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

Environmental/Sustainability Impacts

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

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Nurturing our Wellbeing

Continued systematic and scheduled maintenance of all our pathways and walking tracks across the municipality.

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

Accessible and equitable services, spaces, and facilities

Risk Management

N/A

Consultation/Communication

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

Options for Consideration

1. Award contract C34282 for the Minor Concrete Works.
2. Not award contract C34282 for the Minor Concrete Works

Conclusion

To enable Infrastructure, Planning & Delivery and Field Services to complete it's planned projects, it is recommended that Council award contracts for Minor Concrete Works – Panel of Suppliers to the above mentioned Suppliers.

Attachments

- 1 Evaluation report - Confidential

15.3 C34281 Minor Tree Services - Panel of Suppliers

Meeting Type: Ordinary Council Meeting
Date of Meeting: 29 March 2022
Author: Manager - Field Services
File No: IC22/379

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

Executive Summary

This report is presented to Council to award suppliers a position on the panel to provide minor tree services.

Recommendation:

That Council:

1. Awards Contract C34281 Minor Tree Services - Panel of Suppliers to the following suppliers:
 - Smith's Tree Services
 - GJ Tree Services
 - Arboessence
 - North East Tree Services
 - Watersmart Irrigation
 - Austral Tree Services
 - Albury-Wodonga Stump Removal
 - Carters Tree Services
 - Federation Tree Care
 - Summit Open Spaces
 - Eagle Travel Tower Services
 - Ultimate Arbor
2. Authorises the Chief Executive Officer to sign and seal all the relevant contract documents for C34281 for the Minor Works – Tree Services Panel.

Background

Council undertakes capital and renewal works each year. The panel will support the current and ongoing maintenance and project services provided by Council. Due to the high demand for Arborist services, the panel is extensive to ensure availability of suppliers for consultants, capital and maintenance works.

Works undertaken under contracts for C34281 for the Minor Works – Tree Services will be undertaken within Infrastructure, Planning and Delivery and Field Services Operational and Capital Budgets.

Implications

Policy Considerations

Procurement Policy

Financial/Economic Implications

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

Legal/Statutory

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

Social

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

Environmental/Sustainability Impacts

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

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Enhancing our Lifestyle

We maintain our parks and gardens, reserves, and open spaces to ensure the safety and enjoyment of our people, and the protection of our spaces

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

Beautiful and accessible parks, gardens and open spaces

Risk Management

N/A

Consultation/Communication

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

Options for Consideration

1. Award contract C34281 Minor Tree Services
2. Not award contract C34281 Minor Tree Services

Conclusion

To enable Infrastructure, Planning & Delivery and Field Services to complete its annual projects, it is recommended that Council award contracts for C34281 for the Minor Works – Tree Services to the above mentioned Suppliers.

Attachments

- 1 Evaluation report - Confidential

15.4 C34014 Whitfield Streetscape and Intersection Works

Meeting Type: Ordinary Council Meeting
Date of Meeting: 29 March 2022
Author: Project Officer
File No: IC22/494

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

Executive Summary

This report is presented to Council to present the evaluation and recommendation for the contract award of "C34014 Whitfield Streetscape & Intersection Improvement".

Council received \$4M (ex GST) in funding from the Victorian Government, as part of the King Valley Prosecco Road Revitalisation Project.

The Whitfield Streetscape & Intersection Upgrade Project is a redevelopment of the existing streetscape to improve the physical, social, and economic functions of the area and improve the overall amenity. Works include the construction of road pavement, underground drainage, landscaping, feature lighting, service relocations.

Collaboration with both Regional Roads Victoria (RRV) and North East Water (NEW) has also allowed for additional works to undertake safety improvements to the existing Y-intersection on the Wangaratta-Whitfield and Mansfield-Whitfield Roads. In addition to the installation of a new water main.

Recommendation:

Lump Sum Contract:

That Council:

1. Awards Contract "C34014 Whitfield Streetscape & Intersection Improvement" to O'Loughlin Excavations subject to signed funding agreements with RRV & NEW.
2. Authorises the Chief Executive Officer to sign and seal all the relevant contract documents for "C34014 Whitfield Streetscape & Intersection Improvement".
3. Discloses the contract price and successful tenderer for C34014 Whitfield Streetscape & Intersection Improvement.

Background

Council received \$4M (ex GST) in funding from the Victorian Government, as part of the King Valley Prosecco Road Revitalisation Project. This project is one of four key projects to be delivered under this funding program.

The key projects include:

- Township streetscape enhancements at Whitfield & Cheshunt to improve community and visitor experiences.
- Detailed design of the Prosecco Rail Trail (segment D) from Edi to Cheshunt.
- Upgrades to the Whitfield Community Park to create an Adventure Playspace and key meeting points within the township.
- The creation of gateway entrances and key artworks to reflect the King Valley at the commencement of the Wangaratta-Whitfield Road and Mansfield-Whitfield Road.

This project will deliver key outcomes identified by the community as a part of the Rural Placemaking Program.

Collaboration with both Regional Roads Victoria (RRV) and North East Water (NEW) has also allowed for additional works to undertake including safety improvements to the existing Y-intersection on the Wangaratta-Whitfield and Mansfield-Whitfield Roads. In addition to the installation of a new water main.

Implications

Policy Considerations

Procurement Policy.

Financial/Economic Implications

Council received \$4M (ex GST) in funding from the Victorian Government, as part of the King Valley Prosecco Road Revitalisation Project of this funding \$975,000 has been allocated to this project and \$600,000 has been allocated to shared path works.

RRV is contributing \$400,000

NEW Water are contributing \$250,000

This procurement award is subject to Council signing formal agreements with RRV and NEW to secure funding required to deliver these component of works.

Legal/Statutory

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

Social

Investment in infrastructure and amenity will greatly improve the community and visitor experiences and compliment the surrounding businesses. The works will deliver key community outcomes identified within Council's Rural Placemaking Plan.

Environmental/Sustainability Impacts

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

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Strengthening our Leadership

Continue to provide transparency for the community regarding the information being considered in decision making processes.

2. Expanding our Economy

Enhance the activity in our rural townships.

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

- Enhance the activity in our rural townships
- A community that is safe and welcoming for pedestrians and cyclists.

Other strategic links

Rural Placemaking Project – King Valley District.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeframe and achieving the proposed timelines	Minor (2)	Moderate (3)	5	Project Manager to monitor
Unsatisfactory quality of works	Minor (2)	Moderate (3)	5	Project Manager to monitor
Works timeline exceed	Major (3)	Moderate (3)	6	Project Manager to monitor

Consultation/Communication

Community consultation has occurred throughout the design phase of this project. Council Officers met with the community on several occasions to review the proposed designs and provide valuable input into the final design.

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

Options for Consideration

1. Award contract "C34014 Whitfield Streetscape & Intersection Improvement" subject to signing funding agreements with RRV & NEW.
2. Not award contract "C34014 Whitfield Streetscape & Intersection Improvement" and re-tender the procurement opportunity

Conclusion

Following a comprehensive evaluation of tenders against the pre-determined evaluation criteria and weightings, the "C34014 Whitfield Streetscape & Intersection Improvement" is recommended to be awarded to O'Loughlin Excavations.

Attachments

- 1 Evaluation Report - Confidential

16. Development Services

16.1 Draft Climate Mitigation and Adaptation Policy

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	29 March 2022
Author:	Sustainability Officer
File No:	IC22/131

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

The Climate Mitigation and Adaptation Policy (CMAP) is presented to Council for endorsement following a 60 day community consultation period.

The CMAP seeks to provide governance and strategic direction in dealing with climate change.

Feedback received as part of the community consultation process is included in **Attachment 1 – Community Submissions**.

The draft CMAP has been revised in response to the submissions received where appropriate (see **Attachment 2**).

Recommendation:

That Council:

1. Adopts the Climate Mitigation and Adaptation Policy, taking into consideration all submissions made.
2. Advises all submitters of Council's decision.

Background

The development of the policy is an action in the Council Plan 2021-2025 (number 3.3.1.5). The draft policy was presented to the December 2021 Council meeting and was endorsed for a 60-day public exhibition period.

A total of 19 submissions were received. **Attachment 1** Community Submissions contains the feedback received and the officer response to each point raised. The draft policy has been updated to include this feedback, where appropriate, and proposed changes are shown in the attached document Draft Climate Mitigation and Adaptation Policy (**Attachment 2**).

The main themes in the submissions were:

- strengthening wording around urgency and climate change impacts (12 submissions)
- increasing set targets (11 submissions)
- providing clear accountability for the policy, i.e CEO and Mayor or Directors (8 submissions)
- suggesting operational actions around sustainability (8 submissions)
- emergency management and weather events (4 submissions)
- commitment to develop a climate adaptation plan (4 submissions)

It was noted that changing targets and proposing new operational actions about sustainability is outside of the scope of this policy. Most of the proposed actions are already referenced in the Environmental Sustainability Strategy 2021-2026 (adopted by Council in June 2021) and new targets cannot be set without further data that will arise from the future emissions reduction plan and determining landfill emissions.

Implications

Policy Considerations

The CMAP is closely linked to the Environmental Sustainability Strategy 2021-2026, Risk Management Policy, Asset Management Policy, Tree Management Plan, Wangaratta Planning Scheme and the Wangaratta Children's Services Centre Environmental Sustainability Policy.

Financial/Economic Implications

The financial and economic implications for actions relating to this policy are addressed as actions under the Environmental Sustainability Strategy 2021-2026 with tables listing if an action requires funding, is funded or will require grant assistance to undertake the action.

Legal/Statutory

Under s8(1) of the *Local Government Act 2020*, the role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. Section 8(2)(a) states that a Council is considered to provide 'good governance' where it performs its role in accordance with the overarching governance principles and supporting principles.

These principles are defined in s9(1) stating that a Council must in the performance of its role give effect to the overarching governance principles. Several of these overarching governance principles create obligations for councils in the context of climate change, including:

- Under 9(2)(c) Councils are required to promote the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks.
- Under 9(2)(b) Councils are required to give priority to achieving the best outcomes for the municipal community, including future generations.
- Under 9(2)(h) regional, state, and national plans and policies are to be taken into account during Council's strategic planning.
- Under 9(2)(i) Council must ensure its decisions, actions, and information are transparent.

Social

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

Environmental/Sustainability Impacts

The CMAP seeks to provide governance and strategic direction in dealing with the urgent issue of climate change. As the policy outlines, climate change has local impacts on our operations, economy, environment and community.

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. **Strengthening our Leadership**
(1.4.1.4) Provide leadership to the community on Environmental Sustainability.
2. **Nurturing our Wellbeing**
(2.6.1.5) Build community and Council capacity and resilience to respond to emergencies and disasters that are a result of climate change.
3. **Valuing our Environment**
(3.3.1.1) Explore and advance opportunities to be community leaders in adapting to the impacts of climate change
(3.3.1.5) Develop and adopt a Climate Change Policy.

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

- N1 Reduce Council's greenhouse gas emissions, energy and water use
- N2 Increase the capacity of the community to mitigate and adapt to climate change

Other strategic links

This report supports the Environmental Sustainability Strategy 2021-2026

Consultation/Communication

The draft CMAP was publicly exhibited for 60 days, closing on the 11th of February 2022 and an online consultation session was held on the 3rd of February 2022.

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

Options for Consideration

Option 1: (recommended) Council adopts the draft Climate Mitigation and Adaptation Policy as recommended and following community consultation.

Option 2: Council does not Adopt the draft Climate Mitigation and Adaptation Policy as recommended following community consultation.

Conclusion

The Climate Mitigation and Adaptation Policy is a key document for Council to adopt to assist with navigating and responding to a changing climate. After changes to the document stemming from community consultation and stakeholder feedback this policy is now ready for adoption.

Attachments

- 1 Community Submissions [↓](#) 
- 2 Draft CMAP [↓](#) 

16.2 Draft Roadside Conservation Management Plan

Meeting Type: Ordinary Council Meeting
Date of Meeting: 29 March 2022
Author: NRM Coordinator
File No: IC22/132

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

The Roadside Conservation Management Plan 2022 (RCMP) is presented to Council for adoption following a 60-day community consultation period.

There is a wide range of legislation relating to native vegetation protection, protection of existing services and safety when working in the road reserve. The RCMP aims to assist roadside users to understand vegetation values, applicable legislation, and suitable methods to reduce risks when working on roadsides.

The RCMP is an activity-based document that sets out the legislation and issues that apply to each activity, including a quick reference guide. It recommends methods that will also avoid native vegetation damage. The RCMP includes a rating and map of Roadside Conservation Values to assist when planning roadside activities.

Submissions received and changes made to the draft RCMP in response are included in: **Attachment 1** (Community Submissions).

Attachment 2 Draft Roadside Conservation Management Plan 2022 – updated to include, where relevant, submissions received.

Recommendation:

That Council:

1. Adopts the Roadside Conservation Management Plan 2022, taking into consideration all submissions made.
2. Advises all submitters of Council's decision.

Background

The RCMP is a revision of the existing Roadside Conservation Management Plan 2014. The revision also includes an updated Roadside Conservation Values Assessment with roads assigned a rating of either Very High, High, Medium, Low or Nil and associated maps, to assist when planning roadside activities.

The RCMP recognises that roadside vegetation forms important corridors in the landscape, providing habitat and links for flora and fauna, and provides a large part of the aesthetic vegetated character of the municipality. There are many different activities that occur on roadsides including drainage maintenance, service installation and maintenance, driveway access, fence line construction and maintenance, weed and pest control, grass slashing and fuel load reduction. The RCMP aims to encourage conservation of roadside remnants and reduce the risk of damage to vegetation, fauna, and people during roadside activities.

Implications

Policy Considerations

The RCMP includes and explains roadside related provisions of the Wangaratta Planning Scheme, the *Road Management Act 2004* and other relevant legislation. **Road Management Plan inclusion**

Financial/Economic Implications

FY20/21 - \$22,000 used to undertake Roadside Conservation Values Assessment.

Budget bids will be required each year to secure further funding to enable council to deliver on the Roadside Conservation Management Plan 2022– Action Plan.

The Roadside Weed and Pest Program has been funded for FY21/22 from contributions from both council \$61,500 and a \$56,198 grant from the Department of Environment, Land, Water and Planning (DELWP). The DELWP contribution is reviewed annually and presently has been committed for the next 2 years but is not guaranteed to continue.

Legal/Statutory

Council is required to comply with the planning scheme and other legislative provisions relating to native vegetation removal. Council has a formal agreement with the Department of Environment, Land Water and Planning (DELWP) allowing defined road maintenance works affecting native vegetation. Council reports to DELWP each year on vegetation affected by works. The RCMP sets out the required procedures.

Both Commonwealth and State legislation identifies the conservation status of endangered and vulnerable flora and fauna, in the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* and the *Victorian Flora and Fauna Guarantee Act 1988*. The conservation status of listed flora and fauna was included in the conservation values assessment undertaken for the revised RCMP.

In 2013 the State government passed an amendment making Councils responsible for specified weeds on roadsides. Council is required under the legislation to develop a Roadside Weed and Pest Control Program (RWPP). This program is included in the RCMP.

Social

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

Environmental/Sustainability Impacts

Roadsides have important biodiversity values as they retain remnants of native vegetation and wildlife habitats that were once widespread throughout the landscape. Consequently, biodiversity conservation has become another very important function of road reserves. In some parts of the municipality roadside vegetation represents the only remaining habitat for specific indigenous plant and animal species and without roadside habitats these species would be locally extinct.

The importance of roadside vegetation was highlighted in the 2011 report *Remnant Native Vegetation Investigation* by the Victorian Environment Assessment Council (VEAC). The Bioregion that makes up the vast majority of the Rural City of Wangaratta (the Victorian Riverina) is classified in this study as “Most Cleared”. VEAC found that a high proportion of Victorian Riverina native vegetation occurs on roadsides only and remnant vegetation is in poorer condition than other State bioregions.

The RCMP 2022 revision also includes an updated Roadside Conservation Values Assessment with roads assigned a rating of either Very High, High, Medium, Low or Nil. The last survey of the roadsides for the municipality was conducted in 2009-2010, and the survey outcomes, amongst other data collected, classified the Council Road network into three Conservation Value categories, ranging from High to Low. These categories represent a rapid assessment of conservation significance of the roadsides, and the collected information will be available in Council’s Geographic Information System (GIS) and is accessible to all Council Officers in decision making.

The updated survey employed the rapid Vegetation Quality Assessment (VQA) – the standard habitat quality assessment in Victoria (Department of Sustainability and Environment [DSE] 2004).

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Valuing our Environment

1. Ensure roadsides are appropriately used while conserving and enhancing biodiversity, through the review and implementation of Council's Roadside Conservation Management Plan.

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

L3 – Enhance our natural environment

Other strategic links

This report supports the Environmental Sustainability Strategy 2021-2026

Risk Management

There can be tension between requirements to protect native vegetation and the need to carry out activities on roadsides. The RCMP aims to enable required activity while reducing the risk to vegetation and to the safety of users. The RCMP includes a section on roadside biodiversity risk management identifying common activities that have the potential for greatest impacts on biodiversity roadsides.

Consultation/Communication

A full review has been completed on the RCMP and reflects existing legislation and requirements much of which is State legislation outside Council influence. The draft RCMP 2022 has been reviewed by key internal stakeholders and provided to the Agriculture Agribusiness Advisory Committee (AAAC) for input.

The draft RCMP was put out for community consultation for a period of 8 weeks over the months of December 2021 and January 2022. Council officers discussed the RCMP at public meetings held at Springhurst, Moyhu, the Wangaratta Library and 3 online sessions.

A total of 12 submissions including group submissions were received during the community consultation period with the major themes being:

- Fire Risk Management
- Pest and Weed Management
- Firewood Collection
- Conservation Values Review
- Cultural Heritage

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	To advertise the RCMP	To place on community consultation with the RCMP available at Council offices, on website and advertisement in the local paper with notice of the consultation period
Consult	Request for comments and submissions	Receive comments and submissions on RCMP
Involve	Comments and submissions will be considered	Comments and submissions, if any, will be reviewed and may result in the RCMP being revised where possible
Collaborate	Not applicable	Not applicable
Empower	Not applicable	Not applicable

Options for Consideration

Option 1: (recommended) Council adopts the draft Roadside Conservation Management Plan 2022 as recommended and following community consultation.

Option 2: Council does not Adopt the draft Roadside Conservation Management Plan 2022 as recommended and following community consultation.

Conclusion

The RCMP and the Roadside Conservation Values Map are key documents that encourage understanding, planning and practices that reduce the risks of common activities to remnant vegetation. The draft RCMP 2022 has taken considerable time to develop taking into account best available knowledge, updated assessment and mapping of roadside vegetation, community and stakeholder feedback and is now ready for adoption.

Attachments

- 1 Community Feedback Submissions [↓](#) 
- 2 Final Draft Roadside Conservation Management Plan [↓](#) 

16.3 Planning permit application PlnApp20/063 - 145 Murmungee Road Murmungee - Use and Development of Land for Earth and Energy Resources Industry (processing of ore for winning gold)

Meeting Type: Ordinary Council Meeting
Date of Meeting: 29 March 2022
Author: Planner
File No: IC22/156

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 determine a planning application for a small scale operation, defined as: use and development of land for Earth and Energy Resources Industry (processing of ore for extracting gold).

Officers are of the view that the proposal is suitable for support subject to appropriate conditions being imposed. A copy of the proposed permit conditions is included **Attachment 1**.

Ore is proposed to be extracted at another site several kilometres away, and then brought to 145 Murmungee Road for processing. The proposed activity to take place at the site is the processing of ore to extract gold.

The waste product is to be removed from the site. The process involves no chemicals and uses water as the only input. The processing involves crushing the ore into ever smaller pieces to enable extraction of gold. The applicant wishes to use various techniques at different stages of the process, some of which involve human labour and other rely on machinery.

Pursuant to instrument of delegation, officers do not have delegation to determine a planning permit application that is subject to four or more objections. At the time of writing this report 17 objections were received.

Having undertaken an assessment of the application against the Wangaratta Planning Scheme and having considered public submissions to the proposal and responses from referral authorities, officers are of the view that the application is consistent with the Wangaratta Planning Scheme, a full assessment is included at **Attachment 2**.

Recommendation:

That Council:

1. Issues a Notice of Decision to Grant a Permit with respect to planning permit application PlnApp20/063 for Use and Development of Land for Earth and Energy Resources Industry (processing of ore for winning gold) at 145 Murmungee Road Murmungee (being Crown Allotment 12C Section 14 Parish of Murmungee, Lot 1 Title Plan 600656 and Lot 1 Title Plan 924570), subject to the permit conditions contained in **Attachment 1**; and
2. Advises the applicant and submitters of the decision.

Property Details

Land/Address	145 Murmungee Road MURMUNGEE VIC 3747
Zones and Overlays	Farming Zone Bushfire Management Overlay
Why is a permit required	Clause 35.07- 1 (Table of Uses, Farming Zone) – A planning permit is required for use of land for Earth and Energy Resources Industry.

	<p>Clause 35.07-4 (Buildings and Works, Farming Zone) – A planning permit is required for buildings and works associated with Earth and Energy Resources Industry and for buildings within 100 metres of a waterway.</p>
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Proposal in Detail

The subject site is located within an 68.9 hectare rural property in Murrumgee which is made up of three separate lots. The subject land is currently used for grazing and is within an area used primarily for broadacre and dryland agriculture with a bushland reserve immediately to the north of the subject land. The site features gentle slopes and has a number of dams and minor waterways traversing it.



Subject site (IntraMaps Aerial Imagery 2019)

The proposal involves use of a small portion of the subject land located along the northern boundary of the subject land and taking up an area of approximately 1600 square metres excluding access routes.

The proposed activity to take place at the site is the processing of ore to extract gold. Ore is to be extracted from the earth at another site several kilometres away and brought to the proposed site for processing. The processing involves crushing the ore into ever smaller pieces to enable extraction of gold. This is done through various methods at different stages of the process, some of which involve machinery and some of which involve human labour. The waste product is to be removed from the site. The process involves no chemicals and uses water as the only input.

The proposed use involves the establishment of several pieces of machinery and equipment which will be fixed in position along with minor buildings to shelter some equipment and provide basic facilities to workers. The site is proposing to process up to 50 tonnes of ore per week and proposes operating hours of 8am to 6pm Monday to Friday and 9am to 4pm on Saturdays with a maximum of four workers required. Access to the site is proposed to be via a new crossover to Murrumgee Road to be constructed along the western boundary of the subject land.

Refer to **Attachment 3** for plans of the proposal.

Summary of Key Issues

- Potential environmental impacts associated with the proposal including in relation to waterways, groundwater, dust and noise.

- Potential for land use conflicts associated with the proposed use.
- The application has not addressed all the environmental and amenity risks however these can be dealt with via permit conditions.
- All referral authorities have provided conditional consent to the proposal.
- Conditions have been drafted to facilitate approval of the proposal while addressing risks to amenity and the environment.

Refer to officer's assessment report at **Attachment 2** for a detailed assessment of these and other relevant issues.

Assessment under the Planning and Environment Act

A detailed assessment of the application against the relevant parts of the Wangaratta Planning Scheme and the *Planning and Environment Act 1987* is included in **Attachment 2**.

Section	Clause	Provision
Planning Policy Framework	12.03-1S	River corridors, waterways, lakes and wetlands
	13.02-1S	Bushfire Planning
	13.05-1S	Noise abatement
	13.06-1S	Air quality management
	13.07-1S	Land use compatibility
	14.01-1S	Protection of agricultural land
	14.02-1S	Catchment planning and management
	14.02-2S	Water quality
	14.03-1S	Resource exploration and extraction
	14.03-1R	Resource exploration and extraction - Hume
	17.01-1S	Diversified economy
	17.01-1R	Diversified economy - Hume
19.02-6S	Open space	
Local Planning Policy Framework	21.03-1	Biodiversity
	21.03-3	Rivers
	21.05-2	Water
Zones	35.07	Farming Zone
Overlays	44.06	Bushfire Management Overlay
Particular Provisions	52.06	Car parking
	52.08	Earth and Energy Resources Industry
Decision Guidelines	65.01	Decision Guidelines - Approval of an application or plan

Referrals

Department	Response
Country Fire Authority	Advised that referral was not required
Environment Protection Authority	Consent and advice provided
North East Catchment Management Authority	Conditional consent
Goulburn Murray Water	Conditional consent
Earth Resources Regulation	Advice provided

Internal Advice

Department	Response
Technical Services	Conditional consent
Environmental Health	Consent

Advertising

Public notice was carried out by Council in the form of letters to owners and occupiers in the area, and a notice in the Wangaratta Chronicle.

Objections

A total of seventeen submissions were received, all of which are considered to be objections to the proposal. Grounds for objection related primarily to concerns about environmental and amenity impacts.

A detailed summary of objections and officer's response is contained in **Attachment 2**.

Implications

Policy Considerations

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

Financial Implications

This proposal does not have any immediate impact on Council's financial resources as such. Should the matter be referred to the Victorian Civil and Administrative Tribunal then Council will likely incur costs associated in defending a position on the application.

Legal/Statutory

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

Cultural Heritage

The proposal is not subject to any requirements related to Cultural Heritage.

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.

Economic Impacts

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

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

1. Valuing our Environment

- 3.4.2.2 Work in partnership with our community to preserve and improve our waterways.
- 3.4.2.4 Promote the significance and importance of our rivers and creeks to build community pride, care and protection.

2. Expanding our Economy

- 4.2.1.2 Actively facilitate the attraction of new industries and businesses.
- 4.2.5.1 Advocate and build on existing relationships with water regulators to ensure adequate water resources for the future of agriculture, industry and sustainability of our community and ecosystem.

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

- O2 Look after our rivers and waterways.

- Q1 We encourage considered investment in the development of new businesses and industries.
- Q3 Support the development of small and medium enterprises.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Permit applicant lodges an appeal at VCAT	Possible	Insignificant	Low	Representation of Council Officer at VCAT.
Third party objector/s lodge an appeal at VCAT	Possible	Insignificant	Low	Representation of Council Officer at VCAT.

Consultation/Communication

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

Options for Consideration

1. Council issue a Notice of Decision to Grant a Permit subject to conditions (as recommended);
- Or
2. Council issue a Notice of Refusal to Grant a Permit (not recommended).

Conclusion

The application has been subject to an extensive assessment and improvements have been made to the design of the proposal throughout the application process. The proposal has reached a stage where identified risks can be appropriately addressed through permit conditions. The proposal is considered acceptable and suitable for approval.

Attachments

- 1 PInApp20/063 - Proposed permit conditions [↓](#) 
- 2 PInApp20/063 - Assessment against the Wangaratta Planning Scheme [↓](#) 
- 3 PInApp20/063 - Development Plans [↓](#) 

16.4 Planning permit application PlnApp21/213 - 8 Fairway Drive Waldara - Development of Five Dwellings and Five Lot Subdivision

Meeting Type: Ordinary Council Meeting
Date of Meeting: 29 March 2022
Author: Planner
File No: IC22/192

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 determine a planning application for a proposal for the development of five dwellings and five lot subdivision at 8 Fairway Drive Waldara. The subject land is a prominent large vacant lot with an area of 2148 square metres located at the northern end of the establishing golf course estate.

The proposal includes the construction of five attached double storey dwellings orientated to front Fairway Drive to the north with vehicle access along the southern boundary and a communal open space area at the western end of the subject land.

At the time of writing this report twelve (12) objections have been received. Three (3) letters of support were also received.

The recommendation is to issue a Notice of Decision to Grant a Permit, subject to conditions. A copy of the proposed permit conditions is included at **Attachment 1**. The recommendation is based on a merits assessment of the proposal having regard to the relevant policies, objectives and decision guidelines in the Wangaratta Planning Scheme. A full assessment against the Wangaratta Planning Scheme and consideration of objections is included at **Attachment 2**.

Recommendation:

That Council:

1. Issues a Notice of Decision to Grant a Permit in respect of planning permit application PlnApp21/213, for the Development of Five Dwellings and Five Lot Subdivision, at 8 Fairway Drive Wangaratta (Lot 1 PS 819139), subject to the permit conditions contained in **Attachment 1**.
2. Advises the applicant and submitters of this decision.

Property Details

Land/Address	8 Fairway Drive Waldara VIC 3678
Zones and Overlays	General Residential Zone No overlays
Why is a permit required	Clause 32.08-3 (Subdivision, General Residential Zone) – A planning permit is required for subdivision. Clause 32.08-6 (Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings. General Residential Zone) – A planning permit is required for the development of multiple dwellings on a lot.

Proposal in Detail

The subject land is located at the northern end of the golf course estate in Waldara and is currently vacant. The surrounding area is characterised by the golf course, an establishing residential neighbourhood within the golf course estate and an established low density residential estate on the opposite side of Wangaratta-Yarrowonga Road. The subject land is flat and without vegetation and is generally rectangular in shape with a splay at the northeastern and north western corners. A copy of the Development Plan is included at **Attachment 3**.



Subject site (IntraMaps Aerial Imagery 2019)

The proposal is for the construction of five attached double storey dwellings to be constructed of predominantly brick with a steel roof and cladding also being proposed. All proposed dwellings will have a balcony and pedestrian entrance to each dwelling located on the northern side and fronting Fairway Drive. Vehicle access is located along the southern boundary via a common property driveway providing access to a double garage for each proposed dwelling.

The design of the five dwellings includes a relatively similar floor plan for Units 1, 2, 3 and 4 with Unit 1 being slightly larger and having a fourth bedroom. Units 2, 3 and 4 have three bedrooms. Unit 5 is significantly different in layout and has four bedrooms plus a study.

The proposed subdivision follows the footprint of the buildings of the proposed development but also includes a small area for each lot within the front setback to Fairway Drive and for Unit 5 within the side setback to Fairway Drive. A proposed common property lot includes the shared common property driveway along the southern boundary, visitor car parking space, letter box area and nearby landscaping areas.

A large communal open space area is proposed at the western end of the subject land and is also to be part of the common property lot. A strip of garden along the northern boundary of the subject land is also proposed to be common property.

The area is part of an emerging residential estate previously approved under planning permit PInApp16/092.01. A copy of the endorsed plans for permit PInApp16/092.01 is included at **Attachment 4**.

A copy of the site plan and subdivision plan is included below.



A copy of the elevation (as seen from north of the site from Fairway Drive) is below.



A copy of the elevation (as seen from east of the site from Fairway Drive) is below.



A copy of the elevation (as seen from west of the site from Yarrawonga Road) is below.



Summary of Key Issues

- Consistency with the Planning Policy Framework
- Consistency with Local Planning Policy
- Consistency with design standards for multiple dwellings on a lot
- Consistency with design standards for subdivision
- Consistency with restrictions on title
- Neighbourhood character
- Amenity impacts
- Provision of car parking
- Grounds of objection
- Referral authority responses

Refer to officer's assessment report at **Attachment 2** for a detailed assessment of these and other relevant issues.

Assessment under the Planning and Environment Act

A detailed assessment of the application against the relevant parts of the Wangaratta Planning Scheme and the *Planning and Environment Act 1987* is included in **Attachment 2**.

Section	Clause	Provision
Planning Policy Framework	11.01-1S	Settlement
	11.01-1R	Settlement - Hume
	15.01-1S	Urban design
	15.01-2S	Building design
	15.01-3S	Subdivision design
	15.01-5S	Neighbourhood character
	15.02-1S	Energy and resource efficiency
	16.01-1S 16.01-2S	Housing supply Housing affordability
Local Planning Policy Framework	21.02	Settlement
	21.06	Built environment and heritage
	21.07	Housing
Zones	35.07	General Residential Zone
Overlays	44.06	Nil
Particular Provisions	52.06	Car parking
	52.29	Land adjacent to the principal road network
	55	Two or more dwellings on a lot and residential buildings
	56	Residential subdivision
Decision Guidelines	65.01	Approval of an application or plan
	65.02	Approval of an application to subdivide land

Referrals

Department	Response
APA Group	Consent

Department	Response
AusNet	Conditional consent
North East Water	Conditional consent
Head, Transport for Victoria	Conditional consent

Internal Advice

Department	Response
Technical Services	Conditional consent

Advertising

Public notice was carried out by Council in the form of letters to owners and occupiers in the area. The application was re-advertised because of there been widespread reports that letters had failed to be delivered.

Objections

A total of twelve (12) objections have been received, all of which are considered to be objections to the proposal. Grounds for objection related primarily to concerns about the impact of the proposal on neighbourhood character and amenity and also concerns that the subject land should not be exempt from some of the restrictions on title that apply to other lots in the estate.

In summary, the general grounds for objection are:

- Lack of proper consultation;
- Permit history (i.e. the subdivision permit);
- The proposal being inconsistent with restrictions on title;
- Other expectations are held for this land;
- Neighbourhood character;
- Inappropriate built form;
- Amenity impacts;
- The use of the proposed development;
- Property values;
- Street addressing.

A detailed summary of objections and the officer's response is contained in **Attachment 2**.

The three (3) letters of support all contended that the proposal will make a positive contribution to the neighbourhood character of the estate and will create an attractive entrance to the estate. Some of the submissions in support also complimented the design of the proposal and the inclusion of the communal garden area.

Implications

Policy Considerations

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

Financial Implications

This proposal does not have any immediate impact on Council's financial resources as such. Should the matter be referred to the Victorian Civil and Administrative Tribunal then Council will likely incur costs associated in defending a position on the application.

Legal/Statutory

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

Cultural Heritage

The proposal is not subject to any requirements related to Cultural Heritage.

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.

Economic Impacts

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

Strategic Links

Council Plan 2021 – 2025

This report supports the 2021-2025 Council Plan through the following objectives and actions:

Valuing our Environment

- 3.1.2.2 Support developers to implement Environmentally Sustainable Design (ESD) principles across the municipality.

Growing with Integrity

- 6.1.1.2 Identify opportunities for residential land supply to accommodate future population growth.
- 6.1.2.1 Ensure sufficient land supply is available to accommodate a range of housing options.
- 6.1.2.2 Encourage a variety of lot sizes in new residential estates.
- 6.2.2.2 Provide an efficient and effective permit system that facilitates appropriate growth.

Rural City of Wangaratta 2033 Community Vision

This report supports the 2033 Community Vision through the following objectives:

- L2 Facilitate design and development that creates environmentally supportive impacts.
- AA1 Facilitate attractive long-term residential growth opportunities.
- AA2 Ensure a range of housing options to meet the needs of the community, including affordable housing.
- BB1 Ensure new development is facilitated and does not conflict with existing land uses.
- BB2 Provide an efficient and effective permit system.
- CC1 Ensure decision making upholds a balance between environmental sustainability, the need for development and acknowledges risks to the landscape.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Refuse to Grant a Permit - Applicant appeals decision at VCAT	Moderate	Moderate	Moderate	Representation of Council at VCAT
Notice of Decision to Grant a Permit – Objector/s appeal decision at VCAT	Moderate	Low	Low	Representation of Council at VCAT
Notice of Decision to Grant a Permit – Applicant appeals permit conditions at VCAT	Low	Low	Low	Representation of Council at VCAT

Consultation/Communication

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

Options for Consideration

1. Council issue a Notice of Decision to Grant a Permit subject to conditions (as recommended);
- Or
2. Council issue a Notice of Refusal to Grant a Permit (not recommended).

Conclusion

The proposal is considered an acceptable outcome with regard to neighbourhood character and is otherwise well supported by relevant policy and decision guidelines in the Wangaratta Planning Scheme. It is therefore recommended that the application be supported with appropriate conditions as recommended in **Attachment 1**.

Attachments

- 1 PInApp21/213 - Proposed permit conditions [↓](#) 
- 2 PInApp21/213 - Assessment against the Wangaratta Planning Scheme and consideration of objections [↓](#) 
- 3 PInApp21/213 - Plans [↓](#) 
- 4 Endorsed plans of Planning Permit PInApp16/092.01 [↓](#) 

17. Special Committee Reports

Nil

18. Advisory Committee Reports

Nil

19. Minutes of Advisory Committee Meetings

Nil

20. Notices of Motion

Nil

21. Urgent Business

22. Public Question Time

23. Confidential Business

Nil

24. Closure of Meeting

Attachments



RELATED PARTIES AND INTERESTS POLICY 2017

Responsible Officer: Governance and Risk Advisor	Adoption Date:	September 2017
	Approved By:	Council
Authorising Officer: Director Corporate Services	Review Date:	2021
	Policy Type	Major Council Policy

BACKGROUND

Council's operations are founded on values of community leadership, accountability, integrity, respect, trust and excellence. These ideals underpin Council's behaviours and therefore service delivery. To support this, on all occasions, all actions of Councillors, members of Council's special committees and Council employees shall be undertaken in line with the highest ethical standards and probity.

PURPOSE

The purpose of this policy is to establish the requirements for

- The lodgement of Primary and Ordinary Returns as required by section 81 of the *Local Government Act 1989* (the Act); and
- Compliance with the Australian Accounting Standards Board 124 Related Party Disclosures (AASB 124).

The reason for having to lodge interest returns and make related party disclosures is to ensure public transparency. It also serves as a reminder about obligations to avoid conflicts of interest.

SCOPE

This policy applies to:

- a) Councillors;
- b) Audit Advisory Committee members who are not Councillors, unless exempted by Council; and
- c) Nominated officers of Council comprising Senior Officers of Council and any other staff member of Council nominated by the CEO. The CEO must ensure that any staff member who is authorised to exercise a significant delegation is made a nominated officer for the purpose of lodging returns. Refer to Appendix 4 for nominated officers.

This policy does not apply to non-Councillor members of Special Committees established by Council under Section 86 of the Act, unless otherwise determined by Council.

Council should consider the level of authority granted to the relevant committee when deciding whether to grant or maintain exemptions. Committees with significant powers or where there is scope for significant conflicts of interest in terms of money or property should not be granted exemptions.

An exemption from the duty to lodge a return is not an exemption from the responsibility to disclose a conflict of interest.

Council must review any special committee exemptions in force within the period of 12 months after a general election, including non-Councillor members of the Audit Advisory Committee.

A register of persons to whom this policy applies will be maintained by the CEO.

LEGISLATIVE COMPLIANCE

Legislative requirements are established in:

- Section 81 (Register of interests) of the Act;
- Section 3 (Definitions) of the Act;
- Section 97B (Definition of senior officer remuneration threshold) of the Act; and
- Regulations 6, 7 and 8 of the *Local Government (General) Regulations 2004* (the Regulations).

This policy assists with achievement of compliance with the Australian Accounting Standards Board 124 Related Party Disclosures (AASB 124) which applies to local governments from 1 July 2016.

This policy and supporting processes will ensure adherence to these provisions.

POLICY

Council acknowledges that people who are Councillors, Council officers, members of Council's special committees and nominated officers must lodge interest returns and related party disclosures in which they disclose information about their personal circumstances unless exempted by this policy. This particularly includes information that may give rise to conflicts of interest in certain circumstances.

These requirements will assist with the demonstration of accountability whilst undertaking Council business and will ensure transparency to the community and as a result enhance community trust and confidence in Council.

PRIMARY AND ORDINARY RETURNS

Two types of interest returns are required to be lodged under the Act. These are:

- **Primary returns**, which must be lodged after taking office or commencing in a specified role; and
- **Ordinary returns**, which must be lodged twice yearly while holding office or occupying the role.

Primary return – disclosures

Section 81(6) of the Act describes the information that must be disclosed in a Primary Return. This is information that is current on the date that the return is lodged.

The return must be provided on the prescribed form shown at Appendix 1.

All questions on the form must be answered. If there is nothing to disclose, indicate that fact by writing “*nil*” or “*nothing to disclose*” in the relevant space.

a) Offices

The name of any company or other body in which any office as a director or otherwise is held must be disclosed. This includes:

- Directorships of corporations;
- Positions on boards or committees of charitable or community organisations, and sporting or social organisations;
- Positions on boards or committees to which the person was appointed by the Council; and
- Offices held as an employee of a company, government agency or other body.

For each of the offices held, the name of the company or body must be disclosed.

b) Shares

The name of any company or body in which a beneficial interest, in shares or in any other form, is held must be disclosed:

- It does not include shareholdings not exceeding \$10,000 in value where the total value of the shares issued by the company exceeds \$10 million;
- It does include interests of any value held in a company or body that has not issued shares or whose total share issue is valued at \$10 million or less, including proprietary companies;
- It does not include shares held by members of the family of the unless they are held in trust and you are the beneficiary; and
- Only the name of the company or body must be disclosed, not the value of the interest.

c) Land

The address or description of any land in which a beneficial interest is held that is in the municipal district or in an adjoining municipal district:

- This includes land owned by the person;
- It also includes land owned by the person together with anyone else;
- It includes land owned by the person that is mortgaged; and
- It includes land in neighbouring Council areas; but
- It does not include land held as security for a debt.

d) Trusts

A concise description of any trust where:

- A beneficial interest is held; or
- The person is the trustee for a member of their family who has a beneficial interest (see Definitions).

e) Other interests

Any other substantial interests, of the person or the person's family (see Definitions) which the person thinks may appear to raise a material conflict between their private interest and their public duty. This may include:

- A recent gift or donation valued at \$200 or more that the person or a member of the person's family has received from a person or organisation that has, or is likely to have, significant dealings with the Council;
- Responsibilities as a partner, agent, consultant, contractor or employee for a person or organisation that has, or is likely to have, significant dealings with the Council; or
- Civil proceedings in which the person is, or has recently been, a party which relates to a matter that is likely to require a Council decision.

f) Signature and Witness

A primary return must be signed by the person lodging the return and their signature must be witnessed. It should be noted that the witness is witnessing the signature, not attesting to the accuracy of the return.

Ordinary return – disclosures

Section 81(7) of the Act describes the information that must be disclosed in an ordinary return. It includes information about personal interests during the "return period", which is the period since the last primary or ordinary return. It is important that all relevant interests held during the return period are disclosed, even if they are no longer held.

The return must be provided on the prescribed form shown at Appendix 2.

All questions on the form must be answered. If there is nothing to disclose, indicate that fact by writing "nil" or "nothing to disclose" in the relevant space.

a) Offices

The name of any company or other body in which any office as a director or otherwise is held must be disclosed. This includes:

- Directorships of corporations;
- Positions on boards or committees of charitable or community organisations, and sporting or social organisations;
- Positions on boards or committees to which the person was appointed by the Council; and
- Offices held as an employee of a company, government agency or other body.

For each of the offices held, the name of the company or body must be disclosed.

b) Shares

The name of any company or body in which a beneficial interest, in shares or in any other form, is held must be disclosed:

- It does not include shareholdings not exceeding \$10,000 in value where the total value of the shares issued by the company exceeds \$10 million;
- It does include interests of any value held in a company or body that has not issued shares or whose total share issue is valued at \$10 million or less, including proprietary companies;
- It does not include shares held by members of the family of the unless they are held in trust and you are the beneficiary; and
- Only the name of the company or body must be disclosed, not the value of the interest.

c) Land

The address or description of any land in which a beneficial interest is held that is in the municipal district or in an adjoining municipal district:

- This includes land owned by the person;
- It also includes land owned by the person together with anyone else;
- It includes land owned by the person that is mortgaged; and
- It includes land in neighbouring Council areas; but
- It does not include land held as security for a debt.

d) Trusts

A concise description of any trust where:

- A beneficial interest is held; or
- The person is the trustee for a member of their family who has a beneficial interest (see Definitions).

e) Gifts

An ordinary return must include a record of all gifts valued at \$200 or more received directly or indirectly during the disclosure period, but does not include gifts from relatives (see Definitions).

Gifts will include any election campaign donations that have been received during the disclosure period. This is in addition to disclosures of campaign donation returns under section 62 of the Act.

f) Other interests

Any other substantial interests, of the person or the person's family (see Definitions) which the person thinks may appear to raise a material conflict between their private interest and their public duty. This may include:

- Responsibilities as a partner, agent, consultant, contractor or employee for a person or organisation that has, or is likely to have, significant dealings with the Council; or
- Civil proceedings in which the person is, or has recently been, a party which relates to a matter that is likely to require a Council decision.

g) Signature and Witness

An ordinary return must be signed by the person lodging the return and their signature must be witnessed. It should be noted that the witness is witnessing the signature, not attesting to the accuracy of the return.

Lodging Returns

All returns must be lodged at the proper times. A return must not be lodged before the due date or after the end of the specified period.

The legal responsibility to lodge an accurate return always rests with the relevant Councillor, committee member or nominated officer and not with staff administering the process.

Councillors Lodging Returns

For a Councillor, a **primary return** must be lodged within 30 days after the Election Day.

- If the taking of the oath of office is delayed, a primary return may be lodged within seven days after taking the Oath.
- It is not necessary for a Councillor to lodge a primary return if re-elected for a following term of office, but it is required in the event that a Councillor's terms of office are not contiguous.

An **ordinary return** must be lodged with the CEO two times each year for as long as a person remains a Councillor.

An ordinary return must be lodged each year:

- Between 30 June and 9 August; and
- Between 31 December and 9 February.

Audit Advisory Committee Members Lodging Returns

For an Audit Advisory Committee member, unless exempted by Council, a **primary return** must be lodged within 30 days of becoming a member.

- This will normally be within 30 days of the Council decision to establish the Audit Advisory committee or to appoint the person to the committee.
- A primary return is not required when a person is reappointed to the Audit Advisory committee and where the memberships are contiguous.

An **ordinary return** must be lodged with the CEO two times each year for as long as a person remains a member of the Audit Advisory Committee, unless exempted by Council.

An ordinary return must be lodged each year:

- Between 30 June and 9 August; and
- Between 31 December and 9 February.

Special Committee Members Lodging Returns

For a special committee member, unless exempted by Council, a **primary return** must be lodged within 30 days after becoming a member of the relevant committee.

- This will normally be within 30 days of the Council decision to establish the committee or to appoint the person to the committee.
- A primary return is not required when a person is reappointed to a special committee and where the memberships are contiguous.

An **ordinary return** must be lodged with the CEO two times each year for as long as a person remains a member of a special committee, unless exempted by Council.

An ordinary return must be lodged each year:

- Between 30 June and 9 August; and
- Between 31 December and 9 February.

Nominated Members of Council Staff Lodging Returns

For a nominated member of Council staff, a **primary return** must be lodged within 30 days of becoming a nominated officer. This will be within 30 days of whichever of the following applies:

- An appointment or promotion to a senior officer position;
- Becoming a senior officer as a result of a reclassification or increase in remuneration; or
- When the CEO designates the staff member as a “nominated officer” for the purpose of lodging returns.

An **ordinary return** must be lodged with the CEO two times each year for as long as a person remains a nominated officer for the purpose of returns.

An ordinary return must be lodged each year:

- Between 30 June and 9 August; and
- Between 31 December and 9 February.

Receipt of returns

The following arrangements for the receipt and recording of returns apply.

Officer Delegated to Receive Returns

The CEO has delegated the authority to receive returns and undertake the administrative tasks of this policy to the Executive Assistant reporting to the Director allocated responsibility for Council governance matters.

Councillors, committee members (unless exempted) and nominated officers will be advised of this delegation.

Register of Persons Required to Lodge Returns

An up to date register of everyone who is required to lodge returns will be maintained.

All Councillors, committee members (unless exempted) and nominated officers will be sent reminders when returns are due.

Dealing with Lodged Returns

Each return will be dated and initialled upon receipt.

A written record of every return as it is lodged will be kept.

A written receipt will be provided to each person who lodges a return.

Managing records

Records of interest returns must be managed responsibly and in accordance with section 81 of the Act. This involves three stages:

- Including them in the register of interests;
- Retaining them for a designated period; and
- Finally destroying them.

Register of Interests

The CEO must maintain a register of interests. This includes the last three returns lodged by each person.

When a person ceases to be a Councillor, special committee member or nominated officer, their returns are removed from the register.

Retention of Returns

After returns are removed from the register:

- They must be retained for as long as the person remains a Councillor, special committee member or a nominated officer;
- After the person ceases to be a Councillor, special committee member or a nominated officer, the returns must still be retained for a period of three years; and
- After that period of three years has expired the returns must be destroyed.

Failure to Lodge Returns

A failure to lodge a primary or ordinary return, or to make the required disclosures in a return, is an offence that can lead to an investigation by an inspector of municipal administration and possibly to Court action. This may apply to a Councillor, a nominated officer or a member of a special committee.

In addition:

- A Councillor who fails to lodge a correct return may be required to defend his or her actions at a Councillor Conduct Panel or VCAT and may be disqualified or suspended; and
- A member of Council staff who fails to lodge a correct return may be subject to disciplinary action as an employee.

Public Access

The Act provides a process whereby anyone can inspect the register of interests.

A person who wishes to inspect the register must apply to do so, in writing to the CEO indicating which person's records they wish to inspect. The request must be provided on the prescribed form shown at Appendix 3.

The CEO cannot refuse a person who has made a request in the required manner.

An inspection may be made at the Council office during normal office hours and, for practical reasons, may require a prior appointment. A person who inspects the record may make a written record of the details in a return, but there is no entitlement for a person to take a photocopy of a return.

The CEO must keep a record of the names of people who inspect the register and a Councillor, committee member or nominated officer is entitled to inspect the list of names of people who have inspected their personal records.

A person must not publish information derived from the register unless the information is a fair and accurate summary or copy of the information.

A Council employee may not make a record of, divulge or communicate information gained in relation to anyone's interest returns other than in the proper discharge of his or her duties. Failure to comply can result in prosecution.

RELATED PARTY DISCLOSURES FOR KEY MANAGEMENT PERSONNEL

For periods commencing on 1 July 2016 the requirements AASB 124 will apply to financial statements prepared by Council.

Related Parties

Related parties include:

1. Entities related to council;
2. Key Management Personnel (KMP);
3. Close family members of Key Management Personnel; and
4. Entities that are controlled or jointly controlled by either 2 or 3 above.

Entities related to council

This classification includes any entity that is either controlled, jointly controlled or which Council has significant influence over. In determining whether an entity is related to Council the criteria outlined in AASB 10 Consolidated Financial Statements (AASB 10), AASB 11 Joint Arrangements (AASB 11) and AASB 128 Investments in Associates and Joint Ventures (AASB 128) will be applied.

Key Management Personnel

AASB 124 defines KMP as those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

For the purposes of AASB 124 as they relate to Council KMP include:

- Councillors;
- Chief Executive Officer;
- Nominated officers of Council comprising Senior Officers of Council and any other staff member of Council nominated by the CEO. The CEO must ensure that any staff member who is authorised to exercise a significant delegation is made a nominated officer for the purpose of lodging returns. Refer to Appendix 4 for nominated officers.

Close Family Member of a Member of KMP

A family member of a KMP, who may be expected to influence or be influenced by that KMP, is also a related party to a council. These individuals are referred to as Close Family Members.

Close Family members include:

- A KMP's children and spouse or domestic partner;
- Children of a KMP's spouse or domestic partner; and
- Dependants of a KMP or that person's spouse or domestic partner.

Note that the above list is not exhaustive and that other, more distant family members would meet the definition of a related party (of council) if it is reasonable to expect that they may influence or be influenced by the KMP. In many cases this could be expected to capture the parents, siblings and other relatives of the KMP.

Council will critically review disclosures of related parties by KMP and, where uncertainty exists, make appropriate enquiries of KMP to satisfy themselves of the completeness of information provided.

Entities Controlled or Jointly Controlled By A KMP or Their Close Family Members

Any entity, regardless of legal form or purpose, which is controlled or jointly controlled by a KMP or Close Family Member of a KMP is a related party (of council). The control and joint control criteria detailed in AASB 10 and AASB 11 will be applied in determining whether an entity is a related party of council.

Entities are not limited to corporate or business activities and can include clubs, associations and sporting groups. Careful consideration will need to be given to other positions held by KMP and their close family members to determine if they have the ability to control or jointly control the entity (business, club, association, etc.).

Membership of a governing board of a club or association by a KMP or close family member of a KMP would not in itself be evidence of control or joint control of that club. It would need to be demonstrated that the KMP (or close family member) had the ability to control, or jointly control the club or association prior to concluding it was a related party of council.

Importantly, this test is not equivalent to the existence of an interest in a club or association. The employment of a KMP or close family member of a KMP by an entity that transacts with council does not in itself result in those transactions meeting the definition of a related party transaction. For this to occur the KMP (or close family member) needs to be employed in a position that has control or joint control of the entity.

Disclosure Requirements – Related Parties

All KMP are required to provide a six monthly declaration identifying:

- Close family members;
- Entities controlled or jointly controlled by a KMP; and
- Entities controlled or jointly controlled by a KMP's close family members.

The declaration shall be made in the form of the Related Party Disclosure Declaration Form provided at Appendix 5.

The timing of the declaration shall coincide with the timing required for primary and secondary interests returns.

DEFINITIONS

the Act	<i>Local Government Act 1989.</i>
Chief Executive Officer (CEO)	Chief Executive Officer of the Rural City of Wangaratta.
Conflict of Interest	Means any private or personal interest, which could prejudicially influence, or be perceived to influence, a person in the performance of his or her public or professional duties (refer <i>Local Government Act, 1989</i> for a comprehensive definition).
Council	Section 5(1) of the <i>Local Government Act 1989</i> defines a council in the following way: "A Council consists of its Councillors, who are the representatives, elected in accordance with this Act, of persons who are residents in the Council's municipal district or ratepayers of the Council." In this case Council refers to the Rural City of Wangaratta.
Council employee	Any person employed directly by Council, including the Chief Executive Officer, and any person engaged as a short term employee or a contractor undertaking duties on behalf of Council.
Councillor	Means an elected person who holds the office of member of the Council.

Family	<p>For the purpose of primary and ordinary returns, a member or the person's "family" is defined to include:</p> <ul style="list-style-type: none"> • The person's spouse or domestic partner; and • Any child of the person under 18 years of age who normally resides with the person.
Gift	<p>Means any disposition of property otherwise than by will made by a person to another person without consideration in money or money's worth or with inadequate consideration, including:</p> <ul style="list-style-type: none"> • The provision of a service (other than volunteer labour); and • The payment of an amount in respect of a guarantee; and • The making of a payment or contribution at a fundraising function. <p>For the purposes of this policy, this definition includes:</p> <ul style="list-style-type: none"> • Generally all goods or services intended for a specific person; • Hospitality, including meals, entertainment and accommodation other than attendance in an official capacity on behalf of Council; • Travel; • Items which can be regarded as mementoes, such as ties, cuff-links, pens, stationery and the like; • Campaign donations; • Tickets to functions or events that invite a named person; • 'Season' tickets or a book of tickets that may or may not be used in full; • Transfer or gift of money or vouchers; • The transfer of property of a presentational or charitable nature or otherwise; • The provision of services or goods free of charge or at a reduced or discounted rate not generally publicly available; • Loans of money in capacity of Council employee or Councillor; and • The sale of virtual property with a sale price below proper valuation.
Hospitality	<p>The provision of food or beverages, travel, accommodation or entertainment offered to convey goodwill on behalf of the giver.</p>
Register of Interest Returns	<p>These are completed by nominated officers, Councillors, and members of special committees to declare any interests they may have (e.g. property owned, gifts over \$500 received) as required by the <i>Local Government Act 1989</i>. The Primary return is completed initially, followed by Ordinary returns twice yearly.</p>

Relative	<p>Relative” is defined in the Act for conflict of interest purposes. It includes a person who is a direct relative or a person who is a direct relative of a direct relative.</p> <p>A “direct relative”, is defined to be a person who is a person’s:</p> <ul style="list-style-type: none"> • Mother or father; • Brother or sister; • Son or daughter; or • Spouse or domestic partner. <p>In very broad terms, a person is a “relative” for the purpose of an ordinary return if they are once or twice removed from a person by blood or marriage.</p>
the Regulations	<i>Local Government (General) Regulations 2004</i>
Senior Officer	<p>Means:</p> <ol style="list-style-type: none"> a) The Chief Executive Officer; b) A member of Council Staff who has management responsibilities and reports directly to the Chief Executive Officer; and c) Any other member of Council staff whose total remuneration exceeds \$130,000 or a higher threshold amount specified by the Minister in accordance with section 97B of the Act.
Special Committee	A special committee of the Council with delegated Council powers, duties or functions under the Local Government Act or any other Act, including the Planning and Environment Act 1987.

REFERENCES

Local Government Act 1989

Local Government (General) Regulations 2014

Register of Interests Guide - Primary and Ordinary Returns - Local Government Victoria 2009

REVIEW

Any change or update which materially impacts and alters this policy must be by Council approval following review by the Corporate Management Team. This policy will be reviewed in 2021 or earlier if there has been a material change to any relevant laws.

Appendix 1

REGISTER OF INTERESTS

Local Government Act 1989, Sections 81 (2) and 81 (4)

Local Government (General) Regulations 2004, Regulation 6

Primary Return

Notes - Please Read:

- (1) Interests which you are required to register are prescribed in Section 81(6) of the **Local Government Act 1989**.
- (2) If there is not sufficient space on this form for all of the information you are required to register, you may attach additional papers for that purpose. Each paper is to be signed, dated and witnessed in the same manner as this return.
- (3) Answer all questions and ensure your answers are clear and legible.

PERSON COMPLETING RETURN

.....
 (Family name) (Given names)

Name of Council:

Name of Ward (if applicable):

Position Held:

Details of Registrable Interests you have held as at the date of this return:

- 1. The name of any company or other body in which you hold any office whether as director or otherwise.

.....

- 2. The name or description of any company or body in which you hold a beneficial interest unless the total value of the interest does not exceed \$10,000 and the total value of issued shares of the company or body exceeds \$10 million.

.....

- 3. The address or description of any land in the municipal district of the Council or in a municipal district which adjoins that municipal district in which you have any beneficial interest other than by way of security for any debt.

.....

.../2

- 4. A concise description of any trust in which you hold a beneficial interest or of which you are a trustee and a member of your family* holds a beneficial interest.

.....

- 5. Any other substantial interest (whether of a pecuniary nature or not) held by you or a member of your family of which you are aware and which you consider might appear to raise a material conflict between your private interest and your public duty as a Councillor, member of a special committee or nominated officer.

.....

Signature of Person making return:

Signature of Witness:..... Date:

* A reference to **family** has the same meaning as **family member** has in Section 78 of the Act.

.....
 CHIEF EXECUTIVE OFFICER

.....
 DATE

Appendix 2

REGISTER OF INTERESTS

Local Government Act 1989, Section 81(5)

Local Government (General) Regulations 2004, Regulation 7

Ordinary Return

Notes - Please Read:

- (1) Interests which you are required to register are prescribed in Section 81(7) of the **Local Government Act 1989**.
- (2) If there is not sufficient space on this form for all of the information you are required to register, you may attach additional papers for that purpose. Each paper is to be signed, dated and witnessed in the same manner as this return.
- (3) Answer all questions and ensure your answers are clear and legible.

PERSON COMPLETING RETURN

.....
 (Family name) (Given names)

Name of Council:

Name of Ward (if applicable):

Position Held:

Details of Registrable Interests held during the return period *:

1. The name of any company or other body corporate or unincorporate in which you held an office as director or otherwise.

2. The name or description of any company or body in which you hold or have held a beneficial interest unless the total value of the interest does or did not exceed \$10,000 and the total value of issued shares of the company or body exceeds \$10 million.

3. The address or description of any land in the municipal district of the Council or in a municipal district which adjoins that municipal district in which you held any beneficial interest other than by way of security for any debt.

.../2

4. A concise description of any trust in which you held a beneficial interest or of which you are a trustee and in which a member of your family** held a beneficial interest.

.....
.....

5. Particulars of any gift of or above the amount of value of \$500 received by you, either directly or indirectly, other than:

- a gift received from a person who is a relative *** of yours; or
- a gift received as hospitality at an event or function you attended in an official capacity as - the Mayor, a Councillor, or a member of Council staff or a member of a special committee.

.....
.....

6. Any other substantial interest (whether of a pecuniary nature or not) held by you or a member of your family of which you are aware and which you consider might appear to raise a material conflict between your private interest and your public duty as a Councillor, member of a special committee or nominated officer.

.....
.....
.....

Signature of Person making return: Date:

Signature of Witness..... Name of Witness:

* A reference to **return period** has the same meaning as **return period** has in section 81 of the Act.

** A reference to **family** has the same meaning as **family member** has in Section 78 of the Act.

*** A reference to **relative** has the same meaning as **relative** has in Section 78 of the Act.

.....
CHIEF EXECUTIVE OFFICER

.....
DATE

Appendix 3

APPLICATION TO INSPECT REGISTER OF INTERESTS

Local Government Act 1989, Section 81(10)

Local Government (General) Regulations 2004, Regulation 8

Notes - Please Read:

- (1) A person who wishes to inspect the register must apply to do so, in writing to the CEO indicating which person's records they wish to inspect.
- (2) An inspection may be made at the Council office during normal office hours and, for practical reasons, may require a prior appointment.
- (3) A person who inspects the record may make a written record of the details in a return, but there is no entitlement for a person to take a photocopy of a return.
- (4) The CEO must keep a record of the names of people who inspect the register and a Councillor, committee member or nominated officer is entitled to inspect the list of names of people who have inspected their personal records.
- (5) A person must not publish information derived from the register unless the information is a fair and accurate summary or copy of the information.
- (6) If there is not sufficient space on this form for all of the information you are required to supply, you may attach additional papers for that purpose.
- (7) Answer all questions and ensure your answers are clear and legible.

PERSON APPLYING TO INSPECT REGISTER OF INTERESTS

.....
 (Family name) (Given names)

.....
 (Address)

.....
 (Telephone number - for contact)

I, the undersigned, apply under section 81(10) of the Local Government Act 1989 to the

Name of Council:

to inspect the register of interests maintained under section 81 of the Act relating to:

.....

.....
 (Name(s) of person(s) whose return(s) is/are to be inspected)

.....
 (Signature of applicant) (Date)

Appendix 4

CEO NOMINATED OFFICERS

- Coordinator – Technical Services
- Coordinator – Delivery & Contracts
- Coordinator – Planning
- Governance & Risk Advisor
- Municipal Building Surveyor
- Members of Council's Senior Management Team

Appendix 5

Related Party Disclosure Declaration Form

Key Management Personnel (KMP) Name: _____

Position of KMP: _____ from: ___/___/___ to: ___/___/___

Please read the Related Parties and Interests Policy and Local Government – Accounting for Related Party Disclosures – FG-3 Local Government Victoria (DM10716292) which explain what related party transactions are and the purpose for which Council is collecting, using and disclosing the information provided by you in this declaration form.

Name (Individual / Entity) ¹	Nature of Relationship	Nature of Transactions ²	Additional Comments

I declare that the above information includes all my close family members and the entities controlled, or jointly controlled, by myself or my close family members. I make this declaration after reading the Related Parties and Interests Policy and Local Government – Accounting for Related Party Disclosures – FG-3 Local Government Victoria (DM10716292). I understand the information will be relied upon to prepare Council’s disclosure in its Annual Report.

Name of KMP: _____

Signature of KMP: _____

Date: _____

¹ **Name:** List details of close family members, entities you control or jointly control and entities they control or jointly control

² **Nature of Transactions:** If there are no transactions with Council, please still list names and state “Nil” or “Unknown” in this column

Rural City of Wangaratta	21/22 Adopted Budget	21/22 Adopted 01 Full Year Forecast	21/22 Year Forecast	Projected Full Year to Budget Variance	Commitments	21/22 YTD Actual	21/22 YTD Budget	YTD Variance Fav/(Unfav)	YTD Variance Fav/(Unfav)	Ref
Income Statement for the period ending 31st January 2022										
	\$	\$	\$	\$	\$	\$	\$	\$	%	
Income										
Rates and charges	36,782,616	36,841,445	36,866,171	24,726	0	36,810,442	36,791,686	18,756	0%	
Statutory fees and fines	1,263,608	1,284,649	1,443,999	159,350	0	786,121	713,584	72,537	10%	1
User fees	11,948,895	11,064,015	10,905,828	(158,187)	28,060	5,757,321	6,040,407	(283,086)	(5%)	2
Contributions - cash	174,000	406,800	375,400	(31,400)	0	296,118	296,968	(851)	(0%)	
Contributions - non-monetary	1,700,000	1,700,000	1,700,000	0	0	0	0	0	0%	
Grants - Operating	17,722,680	19,345,950	20,276,544	930,593	0	8,405,579	10,088,477	(1,682,898)	(17%)	3
Grants - Capital	10,207,477	11,734,065	12,366,732	632,667	(0)	5,610,348	4,249,349	1,360,999	32%	4
Reimbursements	129,500	230,937	234,599	3,662	0	61,753	63,938	(2,185)	(3%)	
Other revenue	162,923	174,187	252,953	78,766	16,486	173,551	115,093	58,458	51%	5
Net gain/(loss) on sale/disposal of property, infrastructure	182,830	182,830	182,830	0	(3,007)	(321,210)	(247,236)	(73,974)	(30%)	6
Total Income	80,274,529	82,964,878	84,605,055	1,640,177	41,539	57,580,022	58,112,266	(532,244)	(1%)	
Expenses										
Employee benefits	28,778,369	28,909,677	28,733,685	175,993	67,973	15,723,679	16,327,623	603,944	4%	7
Materials and services	22,840,592	24,868,509	25,948,277	(1,079,769)	1,755,709	13,805,686	13,050,404	(755,282)	(6%)	8
Depreciation and amortisation	17,355,000	17,355,000	18,880,000	(1,525,000)	0	12,144,585	10,759,649	(1,384,936)	(13%)	9
Finance costs	692,850	692,850	692,850	0	43,187	410,837	408,683	(2,154)	(1%)	
Other expenses	435,777	658,377	2,823,081	(2,164,704)	226,228	790,672	255,752	(534,920)	(209%)	10
Total Expenses	70,102,588	72,484,413	76,877,893	(4,393,480)	2,093,097	42,875,459	40,802,111	2,073,348	5%	
Surplus / (deficit) for the year	10,171,941	10,480,465	7,727,163	(2,753,303)	(2,051,558)	14,704,563	17,310,155	(2,605,592)	(15%)	
Adjusted Underlying Operating Position										
Grants - Capital (non-recurrent)	8,593,432	10,120,020	10,812,687	692,667	(0)	5,169,995	4,238,787	931,208	22%	
Contributions - cash	50,000	50,000	0	(50,000)	0	5,000	0	5,000	0%	
Contributions - non-monetary	1,700,000	1,700,000	1,700,000	0	0	0	0	0	0%	
Total Adjustments	10,343,432	11,870,020	12,512,687	642,667	(0)	5,174,995	4,238,787	936,208	22%	
Adjusted Underlying Operating Surplus/(deficit) for the year	(171,491)	(1,389,555)	(4,785,524)	(3,395,970)	(2,051,558)	9,529,568	13,071,368	(3,541,800)	(27%)	

Notes

Councils Quarter 2 Forecast Review compares year to date performance to the endorsed Quarter 1 Forecast Review and provides a revised full year forecast position based on factors including additional grant funding and changes to business conditions.

The Quarter 2 Forecast Review projects a decrease to Council's accounting surplus of \$2.75m. This is largely influenced by the impact of revised depreciation and other expenses forecasts. The depreciation forecast has increased following the revaluation of Council's infrastructure assets in 2021. Other expenses has increased due to the identification of completed capital works projects (mostly from 2021) with components that do not meet the asset recognition criteria and therefore need to be expensed. This type of expenditure would previously have been identified at year end and therefore not included in a budget forecast. Council have improved their asset accounting processes which results in earlier identification of such impact.

When income relating to capital is deducted from the surplus to calculate Council's true operating position, the Quarter 1 Forecast result was a \$1.39m adjusted underlying deficit. The Quarter 2 Forecast now projects a \$4.76m adjusted underlying deficit, a \$3.40m difference. Depreciation and asset write offs (further detailed below) account for \$3.49m unfavourable movement, with \$94k net favourable movement occurring over the remainder of the income statement.

1. Statutory Fees and Fines
Favourable year to date variance of \$73k or 10% largely due to favourable issue of compliance infringements and planning permits. This is reflected in the adjusted full year forecast, with an additional \$100k of Parking Compliance income, \$52k of Planning fees and \$10k of Animal Management Infringements expected to be received compared to the Q1 Forecast.

2. User Fees
Unfavourable year to date variance of \$283k or 5%. This is largely due to unfavourable year to date user fee income for WSAC \$162k, Cemetery \$50k, Parking \$53k, Home Care \$53k and Family Day Care \$44k, but is offset by favourable Transfer Station receipts of \$33k and Building Permits \$21k.
The projected full year forecast for user fees has decreased by \$158k to \$10.91m. This unfavourable projected forecast is due to the continued impacts of COVID on the operation of the WSAC facility \$153k, reduced utilisation of Family Day Care \$115k and reduced Parking Meter income \$50k, offset partially by a projected increase to Leasing and Licencing \$56k, Building and Swimming Pool Permits \$45k and Home Care \$51k.

3. Grants - Operating
Unfavourable year to date variance of \$1.68m or 17% largely due to the timing of receipt of Home Care and Community Care funding \$2.08m, which is anticipated to be a timing difference only, as the full year forecast for funding of these programs has increased by \$450k reflective of new clients and the utilisation of unspent funds carried forward for existing clients. This unfavourable year to date variance is offset by favourable timing differences relating to grant funding for the Grit and Resilience Program \$140k, Bushfire Resilience Funding \$94k, Business Concierge Program \$60k and Kerbside Reform \$54k.
Permanent differences arising that result in a forecast adjustment in addition to Home Care and Community Care already noted include additional grant funding for the Gun Club Rehabilitation \$140k, new grant funding awarded for COVID Safe Outdoor Activation \$115k, Maternal & Child Health \$80k, COVID Business Concierge \$50k and Australia Day \$30k. A correction to a forecast error at Quarter 1 also results in a \$271k favourable movement to Operating Grants.
Unfavourable forecast adjustments have been made for Family Day Care due to reduced utilisation \$141k and Grit and Resilience \$53k due to rephasing of income, with the program spanning multiple years.

4. Grants - Capital
Capital Grants year to date actual is \$1.36m or 32% favourable to year to date adopted position. Timing of receipt of capital funding is the main cause of this variance, however award of additional grant funding is reflected in the full year forecast adjustment, including new funding of \$460k for the COVID Safe Outdoor Activation Program, \$122k for Aerodrome Wildlife Fencing and \$40k for the Myrthee Memorial Hall Facilities Upgrade.

5. Other Revenue
Favourable year to date variance of \$58k or 51% largely due to unbudgeted fuel tax rebates. The projected full year forecast has increased by \$79k due to more favourable investment conditions.

6. Net Gain/(Loss) on Sale/Disposal of Property, Infrastructure & Plant
Unfavourable year to date variance of \$74k or 30% due to uncertainty around the timing of disposals throughout the financial year. While a permanent difference is not yet indicated, this will continue to be monitored over the course of the year.

7. Employee Benefits
Favourable year to date variance of \$60k or 4%, largely due to the impact of vacancies in teams. Vacancies and under utilisation of paid parental leave resulted in total favourable forecast adjustment of \$87k, which includes programs such as WSAC, Executive Leadership and Support, Family Day Care and Economic Development. This favourable adjustment was however largely offset by increases to employee costs totalling \$697k required due to changed operating conditions, including Aged and Community Care \$217k (funded), Long Day Care \$284k due to additional staffing required to backfill for isolation, and other minor adjustments, resulting in net movement of favourable \$175k to projected full year employee costs.

8. Materials and Services
Year to date position is \$75k or 6% greater than year to date budget. Unfavourable year to date variances include ICT Strategy \$17k, Facilities and Maintenance \$371k, plant operating expenditure \$208k, EPA Levy \$171k, Ovens and Murray Multicultural Regional Partnership \$150k, Start Up Shake Up \$82k, favourable Asset Data Collection \$150k, Gun Club Rehabilitation \$106k and Training \$111k.
The full year forecast variance of \$1.08m is impacted by additional works required for the Gun Club Rehabilitation of \$140k which will be funded by DELWP, and other grant funding obligations including COVID Safe Outdoor Activation \$115k, Australia Day \$30k, Ovens and Murray Regional Partnership \$150k and Community Activation and Social Isolation Initiative \$38k. Budget increases for Plant and Fleet operating expenses \$382k, Home Care and Community Care \$174k, WSAC Operations and Maintenance \$88k, Drainage \$81k, Unsealed Roads \$79k, Governance Management \$57k are projected as a result of changes to operating conditions. There forecast increases are offset by savings identified Family Day Care Providers \$141k, People and Culture \$74k, Printing and Stationary \$55k and Sealed Roads \$25k. A review of all budgets has occurred by Managers, resulting in other individually immaterial adjustments.

9. Depreciation
A review of the depreciation forecast and asset useful lives has been undertaken, resulting in an increase to the full year forecast of \$1.325m.

10. Other Expenses
Other expenses includes the write off of assets that can occur through the capitalisation process, as works are identified as not having been completed on Council assets. Part of the \$535k or 209% year to date variance is due to unbudgeted asset write offs undertaken year to date \$316k. An assessment of pending capitalisations has been undertaken, resulting in \$2.12m of works in progress identified to be written off, as reflected in the full year forecast adjustment. This largely relates to utilities works undertaken as part of the Railway Precinct project, for which Council received cash contributions from the responsible authorities. The balance of the year to date variance is largely due to the timing of the MAV WorkCare wind up costs incurred by Council \$230k.

Rural City of Wangaratta	30 June 2021	31 December 2021	31st January 2022	Variance Fav/(Unfav)	Variance Fav/(Unfav)	Ref
	A	B	C	C - B	%	
Balance Sheet as at 31st January 2022	\$	\$	\$	\$	%	
Assets						
Current assets						
Cash and cash equivalents	45,524,307	42,545,941	40,641,061	(1,904,880)	(4%)	1
Rate receivables	1,184,729	17,750,379	17,072,851	(677,528)	(4%)	2
Other receivables - current	4,330,292	4,640,504	3,453,408	(1,187,096)	(26%)	3
Inventories	1,632	(379)	4,247	4,627	1220%	
Assets held for sale	1,658,514	1,658,514	1,658,514	0	0%	
Other assets - current	1,177,535	684,249	902,874	218,625	32%	4
Total Current assets	53,877,010	67,279,209	63,732,957	(3,546,252)	(5%)	
Non-current assets						
Financial assets non-current	254,040	254,040	254,040	0	0%	
Property, plant and equipment anc	646,134,717	642,413,630	640,711,686	(1,701,943)	(0%)	
Book collection	635,980	716,272	701,988	(14,284)	(2%)	
Intangible Assets - Landfill	2,561,598	2,561,598	2,561,598	0	0%	
Right of Use Assets	708,327	586,246	565,678	(20,568)	(4%)	
Total Non-current assets	650,294,663	646,531,786	644,794,991	(1,736,795)	(0%)	
Total Assets	704,171,673	713,810,995	708,527,948	(5,283,047)	(1%)	
Liabilities						
Current liabilities						
Payables - current	19,832,952	6,448,328	8,933,578	(2,485,250)	(39%)	5
Trust funds and deposits	2,005,107	3,830,003	3,831,859	(1,856)	(0%)	
Provisions - current	6,360,718	6,556,893	6,853,471	(296,579)	(5%)	6
Interest bearing loans and borrowi	2,688,458	1,699,674	1,699,674	0	0%	
Lease liabilities - current	239,952	119,976	99,980	19,996	17%	
Total Current liabilities	31,127,188	18,654,873	21,418,562	2,763,689	15%	
Non-current liabilities						
Provisions non-current	21,824,772	21,185,109	21,185,109	0	0%	
Interest bearing loans and borrowi	29,377,674	29,377,674	29,377,674	0	0%	
Lease liabilities - non-current	485,413	485,413	485,413	0	0%	
Total Non-current liabilities	51,687,859	51,048,196	51,048,196	0	0%	
Total liabilities	82,815,046	69,703,069	72,466,758	2,763,689	4%	
Net assets	621,356,627	644,107,926	636,061,190	(8,046,736)	(1%)	
Equity						
Accumulated surplus	174,222,165	179,122,093	179,122,093	0	0%	
Other reserves	22,382,396	22,382,396	22,382,396	0	0%	
Asset revaluation reserve	419,852,138	419,852,138	419,852,138	0	0%	
Accumulated surplus - current year	4,899,927	22,751,299	14,704,563	(8,046,736)		
Total Equity	621,356,627	644,107,926	636,061,190	(8,046,736)	(1%)	

Notes

1. Cash and cash equivalents
Council is still holding strong cash balance position as at 31st January. The balance is influenced by the grant funding received in advance for capital works, in addition to borrowings draw down in 20/21 financial year. Of the total cash balance of \$40.6m, \$21m is invested in term deposits in various financial institutions.

2. Rates Receivables
Rate receivables will continue to reduce over the course of financial year once rates instalments become due and collected.

3. Other Receivables - Current
Other receivables includes the Fire Services Property Levy and Sundry Debtors. The Fire Service Property Levy is collected in line with Rate Receivables and the balance will reduce over the financial year.

4. Other Assets - Current
Other assets reflects prepayments that will reduce over the financial year as the associated expenditure is recognised.

5. Payable - Current
Payables includes creditors and income received in advance. The balance as at 31 January \$8.9m included Grant income \$4.9m received in advance for WSAC expansion. This project is not anticipated to be commencing during current financial year and therefore the balance is not moved to income ledger.

6. Provision - Current
Movement in the current provision is largely due to staff leave entitlements including annual and long service leave.

Rural City of Wangaratta	21/22 Adopted Budget	21/22 Adopted Q1 Full Year Forecast	21/22 Projected Full Year Forecast	Projected Full Year to Adopted Budget Variance	Commitments	21/22 YTD Actual	21/22 YTD Budget	YTD Variance	YTD Variance	Ref
Statement of Capital Works 31st January 2022	\$	\$	\$	\$	\$	\$	\$	\$	%	
Property										
WIP Land Improvements	285,653	285,653	277,749	7,904	13,353	(3,324)	35,185	(38,509)	(109%)	
Total Land	285,653	285,653	277,749	7,904	13,353	(3,324)	35,185	(38,509)	(109%)	
WIP Buildings	3,598,160	4,098,203	4,098,203	0	3,397,764	518,699	931,592	(412,893)	(44%)	
Total buildings	3,598,160	4,098,203	4,098,203	0	3,397,764	518,699	931,592	(412,893)	(44%)	
Total Property	3,883,813	4,383,856	4,375,952	7,904	3,411,116	515,375	966,777	(451,402)	(47%)	
Plant and equipment										
Plant and equipment	1,705,875	1,931,128	2,256,058	(324,930)	1,287,851	350,091	807,275	(457,184)	(57%)	
Furniture and fittings	116,000	116,000	116,000	0	30,187	9,545	72,675	(63,130)	(87%)	
Computers and telecommunicatio	988,020	988,020	942,520	45,500	783,381	496,863	415,709	81,155	20%	
Artworks	6,500	12,253	12,253	0	0	2,500	4,431	(1,931)	(44%)	
Book collection	193,028	204,649	204,649	0	7,098	169,188	177,689	(8,501)	(5%)	
Total Plant and equipment	3,009,423	3,252,050	3,531,480	(279,430)	2,108,517	1,028,187	1,477,779	(449,591)	(30%)	
Infrastructure										
WIP Waste management	2,451,364	2,451,364	2,768,277	(316,913)	301,978	272,406	1,229,666	(957,261)	(78%)	
WIP Sealed roads and substructure	3,511,250	3,616,773	3,209,193	407,580	580,837	1,626,930	2,148,386	(521,456)	(24%)	
WIP Gravel Roads and substructure	1,662,826	1,662,826	1,662,826	0	537,323	1,035,761	537,580	498,181	93%	
WIP Bridges	859,350	886,098	941,098	(55,000)	8,076	245,547	366,548	(121,001)	(33%)	
WIP Drainage	423,281	526,298	477,452	48,846	162,628	31,955	275,589	(243,634)	(88%)	
WIP Footpaths	463,000	584,875	584,875	0	11,430	190,997	244,028	(53,031)	(22%)	
WIP Parks, Open Spaces and Stree	4,411,756	4,707,107	6,780,614	(2,073,507)	5,514,896	555,927	1,007,236	(451,309)	(45%)	
WIP Recreation, Leisure and Comr	2,240,619	2,526,361	2,457,761	68,600	1,196,069	780,776	1,468,031	(687,255)	(47%)	
WIP Aerodromes	415,159	415,159	640,159	(225,000)	18,918	265,495	335,159	(69,664)	(21%)	
WIP Other Infrastructure	3,950,000	3,483,054	3,483,054	0	749,818	956,182	1,047,245	(91,063)	(9%)	
Total Infrastructure	20,388,605	20,859,915	23,005,309	(2,145,394)	9,081,974	5,961,975	8,659,468	(2,697,493)	(31%)	
Total capital works expenditure	27,281,841	28,495,821	30,912,741	(2,416,920)	14,601,607	7,505,537	11,104,024	(3,598,487)	(32%)	
Represented by:										
Renewal expenditure	11,332,022	12,444,230	12,083,762	360,468	5,842,554	3,680,601	4,512,234	(831,633)	(18%)	
Upgrade expenditure	4,215,110	4,517,903	4,627,845	(109,942)	1,867,377	1,449,852	2,065,299	(615,446)	(30%)	
New Assets expenditure	11,473,685	11,272,664	13,940,110	(2,667,446)	6,800,153	2,184,878	4,348,455	(2,163,578)	(50%)	
Rehabilitation expenditure	261,024	261,024	261,024	0	91,524	190,206	178,036	12,170	7%	
Total capital works expenditure	27,281,841	28,495,821	30,912,741	(2,416,920)	14,601,607	7,505,537	11,104,024	(3,598,487)	(32%)	

Notes

Delivery of \$7.5m of Council's 21/22 capital works program was completed as at 31 January 2021, with a further \$14.6m of works committed.

A \$3.6m unfavourable year to date variance exists, due to weather impacts, the ability to get contractors on site due to COVID (restrictions and demand) and a number of phasing updates required to reflect accurate planned delivery.

The capital works program forecast has increased by \$2.42m due to the inclusion of new projects and forecast adjustments for existing projects.

New projects:

- Aerodrome Wildlife Fencing \$225k (partially funded)
- New Waste Truck \$288k
- COVID Safe Outdoor Activation \$460k (fully funded)
- Transfer Station Upgrades for Glass Collection \$278k (funded through Kerbside Transition Plan)
- WSAC Gym Equipment \$37k

Forecast adjustments have occurred for projects including:

- North Wangaratta Lighting Upgrade per the November Council Meeting Resolution \$85k
- Glenrowan Heritage Project \$1.524 million per the December Council Meeting Resolution
- WSAC Extension \$200k - multi year funded project, increase reflective of phasing adjustment only
- Peipers Lane Bridge Reconstruction \$55k
- Wangaratta Showgrounds Cricket Club Improvements (\$90k) - project was contingent on funding that was not successful.
- Wangaratta Sports Development Centre Roof Decking and Canopy removed \$97k as cash contribution was not forthcoming.
- Governance Risk and Compliance Register delayed until 23/24 \$40k due to staffing constraints
- Savings identified in Roads Projects totalling \$408k.



Biannual audit and risk report

Period 1 July 2021 to 31 December 2021

Objectives and scope

- (1) The Audit and Risk Committee (the committee) is a committee established by Council under section 53 of the *Local Government Act 2020* (the Act) to undertake the following functions and responsibilities:
 - (a) monitor the compliance of Council policies and procedures with the overarching governance principles and the Act and the regulations and any Ministerial directions;
 - (b) monitor Council financial and performance reporting;
 - (c) monitor and provide advice on risk management and fraud prevention systems and controls;
 - (d) oversee internal and external audit functions.
- (2) The committee was established on 25 August 2020.

Membership

- (3) The committee comprised 4 independent members and 2 councillors.
- (4) The independent members were Ms Gayle Lee, Ms Rowan O'Hagan, Mr Gavan Nolan and Mr Vito Giudice.
- (5) The councillor members were the Mayor, Cr Dean Rees and Deputy Mayor, Cr Harry Bussell.
- (6) The chairperson was Ms Gayle Lee.

Meetings

- (7) The committee met 3 times during the period:
 - (a) 10 August 2021
 - (b) 21 September 2021
 - (c) 8 December 2021

2

Biannual audit and risk report

Attendance

(8) The following table shows meeting attendance by members.

Member	10 Aug 2021	21 Sep 2021	8 Dec 2021	Total
Ms Gayle Lee	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3
Ms Rowan O'Hagan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3
Mr Gavan Nolan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3
Mr Vito Giudice	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3
Mayor Cr Dean Rees	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2
Deputy Mayor Cr Harry Bussell	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3

External audit

- (9) An unqualified audit opinion was issued by the Victorian Auditor General's Office (VAGO) on the Wangaratta Rural City Council annual report, financial statements and performance statements for the 2020-21 financial year.
- (10) The final management letter issued by VAGO for 2020-21 noted the following summary of open findings which are presented with their corresponding recommended management actions:



3

Biannual audit and risk report

Open item	Findings	Recommended management action
<p>Commissioning of capital works and errors in assets classification Medium risk</p>	<p>The audit of infrastructure, property, plant and equipment assets found delays in commissioning capital works and asset classification errors which can impact depreciation timing and accuracy on assets transferred from WIP.</p>	<p>Implement procedures to ensure completed WIP is capitalised to the appropriate asset account in a timely manner. WIP to be commissioned after financial year end will significantly reduce the WIP balance. WIP balances will be reported in each finance report to ARC and progress evidenced at interim audit.</p>
<p>Write-off of non-capital works included in WIP Medium risk</p>	<p>The audit of infrastructure, property, plant and equipment found a significant amount of works included in WIP that were written off as the underlying assets the works were completed on where not owned or controlled by Council. This is not necessarily a major concern where the works are written off in the year they were performed, however a number of the works written off in 2021 had in fact been carried forward from 2020.</p>	<p>Improve budgetary process to ensure works completed on non-Council owned or controlled assets is expensed in the year it is incurred and not be carried for in WIP year on year as they are not capital works and should be expensed in the year they are incurred.</p> <p>Projects are currently assessed through the budget process to ensure they meet the asset recognition criteria. An assessment of any year-to-date WIP write off and determinations relating to the 2022/23 draft budget will be evidenced at interim audit to demonstrate process improvements.</p>
<p>Lack of sundry debtors aged debtors listing Medium risk</p>	<p>The audit of receivables identified a lack of a sundry aged debtors listing that balanced to the relevant control account at balance date. This matter required significant manual reconciliation in order to balance and for audit to perform meaningful analysis and assessment of sundry debtors.</p>	<p>Ensure an aged debtors listing is generated for sundry debtors monthly, and at year end that reconciles to the sundry debtors control account.</p> <p>A monthly debtors reconciliation is currently undertaken; however, the detailed aged balance report run for the year end process did not reconcile to the summarised trial balance. Officers will improve and document this process to ensure the integrity of end of period closure, reconciliation and reporting.</p>

Open item	Findings	Recommended management action
Reconciliation of assets held for re-sale Medium risk	The audit of land valuation identified parcels of land that had been deducted from the land valuation balance on the basis it was land held for resale. However, these parcels of land were not included in the assets held for sale schedule. This resulted in an unadjusted audit difference being raised.	Perform a reconciliation to assets held for re-sale to ensure all Council owned/controlled assets that are held for re-sale are included. A new asset category for assets held for sale has been created which allows clear identification of assets are held for sale. A reconciliation of these assets will be undertaken ensuring that the balance is accurately reflected on Council's balance sheet. This will be evidenced at interim audit.
Goods Receipting Low risk	Council does not have a formal goods receipting function. Consider developing a formal goods receipting functions to enable a more accurate determination of accruals for goods received not yet invoiced.	Configure and implement a goods receipting function in the new core financial IT system.
Excessive annual leave Low risk	Noted that the number of staff with excessive annual leave in excess of 300 hours had increased from 33 to 38. Many staff did not take leave during the final quarter of the year due to travel restrictions imposed by the Victorian Government as part of the Covid 19 management response.	Continue to monitor leave balances and develop strategies to manage accrued leave balances over an appropriate period, particularly in light of the Covid 19 considerations. If leave liabilities can be kept to a minimum the risks associated with such liabilities can be reduced. Senior Managers continue to monitor excessive annual leave balances in line with our excessive annual leave plans and will work with these employees to ensure appropriate leave is taken in the next six-month period especially over the Christmas and New Year period. Managers continue to receive monthly reports to assist with this process.

(11) The final management letter issued by VAGO for 2019-20 noted the following resolved items:

- (a) Condition assessments
- (b) Financial statement and performance statement preparation process
- (c) Assessment of grants under new accounting standards
- (d) Asset Reconciliations
- (e) Depreciation of roads

Internal audit

- (12) The following internal audit projects were completed:
 - (a) Past Issues Review
- (13) Six closed actions were reviewed by internal audit for satisfactory closure in the past issues review:
 - (a) five recommendations were satisfactorily addressed.
 - (b) one recommendation, where management opted to accept the risk, was recommended for committee ratification of closure. The item was closed by committee resolution at the 8 December 2021 meeting.
- (14) One new internal audit action was added to the actions register arising from a recommended opportunity for improvement.

Item	Findings	Recommended management action
Open item governance	A documented process would ensure a consistent approach is maintained while also decreasing the risk of key person dependency.	Formally document the internal process for the maintenance of the Open Audit Items Register including: <ul style="list-style-type: none"> • how extensions to agreed dates are requested and approved • how status updates and commentary are sourced from item owners and reported • how items are agreed/approved as "closed".

- (15) Field work for the Environmental Management & Sustainability review was completed.
- (16) Management implementation of internal audit actions is monitored and reviewed at each committee meeting. Fifteen actions were due for completion during the period of which 8 were closed out and 7 were nearing completion.

Risk management

- (17) Management has provided regular updates on strategic and emerging risks.

- (18) Management business risk presentations provided during the period included:
 - (a) Events management
 - (b) Wangaratta Sports and Aquatic Centre
- (19) The committee reviewed councillor expense reimbursements and CEO credit card expenses during the period.

Financial and performance reporting

- (20) The draft 2020-21 financial statements, performance statement and governance and management checklist were prepared and endorsed by the committee. The committee recommended to Council that it passes a resolution giving its approval in principle to the statements and checklist. The resolution was passed by Council.
- (21) The committee reviewed the quarterly budget and performance reports.

Compliance of Council policies

- (22) The committee reviewed the following policies and found that they all complied with the overarching governance principles and the Act and the regulations and any Ministerial directions:
 - (a) Procurement Policy
 - (b) Investment Policy
 - (c) Borrowings Policy
 - (d) Financial Hardship Policy
 - (e) Debt Collection Policy
 - (f) Reserve Accounting Policy
 - (g) Budget Variation Policy
 - (h) Australia Day Awards and Event Policy
 - (i) Code of Conduct for Council Staff
 - (j) Council Staff Gift Policy
 - (k) CEO Employment and Remuneration Policy

Category	Item Name	Actual YTD	Target YTD	Variance YTD	Comment
1. Strengthening Our Leadership	1.0.1 Survey - Informing the Community				
	1.0.2 Survey - Consult and Engage				
	1.0.3 Survey - Customer Service				
	1.0.4 Survey - Decision Making in Interest of Community				
	1.0.5 Survey - Lobbying on behalf of Community				
	1.0.6 Decisions made at Closed Council Meetings	● 0.33%	4%	92%	
	1.0.7 Maintain Liquidity Ratio				
	1.0.8 Days to Close CRMS	● 6.55	14	53%	On Track/Work on-going: running as per established target of 14 days to close a customer request. In November, the average days a customer request remained open was 6.5 days which falls within the target's range
2. Nurturing our Wellbeing	2.0.1 Survey - performance of recreation facilities				
	2.0.2 increase in WSAC Visitation	● -1.33%	2%	-167%	Software used to provide visitation results has not been working. Has now been rectified and will be available for February 2022 onwards. Visitation has been impacted due to COVID closures. The Centre has been at full operation since 04/11/2021. Visitation is increasing slowly but will take time to reach pre COVID visitation.
	2.0.3 Domestic Animals Registration				
	2.0.4 Food Safety Assessments	● 81%	50%	82%	
	2.0.5 Childhood Immunisation				
3. Valuing Our Environment	3.0.1 Survey - Performance on Environmental Sustainability				
	3.0.2 Number of native plants planted annually				
	3.0.3 Kerbside collection waste diverted from landfill	● 59%	65%	-9%	Percentage diversion lower over the winter due to the lower organics volumes from garden wastes and lower recycling volumes.
	3.0.4 Percentage of waste going to landfill				
	3.0.5 Tonnes of compost produced from organic waste per year				
	3.0.6 Minimum of 50% of Council used electricity sourced from renewable sources by 2025				
4. Expanding our Economy	4.0.1 Increase in the number of overnight stays on pre-COVID results				
	4.0.2 Increase on 20/21 Visit Wangaratta website visits				
	4.0.3 Increase in Rail trail usage				
	4.0.4 Wangaratta Livestock Exchange full year financial position				
	4.0.5 Survey - Performance on business, community development and tourism				
5. Enhancing our Lifestyle	5.0.1 Survey - Council performance on the condition of sealed roads				
	5.0.2 Survey - Council performance on the condition of unsealed roads				
	5.0.3 Reduction in customer requests for pathways per year	● 26%	5%	-420%	30 CRMS received for shared & Footpaths v's 34 for the same period last year
	5.0.4 Sealed local roads maintained to condition standards	● 97%	97%	0%	On track
	5.0.5 Number of attendees at the Wangaratta Art Gallery in 2021/2022	● 3601	15996	-77%	Technical issues are currently being experienced with the gathering of statistics for the visitor numbers at the Wangaratta Art Gallery, this has been lodged to be fixed and it is hoped to have the reporting numbers before the end of January.
	5.0.6 Tickets sold through the Wangaratta Performing Arts and Convention Centre	● 3149	26210	-88%	No change to 100% capacity, QR coding and double vaccination checks on entry to venue. 10 x performances held throughout December - 4 x dance concert, 4 x school production, 1 x drama group, 1 x Listening to Voices. 2002 purchases & 223 returns = 1779 tickets
	5.0.7 Active library borrowers within the municipality	● 32.99%	84%	-61%	The Active User activity for the Wangaratta Library continues to improve and visitation and engagement is on the steady increase. The community is keen to get back to their local library and enjoy the service. Visiting author events have gradually returned and story time and school holiday programs are planned to return in January 2022. The COVID vaccination requirements put in place by the State Government early in the quarter, observed our Library service become one of the main community service venues where members were requesting technical assistance to access their vaccination certificates, set up My Gov accounts and link their status to their COVID Service Victoria Apps. This was a significant demand placed on the Library team and the staff resources, but the community service aspect was outstanding and received positive recognition.
	5.0.8 Survey - Council performance on community and cultural activities				
	5.0.9 Survey - Council performance on appearance of public open spaces				
	6. Growing with Integrity	6.0.1 Annual number of building permits issued for new dwellings	● 94	75	25%
6.0.2 Annual number of new residential lots released	● 58	75	-23%		
6.0.3 Planning applications made within required time-frames	● 80%	82%	-2%		
6.0.4 Planning Application processing days	● 43.17	55	22%		
6.0.5 Survey - Planning & Building permit satisfaction					
6.0.6 Population Growth					
6.0.7 Gross Regional Product					
6.0.8 Invest Wangaratta, Live Wangaratta Website					

Category	Item Name	Actual YTD	Target YTD	Status	Progress	Comment
1. Strengthening Our Leadership	1.1.1.2 Survey community on the quality of communication on major projects	Y	N	On Track	100%	Completed as part of the Community Survey
	1.1.1.5 Ensure access to council decision making by holding a minimum of four council meetings in rural communities.	Y	N	Complete	100%	
	1.2.1.1 Adopt and maintain a responsible and transparent 10 Year Financial Plan.	Y	N	Complete	100%	Adopted at October 2021 council meeting
	1.4.2.3 Staff to participate in the Alpine Community Leaders and/or other appropriate leadership development programs.	Y	N	Complete	100%	Two staff have been successful in securing positions in this program.
	1.4.1.3 Develop an Advocacy Strategy to ensure Council can maximise opportunities for funding and program support.	N	N	On Track	99%	Advocacy document finalised. Summary document and 'pull out' sheet prepared - to be presented to Councillors on 31 Jan 22.
	1.1.2.3 Review the structure of Council's Advisory Committees' and align with the Community Engagement Policy.	N	N	On Track	70%	Report has been accepted, further implementation actions to take place in Q3 and Q4
	1.1.1.1 Develop communication plans for all major Council projects	N	N	On Track	50%	Ongoing task - working on creating a proactive media process for all departments Q2 complete, will be updated quarterly until end of FY
	1.1.1.3 Provide an active and informative social media presence.	N	N	On Track	50%	Complete for Q2 - growth of 70% in reach and engagement. Will measure across the rest of FY
	1.1.1.6 Provide transparency regarding the information being considered in decision making processes.	Y	N	On Track	50%	The agenda for Council meetings are available for public viewing 5 days prior to the meeting. Council adopted a community engagement policy for all staff and Councillors in 2020 which outlines its responsibilities related to engagement activities.
	1.1.2.1 Develop a community engagement toolkit that ensures the community is engaged at key stages of all major Council projects	N	N	On Track	50%	In progress. TOR for Shape Wangaratta currently being amended.
	1.1.2.2 Review and improve Council's Community Engagement Policy.	N	N	On Track	50%	In progress - TOR for Shape Wangaratta are currently being amended
	1.2.3.1 Review the Strategic Risk Register Quarterly.	N	N	On Track	50%	Q2 review completed.
	1.3.1.3 Facilitate and participate in the Wangaratta Health and Wellbeing Partnership	N	N	On Track	50%	Working with the partnership to deliver health and wellbeing priorities in the Council Plan. With a focus on access for all and barriers to access the partnership is currently assessing the programs they are offering, in order to identify gaps
	1.4.1.4 Provide leadership to the community on Environmental Sustainability.	N	N	On Track	50%	Continue to have conversations with the various community groups and have provided support in Community Grant Applications for WLS. Awaiting outcome for new E&S Advisory committee.
	1.4.2.2 Identify external funding for programs to improve the quality of life for our community.	N	N	On Track	50%	Continuous monitoring for grant opportunities and scoping projects when they become available. Q2 applications include Freeza and Engage (Youth), Access All Abilities, and a BRV grant for a continuing program of works for bushfire coordinator. Looking at 2022 grant opportunities and planning.
	1.2.2.1 Deliver Council's Information and Communications Technology Strategy.	N	N	On Track	49%	Delivery of the ICT Strategy is on track, including the OneCouncil program - a major upgrade to council's Enterprise Management System.
	1.2.2.2 Develop and deliver an Information Management Strategy.	N	N	On Track	45%	Information Strategy, Framework and supporting policies have been developed and approved. Roll out to commence in Q3.
	1.3.2.1 Support the delivery of the Rural Placemaking Plans in partnership with our rural communities.	N	N	Off Track	30%	Launch event planned for March 30/22 with local events to follow Presented to Council on Rural placemaking pitch program, getting ready to roll out in early 2022 with youth pitches before scheduling across the municipality
	1.4.2.1 Develop and deliver a program of Youth Council training and development.	N	N	On Track	30%	Youth Council applications are open now. Preliminary training considered, but will finalise on appointment of youth council.
	1.1.3.1 Deliver the Customer Experience Strategy.	N	N	On Hold	29%	The Customer Experience Strategy's implement is currently on hold; pending the recruitment of a Customer Experience Project Officer.
	1.2.1.2 Regular and transparent reporting against council's adopted Annual Budget.	Y	N	On Track	25%	Q2 Forecast as at 31 January to be tabled at March Council Meeting to enable further refinement.
	1.3.1.1 Advocate for the region by participating in the Hume Regional Partnerships initiative.	Y	N	On Track	25%	
	1.4.1.1 Keep informed of emerging trends and issues that may impact our community, our region and our Council.	Y	N	On Track	25%	
	1.4.1.2 Liaise with State and Federal Government departments on matters of relevance.	Y	N	On Track	25%	
	1.1.3.2 Increase online access to Council services, processes and information.	N	N	On Track	18%	Work in progress, the Customer, Digital and Transformation Services department is working through its business unit plan.
	1.2.1.3 Develop an Asset Management Plan that outlines the key elements involved in maintaining Council assets.	Y	N	On Track	15%	First Draft of Over arching asset management plan will be ready in January. The final draft is due June 30th.
	1.1.1.4 Provide interactive websites for all Council facilities.	N	N	On Track	0%	Ongoing and updates made as necessary
	1.1.2.4 Develop an online community engagement portal to be hosted on Council's website	N	N	On Track	0%	In progress.
	1.1.2.5 Train Councillors and staff in how to plan for and undertake deliberative community engagement.	N	N	On Track	0%	Will be included in the end stages of process once Community Engagement Toolkit is developed and adopted - likely Q3/4

	1.2.3.2 Embed Operational Risk Registers throughout the organisation.	N	N	On Hold	0%	N/A - not due in council plan until 2022/23
	1.2.3.3 Implement a Risk Assurance program.	N	N	On Hold	0%	N/A - not due in council plan until 2023/24
	1.3.1.2 Advocate for the community by participating on the Regional Mental Health and Wellbeing Boards.	N	N	On Hold	0%	
2. Nurturing our Wellbeing	2.6.1.1 Seek funding to establish and maintain the flood protection system including the urban levee system.	Y	N	Complete	100%	
	2.6.1.4 Prepare and endorse a new Wangaratta Municipal Emergency Plan (MEMP) to manage risks related to flood, fire, and other natural disasters.	Y	N	On Track	90%	
	2.2.1.3 Conduct a Gender Impact Assessment when designing or preparing plans	N	N	On Track	80%	Gender Impact Assessment Framework has been developed and training will be conducted in February 2022 to ensure employees have the right skills to undertake this task.
	2.2.1.4 Review accessibility of current Council buildings.	Y	N	On Track	75%	Project well underway, all should be finalised in March 2022
	2.3.4.2 Ensure safe and easy access to all Council owned facilities	Y	N	On Track	75%	Currently underway un line with Building renewal projects
	2.3.4.3 Ensure building renewal projects delivered to a high standard.	N	N	On Track	75%	Projects well underway
	2.4.2.6 Ensure infrastructure projects consider the accessibility, comfort, ease and convenience for walking and cycling	N	N	On Track	75%	Project well underway
	2.5.3.4 Explore funding opportunities to increase the provision of lighting in public places.	N	N	On Track	75%	Continue to look for opportunities for funding, the Whitfield streetscape is a great example, Mackay street reconstruction.
	2.2.1.1 Delivery of the Community Access and Inclusion Plan	N	N	On Track	60%	Provision of accessible drumming workshops, regular meetings with All Abilities Reference Group. Applied for Accessibility grant, and completed accessible fire safety videos.
	2.3.2.2 Review community grant programs across Council, based on feedback, trends and best practice.	N	N	On Track	60%	Grants and sponsorships policy open for exhibition. Implementing auspice agreements etc with community organisations
	2.1.1.1 Deliver Grit and Resilience	N	N	On Track	50%	
	2.1.1.2 Deliver Arts, Culture and Exhibitions focusing mental health	Y	N	On Track	50%	Throughout Q2, preparation has been in place for the feature exhibition in early 2022 titled 'Mixed Tape'. Taking place in the WPACC Foyer Gallery this project is delivered in partnership with the local art group Art Mania, a service and inclusive space where artists who suffer from mental health illness can explore their artistic practice. A variety of activities delivered through the Spark Bushfire Recovery Program also focused on creative opportunities that encourage mental health and wellbeing through the practice of art. The online nature journaling program was a great success with each session heavily booked and made available to all community members who live in our bushfire prone areas.
	2.1.2.2 Continue to support the Wangaratta Headspace satellite site.	N	N	On Track	50%	Youth council continued to support Headspace throughout 2021. Our new youth council, when appointed, will continue this work the headspace reference group. It is helpful and interesting for them to be involved with organisations that are so important to the young people in our community
	2.1.2.3 Support the re-establishment of the Big Brother, Big Sister Program	N	N	On Track	50%	A Big Brothers Big Sisters Coordinator has been appointed
	2.1.2.4 Support school-based programs that promote resilience and general mental wellbeing.	N	N	On Track	50%	Planning for Mandala Project with primary aged students, and for Bushfire-funded art program at King Valley Cluster school and whorouly. Funded a number of programs such as blueearth and dream seeds via community grants program
	2.2.1.2 Ensure projects engage people, including people of all abilities in the design process	N	N	On Track	50%	Involvement in Bike Hub consultation, Merriwa Park Survey, and the development of the Apex Park playground design. Placescore completed and some additional consultation planned to engage with communities that were missed. Continued involvement in Infrastructure run community engagement sessions.
	2.2.2.1 Implement the Wareena Park Masterplan	N	N	On Track	50%	Continuing meetings with key user groups as they develop, working with internal customers on the development of grant applications to develop Wareena Park.
	2.2.2.2 Facilitate the delivery of the Age Friendly Communities Project.	N	N	On Track	50%	Access Hub opened and running by Community Accessibility. Working with King Valley communities on the Good Neighbour Project.
	2.2.2.3 Support the Access Spot within King George Gardens	N	N	On Track	50%	Limited opening hours underway. Looking to promote more heavily in 2022.
	2.2.2.5 Provide quality Aged and Community Care Services to our community	N	N	On Track	50%	Continuation of service delivery, managing and implementing the business continuity impacts of the Covid-19 environment. Policies and procedures review underway. Service user survey undertaken to determine level of client satisfaction. Analysing information released about the Support at Home Program that replaces the Commonwealth Home Support Program and Home Care Package Program from July 2023. Analysing aged care funding changes to the Commonwealth Home support Program coming into effect from July 2022.
	2.2.3.2 Partner with young people on priority projects	N	N	On Track	50%	This continues to be successful, with the youth council launching a Rural Placemaking pitch up event, delivering a key part of the New Years Eve event, and developing freeza events to be delivered across the financial year and working with young people on bike jumps.
	2.2.4.2 Continue to deliver maternal and child health programs and childcare and kindergarten	N	N	On Track	50%	We've delivered extra services such as the holiday program, recruiting to support MCH demand, putting on additional supported playgroup times.

2.3.1.1 Deliver events that focus on celebrating diversity, connection and belonging for everyone within our community.	Y	N	On Track	50%	Towards the end of this quarter where the COVID restrictions eased, the events program was able to return. There remains a strong focus on inclusivity and belonging in the planning of the highly successful New Years Eve event and with planning for the Australia Day ceremony in early 2022. These events continue to celebrate our diversity through strong connections to Dirrawarra and Bpangerang elder Uncle Dozer and the Wangaratta Youth services who have assisted in creating diverse, welcoming and culturally sensitive events. Successful grant applications were received for the delivery of Australia Day ceremony and the Outdoor Ball, for early 2022.
2.3.1.3 Support awareness campaigns to highlight the benefits of a diverse and equitable community.	N	N	On Track	50%	Youth officer continues to work with local network of youth support services. Information & events are shared with regular meetings and the wider community for the benefits of young people.
2.3.1.5 Support LGBTQIA+ programs and services, such as the Rainbow Ball.	N	N	On Track	50%	Providing funding for the Rainbow Ball. The youth officer is on the North East Pride Collective committee, who runs the RB. The youth officer also works with local organisations such as LINE and NESAY to identify, address and support LGBTQIA+ issues and celebrate the community
2.3.2.3 Work with community groups to access State and Federal funding opportunities.	N	N	On Track	50%	On-going support with community groups to assist in seeking funding.
2.3.3.1 Develop and support opportunities and events that provide for social connection.	N	N	On Track	50%	Continuing to promote and support events by community groups, as well as council led opportunities for connection. Looking to launch pitch program in Q122
2.3.3.2 Support access to community activities, sports and events through projects that address the barriers to participation	N	N	On Track	50%	Working with HWP Partnership and SRAC as well as community groups to reduce barriers to access. Put in access all abilities grant application to have targeted program around barriers to access in sport
2.3.3.3 Increase visibility of opportunities to connect community leaders and groups across the municipality	N	N	On Track	50%	Continued promotion of activities via council's social media platform.
2.3.4.1 Work to increase co-location opportunities and access to existing community facilities.	N	N	On Track	50%	
2.4.1.2 Facilitate and promote health and wellbeing programs such as Get Active Victoria, Walk to School, Ride2Work and This Girl Can.	N	N	On Track	50%	Working with local partner agencies and through our HWP to ensure these programs are delivered
2.4.1.3 Provide opportunities for community to participate in physical activity.	N	N	On Track	50%	Supporting sporting groups, partner agencies and opening Active Wagaratta Grants in Q1 2022
2.4.1.4 Partner with Gateway Health to implement the INFANT program to assist parents and families with healthy eating and active play from the start of their baby's life.	N	N	On Track	50%	MCH service currently in discussion with Gateway Health around co-facilitation of the sessions and continue to work with NEH Dietitians
2.4.1.5 Support the implementation of the RESPOND project	N	N	On Track	50%	Supporting this program through facilitating their involvement in the health and wellbeing partnership meetings and through attending initial training in february 2022
2.4.2.3 Seek funding opportunities to support the Walking and Cycling Strategy.	N	N	On Track	50%	Continuing to seek opportunities. Awarded TAC analysis grant, will go out to tender in January 2021
2.4.2.4 Continued maintenance of all our pathways and walking tracks across the municipality.	Y	N	On Track	50%	20 CRMS completed on Foot/shared paths this quarter.
2.4.3.1 Seek opportunities to increase drinking water access in public places throughout the municipality.	N	N	On Track	50%	Supporting this through involvement in masterplanning, grants etc
2.4.3.3 Support and promote local produce providers supplying local markets and businesses.	N	N	On Track	50%	ED&T ran a shop local campaign in the lead up to Christmas - this program not only supported CBD, but also local producers and those who are online
2.4.4.2 Support the equitable distribution of excess local produce throughout the community.	Y	N	On Track	50%	Support of OpenDoor Neighbourhood house in their food pantry program, promoting internally at council.
2.4.5.1 Include drug, smoke, and alcohol-free events into the annual events calendar.	Y	N	On Track	50%	The RCoW New Years Eve event was planned in partnership with the Freezer group and the RCoW Youth Officer. The event featured a designated alcohol free area that was also a drug and smoke free zone aimed at encouraging young people to attend. Planning in the band line up also catered for this age group, ensuring success of the alcohol free zone and a drug and alcohol free event for this age group in our events calendar.
2.5.2.1 Continue programs such as the 16 Days of Activism, International Women's Day, and other programs focused on the reduction of gendered and family violence.	N	N	On Track	50%	Supporting through partnerships and activities - looking at the plan for 2022 to create calendar for better planning in conjunction with media and comms team
2.5.2.2 Work with organisations such as Women's Health Goulburn North East and the Centre Against Violence.	N	N	On Track	50%	Continuing this work through HWP and Gender training plans
2.5.3.1 Work with all levels of community to promote gender equity and respect and its relationship to family violence.	N	N	On Track	50%	Developing programs with Mandala Project and WHGNE to roll out gender equity training in different areas
2.5.3.3 Investigate the provision of CCTV cameras into key areas such as the Wangaratta CBD and major parks.	N	N	On Track	50%	Trial of cameras at the bike hub to review any potential reduction in crime for assessment of long term solution. Vandalism appears to have reduced.
2.5.3.5 Ensure that passive surveillance is embedded into new developments of reserves and public spaces.	N	N	On Track	50%	Included as a part of masterplanning and growth area recreation plan.
2.5.3.6 Support the delivery of the Respectful Relationships program in all schools across the municipality.	N	N	On Track	50%	Continuing to support wherever possible including through the implementation through the mandala project

2.6.1.2 Continue to support recovery from the 2019/20 fires and COVID-19 and respond to new emergencies as required.	N	N	On Hold	50%	Continuing to support through community resilience and recovery, grant applications, and community grant support.
2.6.1.3 Preparation of a MoU with Goulburn-Ovens TAFE for use of their Wangaratta Regional Study Centre as an emergency relief centre option.	N	N	On Track	50%	Traffic Management complete, MOU drafted and sent to Gotafe for comment.
2.6.1.5 Build capacity and resilience to respond to emergencies and disasters that are a result of climate change.	Y	N	On Track	50%	
2.6.1.6 Delivery of programs to support the resilience and recovery of business and the community in the face of adverse events such as bushfire, pandemic and drought.	N	N	On Hold	50%	Continuing to support through community resilience and recovery, grant applications, and community grant support.
2.2.2.4 Develop, endorse and implement an Age Friendly Strategy.	N	N	On Hold	40%	Delayed due to staffing levels - Reviewing strategy to develop in early 22/23 FY in conjunction with upper hume pcp age friendly and the HWP using placescore data as a basis
2.2.3.1 Develop our Rural City of Wangaratta Youth Strategy.	N	N	On Track	40%	Initial draft completed, but this will be revisited when we have a new youth council. This will be their project. We need to collect updated information and statistics, using the already collected Placescore data as a baseline
2.5.3.2 Work on placemaking projects to improve the safety and use, and to reduce anti-social behaviour, especially parks and playgrounds.	N	N	On Track	40%	Developing placemaking program to assist with this and will launch in 2022
2.3.2.1 Ensure community groups and committees have strong governance and are inclusive and viable.	N	N	On Track	35%	Working with AVCLP and Into our Hands to develop leadership and governance training and development programs to roll out in q3/4
2.4.1.6 Support and deliver programs that increase the choice for active transport	N	N	On Track	35%	Supporting Walking Cycling plan actions, and walk/cycle events
2.4.1.1 Enhance the services at the Wangaratta Sports and Aquatic Centre	Y	N	On Track	30%	Introduced BOGA YOGA and Reformer Pilates - additional products to the group fitness timetable. Work has been completed on the Learn To Swim timetable enhancing the levels to meet industry standards. Review of Group Fitness timetable underway to ensure clear communication around what's on offer. Hosted Ovens & Murray Swimming meet in November 2021 Hosted Dive in Movie - January 2022 Hosted Aussie Pool Party on Australia Day - January 2022
2.2.4.3 Support children and parents after their involvement in Maternal Child Health services and before Kindergarten.	N	N	Pending	25%	Project scope to be developed.
2.2.4.4 Finalise the Municipal Early Years Plan.	N	N	On Track	25%	Draft needing final review and updating before taking to council before public exhibition.
2.3.4.4 Takes bold decisions to decommission buildings that are no longer safe or functional, where a viable alternative is available.	N	N	On Track	25%	Demolition of Deer stalkers will be readvertised in January
2.4.2.2 Plan for the future recreation needs in Wangaratta's North and South growth areas.	N	N	Pending	25%	Draft of Open Space strategy for growth areas on hold to be completed in Q1 2022
2.4.2.5 Update and deliver the Open Space and Recreation Strategy.	N	N	Pending	25%	Project brief submitted for 22/23. Scoping to be completed in Q122
2.4.4.1 Develop and support educational resources that promote growing food at home and/ or within the community gardens.	N	N	On Track	25%	Working with Community Food For All. Meeting with Gateway Health to discuss plans for 2022 in February.
2.4.4.3 Facilitate the Community Food For All community group and support the implementation of the North East Local Food Strategy.	N	N	On Hold	25%	Working with Gateway Health and HWP. Meetings have been limited due to COVID and staffing resources.
2.1.1.3 Support community driven mental health and wellbeing projects through Community Grants	N	N	On Track	20%	
2.1.2.1 Investigate and scope the need for the development of a youth hub.	N	N	On Track	20%	Scoping of the project to be developed, with project bid to be developed for the 23/24FY We have received funding for an additional youth officer which would enable us time to source a dedicated youth space
2.4.3.2 Implement healthy choices guidelines at all Council facilities and internal events.	Y	N	On Track	20%	Healthy Choices policy at WISAC implemented, to be developed for other council facilities.
2.5.1.2 Support education and training for front line staff to recognise and respond to the needs of victim survivors.	N	N	Off Track	15%	Working WHGNE and P&C to develop this - To be completed
2.2.4.1 Advocate for community access to services to support mental, physical and sexual health and wellbeing.		N	On Track	10%	
2.1.1.4 Participate in the innovative community consortia as part of Royal Commission into mental health system.		N	On Track	0%	
2.4.2.1 Progress the Wangaratta Indoor Sports and Aquatic Centre and the Wangaratta Sports and Events Precinct	Y	N	On Track	0%	Fully operational since 4 Nov 21.
2.4.4.4 Advocate at the State and National level to increase access to healthy food.	N	N	At Risk	0%	Project Plan to be developed.

	2.4.5.2 Strengthen regulations of alcohol supply and reform of liquor licensing through the Wangaratta Liquor Accord.	N	N	At Risk	0%	Project to be developed and delivered
	2.4.5.3 Undertake inspections to ensure businesses comply with the Tobacco Act.	Y	N	On Track	0%	Undertake these as part of a regular premise inspections
	2.4.5.4 Apply smoke-free policies to all new outdoor initiatives	Y	N	On Track	0%	Undertaken as part of regular premise inspections
	2.4.6.1 Develop a Gaming Policy to guide decisions relating to gaming and gambling within our community.	N	N	Pending	0%	On hold until new Community and recreation staff onboarded
	2.4.6.2 Advocate to other levels of Government for best practice gambling regulation and policy reform	N	N	Pending	0%	On hold until new Community and recreation staff onboarded
	2.4.6.3 Partner with others to inform the community about the health risks of gambling.	N	N	At Risk	0%	Project to delivered across 22/23 financial year.
	2.6.2.1 Undertake regular inspections of food and other service premises	Y	N	On Track	0%	Undertaken as part of regular premise inspections
	2.6.2.2 Be proactive to reduce the risk of preventable outbreaks such as gastroenteritis.	Y	N	On Track	0%	Education of premises susceptible to outbreaks such as aged care and child care centres undertaken
	2.6.2.3 Ensure all cats and dogs are registered with council to meet statutory obligations	Y	N	On Track	0%	There is an on-going process to ensure animals registered with council
	2.6.2.4 Provide an efficient permit system for street activities to protect community amenity.	Y	N	On Track	0%	Improvements have now been made to the administration of the permit system
	2.6.2.5 Administer the National Immunisation Program for all children under 18 years of age	Y	N	On Track	0%	Regular immunisation sessions are held at WPAC and at school premises
3. Valuing Our Environment	3.1.2.5 Ensure the Community Grant Program supports environmentally sustainable projects.	N	N	On Track	75%	Included as part of assessment of community grants
	3.1.3.1 Review and implementation of Council's Roadside Conservation Management Plan.	N	N	On Track	65%	Went to Council meeting December to go out for 6weeks community consultation - 3 sessions planned for drop in consultation.
	3.1.1.1 Support and assist community groups to undertake conservation projects.*	N	N	On Track	50%	Supported Wangaratta Landcare and Sustainability on their Grant application for Climate Ready Hume.
	3.1.1.2 Collaborate with the community to adopt sustainable building and living practices	N	N	On Track	50%	Worked with WLS and have updated Councils Websites to encourage conversation with Builders. Have provided a letter of support to WLS for a grant to undertake a community forum on Sustainable Building and living.
	3.1.1.3 Support the community to understand the importance of natural areas and biodiversity	N	N	On Track	50%	Continue to work with Landcare groups and provide information to landowners. Workshops on weed management undertaken.
	3.1.2.1 Enhance urban vegetation corridors for environmental, recreational, and aesthetic benefit to the community.*	N	N	On Track	50%	Working with Parks & Gardens and Landcare Groups. Roadside Conservation Management plan went to December council meeting to go out for Community Consultation.
	3.1.2.2 Support developers to implement Environmentally Sustainable Design (ESD) principles	N	N	On Track	50%	Working with other LGA on ESD program for planning - WLS grant to include forum to speak with Developers on challenges/barriers to incorporating ESD in Subdivision.
	3.1.2.3 Identify and promote opportunities to use ESD in residential, industrial and commercial developments.	N	N	On Track	50%	Continue to work with Planning and Infrastructure and developers to promote opportunities to protect current vegetation and include ESD in development.
	3.1.2.4 Target investment of industries that contribute to the circular or zero-emissions economy.*	N	N	On Track	50%	Continue to work with CleanPeak Energy to get Wangaratta Solar farm underway - currently back with planning for final sign off.
	3.1.2.6 Investigate opportunities to establish native vegetation offsets within the Rural City of Wangaratta	N	N	On Track	50%	NRM team have submitted a budget bid for FY22/23 to commence program at the preferred Whitfield site
	3.1.3.2 Protect and increase native vegetation corridors in our natural reserves and waterways.	N	N	On Track	50%	Continue to work with local community groups on plantings and awareness programs - updates made to Council website on our natural reserves
	3.1.3.3 Create environments that protect from harmful UV radiation levels and minimise urban heat island effects.	N	N	On Track	50%	Council reviewing Tree Canopy policies - NRM & Strategic Planner are part of working group along with Infrastructure/Depot staff etc.
	3.1.3.4 Incorporate traditional ecological knowledge into strategies and practices concerning the management of the natural environment.	N	N	On Track	50%	NRM Team working with Uncle Dozer to discuss incorporating Cultural Heritage and management techniques into Kaluna Island and Northern Beaches management plans. Working with a local Cultural Education Business to undertake a significant tree study on roadsides in and around the NW and SE growth areas.
	3.3.1.1 Explore opportunities to be leaders in adapting to the impacts of climate change.	N	N	On Track	50%	Environmental Sustainability Strategy (ESS) actions being implemented. An Emissions Reduction Action Plan being developed. A draft Climate Change Policy endorsed by Council and available for public comment.
	3.3.1.2 Promote local climate adaptation programs and opportunities through various media platforms and workshops.	N	N	On Track	50%	Councils Climate Adaptation and Mitigation Policy when to the December Council Meeting to go out for community consultation
	3.3.1.5 Develop and adopt a Climate Change Policy.	N	N	On Track	50%	Policy went to December Council Meeting - is now out for 6weeks community consultation
	3.3.2.4 Explore install of solar at Council facilities to increase the use of renewable energy.	N	N	On Track	50%	Tender out.
	3.4.2.1 Improve water quality and riparian habitat connectivity with increased invasive species control and habitat restoration.	N	N	On Track	50%	NRM Team continue to run sessions with the Waterwatch Program - Grant Funded through NECMA

	3.4.2.2 Work with our community to preserve and improve our waterways.	Y	N	On Track	50%	Waterwatch Program - Grant funding through NECMA for this program
	3.4.2.4 Promote importance of our rivers and creeks to build community pride, care and protection.	N	N	On Track	50%	Continuing to work with Local Landcare groups on promoting activities on our waterways, Waterwatch program, Tourism posts on activities to do on our waterways. King Valley Challenge
	3.3.1.4 Support and facilitate the increased use of renewable energy throughout the community.	N	N	On Track	45%	
	3.3.1.3 Support sustainable agriculture initiatives, including soil health, carbon farming and improved water usage.	N	N	On Track	40%	Have commenced conversations with AgVic to host workshops and forums to promote regenerative farming in the region.
	3.3.2.1 Develop a carbon reduction action plan for corporate operations to achieve emission targets, and consider the lifetime emissions of all project developments.	N	N	On Track	40%	Awaiting Climate Change Policy to be endorsed - Have had a consultant do audit of council buildings.
	3.3.2.3 Explore opportunities to reduce water usage in Council facilities.	N	N	On Track	40%	Currently looking at water saving options for the WSAC extension project, considering underground detention tanks.
	3.4.1.1 Lobby all levels of government for water security to protect and provide for the future of agriculture, industry and sustainability of our community and ecosystem.	N	N	On Track	40%	Continue to work on Advocacy Documents - has been included in Councils Priority/Advocacy Document FY21/22 that has gone out to State and Federal Govt.
	3.4.1.2 Incorporate sustainable stormwater management considerations into Council plans and infrastructure designs.	N	N	On Track	40%	Currently looking at water saving options for the WSAC extension project, considering underground detention tanks.
	3.1.3.5 Develop and adopt a Tree Canopy Policy to address climate adaption.	N	N	On Track	30%	oCouncil participating in Naturally Cooler Towns Project lead by Murrindindi Shire (Evalina is RCOW Council contact for this project)
	3.4.2.3 Ensure that access and use of our waterways balances water preservation and health.	N	N	On Track	10%	Outcomes due to Councils in Feb
	3.3.2.2 Increase electricity consumed by Council from renewable sources to at least 50% by 2025.	Y	N	On Track	5%	
	3.2.1.1 Develop the new Waste Strategy in consultation with the community.	N	N	On Track	0%	
	3.2.1.2 Ensure service delivery is in accordance with the Recycle Victoria Policy.	Y	N	On Track	0%	
	3.2.1.3 Ensure services and facilities are operated in compliance with Environmental Protection Act.	Y	N	On Track	0%	
	3.2.1.4 Explore feasibility of commercial options to divert materials from waste and recycling streams.	N	N	On Track	0%	
	3.2.1.5 Introduce a third glass-only bin into the community.	N	N	On Track	0%	As per last quarter. Waiting for morning information and funding options from State Government.
	3.2.2.1 Reduce the amount of contamination placed in recycling and organics bins.	N	N	On Track	0%	As per last month.
	3.2.2.2 Increase the waste diversion from landfill through the increased use of recycling and organics bins	Y	N	On Track	0%	Slow progress in this space. Waiting on engagement of an education officer.
	3.2.3.1 Reduce waste, paper and water usage in Council facilities and events through education.	N	N	On Track	0%	As per last month.
	3.2.3.2 Investigate the use of recycled or reclaimed products in Council's road, pathway and capital works projects.	N	N	On Track	0%	
	3.2.4.1 Divert organic waste from landfill to produce compost.	Y	N	On Track	0%	Producing compost that is being used on the landfill capping. New plant will improve the quality of the material expanding he potential market options.
4. Expanding our Economy	4.1.3.3 Launch a new 'Visit' website to provide relevant, up to date travel content.	Y	N	On Track	100%	
	4.3.2.1 Support the establishment of a Regional Universities Centre in Wangaratta.	Y	N	On Track	100%	CUC Ovens Murray has been incorporated - Team will continue to work with the new board and provide support where needed to ensure success of program through promotion , marketing, and general support. RCOW is an official member of the CUC Ovens Murray.
	4.4.1.2 Continue to deliver urban revitalisation projects within the CBD.	N	N	On Track	75%	
	4.4.2.2 Continue to develop and deliver rural town infrastructure plans.	N	N	On Track	60%	Planning and community consultation continues for Oxley and Cheshunt. Tarrangee footpath design will be finalised in the next month ready for construction, their Ash wall received \$10K funding to match out \$10K contribution.
	4.1.1.1 Promote the diverse tourism offering within the region, including cycle tourism, food and wine, and eco and nature-based tourism.	N	N	On Track	50%	Marketing and Social Media posts and encouraging locals to post their favorites spots on social media. Continue to be a part of TNE promotions - Walk High Country, Cycle High Country, Feast High Country
	4.1.1.2 Development of key tourism infrastructure, including the Ned Kelly Glenrowan Project and the actions within the King Valley Development Plan.	N	N	On Track	50%	Ned Kelly Glenrowan Project - Tender awarded, Community Consultation on Prosecco Road - Whitfield Streetscaping.

					Visitor Services Strategy Project summary 2020/21: 1.1 Relocation VIC - Working through feasibility on where to locate. 1.4 Mobile VIC Business Case – Budget Bid submitted 2.2 Two Way Communication (digital)/ staff training - TBC. 2.3 Digital Content Review - to be started 2.4 Marketing Reporting – setting up marketing reporting (investigating software to assist) 2.5 Advocate for WiFi - Underway 3.1 Know your Own Backyard Program - TBC 3.3 Communication Plan/ Brand Toolkit - Underway
4.1.1.3 Deliver innovative and flexible visitor servicing options	N	N	On Track	50%	
4.1.2.1 Develop collateral and marketing campaigns that promote the municipality as THE place to visit.	Y	N	On Track	50%	Retargeting campaign currently out in market. New campaign in creative concept process. Will measure success at end of FY
4.1.3.1 Launch tourism marketing campaigns to promote the municipality as a place to visit.	N	N	On Track	50%	Campaigns ongoing. Will measure success a the end campaign running time. End of Feb and end of June
4.1.3.2 Help provide an additional credible voice to promote RCOW as a destination.	N	N	On Track	50%	Road Less Travelled aired in October on channel 10 showcasing La Cantina, Tolpuddle, McEvoy Tavern, Baileys of Glenrowan, The Vine Hotel and Paradise Falls. Social Media and paid pushes into Melbourne market to promote region.
4.2.1.1 Ensure we have sufficient industrial and commercial land to attract new businesses	N	N	On Track	50%	Have received VPA Grant funding to do a land supply and monitoring program - this will include Commercial and industrial land and looking at both greenfield and brownfield sites.
4.2.1.2 Actively facilitate the attraction of new industries and businesses.	N	N	On Track	50%	ED&T team continue to work with and follow up on enquiries from new developers, industries and business looking to set-up, relocate or expand in the RCOw
4.2.2.1 Support business to innovate, value add, adapt and grow to changing needs across key sectors	N	N	On Track	50%	ED&T team continue to support business and provide information on grant opportunities, business support programs (State & Federal) that may support them to grow and adapt to changing needs. Continue to provide support on Covid-19 related challenges.
4.2.2.2 Deliver programs and training that support our local business capacity and capability.	N	N	On Track	50%	October: Workshop -Going Green, Sustainability for Businesses. - Sustainability Vic - 11 Businesses registered and 3 attended live. Information added to Council's website and YouTube channel. Becoming a Supplier (6 attendees) & Improving Tender Responses (9 attendees) - Rural City of Wangaratta. November: Online Webinar - 'how to encourage people to shop locally this Christmas'. 14 registered - recording is available on Council's website and YouTube Channel.
4.2.2.3 Support the Board of the Wangaratta Livestock Exchange to further develop its services and to strengthen its long-term financial sustainability.	Y	N	On Track	50%	Changing WLE sales days from Thurs to Tues continues to see significantly improved throughput and is generating better than forecast income. A draft 5 year Strategic Plan has been developed by the Board, and will soon come to a Council meeting to be adopted.
4.2.3.2 Deliver programs and training to support small and medium enterprises	N	N	On Track	50%	Small Business Victoria (SBV) has forwarded on official verification that our 3 applications for events provided in 2022 have been approved. Jan – June Programming of the Small Business Development Program is finalised with events to go to market early in the new year.
4.2.4.1 Support initiatives that promote innovation and entrepreneurial ideas.	N	N	On Track	50%	Continued support of Start Up Shake Up and their programs
4.2.6.2 Advocate for government assistance to support recovery from adverse events.	N	N	On Track	50%	Council teams across the various business units and directorates all continue to work with all together with relevant government agencies (state and federal) in this space to get the best outcomes for our Municipality. Applied for grant funding under bushfire recovery for improvements to evacuation centre area facilities.
4.3.1.1 Advocate for the provision of tertiary education opportunities that are in line with industry needs.	N	N	On Track	50%	Launch of CUC Ovens Murray Centre underway - expected delivery March 2022
4.3.2.2 Support GOTAFE, North East TRACKS Local Learning and Employment Network and other education providers to address the skills and education needs within the region.	N	N	On Track	50%	Working with various groups - Dookie Day - Agricultural Sector education day. CUC Ovens Murray - promotions
4.4.1.1 Review the CBD Masterplan actions and priorities in partnership with business and the community.	N	N	On Track	50%	Working with Infrastructure, Development Services, Community Wellbeing teams to continue working through the actions of the CAA. Strategic Planners starting works on the Amendment for the UDF & Health Precinct Structure
4.4.1.3 Implement the Wangaratta Central Activity Area Urban Design Framework.	N	N	On Track	50%	Working with Infrastructure, Development Services, Community Wellbeing teams to continue working through the actions of the CAA. Strategic Planners starting works on the Amendment for the Urban Design Framework and the Health Precinct Structure Plans
4.4.2.1 Support the region's Local Tourism Associations	N	N	On Track	50%	ongoing - Meetings with LTA's to discuss programs and projects for FY22/23
4.4.2.3 Continue to explore opportunities for rural economic development.	N	N	On Track	50%	Working with Businesses on Grant applications for the Tourism Infrastructure Fund. Ongoing discussions with business support programs and AgVic
4.2.1.3 Plan for the infrastructure to support the growth of key economic sectors	N	N	On Track	40%	Continue to work with North East Water - CEO and Director having regular meeting now regarding issues around Sewage and Water. Continue to have discussion with State and Federal agencies on opportunities and issues with infrastructure - including mobile coverage
4.2.6.1 Understand the economic impacts for businesses and community following an adverse event.	N	N	On Track	40%	ED&T Team - continuing to work with state and federal agencies on impacts to adverse events. Completed the Adverse Event Management Plan as per Drought Grant
4.2.3.1 Implement the Better Approvals Program	N	N	On Track	0%	
4.2.5.1 Advocate with water regulators to ensure adequate water resources	N	N	On Track	0%	
4.3.1.2 Support education providers to better understand the educational needs of our community, and develop a collaborative strategy to address these gaps.	N	N	On Track	0%	Not due until 22/23

	4.3.1.3 Work with education providers to ensure our young people are equipped with relevant employability readiness skills.	N	N	Off Track	0%	Not Started - Need to liaise with Community Wellbeing and Youth Officer on program.
5. Enhancing our Lifestyle	5.7.1.2 Develop a Masterplan to improve the waterways and community infrastructure at Merriwa Park including the junction of the Ovens and Kings	Y	N	On Track	100%	Merriwa Park Masterplan has been completed
	5.5.3.1 Investigate a unique, creative and cultural precinct in the centre of the city, that will deliver exciting and engaging programs for all residents and visitors.	Y	N	On Track	85%	The Creative Precinct Business Case and Concept Design is in the final stages, the first draft of the final report was presented to the Council group at a Briefing Forum on December 20. Final adjustments will be made to the Business Case and Concept designs, which will be submitted to a council meeting in the early months of 2022. Funding opportunities to complete the stages of the plan have been identified and are being reviewed.
	5.2.2.2 Organise the Wangaratta Australia Day ceremony and support rural communities to deliver local Australia Day events.	Y	N	On Track	75%	The 2022 Wangaratta Australia Day ceremony was delivered with success at the King George V Gardens location and across a number of regional locations within the RCoW. COVID risk and management continued to impact some of the smaller events, but the support provided to these groups remained and event delivery from council observed great outcomes. Early consultation with advisory committees and Councillors was engaged as to the preferred location for the main ceremony and improvements were made within the assessment process for the Citizen of the Year with the inclusion of an Aboriginal Torres Straight Islander representative, this year with local Bpangerang Elder, Uncle Dozer
	5.1.3.1 Review freight strategy to position our city as a major commercial and industrial centre	N	N	On Track	65%	Freight bypass design is underway with all stakeholder involved. A recent planning workshop with key internal stakeholders was conducted, we are awaiting this report.
	5.1.3.4 Develop a Traffic Management Plan to improve vehicle traffic flow throughout the central business district, including both short-term and long-term solutions.	N	N	On Track	65%	Traffic management option were presented to briefing Forum in November for consideration, key changes to priority roundabouts to assist with traffic flow were withdrawn due to the safety risk. \$100K has been applied for in next years budget to assist with the ongoing issues.
	5.4.1.2 Improve and grow our pathway network throughout residential areas	N	N	On Track	60%	Implementation of the Walking and Cycling strategy continues, blackwood drive, Edwards street school connection
	5.7.1.1 Ensure planning for new and redeveloped community facilities incorporates universal design principles	N	N	On Track	60%	Wareena Park Detailed designs are complete. WSAC extension involves the upgrade of facilities to align with compliant design principles.
	5.7.2.2 Plan and deliver significant play space destinations that cater for all abilities, including Apex Park and King Valley playgrounds	N	N	On Track	55%	Apex park upgrade is well underway and will be completed by March this year. The Whitfield all abilities playground will commence design this year with implementation under the Prosecco Road funding project.
	5.1.1.3 Facilitate public transport routes, such as buses, within the city and rural areas	N	N	On Track	50%	Work in progress in line with CBD masterplan and traffic management plans. The Annual reseat program has completed upgrade many of the rural transport links.
	5.1.3.2 Identify funding for improvement of regional and local road network to boost the region's economy including the Benalla-Whitfield Road	N	N	On Track	50%	Grant submitted for the construction of this section of Benalla-Whitfield road through the Black Summer Grant program, unfortunately not successful.
	5.2.1.1 Increase the representation of our cultural story and history throughout our community and recognise its impact on our sense of place	Y	N	On Track	50%	Increased representation of our cultural stories have occurred through stronger relationships established with local Bpangerang elders and Aboriginal and Torres Straight Islander members in the community. As a result the event delivery has included improved educational and accessible Welcome to Country ceremonies. A funding outcome received in December 2021, will see a unique project delivery connected to Australia Day that will highlight and increase visitation and engagement through a video and QR experience at the Marmungun Rock location.
	5.2.1.2 Deliver projects with our indigenous and cultural groups to celebrate the diversity and history of our region	Y	N	On Track	50%	Closer partnerships with Dirrawarra and our indigenous networks continue to grow, council staff members are regular attendees to the Dirrawarra Indigenous Network monthly meetings. The annual Marmungun Rock Celebration was privately delivered with limited numbers in November 2021, this will see the two most recent Citizens of the year have their handprint carved into the rock. A successful Australia Day grant application will see funding go to enhancing the Marmungun rock story through an interactive platform where QR codes will enable visitors to the site view videos about each story and citizen connected to each hand print carving. In November, the Marmungun Rock project was awarded the Victorian Tidy Towns award for Aboriginal and Torres Straight Islander category for a community project excellence.
	5.2.1.4 Promote the recognition of our rich textile history and manufacturing heritage.	Y	N	On Track	50%	The Wangaratta Contemporary Textile Award has received a significant funding commitment from the Kyamba Foundation for the 2023 and 2025 award, to enhance the award amount from \$10,000 to \$40,000. This prize money growth will improve both the calibre of the applicants as well as the status of the award ensuring it remains the most significant textile award in Australia. Exhibition delivery of the Tamworth Textile Triennial as the feature exhibition for the summer period.
	5.2.2.1 Deliver official Citizenship Ceremonies to welcome and celebrate new Australian citizens in our community.	Y	N	On Track	50%	A citizenship ceremony was held on Australia Day and dates for 2022 have been scheduled. These dates coincide with key citizenship days/weeks which are Harmony Week, Refugee Week and Australian Citizenship Day.
	5.3.1.1 Support the use of technology for service provision for people of all abilities, including those living in small towns and isolated rural areas and multicultural communities	N	N	On Track	50%	Ongoing - RCoW as part of the Business Concierge Program - Covid-19 supported Digital Hub with funding to assist people get access to their vaccine certificates
	5.3.1.3 Advocate for equitable access to the internet and mobile phone services	N	N	On Track	50%	Ongoing - we have received notification of additional towers being placed in critical blackspot areas ED&T continue to work with Helen Haines and the North East Telecommunications forum to advocate for additional towers.

5.4.1.1 Expand the provision of street lighting throughout key pedestrian and cyclist routes	N	N	On Track	50%	Looking at implementing solar lighting at key shared pathways that have been funded with the TAC, Edwards street and Blackwood drive.
5.4.1.3 Deliver pedestrian and cyclist improvements as outlined in the Walking and Cycling Strategy	N	N	On Hold	50%	Continuing to ensure that this is implemented
5.5.1.1 Deliver an engaging public art program that helps to make our city and rural communities more vibrant	Y	N	On Track	50%	The Hans Knorr Sculpture 'In the Deep' has received conservation and repair from the white art damage. The sculpture is due to be returned to the Owens Street Site by late January 2022. Discussions and planning continue to develop on the partnership project with Regional Roads Victoria to enhance the Rowan Street Underpass with public art engagement.
5.5.1.2 Showcase inspiring and thought-provoking visual art exhibitions at the Wangaratta Art Gallery.	Y	N	On Track	50%	The Wangaratta Art Gallery Programming remains thought provoking and inspiring in every way, currently exhibiting the Tamworth Triennial exhibition, an excellent display of contemporary Australian textiles and continues to engage the textile story. The 2022 exhibition program observes a dynamic, contemporary visual arts program delivery that represents both local and national artists of significance.
5.5.1.3 Advocate for the availability of accessible community creative exhibition spaces throughout our municipality	Y	N	On Track	50%	Advocacy continues through the Gallery 2 application program, these opportunities are open to the public annually with a percentage of exhibition opportunities allocated to community groups and local artists, allowing community groups and projects to apply. The Creative Precinct model Business Case modelling is also prioritizing an 'access' gallery space that has been the outcome of significant community consultation.
5.5.4.2 Provide family friendly events that engage children in literacy and community-based interactions	Y	N	On Track	50%	All delivery of children's programs has been postponed until restriction allow group activity and singing in public. These programs are planned to return in January 2022.
5.5.4.3 Provide a collection of library material that meets community needs and industry standards.	Y	N	On Track	50%	The library collection continues to acquire and grow, meeting the current industry standards in providing a contemporary relevant public library resource to the community.
5.5.4.4 Partner with the Wangaratta Digital Hub within the Library building to build digital literacy within the community.	Y	N	On Track	50%	This partnership is continuing to be successful, particularly with the delivery and community demand for online immunisation certificates, my Gov account access and COVID check in (Service Victoria app) This partnership is a wonderful community service particularly during this time.
5.6.2.1 Support groups and clubs to deliver events to their members and the broader community	Y	N	On Track	50%	During Q2 the events team have been assisting numerous community groups and clubs to manage their COVID plans and their understanding of the COVID restrictions to ensure that accessible and safe events run outside of council can continue.
5.6.2.2 Attract a range of conferences to the municipality.	Y	N	On Track	50%	Towards the end of Q2 as COVID restrictions eased, the WPACC began to attract a smaller conferences and corporate events, enquires and planning to promote this service will continue in 2022.
5.7.2.1 Develop and maintain playgrounds throughout the municipality to ensure access to play for our children and families	N	N	On Track	40%	Working with other divisions to ensure this is happening, and working with Asset planning on an asset plan
5.2.2.3 Continue to promote, recognise and celebrate NAIDOC week within our community	Y	N	On Track	30%	Naidoc week (July) and Reconciliation week (May- June) remain embedded into all Cultural venues and the programming as a priority. COVID restrictions made the events difficult for NAIDOC, but the events team delivered a fantastic, educational video online during lockdown. All ACE departments continue to plan exhibitions, events and programs that align in the celebration of these events.
5.5.2.1 Deliver a diverse and engaging annual program of events that caters to the needs of the community	Y	N	On Track	30%	The events program has been able to return amongst the ongoing presence of the COVID. The community is enthusiastic to attend and there is a proven appetite for events to return to the city. The events team bravely planned the Show grounds venue for the New Years event that was an absolute success. Over 3800 people attended with a mix of couples, youth and families. The team continue such standard with the return of the outdoor ball and supporting many events that are interested to come to Wangaratta.
5.5.2.2 Actively engage young people in the performance arts through the provision of accessible projects and performances	Y	N	On Track	30%	As COVID restrictions gradually lifted in the later part of Q2, the WPACC program prioritized local school productions, (Cathedral College and Galen College) along side local drama school performances and dance school performances. This service continues to be a priority for the WPACC service and program.
5.6.1.1 Deliver a diverse annual calendar of accessible community events throughout the municipality that provide opportunities for community members to connect	Y	N	On Track	30%	The annual program of events gradually returned in Q2 with both RCoW supported events and council run events such as the New Years Eve delivery. Events such as Light Up Wangaratta, The Seniors Festival and Geocaching were examples of the event return.
5.5.4.1 Provide alternative events that engage young people in the library community	Y	N	On Track	25%	COVID restrictions continued to make event delivery difficult although October period observed x3 events delivered with x1 targeted towards young people and December period observed a Christmas 'Crafternoon' program that was also targeted at the younger audience.
5.6.1.3 Recognise and celebrate local volunteers through National Volunteer Week.	N	N	On Track	15%	Comms will start late q1 2022
5.1.3.3 Advocate for the upgrade of the Wangaratta-Whitfield Road.	Y	N	On Track	10%	
5.2.1.5 Develop a Reconciliation Action Plan in partnership with our indigenous community	Y	N	On Track	10%	Development and Consultation has begun with the Dirrawarra Indigenous Network and the progress of the RCoW Reconciliation Action Plan will now be presented as a monthly agenda item for the ACE Manager to report on. Reconciliation Australia registration will take place in January 2022 and the working group membership will be established to begin the process.
5.5.3.2 Facilitate the Wangaratta Museum project to manage the collections of historic and social significance to the region and community.	Y	N	On Track	10%	Assistance is being provided to the WHS (Museum) in the nature of governance assistance, sector assistance and delivery of grant funds to enable an updated website and email administration. The updated website platform and membership launch is to be completed by June 2022. Communication and support continues to be provided in this project.
5.1.1.1 Advocate for train services and facilities to accommodate current and future passengers	N	N	At Risk	0%	Project to be developed and delivered
5.1.1.2 Identify and address public and community transport gaps throughout the North East	N	N	At Risk	0%	Project to be developed and delivered

	5.1.2.1 Promote the availability of car share providers, and access to affordable and passive transport options within the community	N	N	Off Track	0%	Need to review and look at scope and project
	5.2.1.3 Develop a program that acknowledges the traditional names of local places, people, and landmarks	N	N	Pending	0%	This action will require the development of a Reconciliation Action Plan (RAP), it will sit in as an action of the RAP.
	5.6.1.2 Plan for infrastructure in key strategic spaces that can facilitate the delivery of community-based events	N	N	On Hold	0%	To be incorporated into the Open Space & Recreation Strategy which is planned for update in the 22/23 financial year.
6. Growing with Integrity	6.2.1.1 Provide consistent technical advice to developers to ensure appropriate infrastructure standards are adhered to	N	N	On Track	60%	This is ongoing throughout the year. Plenty of advice on the Southern and North western growth areas Input to the GHD north west growth areas waste water design solutions
	6.1.1.1 Facilitate an integrated approach to the funding of infrastructure within the North West and South Growth areas through DCPs	N	N	On Track	50%	Ongoing - discussions with NEW, Council Officers including CEO, Director Development Services and Director Infrastructure to address issues with capacity to service growth areas this work is a priority Received Grant from, VPA for Land Supply and Monitoring Program
	6.1.1.2 Identify opportunities for residential land supply to accommodate future population growth.	N	N	On Track	50%	Population and Housing Strategy Review brought forward to be looked as a project bid for FY22/23
	6.1.2.1 Ensure sufficient land is available to accommodate a range of housing options.	N	N	On Track	50%	Grant Received for Land Supply and Monitoring Program with VPA on residential land Ongoing: Population and Housing Strategy Review brought forward to be looked as a project bid for FY22/23
	6.1.2.2 Encourage a variety of lot sizes in new residential estates.	N	N	On Track	50%	Ongoing: NRM, Strategic Planning, Statutory Planning and Infrastructure continue to work together on subdivision plans and planning applications to ensure best outcomes are achieved.
	6.1.2.3 Work with State Govt and social housing providers to facilitate social housing projects.	N	N	On Track	50%	Ongoing: Working with Homes for Victoria and provided information and webinars to developers and social housing providers on the Big Housing Build program
	6.1.2.4 Explore opportunities to encourage affordable CBD housing development.	N	N	On Track	50%	Working with Homes for Victoria on an option to create an affordable housing precinct at Ovens College
	6.1.2.5 Facilitate a sustainable balance between growth and development, and the protection of existing agricultural land.	N	N	On Track	50%	Ongoing NRM, Strategic Planning, Statutory Planning and Infrastructure continue to work together on subdivision plans and planning applications to ensure best outcomes are achieved.
	6.2.1.2 Work with stakeholders to ensure sufficient open space and infrastructure is provided for future communities.	N	N	On Track	50%	Ongoing: Open Space Plan for new Subdivisions - Sports & Rec team - NRM, Strategic Planning, Statutory Planning and Infrastructure continue to work together on subdivision plans and planning applications to ensure best outcomes are achieved.
	6.4.1.1 Continue to develop and promote the Live Wangaratta website.	N	N	On Track	50%	Campaign development in progress. To be launched June 2022
	6.4.1.2 Work with local partners to ensure a collective approach to marketing the municipality for new residents.	N	N	On Track	50%	Ongoing/in progress - working in conjunction with Economic Development to market local campaigns
	6.4.2.1 Develop collateral that promotes the unique characteristics and position of the municipality for investment.	N	N	On Track	50%	In progress - 'Invest' campaign in creative development. Series of 'Explainer' videos to be rolled out in May with printed collateral supplied to Economic Development team
	6.4.2.2 Develop marketing which target and attract businesses for investment or relocation to the region.	N	N	On Track	50%	In progress - development of Invest branded marketing campaign in progress to be rolled out across various mediums
	6.4.2.3 Deliver marketing and social media content that attract new residents and clearly positions Wangaratta as a great place to live and work.	N	N	On Track	50%	In progress. Series of community engagement campaigns currently underway in on social media. Will continue in conjunction to Live marketing campaign
	6.4.2.4 Develop marketing campaigns that attract families and young people to move to the area.	N	N	On Track	50%	In progress. Retargeting marketing campaign of high performing aspects of 'visit' campaign aimed at family and youth currently in marketing till end Feb. New campaign creative to be launched April
	6.5.1.1 Implement placemaking projects in new communities to engage residents, build connection and identify priorities.	N	N	On Track	50%	Developing Pitcher This Program - presented to council and rolling out in 2022
	6.5.1.2 Support emerging community groups, clubs and activities within new neighbourhoods.	N	N	On Track	50%	Continuing to work with community on this
	6.5.2.2 Ensure infrastructure and services are planned and delivered to support the health and wellbeing of new neighbourhoods.	N	N	On Track	50%	Growth Areas - PCG groups and review of Development plans - currently 6 Development plans in progress
	6.5.2.3 Plan and deliver playgrounds, walking and cycling tracks and open spaces within emerging communities.	N	N	On Track	50%	Continuing work with the other divisions including infrastructure and planning, and to look for grant opportunities
	6.3.1.1 Ensure best practice biodiversity conservation in planning, project design and works.	N	N	On Track	40%	Ongoing: Part of ESD regional working group. NRM, Strategic Planning, Statutory Planning and Infrastructure continue to work together on subdivision plans and planning applications to ensure best outcomes are achieved.
	6.3.1.2 Ensure future settlements are designed and located to consider the risks of climate changes including fire, floods, and other natural hazards.	Y	N	On Track	40%	Continue to work with teams and outside agencies to ensure new strategies incorporate risk of Climate Change impacts - Audit report
	6.2.2.1 Provide pre-application advice to customers to ensure development ideas are appropriate and can be facilitated.	Y	N	On Track	0%	Advice provided to customers via telephone, email and at the counter

6.2.2.2 Provide an effective permit system that facilitates appropriate growth.	Y	N	On Track	0%	
6.2.2.3 Conduct an review to assess the potential to grow Council's building permit business.	Y	N	On Track	0%	Plan of implementation being drafted
6.5.2.1 Advocate for increased health, education, and community services to support population growth.	N	N	Off Track	0%	To be started - need to work with Community Wellbeing to define scope of works for Advocacy document



Rural City of
Wangaratta

Waste Services Policy

Responsible Officer	Adoption Date	[Choose date]
Waste Management Coordinator	Approved By	Council
Authorising Officer	Review Date	March 2023
Director Infrastructure Services	Policy Type	Council Policy

Statement and Purpose

The policy sets out the services that will attract fees and charges for kerbside waste collection and waste received at Council's waste sites. It also sets out the basis for any exemptions to these services and associated costs.

The Waste Services Policy will assist in delivering the outcomes specified in Council's Waste Management Strategy.

Waste collection and associated charges are levied, as approved by Council each year whether or not the service is used. The charges are itemised on the property's annual rate notice only.

Policy

Kerbside Waste Collection Services

Council shall provide a kerbside collection of approved waste, recyclable and organic material within a defined service area. The defined service area is set out by the area and routes shown on Council's waste collection maps. These areas may be extended or reduced from time to time on the basis set out in this policy. See Table 1 below for information on the Council provided kerbside collection services.

Services	Residential Urban Wangaratta	Residential Rural	Glenrowan, Hamilton Park, Oxley and Milawa (Townships)	Commercial Businesses Urban	Commercial Businesses Rural
Standard Bin Service	140Lt garbage bin (fortnightly collection) 240Lt organics bin (weekly collection) 240Lt recycling bin (fortnightly collection)	240Lt garbage bin (fortnightly collection) 240Lt recycling bin (fortnightly collection)	140Lt garbage bin (fortnightly collection) 240Lt organics bin (weekly collection) 240Lt recycling bin (fortnightly collection)	140Lt garbage bin (fortnightly collection) 240Lt organics bin (weekly collection) 240Lt recycling bin (fortnightly collection)	240Lt garbage bin (fortnightly collection) 240Lt recycling bin (fortnightly collection)
Optional service	240Lt garbage bin (higher cost) 140Lt organics bin (same cost as 240Lt) 140Lt or 360Lt recycling bin (same cost as 240Lt)	140Lt garbage bin (same cost) 140Lt or 360Lt recycling bin (same cost)	240Lt garbage bin (higher cost) 140Lt organics bin (same cost as 240Lt) 140Lt or 360Lt recycling bin (same cost as 240Lt)	240Lt garbage bin (higher cost) 140Lt organics bin (same cost as 240Lt) 140Lt or 360Lt recycling bin (same cost as 240Lt) A weekly or daily garbage or organics services are available at additional costs.	140Lt garbage bin (same cost) 140Lt recycling bin (same cost) A weekly garbage collection may be available at an additional cost.
Additional bins can be obtained outside the standard service at additional costs	Extra 140Lt or 240Lt garbage Extra 140Lt or 240Lt organics Extra 140Lt, 240Lt or 360Lt recycling	Extra 140Lt or 240Lt garbage Extra 140Lt or 240Lt organics Extra 140Lt, 240Lt or 360Lt recycling	240Lt garbage bin (higher cost) 140Lt organics bin (same cost as 240Lt) 140Lt or 360Lt recycling	Extra 140Lt or 240Lt garbage Extra 140Lt or 240Lt organics Extra 140Lt, 240Lt or 360Lt recycling	Extra 140Lt or 240Lt garbage Extra 140Lt or 240Lt organics* Extra 140Lt, 240Lt or 360Lt recycling *Where an existing service is being provided
Medical certificate	Upgrade from a 140Lt to a 240Lt garbage. If a 240Lt exists then an additional 140Lt will be provided.	If a 240Lt exists then an additional 140Lt will be provided.	Upgrade from a 140Lt to a 240Lt garbage bin. If a 240Lt exists then an additional 140Lt will be provided.	N/A	N/A
Exemptions	No exemptions unless uninhabitable.	No exemptions unless uninhabitable.	No exemptions unless uninhabitable.	Exemptions only granted if evidence of a collection being provided by another waste service.	Exemptions only granted if evidence of a collection being provided by another waste service.

Table 1 Waste services provided by the Rural City of Wangaratta

Organics caddies and liners - Urban

All properties receiving an organic service will receive a kitchen caddy and a roll of compostable liners.

Rental properties

It is the responsibility of the Landlord or Agent to ensure that caddies and liners remain with the property.

Caddy replacement

Broken, lost or stolen kitchen caddies can be replaced at approved Council fees and charges, or alternatively residents can purchase 8L bins from major retail stores.

Compostable Liners

Council will provide compostable liners for free, to be collected from the Wangaratta Government Centre.

Commercial business using the compostable liners

Commercial business that have a food organics collection are entitled to one roll of either 80L or 240L organic liners per service, once a year.

Waste Collection Sites

Council provides waste collection services at Bowser Landfill and Transfer Stations.

Council shall establish fees for receiving waste at waste collection sites on an annual basis. Differential fees will be set for nominated materials to encourage separation, recycling and waste reduction.

Bowser Landfill

Bowser landfill fees will be set considering all costs of development, operation, rehabilitation, monitoring and aftercare as required by the Environment Protection Authority (EPA) and other regulations that may apply. All waste disposal will be charged according to the adopted fees, regardless of the source of the waste from within or outside the municipality. As required by the EPA Bowser Landfill Licence, Council will maintain a reserve for future costs of rehabilitation, aftercare and possible remediation of Bowser Landfill and provide financial reports to the EPA as required.

Asbestos is accepted at the Bowser Landfill from both domestic and commercial sources. 24 hours notification is required prior to disposal.

Transfer Stations

Materials received at Council's Transfer stations must originate from within the Rural City of Wangaratta. State funded programs like Sustainability Victoria's "Detox Your Home" are available to North East residents. Council may from time to time apply free or discounted fees for receiving waste at transfer stations.

Disposal of waste must comply with Council's safety and environmental requirements; therefore some items may be refused.

Transfer stations have only a limited space for waste materials. For this reason, where commercial operations are looking to dispose waste amounts greater than three cubic metres to the Wangaratta transfer station, Council must be contacted first. Where appropriate loads may be redirected to the Bowser Landfill. Failure to contact Council may result in being refused service and a request to return later depending on space remaining within the waste bins.

Due to Occupational Health and Safety (OH&S) regulations, Council does not allow the collection or scavenging of materials.

Wangaratta Organic Processing Facility

The Wangaratta Organic Processing Facility fees will be set considering all costs of its development and ongoing operation. The facility has the ability to process food and garden waste from kerbside collected green bins. This site is considered a commercial site and is not open to the general public.

\$5 Hard Waste Voucher

One \$5 hard waste voucher will be issued to each property with the first rates notice of the financial year only. It is up to the landlord of the property to pass on the hard waste voucher to any tenanted properties if they choose to. The voucher is for one time use only.

Free Green Waste November

To assist residents to clean up around their property prior to the fire season, free green waste disposal is available for the month of November during normal operating hours, at all transfer stations.

Other Collections

Charity Organisations

Charity Opportunity shops operating within the municipality may be eligible for credit to dispose of unwanted items. A non-refundable credit will be granted annually, upon Director Approval* of written applications to Council.

The value of the non-refundable credit will be equal to 15 tonnes of commercial waste deposited at the Bowser landfill. This credit may be used at either the landfill or the Wangaratta Transfer Station.

*Director of Infrastructure Services

Community Halls & Pavilions

Council will provide two free garbage and recycling, as well as one free organic bin (if located within the collection area) to community halls and pavilions. Additional bins will be charged at normal rates.

Community Recreation Reserves

Council will provide free public place garbage and recycling services to recreation reserves and ovals for litter management. The litter bins will be fixed and it is the responsibility of the

Committee of Management to ensure all bins are removed from the stands and placed out for collection.

Country Fire Authority (CFA) Volunteer Stations

CFA volunteer stations on Council's waste collection routes will receive one free garbage service and one free recycling service per annum.

Schools, Childcare Centres and Churches

Kerbside garbage, recycling and organics (located with a collection area) is compulsory for schools, child care centres and churches to help promote waste education. Exemptions may apply if other services are in use.

Community Events

Council can provide Garbage, Recycling and Organic event bins for all event requests received. Council approved fees and charges will apply. The event bin charge is not applicable to commercial businesses who may require additional bin services due to an external event.

Event bin costs are based on the collection being undertaken as part of a normal collection run, enabling standard collection rates to apply. Should a collection be required outside a standard collection run then the applicable charge will be per hour to service the bins.

Recycling is compulsory when utilising Council's waste collection service and highly contaminated recycling bins may incur a fine for waste disposal.

Council can provide up to 25 complete bin stations (garbage, recycling and organics bins) for all events held in Wangaratta. The maximum event bin lids available for garbage and recycling bins for rural events is 50. Additional household bins can be provided, if required at the same cost.

The charge per bin covers the delivery to/from the site and disposal of contents (one empty prior to removal from site). Note that this charge does not cater for events which extend over several days and require multiple empties throughout the event period.

If an Event is cancelled within 48 hours, or bins have already been delivered to the event, then the event bin charge will remain applicable.

The Council events team can provide guidance on the number and placement of bins for events. The notice required by the Council waste team to arrange the waste service will depend on the number of bins required. A guide to the application process is outlined below.

High Impact Event

Event application must be completed and received by Council, 90 working days in advance of event.

Medium Impact Event

Event application must be completed and received by Council, 30 working days in advance of event.

Low Impact Event

Event application must be completed and received by Council, 21 working days in advance of event.

Charity Events

Charity events will be subjected to Council's approved fees and charges. Exemptions may be granted following formal application to the Director - Infrastructure Services.

*Refer to Council's annual published Fees and Charges for applicable rates.

Exemptions and Exceptions

Uninhabitable residences

Premises may be eligible for a waste exemption if evidence can be provided that the premises are uninhabitable.

Emergency waste exemption

Residents may be eligible for a waste exemption if affected by a natural or local disaster. Depending on the severity of the situation, a \$5 hard waste voucher will be provided, or alternatively fees may be waived, at the discretion of the Director - Infrastructure Services.

Rural and Urban Medical Waste

Residents may be eligible for a waste exemption for medical waste. The option of an additional bin will be provided at no charge, upon receipt of a medical certificate or other documentation deemed appropriate by the Waste Management Coordinator.

Multi-Level Units and Large Unit Buildings – Owners' Corporation

Owners' Corporations of more than 8 units can negotiate the overall number and composition of bins and will be charged accordingly, however a kitchen caddy and liners will need to be provided for each residence at the cost to the Owners Corporation. The number of rolls of compostable liners provided for free will be reflective of the number of bins charged. Negotiation of bins will need to occur prior to 1 July of the new financial year to be itemised on annual rates notices.

Owners' Corporation representatives will be required to provide evidence of their eligibility under this section and also to complete a form to substantiate their request for a change in services. If approved, the total amount of the service charges will be invoiced directly to the Owners' Corporation representative.

Unpaid amounts will result in an immediate termination of these special arrangements and reversion to standard bin services.

Refund of rates for services not received

In the occurrence of paid waste rates without a collection ever occurring, the owner of the property may seek reimbursement. Reimbursement at the error of Council will be up to a maximum of 5 years, if proven there was no waste collection in place.

Alternative collection arrangements for Business or Commercial Operators

Persons or corporations may be eligible for a waste charge exemption where an alternative collection service is utilised. Exemptions will be considered, if written evidence of an alternative service is provided and is satisfactory to Council's requirements, and a waste audit is undertaken at the property by a Council officer.

Satisfactory evidence would include a copy of the contract for the provision of future waste collection services or a copy of three month's statements showing a regular collection service is in place. Any information supplied will remain confidential.

This evidence will be required annually upon receipt of a rate notice including waste charges.

Unoccupied commercial properties

If a commercial property has been unoccupied for a minimum of 12 months, an exemption from waste charges may be granted. It is the responsibility of the landlord to apply for the exemption. The exemption will be applied going forward from the date approval is granted. No retrospective refunds will be given for the period that the commercial property has not been occupied.

All exemptions are reassessed before the end of the financial year biannually. At any point, if the property becomes occupied again the landlord must notify Council and arrange waste services.

Request for a Route Extension

If the owner of a rural property wishes to receive a waste and recycling collection service and is not on an established collection service route, the owner of the property may arrange to place their bins at the nearest crossroad that is on a collection route. The standard waste collection charges will apply.

The defined service area can be extended as required by the Director - Infrastructure Services after considering matters such as:

- viability
- access and safety of movement for the waste collection truck and other road users
- whether the additional route is on Council's Register of Public Roads
- whether the additional distance exceeds two kilometres, including any additional distance to safely turn around, if required.

Access using private roads to provide waste collection can be approved where a specific access agreement has been negotiated with Council and agreed in writing. Register of Public Roads letters will be sent to residents notifying them of the proposed change. If residents are consenting of the proposed change, then waste rates will apply to the residential properties along that road. This is based on 80% of residents consenting to the extension.

Council's Four-Strike Contamination Policy – Garbage, Organics and Recycling

Contamination occurs when people place the wrong item in the wrong bin. To ensure the long-term viability and effectiveness of the garbage, organics and recycling kerbside systems, Council has introduced a four-strike contamination policy. This policy will use both education and enforcement to reduce the rate of contamination in Council bins.

If a garbage, organics or recycling bin containing contamination is presented 4 times within a 4-year period, on the fourth occasion, the bin will be removed and the charges will remain on the property's rates notice.

If Council becomes aware of a situation that is causing ongoing contamination issues i.e. dementia or disability, bins will be taken away and more appropriate bins will be issued to the resident.

Contamination Policy Steps

First offence – The garbage, organics or recycling bin will not be collected and will receive either a contamination sticker or letter which also contains education material. The bin will be recollected upon request, if the contaminants are removed.

Second offence – The garbage, organics or recycling bin will not be collected and will receive either a contamination sticker or letter which also contains education material. The resident will also receive a follow up letter in the mail notifying them of their second offence and outlining the contamination policy steps. The bin will be recollected upon request, if contaminants are removed.

Third offence – The garbage, organics or recycling bin will not be collected and will receive either a contamination sticker or letter which also contains education material. The resident will also receive a follow up letter in the mail notifying them of their third offence and outlining the contamination policy steps. The bin will be recollected upon request, if contaminants are removed.

Fourth offence – The garbage, organics or recycling bin will be removed and the waste charge will remain. A letter will be sent to the resident advising them, that in order to reinstate their garbage, organics or recycling bin they are required to provide a letter to Council stating that they will use the bin correctly and only place accepted materials in their bin.

The Rural City of Wangaratta is responsible for ensuring that appropriate behaviour with children is clearly defined and expectations are accessible and understood by all staff, contractors and volunteers.

Illegal Dumping

Any person caught dumping waste illegally either in a public place, park, in recreation reserve bins, outside transfer stations, or within the municipality's roadsides, will be subjected to Environmental Protection Authority fines and penalties.

Conditions of Collections

1. Scheduled bins to be out for collection prior to 6 am.

2. Bins must not exceed approximately 70 kilograms in weight as the truck may not be able to lift the bins. If you have major difficulty pushing the full bin, then it may be more than the required weight limit. For example, 360L recycling bins filled with glass may result in a non-collection; Organics bins that are filled to the top with wet lawn clippings or fruit may be too heavy to collect (try leaving the lid open to dry the contents up); Garbage bins containing unauthorised materials such as brick and concrete may result in the truck unable to collect the bin.
3. Only authorised material may be put in bins. If you are unsure of what can go in what bin please check Council's waste website for more information or contact Council directly.
4. Any waste spilt from overflowing bins prior to collection must be removed by the occupier responsible for the bin, as soon as practicable. Larger garbage bins are available if required, at a cost.
5. Once bins have been emptied, bins are to be removed from the kerbside and relocated within the premise of the property within 24 hours of collection (refer to Local Law No. 1 sub clause 64.1.3).

References

Legislation

- Environmental Protection Act 2017
- Occupational Health and Safety (OH&S) regulations
- Circular Economy (Waste Reduction and Recycling) Act 2021

Internal policies

- Local Law No. 1

Review

This policy is reviewed annually.

Community Submissions Draft Climate Mitigation & Adaptation Policy



Summary of Points	Council Response	Changes
<p>We would like to support the submission from Wangaratta Landcare and Sustainability Inc re the above draft policy and the need to strengthen Council's response and direction. The Australian response is not just a Federal Government matter, but to achieve significant climate mitigation, we all have to pay our part including Local Government.</p> <p>Might we suggest the urgency to attend to this matter in every aspect of RCoW endeavor? This will require an audit of carbon emission output in even the most minor matter. As an example, at the Barr Reserve, where efforts have been made to adapt to energy matters, can we suggest that a simple matter such as reducing the number of lights within the stadium, particularly the changerooms, could be a quick and easy fix. If this kind of adaptation were taken in every area of Council enterprise, quick reductions in carbon emissions could be achieved. We would urge that these changes be followed with more serious ongoing efforts to allow us some chance of living in a comfortable environment in the future.</p>	<p>Specific actions that have been endorsed are listed in the Environmental Sustainability Strategy 2021-2026 and the Emissions Reduction Plan is where further action in terms of reducing electricity use by Council will be explored. The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.</p>	None
<p>PAGE 3 I refer to the following passage -</p> <p>"This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the Chief Executive Officer". It is the personal responsibility of all Councillors, Council employees and agents to have knowledge of, and to ensure compliance with this policy."</p> <p>The term "personal responsibility" is troubling in the context of the considerable challenges many Council departments will face in coming years. I would strongly prefer that this policy document assert that the council executive and elected councillors are responsible to ensure all RCOW employees are trained, resourced and mentored so they can adapt and perform their roles to the best of their ability (with institutional support) as climate disruption continues and escalates.</p> <p>* I request the inclusion of a fuller description of the responsibilities of our councillors and executive leaders to advocate, facilitate, network and lead as they take action on climate change.</p>	<p>Noted. Added 3 additional bullet points to the Roles & Responsibilities section.</p> <ul style="list-style-type: none"> •The CEO & Directors are responsible in promoting awareness of the policy and ensuring it is integrated into the corporate governance framework. •This Policy should be read in conjunction with the Rural City of Wangaratta Code of Conduct. •The implementation of this Policy will be through the Environmental Sustainability Strategy & Emissions Reduction Plan. 	Yes
<p>* PAGE 1 - I fully support the following statement "The municipality is already experiencing the impacts of climate change...."</p>	<p>Noted.No change required</p>	None
<p>Suggestions for information that could be included in this policy document to provide background and a sense of urgency -</p> <p>1) The estimation of how much warming has already occurred and that is "locked-in" to our future. This is at least 1.5 degrees. You could accompany this figure with a statement that this warming is already contributing to climatic alteration throughout the RCOW.</p>	<p>This policy is set for the next 3 years for Council, therefore do not recommend specifying data that will continue to change i.e 1 degree. The policy makes it clear that it impacts upon our municipality and Council recognises the need for action. Wording added to strengthen sense of urgency, "Climate change is an <i>urgent</i> global issue "pg 1 and... "As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife, for the health and wellbeing of our community and aging population, and the impacts upon infrastructure, businesses, and livelihoods. " and "A failure to adequately address this, places an unacceptable burden on <i>current</i> and future generations. pg 2</p>	Yes
<p>2) An acknowledgement that RCOW infrastructure is a risk of damage.</p>	<p>Wording added, "As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife, for the health and wellbeing of our community and aging population, and the impacts upon infrastructure, businesses, and livelihoods. " pg 2</p>	Yes
<p>3) An acknowledgement that both human life and non-human life is at risk of destruction. We are likely to witness the biodiversity that exists throughout the RCOW diminish. Wild living species don't have the option of sheltering for days in air-conditioned buildings or of breathing mechanically filtered air.</p>	<p>Wording added, "As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife, for the health and wellbeing of our community and aging population, and the impacts upon infrastructure, businesses, and livelihoods. " pg 2</p>	Yes
<p>I include below some language suggestions for conveying the pressing nature of our predicament in 2022.</p> <p>* PAGE 1 – the first sentence could be much stronger. I suggest leading with "Climate change is a cataclysmic disruption of meteorological systems...."</p>	<p>Noted. However, research has shown leading with such strong language (i.e 'cataclysmic') can cause people to disengage and not want to be part of the journey as it seems too overwhelming. Therefore no changes recommended.</p>	None
<p>* PAGE 2 – The second sentence contains this understatement "...places an unacceptable burden on future generations." Climatic alterations that imperil life and livelihood are more than an "unacceptable burden". Unnatural levels of disaster are not something only -yet to be born- human beings will contend with. It is impacting Australians now and the responsibility to act is now.</p>	<p>Noted, Council recognises these burdens are already being felt in the current generation, "The municipality is already experiencing the impacts of climate change.." page 1. This 'unacceptable burden' is there to highlight we are also thinking of future generations. To further strengthen this wording has been added, ""A failure to adequately address this, places an unacceptable burden on <i>current</i> and future generations.""</p>	Yes
<p>Following on I urge council to include within this policy document a stated commitment to develop a comprehensive climate ADAPTATION plan. This could be listed on page 2 under the heading "POLICY" . I note the neighbouring shires of Towong, Wodonga and Indigo developed just such an adaptation plan 2017-2021.</p> <p>Should these three council update their adaptation plan in the coming year it would an opportune time for the RCOW to join them. Become a strong alliance of 4 councils in the North East sharing resources and expertise in planning for climate disruption.</p>	<p>As this was not listed as an action in the Environmental Sustainability Strategy 2021-2026 it has not been budgeted for and would have to go to Council in the future for budgeting approval. This is outside the scope of this policy document.</p>	None
<p>Parts of this DRAFT I wish to see retained in the final Climate Policy - * A commitment to reduce greenhouse emissions. As electricity use is by far the number one RCOW generator of emissions I urge this council to do what dozens of other councils have done in Victoria – commit to sourcing 100 % of councils electricity from renewable sources within five years time.</p> <p>* PAGE 2 - I support the development of an Emission Reduction Plan for council operations.</p>	<p>Noted. No changes required.</p>	None
<p>* PAGE 2 - I request that on going work the the RCOW does in this space be informed by the most comprehensive and current scientific information available including the regularly issued reports by the IPCC.</p> <p>I support the intention stated in this policy document to adopt the precautionary principle.</p>	<p>Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document.</p>	None
<p>* PAGE 1 – I fully support this warning from the IPCC being referenced in this document - "...there is a narrow path to avoiding climate catastrophe..."</p>	<p>Noted.No change required</p>	None

<p>Parts of this DRAFT I wish to see retained in the final Climate Policy -</p> <ul style="list-style-type: none"> * The acknowledgement of the importance of the scientific assessment by the United nations Intergovernmental Panel on Climate Change * The definition of "climate change" at the back of this document must continue to acknowledge the "...overwhelming scientific consensus that human activities are the dominant cause for rising temperatures." * PAGE 3 - I fully support council "partnering with other government agencies, community and stakeholders to meet the challenges of climate change." * PAGE 1 - I fully support the SCOPE of the document being as wide as to apply "...to all Councillors, Council employees and agents of Council in all decisions and activities relating to Council operations." 	Noted.No change required	None
<ul style="list-style-type: none"> * Please include a time-lined policy point of RCOW achieving Net Zero Emissions 	The Emissions Reduction Plan that is currently underway needs to be first completed to ensure a greater understanding of costs and actions that would be required to meet targets.	None
<p>4) An acknowledgement that the Wangaratta population is skewed towards the older demographic . Older people are more vulnerable to expiring during heat waves. In The Border Mail 7th Feb an article broaching this topic mentions of heat wave related deaths "About 70 per cent of those deaths were in people over 65, and almost all of them were in buildings." One nearby shire Moira has a specific "Heat Wave Policy".</p>	Wording added, "As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife, for the health and wellbeing of our community and aging population, and the impacts upon infrastructure, businesses, and livelihoods. " pg 2	Yes
<ul style="list-style-type: none"> * PAGE 3 - third line down I find this phrase "...local solutions to climate change" This phrase has the unintended effect of suggesting global warming is a solvable problem. If there truly were solutions elements of the community wouldn't be strongly calling out for a comprehensive council plan for adaptation. I suggest the removal of the term "solutions". 	The wording, "local solutions to climate change" is used by the United Nations, Friends of the Earth, Australian Climate Council, and other Councils. However, believe the suggested wording of 'local responses' instead of 'local solutions' also meets our objective and thus have changed it within the policy.	Yes
<p>In the policy section where it states that Council recognises that climate change requires leadership from Council and collaboration and the importance of shared responsibility across all levels of government and sectors of the municipality.Council is committed to:</p> <p>1) Taking a precautionary approach to planning for and mitigating climate change by managing climate change-related risks and opportunities. I believe that council could be committed to leading by taking a PROACTIVE and INNOVATIVE approach instead of a PRECAUTIONARY approach.</p> <p>For example, while it is commendable to be committing to the increased use of renewable energy, Council showing leadership could also include battery storage and council changing their fleet of cars to ELECTRIC VEHICLES and installing CHARGING STATIONS</p> <p>The policy states that: Any change or update which materially impacts and/or alters this policy must be approved by the Director Corporate Services. Otherwise the policy will be reviewed by the Sustainability Officer every three years.</p> <p>I believe that an effective policy is a living document with built in mechanisms for:</p> <ul style="list-style-type: none"> - Accountability - Timelines - Actions. <p>While I understand it will be 'everyones' responsibility to enact the policy, it is important to name who is accountable rather than leave it to a review in 3 years.</p> <p>In addition to the general motherhood statement that: Climate change is a global issue that creates local impacts on almost all aspects of our operations, our economy, the environment, and our community' It may be more effective to be specific in naming and giving examples of some of the impacts of climate change, and the extremes in our weather, for example: the impact on the biodiversity of our native plants, animals and broader landscape, the extinction of native species, the impact on the quality and sustainability of our water resources, the impact on the value of our agricultural resources, the impact on the the health and wellbeing of our population. And there will be more...</p>	<p>A definition of the precautionary approach will be listed in the document to make Council's intent clear. "The precautionary approach for the purpose of this document refers to when there is uncertainty surrounding future climate impacts, this should not stand in the way of taking actions or decisions in response to climate change."</p> <p>Please note, a list of Council's actions for the next 5 years, that include electric vehicles and charging infrastructure are listed in our Environmental Sustainability Strategy 2021-2026.</p>	Yes
<p>The policy states that: Any change or update which materially impacts and/or alters this policy must be approved by the Director Corporate Services. Otherwise the policy will be reviewed by the Sustainability Officer every three years.</p> <p>I believe that an effective policy is a living document with built in mechanisms for:</p> <ul style="list-style-type: none"> - Accountability - Timelines - Actions. <p>While I understand it will be 'everyones' responsibility to enact the policy, it is important to name who is accountable rather than leave it to a review in 3 years.</p>	<p>Noted. Added 3 additional bullet points to the Roles & Responsibilities section. •The CEO & Directors are responsible in promoting awareness of the policy and ensuring it is integrated into the corporate governance framework.</p> <ul style="list-style-type: none"> •This Policy should be read in conjunction with the Rural City of Wangaratta Code of Conduct. •The implementation of this Policy will be through the Environmental Sustainability Strategy & Emissions Reduction Plan. 	Yes
<p>In addition to the general motherhood statement that: Climate change is a global issue that creates local impacts on almost all aspects of our operations, our economy, the environment, and our community' It may be more effective to be specific in naming and giving examples of some of the impacts of climate change, and the extremes in our weather, for example: the impact on the biodiversity of our native plants, animals and broader landscape, the extinction of native species, the impact on the quality and sustainability of our water resources, the impact on the value of our agricultural resources, the impact on the the health and wellbeing of our population. And there will be more...</p>	<p>Wording added, "As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife, for the health and wellbeing of our community and aging population, and the impacts upon infrastructure, businesses, and livelihoods. " pg 2</p>	Yes
<p>under Roles and responsibilities change the wording to "This Policy confers delegated authority upon the Chief Executive Office and Mayor so that the community will have recognisable leaders in council who are to be held accountable for all actions and inactions of this Policy and who will actively advocate for the cooperation and support of the community in the Council's efforts to mitigate and adapt to climate".</p>	<p>Noted. Added 3 additional bullet points to the Roles & Responsibilities section. •The CEO & Directors are responsible in promoting awareness of the policy and ensuring it is integrated into the corporate governance framework.</p> <ul style="list-style-type: none"> •This Policy should be read in conjunction with the Rural City of Wangaratta Code of Conduct. •The implementation of this Policy will be through the Environmental Sustainability Strategy & Emissions Reduction Plan. 	Yes
<p>Detail stronger, role-specified leadership amongst the council executive to show strong commitment and will to enact climate mitigation and adaptation policy that is transparent, accountable, immediate and sustained. This can be an inspiring driver of community action and support for council in its efforts and will also attract people to our city to live and visit.</p>	<p>Noted. Added 3 additional bullet points to the Roles & Responsibilities section. •The CEO & Directors are responsible in promoting awareness of the policy and ensuring it is integrated into the corporate governance framework.</p> <ul style="list-style-type: none"> •This Policy should be read in conjunction with the Rural City of Wangaratta Code of Conduct. •The implementation of this Policy will be through the Environmental Sustainability Strategy & Emissions Reduction Plan. 	Yes
<p>Emphasise the urgency of the need for action to mitigate and adapt to climate extremes in the face of rapidly escalating climate change and its impacts.</p>	<p>Urgency is already highlighted in the document, " It highlights there is a narrow path to avoiding climate catastrophe, but only through immediate and sustained emissions reductions." and further wording added, "Climate change is an <i>urgent</i> global issue "p1</p>	Yes
<p>under Policy 1) and 2) both these commitments would benefit from including an advisory board on which could sit representatives of the region's youth, education, aged, health authorities, emergency authorities, environmental and scientific authorities.</p>	<p>Addressed in the Environmental Sustainability Strategy 2021-2026 action, " Create an Environment & Sustainability reference group to encourage increased dialogue & collaboration. " and noting that Council is part of the Goulburn Murrumbidgee Climate Alliance that has representation from DEWLP and the North East Catchment Management Authority. (To learn more please visit www.gmca.org.au) No change required, outside scope & purpose of policy.</p>	None
<p>State a stronger intention to set more optimistic goals than the minimum that aim to achieve maximum targets. This will ensure we have a chance of exceeding the bare minimum targets set because the matter is URGENT.</p>	<p>Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document.</p>	None
<p>under Policy 3), a) change the wording to "Reducing Council's greenhouse gas emissions, including landfill emissions by at least 75% lower than 2015/16 levels by 2025"</p>	<p>Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document. Furthermore, the strategy has the action, " Investigate feasibility of/and develop landfill emission reporting for the municipality." This needs to occur first so that there is an understanding of the baseline to be then be able to set a target and understand what resources and funding is required to be able to support that.</p>	None
<p>under Policy 3) b) change the wording to "sourcing 100% of Council's electricity demand from renewable energy sources by 2025"</p>	<p>Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document.</p>	None
<p>We would support RCOW actively planning with urgency to both mitigate and adapt to Climate Change</p>	<p>Noted. Council is actively planning with urgency in regards to climate change. That is what is driving this policy, our endorsed Environmental Sustainability Strategy 2021-2026 and an Emissions Reduction Plan for council's operations that is currently underway.</p>	None
<p>We would support development of a plan to pool resources and expertise with neighbouring shires in a collective effort to combat the effects of climate change in our region</p>	<p>Council is part of the Goulburn Murrumbidgee Climate Alliance with 13 other councils and the Council's sustainability officer is on its Executive Committee. The Alliance applies for grant funding in partnerships, works to share knowledge and resources and has regular meetings to facilitate this exchange. (To learn more please visit www.gmca.org.au) No change required, outside scope & purpose of policy.</p>	None

We would support RCOW sourcing all of its electricity needs from renewable sources as soon as possible	Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document.	None
We would support greater commitment to prepare for coming disasters and weather pattern changes. The need to adapt to these changes needs to be expressed with a greater detail and commitment in this policy document.	Council's actions are further expressed in the Environmental Sustainability Strategy 2021-2026. A further adaptation plan would require budgeting and go back to Council for approval. This is outside the scope of this policy document.	None
We would support the need the community has for our local government leaders to show advocacy and leadership on this matter to be stated in a more detailed way in this policy document.	Endorsed actions are contained within our Environmental Sustainability Strategy 2021-2026 and our Climate Change statement is also included in the front section of the Council Plan and addressed in our Community Vision. Noted. Added 3 additional points to the Roles & Responsibilities to clarify accountabilities and implementation. Added 3 additional bullet points to the Roles & Responsibilities section, "The CEO & Directors are responsible in promoting awareness of the policy and ensuring it is integrated into the corporate governance framework." •This Policy should be read in conjunction with the Rural City of Wangaratta Code of Conduct. •The implementation of this Policy will be through the Environmental Sustainability Strategy & Emissions Reduction Plan.	Yes
We would support RCOW basing its "Climate Mitigation and Adaptation Policy" on the most rigorous and current science on the topic including the reports issued by the United Nations Intergovernmental Panel on Climate Change.	In the background section of the policy Council highlights the findings of the IPCC and part 2 of the objectives states that we will ensure that our actions, "Ensuring Council's climate change actions reflect Council's operational & financial capacity, community expectations and that it remains current as the science of climate change develops."	None
We would support inclusion in this document of the definition of "Climate Change" reading - "Changes in the world's weather as a result of human activity...."	Included. Hasn't been removed.	None
We would support a concerted approach to meeting the challenges of climate change to be a whole of council approach.	Noted. Added 3 additional bullet points to the Roles & Responsibilities section, "The CEO & Directors are responsible in promoting awareness of the policy and ensuring it is integrated into the corporate governance framework." •This Policy should be read in conjunction with the Rural City of Wangaratta Code of Conduct. •The implementation of this Policy will be through the Environmental Sustainability Strategy & Emissions Reduction Plan.	Yes
We would support efforts to strengthen the terminology in this document to reflect the dire consequences of not taking action to respond to and prepare for climate system disruption	Wording added, "Climate change is an urgent global issue "pg 1 and... "As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife, for the health and wellbeing of our community and aging population, and the impacts upon infrastructure, businesses, and livelihoods. " and "A failure to adequately address this, places an unacceptable burden on current and future generations. pg 2	Yes
#The RCOW currently has a number of advisory community groups, for example, ACEHAC for Arts, Culture, Events and Heritage. We can see a need and much value for a similar advisory group to be formed from the community to include members of groups with appropriate expertise and interest.	Addressed in the Environmental Sustainability Strategy 2021-2026 action, " Create an Environment & Sustainability reference group to encourage increased dialogue & collaboration. " and noting that Council is part of the Goulburn Murrumbidgee Climate Alliance that has representation from DEWLP and the North East Catchment Management Authority. (To learn more please visit www.gmca.org.au) No change required, outside scope & purpose of policy.	None
Council emissions can also be drastically reduced by a policy of the planned introduction of electric or at the least hybrid vehicles in coming Council fleet change-overs. This would be another act of community leadership by Council. * Does Council have anywhere in policy planning for encouraging the wider introduction of charging points for electric vehicles? Surely as a tourism destination this is a must act upon.	Council does have hybrid in its fleet and constantly reviewing opportunities for ev and hybrids at Council and has applied for grant funding in the past in regards to chargers. The Environmental Sustainability Strategy lists actions for 2021-2026.	None
* We strongly encourage RCOW to act on this aspect of important social planning, with global climate change in mind, with its neighbouring shires and share ideas. Improve and maintain the health of your society, particularly older people, and economies improve, the article concludes. In fact point 7 of the proposed policy states partnering with other government agencies. No doubt other nearby councils will have climate change policies to help meet the joint challenges.	Council is part of the Goulburn Murrumbidgee Climate Alliance with 13 other councils and the Council's sustainability officer is on its Executive Committee. The Alliance applies for grant funding in partnerships, works to share knowledge and resources and has regular meetings to facilitate this exchange. (To learn more please visit www.gmca.org.au)	None
Policy number 3 a) ..states a policy aim of reducing Councils Greenhouse emissions at least by 50% in three years time. This is a very modest target we feel.	Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document.	None
And 3b) mentions sourcing at least 50% of Councils electricity from renewable sources by 2025. Again a modest target. As Council power contracts come up for renewal here is an easy opportunity to lead by example and switch to a higher percentage of renewable sources.	Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document. Council has a renewable energy working group that is currently reviewing opportunities.	None
RCOW missed the brunt of this but parts of the nearby Albury and Greater Hume and Mungah shires were impacted severely. Mungah CEO is quoted saying that "their infrastructure wasn't designed to cope with these events. It was designed in an era when rainfall events were likely to be very different." This is an important aspect of RCOW planning that needs to catered for in the changing weather patterns due to climate change.	Noted, no change required as not in scope of a policy. Addressed in the Environmental Sustainability Strategy 2021-2026 actions, "Ensure changing rainfall, flooding, bushfire and drought patterns are included in all Council strategies and asset management plans where applicable.", "Develop and implement a Sustainable Building Policy for Council buildings." "Embed Climate Resilient Infrastructure checklists into relevant processes for designing and maintaining infrastructure (Once Sustainable Building Policy Completed)" and "Respond to adverse weather events through the review and continual update of emergency preparedness and response actions, including planning for recovery and continuity after events"	None
#The catastrophic 2019-20 fires caused untold damage to indigenous flora and fauna, let alone farming livestock. RCOW is rich in indigenous flora and fauna: it's part of the area's attraction. What is the RCOW plan for their recovery and long term survival?	That is no longer Council's motto. However, noted we want to ensure livability in our municipality. No changes required.	None
# RCOW brands itself with signage of "Ultimate in Livability". To maintain this, a strong policy statement that realistically addresses climate change mitigation and adaption is a must!	The Environmental Sustainability Strategy lists actions for 2021-2026. This is outside the scope of a policy. The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.	None
*Building and planning in RCOW. There are many new housing developments being planned and created in RCOW. Do these and future buildings have long term sustainability for climate change? Are they energy passive? Do they reflect or attract heat? Do they have double glazed windows, solar electricity and solar water heating? Are they affordable with these climate change friendly with these aspects. *These are considerations for future planning for all RCOW buildings. How can the RCOW plan and possibly mandate these requirements?	The Environmental Sustainability Strategy lists our facilities with solar and planned action for 2021-2026. The Emissions Reduction Plan for council operations is currently underway that will further inform future solar installs.	None
How many of Council assets currently have solar panels? There is surely massive opportunity to lead here and harvest and store power from panels on sports buildings, arts buildings, community halls and even Council offices.	A definition of the precautionary approach will be listed in the document to make Council's intent clear. "The precautionary approach for the purpose of this document refers to when there is uncertainty surrounding future climate impacts, this should not stand in the way of taking actions or decisions in response to climate change.	Yes
Policy pg 2 We would like to see the wording stronger to emphasize an urgent approach not just a precautionary one. Council language in the policy document needs to reflect the seriousness of climate change on a local and a global scale. A proactive approach not a cautionary approach needs to be reflected in the policy. *This approach needs to plan for the most vulnerable in our community. Those who are not in a financial situation to adapt. Climate change is going to impact and likely endanger homes, livelihoods and the viability of life itself for people, especially children alive today who have the potential to face future hardships from global warming.	Tree Canopy Policy is currently being developed. Outside of scope of this policy, no changes required.	None
It is a known fact that tree canopy reduces heat build-up by increasing shade. RCOW needs a strong tree canopy policy to help reduce heat build-up. By encouraging more tree canopy there is a positive flow on for fauna and flora (and humans) and higher bio diversity. Tree removal in urban and further land clearing in rural areas should be actively discouraged.	Noted. Have amended one of the policy objectives to mention the Municipal Emergency Management Plan committee and our commitment as a member to it, "5) Provide appropriate support systems for emergency preparedness, response and recovery activities following natural disasters and continue to be a member of the Municipal Emergency Management Plan Committee."	Yes
5) Mentions providing appropriate support systems for emergency preparedness. Response and recovery activities following natural disasters (which are exacerbated by or caused by climate change). We were a small part of the council response to the 2019-20 at WPACC and witnessed first-hand how local and national groups can come together effectively to aid immediate short term recovery. This will be one response that can be used as a guide for appropriate human support.		

As a resident within the Rural City of Wangaratta it concerns me that the actions that the Council is taking around Climate Mitigation going forward are only what they're obliged to do. The goal should be 75%, one that is both achievable and beneficial in terms of improvement to our climate and for the local economy as further renewable activities will see more skilled jobs in the local area.	Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document.	None
I acknowledge that the commitments in 3.a and 3.b are a good first step, but think that the goals should be a good deal higher. As the Council itself acknowledges "there is a narrow path to avoiding climate catastrophe" and therefore more action is needed than a 50% reduction in greenhouse gas emissions or 50% of Council's electricity coming from renewables by 2025.		
Further to this, the lack of policy points regarding protecting what we still have is an oversight. So much of our local flora and fauna is under stress from loss of habitat and Council should be taking active steps to avoid further losses. A simple place to start would be to include a commitment to cease the felling and removal of old growth trees which are home to numerous endangered species, but there are many other simple actions the Council could take (or not take as the case may be) to ensure a thriving environment for some of our endangered wildlife.	Council does seek to protect trees in our municipality under the legislation available, it is currently part of a cultural tree mapping project, there is the roadside conservation management plan and a tree canopy policy is currently under development. Wording has also been added to the policy, "As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife..."	Yes
1. Reducing Council greenhouse gas emissions "Landfill" is excluded from these targets. According to the Australian Greenhouse Gas Calculator website (from Victorian Government). The waste from an Australian household is in landfill.	Council has already agreed and endorsed the action that measuring landfill emissions need to be addressed. This is highlighted in the Environmental Sustainability Strategy 2021-2026, "Investigate feasibility of/and develop landfill emission reporting for the municipality."	None
The use of terms such as "precautionary approach" and "financial and operational capacity" (read restraints) cause further concern. The overwhelming feeling is that this is just a "tick the box" and "filling a template" exercise for a Council who have achieved little in the past but who are obliged to fall into line with State Government requirements.	A definition of the precautionary approach will be listed in the document to make Council's intent clear. "The precautionary approach for the purpose of this document refers to when there is uncertainty surrounding future climate impacts, this should not stand in the way of taking actions or decisions in response to climate change."	Yes
Under Context, targets have been set that are inconsistent with those of the State Government. The Victorian Government is committed to net-zero emissions by 2050. The Victorian Government's interim target, for the period 2021–2025, is for emissions to reduce 28–33% below 2005 levels by the end of 2025 and for the period 2026–2030, is for emissions to reduce 45–50% below 2005 levels by the end of 2030. Rural City of Wangaratta's targets are broader. There is no stated commitment to net-zero emissions by 2050 and the only reference is to "Reducing Council's greenhouse gas emissions (excluding landfill emissions) by at least 50% lower than 2015/16 levels by 2025".	Upcoming projects such as the Emissions Reduction Plan need to be first completed to ensure a greater understanding of costs and actions that would be required to meet targets. Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document.	None
2. Sourcing at least 50% of Council's electricity demands from renewable sources by 2025. This is an ambitious target when viewed in the context of the RCoW's Environment and Sustainability Strategy of 2021-2026 which states "As an example, in reducing Greenhouse Gas Emissions and Energy, the measurement of outcomes (based on 2019/2020 consumption figures). Electricity at 66% of energy consumed is the largest emitter". This energy appeared to have been sourced entirely from non-renewable sources.	Noted. No changes required.	None
Developing a Greenhouse Gas Emissions Reduction Plan. I am astonished that this has not been done however when you realise that there is only one dedicated Council employee/position working on Environment and Sustainability issues and that that position lacks resources and seniority I will be very surprised if they are able to achieve compliance from Councillors, Council employees and agents of the Council. There are no consequences for failure to comply such as impacts on performance pay.	Noted. No changes required.	None
My major concern is that, as with the Environment and Sustainability Strategy, there are no concrete measurements to either set or meet targets certainly no reference to triple bottom line economics.	Please refer to our Environmental Sustainability Strategy for actions and objectives. No change required, outside scope & purpose of policy. The purpose of a policy is a set of principles and rules which directs the decisions of Council. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making. It is helpful in highlighting the rules, value and beliefs of the organisation.	None
Making a commitment to funding and providing access to training for all staff to perform their role within council operations in accordance with best practice for adapting to and mitigating for climate disruption.	Addressed in the Environmental Sustainability Strategy 2021-2026 action, "Investigate and facilitate training programs for staff regarding climate change and sustainability to improve efforts at all levels of Council." No change required, outside scope & purpose of policy. The purpose of a policy is a set of principles and rules which directs the decisions of Council. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making. It is helpful in highlighting the rules, value and beliefs of the organisation..	None
The <u>Background</u> clearly states how climate change is already impacting us locally and the serious impact it will play on our environment and livability if we do not act immediately.	No changed required. Noted.	None
The <u>Context</u> and <u>Policy</u> sections are well written and neatly link Federal, State and local government targets with the RCoW commitments.	No changed required. Noted.	None
The <u>Definitions</u> are excellent as these clearly moderate what is understood by each "term" or "explanation" There can be no doubt over what is being referred to.	No changed required. Noted.	None
I like the powerful terminologies in the policy draft which describe the climate situation we have inherited and contribute to, plus the type of positive actions we need to promote to reverse our climate impact. Watering down these terminologies in the final document would be denying that climate change is real and happening right now at an alarming rate. This policy needs to reflect accurate descriptions of the real situation and the consequences we face through inadequate strategies. Plus illustrate a comprehension of actions to correct these issues.	No changed required. Noted.	None
I think the name of the policy is confusing. The name - Climate Mitigation & Adaptation Policy - does not clearly send a message for change. In fact one could read into the name that we will mitigate our responsibilities and force everyone to adapt to a world that we have no real resolve to improve while we have the chance and resources to do so. This name doesn't seem to fit a globally acceptable term used to describe similar actions. Our federal government has a climate change policy and our state government has a climate change strategy. At the end of the day the community understand clearly what these levels of government are describing.- clearly climate change! Calling the RCoW's policy Climate Mitigation & Adaption Policy confuses the public's comprehension of this document's purpose and loses the links to both federal and state government strategies in this area. It needs to be named similarly. Something as simple as - Climate Change Policy.	Councillors have confirmed they do not wish to change the name of the policy.	None
It was interesting to read - (excluding landfill emissions) in the Policy section. This is a major weakness I believe. Some form of statement to address this needs to be considered. What can we consider to address this issue? How can we capture greenhouse gases and neutralise these?	Council has already agreed and endorsed the action that measuring landfill emissions need to be addressed. This is highlighted in the Environmental Sustainability Strategy 2021-2026, "Investigate feasibility of/and develop landfill emission reporting for the municipality."	None
In the <u>Policy</u> section I encourage adding something to the effect that even though we have minimal targets to achieve, we will endeavor to surpass these if opportunities are available for us. I say this because even though our governments have these targets in place, there are many industries, organizations and communities which exceed these minimal standards already. Hopefully we can become one of these communities.	Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document.	None
Having <u>References</u> is excellent. Illustrates that research and linking of documents has been made to create a policy which can best promote positive actions.	No changed required. Noted.	None
The <u>Review</u> is interesting. Having the policy reviewed every three years is excellent. It's a fair time frame. Gives time to develop and place actions on the ground. A longer time frame I would consider as being too slow as our actions need to be fast as climate change is not going to slow down and wait for us to catch up. In fact, we need to catch up with the rate of negative change that we already create in our community.	No changed required. Noted.	None
<u>Roles and Responsibilities</u> and <u>Scope</u> clearly define that it is everyone's responsibility to contribute to the overall aims of the policy.	No changed required. Noted.	None
I really like the <u>Statement of purpose</u> . The statement clearly links the global and local issues and the need for all to connect to contribute solutions to this important issue. Acknowledges the legislative requirement, moral obligation, and community expectation for Council to manage its climate change responsibilities etc. This is an excellent and very powerful position to state.	No changed required. Noted.	None
More hybrid or electric council vehicles.	This is addressed in the Environmental Sustainability Strategy 2021-2026 action, "Review opportunities to transition council vehicle fleet to electric & installing both council and public use electric recharge stations" No change required, outside scope & purpose of policy. The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.	None
Council declare a Climate Emergency as soon as possible.	Outside scope of policy. Would need to be a separate item brought before Council.	None
Council employ someone specifically to drive and monitor Climate Mitigation and Adaptations.	Council has a Natural Resource Management & Sustainability team that through the work of the Environmental Sustainability Strategy 2021-2026 is driving and monitoring action.	None

A shop at the Transfer Station where things can be purchased or exchanged for other items.	Will be discussed further internally for future projects. No change required, outside scope & purpose of policy. <i>No change required, outside scope & purpose of policy. The purpose of a policy is a set of principles and rules which directs the decisions of Council. The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.</i>	None
Council incentives to encourage people to plant native trees, shrubs and grasses.	Addressed in the Environmental Sustainability Strategy 2021-2026 action, "Collaborate with community to encourage canopy tree planting on private land to reduce heat island affect." No change required, outside scope & purpose of policy. <i>The purpose of a policy is a set of principles and rules which directs the decisions of Council. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making. It is helpful in highlighting the rules, value and beliefs of the organisation</i>	None
More trees planted in our town.	Addressed in the Environmental Sustainability Strategy 2021-2026 actions, "Support mapping of large old/ significant trees in growth areas." " Partner with outside agencies to develop an urban tree strategy and planting program for expected climate change, including fire safe landscaping." and the objective: "Increased tree canopy cover within the urban footprint to minimise heat island effect in line with policies and strategies." No change required, outside scope & purpose of policy. <i>The purpose of a policy is a set of principles and rules which directs the decisions of Council. The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.</i>	None
Incentives for new housing and other building plans to include sustainable energy features. For example orientation of building, double glazing, solar panels and the advantages of an all electric home/business.	Council is working with community groups to improve education around ESD. In the Environmental Sustainability Strategy council has also committed to the actions, " Partner to deliver education programs to demonstrate cost/benefits of sustainable design to community and development applicants" "Advocate for low-cost renewable energy sources and energy efficiency for vulnerable households." and "Work with partners to engage with the community regarding energy efficiency and funding opportunities for both home owners, occupants and businesses." No change required, outside scope & purpose of policy. <i>The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.</i>	None
For Council to actively promote lower carbon emissions by providing links to information in various online formats.	Under Council's website: www.wangaratta.vic.gov.au/Residents/Environment-and-sustainability there is information about what residents can do to lower emissions, live more sustainably and current rebate and offers from state. This information will be reviewed and updated ongoingly.No change required, outside scope & purpose of policy. <i>The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.</i>	None
Other Electric car charging stations (tourism attraction) Flood levees - high level maintenance Solar panels on all council buildings Extension and interconnection of the bike paths	The Environmental Sustainability Strategy lists actions for 2021-2026. No change required, outside scope & purpose of policy. <i>The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.</i>	None
town planning Incentives and/or requirement in new residential developments to design new blocks with north orientation, so houses can have largest windows to north. Incentives and/or requirement for new home builds to - select light roof colour to reduce solar absorption - have strategically designed eaves (The air conditioning costs of lots of new houses with west facing frontages, dark rooves, and no eaves must be huge!) Enforced green space (planted with trees) in residential developments – check developers actually honour this (e.g., Morgan Rd just has an ugly pile of dirt)	The Environmental Sustainability Strategy lists actions for the built environment from 2021-2026. This is outside the scope of a policy. <i>The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.</i>	None
Waste management Facilitate greater range of materials that can be recycled Incentives for businesses to reuse or reduce containers, packaging and materials (eg returnable wine bottles)	The Environmental Sustainability Strategy lists actions for waste & resource recovery from 2021-2026 and there is a separate waste management strategy. This is outside the scope of a policy. <i>The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.</i>	None
It would enhance the policy if the seriousness of climate change, and the urgency of action for mitigation and adaptation, were reinforced in this document	Urgency is already highlighted in the document, " It highlights there is a narrow path to avoiding climate catastrophe, but only through immediate and sustained emissions reductions." and further wording added, "Climate change is an <i>urgent</i> global issue "pg 1 and... "As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife, for the health and wellbeing of our community and aging population, and the impacts upon infrastructure, businesses, and livelihoods. " pg 2	Yes
I am curious as to why landfill emissions are not included in targets for reduction in greenhouse gas emissions. Is this because it is difficult / expensive to measure such emissions? Are there ways that can be developed to harness these emissions for renewable energy?	Council has already agreed and endorsed the action that measuring landfill emissions need to be addressed. This is highlighted in the Environmental Sustainability Strategy 2021-2026, "Investigate feasibility of/and develop landfill emission reporting for the municipality."	None
In recent years the issue of removal of (shade) trees in the city has been highlighted. I understand that there are currently discussions about a Tree Canopy Policy to reduce heat by increasing shade by planting trees. I applaud this development. I hope that a way can be found to mandate tree planting - or retaining trees on land for housing and business developments - can be found.	Noted. No changes required.	None
It would be good if the policy made mention (5?) of the role of Council's Municipal Emergency Management Plan Committee in addressing action in responses to fire, flood, heatwaves and other weather events related to climate change.This committee includes agencies addressing human responses and wellbeing to such emergencies; along with referral to other agencies providing 'psychological first aid'. Should this group have a stronger emphasis on planning and preparation for emergencies connected to extreme weather events? Consideration should be given to the effects for the most vulnerable in our community	Noted. The Municipal Emergency Management Plan Committee is no longer Council run however council remains a member. Have amended one of the policy objectives to mention this committee and our commitment as a member to it, "5)Provide appropriate support systems for emergency preparedness, response and recovery activities following natural disasters and continue to be a member of the Municipal Emergency Management Plan Committee."	Yes
*Councillors should be offered opportunities to build their knowledge of the Climate Issues facing us and the consequences if they not addressed. Sharing with and learning from other Councils should be a priority.	Council is part of the Goulburn Muray Climate Alliance with 13 other councils and the Council's sustainability officer is on its Executive Committee. The Alliance applies for grant funding in partnerships, works to share knowledge and resources and has regular meetings to facilitate this exchange. (To learn more please visit www.gmca.org.au) Note Councillors have opportunities to attend Climate Change events and training.	None
*These trees and other natural assets in our area give a huge potential for tourist dollars and once gone they cannot be replaced.	Noted.	None
*Trees need to be planted around homes and in public areas for shade and animal habitats. There are many streets in Wangaratta that need more shade and many don't even have any trees on their nature strips.	These are actions that are addressed in Council strategies and plans. <i>The purpose of a policy is a set of principles and rules which directs the decisions of Council and support good governance. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making.</i>	None
*Greater publicity for the positive things occurring in our town eg. the Green Waste system.	Noted. Will have further internal discussions and will seek to highlight more positive stories through various media & comm channels.	None
*It is essential that the Council declare a climate emergency as a matter of utmost urgency.	Outside scope of policy. Would need to be a separate item brought before Council.	None
*All mature trees in the Rural City of Wangaratta should be considered precious assets and preserved where ever possible.	Outside scope of this policy. Please refer to our Environmental Sustainability Strategy 2021-2026, Roadside Conservation Management Plan, and Tree Management Plan.	None
*All decisions made by Council should be viewed through the lens of what impact it will have on our environment and the consequences for our climate.	That is the precautionary approach that is mentioned in the policy.	None

<p>The stated intention to provide leadership is undermined on page 3 by the passage underneath the heading "Roles and Responsibilities" I refer to "This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the Chief Executive Officer. It is the personal responsibility of all Councillors, Council employees and agents thereof to have knowledge of, and to ensure compliance with this policy". This approach is the opposite of showing leadership. Leadership would establish a stronger accountability mechanism for enacting this policy. Asking council employees to train and inform themselves of their obligations is a completely inadequate approach and will diminish the degree to which this policy is enacted. Leadership is also about making a commitment to funding and providing access to training for all staff to perform their role within council operations in accordance with best practice for adapting to and mitigating climate disruption.</p>	<p>Addressed in the Environmental Sustainability Strategy 2021-2026 action, "Investigate and facilitate training programs for staff regarding climate change and sustainability to improve efforts at all levels of Council." No change required, outside scope & purpose of policy.</p>	<p>None</p>
<p>Page 2 - second sentence "... places an unacceptable burden on future generations." This is a considerable understatement. It could be replaced with "... endangers the homes, livelihoods and the viability of life itself for people, especially children alive today, who are certainly going to face hardship"</p>	<p>Changed wording to, "Climate change is an urgent global issue " Wording added, "As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife, for the health and wellbeing of our community and aging population, and the impacts upon infrastructure, businesses, and livelihoods. " pg 2 and the mention of 'unacceptable burde'n is there to highlight we are also thinking of future generations.</p>	<p>Yes</p>
<p>unintended effect of suggesting that climate change is a solvable problem. If there were solutions we wouldn't have to "adapt". It is more serious than that; it is an irreparable catastrophic disruption to climatic systems, weather systems which human beings have evolved to depend upon and now cannot. Now we must adapt and where possible mitigate these effects. The above quote could be changed to "local responses to climate change"</p>	<p>The wording, "local solutions to climate change" is used by the United Nations, Friends of the Earth, Australian Climate Council, and other Councils. However, believe the suggested wording of 'local responses' instead of 'local solutions' also meets our objective and thus have changed it within the policy.</p>	<p>Yes</p>
<p>Leadership - The council recognises that climate change requires leadership from council but the draft policy does not continue to provide that leadership. Three neighbouring shires have partnered together to create a detailed "Climate Change Adaptation Action Plan 2017-2021":- Towong Shire, Wodonga Council, Indigo Shire are all involved. It would be to Wangaratta's advantage to make the most of any opportunity to join with these councils and others to create comprehensive climate adaptation and mitigation policies because pooling resources and establishing common goals will add strength and inter-shire streamlining of operations and so be more effective.</p>	<p>Council is part of the Goulburn Murrary Climate Alliance with 13 other councils and the Council's sustainability officer is on its Executive Committee. The Alliance applies for grant funding in partnerships, works to share knowledge and resources and has regular meetings to facilitate this exchange. (To learn more please visit www.gmca.org.au) We will continue to review opportunities for further collaboration with other councils for climate change adaptation.</p>	<p>None</p>
<p>Mitigation - I'm aware that there is intention to reduce greenhouse gas emissions from the council which is good, but this needs to be strengthened. Compared to many Victorian councils that have committed to obtaining 100% of their electricity from renewable sources in a short space of time, the commitment for RCOW to strive for 50% by 2025 appears unambitious if it is serious about effectively reducing emissions in its area of responsibility. As electricity usage is the stated biggest percentage source of emissions for RCOW council, focussing on how to rapidly reduce this in particular would make sense.</p>	<p>Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document.</p>	<p>None</p>
<p>Adaptation - There needs to be a substantial amount more in this policy about RCOWs commitment to adaptation. The community is expecting the council to prepare for the intense climatic events which will be coming. The RCOW Environmental Sustainability Strategy 2021 has very little text dedicated to discussing adaptation and this policy similarly has almost no explicit mention of adaptation. Other councils within Victoria have Climate Adaptation Policies and I suggest that this RCOW document could express a clear intent and commitment towards the development of a climate adaptation policy. Such an intention could be listed on page 2 under the heading "POLICY" following the line that reads "Council is committed to" I ask that an action point be added which refers specifically to planning for adaptation.</p>	<p>Current endorsed actions are under our Environmental Sustainability Strategy 2021-2016, these actions are some examples of how Council is adapting and planning for climate change. As an adaptation plan was not listed as an action in the Environmental Sustainability Strategy 2021-2026 it has not been budgeted for and would have to go to Council in the future for budgeting approval. This is outside the scope of this policy document.</p>	<p>None</p>
<p>I believe the policy should acknowledge that there has already been a global temperature rise of at least 1 degree which cannot be disputed. There is also sure to be more temperature rises but how high it rises and how calamitous that rise and the resulting climate events is for humans depends on the action we all take now to mitigate emissions</p>	<p>This policy is set for the next 3 years for Council, therefore do not recommend specifying data that will continue to change i.e 1 degree. The policy makes it clear that it impacts upon our municipality and Council recognises the need for action.</p>	<p>None</p>
<p>The policy should acknowledge that many of the Rural City of Wangarattas assets are at risk from severe climatic events. Same can be said about the native flora and fauna of the area which will be impacted and diminished by climate disasters. Changing weather cycles will include a prevalence of more extreme heat waves which in some cases will be fatal blows to native fauna.</p>	<p>Wording added, "As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife, for the health and wellbeing of our community and aging population, and the impacts upon infrastructure, businesses, and livelihoods. " pg 2</p>	<p>Yes</p>
<p>Point 3 of the Statement and Purpose section is about the councils 'commitment to provide leadership on climate change action'. In my opinion, in the section titled Roles and Responsibilities where it states 'it is the personal responsibility of all councillors, council employees and agents thereof to have knowledge of and to ensure compliance of this policy' absolutely undermines the leadership point in the background statement. If the RCOW cannot take responsibility to educate their own councillors, council employees and agents about this policy and how best to comply with it, how can the policy be meaningful and successful?</p>	<p>Noted. Added 3 additional bullet points to the Roles & Responsibilities section, "The CEO & Directors are responsible in promoting awareness of the policy and ensuring it is integrated into the corporate governance framework." •This Policy should be read in conjunction with the Rural City of Wangaratta Code of Conduct. •The implementation of this Policy will be through the Environmental Sustainability Strategy & Emissions Reduction Plan.</p>	<p>Yes</p>
<p>I suggest an 8th point should be added in the Policy section that RCOW is committed to the rapid development of a Climate Adaptation Policy - this current draft Mitigation & Adaptation Policy has very little about specific and detailed actions to increase adaptation.</p>	<p>Current endorsed actions are under our Environmental Sustainability Strategy 2021-2016, these actions are some examples of how Council is adapting and planning for climate change. As an adaptation plan was not listed as an action in the Environmental Sustainability Strategy 2021-2026 it has not been budgeted for and would have to go to Council in the future for budgeting approval. This is outside the scope of this policy document.</p>	<p>None</p>
<p>Point 3b in the Policy section 'sourcing at least 50% of councils electricity demand from renewable energy sources by 2025' This seems an extremely low target. I'm told that RCOW's electricity contracts are due to be renewed soon. Couldn't we use this opportunity to contract to use 100% renewable energy then. This may cost a bit more at the start but would go a very long way towards meeting councils mitigations targets.</p>	<p>Moving to renewable electricity is something that will be further explored in our upcoming Emissions Reduction Plan. This needs to be occur first to ensure a greater understanding of costs and actions that would be required to meet targets. Depending on the outcome of that plan edits can be made to this policy at a later date to reflect any endorsed actions on this front.</p>	<p>None</p>
<p>I agree with point 7 in the Policy section - I know that other local LGAs already have advanced, detailed and ambitious climate adaptation policies - it would be wise to take a leaf out of their book.</p>	<p>Noted. No changes required.</p>	<p>None</p>
<p>Acknowledgement of the most recent scientific data and modeling by the IPCC is indeed crucial as mentioned in the background of the draft policy. The last paragraph of the background on future generations should read 'current and future generations' as we are already feeling the effects of climate change. Similarly, in the last paragraph of the background section the words 'has potential to further increase our vulnerability..' should be changed to read 'will further increase our vulnerability.'</p>	<p>Wording added, "A failure to adequately address this, places an unacceptable burden on <i>current</i> and future generations." and "will further increase our vulnerability."</p>	<p>Yes</p>
<p>Point 2 of the Policy section says 'climate change actions reflect councils ... & financial capacity' I worry that this may mean that the RCOW may use this as an excuse to reduce the strength of actions necessary to counter climate change effects, in short using it as a loophole to not spend the large but necessary funds.</p>	<p>Council needs to respond to climate change with the resources it has available and will continue to seek grant funding to supplement that action. This is to provide transparency and to acknowledge that Council needs to continue to meet the needs and costs of other services in the municipality as well and that there is a finite amount of budget available.</p>	<p>None</p>
<p>It is well known and documented in scientific studies, that the more effectively and quickly the heating of the planet can be slowed down, the more successfully the devastating impact of a warming planet and an ensuing catastrophic, global crisis of unprecedented proportions might still be able to be somewhat reduced. It is henceforth of utmost importance, that this urgency informs decision making on all levels of government and that it is made a priority. I think this situation and the ensuing serious commitment by council to address it should be stated more clearly in the policy.</p>	<p>Urgency is already highlighted in the document, " It highlights there is a narrow path to avoiding climate catastrophe, but only through immediate and sustained emissions reductions." and further wording added, "Climate change is an <i>urgent</i> global issue "p1</p>	<p>Yes</p>

<p>The draft policy also states that there exists a moral obligation towards future generations to adequately address climate change issues. I think this could be stated more strongly. It is a very urgent moral obligation to ensure we do everything in our power now to mitigate global warming and lessen its impact and potentially catastrophic consequences in the not so distant future and beyond.</p>	<p>Noted, Council recognises these burdens are already being felt in the current generation, "The municipality is already experiencing the impacts of climate change.." page 1. This 'unacceptable burden' is there to highlight we are also thinking of future generations. To further strengthen this wording has been added, ""A failure to adequately address this, places an unacceptable burden on <i>current</i> and future generations.""</p>	<p>Yes</p>
<p>As a local council we can set measurable and ambitious targets across the municipality to mitigate emissions that go above and beyond mandatory requirements. By doing this council can lead by example and inspire and empower residents to take action to mitigate climate change.</p>	<p>Council set targets last year as part of the Environmental Sustainability Strategy 2021-2026. Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. These targets are to be reviewed as more information is gained, for instance after the development of Council's Emissions Reduction Plan for its operations. Outside of scope for this document.</p>	<p>None</p>
<p>It is also extremely important to give the process of adaptation careful, in depth consideration and respond accordingly by prioritising the allocation of financial resources and other resources in order to be able to implement effective measures across all areas of operation, starting now.</p>	<p>Current endorsed actions are under our Environmental Sustainability Strategy 2021-2016, these actions are some examples of how Council is adapting and planning for climate change. As an adaptation plan was not listed as an action in the Environmental Sustainability Strategy 2021-2026 it has not been budgeted for and would have to go to Council in the future for budgeting approval. This is outside the scope of this policy document.</p>	<p>None</p>
<p>I would like to see "Electrify everything" as a strong strategic direction, perhaps backed up by the feasibility of making that change.</p>	<p>.Our targets for emissions and renewable energy use the wording, "at least" to state that 50% is the minimal and we as Council will continue to seek to exceed these targets where feasible and economically sound. Moving to 100% renewable electricity is something that will be further explored in our upcoming Emissions Reduction Plan. Depending on the outcome of that plan edits can be made to this policy at a later date to reflect any endorsed actions on this front</p>	<p>None</p>
<p>Perhaps there is scope to explore cost effective use of the gas captured from the waste site and green waste system. Could these generate renewable energy for use by council?</p>	<p>No change required, outside scope & purpose of policy. This is an action in the Environmental Sustainability Strategy 2021-2026, "Assess feasibility of extracting methane gas from Council owned facilities to convert into energy."</p>	<p>None</p>
<p>There is a strong case as discussed for planning to cool the built environment and to up the action on this front . It also enhances the liability and appeal for visitors and residents. It also is a carbon drawdown mechanism.</p>	<p>No change required, outside scope & purpose of policy. This is an action in the Environmental Sustainability Strategy 2021-2026, "Partner with outside agencies to develop an urban tree strategy and planting program for expected climate change, including fire safe landscaping." and, "Collaborate with community to encourage canopy tree planting on private land to reduce heat island affect"</p>	<p>None</p>
<p>There is a strong case to have a better measure of the key indicators so they know what they are managing, what the starting base is and progress can be monitored and reported on meaningfully.</p>	<p>No change required. Key indicators are not part of policy, our indicators are in the Environmental Sustainability Strategy 2021-2026.</p>	<p>None</p>
<p>There is a case for stronger emphasis on planning and preparing for the unexpected extreme weather events to ensure health and safety particularly for the most vulnerable in our community.</p>	<p>Noted. Have amended one of the policy objectives to mention the Municipal Emergency Management Plan committee and our commitment as a member to it. "5) Provide appropriate support systems for emergency preparedness, response and recovery activities following natural disasters and continue to be a member of the Municipal Emergency Management Plan Committee."</p>	<p>Yes</p>
<p>Re precautionary and or no regrets. There needs to be a higher level of urgency of action even if they don't declare a state of emergency. The urgency is understated currently it is more what is required to satisfy the State Govt minimum bar rather than leading with strong commitment.</p>	<p>A definition of the precautionary approach will be listed in the document to make Council's intent clear. "The precautionary approach for the purpose of this document refers to when there is uncertainty surrounding future climate impacts, this should not stand in the way of taking actions or decisions in response to climate change.</p>	<p>Yes</p>
<p>The shape of community leadership needs fleshing out and consideration of how it becomes more tangible and visible in the community, while understanding there is resistance along with budget constraints.</p>	<p>This is outside the scope of a policy. The purpose of a policy is a set of principles and rules which directs the decisions of Council. Policies are framed by the top level management of the organisation to serve as a guideline for operational decision making. It is helpful in highlighting the rules, value and beliefs of the organisation.</p>	<p>None</p>
<p>WLS Regards the commitment statement to the precautionary principle as ambiguous. This is because definitions of the precautionary principle can easily be found online which contradict the intended meaning as it has been conveyed to us by Council staff. We therefore suggest that Taking a precautionary approach to planning for and mitigating climate change by managing climate change-related risks and opportunities. Be replaced with Refusing to use a lack of full scientific certainty as a reason for postponing cost-effective measures to mitigate and adapt to Climate Change.</p>	<p>A definition of the precautionary approach will be listed in the document to make Council's intent clear. "The precautionary approach for the purpose of this document refers to when there is uncertainty surrounding future climate impacts, this should not stand in the way of taking actions or decisions in response to climate change."</p>	<p>Yes</p>
<p>We think the responsibility to have knowledge of the Policy and to ensure compliance with its requirements should rest towards the leadership of Council. Therefore we suggest "It is the personal responsibility of all Councillors, Council employees and agents thereof to have knowledge of, and to ensure compliance with this Policy." Be replaced with "It is the responsibility of the CEO and Directors to ensure Councillors, Council employees and agents thereof have a knowledge of this policy appropriate to their responsibilities, and to ensure compliance with it."</p>	<p>Noted. Added 3 additional bullet points to the Roles & Responsibilities section. •The CEO & Directors are responsible in promoting awareness of the policy and ensuring it is integrated into the corporate governance framework. •This Policy should be read in conjunction with the Rural City of Wangaratta Code of Conduct. •The implementation of this Policy will be through the Environmental Sustainability Strategy & Emissions Reduction Plan.</p>	<p>Yes</p>
<p>Firstly, We particularly appreciate the Policy stating Council needs to take a leadership role The commitment to staying up to date on the developments science of Climate Change Both the level of the minimum and the possibility of greater achievement in the the Policy's commitment to Reducing Council's greenhouse gas emissions (excluding landfill emissions) by at least 50% lower than 2015/16 levels by 2025; sourcing at least 50% of Council's electricity demand from renewable energy sources by 2025; Commitment to an Emission Reduction Plan for council operations Commitment to assist the community to mitigate and adapt And commitments 5,6 and 7 of the Policy.</p>	<p>Noted. No changes required.</p>	<p>None</p>



Rural City of
Wangaratta

Climate Mitigation & Adaptation Policy

Responsible Officer

Choose an item.

Adoption Date

[Choose date]

Approved By

Choose an item.

Authorising Officer

Choose an item.

Review Date

[Choose date]

Policy Type

Choose an item.

Statement and Purpose

Climate change is an urgent global issue that creates local impacts on almost all aspects of our operations, our economy, the environment, and our community. This policy:

- Acknowledges there is a legislative requirement, moral obligation, and community expectation for Council to manage its climate change responsibilities through mitigation and adaptation actions.
- Confirms that a response to climate change is a whole of Council commitment that will guide ongoing planning and actions in the municipality.
- Reflects Council's commitment to provide leadership on climate change action to our community.

Scope

This policy applies to all Councillors, Council employees and agents of Council in all decisions and activities relating to Council operations.

Background

The Rural City of Wangaratta acknowledges the latest scientific assessment by the United Nation's Intergovernmental Panel on Climate Change (IPCC) that provides overwhelming scientific consensus that human activities are the dominant cause for rising temperatures. It highlights there

is a narrow path to avoiding climate catastrophe, but only through immediate and sustained emissions reductions.

The municipality is already experiencing the impacts of climate change with increased incidence and severity of drought, bushfire, flood, and extreme natural events and climate change will further increase our vulnerability. As highlighted in the Environmental Sustainability Strategy 2021-2026, Council recognises the impact climate change has on our valuable ecosystem services and natural habitat for local wildlife, for the health and wellbeing of our community and aging population, and the impacts upon infrastructure, businesses, and livelihoods. Work is continuing to mitigate and adapt to these impacts and to further understand the nature and extent of future impacts on our community. A failure to adequately address this, places an unacceptable burden on current and future generations.

Context

In 2016, the Australian Government confirmed it would commit to the Paris Agreement. Australia has committed to reduce national emissions by 26 to 28 per cent below 2005 levels by 2030 and in October 2021 has committed to reaching net zero emissions by 2050

The Victorian Government is committed to net-zero emissions by 2050. The Victorian Government's interim target, for the period 2021–2025, is for emissions to reduce 28–33% below 2005 levels by the end of 2025 and for the period 2026–2030, is for emissions to reduce 45–50% below 2005 levels by the end of 2030.

The Local Government Act 2020 became law in Victoria on 24 March 2020, amending the previous 1989 Act in numerous ways including strengthening the mandate for considerations of climate change risk in Council decision-making processes.

This Policy aligns with Council's Community Vision and Council Plan.

The Environmental Sustainability Strategy 2021-2026 endorsed in June 2021 outlines proposed actions in tackling climate change for both council operations and the community.

Policy

Council recognises that climate change requires leadership from Council and collaboration and the importance of shared responsibility across all levels of government and sectors of the municipality.

Council is committed to:

- 1) Taking a precautionary approach to planning for and mitigating climate change by managing climate change-related risks and opportunities.
- 2) Ensuring Council's climate change actions reflect Council's operational & financial capacity, community expectations and that it remains current as the science of climate change develops.

- 3) Leading the response to reducing emissions as per the Environmental Sustainability Strategy 2021-2025,
 - a) Reducing Council's greenhouse gas emissions (excluding landfill emissions) by at least 50% lower than 2015/16 levels by 2025;
 - b) sourcing at least 50% of Council's electricity demand from renewable energy sources by 2025;
 - c) and developing an Emission Reduction Plan for council operations.
- 4) Assisting the Rural City of Wangaratta community to mitigate and adapt to climate change as outlined in the actions of the Environmental Sustainability Strategy 2021-2026 and to develop local responses to climate change.
- 5) Provide appropriate support systems for emergency preparedness, response and recovery activities following natural disasters and continue to be a member of the Municipal Emergency Management Plan Committee.
- 6) Addressing outcomes raised by the internal 2021 Environmental Management and Sustainability audit.
- 7) Partnering with other government agencies, community and stakeholders to meet the challenges of climate change.

Roles and responsibilities

- The CEO & Directors are responsible in promoting awareness of the policy and ensuring it is integrated into the corporate governance framework. (as in assets mgmt. policy)
- This Policy should be read in conjunction with the Rural City of Wangaratta Code of Conduct.
- This Policy does not confer any delegated authority upon any person. All delegations to staff are issued by the Chief Executive Officer.
- It is the personal responsibility of all Councillors, Council employees and agents thereof to have knowledge of, and to ensure compliance with this Policy.
- The implementation of this Policy will be driven through the Environmental Sustainability Strategy & Emissions Reduction Plan.



Definitions

Climate adaptation	Efforts to prepare for the actual or expected changes in the climate in order to minimise harm, act on opportunities or cope with the consequences of climate change
Climate mitigation	Efforts to reduce greenhouse gas emissions that contribute to climate change.
Climate change	Changes in the world's weather as a result of human activity increasing the level of carbon dioxide in the atmosphere.
Greenhouse gas emissions	Gases, such as carbon dioxide, methane and nitrous oxide that trap heat in the atmosphere and are resulting in changes to the planet's climate systems.
Net zero emissions	Efforts which reduce Council's greenhouse gas emissions and contribute to a reduction in the rate of long-term climate change.
Precautionary Approach	The precautionary approach for the purpose of this document refers to when there is uncertainty surrounding future climate impacts, this should not stand in the way of taking actions or decisions in response to climate change.

References

Legislation & Related Documents

- Victorian Local Government Act 2020
- Victoria's Climate Change Act 2017
- Victorian Government's Climate Change Strategy (May 2021)
- Renewable Energy (Jobs and Investment) Act 2017
- Planning and Environment Act 1987
- Emergency Management Act 2013
- Hume Regional Climate Change Adaptation Strategy 2021

Internal policies

- Councillor Code of Conduct
- Staff Code of Conduct
- Risk Management Policy
- Asset Management Policy
- Tree Management Plan
- Wangaratta Planning Scheme
- Wangaratta Children's Services Centre Environmental Sustainability Policy
- Environmental Sustainability Strategy 2021-2026

Review

Any change or update which materially impacts and/or alters this policy must be approved by the Director Corporate Services. Otherwise the policy will be reviewed by the Sustainability Officer every three years.

Community Submissions
Draft Roadside Conservation Management Plan



Date Received	Theme	Summary of Points	Council Response
17/01/2022	Fire Management / Roadside Conservation	Was unable to find a copy of Councils Fire Management Plan on our website that is cross referenced in section 7.6 Fire Management. Would also like to see more education and awareness on not collecting firewood on high conservation roadsides and consider putting signs up at high conservation roadsides advising of their significance.	Plan is not currently available, new plan being developed which will then be on the emcop link. Link will be updated in references / resources section when plan complete.
17/01/2022	Fire Management	Add Fire Rescue Victoria to Stakeholder section Travis will look at Section 7.6 and make comment on document where they need to be mentioned - No response from Travis and unsure how FRV fit into this section as they do not go off road to deal with fires that are on the roadside. Add emcop link to references and resources (this is where most fire management plans can be found)	Have amended plan accordingly
24/01/2022	Fire Management / Weed and Pest Management	The foreword should include a statement that the priority of roads is for safe transport, as opposed to 'functional'. To provide clarity the foreword should specify that this plan is a guidance/reference document of information on the legislative requirements of roadside conservation. 1.2 The road maintenance envelope should make clear it includes roadside drains. Roadside drains are a relevant infrastructure (RMP) for the function of the carriageway. 1.3 It should be made clear that vermin control is permitted on roadsides, and that in relation to fire prevention the Council is accountable for this role. As noted in the Inspector General report of the 2019-20 fires. 1.5 Again, make clear that the Council has a critical role and accountability in fire management. 2.2 There is an inherent conflict in providing wildlife corridors in habitat on roadsides. The conflict needs to be acknowledged clearly and the main purpose of roads – for safe transport – should be restated. Conservation should be managed as should fire prevention. The Local Laws must be reviewed to reflect this and amended to allow crash grazing. 2.3 Remove the term 'adjacent lands' under Disturbance and edge effects. It should be clearly identified that Council is responsible for fire prevention management and that the priority of roads is for safe transport. 3.3 Section 52.16 and 52.17 should appear in an attachment as are critical sections. Particularly the section the parts of this section that gives direction to the steps to take for the removal of native vegetation (as attached). 3.8 Clarity is required as to whether landholders and land managers have responsibility and accountability under the Catchment and Land Protection Act 1994. Section 37 of the CALP Act states that a land management notice cannot be served on the Secretary. 3.18 The Council's Fire Management Plan needs to be publicly available. 5.1 The exemptions for vegetation removal in road drainage systems need to be listed. Council outdoor staff need to receive more information and training on this. 5.4 Similarly to 3.8, clarity is required as to whether land managers have the same responsibilities and accountabilities as landholders. 7.3 Excellent clause, highlight. 7.6 Relevant to CFA, NECMA and FRV and must be highlighted to them. Fire management collaboration with these groups is to be noted. General conclusion: Local Laws need to be reviewed and amended to allow for activities referred to in this document, ie crash grazing. It must be clear that this plan is not a rule in itself, it is a compilation of rules and laws for landholders and land managers to refer to regarding roadside use, management and conservation. The document particularly must note in more rigor that the primary use of the road reserve is the safe egress of the community (2.3 above notes this however should be in the Introduction). This document is a directory of the legislative rules that govern the management of roadsides, and it would be helpful if it was referred to as such.	Foreword updated 1.2 this section includes the drain 1.3 Rabbits are listed, fire risk is listed as an objective however this is not the correct section to expand on Councils responsibility in fire management 1.5 This section is just to list the stakeholders and which roads are managed by those stakeholders it does not go into detail of all the responsibilities. 2.2 This section is giving an overview of the important vegetation and communities that can be found on roadsides and does not go into Councils responsibility for road management and fire management that is covered in section 7 under the specific activities 2.3 adjacent land removed and section already states that Council works with CFA to develop treatments as a part of the Municipal Fire Prevention Strategy (Councils responsibilities in fire management will be addressed further in section 7) 3.3 There are links to DELWP documents in the References and Resources section and section 3.3 has been updated to advise this. 3.8 Ag Vic website clearly states that landholders and land managers have a responsibility under the Calp Act to control noxious weeds. 3.18 Agree this needs to be made public and when the new plan has been finalised and endorsed it will be available on EMCOP and i will discuss having it also available on our RCoW website. 5.1 I have provided a link to the road safety exemption in the resources section, I have also added an action to train our field services crew in how to use and understand this exemption. 5.4 Clearly states what councils responsibility is under the Calp Act 7.6 have refined this section and added an action to work with Community Compliance Team to review and update the local Laws which are due for review.
20/01/2022	Pest Management	In general I consider the RCMP a step in the right direction and includes the myriad of factors need to be considered in roadside conservation management. There is one exception I can see. Under Pest Plant and Animals there should be considerations given to pest pathogens such as cinnamon fungus. This is a serious threat to many species in the Warby Ovens Nat Park to such an extent that many roads and walking trails are closed to reduce its spread. It is also a threat to neighbouring orchards in the area who have to take measures to prevent the movement of native animals that may carry the spores. Control measures, such as cleaning earth moving equipment, are fairly easy and should be routine. More learned conservationists and biologist may also point out other pathogens, such as phylloxera, that also need to be mentioned and control measures implemented.	Have included pest pathogens (cinnamon fungus) to section 2.3 Threats to Roadside Biodiversity under Pest and Weed infestation
18/01/2022	Cultural Heritage	The 2021 Roadside Conservation Management Plan is a very good document but fails to address one of the key objectives outlined in section 1.3 to Identify and protect cultural and heritage values. This is particularly important because many of the significant marked/scarred trees are old and in fact many are dead and therefore not identified as important and are thus subject to indiscriminate removal by burning or for firewood collection. For a more complete plan I suggest that the RCMP should recognize that there has been no systematic identification of Aboriginal Cultural values and the RCoW will work towards collecting this information over the next 2-3 years, whilst noting that a trial to develop a suitable methodology is being currently developed by RCoW and a qualified contractor. This should be acknowledged in the scope as a limitation of the RCMP which council is working to rectify. Some suggestions might be the following: -When assessing tenders prospective roadside works contractors endeavour to gage the level of awareness tenders demonstrate in cultural knowledge. -Insure all council staff involved in roadside planning and operations are sufficiently skilled in cultural heritage identification. -Map all sites reported by observant staff and contractors for value assessment by accredited Cultural Heritage Officers with a view to registering such sites if appropriate. -Ensure VicRoads are up dated on all components of cultural heritage significance where they possess a management interest. -Engage appropriate Traditional Owners to assess the cultural, historic, and spiritual values of each site.	Have included in section 1.3 our current position relating to Culturally Significant sites and the current study underway. Have include an action to train Council staff including depot crew in Cultural Heritage identification RRV have their own policies and procedures and have a dedicated Cultural Heritage Officer
21/01/2022	Conservation Management	Added minor changes / suggestions direct to document.	incorporated changes and suggestions

<p>20/01/2022</p>	<p>Fire Management / Conservation Management / Weed Management</p>	<p>CFA understands that the intent of the Draft Roadside Conservation Management Plan is to provide a balanced approach to the protection and sustainable management of environmental and cultural heritage values on roadsides in the Rural City of Wangaratta, while meeting key functional and fire prevention requirements. CFA also recognises the updates, changes and improvements made to the plan in this 2021 version. CFA has reviewed the proposed draft and provides the following comments and additional suggestions for your consideration: The majority of the rural road network within the municipality is subject to the risk of fire. Fire prevention and mitigation practices undertaken on roadsides assist to: - Slow the spread of fire through the landscape. - Allow safer areas for fire fighting appliances to be located while undertaking fire suppression, and - Provide for safer access along roads for fire crews, appliances and members of the public relocating to safer areas. Fire prevention and mitigation activities comprise a number of forms. In some cases slashing and or mulching are used either as stand alone treatments or in combination with planned burning activities. In most cases planned burning provided the best combination of hazard reduction and cost benefit. CFA is of the opinion that appropriately targeted and timed planned fire and mechanical fuel reduction activities can support the aims of and be of benefit to the Roadside Conservation Plan. 7.4 Enhancement/ Rehabilitation of Roadside – Paragraph 2 - CFA has concerns that the doubling of tree planting density is too high, and this advice could lead to increased vegetation levels above the EVC descriptors, and increased fire risk. CFA would prefer to see this restricted to an additional 50%. Dot point 1. Recommended change: - Adequately consider the priorities in the Municipal Fire Management Plan through consultation with the CFA District and relevant brigade. Additional dot point recommended: - Following rehabilitation and enhancement works maturing vegetation should be assessed to ensure adequate and appropriate access for future fire suppression can be maintained. 7.6 Fire Management – CFA is concerned that reference to heavier fuels (i.e. being greater than 25mm) will not have the desired outcome; discussion with CFA VMO centred on a dimension greater than 50mm ("wrist-sized"). Fuels of 25mm dimension will ignite and generally burn quickly, contributing to radiant heat. This size dimension (25mm) describes the significant proportion of pruning's and windfall, related to tree head material. Dot point 1 (page 36) Recommended change: - Native grasses generally have lower fuel loads than introduced grasses such as Paspalum or Phalaris species, so retention of native grasses is an advantage. Heavier fuels like branches and logs (greater than 50mm in diameter) are slower to ignite than fine fuels and give off heat more slowly, therefore they can be retained in road reserves while maintaining an effective firebreak. 7.23 Weed Control – CFA would like to note that the strategic application of planned burning at the appropriate time has the potential to assist with the long term reduction of fire fuel loads by reducing weeds species and promoting native grasses. CFA asks council to consider adding a dot point highlighting the potential benefit to weed control and fire management where appropriate fire and spraying regimes can be combined.</p>	<p>The NRM and Sustainability team work closely with the CFA and assess proposed roadside treatments every 3 years and agree that appropriately targeted and timed planned fire and mechanical fuel reduction activities not only reduce fire risk but can support the aims and benefits of the roadside conservation. 7.4 - paragraph 2 has removed that section that said tree density should be no more than double the EVC density. All plantings should stay within the EVC guidelines for tree density. dot point 1 changed and additional dot point included into plan. 7.6 is this change from 25mm to 50mm for fine fuels something that has been changed across the fire management policies / plans or is this something they would like to see changed (no change has been made to plan yet until further discussion takes place) 7.23 Weed Control - this section is about what property owners can do on roadsides regarding weed control and this does not include the use of fire. It also covers off on the weed management Council do which does not include fire. At the moment fire activities are only undertaken by CFA for fire hazard reduction prescriptions.</p>
<p>24/01/2022</p>	<p>Fire Management</p>	<p>First of all I would like to comment on the present roadsides. They are very unsightly and a huge fire risk when they dry out. I would not send a fire tanker up some of our roads as they stand at the moment as they would get trapped. Paspalum, Phalaris and wild oats have taken over in a big way and must be controlled. Reference was made about grazing those roadsides but the conditions on the Council's permits make it too onerous for stockowners to abide by, plus very few farmers have the time to put stock on roads as most of the younger generation have day time jobs off farm to make ends meet. Grazing would be the best way of controlling the above weeds but it will need a new approach. My other concern is the roots of trees on the sides of the roads are damaging road surfaces especially bitumen roads. These roads have become very dangerous and need attention. Trees have their place in the environment but should be out in paddocks not along roads, they drop limbs which will fall on vehicles and also fall across property fences letting stock onto roads which could lead to road deaths. Another concern is the slashing of roadsides for the protection of houses and property. I believe the area along the roadsides should be extended so landholders can create better fire protection and be allowed to clean up the above area so they can slash without damaging their machinery. One other thing is the envelope area that all roads should have. Machinery is getting larger every year and it is impossible to travel up a lot of roads without damaging vital parts of machines. Burning parts of roads would be a benefit but again it comes down to not enough volunteers to man fire trucks plus the red tape to do the operation is too demanding. I have lived in the same house for nearly 77 years and I have never seen a lot of the roadsides around here as bad as they are at this time. They are like a jungle.</p>	<p>Natural areas are not manicured and can be perceived as unsightly. The feedback here is more in relation to the state of the road asset and associated infrastructure not the conservation of the roadside. No changes made to document.</p>
<p>28/01/2022</p>		<p>We wish to congratulate Council on the development of this plan. Having read the plan and in particular comparing it with the Roadside Conservation Management Plan 2014 make the following comments. The introduction concisely establishes the importance of the management and conservation of roadside habitat. It additionally comprehensively documents risks and threats and management principles to address these. This document is user friendly in its format and benefits by being concise. The inclusion of mapping within the body of the document greatly enhances its utility. The role of landholders and Landcare Groups in protecting and enhancing roadside ecology is acknowledged and this will be appreciated by those who have actively contributed toward achieving these positive on ground outcomes. We fully support the adoption of this document as a Council Plan.</p>	<p>Positive feedback no changes to plan required</p>
<p>28/01/2022</p>		<p>1.3 Objectives: Cultural & Heritage- There needs to be a greater emphasis on the inclusion of Indigenous Groups. Our Landcare Group has a long association with the Bpangerang people in the RCOW. We wish to see a greater partnership between Council and the Bpangerang in roadside conservation, particularly in recognizing and protecting cultural sites. The current version of the document fails to address one of the key objectives outlined in this section to identify and protect cultural and heritage values. Our comments include references to the submission by Uncle Darren (Dozer) Atkinson (a member of our management committee). With his permission I have included some of that submission here. Please refer to Mr Atkinson's submission for the full detail which our Group supports. This is particularly important because many of the significant marked/scarred trees are old and in fact many are dead and therefore not identified as important and are thus subject to indiscriminate removal by burning or for firewood collection. For a more complete plan I suggest that the RCMP should recognize that there has been no systematic identification of Aboriginal Cultural values to date. That RCOW will work towards collecting this information over the next 2-3 years, whilst noting that a trial to develop a suitable methodology is being currently developed by RCOW and a qualified contractor. This should be acknowledged in the scope as a limitation of the RCMP which council is working to rectify. Section 1.5 Stakeholders: Landholders need to be better engaged with RCOW staff. We recognize there are competing values on roadsides. How Council can achieve a No Net Loss of Roadside Vegetation approach is difficult. One of the biggest issues is regulation and enforcement. Pest Plant and Animals there should be considerations given to pest pathogens such as cinnamon fungus. This is a serious threat to many species in the Warby Owens National Park to such an extent that many roads and walking trails are closed to reduce its spread. It is also a threat to neighbouring orchards in the area that have to take measures to prevent the movement of native animals that may carry the spores. Control measures, such as cleaning earth moving equipment, are fairly easy and should be routine. More learned conservationists and biologists may also point out other pathogens, such as phylloxera, that also need to be mentioned and control measures implemented. Other pest plant and animals are noted in the document we support the enhancement of these programs. Section 5 General Operations: Our Group has been the recipient of past assistance from Council for roadside pest plant and animal control; we support the continuation and enhancement of this program.E6 Section 2.3 Threats to Roadside Biodiversity: One threat of concern is to the status of the Northern Inland Carpet Python, which you mention in the draft. Our group has almost completed the development of brochure to be distributed to all landholders and stakeholders to protect this species. We support actions in this section. The spread of roadside weeds is a continuing threat and adequate resources need to be provided, Council needs to work closely with adjoining landholders on such programs. Improved mapping of activities is important. Sections 6.4 Connect Roadside Habitat: We support any endeavours by Council to enhance this activity. Our group does sometimes receive funding from government for landholders support in revegetation and native vegetation protection. Some funding by Council to support stakeholders will improve relationships. Section 7 Requirements for specific activities on roadsides: It is important to have programs developed jointly with stakeholders where appropriate. Council needs to adequately resource programs in community engagement and enforcement.</p>	<p>I have expanded on Cultural Heritage and the study that is going to take place. I have included pathogens (cinnamon fungus) in the threats section. We have had updated mapping undertaken by a qualified consultant on weeds on our roadside and this has been added including mapping to section 5.4 Pest Plan and animal control.</p>

<p>28/01/2022</p>	<p>Fire Management</p>	<p>The Wangaratta Group of Fire Brigades supports the objective of the RCMP in promoting good management of roadside vegetation. The Wangaratta Group of Brigades Management Team (GMT) understands the need for a considered document that " will guide actions within the road reserves to promote good management of roadside vegetation". There is no doubt that there is a plethora of Policies and Legislations that need to be considered when discussing the management of the RCOW road network. We agree that the RCMP must be consistent with other Council policies in road management, fire management and emergency planning."</p> <p>Particularly relevant is the RCOW Fire Management Plan and the associated Fire Management Plan- Roads & Rail Trail (FMP-R&RT).The stated objectives of the FMP-R&RT are around the safety of the lives of road users, the prevention & containment of fires and recovery from fire impacts on our road network. Our view is that the RCMP must be viewed in the context of these objectives.</p> <p>The draft RCMP does not provide a clear connection with the objectives of the FMP- R&RT in its position as a key policy for RCOW. Clause 3.18 Fire Management acknowledges the existence of the RCOW Fire Management Plan- Roads and Rail Trail. But beyond a very brief description, there is no detail as to how these two policies relate to each other in terms of hierarchy and how they are intended to support specific objectives. A prime example of the effect of this is found in the discussion of Threats to Biodiversity in Clause 2.3 of the RCMP. The very broad statement is made that " Fire management needs to balance the hazards from accumulated fuel loads with the ecological requirements of roadside communities."</p> <p>The RCMP fails to provide real guidance here regarding what are acceptable levels of accumulated fuel loads. The emphasis of the document seems to be on the non-disturbance of native flora as much as possible. We believe this understates the risk from over abundant fine fuels that native & exotic grasses and plants can contribute on our roadsides. In effect, the RCMP is often applied to prevent prudent and sensitive fuel reduction, contrary to the objectives of the FMP-R&RT guidelines. This occurs because of the lack of definition on this aspect. Subsequently, that leads to ad hoc decisions that lack a broader view of other policies and guidelines.</p> <p>While the issue of what is a safe level of accumulated fuel loads is not addressed in the RCMP, the native flora and fauna that we wish to sustain and enhance is actually put at greater risk.</p> <p>High levels of fuel mean hotter fires that are ultimately to the detriment of biodiversity. The statement in Clause 2.3 that " Inappropriate management of fire frequency and intensity can lead to a loss of species diversity, a reduction in habitat availability and weed infestation" is clearly very true. The current phrasing around accumulated fuel loads does nothing to define what is appropriate to the effective management of the "intensity" of fire.</p> <p>We believe that the RCMP should be clearer in defining issues such as acceptable accumulated fuel loads. The RCMP should also provide greater emphasis on the relevance of Roadside Conservation Management in protecting our Communities from the impact of bushfire.</p> <p>The list of Stakeholders under Clause 1.5 notes " the CFA has a critical role in the community in preparing for and responding to bushfire threats." We would contend that RCOW is similarly responsible, something that is evidenced in the growing role of Municipalities in Emergency management activities over the last decade or more.</p> <p>With that in mind, we would ask that the RCMP be reviewed through a lens of sensible fuel management that will contribute to the long term environmental outcomes it sets out to achieve. Our lived experience of bushfire in areas of high roadside fuel loads is very much in our minds here. We know that rural roadsides can be a very dangerous place when fire prevails. The impact on communities and natural environments are made worse by poor management of fuel.</p> <p>Finally, we would encourage increased consultation with stakeholders such as ourselves during the development phase of Draft Management plans. As the local frontline responders to fire, engaged in every aspect of the well being of our own community, Wangaratta Group's CFA Volunteers can provide much that is worthwhile to the development of policies and guidelines like the RCMP.</p>	<p>The RCMP is a guidance document only on road side activities, it is not a policy or a fire management document therefore does not sit above any fire management plan and guides you to those plans for how fire risks are to be managed.</p> <p>There was also plenty of opportunities to discuss the RCMP during the 8 week consultation period and staff were present at Moyhu, Springhurst and the library, there were also 2 online sessions.</p> <p>No updated have been made to the plan.</p>
<p>28/01/2022</p>	<p>Conservation Management / Firewood / Compliance</p>	<p>wish to make a submission in relation to the Draft Roadside Conservation Management Plan, particularly in relation to:</p> <ul style="list-style-type: none"> - The clearance/ "cleaning up" of roadsides for amenity purposes - Roadside firewood collection - Compliance with this plan by Road workers/ contractors - Conservation values of particular roads <p>Generally I support the Draft Roadside Conservation Management Plan and its aims and actions as it takes a balanced approach to managing roadside environmental values along with other functions on the road reserves. I do feel though that the above areas should be given greater attention as per the detail below.</p> <ul style="list-style-type: none"> - The clearance/ "cleaning up" of roadsides for amenity purposes <p>The plan recognizes the threat to roadside conservation values of "cleaning up" roadsides but mainly in relation to excessive fire prevention works. There is also the very real and increasing biodiversity threat of roadsides being "cleaned up" purely for amenity purposes with shrubs removed, every bit of untidy plant material slashed or piled up and burnt. The cumulative impact on biodiversity is considerable as more and more properties "beautify" the adjoining roadsides and in the process destroy the remaining habitat values. In some areas roadsides are the last refuge for various endangered species and also can be the only remaining biodiversity corridors across the landscape. Any extended length where the habitat has been removed, essentially destroys the corridor, potentially isolating remnant populations. I believe this amenity/ beautification clearance of roadsides should be specifically listed as a separate threat to Roadside Conservation values, with additional actions to mitigate the identified threat. A key action could be ensuring new landholders are aware of the biodiversity values of their adjoining roadside and why it is different from an urban nature strip. This information could cover the inappropriateness of removing native vegetation, doing landscaping works and sowing exotic species on a roadside with conservation values.</p> <ul style="list-style-type: none"> - Roadside firewood collection <p>The Draft Roadside Conservation Management Plan gives considerable attention to road side firewood collection, but I believe it needs to go further.1/ I would like to see commercial firewood collection banned off roadsides. In very recent years there have been two local incidences of quasi commercial operators using a tip truck and front-end loaders to systematically harvest dry roadside timber, both fallen and standing, which was then sold on social media. I would like to see any commercial harvesting banned on roadsides and appropriate enforcement measures included in the plan and implemented.</p> <p>2/ I would also like to see specific community education actions resourced and implemented to help make people aware of their obligations for roadside firewood collection, including the appropriate areas where firewood collection is allowed.</p> <p>3/ In recent years there has been a marked increase in the illegal falling of dry (and green) trees on rural roadsides for firewood. As part of the illegal falling and harvesting of these trees on roadsides, there have been increasing incidents of trees being fallen onto/over roads – fallen over fences, the wood cut and the fence left broken – as well as trees fallen into other trees and then left hanging there, ready to fall on the fence or people or traffic using the road.</p> <p>To date Council has been virtually complicit in this illegal firewood collection and tree felling along rural roadsides through not taking any action to address the known issue and through allowing it to continue. As the responsible authority of the roadsides, I believe Council has a legal obligation to take practical steps to prevent/ stop these illegal and dangerous activities and could have some liability when an accident occurs. The key practical step I believe needs to be specifically listed in the Draft Roadside Conservation Management Plan is actual enforcement of the restrictions on the illegal harvesting firewood from roadsides. On a drive on rural roads on any weekend from Easter to Spring, there can be seen people harvesting firewood, mostly illegally and with impunity.</p> <p>Some weekend compliance checks of roadside firewood gathering would go a long way to having people doing the right thing.</p> <ul style="list-style-type: none"> - Compliance with this plan by Road workers/ contractors <p>I fully support the training of council's road maintenance staff but all contractors undertaking works for council should be trained and made to comply with the Roadside Conservation Plan too. Council's own workers must also be resourced to be able to do their work properly, with appropriate training and equipment provided, particularly for any vegetation control, clearance and/ or trimming works.</p> <p>Conservation Values to be checked on Moloneys Road, Greta West, Lloyds Lane Greta West, Docker / Greta West Rd Greta West and Oxley / Greta West Rd Greta West.</p>	<ul style="list-style-type: none"> • The clearance/ "cleaning up" of roadsides for amenity purposes - paragraph has been added to section 2.3 Threats to roadside biodiversity. • Roadside firewood collection - Commercial firewood is not permitted on roadsides and there is a permit system in place where firewood can only be collected for personal use on low value roadsides. I have updated section 7.7 to make this clear. There is an action to educate the community that firewood collection is illegal and to notify Council if you spot someone collecting on roadsides. Council is also taking action on illegal clearing of roadsides. • Compliance with this plan by Road workers/ contractors - - There is an action to train staff in the area and funds have already been sourced for an external trainer • Conservation values of particular roads - I have sent through the roads of concern to have Steve Hamilton look at the Conservation Value and see if we need to make changes.



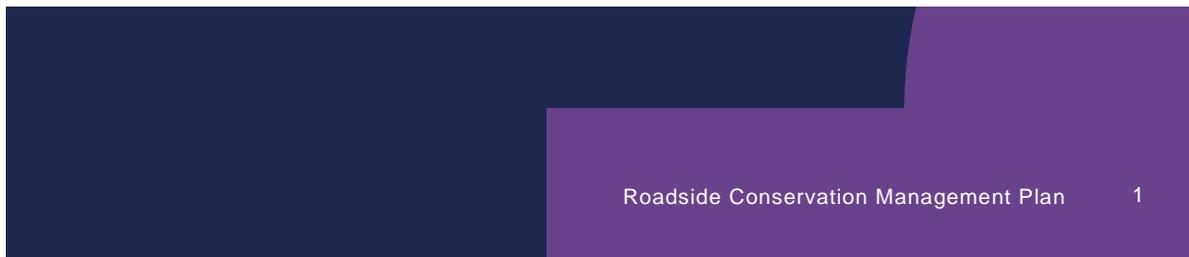
Rural City of
Wangaratta

Draft Roadside Conservation Management Plan

2022-2027



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Contents

FOREWORD 2

1. Introduction 3

2. Roadside Importance and Threats 6

3. Legislative and Policy Framework 16

4. Roadside Conservation Values Assessment 21

5. General Operational Controls 24

6. Enhancement and Management of Roadside Vegetation 27

7. Requirements for specific activities on roadsides 30

8. Implementation of this plan 48

References and Resources 52

APPENDICES 54

DRAFT

FOREWORD

Roads are an integral component of human society, allowing for the safe and efficient transport of people and goods. There are few places on earth that are not currently impacted by the vast networks of linear infrastructure. The ecological impacts of linear infrastructure and vehicles are numerous and diverse and have competing values and issues adding to the complexity of roadside management.

Conservation needs must be balanced with road safety, soil stability, water runoff, legal requirements, bushfire risk, infrastructure corridors (water, power, telecommunications), cultural values, firewood collection, grazing, recreational values (horse riding, hiking, bike riding), educational values and development needs.

Contrasts between the objectives of Council, the community, road user and other agencies sometimes make roadside management seemingly conflicting. A variety of legislative and regulatory mechanisms exist that inform roadside management; hence decision makers can face a complex task in balancing multiple competing objectives.

This Plan aims to provide a balanced approach to the protection and sustainable management of environmental and cultural heritage values on roadsides in the Rural City of Wangaratta, while meeting key functional and fire prevention requirements.

It must be noted that this management plan “Roadside Conservation Management Plan 2022-2026” is a guidance/reference document of information on the legislative requirements of roadside activities in relation to conservation management.

There is a separate Management Plan “Road Management Plan 2021-2025” for Council managed local road network and its associated road infrastructure. The purpose of this plan is to set out schedules of inspection type and frequency to ensure that Council managed roads continue to function and to provide a level of service including road safety acceptable to the community.

1. Introduction

1.1 The Roadside Conservation Management Plan (RCMP)

The Roadside Conservation Management Plan (RCMP) aims to conserve and enhance roadside native vegetation that often provides valuable habitat and is an important feature in local landscapes. The challenge currently facing society is to build a more efficient transportation system that facilitates economic growth and development, reduces environmental impacts and protects biodiversity and ecosystem functions. The conservation aim must also take into account property access, provision of utilities, fire management, legal stock movement and roadside maintenance. Existing legislation and regulations apply to such activities in order to protect native vegetation. The RCMP informs users of these legislated requirements and methods to conserve vegetation during activities.

The first Roadside Conservation Management Plan for the Rural City of Wangaratta was prepared by Rural City of Wangaratta Roadside Advisory Committee in 2000 with funding from the Natural Heritage Trust. The Roadside Conservation Management Plan was then updated in 2014 under the direction of the Rural City of Wangaratta.

This 2021 review of the RCMP updates legislation and conservation knowledge. The RCMP sets out relevant legislation, required permits and procedures to help users to meet these responsibilities during roadside activity.

While the RCMP focuses on conservation and management of remnant habitats on roadsides, the RCMP must be consistent with other Council policies in road management, fire management and emergency planning. The name - Roadside Conservation Management Plan - was chosen to make its focus clear and to avoid confusion with other roadwork related documents.

1.2 Scope of the RCMP

The RCMP covers all rural roads within the municipality that are under the control of the Rural City of Wangaratta (RCoW). Roads inside town boundary 80 km/hr speed limits have not generally been included. There are a few township roads of high conservation value that have received a conservation rating.

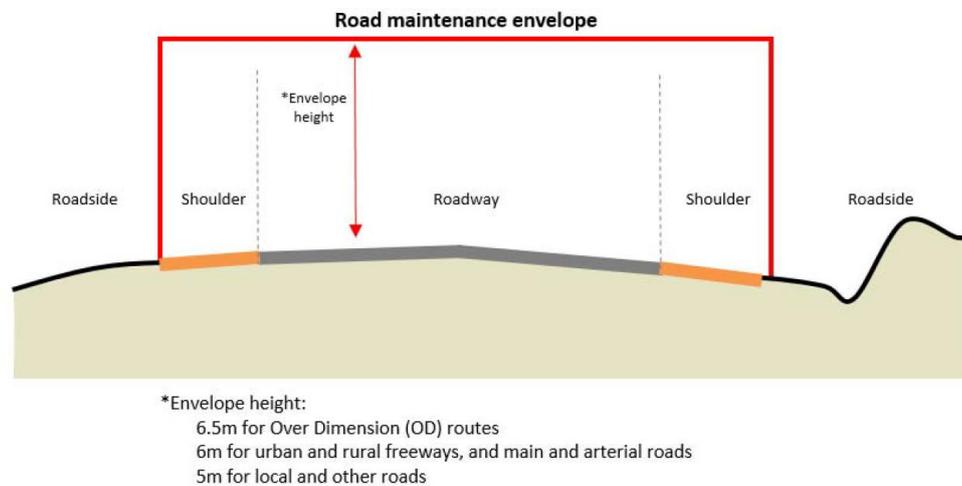
Currently there has been no systematic identification of Aboriginal Cultural values, however RCoW are working towards gathering this information over the next 2 to 3 years. A trial is currently underway between RCoW and a qualified contractor to develop a suitable methodology to collect Culturally Significant trees / sites on our roadsides.

Rural Roads Victoria (RRV, previously called VicRoads) is responsible for managing declared freeways and arterial roads, these being the Hume Freeway, Beechworth-Wangaratta Rd, Buckland Gap Road, Glenrowan- Myrtleford Road (Snow Road), The Great Alpine Road, Greta Road, Mansfield-Whitfield Road, Rutherglen-Springhurst Road, Wahgunyah-Wangaratta Road (Federation Way), Wangaratta Road, Wangaratta-Whitfield Road and Wangaratta- Yarrowonga Road. Permission must be sought from RRV for any activity on roadsides managed by RRV. The same legislation applies to native vegetation on all roadsides, so the guidance in the RCMP can assist during any permitted activities on these roadsides.

The Department of Environment, Land, Water and Planning (DELWP) and Parks Victoria (PV) are responsible for managing most roads within declared Crown Land including National Parks, State Parks and State Forest areas, plus 'unused roads'.

Road maintenance works conducted by Council are done within the 'maintenance envelope', which is defined by DELWP as an area encompassing the road surface plus an area to one metre beyond the guideposts at the edge of the road shoulder (including roadside drains) or one metre past the table drain if there are no posts. The envelope is defined vertically to five metres above the road. The 'Procedure to rely on the Road Safety Exemption in the planning schemes' is to be followed when undertaking road maintenance work within the maintenance envelope. Other exemptions may also apply to these works including 'emergency works' exemption. This RCMP does not include any areas within this road maintenance envelope.

Figure 1: Road maintenance envelope



1.3 Objectives of the RCMP

The purpose of this RCMP is to promote good management of roadside vegetation particularly in relation to environmental values. This RCMP defines the strategic framework and management principles which will guide actions within the road reserves to promote good management of roadside vegetation for the Rural City of Wangaratta local government area (LGA).

The specific goals of the RCMP are:

- Provision of safe transportation corridors (define a clearance envelope).
- Maintain and enhance biodiversity values, including landscape habitat connectivity and habitats for rare and threatened species and communities.
- Control and reduce the spread of, and where possible, eradicate priority weeds.
- Control rabbits.
- Protect service assets located on roadsides.
- Identify and protect cultural and heritage values.
- Prevent further decline and maintain the ecosystem functions that roadsides provide.
- Maintain and enhance the visual amenity and landscape quality of roadsides.
- Manage fire risk.

1.4 Development of the plan

Community and stakeholder engagement has been central to the development of this RCMP to ensure the plan is locally relevant and practical and addresses the range of values and threats associated with road reserves in Rural City of Wangaratta.

Throughout the updating of this RCMP the appropriate areas of Council were consulted where activities either affect their operations or approval is required to ensure legislation and information is current. The Draft plan was then distributed internally for review and updated to reflect all feedback where appropriate.

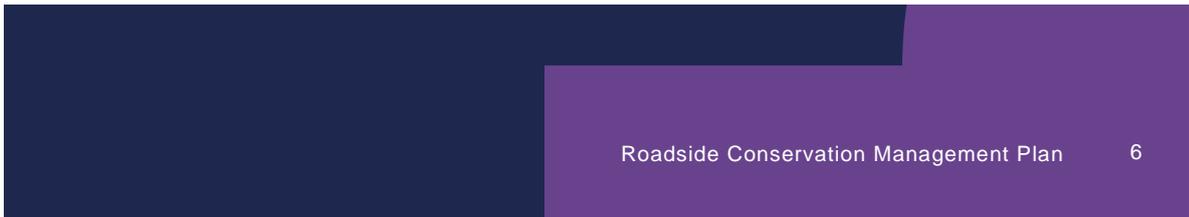
The draft RCMP was placed on public exhibition from 1st December 2021 to 28th January 2022. All stakeholders and the general community were invited to comment on the draft RCMP during this period. Five Community workshop sessions were conducted across the municipality and online during December 2021 and January 2022.

Collectively, the feedback received from community, stakeholders and Council Staff has contributed to the development of this Roadside Conservation Management Plan.

1.5 Stakeholders

The plan will be used by a wide range of stakeholders with an interest in roadside management. There are different managers and stakeholders of different roads in the Rural City of Wangaratta.

- Rural Roads Victoria (formerly VicRoads) is responsible for all major arterial roads including their roadside vegetation.
- DELWP and PV are responsible for roadsides within Crown Land, State Park or National Park.
- Rural City of Wangaratta is responsible for all other roads in the Municipality.
- Landcare groups and other community members play a part in roadside conservation undertaking revegetation projects, litter collection, education and reporting illegal vegetation removal.
- Land holders adjacent to roadside vegetation have a role to play in the protection and management of the native vegetation. Landholders are permitted to undertake weed management and slash roadsides.
- Country Fire Authority (CFA) – the CFA has a critical role in the community in preparing for and responding to bushfire threats.
- Fire Rescue Victoria - respond to fires, complex rescues, road crashes, emergency medical calls and hazardous chemical spills. FRV also works with the Country Fire Authority (CFA), which is a community-based volunteer fire service.



2. Roadside Importance and Threats

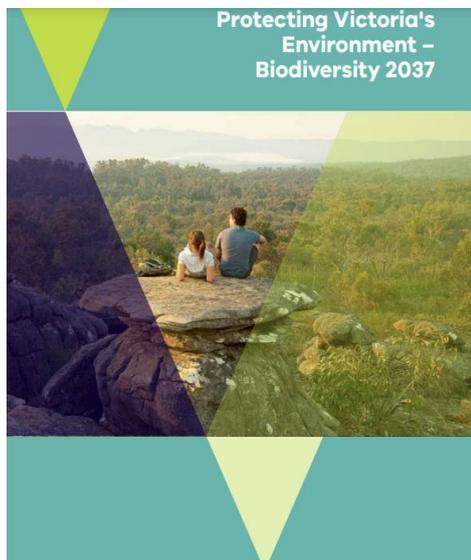
2.1 Roadside Values

Roadside reserves are a complex environment to work in due to competing values and issues. Councils are responsible in this regard to consider road safety, conservation, cultural values, firewood collection, bushfire risk, legal requirements, recreational use and development pressures. There is a need to manage linear roadside reserves for environmental objectives, recognising the ecological value of these areas rather than just their value as transport corridors.

Many roadsides support important biodiversity values because they retain remnants of native vegetation and wildlife habitats that were once widespread throughout the landscape. Roadsides often provide the only habitat connections to other native vegetation remnants in heavily cleared rural landscapes. In some parts of the municipality roadside vegetation represents the only remaining habitat for specific indigenous plant and animal species and without roadside habitats these species would be locally extinct. Roadsides can also function as a reference point for attempts at re-establishing original vegetation in the broader landscape.

The primary goal identified for native vegetation management in *Protecting Victoria's Environment – Biodiversity 2037 (DELWP, 2017)* is: ‘

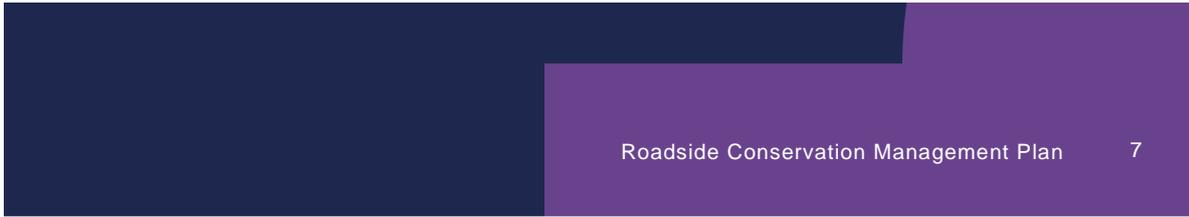
No net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation’.



Native Vegetation

The objective for the regulation of native vegetation clearing is to ensure that there is no ‘net loss’ to biodiversity as a result of the permitted clearing of native vegetation. This is achieved by applying the three step approach: avoid, minimise and offset.

At a broader level, the Victorian Government is committed to achieving an overall ‘net gain’, expressed as an improvement in the overall extent and condition of native habitats across terrestrial, waterway and marine environments. Not all habitats or vegetation types will need to be improved or increased in order to achieve this goal, but overall gains will need to outweigh losses. Such gains will be the result of investment and other efforts by government, community and land managers. The most important places to achieve gains and to avoid losses are locations with higher relative contribution to biodiversity benefit.



The importance of roadside vegetation was highlighted in the 2011 report *Remnant Native Vegetation Investigation* by the Victorian Environment Assessment Council (VEAC). This highlights the threat to biodiversity posed by loss and fragmentation of remnant vegetation in the Rural City of Wangaratta. “The importance of roadside vegetation and remnant riparian strips in bioregions generally increases as the extent of remnant native vegetation decreases. In the more cleared bioregions, road reserves and riparian areas contain significant proportions of the remaining native vegetation, and a particularly high proportion of this vegetation is on public land. In these landscapes, roadsides are disproportionately important for the habitat they provide and the species they support.” (VEAC 2011)

Victorian Riverina



Much of this large bioregion is heavily fragmented and degraded. The patterns of clearing and site condition are relatively homogenous whether on public or private land. Most remaining native vegetation is on private land, and any large patches are of at least regional significance given the overall paucity of native vegetation. Despite being in relatively poor condition, several landscapes are relatively well connected.

As noted in the discussion paper, road reserves make a significant contribution to the total amount of native vegetation on public land. Measures to conserve and augment road reserves should have priority in this bioregion. Riparian vegetation along major rivers and streams is mostly on public land reserves, and likewise contributes substantially to the proportion of remaining native vegetation in the bioregion. However, because of grazing much of this vegetation is degraded. Both of these public land features typically about private agricultural land so measures to facilitate conservation actions on private land and across the public-private interface would be appropriate for much of the bioregion.

The Bioregion that makes up the vast majority of the Rural City of Wangaratta (the Victorian Riverina) is classified in this study as “Most Cleared”. VEAC found that a high proportion of native vegetation occurs on roadsides only and remnant vegetation is in poorer condition than other State bioregions.

The other four Bioregions that make up our municipality are the Northern Inland slopes, Central Victorian Uplands, Victorian Alps and Highland-Northern Falls. Both the Northern Inland slopes and Central Victorian Uplands are classified as “Moderately cleared”. These Bioregions generally occur on the verges between intact landscapes and cleared land and are particularly important in maintaining linkages between these landscapes. In these bioregions, remnant vegetation on private land and roadsides is a landscape feature. Landcare groups and private owners have done much work to enhance remnant vegetation on private land and roadsides.

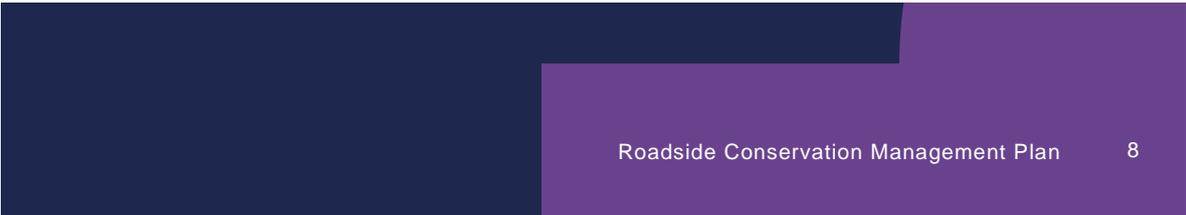
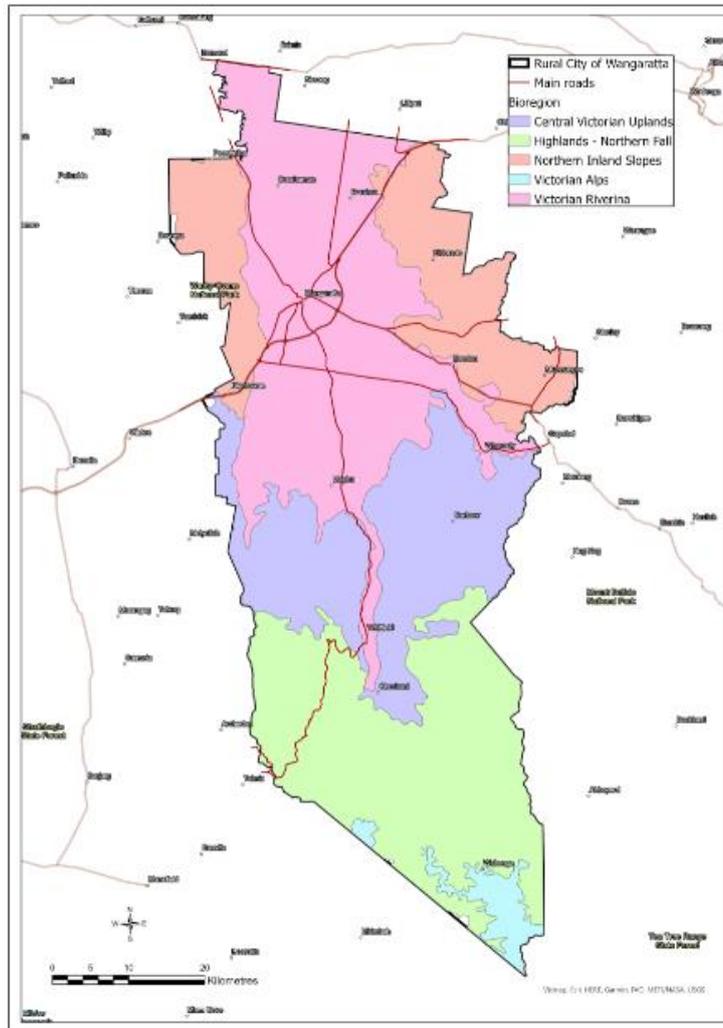


Figure 2. The Bioregions of the Rural City of Wangaratta



2.2 Important Flora and Fauna within Rural City of Wangaratta

Endangered EVCs

Remnant native vegetation in the Rural City of Wangaratta local government area is represented by 35 Ecological Vegetation Classes (EVCs) or mapping units (including complexes, mosaics and aggregates). These EVCs occur across 5 bioregions that make up our municipality (Victorian Riverina, Northern Inland slopes, Central Victorian Uplands, Victorian Alps and Highlands – Northern Fall).

There are 14 EVCs that are classified 'endangered' in the Rural City of Wangaratta (shown on map in figure 3).

The status of the EVCs on all roadsides are included in the Roadside Conservation Assessment, and through that, are used to determine controls and prioritisation for various activities on roadsides.

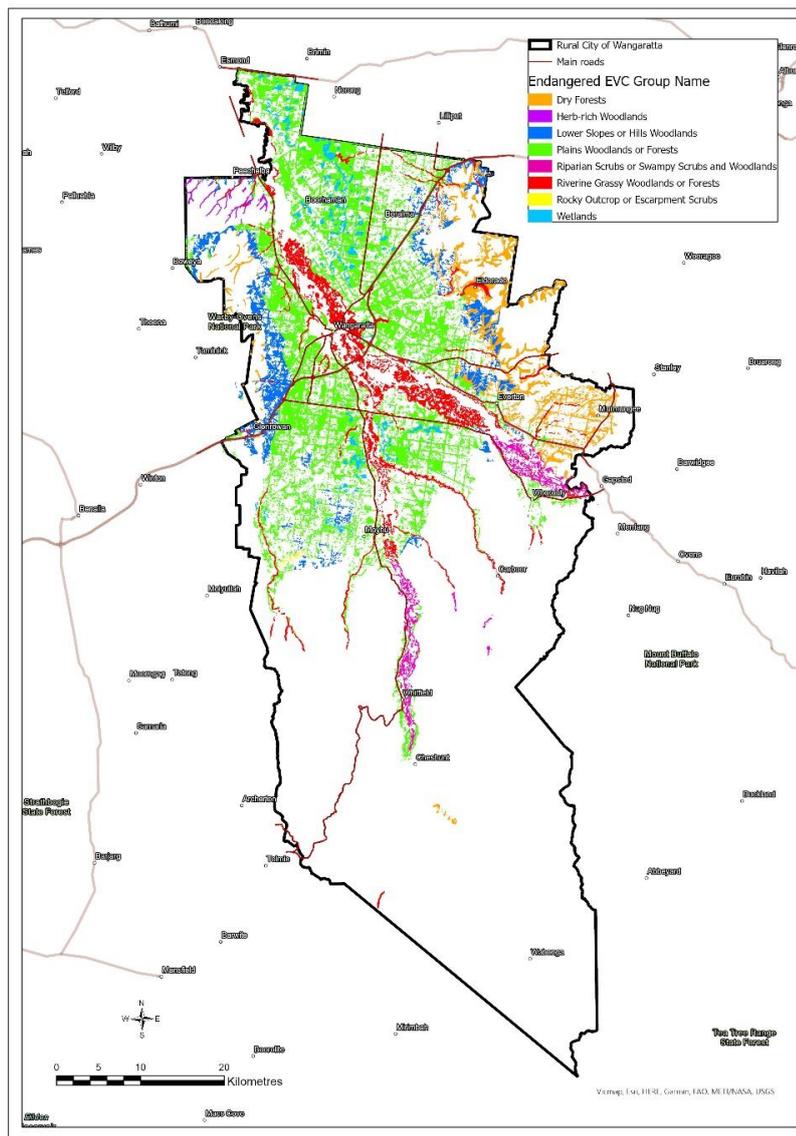


Figure 3: Endangered EVCs of the Rural City of Wangaratta

Commonwealth listed vegetation communities (EPBC Listed vegetation)

In addition to the threatened EVCs of the Rural City of Wangaratta there are four Commonwealth listed vegetation communities. The four listed vegetation communities are:

- Alpine Sphagnum Bogs Fens
- Buloke Woodlands of the Riverina and Murray Darling Depression Regions
- Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South Eastern Australia
- White Box – Yellow Box – Blakely's Red Gum Grassy Woodlands and Derived Native Grasslands

A vegetation community is a naturally occurring group of native plants, animals and other organisms that are interacting in a unique habitat. Its structure, composition and distribution are determined by environmental factors such as soil type, position in the landscape, altitude, climate and water availability.



Photo: *Buloke Woodlands (National Recovery Plan).*



Photo: *Grey Box Grassy Woodland*

Threatened Flora and Fauna

The Victorian Biodiversity Atlas (2021) has records for 122 threatened native species of plants listed under the Flora and Fauna Guarantee Act 1988 (FFG Act) in the RCoW. Of these 8 are listed as Nationally Threatened under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act). A full list of threatened flora in RCoW can be found in Appendix 5.

Roadside vegetation often provides habitat linkages which allows for the movement of fauna across otherwise highly cleared and fragmented landscapes. This is mostly applicable to highly mobile species such as birds and bats. However, other vertebrate species such as woodland birds, reptiles, gliders and ground dwelling mammals are also likely to favour well vegetated roadside corridors in the absence of other connecting vegetation. Maintaining and in some cases, improving these linkages is important for maintaining genetic diversity and flow between different fauna populations.

Habitat features that are particularly important include old trees with hollows, logs, native understorey and ground cover vegetation, leaf litter and flowering shrubs and trees.

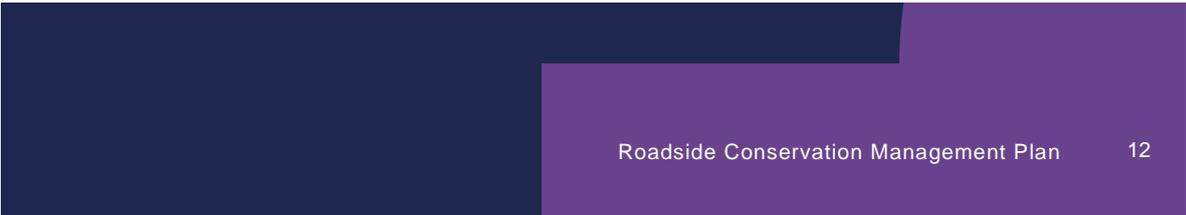


The Victorian Biodiversity Atlas (2021) has records for 74 threatened native species of animals listed under the Flora and Fauna Guarantee Act 1988 (FFG Act) in RCoW. Of these 24 are listed as Nationally Threatened under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act). A full list of threatened fauna in RCoW can be found in Appendix 4.

Threatened flora & fauna along Wangaratta’s roadsides



1. Carpet Python '*Morelia spilota*' (photo by Chris Tzaros), 2. Bull-Oak '*Allocasuarina luehmannii*' (photo by Mark Marathon)
 3. Bent leaf Wattle '*Acacia flexifolia*', 4. Brush-tailed Phascogale '*Phascogale tapoatafa*' (photo by Chris Tzaros)
 5. Barking Owl '*Ninox connivens*' (photo by Chris Tzaros), 6. Mugga Ironbark '*Eucalyptus sideroxylon*'



2.3 Threats to roadside biodiversity

The key threats to roadside biodiversity within Rural City of Wangaratta include:

Disturbance and edge effects

Disturbance is a major threat to roadside vegetation. Primary causes of disturbance include the removal of vegetation within the road reserve and the movement, exposure or compaction of soil (such as through road maintenance and construction activities). Removal of vegetation can also increase edge effects such as changes to light, drainage and wind exposure, which occur when a new edge is created. Minimising disturbance during road maintenance and construction is key to managing this issue.

There is also the very real and increasing biodiversity threat of roadsides being “cleaned up” for amenity purposes with shrubs removed and untidy plant material slashed or piled up and burnt. The cumulative impact on biodiversity is considerable as more property owners “beautify” the adjoining roadsides and in the process destroy the remaining habitat values.

Habitat loss

Native species of birds, mammals, frogs, reptiles and insects depend on hollows in live and dead standing and fallen trees to live, feed and raise their young. Mid storey vegetation provides valuable food and shelter for many species. Fallen branches and logs (woody debris) are very important habitat for ground-dwelling fauna such as frogs and lizards and decomposing wood provides habitat and food for a diversity of invertebrates, fungi and bacteria which in turn are food for larger animals. Woody debris is also immensely important to nutrient cycling, erosion prevention and weed suppression.

Firewood collection is a major contributor to the loss of habitat. Regular high intensity burning, inappropriate herbicide use, weed infestation, works, grazing, slashing and soil compaction can also lead to habitat decline.



RCoW is committed to conserving the native vegetation and habitats that make up roadside reserves across the region. Consent from Council is required for all firewood collection, native vegetation removal and works on road reserves. Unpermitted activities will be investigated and can result in fines or prosecution.

Eastern Bearded Dragon (Photo credit: Chris Tzaros, Birds Bush and Beyond)

Fire

Inappropriate management of fire frequency and intensity can lead to a loss of species diversity, a reduction in habitat availability and weed infestation.

Fire management needs to balance the hazards from accumulated fuel loads with the ecological requirements of roadside communities. An appropriate fire regime specific to the vegetation communities present can achieve these outcomes. Council works closely with the CFA to develop site specific treatments as part of the Municipal Fire Prevention Strategy.

Grazing

Repeated grazing by livestock can cause a reduction in the native diversity of the groundcover through the elimination of species sensitive to grazing (such as lilies, some native grasses with high growth points and a number of daisies).

Added nutrients from manure encourages weed growth and creates conditions unfavourable to many native species.

Grazing is permitted only after provision of a grazing licence. Grazing permits will only be issued in consultation with RCoW's Natural Resource Management and Sustainability Team.

This is to ensure that the grazing will not have a detrimental impact to native vegetation present on the roadside or increase the spread of weed species.



Photo: Crash Grazing

Indirect impacts from road works

Aside from the direct impacts caused by disturbance, roadworks also introduce threats from the creation of stockpile sites, destabilisation of sediments and presence of pollutants that can move out of the works area. Other indirect impacts such as dust, light and noise can also have impacts on the roadside environment. Careful planning and management of these issues can minimise these impacts.

Pest and Weed infestation

Exotic plants compete with native plant species for available resources and alter environmental conditions diminishing habitat resources for native fauna. Some weeds can also increase fire risk e.g. Phalaris and African

Lovegrass. Disturbance is often a major cause of weed infestation. Weed invasion can also occur from machinery, vehicles, movement of animals and through stormwater and wind. Roadways are high-risk pathways for the movement of weeds across the LGA.

Effective weed control and the prevention of the spread and introduction of weeds is key to managing this threat

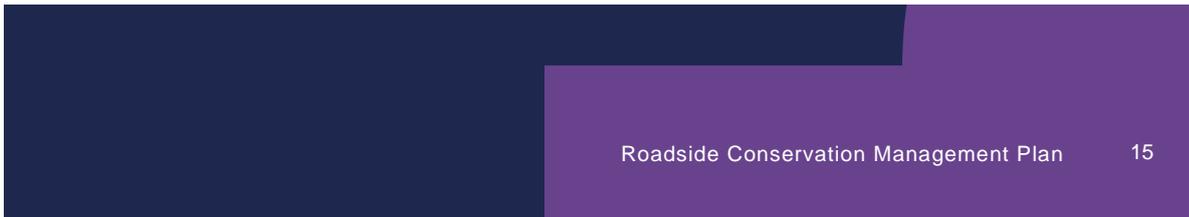


Photo: St John's Wort

Pest Pathogens like cinnamon fungus (*Phytophthora cinnamomic*) can also cause a serious threat to many species not only on roadsides but can be spread to adjacent areas. Pathogens can be spread through the movement of native animals that may carry the spores or the movement of plant and machinery. Control measures such as ensuring earthmoving equipment are cleaned routinely can help prevent the spread.

European rabbits (*Oryctolagus cuniculus*) are not a natural part of Australia's ecology. As an introduced species, a thriving rabbit population has a significant impact on agriculture and comes at the expense of many native plants and animals. They degrade landscapes through:

- digging warrens,
- selectively grazing on vegetation and undermining native vegetation,
- preventing natural regeneration and damaging revegetated sites,
- promoting the spread of invasive weeds,
- causing soil erosion,
- degrading ecosystem quality and resilience,
- degrading cultural heritage sites,
- creating unsafe surfaces for vehicles and pedestrians; and
- undermining buildings and road structural integrity.



Roadside Biodiversity Risk Management

The 2007 Goulburn Broken Catchment Roadside Biodiversity Risk Management Protocols project provided a risk assessment framework. The project identified the seven overall activities that have the potential for the greatest impacts on biodiversity on roadsides (shown in figure 4).

Table 1. Roadside Risk Summary

Potential Impact	Management Activity Group						
	Road Construction & Maintenance	Fire Prevention Works	Livestock grazing & droving	Slashing & Spraying	Fence & Property access	Roadside Rehabilitation	Firewood Collection
Native vegetation removed/ effected	High Risk	High Risk	High Risk	High Risk	High Risk	High Risk	High Risk
Loss or damage to habitats	High Risk	High Risk	High Risk	High Risk	High Risk	High Risk	High Risk
Accidental pest spread, weeds etc	High Risk	High Risk	High Risk	High Risk	Medium Risk	Medium Risk	Medium Risk
Contamination run-off sediments, dust	Medium Risk	Medium Risk	Medium Risk	Medium Risk	Medium Risk	Medium Risk	Medium Risk
Altered water regimes, drainage etc	Medium Risk	Medium Risk	Low Risk	Low Risk	Low Risk	Low Risk	Low Risk

Table sourced from Goulburn Broken Catchment Roadside Biodiversity Risk Management Protocols Report 2007

Key: High Risk Medium Risk Low Risk

3. Legislative and Policy Framework

A number of pieces of state and federal legislation are applicable to roadside management activities. A brief summary of the main Acts likely to guide roadside management activities are included below.

Commonwealth Legislation

3.1 Environmental Protection Biodiversity and Conservation Act, 1999

The Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) is the primary piece of Commonwealth legislation relating to environmental conservation. The EPBC Act provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places—defined in the EPBC Act as matters of national environmental significance.

A number of EPBC Act protected ecological species and communities have the potential to occur on roadsides within the Rural City of Wangaratta. There are 5 listed communities found within the Rural City of Wangaratta and are listed in section 2.2. A list of flora and fauna species that are known to occur, or have the potential to occur, on roadsides throughout the shire can be found in Appendices 4 and 5.

State Legislation

3.2 Planning and Environment Act 1987

The Planning and Environment Act 1987 sets out the objectives for land use planning in Victoria and the legislative framework for achieving these objectives. The Act requires municipalities to prepare and administer local planning schemes that can include targeted policies and provisions related to native vegetation removal and protection of the natural environment. The Act also sets out processes for enforcing planning schemes and planning permits.

3.3 Victorian Planning Provisions

The Victorian Planning Provisions (VPP) are the standard provisions that form the framework for all of Victoria's planning Schemes. Clause 12.01 Biodiversity provides specific direction regarding the protection and management of biodiversity and native vegetation in Victoria. A key strategy identified in Clause 12.01 is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Native vegetation is defined in Clause 73-01 of the Victoria Planning Provisions (VPP) as Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses.

A permit may be required to remove native vegetation under Clause 52.16 or 52.17. This includes the removal of dead native vegetation (see link under Victoria Native Vegetation Regulations).

Victoria Native Vegetation Regulations

The native vegetation removal regulations are the rules governing the removal of native vegetation in Victoria. These regulations are generally implemented through all Victorian planning schemes, in accordance with the Guidelines. The overarching legislation is the Planning and Environment Act 1987, which is administered by local government and the Minister for Planning. The regulations require landholders to obtain a planning permit to remove, destroy or lop native vegetation.

DELWP produces a range of useful supporting material that can assist in ensuring compliance with the regulations. They are available at <https://www.environment.vic.gov.au/native-vegetation/native-vegetation>

- Assessor's handbook – applications to remove, destroy or lop native vegetation (Assessor's handbook)
- Applicant's guide – Applications to remove, destroy or lop native vegetation (Applicant's guide)
- Exemptions from requiring a planning permit to remove native vegetation – Guidance (Exemption Guidance)

3.4 Agreement with DELWP – road safety exemption

The Rural City of Wangaratta has an agreement with DELWP to access the Road Safety Exemption under Clause 52.17 in accordance with the Procedure to rely on the road safety exemption in planning schemes (2018). This agreement:

- Outlines that council (as the road manager for municipal roads) can remove, destroy or lop native vegetation along existing roadsides to maintain the safe and efficient function of the road, without a planning permit, within certain thresholds.
- States that although exempt from a planning permit, the requirements of the procedure must be met (or the agreement may be revoked).
- Requires that vegetation removal must be minimised as much as possible in all cases.
- Explains there are two categories of road works subject to this procedure: maintenance and low impact construction works and road safety projects.
- Consultation with DELWP and offsets are required for low impact construction works and road safety projects.

3.5 Flora and Fauna Guarantee Act 1988

The Flora and Fauna Guarantee Act 1988 (FFG Act) provides the key legal framework relating to the conservation of threatened species, threatened communities and management of potentially threatening processes on public land throughout Victoria. Over 730 species, communities and threats are listed under the Act. The role of the Act is to conserve all Victorian flora and fauna and sets out to achieve this via a range of mechanisms, including:

- listing threatened species, communities and threats to native species
- requiring an overarching strategy for Victoria's biodiversity
- enabling the declaration of habitat critical to the survival of native plants and animals
- placing a duty on public authorities to have regard to the objectives of the Act
- requiring permits for activities that could harm threatened plants and fish and communities

A permit from the Victorian Department of Environment, Land, Water and Planning (DELWP) may be required for removal of FFG Act listed flora species from a roadside in the shire as a part of any management or maintenance works. This requirement is independent and in addition to any permit that may be required under the Rural City of Wangaratta Planning Scheme.

A permit or license may be required to collect seed or conduct research on listed threatened species that occur on road reserves.

3.6 Country Fire Authority Act 1958

Section 43 of the Country Fire Authority Act 1958 requires public authorities, including municipal councils and VicRoads, to take all practicable steps to prevent the occurrence of fires, and to minimise the danger from the spread of fires on or from land which the authority owns, manages or maintains. Additionally, Section 55 of the Act states that each municipal council must prepare and maintain a Municipal Fire Management Plan in accordance with the advice and recommendation of the Municipal Fire Management Committee.

3.7 Catchment and Land Protection Act, 1994

The Catchment and Land Protection Act 1994 (CaLP Act) sets out a framework for managing noxious weeds and pest animal matters to prevent degradation to catchments. The Act is applicable across all public and privately managed land throughout Victoria.

The Act provides a hierarchy by which invasive species can be ranked based on their potential to degrade landscapes, both agricultural and natural, and specifies management responsibilities for land managers.

Under the Act, all landowners and land managers are required to take all reasonable steps to conserve soil, protect water resources, eradicate regionally prohibited weeds and pest animals and avoid contributing to land degradation which causes or may cause damage to the land of another land owner.

In November 2013 amendments were made to the CaLP Act to introduce the opportunity for municipal councils to prepare roadside weed and pest animal management plans. These amendments were made to clarify responsibilities for roadside weed and pest animal control.

The Act also prohibits the transportation of listed noxious weeds without a permit in order to minimise the spread of weeds.

3.8 Aboriginal Heritage Act, 2016

The Aboriginal Heritage Act 2006 establishes processes and procedures to protect places and features of Aboriginal cultural heritage value. In particular, the Act establishes the approval processes for works deemed “high impact activities” in areas of cultural heritage sensitivity such as named waterways. All Victorian Aboriginal archaeological sites (registered and unregistered) are protected.

3.9 Road Management Act, 2004

The purpose of the Road Management Act 2004 is to establish a coordinated management system for public roads that will promote safe and efficient state and local public road networks and the responsible use of our roads.

The Road Management Act sets down specific requirements for Local Government Authorities, including but not limited to the following:

- Road authorities will be required to make an assessment of the need to put into place a formal road management plan.
- Road authorities will be required to establish a Register of Public Roads listing each public road for which it is responsible.
- Councils are considered a works and infrastructure manager where they are conducting work on roads, other than municipal roads, and are subject to the notification and consent requirements of the Act, unless varied by regulation.

3.10 Electrical Safety Act 1988

The Electricity Safety Act 1998 (Vic) (ES Act) provides that a municipal council must specify, within its Municipal Fire Prevention Plan:

- Procedures and criteria for the identification of trees that are likely to fall onto, or come into contact with, an electric line (hazard trees); and
- Procedures for the notification of responsible persons of trees that are hazard trees in relation to electric lines for which they are responsible.

The Rural City of Wangaratta implements an Electrical Line Clearance Management Plan. This Plan is reviewed and updated prior to March 31st each year and outlines processes and procedures in relation to identification and notification of hazard trees and nominates responsible authorities for electrical line clearance.

Council Plans and Policy

3.11 Rural City of Wangaratta Planning Scheme

The Rural City of Wangaratta's Planning Scheme sets out planning policies and permit requirements for development and works in the municipality, including for vegetation removal. The Scheme includes state-wide provisions as well as local planning policies and overlays aimed at protecting locally significant environmental assets.

The key planning provisions and overlays relevant to roadside management are Clause 52.17 (Native Vegetation), Clause 42.01 (Environmental Significance Overlay), and Clause 42.02 (Vegetation Protection Overlay).

The Rural City of Wangaratta has a Vegetation Protection Overlay Schedule 2 (VPO2) on roads within the municipality with high conservation value. Where this overlay applies a permit may be required from Council where normally an exemption under Clause 52.17 might apply.

3.12 Municipal Strategic Statement

Wangaratta's Planning Scheme Municipal Strategic Statement (MSS) acknowledges that "the incremental loss of remaining habitat is a major issue across most of the municipality, particularly the northern plains".

The MSS identifies key issues relating to biodiversity and land use planning:

- The need for protection of remnant vegetation including roadside reserves.
- The need to enhance and protect the municipality's natural assets as non-renewable resources essential to the long-term sustainability of tourism as an industry.
- The conservation of the municipality's biodiversity.
- Protection of natural resource base of soil, waterways and wetlands, remnant vegetation and threatened flora and fauna; and
- The need to manage the natural resource base in a sustainable way to secure these environmental assets.

3.13 Council Plan

The *Council Plan 2021-2025* has a separate theme for Valuing Our Environment. The community vision 2033 for this theme is to build environmentally sustainable communities, reduce waste and enhance resource recovery, actively combat the causes and impacts of climate change and healthy and protected waterways and access to water.

3.14 Consent to Work in Road Reserves

The Council operates a system requiring a 'Works in Road Reserves Permit' for all activities on council managed roads. A permit is not required for mowing, slashing, fencing and weed spraying where works are mainly conducted on the roadside area.

3.15 Environmental Sustainability Strategy

The Environmental Sustainability Strategy is a plan for a healthy, resilient, and sustainable future for our municipality. The strategy recognises that climate change and degradation of the natural environment are defining issues of our time and the Strategy outlines a vision and action plan over the next five years to address these concerns to ensure sustainable environmental, social and economic prosperity for the Rural City of Wangaratta.

3.16 Roadside Weed and Pest Control Program

The Rural City of Wangaratta has a Roadside Weed and Pest Control Plan (RWPP) that was established in 2010 and is currently being reviewed and updated. The report traced the development and outcomes achieved in the first five years of RCoW's first comprehensive roadside program and concludes with an outline of future direction for roadside pest control within RCoW.

3.17 Fire Management Plan Roads and Rail Trail

Council's Fire Management Plan Roads and Rail Trail classifies roads within the Rural City of Wangaratta for the purpose of fire management and provides a risk-based fire management plan to reduce the risk of fire impact on and from the municipal road network and rail trail.

3.18 Road Management Plan 2017-2021

The Road Management Plan (RMP) has been developed to establish a risk management system for the Rural City of Wangaratta's local road network. The RMP is intended to encompass road users' needs and expectations within an economic framework based on meeting 'reasonable' maintenance standards relative to the function of the road network.

4. Roadside Conservation Values Assessment

The Rural City of Wangaratta (RCoW) manages 1,828 km of local roads, or 3,656 km of road reserve length (excluding Regional Roads Victoria [RRV] managed roads); however, these roads reflect the broader extent of native vegetation across the whole Shire and indeed the region, with a large proportion of the original native vegetation on roadsides having been lost or modified due to agricultural practices, road and drainage works, urban growth and weed invasion.

Notwithstanding the extent of native vegetation clearance described above, the rural roadsides within the RCoW Council contain a high proportion of the remaining native vegetation and habitat found within the Shire, and therefore roadsides need to be protected and managed carefully. In many areas, the roadsides provide clear examples of vegetation communities that once were widespread across the municipality.

The most recent survey of the roadsides of the RCoW was in 2009-2010, and the survey outcomes, amongst other data collected, classified the Council road network into three Conservation Value categories, ranging from High to Low. These categories represent a rapid assessment of conservation significance of the roadsides, and the collected information has been available in Council's Geographic Information System (GIS) and is accessible to all Council Officers in decision making.

However, it is important that Council maintains accurate and up-to date information regarding roadsides in order to appropriately conserve them. Given that the existing dataset is 10-11 years old, a consultant was appointed to undertake a new assessment of rural roads for which Council is the responsible authority.

The assessment considers large trees, percentage canopy cover, percentage cover weeds, understorey, recruits, logs, organic litter and landscape connectivity. All roads included in the assessment were assigned a conservation value as per Table 2. A map of the conservation value of roadsides (very high, high, medium, low and nil conservation value, Appendix 3) is provided on Council's website, as well as in the Council's geographical information system.

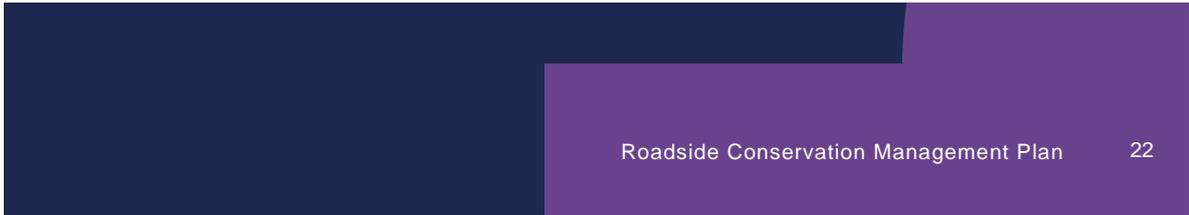


Table 2. Roadside Value Categories

Category	Treed/woody vegetation	Treeless vegetation
<i>Very High</i>	<ul style="list-style-type: none"> • Areas categorised as High Conservation Value that are an Endangered Ecological Vegetation Class • Areas categorised as High or Medium Conservation Value that maintain a recent record(s) of a threatened flora and/or fauna species, including threatened species that were observed during the survey 	
<i>High</i>	<ul style="list-style-type: none"> • Native vegetation at ground level up to 50 % projective foliage cover, with considerable diversity apparent • Tree layer more-or-less continuous (> 10 % projective foliage cover) • Native shrub layer generally well defined • Introduced species at ground level < 50 % projective foliage cover • Litter dominated by material from indigenous species 	<ul style="list-style-type: none"> • Native vegetation at ground level up to 50 % projective foliage cover • A native shrub layer may be present in patches or in clumps • Introduced species at ground level < 50 % projective foliage cover
<i>Medium</i>	<ul style="list-style-type: none"> • Native vegetation at ground level up to 20 % projective foliage cover or absent, but if present, lacks diversity • Tree layer as scattered trees and/or in small patches and/or more-or-less continuous • Probably includes some large hollow-bearing trees • May be scattered native shrub individuals present • Introduced species at ground level > 50 % projective foliage cover • Litter dominated by material from introduced species 	<ul style="list-style-type: none"> • Native vegetation at ground level up to 20 % projective foliage cover • Introduced species at ground level > 50 % projective foliage cover
<i>Low</i>	<ul style="list-style-type: none"> • Native vegetation at ground level < 10 % projective foliage cover or absent, but if present, lacks diversity • May include some isolated tree or shrub individuals/small patches, but a lack of continuity in woody vegetation (< 5 % projective foliage cover) • Introduced species at ground level > 50 % projective foliage cover 	<ul style="list-style-type: none"> • Native vegetation at ground level < 10 % projective foliage cover • Introduced species at ground level > 50 % projective foliage cover
<i>Nil</i>	<ul style="list-style-type: none"> • No native vegetation 	<ul style="list-style-type: none"> • No native vegetation



5. General Operational Controls

5.1 Roadside maintenance

Roadside Maintenance refers to the clearance of regrowth vegetation (native and introduced) in order to maintain a road corridor or other established cleared or disturbed areas on road reserves. Adequate height and lateral clearance of roadside vegetation is needed for the safe movement of legal height vehicles across the full width of the traffic lanes.

5.2 New Roadworks

Local councils sometimes need to undertake new roadworks that will result in the clearance of native vegetation, some of which may be of high biodiversity value. These works can include construction of new roads along previously undeveloped road reserves, and the widening or realignment of existing roads. New roadworks also includes the construction of new drains, stockpile sites, and borrow pits or any other new works incidental to road construction or roadwork as defined in the Local Government Act 1999. These activities could have significant environmental impacts and it is important that the vegetation be assessed prior to the works. If significant vegetation is present, it may be possible to modify the roadworks to reduce or avoid critical impact.

5.3 General management practices

Native vegetation along roadsides needs careful management if it is to be conserved for future generations. Because of its linear nature, it is susceptible to gradual degradation through weed invasion. This degradation can be compounded if soils are disturbed or compacted by machinery or if low native shrubs or native grasses are driven over or cleared. Not only can native plants be unnecessarily destroyed, but conditions can be made unsuitable for natural regeneration and management problems can be created for adjoining landholders.

5.4 Pest plant and animal control

Pest plants and pest animals can invade rural land or natural habitats and can cause economic, ecological, physical or aesthetic problems, often with significant potential impacts on local and regional biodiversity. The linear and semi-disturbed nature of many roadsides means that they are susceptible to invasion by plant and animal pests. Without appropriate control and preventative measures in place pest plants, in particular, can invade and degrade native vegetation areas both on and adjacent to the roadside, as well as more distant areas via the road network.

The management of pest plants and animals is outlined in the Catchment and Land Protection Act 1994. In 2013 the State government passed an amendment making Councils responsible for specified weeds on roadsides. Council is required under the legislation to develop a Roadside Weed and Pest Control Program (RWPP). This RWPP contains management actions and control measures for a range of target species including: Blackberry, Gorse, Chilean Needle Grass, Sweet Briar, African Love Grass, Serrated Tussock, St John's Wort and Rabbits.



Photo: Chilean Needle Grass (CNG)



An experienced consultant was also appointed to undertake updated weed mapping in 2021 to capture a range of weeds on our roadsides throughout the Municipality including African Love Grass and Chilean Needle Grass. Roadside weeds can be found on Wangaratta’s Online Mapping:

[Wangaratta Online Mapping \(pozi.com\)](http://Wangaratta Online Mapping (pozi.com))

Figure 4: Roadside Weeds 2021

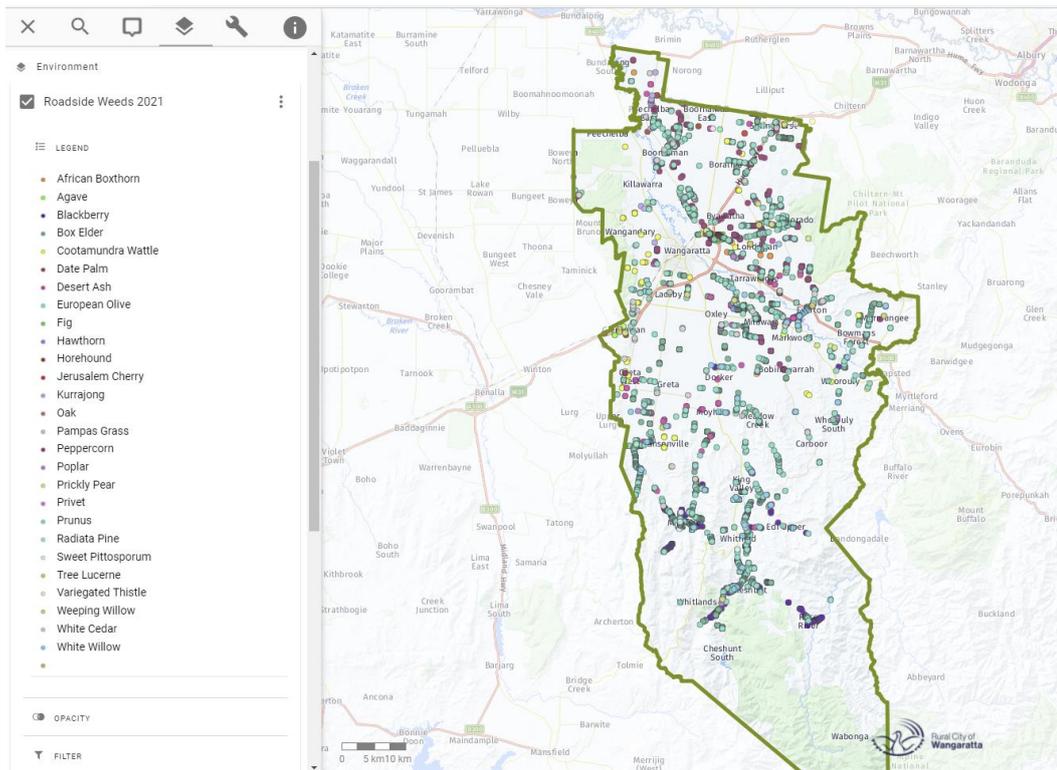
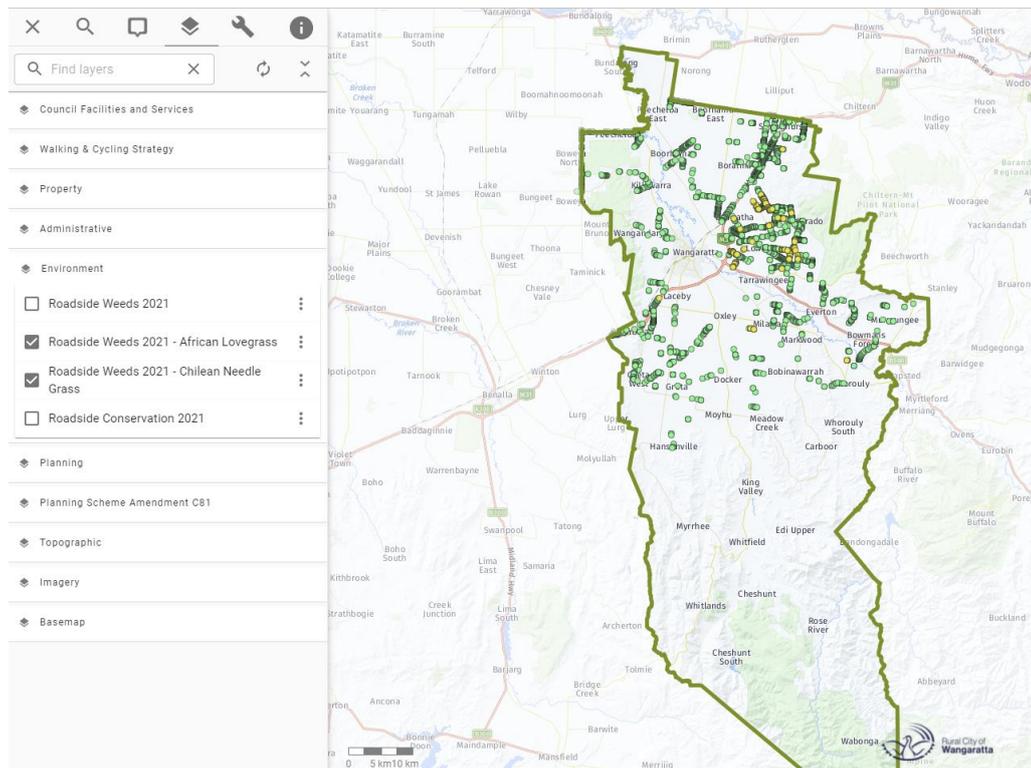


Figure 5: Roadside Weeds 2021 – Targeted Weeds (African Love Grass, Chilean Needle Grass)



6. Enhancement and Management of Roadside Vegetation

The structure and composition of roadside vegetation may vary from frequently mown grass to shrubs and trees and from artificial landscaping to natural plant communities. Roadside vegetation can perform many important functions, including the provision of habitat for rare plants and animals, a source of seeds for adjacent landscapes, a buffer to reduce the penetration of traffic noise and light, carbon sinks, stormwater filter and enhanced aesthetics for road users.

6.1 Conserving Vegetation Communities

The Roadside Conservation Management Plan is based on these priorities:

- Retain existing native vegetation by avoiding removal and minimising disturbance.
- Prevent the decline of native vegetation communities by actively conserving roadsides and containing spread of environmental weeds.
- Enhance priority habitats.
- Improve connectivity through revegetation of potential corridors.

6.2 Natural Regeneration

Regeneration on a roadside has the potential to enhance the biodiversity values of that area. Regenerating areas will eventually reduce ground weeds through competition, however initial weed control may be needed.



Photo: Kangaroo Grass

Natural regeneration of native vegetation will be protected and encouraged wherever possible unless it poses a safety risk or interferes with the road, table drains, sign posting, road widening and road construction or where overhead power lines exist.

6.3 Wildlife Habitat

Large old native trees provide extensive habitat for native fauna and when combined with other native vegetation, fallen timber and leaf litter old trees become very important for preserving biodiversity. Large old dead trees (standing or fallen) provide hollows and nesting sites for a range of native animals. It is for this reason that the removal of large dead trees requires a permit under the Planning Scheme.



Red-bellied Black Snake (Photo credit: Chris Tzaros, Bush Birds and Beyond)

Some threatened species in the Rural City of Wangaratta rely on remnant habitat along roadsides for their survival. The Grey-crowned Babbler lives in open woodlands and prefers mature eucalypt trees interspersed with younger trees and shrubs and other ground cover species. The Babbler eat insects they find on the ground among leaves and fallen branches or behind bark on trees.

Squirrel Gliders and Brush-tailed Phascogales also rely on roadside vegetation where there is sufficient canopy connectivity and the presence of large hollow-bearing trees.



Grey-crowned Babbler (Photo credit: Chris Tzaros Bush Birds and Beyond)

6.4 Connect Roadside Habitat

Habitat connectivity is considered to be one of the most important factors in maintaining biological diversity. Maintaining or increasing connectivity allows limited-range species to shift habitat to adjacent areas for food, shelter and on a seasonal basis to migrate or disperse to other areas.

In extensively cleared and modified grasslands and woodlands in North East Victoria, Road reserves contain a large proportion of the remaining native vegetation, and the oldest and largest trees with hollows needed by a range of wildlife.

The reserved status of roads, their geographical extent and continuity, and their network structure provide valuable opportunities for retaining and expanding wildlife habitat in disturbed environments, and for restoring or enhancing continuity to natural elements in the landscape.

Figure 4: Roadside Vegetation Linkages (Walkers and Sessions Rd)



Roadside vegetation can often provide linkages across fragmented landscapes as seen in figure 4 above showing continuity in vegetation from the Oven River through to the Warby—Ovens National Park.

Priority locations will be assessed and mapped to undertake revegetation works to increase connectivity of vegetation between roads and to our natural reserves located within the Wangaratta municipality. Revegetation works will only occur where they do not pose a safety risk to road users and in consultation with local CFA.

7. Requirements for specific activities on roadsides

Poor management practices can result in the decline of native vegetation cover and increased spread of weeds and pasture grasses into roadside reserves. When unmanaged, the increased weediness can result in increased maintenance costs, increased fire hazard, harbour for pest plants and animals, loss of visual amenity and erosion. This results in a loss of remnant vegetation and wildlife habitat with possible extinctions of local rare or threatened species.

Table 2 outlines all the main activities that could occur on roadsides, with basic information on permits and other regulations. The following sections provide further details of some of these activities.

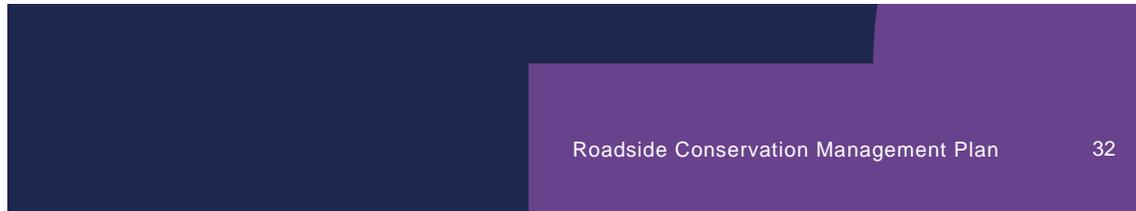
Table 2. Roadside Activities Quick Reference Guide

Activity	Planning Permit Required?	Is there an exemption?	Permission of responsible authority required?	Requirements	Further information in section indicated
Bee Keeping	No	N/A	No	Beekeepers need to be registered, comply with the Bees Act 1971 and Bees Regulations 1992, and need to keep the bees and hives in accordance with the Apiary Code of Practice.	7.1
Construction of access point	No	Yes, crossovers of a limited width, at existing properties only.	Yes 'Works in Municipal Road Reserve Permit'	Avoid and minimise vegetation removal through appropriate siting of crossover points	7.2
Drains and Culverts	No – if removing from existing culverts and drains. (Removal of mature native vegetation may require permit or endorsement from DELWP)	Yes	Yes	Drainage works by Council must refer to and follow the DELWP Agreement 'Procedure to Rely on the Road Safety exemption'	7.3
Enhancement/ Rehabilitation of Roadside	No	N/A	Yes, consent required, and a 'Works in Municipal Road	Revegetation should be encouraged, particularly on medium or low-conservation roadsides. Species planted should match the EVC of the site and follow best practice. Planting of exotic vegetation, particularly noxious or environmental	7.4

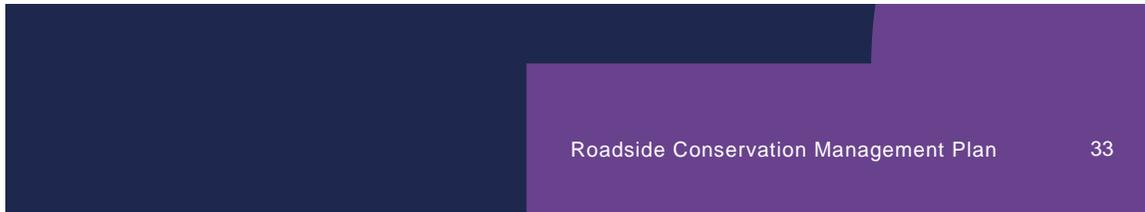
Roadside Conservation Management Plan

31

Activity	Planning Permit Required?	Is there an exemption?	Permission of responsible authority required?	Requirements	Further information in section indicated
			Reserve Permit' required	weeds, is not permitted. requirements relating to traffic management, asset maintenance and fire protection	
Fencing	No – unless road has a vegetation overlay VP02	Yes	Yes, Works in Municipal Road Reserve Permit' required if works undertaken from the road reserve.	Vegetation removal must be to the minimum extent necessary to maintain or construct a fence. Contact Council's planning department for guidance	7.5
Fire Management	No	Yes	Yes, by both Council and CFA and in consultation with DELWP in accordance with the procedure.	Exemptions to requiring a planning permit to remove native vegetation allow fire suppression and prevention activities, under Clause 52.17	7.6
Firewood Collection	Yes	No	Yes – Firewood Collection Permit	Firewood collection only permitted on low conservation value roadsides.	7.7
Harvesting Wildflowers, Foliage and Seeds	Yes	No	Permit required under FFG Act.	Permits for the collection of native flora are administered by DELWP. Council consent is also required.	7.8
Livestock grazing	Yes	No	Yes	There are limitations to grazing, such as herd size, health, water access, etc. Local Law no. 1 section 18 applies.	7.9
Livestock Droving	Yes	No	Yes	There are limitations to stock droving, such as herd size, health, water access, etc. Local Law no. 1 section 17 applies.	7.10
Livestock Movement	No	N/A	No	You must adhere to the requirements of Droving of Livestock Local Law.	7.11
Maintenance of Electrical Lines	No	Yes	No	Electrical distribution companies are responsible for maintaining power lines in rural areas, and Council responsible in urban areas. Both are exempt from requiring a permit to remove native	7.12



Activity	Planning Permit Required?	Is there an exemption?	Permission of responsible authority required?	Requirements	Further information in section indicated
				vegetation providing works comply with the Code of Practice prepared under Section 65 of the State Electricity Commission Act 1958.	
Pest Plant and Animals	No	Yes	No	Landholders are required under CaLP Act to ensure noxious weeds and pest animals do not spread to the road reserve. Council is responsible for controlling specified noxious weeds and pest animals on Council managed roads.	7.13
Ploughing, Grading, Haymaking, Hay Storage and Cropping	No – unless works damage native vegetation	No	Yes – Consent and 'Works in Municipal Road Reserve Permit' if activity is approved by council.	Ploughing, haymaking and cropping generally not permitted in the road reserve. Ploughing is only permitted for fire breaks and must be undertaken in consultation with Council and CFA or for the installation and maintenance procedures by service provider.	7.14
Road maintenance, construction and widening	Yes – if more than 0.5 hectares of native vegetation is removed for low impact construction	Yes	Yes, if more than 0.5 hectares of native vegetation is removed for low impact construction works. Endorsement from DELWP required if less than 0.5 hectares of native vegetation is removed for low impact construction works and all native vegetation removal for road safety projects.	Agreement with DELWP allows for routine maintenance which does not require offsets. Low impact construction works and safety projects require endorsement from DELWP and offsets if native vegetation is removed. if more than 0.5 hectares of native vegetation is removed for low impact construction works then a planning permit is required.	7.15
Sand, soil and gravel extraction	Yes	No	Yes, consent and a 'Works in Municipal Road Reserve Permit'	Approval may be required from the Department of Jobs, Precincts and Regions where proposed	7.16



Roadside Conservation Management Plan 33

Activity	Planning Permit Required?	Is there an exemption?	Permission of responsible authority required?	Requirements	Further information in section indicated
				extraction is greater than two cubic metres and areas greater than 2000 square metres.	
Sign Installation	Yes	No	Yes, consent and a 'Works in Municipal Road Reserve Permit'	no signs are to be fixed directly to a tree or shrub on a road reserve	7.17
Slashing	No	No	No	Slashing on roadsides should avoid destruction of native vegetation and spread of weeds.	7.18
Stockpiles and dump sites	No	No	Yes, consent and a 'Works in Municipal Road Reserve Permit'	If stockpiles and dump sites are required, then they should be located in designated areas. If these are not available, then consultation with Council NRM staff is required.	7.19
Unused road reserves	No	No	Yes, permission required from DELWP	The Department of Land, Water and Planning (DELWP) is responsible for the issue of licences for respective uses of these areas.	7.20
Utility Installations	No	Yes	Yes – in accordance with written agreement from DELWP	The utility service provider must maintain or construct a utility installation in accordance with the written agreement of DELWP.	7.21
Vegetation Risk Management	Yes – in some cases	Yes	Yes, consent and a 'Works in Municipal Road Reserve Permit'	A permit may be required for vegetation removal outside of the Road maintenance envelope and be undertaken at the expense of the property owner.	7.22
Weed Control	No	No	No – If controlling weeds adjacent to your property or Council staff Council Contractors undertaking weed management.	Best-practice spraying must be adhered to, to prevent damage to native vegetation. Operators should have appropriate chemical users permit.	7.23

7.1 Bee Keeping

There are rules and regulations for keeping bees. Bees are classified as livestock and in Victoria are governed by the Livestock Disease Control Act 1994. Bees must therefore be kept in accordance with this Act.

Victoria also has an Apiary Code of Practice that is mandatory to adhere to. The Apiary Code of Practice sets out the parameters for use of land for apiary in all parts of Victoria. Every beekeeper must comply with this Code.

7.2 Construction of Access Point

Consent from the Rural City of Wangaratta is required for construction of a property access point within a municipal road reserve by a third party such as an adjoining landowner, community group or contractor under the Road Management Act 2004. Council has a permit system in place and requires a 'Works in a Municipal Road Reserve' Permit.

In most cases, a Planning Permit for native vegetation removal (trees, shrubs and grasses) on a road reserve is required under the Wangaratta Planning Scheme, however some exemptions do allow for construction of cross-over of a limited width (refer to Clause 52.17 of the planning scheme). Council's planning staff can determine the need for a Planning Permit as required by the Wangaratta Planning Scheme.

7.3 Drains and Culverts

The maintenance of both table drains (running parallel with the road) and cut off drains (drains that take the flow of water away from the road) is required to remove silt build up so that water is not sitting in the drain or on the road – thus providing a safety risk to road users. The pooling of water can also lead to moisture under the road pavement leading to road breakdown including potholes, subsidence and shoulder slumping.

For drains associated with an access point, refer to 7.2 Access Points.

The maintenance of drains is to be in accordance with the DELWP Agreement Procedure to rely on the road safety exemption in planning schemes, 2018, which is based on the principle of avoiding the removal of native vegetation where possible and minimising any disturbance. Maintenance of existing structures does not require a permit, but construction requires consultation with DELWP and offsets.

The following must be considered:

- On high conservation roadsides there must be consultation with RCoW Natural Resource Management and Sustainability staff regarding the maintenance or construction works.
- The spread of soil is not to occur on high and medium conservation roadsides.
- On high and medium conservation roadsides the drain spoil is to be taken to a disposal site or placed on the lower side of the road – spoil should not be placed on top of the batter.
- Material to be pulled along road shoulders or pavement where grader can access, ensuring material is not a safety hazard.
- Removal of vegetation that has re-established can occur however must be to the minimum extent necessary and in accordance with the DELWP agreement.
- Long undisturbed road drains that support wetland habitats should be assessed for their values prior to works.

7.4 Enhancement/ Rehabilitation of Roadside

Revegetation works on roadsides are usually conducted to improve vegetation quality or connectivity, or for rehabilitation following disturbance and may include weed control (see section 7.21 weed control). Council may undertake this work or it may be done by community groups, adjoining landholders or contractors. Consent from Council is required before works begin. To ensure risks are addressed and managed a 'Works within Municipal Road Reserves Permit' from Council is required.

The species planted must match the Ecological Vegetation Class (EVC) of the area, unless biophysical changes to the site means that the EVC is no longer appropriate (e.g. where a wetland has been created), or there is a rationale for recreating an endangered EVC at the site. Revegetation should consider all plant forms, such as grasses, herbs and forbs, as well as trees and shrubs, as appropriate to the site. RCoW NRM and Sustainability staff and/or local Landcare groups can provide site-specific revegetation advice. Trees should not be planted too close together – consult the EVC description for tree density to ensure increased vegetation levels are not above the EVC descriptors. It is important to not plant trees and shrubs into a grassland, or where the understorey could be unduly disturbed (e.g. where there are orchids, mosses, herbs or native grasses). Inappropriate species selection can have detrimental effects on local biodiversity.

RCoW is required to consult with the relevant CFA brigade to ensure that any proposed works will not be in conflict with priorities in the Municipal Fire Management Plan.

Works undertaken must reflect the biodiversity and road safety objectives of Council policies, strategies and plans and must be referred to Council Natural Resource Management, Fire Protection, Engineering and Operations staff for approval. Proposals for roadside rehabilitation should have defined biodiversity objectives and should enhance the quality of remnant vegetation, provide vegetation linkages and/or enhance threatened species habitat. Revegetation works and methods must be planned to minimise disturbance and undertaken in a best practice manner. Proposals for these works must demonstrate how they:

- Adequately consider the priorities in the Municipal Fire Management Plan through consultation with the CFA District and relevant brigade.
- Ensure appropriate planting density including spacing every 100 meters for fire prevention access.
- Following rehabilitation and enhancement works maturing vegetation should be assessed to ensure adequate and appropriate access for future fire suppression can be maintained.
- Allow sufficient room from fence-lines to enable future maintenance of such assets.
- Not impede traffic line of sight or compromise any future road maintenance activities such as clearing of table drains.
- Ensure that the movement of roadside users (e.g., walkers) is not impeded.
- Outline how maintenance will occur (i.e., who, when, what.).
- Check that underground services will not be damaged as a result of the planting.
- Use indigenous species of the appropriate vegetation type for the site.
- Planting of exotic vegetation, particularly noxious or environmental weeds is not permitted.

Rehabilitation must include removal/treatment of declared noxious and environmental weeds that are threatening native vegetation and habitats. If weeds are providing habitat for native animals (such as nesting sites for woodland birds) then these values must be considered as part of the weed control strategy for a site. Preference will be given to proposals that enhance the quality of habitat and/or enhance vegetation linkages.

7.5 Fencing

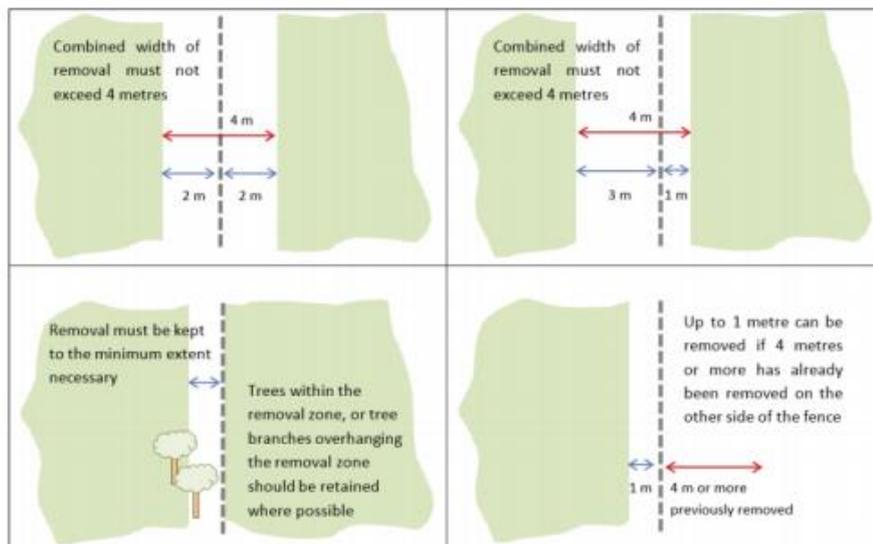
Consent from Council is required to construct a fence by a third party such as an adjoining landowner, community group or contractor where such works will involve operating within the municipal road reserve. This is to ensure that care is taken in assessing and managing risks associated with working in the road reserve.

In some instances, a Planning Permit for native vegetation removal is also required under the Wangaratta Planning Scheme. However, exemptions do permit clearing to a combined maximum width of 4 metres for the construction or maintenance of a boundary fence, but if one side is already clear to 4 metres or greater, then only 1 m may be cleared on the other side of the fence only if required. It is important to remember that any exemption for clearing of native vegetation is to the minimum extent necessary (refer to Clause 52.17-7 of the planning scheme and Figure 5). Council's planning staff can determine the need for a Planning Permit as required by the Wangaratta Planning Scheme.

Fencing works undertaken by a third-party or Council (for Council managed land) should be undertaken with regard to the following:

- A planning permit is required if native vegetation removal beyond the combined 4 metre width is deemed unavoidable.
- Consideration must be given to any Planning Scheme controls including overlays and exemptions.
- Works and machinery operation must be conducted from the freehold property side of the road reserve boundary.
- Waste, including removed fencing materials, must not be left on the road reserve
- The area must not be graded or ploughed, although minor levelling can occur along the fence line to assist works.

Figure 5. Graphical representation of the fence line exemption, DELWP, 2017.



7.6 Fire Management

Fire management within the municipality consist of response agencies and regulatory and service providers which include:

Country Fire Authority (CFA): is created under the Country Fire Authority Act 1958 and has responsibility for State wide fire and related emergency coordination. The CFA is a community based fire and emergency service whose mission is to protect lives and property. CFA responds directly to a range of emergency incidents, as well as conducting broader activities with the community such as education, awareness raising, industry brigades and fire investigation. The Rural City of Wangaratta is within the boundary of CFA Region 23 and within the North East Fire Ban District.

Department of Environment, land, water and Planning (DELWP): is responsible for fire suppression and management on public land (with support from Parks Victoria), including planned burning for ecological and risk management objectives. Their objective is to protect communities and critical infrastructure from fire and to promote healthy and resilient ecosystems. DELWP is focussed on helping people, the natural environment and fire co-exist. The Rural City of Wangaratta falls within the boundaries of the DSE Fire Management Districts Ovens and Goulburn.

Rural City of Wangaratta Council: are responsible for the management of all council owned property as well as ensuring that private land holders appropriately manage their land in relation to issues such as fire risk. Council officers inspect properties within the municipality to assess the potential risk of a bushfire and where necessary may issue a fire prevention notice. The Rural City of Wangaratta also undertake annual fire prevention works on roadsides and reserves and other Municipal owned or managed assets leading up to and during the fire season.

Fire prevention works can range from regular slashing to controlled burning and in some cases the removal of vegetation to reduce the fuel load. Slashing and mowing adjacent to your property does not need consent from Council.

Consent from the Rural City of Wangaratta is required for any removal of timber or native vegetation and for controlled burning within a municipal road reserve for fire prevention purposes by a third party such as an adjoining landowner, community group or contractor. Under the Road Management Act 2004 a 'Works within Municipal Road Reserves Permit' will also be required.

The DELWP document, *Roadside vegetation management for bushfire risk mitigation purposes – a guideline for road managers*, states that a permit is not required when native vegetation is to be removed, destroyed or lopped to reduce fuel loads on roadsides to minimise risk to life and property from bushfire on an existing public road (LPP Clause 52.17). This process requires consultation with DELWP natural environment program staff and CFA staff and typically requires a two-to-three-year plan be prepared for all relevant roadside risk mitigation works. This exemption includes a roadside risk assessment process which is based on the CFA Roadside Fire Management Guidelines.

The 'Rural City of Wangaratta – Fire Management Plan: Municipal Roads and Rail Trail' classifies all roads within the RCoW for the purpose of fire management. The plan identifies six road classes and provides a description of each road class and a set of treatment options available for each class.

The plan also states that fire managers should strive to limit detrimental environmental impacts by applying the principles of *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017) of avoid, minimise, offset. When planning fire prevention activities, avoid damage wherever possible. If damage cannot be avoided, then the effects should be minimised through appropriate planning and management of the fire prevention activity. Some effects, such as weed invasion, may need ongoing management.

All strategic fire prevention works on a municipal road reserve must:

- Gain approval from the CFA in consultation with Council's Fire Prevention and Engineering/Works staff prior to works commencing.
- Have approval from Environment staff to ensure that any specific conservation values are identified and considered during works – this may include consultation with Department of Environment, Land, Water and Planning (DELWP) Natural Environment Program staff where works are proposed on high and medium value conservation roadsides.
- Comply with Council's Fire Management Plan and Country Fire Authority Act 1958.
- Comply with CFA Roadside Fire Management Guidelines.
- Comply with the Rural City of Wangaratta Planning Scheme.
- Comply with the Flora and Fauna Guarantee Act 1988 and the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999.

In planning fire prevention work it should be noted:

- Native grasses generally have lower fuel loads than introduced grasses such as *Paspalum* or *Phalaris* species, so retention of native grasses is an advantage. Heavier fuels like branches and logs (greater than 25mm in diameter) are slower to ignite than fine fuels and give off heat more slowly, therefore they can be retained in road reserves while maintaining an effective firebreak.

- Other options for fire prevention – such as burning or slashing- must be considered and is the preferred option before permitting mineral earth firebreaks on road reserves, especially those classed as having a high conservation value.
- Where possible, firebreaks should be placed on neighbouring land which has already been cleared or where the road reserve is already cleared and the primary flora is introduced (pasture) grass and/or weeds.

7.7 Firewood Collection

Consent from the Rural City of Wangaratta is required for all firewood collection and timber harvesting activities within a municipal road reserve. Firewood collection is not permitted on Rural Roads Victoria managed Roads.

A Local Laws Permit is required for firewood collection on a roadside (Local Law No.1 of 2018 Community Amenity 16. *Collection of firewood*). Council has a permit system in place to comply with the Road Management Act 2004 and the State Firewood Strategy. This is to ensure that care is taken in assessing and managing risks associated with working in the road reserve. Firewood collection is only permitted on low conservation value roadsides. Council staff can assist with identifying low conservation value roads and the purchase of a Firewood Collection Permit. When possible Council will make timber salvaged from works or natural events available to the public through the Council managed community firewood depots at Eldorado and Glenrowan. A permit is required for collection from the firewood depots.

Firewood collected on roadsides under a permit or from the firewood depots is for personal use only and is not to be used for commercial use or sold on.

7.8 Harvesting Wildflowers, Foliage and Seeds

Consent from the Rural City of Wangaratta is required for all harvesting and seed collection activities that are to be undertaken within a municipal road reserve by a third party such as an adjoining landowner, community group or contractor under the Road Management Act 2004.

Collection of native plant material on public land (including roadsides) requires permission under the Flora and Fauna Guarantee Act 1988 protected flora regulations. Permit enquiries must be directed to regional Department of Environment, Land, Water and Planning (DELWP) Natural Environment Program staff.

7.9 Livestock Grazing

A Local Laws Permit is required for livestock grazing on a roadside (Local Law No.1 of 2018 Community Amenity 18. *Grazing of Livestock*)

Grazing of stock on roadsides is defined as using a particular area of the roadside for grazing rather than for droving or movement of livestock. The grazing of stock on roadsides can, if implemented correctly, be an important management tool for the control of introduced grasses and pasture species on roadsides. High intensity, short duration (crash, shock or pulse) strategic grazing is encouraged when it is identified that the grazing will enhance biodiversity values of the roadside. On many occasions roadsides with good tree cover often have weedy ground layer e.g., Giant Brome, *Phalaris* and *Paspalum* and crash grazing these areas during early germination would be beneficial.

Proposals for livestock grazing on roads must be referred to Council Local Laws staff for compliance with Wangaratta's Local Law and to Council's Environment staff for environmental assessment and recommendations. Site conditions and conservation values will be considered on a case-by-case basis and will guide recommendations and permit conditions.

Ecological objectives should be the primary consideration if allowing livestock on roads with native vegetation and habitats, for example, timely reduction of introduced grasses to enhance native vegetation regeneration.

Grazing of native vegetation and disturbance of habitats should not be undertaken if it is likely to contribute to a loss of vegetation and habitat quality. To protect conservation values associated with high quality remnant vegetation, grazing is not generally permitted on roadsides of high and medium conservation value.

7.10 Livestock Droving

A Local Laws Permit is required for livestock droving on a roadside (Local Law No.1 of 2018 Community Amenity 17. *Droving of Livestock*)

Livestock droving is defined as the driving of stock from one location to another to change their grazing area, go to/from market or driving in or through the municipality, where such activity occurs along roadsides.

Proposals for livestock droving on roads must be referred to Council Local Laws staff for compliance with Wangaratta's Local Law and to Council's Environment staff for environmental assessment and recommendations. Site conditions and conservation values will be considered on a case-by-case basis and will guide recommendations and permit conditions. Permit consideration will include ecological objectives, timing of droves, and conservation status of roadsides. Droving on roadsides with native vegetation and disturbance of habitats should not be undertaken if it is likely to contribute to a loss of vegetation and habitat quality to protect conservation values associated with high quality remnant vegetation. Droving is not generally permitted on roadsides of high conservation value.

A Local Laws Permit for livestock droving must include as a minimum:

- The use of roads for droving of livestock is minimised so far as is practicable (roads should not be used as an alternative to providing internal property access).
- Livestock shall at all times be supervised by a person competent in the handling of livestock.
- Livestock droving is to be avoided when ground conditions are wet or extremely dry to avoid compaction and erosion of soil.
- Livestock droving is not permitted when noxious weeds are in seed.
- Droving of livestock must occur promptly so stock are not allowed to wander aimlessly.
- No supplementary feeding of stock in road reserves.
- Driving vehicles on roadsides must be avoided.
- Livestock droving can only occur between the hours of sunrise and sunset.
- Appropriate public liability insurance must be in place.

7.11 Livestock Movement

No permit is required for the movement of livestock on roadsides.

Movement of livestock means moving stock between adjoining or adjacent properties. If you are doing this using the road reserve, it does not require a permit as long as it is done in daylight hours (and at not less than one km/hr), appropriate signage is used and the requirements of the Droving of Livestock Local Law are adhered to.

7.12 Maintenance of Electrical Line

Council is responsible for maintaining power line clearances in urban (or declared) areas and electrical distribution companies are responsible in the remaining urban areas and the rural (or undeclared) areas.

Councils and electrical distribution companies are exempted from requiring a permit to remove native vegetation providing the Electricity Safety (Electric Line Clearance) Regulations (2015) including the Code of Practice for Electric Line Clearance (made under sections 151, 151A and 157 of the Electricity Safety Act 1998) are complied with.

Any damage to, or removal of, native vegetation outside the clearance space recognised under the Code of Practice for Electric Line Clearance requires a Planning Permit under the Wangaratta Planning Scheme. If the obligations of the electrical distribution companies under the Code are not met, concerns with non-compliance can be lodged with the Energy Safe Victoria and also with the Energy and Water Ombudsman. Any damage to understorey or vegetation outside the clearance space recognised under the Code (for power line clearance) requires a permit.

7.13 Pest Plant and Animals

Declared noxious weeds in Victoria are pest plants that have been proclaimed under the Catchment and Land Protection Act 1994 which require management to control. These plants cause environmental or economic harm or have the potential to cause such harm.

Environmental weeds are weeds that threaten natural ecosystems. They are capable of invading native plant communities and out-competing native species - resulting in a reduction of plant diversity and loss of habitat for native fauna. They can also increase the fuel load (e.g. Phalaris).

A pest animal is an introduced animal with an established self-supporting population in the wild (also known as feral) that is a threat to human health, primary production and/or the natural environment. Common pest animals in Wangaratta municipality are rabbits, hares, foxes, deer, pigs and goats.

Noxious and environmental weeds can be spread on roadsides via machinery, vehicles, livestock, animals, wind, water and movement of soil. All parties undertaking works or activities on roadsides are obligated under the Catchment and Land Protection Act 1994 to prevent the spread of noxious weeds.

There is no legislative requirement to control or remove environmental weeds. Landholders will be alerted to the potential problem of environmental weed spread and will be encouraged to act as a good neighbour and control the spread of these weeds. Refer to section 7.21 for spraying best practice guidelines.

To assist staff and landholders identify weeds the Rural City of Wangaratta has developed a weed brochure with detailed information on weeds and their weed category.

Council has developed and implemented a Roadside Weed and Pest Control Plan (RWPP) for all regionally prohibited and regionally controlled pest plants and animals and works closely with Landcare and community groups to implement this program.

Table 3 shows the responsibility for weed control. Appendix 6 gives a list of categorised weeds in the Rural City of Wangaratta.

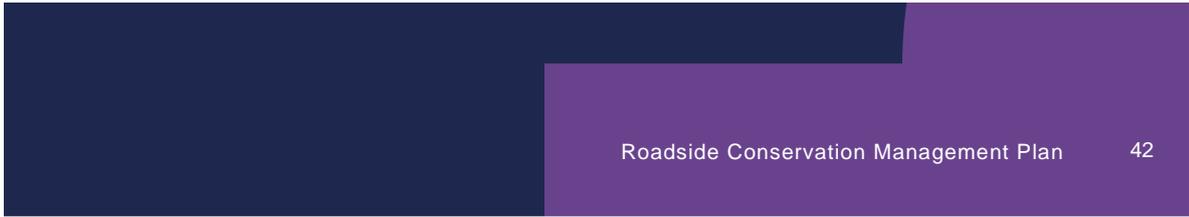


Table 3: Weed Categories

Weed Category	Type of Land	Responsibility for Management
State Prohibited (See Appendix 6)	All including private land	Department Environment, Land, Water and planning (DELWP)
Regionally Prohibited (See Appendix 6)	Private Land	Landowner
	Freeway or Arterial Road	Rural Roads Victoria (RRV)
	Local Roads	Council
	Unlicensed Unused Road Reserves	Council
	Licensed Unused Road Reserves	Licence holder
Regionally Controlled (See Appendix 6)	Private Land	Landowner
	Freeway or Arterial Road	Rural Roads Victoria (RRV)
	Local Roads	Council
	Unlicensed Unused Road Reserves	Council
	Licensed Unused Road Reserves	Licence holder

Source: Agricultural Victoria 2021

7.14 Ploughing, Grading, Haymaking, Hay Storage and Cropping

Ploughing, grading, haymaking, storage of hay and cropping is generally not permitted on roadsides within the Rural City of Wangaratta municipality due to damage to existing vegetation, the spread of and encouragement of weed growth and risk of machinery use on roadsides.

Ploughing or grading on roadsides will only be considered to undertake the following works:

- To maintain existing CFA approved fire breaks.
- As an ancillary measure on strategic firebreaks approved by the CFA and in consultation with appropriate Council staff and where there is no opportunity to do so on freehold land adjoining the road reserve.
- As part of installation and maintenance procedures by service providers.

Where consent from the Rural City of Wangaratta has been provided for one of the above activities by a third party a 'Works in a Municipal Road Reserve Permit' may be required.

7.15 Road Maintenance, Construction and Widening

This section applies to works on municipal roads. Any works on roads controlled by VicRoads must comply with VicRoads requirements.

The agreement with DELWP, titled *Procedure to rely on the road safety exemption in planning schemes* allows for the Rural City of Wangaratta to remove, destroy or lop vegetation (native and non-

native) to the minimum extent necessary to maintain the safe and efficient function of a public road, without a planning permit. Although a planning permit is not needed, requirements of DELWP's procedure must be followed, which may include consultation and the purchase of offsets.

Where low impact construction works require the removal of more than 0.5 hectares of native vegetation the works will require a planning permit and offsets.

Clauses 52.16 and 52.17 apply to native vegetation. The Road safety exemption states:

- The requirement to obtain a permit does not apply to:
 - Native vegetation removed, destroyed or lopped to the minimum extent necessary by, or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning.

Within the overlay clauses (42.01, 42.02, 42.03, 44.01, 44.02), the Road safety exemption states:

- The requirement to obtain a permit does not apply to:
 - Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning

Removal of native (or non-native) vegetation under any other relevant exemption

This Procedure to rely on the road safety exemption in planning schemes does not apply to native (or non-native) vegetation removal that is exempt from a planning permit due to another relevant exemption in these clauses. However, the principles of avoid and minimise should be applied.

Consent from the Rural City of Wangaratta is required for road construction and maintenance projects that are to be undertaken within a municipal road reserve by a third party such as an adjoining landowner, community group or contractor under the Road Management Act 2004. Council has a permit system in place and requires a 'Works in a Municipal Road Reserve Permit'.

All low impact construction, large construction and Road Safety projects outside of the road maintenance envelope / current asset footprint are undertaken by third party contractors. All works require that the contractor develop a site-specific Environmental Management Plan prior to any works being handed over. Where native vegetation is proposed to be disturbed an assessment and checklist is also completed by Councils NRM team to verify the extend of vegetation removal, identify opportunities to avoid and minimise impacts on biodiversity and identify other potential legislation requirements.

To minimise the impact of works on biodiversity the following should be applied:

- Desktop assessments to be undertaken for low impact construction works and Road Safety project works by the project manager and with the help of NRM staff to identify:
 - The conservation value of the road being worked on
 - Any listed species known or likely to occur in the area
 - Cultural heritage values

- Significant or protected vegetation, or areas containing protected species under the FFG Act, should be excluded from disturbance and classified as 'no-go' zones using barrier tape or highly visible temporary fencing and signage prior to works commencing.
- Trees to be retained should be protected within the Tree Protection Zone (TPZ) according to AS 4970-2009). These TPZ should also be defined on-site as a 'no-go' zone using barrier tape or equivalent.
- The 'construction' zone should be identified and machinery must be confined to this area during the period of works. These should preferably be sited on previously disturbed land, for stockpiles, turning circles, parking areas and areas for operation of machinery.
- Vegetation approved for removal must be identified by highly visible paint or tape. All approved vegetation removal or lopping must only be the minimum extent necessary.
- The 'no-go', 'construction' and approved vegetation removal zones must be identified on a site plan that all staff working on the project are familiar with and are confident to use.
- Machinery size and type must be suited to the works site. Large machinery working in a small space will increase the likelihood of accidental destruction of vegetation.
- Fill or windrow spoil should not be placed over ground flora or tree roots (it will suffocate them). Spoil should be removed and disposed of off-site away from native vegetation.
- Appropriate actions should be taken to prevent erosion and weed spread.

The removal of limbs and branches occurs as part of road maintenance to ensure the road maintenance envelope (see section 1, figure 1) remains clear. Any reports of dead or overhanging limbs posing a risk to road safety need to be assessed by appropriately qualified Council staff (Arbiculture Crew). Timber and debris created as a result of tree management activities needs to be appropriately managed. A balance is needed between retaining logs and branches (especially hollow logs) for habitat and the need to remove or chip this material to reduce the fuel load. Stockpiling timber on the roadside should be avoided as this harbour's pest plant and animals. Excess timber can be taken to one of the two firwood depots managed by council.

7.16 Sand, Soil and Gravel Extraction

A Planning Permit may be required for stone or soil extraction, including on a roadside, under the Wangaratta Planning Scheme. Detailed discussion should be had with the relevant department before any extraction works is undertaken. Approval from the Department of Jobs, Precincts and Regions (DJPR) is required for sites where proposed extraction is greater than two cubic metres and for areas greater than 2000 square metres.

As outlined in the Extractive Industries Development Act 1995, Council must obtain a Work Authority from the DJPR for any proposed sand, soil or gravel extraction on a roadside.

7.17 Sign Installation

Under the *Road Management Act 2004*, consent from the Rural City of Wangaratta is required for a third party (eg community group, adjacent landholder etc) to place a sign within a municipal road reserve. Council has a permit system in place and requires a 'Works in a Municipal Road Reserve Permit'. A planning permit may also be required under the Wangaratta Planning Scheme.

No signs are to be fixed directly to a tree or shrub on a road reserve, this can cause a decline in health to the tree or shrub.

7.18 Slashing

Slashing can be a useful tool in the control of weeds and enhancement of native vegetation. Although no permit is required from Council, any slashing on roadsides should be conducted in accordance with the guidelines below to provide benefit to native vegetation.

Slashing of introduced or pasture species, if implemented correctly, can be an important management tool for the control of introduced grasses and pasture species on roadsides. Slashing is often conducted for weed control or fire protection purposes to allow for sight distances at intersections, and aesthetics. However, a good covering of native vegetation will prevent weeds and introduced pasture species dominating. Native vegetation often has a lower fuel load than introduced grasses and weeds, such as *Phalaris* and *Paspalum*. The timing of slashing can be important. On many occasions roadsides with good tree cover often have weedy ground layer e.g., Giant Brome, *Phalaris* and *Paspalum* and slashing these areas during early germination would be beneficial. Hence planned slashing can discourage weed growth and encourage native growth. Avoid slashing native grasses and herbs and associated plants (orchids, lilies, daisies etc) during the time that they grow, flower and seed. Council officers can provide advice on suitable times and techniques for slashing.

Care should be taken to minimise slashing under the drip line of mature trees or near areas of regeneration. Tree roots need to access water, nutrients and space to grow. Even small vehicles working around trees can damage fine roots and cause soil compaction that will eventually lead to decline of the tree. In areas of mixed native and exotic vegetation, care should be taken not to allow slashed material to smother native vegetation.

Machinery used for slashing can transport masses of weeds seeds into uncontaminated areas. Clean down can be reduced by working in native areas first and then moving into weedy areas. If this cannot be done, it is necessary to clean down equipment of seeds before moving to any areas with native vegetation.

7.19 Stockpiles and Dump Sites

Consent from the Rural City of Wangaratta is required for any activities relating to stockpile and dump sites that are to be undertaken within a municipal road reserve by a third party such as an adjoining landowner, community group or contractor under the Road Management Act 2004. Council has a permit system in place and requires a 'Works in a Municipal Road Reserve Permit'.

A Local Laws Permit is not required for stockpiles on a roadside (Local Law No.1 of 2018 Community Amenity 60. *Stockpiles*) however the below requirements must be followed:

- The owner or occupier of a site must ensure that soil that is stripped from the site is stockpiled on the site for re-use or is transported to a legal place for disposal.
- Where soil is stockpiled on the site, it must, unless otherwise advised by an Authorised Officer, be protected by Sediment Fencing/Barriers to ensure the retention of silt, sand and waterborne particles within the stockpile.

If stockpiles and dump sites are required, then they are to be sited at the mapped Council designated locations. Environmental staff consultation is required if stockpile site or dump site is proposed at a location that is not a designated location.

Material is to be weed and pathogen free and is to be maintained as weed and pathogen free.

7.20 Unused Road Reserves

Council is responsible for the management of unused road reserves under the *Land Act 1958* and the Department of Environment, Land, Water and Planning (DELWP) is responsible for the issue of licences for respective uses of these areas.

Council can consult with DELWP Public Land Services where information is required about unused road reserves or any licence enquiries.

7.21 Utility Installations

Native Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of a minor utility installation does not require a planning permit. The definition of a minor utility installation can be found in Clause 74 of all planning schemes.

A permit is also not required for the removal of native vegetation for routine maintenance, and construction works for a utility installation, however this is subject to the removal of native vegetation being undertaken in accordance with the written agreement of the Secretary to the DELWP (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

The written agreement may require compliance with a Utility installations exemption – procedure for the removal, destruction or lopping of native vegetation. This document includes a set of obligations that align with the no net loss objective. Any procedure and a list of the utility service providers that have written agreement to rely on this exemption to remove native vegetation can be found on the DELWP website at: <https://www.environment.vic.gov.au/native-vegetation/native-vegetation>

7.22 Vegetation Risk Management

Under the provisions of the Planning Scheme, Council can only respond to tree management requests and concerns on roadsides without the need for a Planning Permit where:

- There is an immediate risk to the safety of the road and its users or
- The vegetation is within the road maintenance envelope.

Risk to Road Safety

Council can undertake vegetation works within the road maintenance envelope. Both internal and external requests for vegetation to be removed or lopped outside this envelope for road safety reasons must be assessed by an appropriately qualified member of Council's planning team and referred to Council's Environment unit for approval.

Recommendations for removal or lopping of vegetation must be guided by the immediate risk to the road and its users, for example if a tree branch has broken and is hanging from the tree and is likely to fall onto the road right away or if a tree is split and is likely to fail.

If it is determined that the vegetation is not an immediate risk but still needs to be removed and is not within the road maintenance envelope, a planning permit may be required.

Risk to Privately Owned Assets

Council does not have the legislative requirement or the resources to manage vegetation on road reserves that property owners deem as a risk to privately owned assets such as fences and buildings and denies liability for such issues.

A planning permit is not always required for vegetation removal to construct and maintain a fence. However, property owners will need to obtain permission from Council's Planning Department prior to disturbing any native vegetation. Once approved, the property owner can undertake management of vegetation on road reserves that they deem to be a risk to their assets at their own expense.

It should be noted that most overhanging trees do not drop onto private assets. If these trees were routinely removed, it could result in considerable amounts of vegetation being removed from all road reserves. The costs to biodiversity and landscape amenity as a result would far outweigh the cost to replace portions of assets such as fences.

7.23 Weed Control

Spraying to control weeds is an important activity to protect native areas. Although no permit is required by Council, any spraying on roadsides should be conducted in accordance with the guidelines below to avoid damage to native vegetation.

Weed spraying is most successful if methods and chemicals are targeted to the weeds present. Inappropriate spraying of herbicides on roadsides has a high risk of removing or destroying native vegetation, incurring loss of or damage to habitats and causing accidental spread of weeds. Damaging plants other than weeds can cause greater weed problems due to larger areas of disturbance. This risk can be reduced by following these methods:

- Having the skills to accurately identify the difference between weeds and native species.
- Hold appropriate qualifications such as Agricultural Chemical Users Permit.
- Spray in calm and dry weather conditions.
- Spray weeds from a close distance.
- Use low pressure and large droplet size to minimise drift
- Mark native vegetation with highly visible tape or temporary fencing.
- In instances where weeds sit among native vegetation, use appropriate chemicals for the weed type and make sure weed control techniques are specific, such as:
 - Drilling and filling, or cutting and painting
 - Using specific herbicides
 - Using spray hoods where possible
 - Hand pulling (where weed occurrence is minimal)
- While conducting weed control works, consideration must be given to managing spread of weeds. This can be controlled by:
 - Brushing/blowing/washing down machinery before leaving weed infested areas
 - Brushing/blowing/washing down machinery before entering areas which have low weed infestation
 - Beginning work in areas of low infestation then moving to areas of high infestation

Dead vegetation created by spraying works can be left to undergo decomposition rather than being 'cleaned up'.

8. Implementation of this plan

8.1 Roadside Weed and Pest Animal Management Program

The Rural City of Wangaratta has approximately 2000kms of roadsides that require management. Roadsides can be a harbour for weeds and a potential avenue for their spread, so it is critical to have an effective roadside pest and weed management program.

The Rural City of Wangaratta has a Roadside Weed and Pest Control Plan (RWPP) that was established in 2010 and is currently being reviewed and updated. The report traced the development and outcomes achieved in the first five years of RCoW's first comprehensive roadside program and concludes with an outline of future direction for roadside pest control within RCoW.

Effective weed management control is not possible without a highly skilled team. Roadside weed control consists almost entirely of spot spraying and is undertaken by skilled contractors and overseen by the NRM team leader. In an effort to cover a large area in a timely manner, the municipality has been divided into 5 zones, contractors are responsible for one zone each (further information can be found in the RWPP). The program aims to control all noxious weeds listed under the Catchment and Land Protection Act 1994 (CaLP Act) and where funding allows some environmental weeds are targeted. The program also supports a small but increasing amount of rabbit control. Due to the success achieved with the use of the rodenator method rabbit control work has continued annually with a gradual increase in budget each year.

RCoW's Roadside Weed and Pest Program has been funded approximately two-thirds by internal Council funding, and one-third contribution by DELWP. The DELWP contribution is reviewed annually and is not guaranteed to continue. Even with the combined budget, not all roads and weeds can be treated. Prioritisation needs to occur to ensure effective use of the funding. The program has focused on State-listed noxious weeds (a condition of the DELWP funding), and less focus has been given to environmental weeds.

8.2 Internal Awareness

All staff working on roadsides or advising the community or third parties about working in road reserves, must be aware of this plan. Staff will be made aware of this plan and their responsibilities and legislative requirements through the following:

- Communicate this RCMP to all RCoW staff with a responsibility in the plan.
- Provide further training in roadside management to field staff.
- Inclusion of applicable requirements in project/site specific environmental management plans.
- Inclusion of applicable requirements / conditions on all permits (Works in Municipal Road Reserve Permit, Planning Permits, Grazing Permit and Firewood Collection Permits).
- Regular update of roadside conservation values assessment and inclusion of roadside conservation values in the GIS program.

Further information that can be found to help staff understand their responsibilities in roadside management include:

- Roadside Conservation Values in IntraMaps.
- Exemption from requiring a planning permit documents that can be found at <https://www.environment.vic.gov.au/native-vegetation/native-vegetation/exemptions-from-requiring-a-permit>

- Planning controls under the Wangaratta Planning Scheme:
<https://www.wangaratta.vic.gov.au/Development/Planning/Understanding-planning-permits>
- Procedure to rely on the Road safety exemption in planning schemes:
https://www.environment.vic.gov.au/data/assets/pdf_file/0024/408480/RoadSafetyProcedure.pdf
- VicPlan Maps tool that allows you to view and query Planning scheme Zones and Overlays:
<https://mapshare.vic.gov.au/vicplan/>

8.3 Community Awareness and Education

The management of roadsides is complex and diverse especially with the range of legislation, management organisations, land uses and adjoining landholder responsibilities. Educating and raising awareness of the importance of correctly managing roadsides and engaging relevant land managers to undertake their roadside responsibilities is an important component of this Roadside Conservation Management Plan.

Education and awareness programs need to:

- Recognise the many different (and often conflicting) needs of the community for roadside management.
- Promote the value of roadside flora and fauna to road users and managers (distribute The Ground Storey booklet).
- Encourage community ownership of this Roadside Conservation Management Plan.

Community groups, such as Landcare, can play an important role in managing roadsides. Landcare groups in the Rural City of Wangaratta municipality have been involved in rubbish collection along roadsides, revegetation projects in consultation with Council NRM staff and promoting the importance of roadside vegetation. RCoW should continue to partner with Landcare groups where possible who hold considerable expertise and local knowledge which can be used to mutual benefit.

8.4 Compliance and Enforcement

Compliance activities are actions and programs designed to ensure laws are followed. Enforcement activities are actions undertaken when the law is not followed and help to ensure a return to compliance with the law.

Compliance and enforcement activities usually include three core elements:

- Encouraging compliance - through education, providing information and support, incentives for compliance and controls such as licence and permit conditions.
- Monitoring compliance - through regular, random and/or targeted inspections, audits, covert and overt patrols, information and intelligence gathering and assessment.
- Responding to non-compliance – through investigating suspected breaches of the law and resultant enforcement activities, including issuing official warnings or notices to comply or infringement notices or undertaking prosecution.

RCoW authorised officers may undertake surveillance and compliance enforcement activities relating to members of the community or third parties undertaking activities on the roadside. This may be random or in response to complaints. Compliance and enforcement activities shall be risk based and undertaken in accordance with the DELWP compliance and enforcement strategy – native vegetation removal and regulations and the DELWP roadside vegetation compliance and enforcement toolkit.

Roadside Conservation Management Plan

50

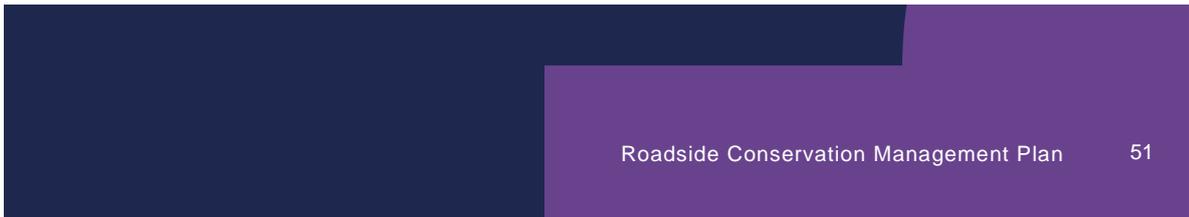
Enforcement activities are actions undertaken when the law is not followed. Much of the content of this RCMP is state legislation, which, via the Planning Scheme, is regulated and enforced by local governments. Any observed/reported un-permitted removal of native vegetation is to be referred to RCoW's Planning Department or the NRM and Sustainability team.

Further guidance on appropriate, risk-based responses to native vegetation non-compliances can be found in the DELWP compliance and enforcement strategy – native vegetation removal and regulations and the DELWP roadside vegetation compliance and enforcement toolkit.

8.5 Actions

Table 4: Actions Table

S = short term (1-2 years) M = Medium term (3-5 years) L = Long term (5-10 years)			
Action	Responsibility	Timeframe	ESS Action
Update roadside conservation values layer in GIS	Council	S	Yes
Review VP02 to reflect updated roadside conservation values.	Council	S	
Undertake weed mapping and update weed layer in GIS.	Council	S	Yes
Advocate to the State government for continuing funding contribution to the roadside weed and pest program	Council	S	
Continue to deliver RCoW's Roadside Weed and Pest Program.	Council	S	
Review and update RCoW's Roadside Weed and Pest Program (Document)	Council	S	
Promote awareness of the Roadside Conservation Management Plan and the importance of roadside vegetation to the community.	Council	S	Yes
Liaise with Landcare groups to share information on the new roadside conservation values mapping, this plan and their potential partnership roles.	Council	S	
Provide training on remnant vegetation and roadside training to depot / roads crew.	Council / External Trainer	S	Yes
Provide training to Council staff including depot / roads crew on Culturally Significant trees / sites.	External Trainer	S	
Provide training to Council outdoor staff on the "Procedure to rely on the Road safety exemption in planning schemes" specifically maintenance that can be undertaken under this exemption.	Council	S	



Roadside Conservation Management Plan 51

Action	Responsibility	Timeframe	ESS Action
Work in partnership with Landcare groups to map potential roadsides to increase green corridors across the municipality (this will include Rail Trails)	Council, CFA, Landcare Groups	S-M	Yes
Reassess roadside conservation values in 2026	Council, Consultant	M-L	
Develop new weed brochure for NE Victoria and promote.	Council	S	Yes
NRM Staff to continue to assist Municipal Fire Prevention Committee and the CFA to understand the Roadside Conservation Management Plan and provide information on roadside significance and local flora and fauna, and suitable treatments for fuel reduction.	Council, MFPO, CFA	S	
Evaluate and monitor fire prevention works in consultation with CFA to determine the effect of works on both the conservation values and fuel management.	Council, CFA	S	
Work with Community Compliance Team to review the local laws.	Council	S	

8.6 Monitoring and Review

The Rural City of Wangaratta will oversee the implementation of the Roadside Management Plan but will need to work with all stakeholders including government agencies, utility providers and local landholders in the delivery of many of the actions.

Council also has a responsibility to monitor the progress of the actions over time. This will include identifying if the actions are completed on time and within budget, as well their overall effectiveness in contributing to the intended goal. Over time, some actions may no longer be relevant or may need to be adapted to suit new conditions. It is important that a review process is undertaken to allow a level of adaptive management to occur.

It is intended that the Plan will be reviewed regularly, with a more comprehensive review occurring in five years' time (during 2026).

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Roadside Conservation Management Plan

53

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Appendix 1: Acronyms and Definitions

Term	Meaning
CFA	Country Fire Authority
DJPR	Department of Jobs, Precincts and Regions (previously the Department of Economic Development, Jobs, Transport and Resources)
DELWP	Department of Environment, Land, Water and Planning
EVC	Ecological Vegetation Class
NECMA	North East Catchment Management Authority
TfN	Trust for Nature
RCoW	Rural City of Wangaratta
RRV	Rural Roads Victoria (Previously VicRoads)
VFF	Victorian Farmers Federation
Biodiversity	The range of all living life-forms including plants, animals and micro-organisms, the genes they all contain and the ecosystems of which they form a part.
Declared Road	Freeways, State highways, main roads, tourist roads and forest roads that are managed by Rural Roads Victoria (previously VicRoads) in accordance with VicRoads Roadside Management Strategy.
Environmental Weed	A plant that colonises natural vegetation and threatens conservation values. It can be an exotic or native plant (e.g. Cootamundra wattle) that is not indigenous to the area. They are so called because their presence is in some way detrimental to the natural environment.
Indigenous Vegetation	Native vegetation that occurs naturally in a particular district including trees, shrubs, herbs, forbs and grasses.
Non Declared or Local Road	Roads managed by Rural City of Wangaratta
Noxious Weed	A plant listed under the Catchment and Land Protection Act 1994 that requires either eradication or control (dependent on the class).
Priority Access Road	As specified in the Municipal Fire Management Plan a road that is critical for an ensured transport route for travellers and provides a link between critical locations to reduce travel time for fire fighters
Remnant Vegetation	Remaining indigenous vegetation.
Road Formation	The portion of the road reserve along which vehicles travel. It includes the road pavement, shoulders and the area to the outermost side of the roadside drain, at least to where the drain batter meets the natural surface. This area includes the cut off drain.
Roadside	The strip of land between the road formation and the boundary of the road reserve which is usually also the boundary of the adjoining property.
Tree Protection Zone (TPZ)	A tree protection zone is an area around the trunk of the tree which has a radius of 12x the diameter at breast height to a maximum of 15 m but not less than 2 m. Dead trees should be protected with a radius of 15 m from the base.
Unused Road Reserve	A road that has been gazetted under the Crown Lands Act 1958 where it is not used for public traffic and is not on Council's road register.

Appendix 2: Frequently asked questions**Q: Why has this plan been produced?**

A: The Roadside Conservation Management Plan is a review of a document which has been in place since 2000. Council's Roadside Management Strategy was developed to provide guidelines for roadside activities to avoid illegal removal or destruction of vegetation. Legislation has been introduced or modified since 2000 and Council has sought to update its plan to reflect these changes.

Q: What is the purpose of the plan?

A: In Council's 2030 vision the community identified the value of natural landscapes and habitats. Roadsides are an integral part of these landscapes, holding the major amount of native vegetation in many areas and providing habitat refuge and linkages. There are many laws around the protection of native vegetation. The purpose of this Plan is to give guidance around activities on roadsides and prevent inadvertent illegal activity affecting roadside native vegetation. For this reason, this Plan deals with roadside areas and not issues about road infrastructure. The plan also aligns with Council's other strategic plans including the Municipal Fire Prevention Strategy.

Q What legislation affects activities on roadsides

A: There are several areas of State and Commonwealth government legislation.

The Roadside Management Act 2004 requires permission from the road authority (Council or VicRoads) relating to works on roadsides. This permission is needed to reduce the risk of an activity causing a road accident or damaging Council roads.

Under the State government section of the Wangaratta Planning Scheme, it is illegal to destroy, remove or lop native vegetation without a planning permit. This includes native trees and shrubs, large dead trees and native grasses and herbs. There are limited exemptions relating to fencing, access and other activities. Native grasses can be slashed to leave a height of at least 10cm. Council's planning department can advise how the exemptions apply.

Some flora, fauna and habitats are protected under the State Flora and Fauna Guarantee Act and the Commonwealth Environment Protection and Biodiversity Conservation Act. These Acts include significant penalties for destruction of rare identified vegetation.

Permits are required from Council for grazing and droving on roadsides and firewood collection on roadsides.

Q: How does this plan assist me to carry out works on roadsides?

A: The Roadside Conservation Management Plan is designed so that the reader can see the regulations that apply and the permissions required for each activity. Guidelines show how to do works to comply with these regulations and not damage native vegetation.

Q: Does the Roadside Conservation Management Plan introduce new permits?

A: There are no new permits introduced by this Plan. The Plan sets out the existing permissions required for activities, to enable users to include this in planning.

Q: Is permission needed to clear native vegetation along roadside fence lines?

A: Maybe. A planning permit is required for native vegetation removal unless fencing works meet certain exemptions that must be approved by Council. For all enquiries about fence line clearing and fence line exemptions contact Council's planning department.

Q: How are the Roadside Conservation Values Assessments decided?

A: The 2000 Plan saw all of Council's road network independently assessed for their conservation values and assigned a value of high, medium or low conservation. The update of the plan included a reassessment of all roadsides regardless of their previous classification.

Q: How do I find out about the Roadside Conservation Values assessment for my roadside?

A: Council has a database of the most recent 2021 Roadside Conservation Values assessments. You can call Council to access this data and find out more about the biodiversity and conservation value of any roadside and use it as a decision-making tool for roadside activities. These databases also identify any rare or threatened species that may be on the roadsides and help to fulfill obligations under the State Government Flora and Fauna Guarantee Act (1988) and the Commonwealth government Environment Protection and Biodiversity Conservation Act (1999). Call Council's Environment Unit, on 5722 0888 for information on roadside vegetation assessments.

Q: Does this plan cover issues relating to road maintenance and the safety of road users?

A: Yes. Council's road works affecting native vegetation are also governed by planning regulations. Council has an agreement with the Department of Environment, Land, Water and Planning (DELWP) which allows it to carry out removal of vegetation within the 'road clearance envelope' for road safety and maintenance purposes. Council can clear vegetation within specified clearances above and beside Council roads. All other removal of vegetation outside of this envelope is subject to the planning permit requirements.

Q: Is Livestock movement permitted?

A: Yes. Movement of stock (as defined in section 7.11) during daylight hours at not less than one km/hour is permitted from one paddock to another or from one property. This includes movement between properties along and across a road reserve. Droving or grazing of stock outside of these parameters requires the permission of the road authority.

Q: Do I need a permit to spray weeds on my roadside?

A: No. Weed spraying is permitted, provided it is carried out in compliance with all other legislation.

Spraying on roadsides has a high risk of removing or destroying native vegetation and causing accidental spread of weeds. Weed spraying must be planned to avoid loss of native vegetation. All persons undertaking roadside weed spraying must hold appropriate qualifications such as Agricultural Chemical Users Permit.

Q: Is permission needed for other works on road reserves?

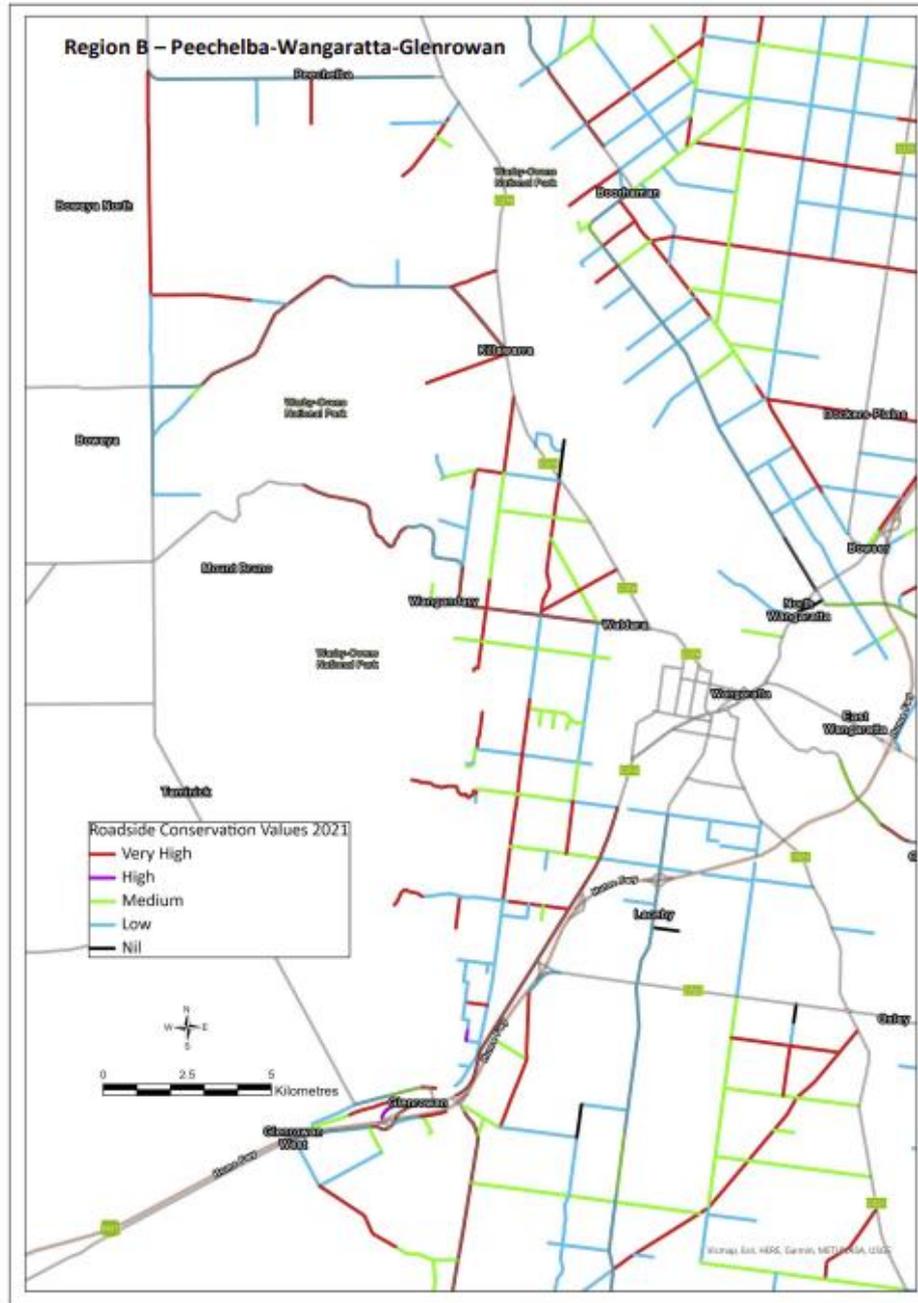
A: Yes. Under the Road Management Act 2004, Council is required to regulate activities on roadsides to protect public safety. Some activities on roadsides require the consent of the road authority to prevent degradation of the road itself or risk to the road users. A 'Works on Municipal Road Reserve' permit is needed for ploughing or grading, however cropping or haymaking adjacent to Council roads is generally not permitted.

Q: Has fire management been addressed in the Plan?

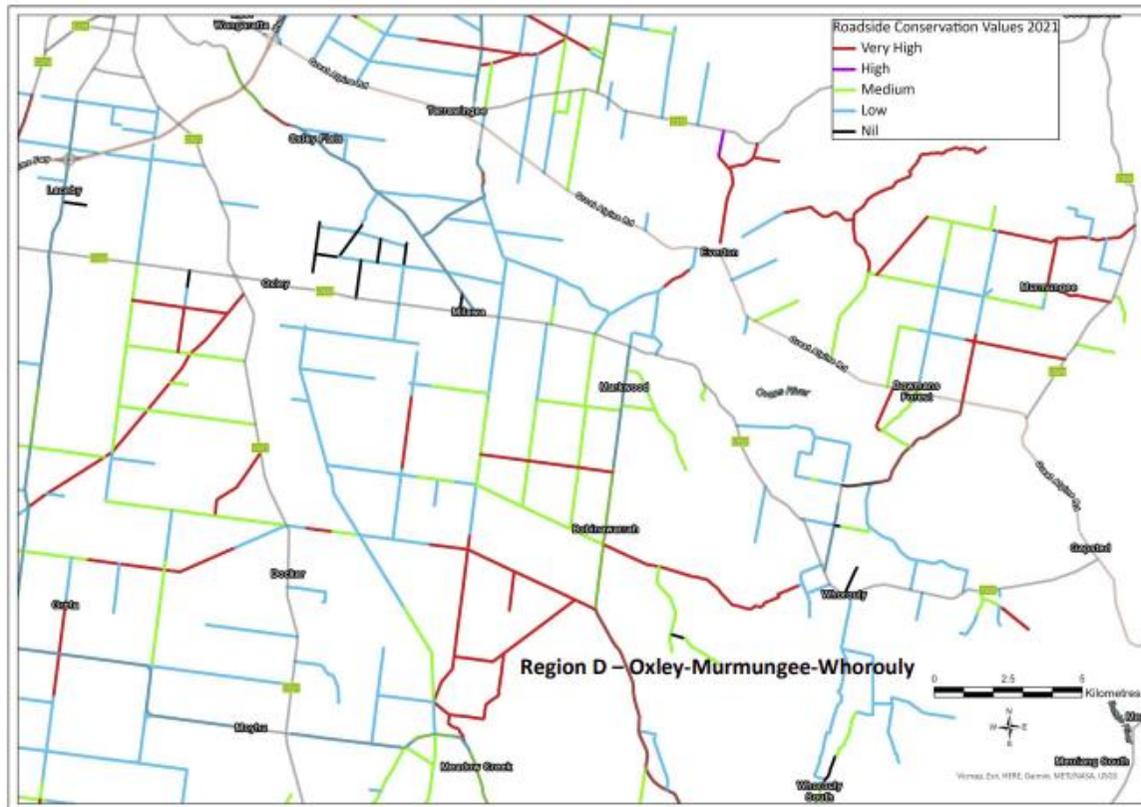
A: Yes. All roadsides within the municipality are maintained to comply with the Municipal Fire Prevention Strategy. This Plan does not override the Municipal Fire Prevention Strategy. Consultations for this Plan included discussions with the CFA and the Municipal Fire Prevention Officer. Strategic burning of roadsides for fire prevention, fuel management and conservation management is encouraged in the Plan, where these activities comply with all appropriate legislation and have a strategic fire prevention purpose.

Q: Do I need a permit to collect firewood from Council roadsides?

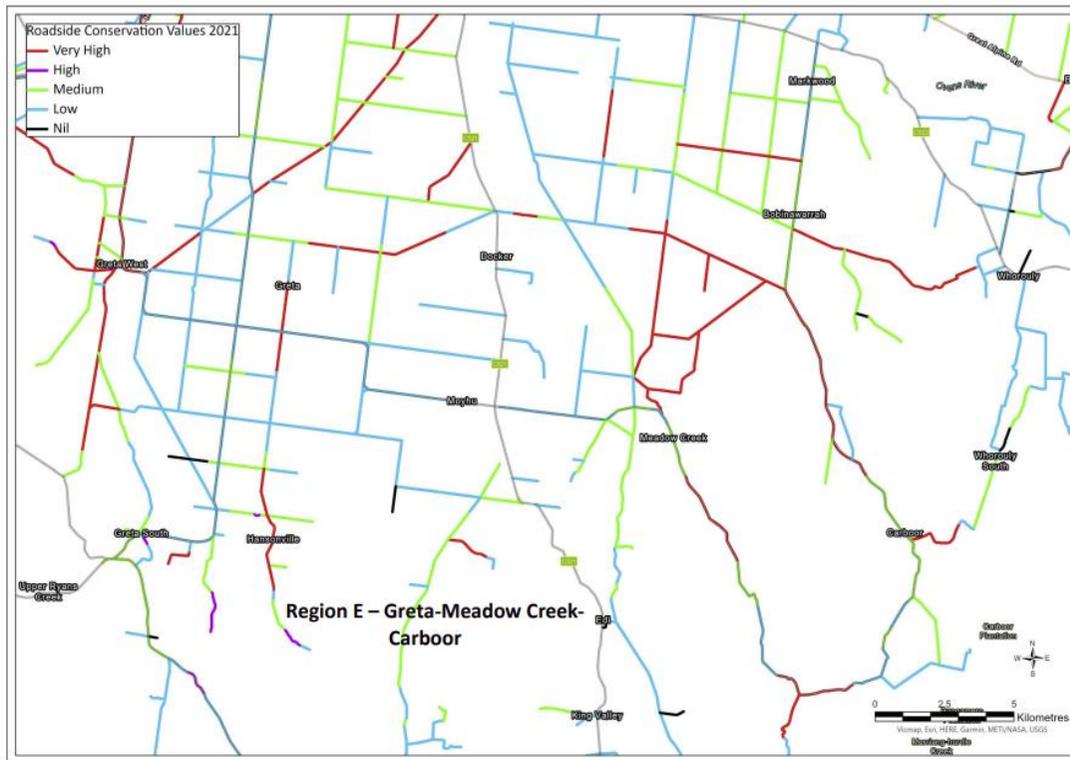
A: Yes, a Council permit is required for the protection of public safety and the environment. Fallen timber on road reserve is important habitat for native fauna. When deciding whether removal of firewood from roadsides is appropriate, Council will consider environmental values, fire fuel hazards and safety. For safety reasons, Rural Roads Victoria does not allow timber collection on roadsides under its control.

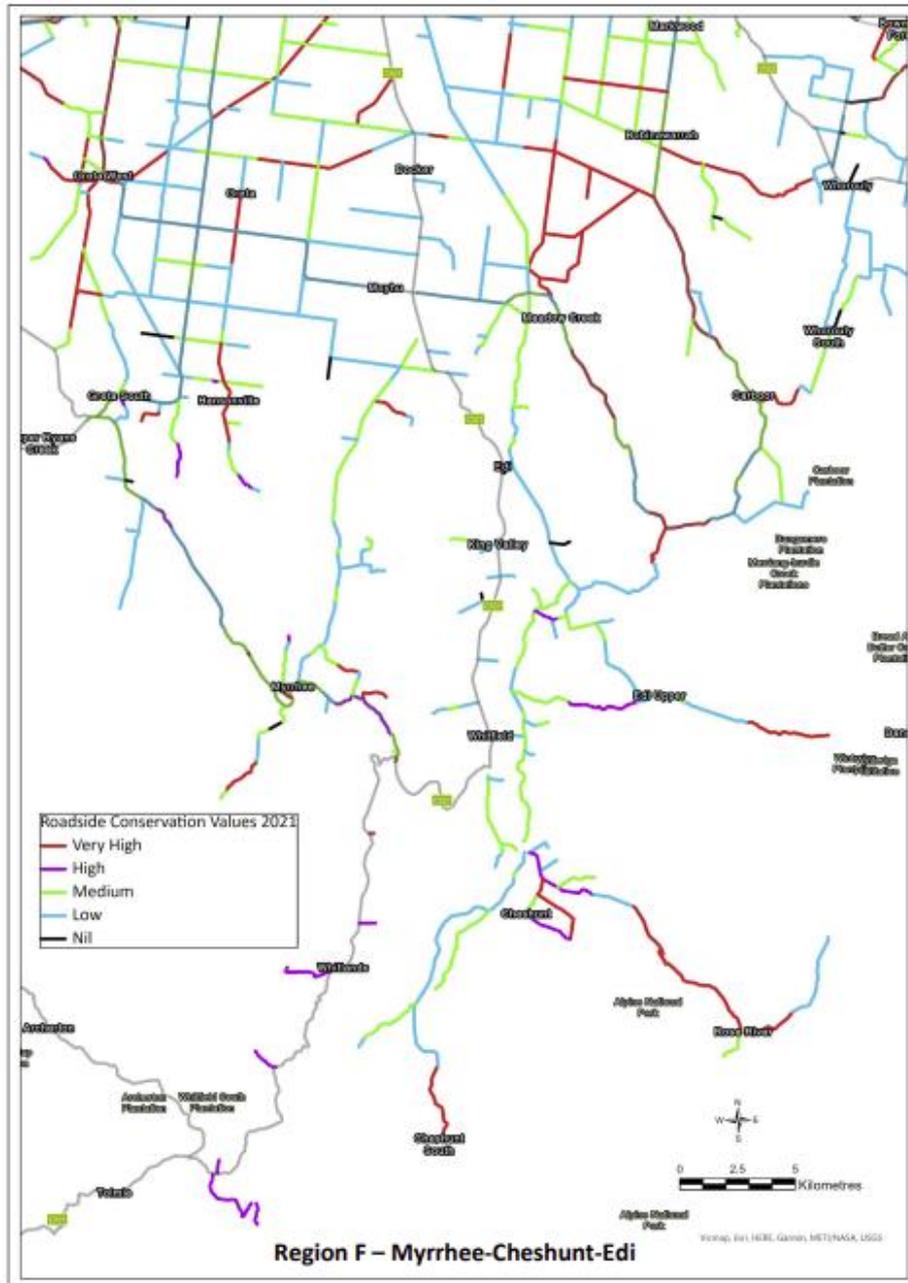


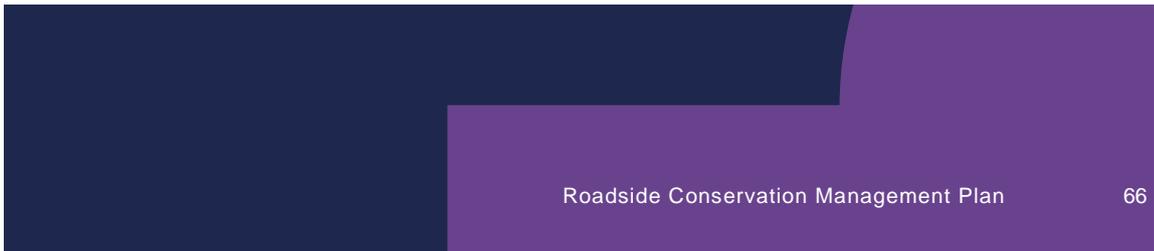
Roadside Conservation Management Plan



Roadside Conservation Management Plan







Key to identifiers of the attribute table

Heading	Metric
EZI_RDNAME	Council assigned road name
Segment	Assessor assigned segment identifier
Length	Length of segment in metres
Date_Asses	Date segment assessed
Road_Side	The orientation of the road reserves assessed in the segment
Width_m	The width of road reserves assessed in the segment
Condition	Abbreviated segment condition: C = cleared; ST = Scattered Trees; TE = Trees.
Image_No	Image identifiers for images taken within the segment. Last three digits of camera-assigned image identifier.
Indig	Percentage indigenous species ground layer projective foliage cover
Exotic	Percentage introduced species ground layer projective foliage cover
Large_tree	VQA 'Large Tree' score
Canopy	VQA 'Canopy Cover' score
U_storey	VQA 'Understorey' score
Lack_weeds	VQA 'Lack of Weeds' score
Recruits	VQA 'Recruitment' score
Logs	VQA 'Log' score
Litter	VQA 'Organic Litter' score
L_Connect	VQA 'Landscape Connectivity' score
Hab_Score	VQA 'Habitat Score' – sum of all attributes
Cons_Value	Assigned Conservation Value for segment
E_EVC_2005	Segment maintains Endangered EVC(s) as mapped in 2005
ThSpObs	Threatened species observed during survey within a segment
FaunaRec	Threatened fauna record since 2001 within close proximity or within the road reserves of the segment, with aquatic-dependent species excluded. Codes for species can be converted to Species and Common Name according to the Excel spreadsheet 'VBA Species-Checklist 010921'.
FloraRec	Threatened flora records since 2001 within close proximity or within the road reserves of the segment. Codes for species can be converted to Species and Common Name according to the Excel spreadsheet 'VBA Species-Checklist 010921'.

Appendix 4: Rare and Threatened Fauna of Rural City of Wangaratta

Source: Victorian Biodiversity Atlas June 2021.

Conservation Status in Australia

The 'EPBC' column outlines the national conservation status of the taxon under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

EX - Extinct

CR - Critically Endangered

EN - Endangered

VU - Vulnerable

Conservation Status in Victoria

As a part of the FFG Amendment Act the status of all species listed on the Advisory lists and species listed as threatened under the Flora and Fauna Guarantee Act 1988 were consolidated and are now known as the FFG Act Threatened List

Endangered (Extinct in Victoria)

Critically Endangered

Endangered

Vulnerable

Threatened

Scientific Name	Common Name	FFG	EPBC
<i>Accipiter novaehollandiae</i>	Grey Goshawk	Endangered	
<i>Actitis hypoleucos</i>	Common Sandpiper	Vulnerable	
<i>Anseranas semipalmata</i>	Maggie Goose	Vulnerable	
<i>Anthochaera phrygia</i>	Regent Honeyeater	Critically endangered	CR
<i>Antigone rubicunda</i>	Brolga	Endangered	
<i>Ardea alba modesta</i>	Eastern Great Egret	Vulnerable	
<i>Ardea intermedia plumifera</i>	Plumed Egret	Critically endangered	
<i>Austroaeschna (Austroaeschna) flavomaculata</i>	Alpine Darner Dragonfly	Vulnerable	
<i>Aythya australis</i>	Hardhead	Vulnerable	
<i>Bidyanus bidyanus</i>	Silver Perch	Endangered	CR
<i>Biziura lobata</i>	Musk Duck	Vulnerable	
<i>Botaurus poiciloptilus</i>	Australasian Bittern	Critically endangered	EN
<i>Burhinus grallarius</i>	Bush Stone-curlew	Critically endangered	
<i>Calamanthus pyrrhopygius</i>	Chestnut-rumped Heathwren	Vulnerable	

Scientific Name	Common Name	FFG	EPBC
<i>Calyptorhynchus lathami</i>	Glossy Black-Cockatoo	Critically endangered	
<i>Chelodina expansa</i>	Broad-shelled Turtle	Endangered	
<i>Coracina maxima</i>	Ground Cuckoo-shrike	Endangered	
<i>Crinia sloanei</i>	Sloane's Froglet	Endangered	EN
<i>Dasyurus maculatus maculatus</i>	Spot-tailed Quoll	Endangered	EN
<i>Dasyurus viverrinus</i>	Eastern Quoll	Endangered(extinct in Victoria)	EN
<i>Delma impar</i>	Striped Legless Lizard	Endangered	VU
<i>Egretta garzetta</i>	Little Egret	Endangered	
<i>Emydura macquarii</i>	Murray River Turtle	Critically endangered	
<i>Euastacus armatus</i>	Murray Spiny Crayfish	Threatened	
<i>Falco hypoleucos</i>	Grey Falcon	Vulnerable	
<i>Falco subniger</i>	Black Falcon	Critically endangered	
<i>Galaxias rostratus</i>	Flat-headed Galaxias	Vulnerable	CR
<i>Geopelia cuneata</i>	Diamond Dove	Vulnerable	
<i>Grantiella picta</i>	Painted Honeyeater	Vulnerable	VU
<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	Endangered	
<i>Hieraaetus morphnoides</i>	Little Eagle	Vulnerable	
<i>Hirundapus caudacutus</i>	White-throated Needletail	Vulnerable	VU
<i>Ixobrychus dubius</i>	Australian Little Bittern	Endangered	
<i>Lathamus discolor</i>	Swift Parrot	Critically endangered	CR
<i>Lewinia pectoralis</i>	Lewin's Rail	Vulnerable	
<i>Litoria raniformis</i>	Growling Grass Frog	Vulnerable	VU
<i>Litoria spenceri</i>	Spotted Tree Frog	Critically endangered	EN
<i>Lophochroa leadbeateri</i>	Major Mitchell's Cockatoo	Critically endangered	
<i>Lophoictinia isura</i>	Square-tailed Kite	Vulnerable	
<i>Maccullochella macquariensis</i>	Trout Cod	Endangered	EN
<i>Maccullochella peelii</i>	Murray Cod	Endangered	VU
<i>Macquaria australasica</i>	Macquarie Perch	Endangered	EN
<i>Mastacomys fuscus mordicus</i>	Broad-toothed Rat	Vulnerable	VU
<i>Melanodryas cucullata</i>	Hooded Robin	Vulnerable	
<i>Melanotaenia fluviatilis</i>	Murray-Darling Rainbowfish	Endangered	
<i>Morelia spilota metcalfei</i>	Carpet Python	Endangered	
<i>Nannoperca australis</i> (Murray-Darling lineage)	Southern Pygmy Perch (Murray-Darling lineage)	Vulnerable	
<i>Neophema pulchella</i>	Turquoise Parrot	Vulnerable	
<i>Ninox connivens</i>	Barking Owl	Critically endangered	
<i>Ninox strenua</i>	Powerful Owl	Vulnerable	
<i>Ornithorhynchus anatinus</i>	Platypus	Vulnerable	
<i>Oxyura australis</i>	Blue-billed Duck	Vulnerable	
<i>Petauroides volans</i>	Southern Greater Glider	Vulnerable	VU
<i>Petaurus norfolcensis</i>	Squirrel Glider	Vulnerable	

Scientific Name	Common Name	FFG	EPBC
<i>Phascogale tapoatafa</i>	Brush-tailed Phascogale	Vulnerable	
<i>Pogona barbata</i>	Bearded Dragon	Vulnerable	
<i>Polytelis swainsonii</i>	Superb Parrot	Endangered	VU
<i>Pomatostomus temporalis</i>	Grey-crowned Babbler	Vulnerable	
<i>Potorous longipes</i>	Long-footed Potoroo	Endangered	EN
<i>Pseudomys fumeus</i>	Smoky Mouse	Endangered	EN
<i>Pseudophryne bibronii</i>	Brown Toadlet	Endangered	
<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	Vulnerable	VU
<i>Pyrrholaemus sagittatus</i>	Speckled Warbler	Endangered	
<i>Rostratula australis</i>	Australian Painted-snipe	Critically endangered	EN
<i>Spatula rhynchotis</i>	Australasian Shoveler	Vulnerable	
<i>Stagonopleura guttata</i>	Diamond Firetail	Vulnerable	
<i>Stictonetta naevosa</i>	Freckled Duck	Endangered	
<i>Struthidea cinerea</i>	Apostlebird	Vulnerable	
<i>Synemon plana</i>	Golden Sun Moth	Vulnerable	CR
<i>Thylogale billardieri</i>	Rufous-bellied Pademelon	Threatened	
<i>Tyto tenebricosa</i>	Sooty Owl	Endangered	
<i>Uperoleia rugosa</i>	Rugose Toadlet	Endangered	
<i>Varanus varius</i>	Lace Monitor	Endangered	
<i>Vermicella annulata</i>	Bandy Bandy	Endangered	

Appendix 5: Rare and Threatened Flora of Rural City of Wangaratta

Source: Victorian Biodiversity Atlas June 2021.

Conservation Status in Australia

The 'EPBC' column outlines the national conservation status of the taxon under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

EX - Extinct

CR - Critically Endangered

EN - Endangered

VU - Vulnerable

Conservation Status in Victoria

As a part of the FFG Amendment Act the status of all species listed on the Advisory lists and species listed as threatened under the Flora and Fauna Guarantee Act 1988 were consolidated and are now known as the FFG Act Threatened List

Endangered (Extinct in Victoria)

Critically Endangered

Endangered

Vulnerable

Threatened

Scientific Name	Common Name	FFG	EPBC
<i>Acacia boormanii</i>	Snowy River Wattle	Endangered	
<i>Acacia deanei</i> subsp. <i>paucijuga</i>	Deane's Wattle	Vulnerable	
<i>Acacia decora</i>	Western Silver Wattle	Endangered	
<i>Acacia doratoxylon</i>	Currawang	Endangered	
<i>Acacia flexifolia</i>	Bent-leaf Wattle	Endangered	
<i>Acacia lanigera</i> var. <i>lanigera</i>	Woolly Wattle	Vulnerable	
<i>Acacia omalophylla</i>	Yarran Wattle	Critically endangered	
<i>Acacia sporadica</i>	Pale Hickory-wattle	Critically endangered	
<i>Acacia triptera</i>	Spur-wing Wattle	Vulnerable	
<i>Acianthus collinus</i>	Hooded Mosquito-orchid	Critically endangered	
<i>Aciphylla glacialis</i>	Snow Aciphyll	Endangered	
<i>Aciphylla simplicifolia</i>	Mountain Aciphyll	Endangered	
<i>Allocasuarina luehmannii</i>	Buloke	Critically endangered	
<i>Amphibromus fluitans</i>	River Swamp Wallaby-grass		VU

Scientific Name	Common Name	FFG	EPBC
<i>Amyema linophylla</i> subsp. <i>orientalis</i>	Buloke Mistletoe	Critically endangered	
<i>Astrotricha linearis</i> subsp. 2	Narrow-leaf Star-hair	Endangered	
<i>Billardiera scandens</i> s.s.	Velvet Apple-berry	Endangered	
<i>Boronia nana</i> var. <i>pubescens</i>	Dwarf Boronia	Endangered	
<i>Brachyscome gracilis</i> subsp. <i>gracilis</i>	Dookie Daisy	Endangered	
<i>Brasenia schreberi</i>	Water Shield	Critically endangered	
<i>Caladenia concolor</i>	Crimson Spider-orchid	Endangered	VU
<i>Caladenia cremna</i>	Whitfield Spider-orchid	Critically endangered	CR
<i>Caladenia flavovirens</i>	Christmas Spider-orchid	Critically endangered	
<i>Caladenia orientalis</i>	Eastern Spider-orchid	Endangered	EN
<i>Calotis anthemoides</i>	Cut-leaf Burr-daisy	Critically endangered	
<i>Cardamine franklinensis</i>	Franklin Bitter-cress	Critically endangered	
<i>Cardamine papillata</i>	Forest Bitter-cress	Endangered	
<i>Cassinia ozothamnoides</i>	Cottony Cassinia	Endangered	
<i>Cassinia scabrada</i>	Rough Cassinia	Vulnerable	
<i>Celmisia latifolia</i>	Victorian Snow-daisy	Endangered	
<i>Chiloglottis X pescottiana</i>	Bronze Bird-orchid	Endangered	
<i>Coronidium waddelliae</i>	Snowy Everlasting	Vulnerable	
<i>Corunastylis arrecta</i>	Erect Midge-orchid	Endangered	
<i>Craspedia adenophora</i>	Sticky Billy-buttons	Endangered	
<i>Craspedia haplorrhiza</i>	Plains Billy-buttons	Endangered	
<i>Cymbonotus lawsonianus</i>	Bear's-ear	Endangered	
<i>Cyperus leptocarpus</i>	Button Rush	Endangered	
<i>Daviesia genistifolia</i> s.s.	Broom Bitter-pea	Endangered	
<i>Deparia petersenii</i> subsp. <i>congrua</i>	Japanese Lady-fern	Endangered	
<i>Desmodium brachypodium</i>	Large Tick-trefoil	Vulnerable	
<i>Dianella longifolia</i> var. <i>grandis</i>	Flax-lily	Critically endangered	
<i>Dianella tarda</i>	Late-flower Flax-lily	Critically endangered	
<i>Digitaria divaricatissima</i> var. <i>divaricatissima</i>	Umbrella Grass	Endangered	
<i>Diuris behrii</i>	Golden Cowslips	Endangered	
<i>Diuris dendrobioides</i>	Wedge Diuris	Critically endangered	
<i>Diuris punctata</i> var. <i>punctata</i>	Purple Diuris	Endangered	
<i>Dodonaea boroniifolia</i>	Hairy Hop-bush	Endangered	
<i>Eragrostis trachycarpa</i>	Rough-grain Love-grass	Endangered	
<i>Eriocaulon scariosum</i>	Common Pipewort	Endangered	
<i>Eucalyptus brookeriana</i>	Brooker's Gum	Endangered	
<i>Eucalyptus cadens</i>	Warby Range Swamp-gum	Endangered	VU
<i>Eucalyptus cinerea</i> subsp. <i>victoriensis</i>	Beechworth Silver Stringybark	Endangered	

Scientific Name	Common Name	FFG	EPBC
<i>Eucalyptus sideroxylon</i> subsp. <i>sideroxylon</i>	Mugga	Endangered	
<i>Euchiton umbricola</i>	Cliff Cudweed	Endangered	
<i>Euphrasia lasianthera</i>	Hairy Eyebright	Endangered	
<i>Euphrasia scabra</i>	Rough Eyebright	Endangered	
<i>Fimbristylis dichotoma</i>	Common Fringe-sedge	Endangered	
<i>Fimbristylis velata</i>	Veiled Fringe-sedge	Endangered	
<i>Geranium solanderi</i> var. <i>solanderi</i> s.s.	Austral Crane's-bill	Endangered	
<i>Geranium</i> sp. 6	Delicate Crane's-bill	Endangered	
<i>Glycine latrobeana</i>	Clover Glycine	Vulnerable	VU
<i>Goodenia macbarronii</i>	Narrow Goodenia	Endangered	
<i>Goodia medicaginea</i>	Western Golden-tip	Endangered	
<i>Gratiola pumilo</i>	Dwarf Brooklime	Endangered	
<i>Gynatrix macrophylla</i>	Gippsland Hemp Bush	Vulnerable	
<i>Hakea lissosperma</i>	Mountain Needlewood	Vulnerable	
<i>Hibbertia diffusa</i>	Wedge Guinea-flower	Endangered	
<i>Indigofera adesmiifolia</i>	Tick Indigo	Endangered	
<i>Isolepis congrua</i>	Slender Club-sedge	Endangered	
<i>Isolepis gaudichaudiana</i>	Benambra Club-sedge	Vulnerable	
<i>Isolepis montivaga</i>	Fog Club-sedge	Endangered	
<i>Isolepis wakefieldiana</i>	Tufted Club-sedge	Endangered	
<i>Juncus psammophilus</i>	Sand Rush	Endangered	
<i>Lachnagrostis rudis</i> subsp. <i>rudis</i>	Rough Blown-grass	Endangered	
<i>Leptorhynchus squamatus</i> subsp. <i>alpinus</i>	Alpine Buttons	Endangered	
<i>Leptospermum micromyrtus</i>	Button Tea-tree	Endangered	
<i>Leptospermum multicaule</i>	Silver Tea-tree	Endangered	
<i>Lepedeza juncea</i> subsp. <i>sericea</i>	Chinese Lespedeza	Endangered	
<i>Lomandra oreophila</i>	Mountain Mat-rush	Endangered	
<i>Melaleuca armillaris</i> subsp. <i>armillaris</i>	Giant Honey-myrtle	Endangered	
<i>Ophioglossum reticulatum</i>	Stalked Adder's-tongue	Endangered	
<i>Pimelea treyvaudii</i>	Grey Rice-flower	Endangered	
<i>Plagiochasma rupestre</i>	Cliff Waxwort	Endangered	
<i>Pomaderris aurea</i>	Golden Pomaderris	Endangered	
<i>Pomaderris helianthemifolia</i> subsp. <i>minor</i>	Blunt-leaf Pomaderris	Endangered	
<i>Pomaderris pauciflora</i>	Mountain Pomaderris	Endangered	
<i>Pomaderris phyllicifolia</i> subsp. <i>ericoides</i>	Slender Pomaderris	Endangered	
<i>Pomaderris subcapitata</i>	Convex Pomaderris	Endangered	

Scientific Name	Common Name	FFG	EPBC
<i>Pomaderris subplicata</i>	Concave Pomaderris	Critically endangered	VU
<i>Prasophyllum argillaceum</i>	Delicate Leek-orchid	Critically endangered	
<i>Prasophyllum hygrophilum</i>	Swamp Leek-orchid	Critically endangered	
<i>Prasophyllum lindleyanum</i>	Green Leek-orchid	Endangered	
<i>Prostanthera decussata</i>	Dense Mint-bush	Endangered	
<i>Prostanthera nivea</i> var. <i>nivea</i>	Snowy Mint-bush	Vulnerable	
<i>Pterostylis hamata</i>	Scaly Greenhood	Endangered	
<i>Pterostylis rubescens</i>	Inland Red-tip Greenhood	Endangered	
<i>Pterostylis smaragdina</i>	Emerald-lip Greenhood	Endangered	
<i>Pultenaea foliolosa</i>	Small-leaf Bush-pea	Endangered	
<i>Pultenaea platyphylla</i>	Flat-leaf Bush-pea	Endangered	
<i>Pultenaea polifolia</i>	Dusky Bush-pea	Endangered	
<i>Pultenaea williamsonii</i>	Highland Bush-pea	Endangered	
<i>Rytidosperma alpicola</i>	Crag Wallaby-grass	Vulnerable	
<i>Rytidosperma monticola</i>	Small-flower Wallaby-grass	Endangered	
<i>Rytidosperma richardsonii</i>	Straw Wallaby-grass	Endangered	
<i>Santalum lanceolatum</i>	Northern Sandalwood	Critically endangered	
<i>Schizacme montana</i>	Mountain Mitrewort	Endangered	
<i>Senecio distalilobatus</i>	Distal-lobe Fireweed	Vulnerable	
<i>Senecio extensus</i>	Alpine Fireweed	Endangered	
<i>Senecio longicollaris</i>	Riverina Fireweed	Endangered	
<i>Senecio pinnatifolius</i> var. <i>alpinus</i>	Snowfield Groundsel	Endangered	
<i>Sticherus tener</i> s.s.	Tasman Fan-fern	Endangered	
<i>Swainsona recta</i>	Mountain Swainson-pea	Critically endangered	EN
<i>Thelymitra simulata</i>	Graceful Sun-orchid	Endangered	
<i>Tripogonella loliiformis</i>	Rye Beetle-grass	Endangered	
<i>Trochocarpa clarkei</i>	Lilac Berry	Endangered	
<i>Viola betonicifolia</i> subsp. <i>novaguineensis</i>	Floodplain Violet	Endangered	
<i>Viola fuscoviolacea</i>	Dusky Violet	Endangered	
<i>Wittsteinia vacciniacea</i>	Baw Baw Berry	Vulnerable	
<i>Wurmbea biglandulosa</i> subsp. <i>biglandulosa</i>	Glandular Early Nancy	Endangered	
<i>Xanthorrhoea glauca</i> subsp. <i>angustifolia</i>	Grey Grass-tree	Critically endangered	
<i>Zieria robusta</i>	Round-leaf Zieria	Endangered	

Appendix 6: Categorized Weeds in the Rural City of Wangaratta

Below is a list of weeds that have been identified in Rural City of Wangaratta's roadsides. Weed categories are as follows:

Weeds of national significance (WONS) – nationally declared weeds, which also have state category.

State prohibited weeds – the highest category of declared noxious weeds in Victoria. By definition they are either not yet in Victoria, or are here in small numbers, where their eradication is still possible. Under the Catchment and Land Protection Act 1994 (CaLP Act), it is an offence to buy, sell, display or transport a State prohibited weed within Victoria.

Regionally prohibited weeds – weeds that are not widely distributed in a region but are capable of spreading further. It is reasonable to expect that they can be eradicated from a region and they must be managed with that goal. Land owners, including public authorities responsible for crown land management, must take all reasonable steps to eradicate regionally prohibited weeds on their land.

Regionally controlled weeds – weeds that are usually widespread in a region. To prevent their spread, ongoing control measures are required. Land owners have the responsibility to take all reasonable steps to prevent the growth and spread of Regionally controlled weeds on their land.

Restricted weeds – includes plants that pose an unacceptable risk of spreading in Victoria and are a serious threat to another State or Territory. Trade in these weeds and their propagules, either as plants, seeds or contaminants in other materials is prohibited.

Other weeds have been described as agricultural or environmental weeds, but they do not have a legislative category. There are several Unclassified Environmental weeds found on roadsides within the Rural City of Wangaratta.

Weed Common Name	Weed Scientific Name	Weed Category
African Boxthorn	<i>Lycium ferocissimum</i>	Regionally Controlled
African lovegrass	<i>Eragrostis curvula</i>	Regionally Controlled
Angled Onion	<i>Allium triquetrum</i>	Regionally Restricted
Arrowhead	<i>Sagittaria graminea</i>	Agricultural and Environmental
Bathurst Burr	<i>Xanthium spinosum</i>	Regionally Controlled
Blackberry	<i>Rubus fruticosus</i>	Weed of national significance, Regionally Controlled & Regional Priority
Blue Periwinkle	<i>Vinca major</i>	Unclassified Environmental
Bindweed	<i>Convolvus arvensis</i>	Regionally Controlled
Bridal Creeper	<i>Asparagus asparagoides</i>	Weed of national significance & Restricted
Box Elder	<i>Acer negundo</i>	Unclassified Environmental
Broad-leaf Privet	<i>Ligustrum lucidum</i>	Unclassified Environmental
Caltrop	<i>Tribulus terrestris</i>	Regionally Controlled
Cape Tulip	<i>Moraea flaccida & M. miniata</i>	Regionally Controlled

Weed Common Name	Weed Scientific Name	Weed Category
Chilean Needle Grass	<i>Nassella neesiana</i>	Weed of national significance, Restricted, & New and Emerging Weed
Coolatai Grass	<i>Hyparrhenia hirta</i>	Unclassified Environmental
English Broom	<i>Cytisus scoparius</i>	Regionally Controlled & Regional Priority
English Ivy	<i>Hedera helix</i>	Unclassified Environmental
False Acacia	<i>Robinia pseudoacacia</i>	Unclassified Environmental
Fennell	<i>Foeniculum vulgare</i>	Regionally Restricted
Fig	<i>Ficus carica</i>	Unclassified Environmental
Giant Reed	<i>Arundo donax</i>	Unclassified Environmental
Gorse	<i>Ulex europaeus</i>	weed of national significance, Regionally Controlled, & Regional Priority
Great Mullien	<i>Verbascum thapsus</i>	Regionally Controlled
Hawthorn	<i>Crataegus monogyna</i>	Regionally Controlled
Himalayan Honeysuckle	<i>Leycesteria Formosa</i>	Agricultural and Environmental
Honeysuckle	<i>Lonicera japonica</i>	Unclassified Environmental
Horehound	<i>Marrubium vulgare</i>	Regionally Controlled
Jerusalem Cherry	<i>Solanum pseudocapsicum</i>	Unclassified Environmental
Khaki Weed		Regionally Prohibited
Lantana	<i>Lantana camara</i>	weed of national significance & Restricted
Large-leaf Cotoneaster	<i>Cotoneaster glaucophyllus</i>	Unclassified Environmental
Lombardy Poplar	<i>Populus nigra</i>	Unclassified Environmental
Madeira Vine	<i>Anredera cordifolia</i>	Regionally Restricted
Montpellier Broom	<i>Genista monspessulana</i>	Regionally Controlled
Noogoora Burr	<i>Xanthium occidentale</i>	Regionally Controlled & Regional Priority
Orange Firethorn	<i>Pyracantha angustifolia</i>	Unclassified Environmental
Olive	<i>Olea europaea</i> ssp. <i>europaea</i>	Unclassified Environmental
Osage Orange	<i>Maclura pomifera</i>	Unclassified Environmental
Pampas Grass	<i>Cortaderia selloana</i> & <i>C. jubata</i>	Unclassified Environmental
Pampas Lilly-of-the-Valley	<i>Salpichroa origanifolia</i>	Unclassified Environmental
Paterson's Curse	<i>Echium plantagineum</i>	Regionally Controlled & Regional Priority
Pennyroyal	<i>Mentha pulegium</i>	Unclassified Environmental
Peppercorn Tree	<i>Schinus areira</i>	Unclassified Environmental
Pine	<i>Pinus radiata</i>	Unclassified Environmental
Prairie Ground Cherry	<i>Physalis viscosa</i>	Regionally Controlled
Prickly Pear	<i>Opuntia vulgaris</i> & <i>O. stricta</i>	Regionally Controlled
Purple Top	<i>Verbena bonariensis</i>	Unclassified Environmental
Saffron Thistle		Regionally Controlled

PlnApp20/063 - Proposed permit conditions

1. Prior to the commencement of the approved use or development, whichever occurs first, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) An amended elevation plan of the ore bin which removes any reference to, or dimensions of, the crusher.
2. The use and development layout as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Prior to the commencement of the approved use a Noise Management Plan must be submitted to and approved by the Responsible Authority. When approved the Noise Management Plan will form part of the permit and the approved use must operate in accordance with the approved Noise Management Plan. The Noise Management Plan must:
 - a) Be prepared by a suitably qualified acoustic engineer;
 - b) Be prepared in accordance with the Environmental Protection Regulations 2021 under the Environment Protection Act 2017;
 - c) Demonstrate acceptable noise levels for sensitive receptors in the vicinity of the subject land;
 - d) Consider cumulative effects from different noise sources associated with the approved use;
 - e) Set out details of noise mitigation actions to be undertaken; and
 - f) Set out details of noise mitigation infrastructure to be installed and maintained.
4. Unless with the written consent of the Responsible Authority, the use hereby permitted must not operate on Sundays or public holidays and is further restricted to only operate between the hours of:
 - a) 8am to 6pm Monday-Friday; and
 - b) 9am to 4pm Saturdays.
5. Except with the prior written consent of the Responsible Authority, no more than four persons may be present on site and working in association with the approved use. This limit does not include persons present on site for the sole activity of delivering or collecting materials.

22 February 2022

6. Dust mitigation techniques such as spraying must be used when the weather conditions and/or conditions of the material being processed generate a risk of dust pollution.
7. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) Transport of materials, goods or commodities to or from the land;
 - b) Appearance of any building, works or materials;
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) Presence of vermin;
 - e) Storage of solid waste; or
 - f) Infiltration of groundwater.
8. Maintenance of all buildings, surrounds, storage and parking areas within the site must be carried out in such a manner to render the site in a neat, tidy and clean condition at all times to the satisfaction of the Responsible Authority.
9. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
10. The site must not be left unattended when in operation and appropriate fire fighting equipment must be made available at all times.

Technical Services Conditions - General

11. Plans and specifications must be prepared at the permit holder's expense by a qualified engineer and approved by the Responsible Authority before construction begins. The Authority will only approve plans and specifications complying with the current edition of the Local Government Infrastructure Design Association's Infrastructure Design Manual (IDM) and drawn in AutoCAD or equivalent.
12. The permit holder must complete full construction of all new access ways, drainage and related infrastructure. All works must conform to plans and specifications approved by the Responsible Authority.

22 February 2022

Technical Services Conditions - Earthworks

13. Prior to the commencement of the approved use the permit holder must satisfy the Responsible Authority that:
- a) Where an existing dam, basin or other water body will be filled, the area has been drained and desilted to IDM standards before filling begins;
 - b) Any fill required to meet drainage, building, parking and or access requirements has been selected, placed and compacted in layers according to IDM standards;
 - c) Any batters or retaining walls whose individual or cumulative height above or below adjacent ground level exceeds one metre, and/or any soil stabilisation measures, have been designed and constructed to IDM standards under the supervision of a qualified civil engineer.

Technical Services Conditions - Drainage

14. Prior to the commencement of the approved use the permit holder must satisfy the Responsible Authority that:
- a) A legal point of discharge has been established within the boundary of the subject property and connected to the external drainage network according to IDM standards without reducing the flow capacity of structural integrity of the external network;
 - b) All stormwater runoff originating from or transferred through the subject property in a 10% Annual Exceedance Probability (AEP) rainfall event will either be retained on the property or be collected and conveyed by underground pipes or open channels to a legal point of discharge;
 - c) In a 1% AEP rainfall event all stormwater runoff will be collected and conveyed to a satisfactory destination without adversely affecting any person, infrastructure, or natural features in or beyond the property;
 - d) When approval has been given for stormwater to be discharged to an open drain, the outlet has an approved concrete surround;
 - e) When permission has been granted for stormwater from all or part of the subject property to be discharged directly to an adjacent waterway, effective measures must be taken to prevent backflow from the waterway during a 1% AEP flood event;
 - f) All reasonable measures have been taken to prevent solid or liquid contaminants from entering the external drainage network;

22 February 2022

- g) No part of any open channel conveying stormwater from or through the developed site passes through the zone of influence of an effluent disposal field.

15. Before construction begins, drainage plans and computations, including all measures required to satisfy Condition 13, prepared according to IDM procedures and criteria, must be submitted to the Responsible Authority for approval.

Technical Services Conditions – Waterways and Land Subject to Inundation

16. Prior to the commencement of the use the permit holder must satisfy the Responsible Authority that;
- a) The finished surface levels of all building envelopes are above the peak water level in nearby waterways, floodways, or other water bodies in a 1% AEP rainfall or flood event, and the finished floor level in all buildings will be at least 300mm above the peak water level.
 - b) All fencing installed between the property and an adjacent waterway or area subject to inundation is of open construction and does not obstruct natural surface flows.

Technical Services Conditions – Property Access

17. Prior to the commencement of the approved use the permit holder must satisfy the Responsible Authority that:
- a) A vehicle crossing providing the subject property with safe and convenient access to and from a suitable public road has been designed, constructed, sealed and drained according to IDM standards to accommodate vehicles up to and including a maximum weight agreed by the Authority;
 - b) An all-weather access route with appropriate waterway culvert or bridge crossings has been constructed and drained to an acceptable standard and can safely and conveniently be traversed by emergency vehicles;
 - c) Vehicles can enter and leave the subject property while travelling only in a forward direction;
 - d) All loading and unloading will take place within the property.

22 February 2022

Technical Services Conditions - Construction

18. Before construction begins, and during construction, effective measures must be taken to:
- a) Secure occupational health and safety;
 - b) Locate any existing underground services;
 - c) Implement effective traffic management and environmental controls;
 - d) Establish and maintain safe construction vehicle access to the site;
 - e) Maintain vehicle and machinery hygiene;
 - f) Avoid the spread of soil-borne pathogens and weeds;
 - g) Minimise erosion, sedimentation and contamination;
 - h) Reduce the impact of noise, dust and other emissions;
 - i) Prevent mud, dirt, sand, soil, clay or stones from entering the drainage system;
 - j) Avoid having such materials deposited on public land by construction vehicles;
 - k) Address the recommendations of an approved Cultural Heritage Management Plan (if applicable); and
 - l) Establish and maintain all recommended Tree Protection Zones.
19. No excavated or construction materials may be placed or stored outside the site area or on adjoining road reserves or nature strips.
20. No tree may be removed, aside from trees clearly designated for removal in the approved plans except with the prior written agreement of the Responsible Authority.
21. All areas and underground services disturbed in the course of works must be restored to their original condition to the satisfaction of the Responsible Authority.

North East Catchment Management Authority Conditions

22. The location and arrangement of works shall be consistent with that shown on Part Site Plan TP V6 RevC.

22 February 2022

23. The proposed compacted earth bund around the southern perimeter of the works shall be arranged and maintained to direct all runoff from the works site to the slurry drainage pit for re-use. Any overflow from the slurry drainage pit shall be dispersed over the adjacent vegetated land at a distance of more than 30 m from adjacent waterways. This area shall be managed to maintain vegetation and avoid any channelization or concentration of overflows.
24. No works shall be undertaken to the south of the proposed compacted earth bund. No vehicular access, stockpiling or storage of equipment shall occur to the south of the compacted earth bund.
25. Prior to construction of the site access track, a Works on Waterways permit for waterway crossings must be obtained from the Authority in accordance with By-Law No 2014/01 waterways Protection. Further information and an application form can be obtained from the Authority at <http://www.necma.vic.gov.au/About-Us/Programs-Initiatives/Undertake-Works-on-Waterways>

Goulburn Murray Water conditions

26. An earth bund must be constructed around the southern perimeter of the works to ensure that all run-off from the works site is directed to the slurry drainage pit for reuse. Any overflow from the slurry drainage pit must be dispersed to land at least 30m from any waterway or dam on a waterway. No works or stockpiles of materials are to occur south of the bund.
27. Sediment control principles outlined in EPA Publication 275, Construction Techniques for Sediment Pollution Control (May 1991) must be implemented to ensure that no sediment laden run-off is able to leave the site or be discharged to waterways, drainage lines or dams on waterways. Appropriate sediment control measures must be maintained to ensure their effectiveness.
28. The slurry storage dam and associated water storage dam must be lined with impervious liners or compacted to a seepage rate of $<1 \times 10^{-9}$ m/sec. Inlet and outlet structures must be appropriately beached to ensure that no erosion occurs and the basin must be periodically cleaned of sediment to ensure it maintains capacity and functions appropriately.

22 February 2022

29. The slurry storage dam and associated water storage dam must have sufficient capacities to contain the slurry and any other stormwater or rainfall from a one in ten year event.
30. Stormwater unaffected by the work site activities must be diverted around the site of operations as unconcentrated overland flow so as not to cause any erosion, channelling or discharge of sediment off-site.
31. Any fuel stored on site must in a bunded area on an impervious surface to ensure spills are contained and leakage cannot occur.
32. There must be no processing of any material on-site using chemicals. 8. All wastewater from staff amenities must be transported off-site to the satisfaction of council's Environmental Health Department.

Permit Expiry

33. This permit will expire if any of the following circumstances applies:
 - a) The development is not started within two years of the original issue date of this permit.
 - b) The development is not completed within four years of the original issue date of this permit.
 - c) The use has not commenced within four years of the original issue date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

1. Before undertaking any works that cross onto public land or roads, the applicant must obtain a permit from the relevant authority giving Consent to Work within a Road Reserve.

22 February 2022



Rural City of
Wangaratta

This report has been prepared to document the statutory planning processing and assessment pursuant to the *Planning and Environment Act 1987 (the Act)*.

WANGARATTA PLANNING SCHEME

PlnApp20/063

**Use and Development of Land for Earth and Energy Resources Industry
(processing of ore for winning gold)**

145 Murrungee Road MURMUNGEE VIC 3747

Crown Allotment 12C Section 14 Parish of Murrungee

Lot 1 Title Plan 600656

Lot 1 Title Plan 924570

KEY DETAILS

Land owner	DA Witherow
Applicant	Andrejs Niklaus
Consultant	Leonardo Belci
Zone	Farming Zone
Overlays	Bushfire Management Overlay
Property ID	19407
Site inspection	The site was visited on 5 May 2020 and 8 October 2021

22 February 2022

PROPOSAL AND SITE DETAILS

The subject land is an approximately 68.9 hectare property comprising three separate lots located in Murmungee and is irregular in shape. The property has frontage to Murmungee Road along the western boundary for approximately 670 metres. The property has frontage to Buckland Gap Road along the eastern boundary for approximately 230 metres. The property adjoins agricultural land to the north east and south. Murmungee I37 Bushland Reserve adjoins the subject land to the north.

The property contains mostly clear grazing land with minimal trees and other vegetation. A cluster of buildings including sheds and an existing dwelling is located along the northern boundary of the property approximately 500 metres east of Murmungee Road. The information submitted with the application indicates that the dwelling is no longer used or suitable to resume being used.

The property has several unnamed waterways traversing it but these waterways converge to create two main waterways, one along the northern boundary of the property and one nearer to the southern boundary. The two main waterways then also join together within the subject land at a point approximately 250 metres east of Murmungee Road. Three dams are located along the northern waterway.

The proposal does not involve use of the entire property. The entire area of the proposed use is approximately 1600 square metres excluding access routes. The proposed activity site is located along the northern boundary of the subject land and is setback approximately 650 metres to the east of Murmungee Road and approximately 23 metres south of the northern boundary of the subject land at its closest point. The proposed activity site is located approximately 17 metres to the north of a waterway and 35 metres west of a dam.

There is also a small waterway which begins north of the proposed activity site and within the Murmungee Bushland Reserve and traverses the subject land approximately 44 metres north west of the proposed activity site at the nearest point. The proposed activity site will be almost entirely located on Lot 1 TP 600656 with part of the activity area possibly encroaching slightly on Crown Allotment 23 Section 14 Parish of Murmungee.

The proposal is for the use and develop the subject land for the activity of processing ore to win gold. The proposal does not include any mining activity occurring on the subject land. The ore to be processed on the subject land is intended to be brought to the subject land. Although it is not explicitly stated in the information submitted in support of this application, Council understands that the proposal relates to an approved mine on nearby land to the east.

The mine referred to was approved under planning permit PlnApp20/030 and relates to land at Crown Allotment 26 Section 13 Parish of Murmungee. The actual site of the approved mine is approximately 3.5 kilometres south east of the proposed processing site.

22 February 2022

Access to the proposed activity site is proposed to be in part via an existing track but mostly via a proposed track. The proposed track is to adjoin the existing track at a point approximately 90 metres south west of the existing dwelling and 400 metres east of Murrungee Road. The proposed new section of the access track is to provide access to the public road network at Murrungee Road at a point approximately 220 metres north of the south western corner of the subject land. The proposed access track traverses waterways at two points, once in the existing section of the track and once in the proposed section.

The application describes the proposed use as involving the following activity. The ore is to be brought to the site in small trucks or other relatively small vehicles. The application indicates that the ore will already have been crushed before being brought to the site. The ore is to be stockpiled at the site prior to being processed on site. It has been indicated that it is expected that no more than three 3.5 tonne loads would be stored on site at any one time. A range of machinery and equipment is proposed to be installed at the site for use in processing the ore. Some of this machinery and equipment is mechanical and requires power.

Power is to be provided by a proposed generator. Council does not have an intimate understanding of the process of extracting gold from ore however the basic elements of the process are that the ore is fed into machinery which crushes the ore into progressively smaller pieces. This is done through mechanical equipment initially and as the ore is broken into smaller pieces the final stages of the process involve human action. The process is described as being free of any chemicals and instead relies on water as the only input.

The quantity of ore expected to be processed is approximately 50 tonnes per week. The process will generate a waste product described as clean crushed quartz. The clean crushed quartz will accumulate in the holding dam and is to be removed and sold as it is described as being a product for which there is a demand. Water used in the process will drain into the holding dam and is to be then re-used. The supply of water is to be provided primarily by extracting ground water via a bore although the application also states that water will be brought to the site during the initial setup of the site.

A number of pieces of machinery and equipment are large and will be effectively fixed in position while some of the equipment is easily moveable. A site shed is proposed for basic amenities for workers while two other sheds are also proposed to protect equipment. These structures are very small and in some cases moveable. One portable toilet is proposed to be installed on the site with disposal of waste from this facility to occur off-site.

The proposed use is intended to operate within the hours of 8am to 6pm Monday to Friday and 9am to 4pm on Saturdays. It is not proposed to operate on Sundays or public holidays. The application indicates that the number of workers involved in the proposed use would likely be two, but may increase to around four in the future.

22 February 2022

The proposal includes the construction of a bund along the southern part of the site to protect the nearby waterway from sediment. Possible dust suppression and noise attenuation actions are put forward in the application but without firm detail.

PLANNING CONTROLS & TRIGGERS

Control	Clause(s)	Consideration
Zone	Clause 35.07-1 (Table of Uses, Farming Zone) Clause 35.07-4 (Buildings and Works, Farming Zone)	Use of land for Earth and Energy Resources Industry Buildings and Works associated with use of land for Earth and Energy Resources Industry Buildings and Works within 100 metres of a waterway
Overlay	Clause 44.06 (Bushfire Management Overlay)	No permit trigger
Particular provision	Clause 52.08 (Earth and Energy Resources Industry)	No permit trigger

Discussion of permit triggers, categorisation of land use and implications

The relevant permit triggers for this proposal and other requirements relating to assessment of the application depend on the categorisation of the proposed land use. Council initially began assessing the application having categorised the proposed land use as 'Industry.'

The potential for the proposed land use to be categorised as 'Earth and Energy Resources Industry' was brought up because this was the interpretation of Country Fire Authority in their referral response. A planning permit is not required under the Bushfire Management Overlay for buildings and works associated with the use of land for Earth and Energy Resources Industry. There would have been a trigger under the Bushfire Management Overlay for buildings and works associated with Industry if the land use were categorized as 'Industry.'

Council sought independent legal advice on the question of correctly categorising the proposed land use. The advice was that the most suitable land use definition would be *Use and Development of Land for Earth and Energy Resources Industry (processing of ore for winning gold)*. The same advice also stated that the use also fit the definition of 'Mining' which is nested within the broader land use term of 'Earth and Energy Resources Industry.' Council categorised the proposed use in accordance with the legal advice.

22 February 2022

Clause 52.08 (Earth and Energy Resources Industry) sets out a number of matters relating to applications for use of land for Earth and Energy Resources Industry. The clause sets out that mining is a use that is exempt from requiring a planning permit subject to meeting certain requirements relating to having an Environmental Effects Statement approved. The proposal is not eligible for this exemption. The clause also sets out application requirements for mining. These requirements were to provide a copy of a Work Plan and other associated information. Council sought advice from Earth Resources Regulation on this matter and was advised that the use did not constitute mining and that no Work Plan or other approval was required for the proposed use under the Mineral Resources (Sustainable Development) Act 1990. The information requirements under Clause 52.08 are therefore not applicable. The advice from Earth Resources Regulation also contended that the use should be described as 'Industry.'

The advice from Earth Resources Regulation does conflict somewhat with the legal advice sought by Council. Whilst the legal advice did state confidently that the proposed use was Earth and Energy Resources Industry more broadly, there was less confidence expressed in the assertion that the use was also 'Mining.' Reconciling these two pieces of advice leads Council to conclude that the proposed use is not 'Mining' but is 'Earth and Energy Resources Industry.'

The implication of the land use categorisation also affects how the proposal is affected by the Aboriginal Heritage Act 2006. The Regulations under the Act require a Cultural Heritage Management Plan to be approved before a planning permit can be issued for use or development of land for 'Industry' however the same requirement does not apply to an application for 'Earth and Energy Resources Industry.' The proposed access route is the only part of the proposed use which is to be within an area of Aboriginal Cultural Heritage Sensitivity.

In summary, Council has sought independent legal advice on the categorisation of the land use for this proposal and also received separate advice from Earth Resources Regulation which has also been given some weight. Council has made a decision on the categorisation of the proposed land use based on the best information available and has stated how this decision was made for transparency.



22 February 2022

Aerial Imagery from IntraMaps 2019 showing the subject land with the extent of the Bushfire Management Overlay hatched red and area of Aboriginal Heritage Sensitivity hatched green.

Cultural sensitivity

Pursuant to the *Aboriginal Heritage Regulations 2018*, a Cultural Heritage Management Plan (CHMP) is not required as the proposed development is an exempt activity or is a low impact activity as defined by the regulations.

The non-requirement of a CHMP is affected significantly by the categorisation of land use and this is addressed previously in this report.

Restrictions on Title (Covenants, S173 agreements and easements)

The proposal does not breach any restriction on title.

Special Water Supply Catchments

The land is within a Special Water Supply Catchment as listed in schedule 5 of the *Catchment and Land Protection Act 1994*.

Agricultural versatility

The land is mapped as being of high agricultural versatility.

REQUEST FOR FURTHER INFORMATION

Pursuant to Section 54(1) of the Act, additional information was sought by Council during the assessment of the application.

The information sought was:

- Detailed plans
- Information about water usage
- Clarification of details originally provided
- Consent from the Public Land Manager to access through Bushland Reserve (when consent was not granted the plans were changed to show a different access route)
- The value of the proposed development
- Details on noise
- Information about number of workers
- Information regarding bushfire (later deemed not to be required due to land use definition being amended)
- Quantity of material to be stockpiled
- Whether certain types of approval are required from the Environment Protection Authority (EPA)

22 February 2022

- Details regarding disposal of wastewater from portable toilet

The applicant submitted the required information and satisfied the request.

AMENDMENT TO APPLICATION

Date of change	What was amended (i.e. plans, hours of operation?)	How was the amendment made?
12 July 2020	Access was revised as consent to access the site through the adjacent Bushland Reserve could not be obtained.	The applicant submitted the revised plan in response to a further information letter.
13 November 2021	The plans were amended to slightly alter the layout and to include bunding around the activity area. The plans were originally sent to North East Catchment Management Authority directly without Council being aware. Council became aware at a later date when alerted to this fact in the referral response from North East Catchment Management Authority. While the changes were minimal they were enough to necessitate re-advertising and re-referring the application.	The applicant submitted the revised plan after public notice.

REFERRALS & PUBLIC NOTIFICATION

Referrals

The application was referred to the following authorities:

Authority	Referral trigger(s)	Section and status	Response
Country Fire Authority (CFA)	No referral trigger – The application was referred when the land use was categorised as being 'Industry' however when this land use was categorised as 'earth and Energy Resources Industry' there was no longer a trigger for referral.	Not applicable	Advice provided that the application does not require referral to CFA. A suggestion was made for a Emergency Management Plan to be prepared.

22 February 2022

Environment Protection Authority (EPA)	No trigger for referral – advice requested at the discretion of Council	Not applicable	No objection. Advice was provided particularly in regard to dust and noise. Confirmation provided that no EPA approvals are required for the proposed use.
Goulburn Murray Water (GMW)	Clause 66.02-5 (Special Water Supply Catchment)	Section 55 - Determining	No objection subject to conditions. The determination of this application was delayed when it was noticed by Council that Goulburn Murray Water had in their referral response included conditions which were inconsistent with the plans submitted and amounted to an inadvertent objection. After being alerted to this Goulburn Murray Water revised their referral response.
North East Catchment Management Authority (NECMA)	Not applicable – Council sought the views of NECMA at its own discretion due to the proximity of the proposal to waterways and the potential impact on waterways and also because the proposed access will	Not applicable	No objection subject to conditions.

22 February 2022

	require a small bridge or culvert over a waterway.		
Earth Resources Regulation	Not a formal referral but advice sought regarding whether information requirements under Clause 52.08 are applicable.	Not applicable	Advice provided that the information requirements are not relevant to this proposal.

Internal advice (including verbal advice)

Unit	Reason for advice	Response
Technical Services	Drainage & access	No objection subject to conditions
Environmental Health	Toilet facilities – Proposed portable toilet	No objection. Advice was provided that the disposal of effluent from portable toilets on work sites is not governed by Council.

Public Notice

Public notice was carried out by Council in accordance with Section 52 of the Act.

Notice was given in the form of letters to nearby owners and occupiers.

A total of 17 objections were received and are considered later in this report.

PLANNING CONSIDERATION**Planning Policy Framework**

The following clauses of the PPF are relevant to the assessment of this application:

Clause 12.03-1S – River corridors, waterways, lakes and wetlands

Clause 13.02-1S – Bushfire planning

Clause 13.05-1S – Noise abatement

Clause 13.06-1S – Air quality management

22 February 2022

Clause 13.07-1S – Land use compatibility

Clause 14.01-1S – Protection of agricultural land

Clause 14.02-1S – Catchment planning and management

Clause 14.02-2S – Water quality

Clause 14.03-1S – Resource exploration and extraction

Clause 14.03-1R – Resource exploration and extraction – Hume

Clause 17.01-1S – Diversified economy

Clause 17.01-1R – Diversified economy – Hume

Clause 19.02-6S – Open space

Local Planning Policy Framework

The following clauses of the PPF are relevant to the assessment of this application:

Clause 21.03-1 – Biodiversity

Clause 21.03-3 – Rivers

Clause 21.05-2 – Water

Zone

Clause 35.07 – Farming Zone

Overlay(s)

Clause 44.06 – Bushfire Management Overlay

Particular provisions

Clause 52.06 – Car parking

Clause 52.08 – Earth and Energy Resources Industry

General provisions

Clause 65.01 – Approval of an application or plan

22 February 2022

ASSESSMENT AGAINST PLANNING POLICY

The proposal is for the use and development of a facility to process ore to extract gold. The proposal represents economic development and is supported by relevant policy which seeks to promote a diversified economy by supporting industry where appropriate. The proposal is also supported by policy addressing resource exploration and extraction which seek to support such activity within acceptable environmental standards. The proposal is for a processing site which will support a nearby resource exploration and extraction activity.

The key issue for this application is whether the benefits of the proposed use are outweighed by other issues. The other issues relevant to the proposal are whether the proposal is consistent or at least acceptable within the context of the local area and whether environmental risks can be mitigated to an acceptable level.

The subject land is located in the Farming Zone. The surrounding area is characterised by grazing animal production being the predominant land use with several dwellings also present within the vicinity of the subject land. The Bushland Reserve to the north is used for passive recreation and serves an environmental function.

The primary purpose of the Farming Zone is to support agricultural production and to protect agricultural land from becoming lost to agriculture. Other land uses such as dwellings or industry such as what is proposed in this application are land uses which are allowable in the zone provided they do not adversely affect agriculture and are compatible with adjoining land uses.

The proposal involves use of a very small area of agricultural land which would be removed from agricultural production. The area to be removed from agricultural production is considered negligible and the loss of this area is not something that makes the proposal inconsistent with the zone. Additionally there is justification for why the proposed land use should be allowed to be established in the proposed location. There is a clear economic imperative for the processing site to be located relatively close to the mine site. It is not as though the proposed activity has no relationship with the local area.

There are potential amenity and environmental impacts from the proposal that could limit agricultural production on surrounding land and could make the proposed use incompatible with surrounding land uses such as dwellings and agricultural uses and the use of the adjacent nature reserve. The potential amenity and environmental impacts relate to issues such as traffic, water supply, pollution to waterways, noise pollution, dust pollution and bushfire threat.

The scale of the proposed use is relatively minor with the application indicating that initially two workers would be involved with the potential to increase to four workers and the hours of operation are proposed to be up to six days per week during general business hours. The quantity of traffic that will be generated by the proposal is not concerning and is at a level that will easily be able to be accommodated by the local road network. Noise from traffic is also not a concern given the proposed hours of operation.

22 February 2022

The impact of the proposal on groundwater resources is also not of concern because the application was referred to Goulburn Murray Water who are responsible for considering such matters. They did not raise any suggestion that a bore license would be inappropriate at the proposed site.

Similarly, the potential risk for the nearby waterways to be polluted by the proposed use through sediment or other pollutants washing into waterways has been mitigated to the satisfaction of relevant water authorities, Goulburn Murray Water and North East Catchment Management Authority. The proposal includes bunding to protect the waterway from sediment and the process does not involve chemicals which avoids further risk to the waterway.

Dust is unlikely to create off-site impacts as the process involves the use of water at all stages which will ensure that dust is suppressed. Dust suppression can easily be done by spraying whenever this is necessary and the separation distance between the proposed activity site and sensitive receptors in the local area ensure that the risk of dust causing unacceptable impacts is avoided. The Environment Protection Agency have advised that they do not have concerns about the risk of dust.

Noise impacts are the most likely element of the proposal to make it unacceptable and also the most difficult to assess. Limited reliable information has been put forward in the application addressing noise and the onus is on the application to demonstrate that the proposal will be acceptable. The application has not sufficiently demonstrated this to the extent that the application could be approved without significant conditions on a permit addressing noise.

The application indicates the volume of the generator in decibels but gives no such figure for the ball mill. These two sources of noise are likely to be continuous sources of noise that occur and are therefore of most concern in the assessment of this proposal. This is in contrast to intermittent and brief noise sources such as vehicles entering and exiting the site and loading and unloading material.

Some possible noise mitigation actions have been identified in the application. These include the ball mill being rubber lined, applying rubber lining to the bins to reduce noise when ore is unloaded and housing the generator in an acoustically treated shelter. These suggestions could potentially assist in mitigating noise but there is insufficient certainty as to whether the result will be acceptable. The hours during which the site will operate is also directly relevant to the assessment of noise.

The proposed operating hours are the maximum possible hours that the permit applicant proposes to operate so it is likely that the use will not typically operate for the full amount of time nominated. The proposal must nevertheless be assessed based on the expectation that the full hours nominated will be the typical operating hours which will occur. The operating hours proposed are within the time period which allows for maximum noise under the Environment Protection Regulations which sit under the Environment Protection Act 2017.

The possibility of noise impacts affecting the Bushland Reserve and the fauna which are found there is also relevant. It is not only an assessment of potential impacts to nearby dwellings and agricultural activities. The possibility of livestock being stressed by noise is also a risk.

22 February 2022

There is concern regarding the possible cumulative effect of the two key noise sources identified, those being the ball mill and the generator. These two noise sources will operate at the same time because the generator provides power to the ball mill. The Environment Protection Authority (EPA) addressed noise in their referral response stating that they consider that their will be minimal noise impacts.

It is not clear however whether the EPA considered the ball mill or the generator only. There is sufficient doubt regarding whether noise levels will be acceptable to warrant further evidence of this prior to allowing commencement of the proposed use. The EPA advice does however give confidence that it is very likely that with appropriate and necessary measures to mitigate noise levels, the proposal can reduce noise levels to within acceptable limits.

To address noise concerns a condition shall be included on the permit requiring a Noise Management Plan to be submitted for approval by Council prior to the commencement of the use and for this Plan to be prepared by a suitably qualified professional in accordance with the methodology set out in the Environment Protection Regulations under the Environment Protection Act 2017. These regulations set out acceptable noise levels in various contexts. The condition would require the use to be carried out always in accordance with Noise Management Plan.

The approach of requiring such a condition to address noise concerns reflects that Council has a reasonable level of confidence that noise can be mitigated to an acceptable level but that it has insufficient confidence to be certain that the outcomes will be acceptable without further steps to ensure that the outcome is acceptable.

Subject to the condition proposed to address noise, impacts on surrounding land uses can be mitigated to an acceptable level to avoid land use conflicts.

The proposal does include machinery which could generate a bushfire threat. This issue can be easily mitigated by requiring fire fighting equipment on site and staff to be on site when the proposed use is operating, and this can be required by a permit condition. The proposal is not subject to any requirements related to the Bushfire Management Overlay because there is no trigger under the overlay for buildings and works associated with the proposed land use.

The proposal does not have an associated mandatory car parking requirement and therefore the necessary amount of car parking is at the discretion of the Responsible Authority. There is ample space at the site for parking based on the description of the proposed use and therefore parking is not an issue for this application and provision for car parking is considered satisfactory.

There are no specific requirements or exemptions relevant to the proposal under Clause 52.08 (Earth and Energy Resources Industry).

Overall the proposal is considered to be an acceptable land use in the zone which will not adversely impact on agriculture or existing land uses in the surrounding area or will do so to an acceptable level. Potential environmental risks can be mitigated appropriately through the design of the site and through appropriate permit conditions. It is therefore recommended that the application be approved subject to conditions.

22 February 2022

Consideration of submissions

A total of 17 objections were received. It should be noted that most of the objections were received during the first period of advertising of this application and before some minor amendments were made to the proposal and before a written response to the objections was provided by the permit applicant.

There were some objectors who made more than one submission and in most of those cases the additional submission/s were received after the application was re-advertised.

The grounds for objection and the Officer response is as follows:

Ground of objection:	Response:
<p>Community consultation</p> <ul style="list-style-type: none"> • There has been insufficient community consultation in relation to this proposal. • The proposal represents a significant change in policy by Council. • There has been no dispute resolution process outlined. • A conciliation meeting should be held and the decision on the application should wait until such a meeting can be held (if COVID restrictions prevent this). • A site visit would assist the community to understand the proposal better. • Notification of the application did not extend far afield enough from the subject land. • Approval of the proposal without any community consultation is unlawful. 	<p>Notification of the application was given to owners and occupiers of nearby land including and to any dwelling within 1.5 kilometres of the proposed processing site. This was done effort to ensure that anyone affected would receive notice and is considered satisfactory. It is evident that the notification process resulted in significant community awareness of the proposal.</p> <p>The provision of notice to nearby owners and occupiers is the community consultation process required under the Planning and Environment Act 1987 and therefore having fulfilled that requirement, the decision by Council will not be unlawful.</p> <p>The proposal has come from a member of the public and must be assessed by Council. The existence of the application therefore does not represent any change in policy by Council. It is the responsibility of Council to apply relevant policy in the assessment.</p> <p>Council is aware that the permit applicant has invited some community members and objectors to visit the site and this may be helpful to those involved however this is not a process Council can require or that Council would necessarily seek to arrange.</p> <p>Council can hold a conciliation meeting but this is usually done where there seems a reasonable</p>

22 February 2022

	<p>prospect of compromise being reached. Given the number and content of the objections, it was not deemed worthwhile to hold such a meeting.</p> <p>It is not always possible to resolve disputes but Council must consider all submissions before making a decision on the application.</p>
<p>Alleged commencement of proposal</p> <ul style="list-style-type: none"> • The use of land described in the application has already commenced or has commenced but at a lower intensity than described in the application. • The physical infrastructure, buildings and equipment associated with the proposal have already been installed. • There has been a lack of enforcement in relation to the unauthorised activity. • The lack of enforcement action suggests Council has pre-determined the outcome of the application. 	<p>Council has not seen any direct evidence of the proposed activity operating however several reports have been received about this. It is clear that physical infrastructure, buildings and equipment are at least being stored at the proposed site without authorisation. This is an ongoing enforcement matter.</p> <p>In approaching enforcement matters some pragmatism must be used in weighing what action to take and when to take it. Continuing to monitor this matter while moving to determine the application is the best use of Council resources.</p> <p>There has been no pre-determination of the application and Council will take enforcement action as necessary in relation to this matter.</p>
<p>Standard of documentation</p> <ul style="list-style-type: none"> • The application is supported by a poor standard of documentation which is difficult to interpret and lacks detail. • The proposal doesn't adequately address relevant planning policy. 	<p>Council acknowledges that the documentation associated with this application is not easy to follow and has been provided in a piecemeal manner as the application has progressed. Council is satisfied that sufficient information has now been provided to gain a sufficient understanding of the proposal to determine the application. There is always the option to require some clarification of details or additional details to be shown through conditions on permits.</p>

22 February 2022

<ul style="list-style-type: none"> • There is a poor standard of documentation in relation to environmental impact, waste generation and disposal, technical details of processing ore, water use and associated impact, noise generation and attenuation, dust generation and attenuation, traffic, power generation, impact on flora and fauna and emergency procedures. • An Environmental Management Plan should be required information as suggested in correspondence from Environment Protection Authority. • Information provided generally makes no reference to relevant standards, codes of practice or legislation. • There is no engineering design for the holding dam and the description on the plans of the 'platform' is misleading. 	<p>Generally it is in the interest of the permit applicant to make the application as clear as possible to ensure that any conditions associated with approval of the proposal are consistent with what is actually been proposed. Every opportunity has been given to the permit applicant to clarify details in regard to this application.</p> <p>In all applications there is the possibility that some aspect of the proposal may be misunderstood. It is important for Council to not get bogged down by this possibility and to make a decision based on the best understanding of the application able to be formed based on the information available.</p> <p>While it may assist to understand more specifically the technical details of the processing of the ore, traffic movements, noise sources and waste disposal amongst other things, that does not mean that the level of detail provided is insufficient or that a particular issue cannot be assessed or addressed in some way.</p> <p>The scale of a proposal is a relevant factor in considering what level of detail is essential and to weigh the potential risks associated with a proposal. This proposal is a small scale proposal for the type of use that is proposed.</p> <p>A permit applicant is required to adequately describe the proposal and often reference to compliance with standards, codes of practice or legislation will form part of what is submitted however it is ultimately for Council or other regulatory bodies to ensure compliance with such requirements where relevant.</p> <p>A permit application may include argument as to why a proposal is consistent with relevant planning policy however this is not essential and</p>
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22 February 2022

	<p>Council can make an assessment of the proposal against relevant policy regardless.</p> <p>Specific engineering detail can be required as necessary as a condition of permit and is not necessarily required information at the planning permit application stage.</p> <p>The material submitted with the application includes a letter from the Environment Protection Authority suggesting an Environmental Management Plan be prepared. This letter was correspondence between the permit applicant and the Environment Protection Authority directly. The permit application included details of how the site and potential environmental impacts would be managed and Council is now satisfied that sufficient detail has been provided to allow for assessment of the proposal and that conditions on permit can address any outstanding matters.</p>
<p>Inappropriate use for the zone</p> <ul style="list-style-type: none"> • The proposal is an industrial use and requires separation distance from residential areas. • The proposal should be located in an industrial zone or other more appropriate zone. • The proposal will cause impacts to dwellings in the surrounding area. • The proposal will cause direct impacts to agricultural uses occurring in the surrounding area including causing stress to stock, impact on shared water resources and reputational impact to local produce. 	<p>The proposal has been categorised as ‘Earth and Energy Resources Industry’ and the Wangaratta Planning Scheme does not include any mandated separation distance associated with the use. While residential uses are occurring nearby to the subject land, the surrounding area is characterised as primarily a farming area.</p> <p>The purpose of the zone is primarily to provide for the use of land for agriculture however other land uses in the zone are contemplated with the impact of the other uses on agriculture being important.</p> <p>The potential impact to agricultural uses in the surrounding area is best addressed through considering each type of possible amenity impact and this is done later in this section of the report.</p> <p>Any impact to surrounding agricultural uses that would impact the quality of produce and lead to</p>

22 February 2022

<ul style="list-style-type: none"> • The proposal can be approved but this does not imply that it should be approved. • The argument that the proposed activity area is not being used for agriculture does not create a justification for approval of the proposal. • The proposal will result in a loss of land available for agricultural production. • The proposal will not support or enhance agricultural production. 	<p>reputational impact for the area more broadly is a serious consideration but whether this is relevant flows from the analysis of each type of possible amenity impact.</p> <p>Dwellings in the zone are also to be protected from incompatible land uses and the possible impacts on dwellings are also best addressed through considering each type of possible amenity impact and this is done later in this section of the report.</p> <p>The size of the area to be used is relatively insignificant and therefore in the context of considering the loss of land available for agricultural production this is not an important factor. The potential impact on surrounding land is of far more consequence than the loss of the proposed activity area itself.</p> <p>It is clear that the use will not support or enhance agricultural production but it is also considered that it will not have any detrimental impact in the opposite direction either and therefore is neutral on that decision guideline.</p> <p>It is agreed that the lack of current use of the proposed activity area for agriculture is not a factor which provides any substantial weight to whether the proposal should be approved.</p>
<p>Inconsistency with planning policy</p> <ul style="list-style-type: none"> • The proposal does not address the Wangaratta Industrial Land Use Strategy. • Economic benefits from proposal will be short-term but with long-term impact to farming. • Mining related activities are incompatible with tourism in the local area. 	<p>There are relevant state and local planning policies addressing economic development and sitting underneath that is tourism also. The potential for a use such as is proposed to impact on farming and tourism is acknowledged. Provided that amenity impacts are properly addressed there should be no detrimental impacts to economic development in the area, in either the farming or tourism sectors.</p> <p>The Industrial Land Use Strategy is not relevant to the proposal. This strategy relates to industrial zoned land and other urban zoned</p>

22 February 2022

	<p>land in the Wangaratta urban area. This strategy does not provide any guidance regarding industrial uses outside of urban zones.</p>
<p>Environmental impacts and monitoring</p> <ul style="list-style-type: none"> • Some form of ongoing monitoring is necessary because the permit applicant has stated that they are not professional. • A range of potential environmental impacts which could require monitoring were identified including waterway impacts, groundwater impacts, dust impacts, noise impacts, waste products and disposal and traffic impacts. • A study is required prior to commencement of the proposed use to create a baseline for ongoing monitoring of environmental impacts. • The lack of environmental information provided indicates a lack of understanding of environmental risks. 	<p>The level of environmental risk associated with the proposed use is relatively low because of the small scale of the proposal. It is not considered justified to require any special monitoring to occur in relation to the use.</p> <p>Relevant government agencies including Council have a responsibility to ensure compliance with relevant laws and requirements and have the power to investigate such matters if that becomes necessary. This includes enforcement of permit conditions.</p>
<p>Waterway impacts</p> <ul style="list-style-type: none"> • Pollution of nearby waterways could occur as a result of the slurry dam overflowing during heavy rain. • Pollution of nearby waterways could be 	<p>The application makes clear that the process will not involve any chemicals therefore it is not possible for chemicals to pollute the nearby waterways.</p> <p>The amendment to the application made after notice of the application was first given, introduced bunding to the site and this design was negotiated with North East Catchment Management Authority. Council accepts the</p>

22 February 2022

<p>caused by flooding of the site.</p> <ul style="list-style-type: none"> • Chemicals from the process may pollute nearby waterways. • Excessive stockpiling of ore could lead to impacts on waterway. 	<p>advice of North East Catchment Management Authority that the proposed bunding will prevent any pollution to the waterways even in flood events.</p> <p>Stockpiling of unprocessed ore will be required to be located such that stormwater runoff from those areas will wash into the slurry dam and this was a matter considered by Goulburn Murray Water in particular.</p>
<p>Groundwater impacts</p> <ul style="list-style-type: none"> • It is unclear what amount of water is to be taken from groundwater resources. • It is unclear whether it is proposed to transport water to the site or to obtain water using a bore. • Obtaining groundwater to enable the proposed use will adversely impact availability of groundwater in the surrounding area by lowering the water table, affecting residential and agricultural water availability. • The quantity of water required for the proposed use is greater than described in the application. 	<p>The application indicates that a bore is proposed and that a maximum of 3 megalitres per year would be taken from the bore. The application also mentions transporting water to the site but Council understands that this water being brought in is for initial setup of the site only.</p> <p>Any water brought to the site would need to be clean water and this can be addressed with a condition on a planning permit.</p> <p>Council has no reason to doubt the estimated water usage given by the permit applicant and do not consider the claim that the actual required amount of water is greater to hold any weight. If additional water is required than what can be efficiently or legally obtained then that is a severe problem for the permit applicant but not something that would concern Council.</p> <p>Goulburn Murray Water has considered the proposal and have not objected to the proposal subject to conditions. It is evident from the conditions required by Goulburn Murray Water that authorisation is required for the installation of a bore but this aspect of the proposal has not been identified as an area of concern. Council will follow the advice of Goulburn Murray Water regarding management of groundwater resources.</p>
<p>Dust impacts</p> <ul style="list-style-type: none"> • The proposed new crossover providing access 	<p>The proposed crossover location is not considered likely to result in any significant level of dust that would be beyond what would</p>

22 February 2022

<p>to the site from Murrungee Road will generate dust which will affect nearby dwellings.</p> <ul style="list-style-type: none"> The proposed activity will generate dust through its process which will affect the surrounding area. 	<p>normally be expected long such a road. The proximity of this crossover to dwellings is reasonable and no significant impact on those dwellings could be reasonably expected.</p> <p>The applicant has indicated that unprocessed ore will be brought to the site in a wet condition and that each stage of the process involves water. It is therefore very unlikely or will be rare for dust to be a concern. The applicant has indicated that misting will be used to suppress dust where necessary. This issue can be addressed satisfactorily by way of permit condition.</p>
<p>Noise impacts</p> <ul style="list-style-type: none"> The noise generated by the proposal will be constant whereas typical uses in the surrounding area produce intermittent noise. The assurances given and information given regarding noise to be generated by the proposal and noise attenuation is not sufficient or reliable. The proposed working hours are excessive and will result in noise impacts for a significant proportion of the time. The landscape allows for noise to carry through the valley easily. The loading and unloading of ore, the tumbling motion of the ball mill and the noise of the generator are identified as being specific noise sources of concern. 	<p>Council agrees that there is a significant distinction between noise that is intermittent or irregular and noise which is continues for long periods of time. It is understood that the use of the generator and the ball mill are noise sources which would typically operate continuously for significant periods of time whilst the loading and unloading of truck loads of ore would be noise sources that would usually last only seconds.</p> <p>It is also agreed that the surrounding area is not known to have any constant noise sources similar to those which are part of the proposed use.</p> <p>The extent to which noise carries through the landscape is significant and will be particularly relevant at times when other noise in the local area is low. This is relevant to the proposed hours of operation which ensure that the use will be occurring during business hours. The proposed hours of operation are all within the hours defined as 'day' hours in Environment Protection Regulations under the Environment Protection Act 2017.</p> <p>Council cannot reasonably gauge noise levels from reports of local people who claim that the use has been operating and has given them a preview of the expected noise levels. The ability</p>

22 February 2022

<ul style="list-style-type: none"> • An acoustic assessment should have been required information to be submitted with the application. • The proposed use has already been occurring at times and this has given a preview of the noise generated by the process and the level of noise was significant enough to warrant going inside. • Vehicles entering and exiting the site in association with the proposed use will generate noise impacts. • The Bushland Reserve is only a noise buffer on one side of the proposed use. 	<p>to hear noise while outside a dwelling does however not automatically mean that the noise is unreasonable.</p> <p>The noise of vehicles entering and exiting the site is considered to be an intermittent noise source and relatively minor and unlikely to cause adverse impacts.</p> <p>Vegetation in the Bushland Reserve does not have any significant noise attenuation properties and therefore it is unlikely this vegetation will provide any assistance to reduce noise.</p> <p>The information given about the noise generated by the generator is understood to have been taken from the manufacturer’s specifications and is considered useful. Other information submitted regarding noise is unable to be given any weight due to it not being studied in a methodical way. Overall there is limited assurance that noise levels will be acceptable, particularly with regard to the ball mill for which noise levels have not been indicated.</p> <p>An acoustic assessment would have potentially provided assurance that noise levels would be acceptable and for the permit applicant could have eased an aspect of the proposal which is of significant concern. Council requested additional information regarding noise and alerted the permit applicant that this was a significant area of concern and that an inability to demonstrate acceptable noise levels could be detrimental when it comes to assessment of the proposal. To demand an acoustic assessment could be an onerous requirement but it clearly could have assisted assessment of the proposal.</p> <p>Council can address noise through a permit condition requiring that acceptable noise levels be demonstrated by an acoustic study.</p>
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22 February 2022

<p>Waste products and disposal</p> <ul style="list-style-type: none"> • The waste product from the process will result in an environmental impact. • The waste product may be retained on site and chemically processed. • Concern regarding how waste will be managed. 	<p>Council considers that the application adequately explains that the waste product will be removed from the site. This is an acceptable environmental outcome and it is further understood that the waste product is in commercial demand which would ensure that there is somewhere it can be removed to. The application is clear that no chemicals are proposed to be used. The proposed management of waste is expected to prevent any environmental impact.</p>
<p>Traffic impacts</p> <ul style="list-style-type: none"> • Fuel being brought to the site will generate additional traffic. • The proposed use will generate excessive demands on the local road network. • The increased use of Orton Road to transport material from the mine site to the proposed processing site will create noise and damage to that road. • Access from Buckland Gap Road would be more appropriate as Murmungee Road is unsuitable. 	<p>The scale of the proposed use and the types of vehicles to be used and the number of trips required will be well within what the existing local road network can accommodate.</p> <p>Murmungee Road is an entirely suitable road to provide access to the subject land.</p> <p>The potential impacts of trucks using Orton Road are beyond the scope of this assessment because whether or not this application had been lodged, the mine site which was separately approved would still need to transport material away from the mine and the only feasible route for that is already via Orton Road. The proposal for the processing site is not considered to make any difference to Orton Road.</p>
<p>Aesthetic impact</p> <ul style="list-style-type: none"> • The proposal may have an aesthetic impact on the local area. 	<p>The proposed activity area is relatively small in scale and is to be sited in a relatively hidden location. It is unlikely to significantly impact the aesthetic values of the local area.</p>
<p>Bushfire risk</p> <ul style="list-style-type: none"> • The proposal could generate a risk of starting a bushfire. 	<p>The proposal is not subject to any requirements under the Bushfire Management Overlay however bushfire risk is still a relevant consideration. The potential for the proposed use to generate a bushfire can be satisfactorily addressed by requiring fire fighting equipment</p>

22 February 2022

<ul style="list-style-type: none"> • There is a lack of detail on emergency procedures for fire. 	<p>be stored on site and for supervision of the site at all times it is operating.</p>
<p>Impacts on adjacent nature reserve</p> <ul style="list-style-type: none"> • The Bushland Reserve immediately to the north of the subject land may be affected by the proposal. • The proposal may lower the water table and affect the springs and waterways which exist in the Bushland Reserve and support the ecosystem of the reserve. • The proposed site is too close to the Bushland Reserve and will impact flora and fauna of the reserve. • Vibrations from the proposed use may impact the Bushland Reserve. • The proposal undermines the objectives and achievements of the local Landcare Group in relation to the Bushland Reserve. • Humans enjoying the reserve will be subjected to noise. 	<p>Council appreciates being alerted to the significance of the Murrumbidgee Bushland Reserve as an environmental asset. The protection of this reserve is important and a relevant consideration.</p> <p>Impacts on the water table rely on the advice of Goulburn Murray Water who have not raised concerns with the prospect of a bore license therefore the water impact is considered acceptable.</p> <p>The impact on flora and fauna that live or pass through the reserve is difficult to quantify. Impacts to water in the reserve would be one possible factor that would influence this but these matters have been satisfactorily addressed. Noise and vibrations from the proposed use is the only other environmental impact considered to be a threat to the flora and fauna.</p> <p>Fauna who would frequent the reserve may not do so due to noise and vibrations and this would then impact the flora. The level of noise and vibration is however not likely to be at a level which creates such an impact on flora and fauna.</p> <p>A condition requiring an acoustic study demonstrate acceptable noise levels is to be placed on the permit to address impacts on nearby dwellings and by proxy this study will ensure acceptable noise levels for the reserve also.</p> <p>A higher noise level is considered acceptable for humans enjoying the reserve than for dwellings.</p>
<p>Aboriginal Heritage</p>	<p>The proposal is not bound by any requirements under the relevant legislation addressing</p>

22 February 2022

<ul style="list-style-type: none"> The proposal may impact Aboriginal Heritage. 	<p>Aboriginal Heritage. The land use categorisation is critical to that being the case.</p> <p>The potential impact on Aboriginal Heritage is something that could be addressed if it became necessary however the only part of the proposal within an area of Aboriginal Cultural Heritage Sensitivity is the proposed access route and the works involved in this are relatively minor.</p>
<p>Precedent for the area</p> <ul style="list-style-type: none"> It is necessary to impose conditions to ensure that the scale of the use does not grow over time. The plans do not reflect the future scale of the operation the permit applicant proposes. The site may be sold to someone with less concern about the local community. Proposal may lead to proliferation of similar land uses in the local area. 	<p>Approval of the proposal does not necessarily make it any more likely that similar land uses would also be approved in the local area. Such applications would depend on their specific circumstances. Likewise any future proposal to increase the scale or intensity of what is currently proposed will be considered if such a future proposal occurs.</p> <p>Council must restrict its consideration of this matter to what is actually being proposed in this application.</p> <p>Any possible future transfer of the use of the land to a different manager is entirely a matter for the business and the same requirements would apply to whoever runs the business. The assessment of the application has not been affected by any assessment of the qualifications or skills of any particular person.</p>
<p>Land value and compensation</p> <ul style="list-style-type: none"> The proposal will adversely impact land values in the local area. There should be a compensation scheme tied to monitoring of the use. 	<p>It is beyond the scope of planning to address land values and instead it is those potential amenity impacts or land use conflicts that must be assessed. Often these potential impacts are perceived to affect land values but these impacts are one step removed from considering land values directly.</p> <p>There is no ability for Council to organise a compensation scheme. It is not a warranted requirement regardless.</p>

Although the objections are relevant, they ultimately aren't strong enough to warrant refusal of the application.

22 February 2022

CONDITIONS DISCUSSION

The conditions for this permit need to control the scale of the use to what is being proposed. This has been addressed by including conditions limiting the operating hours and number of workers. The total quantity of material to be stockpiled and processed at the site is difficult to easily measure and therefore applying permit conditions setting upper limits to those amounts is considered problematic.

The limiting of locations where materials are to be stored is more easily measurable and is well covered by North East Catchment Management Authority and Goulburn Murray Water conditions. The effect of these limits and the limiting factor of the actual equipment forming the setup of the site are enough to ensure the scale cannot increase to an unreasonable level without amendment to the permit being required. It is also not necessary to restrict the size of vehicles accessing the site as there is no risk to the community or amenity arising from the possible use of larger trucks and the layout of the site would appear to make it suitable for smaller trucks anyway.

A Noise Management Plan requirement is a key condition that allows for this application to be approved. This condition provides for certainty that noise levels will be acceptable which is something that cannot be assured without such a condition. Other possible environmental and amenity impacts such as dust and bushfire risk have been addressed by simple conditions whilst potential impact on waterways or groundwater is addressed through conditions by North East Catchment Management Authority and Goulburn Murray Water.

A condition requiring amended plans to be submitted and then endorsed prior to commencement of the approved use and development will also be included on the permit. This is to require a new elevation plan of the ore bin alone. The plans upon which a decision is being made for this application show the ore bin and crusher on the same elevation plan. The crusher is no longer part of the proposal and therefore endorsing that elevation plan showing both the crusher and ore bin would be inappropriate.

The CFA suggested that the applicant prepare an Emergency Management Plan – however they did not request it as a permit condition. The absence of a BMO trigger also adds to the conclusion that the CFA's suggestion is simply that – a matter for the applicant to consider.

Given the scale of the proposal – control of traffic numbers per se is not necessary, Officers are confident that the frequency of vehicle numbers will not be excessive. If the operation was of a larger scale, such conditions may be considered appropriate.

CONCLUSION & RECOMMENDATION

The application is consistent with the Wangaratta Planning Scheme and is suitable for support. All submissions have been considered but they are ultimately not strong enough to warrant a refusal of the application. It is recommended that a Notice of Decision to Grant a Permit be issued with appropriate conditions.

22 February 2022

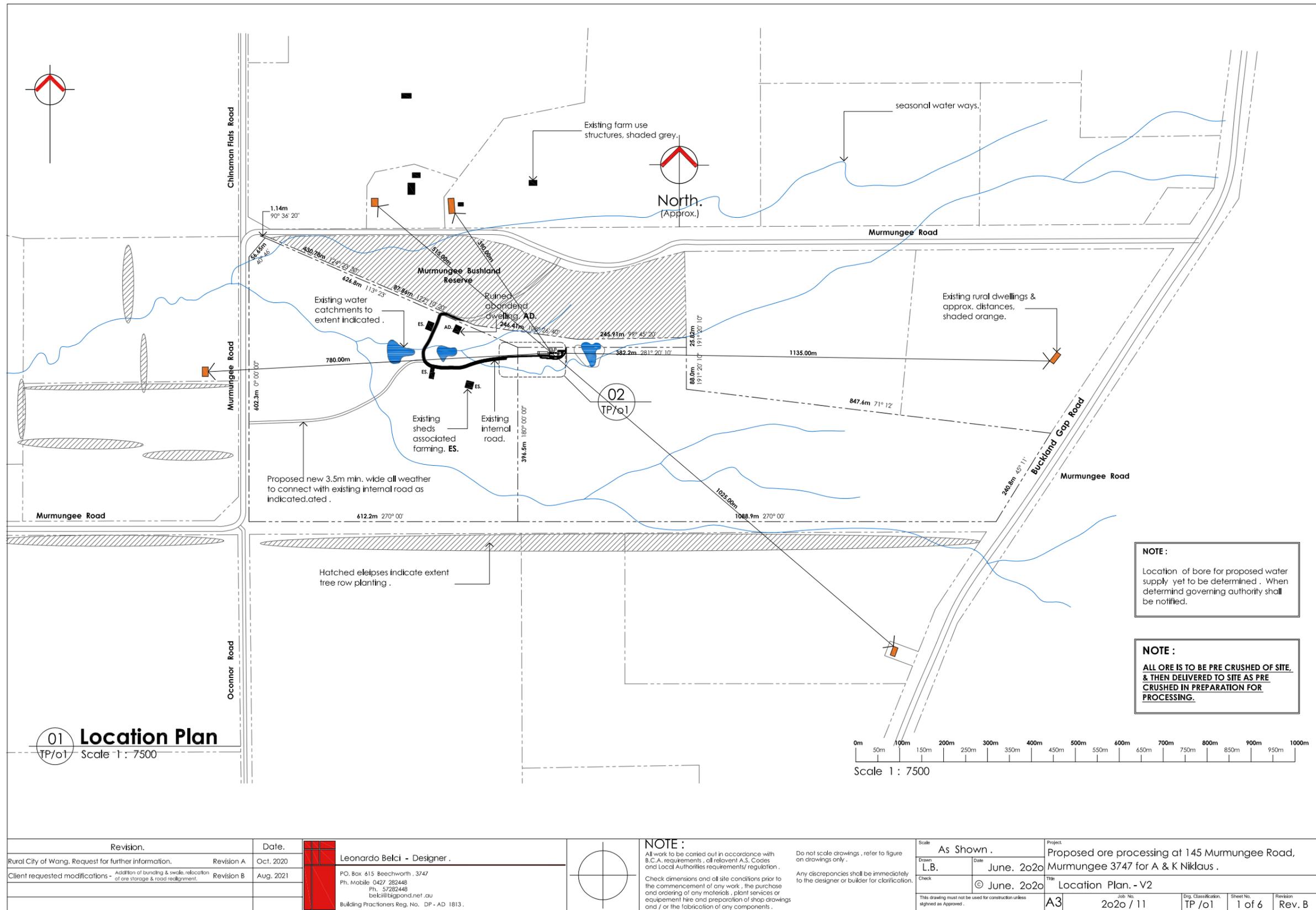
Recommendation

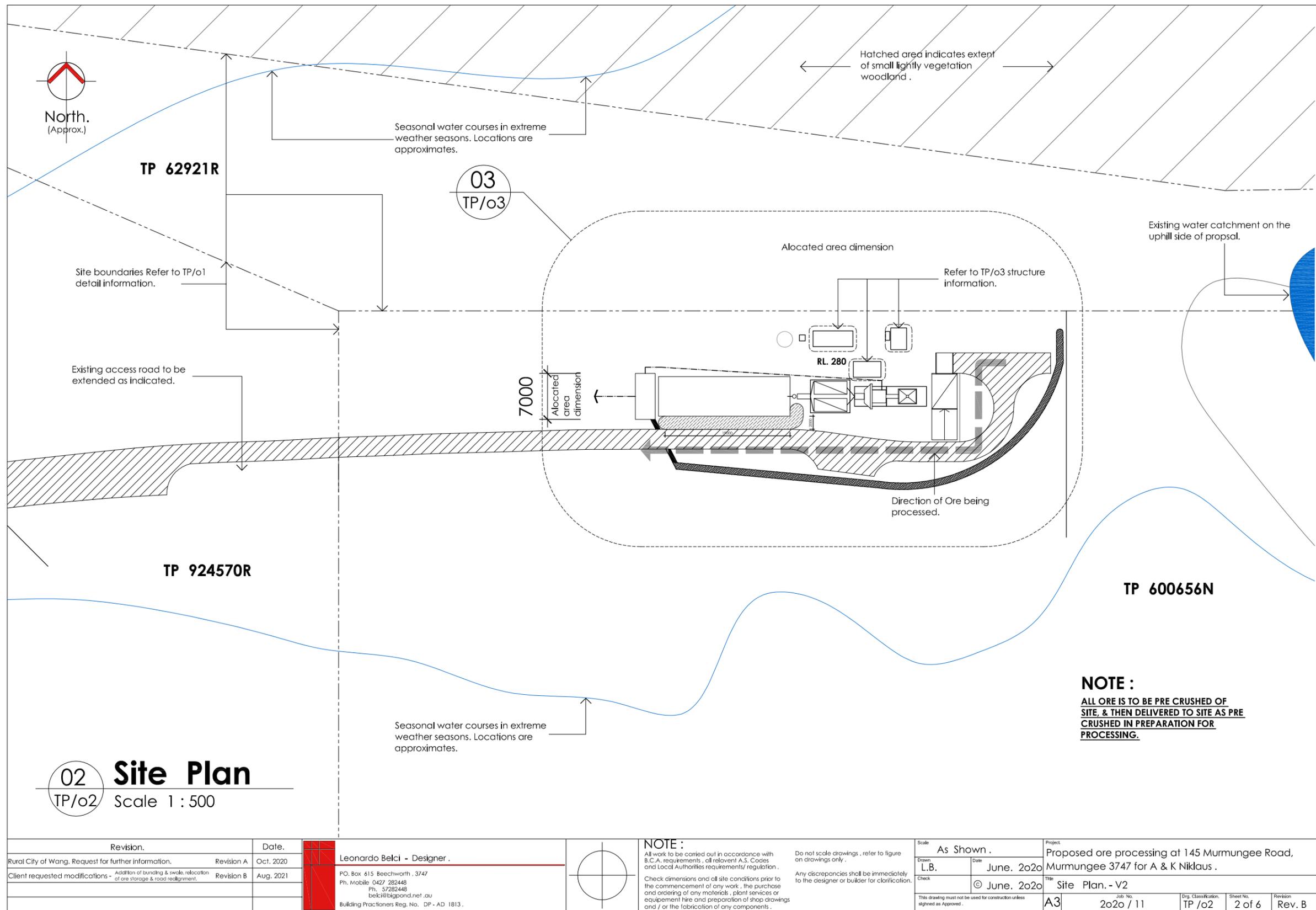
That Council issue a Notice of Decision to Grant a Permit in accordance with Section 64 (1) & (2) of the *Planning and Environment Act 1987*, and that the notice include the conditions set out in Attachment 1.

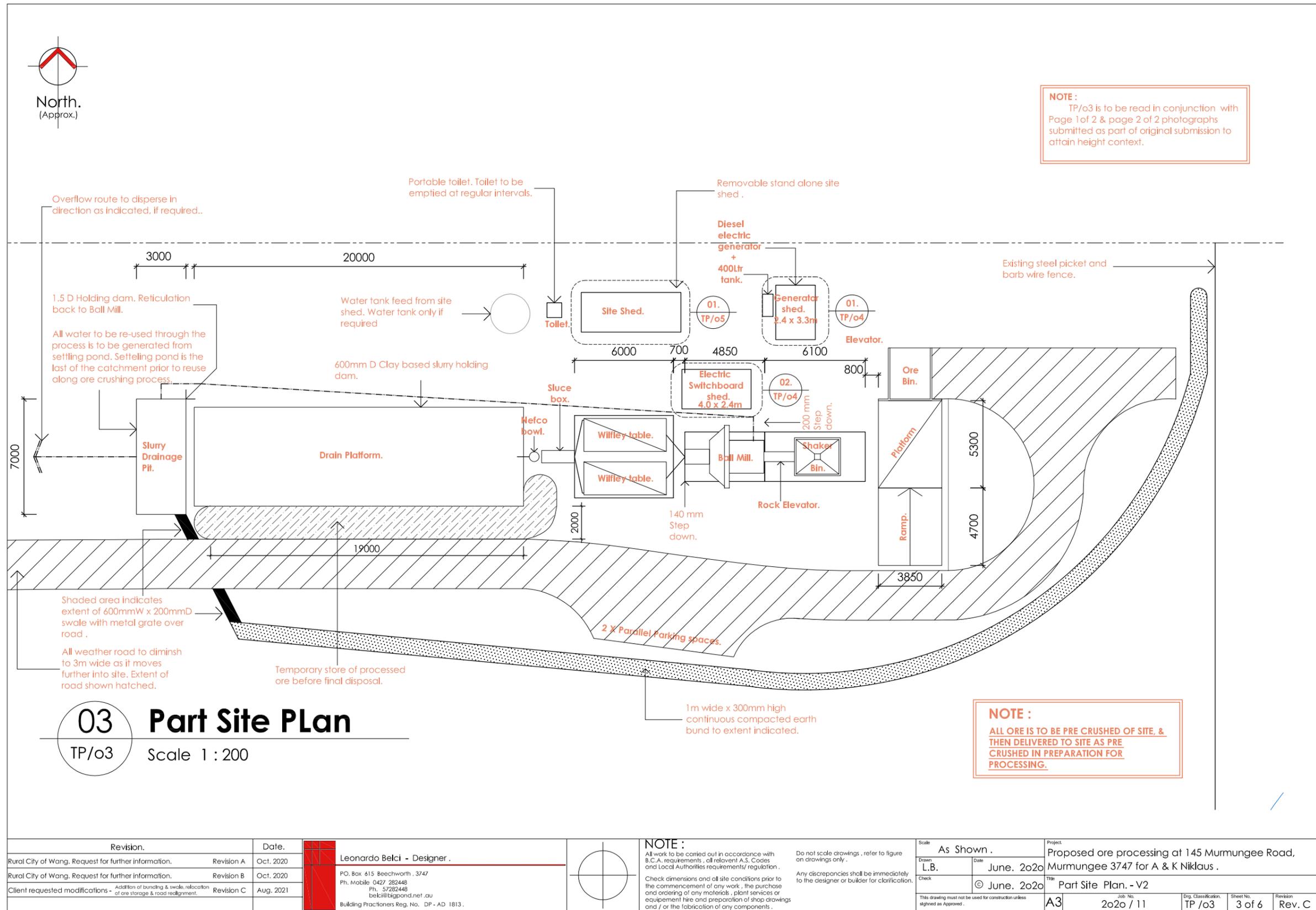
Planner: Jack Pickering

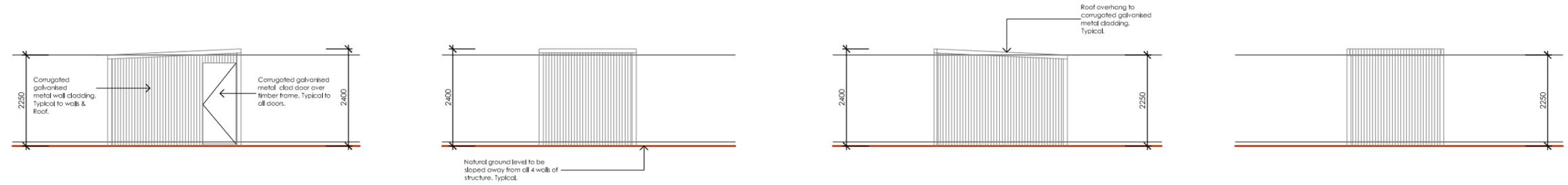
Date: 22 February 2021

22 February 2022







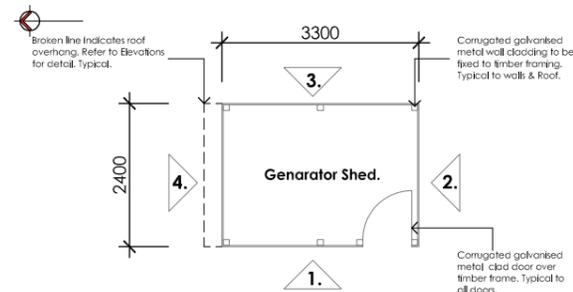


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Elevation - 2.
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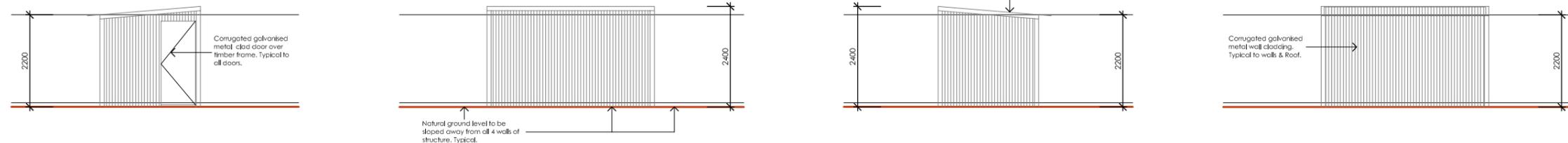
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Elevation - 4.
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Floor Plan
Scale 1:100

Generator Shed.

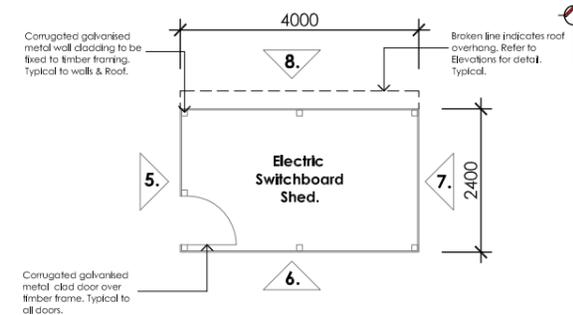


Elevation - 5.
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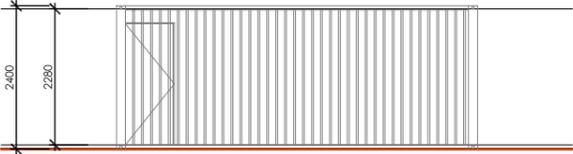
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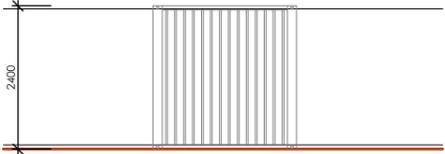
Floor Plan
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Electric Switchboard Shed.

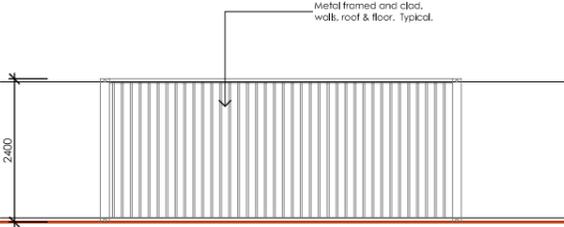
Revision.		Date.	<p>Leonardo Belci - Designer . PO. Box 615 Beechworth . 3747 Ph. Mobile 0427 282448 Ph. 57282448 belci@bigpond.net.au Building Practitioners Reg. No. DP - AD 1813 .</p>	<p>NOTE : All work to be carried out in accordance with S.C.A. requirements - all relevant A.S. Codes and Local Authorities requirements/ regulation . Check dimensions and all site conditions prior to the commencement of any work . the purchase and ordering of any materials , plant services or equipment hire and preparation of shop drawings and / or the fabrication of any components . Do not scale drawings . refer to figure on drawings only . Any discrepancies shall be immediately to the designer or builder for clarification .</p>	Scale	As Shown .	Project	Proposed ore processing at 145 Murrumgee Road, Murrumgee 3747 for A & K Niklaus .			
Rural City of Wang. Request for further information.	Revision 00	Oct. 2020			Drawn	L.B.	Date	Oct. 2020	Title	Generator & Electric Switchboard Sheds	
					Check			© Oct. 2020	Job No.	2020 / 11	
					This drawing must not be used for construction unless signed as Approved .		A3	Orig. Classification.	TP /o4	Sheet No.	4 of 6



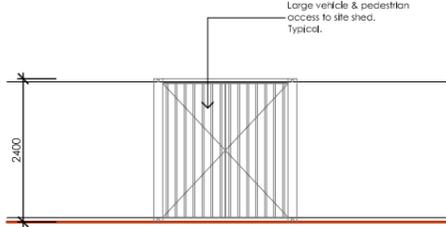
Elevation - 1.
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Elevation - 2.
Scale 1:100

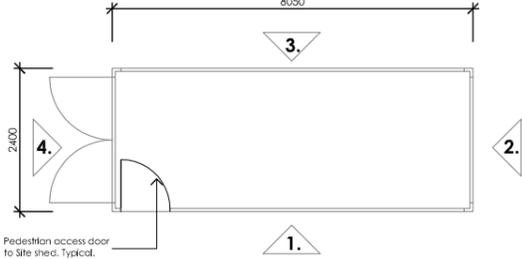


Elevation - 3.
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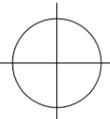
Elevation - 4.
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NOTE:
Site shed as indicated below is transportable metal shipping container. What is shown is the extent of the structure. It will be transported to site, only should if be required. Structure will be located as shown on TP/03 when & if required.

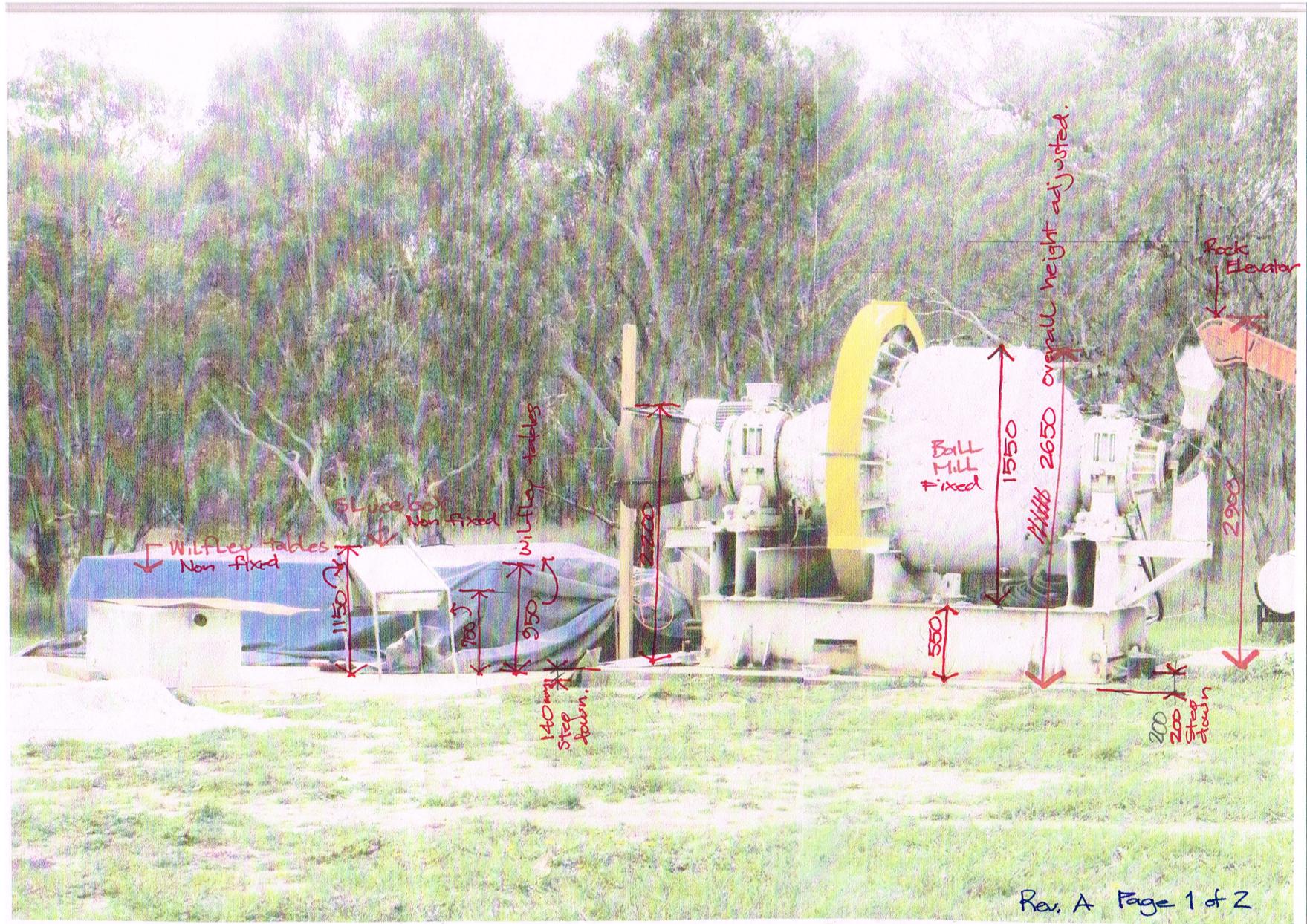


Floor Plan
Scale 1:100

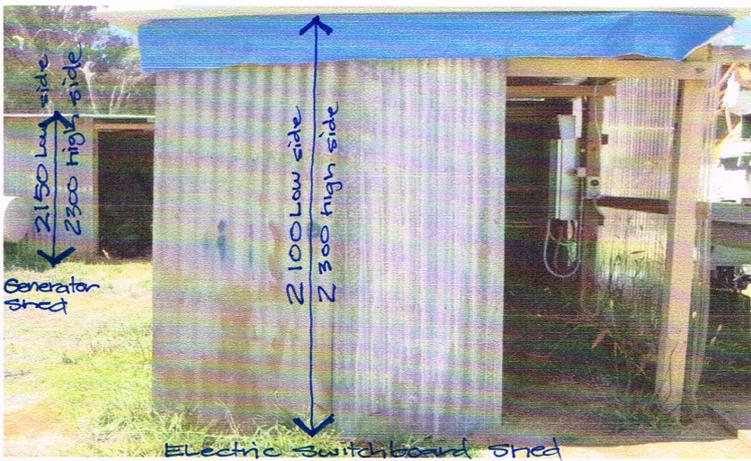
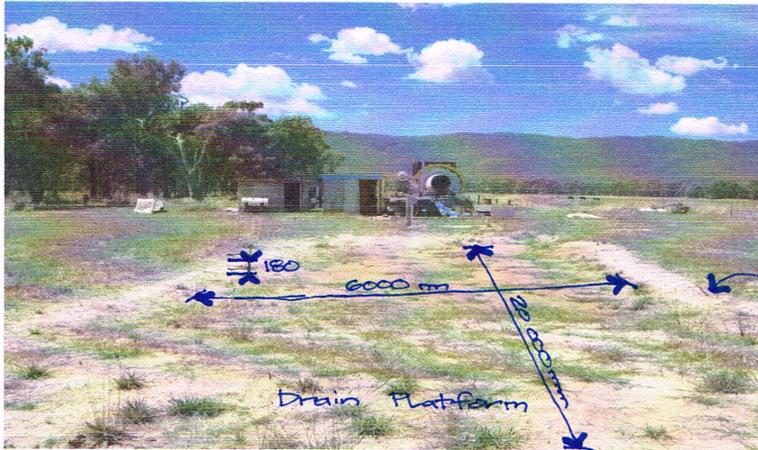
Site Shed.

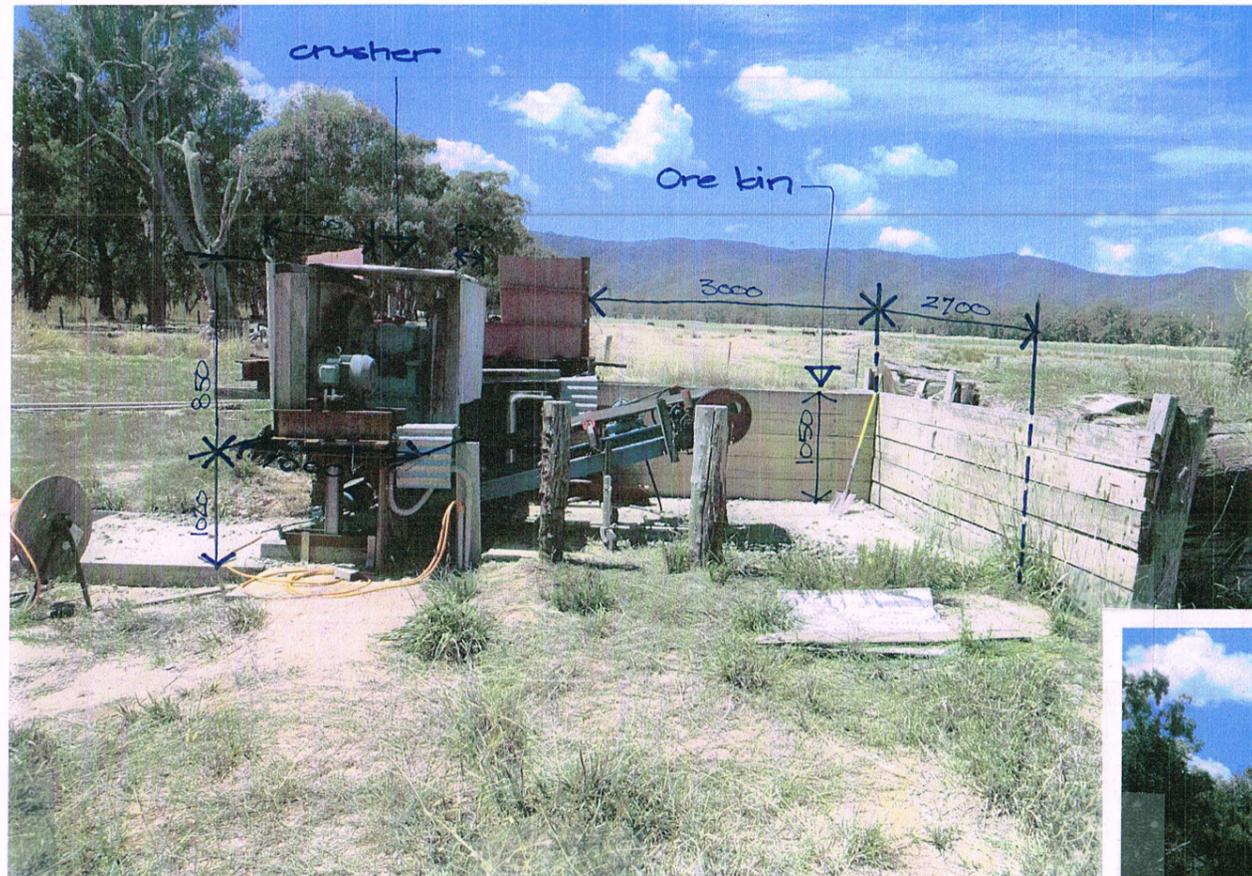
Revision.	Date.			
Rural City of Wang. Request for further information.	Revision 00	Oct. 2020		<p>NOTE: All work to be carried out in accordance with B.C.A. requirements - all relevant A.S. Codes and Local Authorities requirements/ regulation.</p> <p>Check dimensions and all site conditions prior to the commencement of any work - the purchase and ordering of any materials, plant services or equipment hire and preparation of shop drawings and / or the fabrication of any components.</p> <p>Do not scale drawings - refer to figure on drawings only.</p> <p>Any discrepancies shall be immediately to the designer or builder for clarification.</p>

Scale	As Shown.	Project	Proposed ore processing at 145 Murrumgee Road, Murrumgee 3747 for A & K Niklaus .						
Drawn	L.B.	Date				Oct. 2020			
Check	©	Date				Oct. 2020			
This drawing must not be used for construction unless signed as Approved.						Title	Site Shed - IF REQUIRED !		
Scale	A3	Job No.	2020 / 11	Orig. Classification	TP /05	Sheet No.	5 of 6	Revision	Rev. 00



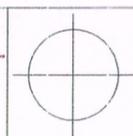






Revision.	Date.
Revision 00	June, 2021

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 belci@olpond.net.au
 Building Practitioner's Reg. No. DP - AD 1813.



NOTE :
 All work to be carried out in accordance with B.C.A. requirements, all relevant A.S. Codes and Local Authorities requirements/ regulation .
 Check dimensions or all site conditions prior to the commencement of any work , the purchase and ordering of any materials , plant services or equipment hire and preparation of shop drawings and / or the fabrication of any components .
 Do not scale drawings , refer to figure on drawings only .
 Any discrepancies shall be immediately to the designer or builder for clarification .

Scale	As Shown .
Drawn	L.B.
Date	June, 2021
Check	© June, 2021

Project	Proposed ore processing at 145 Murrumgee Road, Murrumgee 3747 for A & K Niklaus .				
Title	Elevations of Equipment				
Job No.	2020 / 11	Dwg. Classification	TP / 06	Sheet No.	6 of 6
Revision					Rev. 00

Attachment 1**PlnApp21/213 – Recommended permit conditions****Rural City of Wangaratta conditions**

1. Prior to the commencement of works, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions. The plans must generally be in accordance with the plans submitted with the application but modified to show:
 - a) Annotated details of all external colours and materials to be shown on the elevation plans.
2. The development and subdivision layout as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Prior to the occupation of the dwellings, the works detailed on the endorsed landscaping plan must be completed to the satisfaction of the Responsible Authority.
4. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants must be replaced and any weeds or noxious species controlled.
5. Any metal cladding proposed to be used in the construction of the building approved by this permit, must be:
 - a) Colour bonded metal cladding; and/or
 - b) Treated metal cladding painted in muted tones, provided such painting is completed prior to the occupation of any building approved by this permit, to the satisfaction of the Responsible Authority.
6. The dwellings hereby approved must be completed to 'lock up' stage, to the satisfaction of the Responsible Authority, before the issue of Statement of Compliance.

Mandatory subdivision conditions

7. The owner of the land must enter into an agreement with:
 - a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

8. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Technical Services Conditions - General

9. Plans and specifications must be prepared at the permit holder's expense by a suitably qualified and/or registered engineer and approved by the Responsible Authority before construction begins. The Authority will only approve plans and specifications complying with the current edition of the Local Government Infrastructure Design Association's **Infrastructure Design Manual (IDM)** and drawn in AutoCAD or equivalent.
10. The permit holder must complete full construction of all new access ways, parking areas, drainage, on-site detention and related infrastructure. All works must conform to plans and specifications approved by the Responsible Authority.

Technical Services Conditions – Drainage and On-Site Detention

11. Before constructions begins or certification, whichever occurs first, drainage and on-site detention plans and computations, prepared according to IDM procedures and criteria, must be submitted to the Responsible Authority for approval.
12. Prior to the issue of a Statement of Compliance or prior to the occupation of the dwellings, whichever occurs first, the permit holder must satisfy the Responsible Authority that:
- a) A legal point of discharge has been established within the boundary of the subject property and connected to the external drainage network according to IDM standards without reducing the flow capacity or structural integrity of the external network.
 - b) All stormwater runoff originating from or transferred through the subject property in a 18% Annual Exceedance Probability (AEP) rainfall event will either be retained on the property or be collected and conveyed by underground pipes to a legal point of discharge.
 - c) In a 1% AEP rainfall event all stormwater runoff will be collected and conveyed to a satisfactory destination, without adversely affecting any person, infrastructure or natural features in or beyond the property.
 - d) Sufficient on-site detention has been provided to limit the peak discharge from the developed site, including ground runoff, in a 18% AEP rainfall event to the

pre-development level. The outflow from the control device and overflow from any tank will be collected and conveyed by underground pipes to a legal point of discharge.

- e) Any in-ground on-site detention will provide blockage protection for the outflow control device and provide an overflow path should blockage occur.
- f) Any easements required to facilitate future connection to, and maintenance of, drainage infrastructure serving more than one Lot or property have been created.

Technical Services Conditions – Water-Sensitive Urban Design

- 13. Before construction begins, the permit holder must satisfy the Responsible Authority that appropriate measures will be taken to enhance the quality of stormwater discharged from the developed site, according to the procedures and criteria outlined in the *Water Sensitive Urban Design Guidelines for the Rural City of Wangaratta* and IDM Clause 20.

Technical Services Conditions – Property Access

- 14. Prior to the issue of a Statement of Compliance or prior to the occupation of the dwellings, whichever occurs first, the permit holder must satisfy the Responsible Authority that:
 - a) A vehicle crossing providing the subject property with safe and convenient access to and from a suitable public road has been designed, constructed, sealed and drained to IDM standards.
 - b) All common property driveways have been constructed, drained and sealed according to IDM standards to the parking area of each dwelling.
 - c) Vehicles can enter and leave each parking space travelling forward using no more than a three-point turn.

Technical Services Conditions - Construction

- 15. Before construction begins, a Site Management Plan and Traffic Management Plan must be submitted to and approved by the Responsible Authority, and effective measures consistent with the Plan must be taken during construction to:
 - a) Secure occupational health and safety;
 - b) Locate any existing underground services;
 - c) Implement effective traffic management and environmental controls;
 - d) Establish and maintain safe construction vehicle access to the site;
 - e) Maintain vehicle and machinery hygiene;
 - f) Avoid the spread of soil-borne pathogens and weeds; Minimise erosion, sedimentation and contamination;
 - g) Reduce the impact of noise, dust and other emissions;
 - h) Prevent mud, dirt, sand, soil, clay or stones from entering the drainage system;
 - i) Avoid having such materials deposited on public land by construction vehicles; and
 - j) Establish and maintain all recommended Tree Protection Zones.
- 16. No excavated or construction materials may be placed or stored outside the site area or on adjoining road reserves or nature strips.

17. Prior to the issue of a Statement of Compliance and prior to the occupation use of the dwellings, all areas, Council assets and underground services disturbed in the course of works must be restored to their original condition, to the satisfaction of the Responsible Authority.

Head, Transport for Victoria Condition

18. Direct access from the subject land to Wangaratta-Yarrowonga Road will not be permitted. Access will only be permitted via Fairway Drive as shown on the plan appended to the application.

AusNet Conditions

19. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the subdivision Act 1988.
20. The applicant must –
 - a) Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
 - b) Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

North East Water Conditions

21. That prior to works commencing pursuant to the permit, the applicant enters into a Developer Works Agreement with North East Water that requires it to construct, at the applicant's cost, works necessary to provide a water supply service to the proposed subdivision to the satisfaction of North East Water, in accordance with its policies and requirements applicable from time to time.
22. That prior to works commencing pursuant to the permit, the applicant enters into a Developer Works Agreement with North East Water that requires it to construct, at the applicant's cost, works necessary to provide a sewerage service to the proposed subdivision to the satisfaction of North East Water, in accordance with its policies and requirements applicable from time to time.
23. That the applicant pays a new customer contribution determined in accordance with North East Water's policy for development charges applicable to the water supply system currently servicing the area in which the subject land is located.
24. That the applicant pays a new customer contribution determined in accordance with North East Water's policy for development charges applicable from time to time towards North East Water's sewerage and disposal systems servicing the area to which the permit applies.
25. Easements must be provided over sewerage infrastructure to the satisfaction of North East Water.

26. The applicant must enter into an agreement with North East Water for any proposed structures or works over or near a North East Water easement or asset in accordance with North East Water requirements.
27. That in constructing any private water services, the applicant ensures that such services do not traverse property boundaries and are independently supplied from a point of supply approved by North East Water.
28. That the plan of subdivision be referred to North East Water when submitted for certification pursuant to Section 8 of the *Subdivision Act 1988*.
29. That North East Water's consent is sought by the Responsible Authority prior to issuing a Statement of Compliance under the *Subdivision Act 1988*.

Permit Expiry

30. This development component of this permit will expire if any of the following circumstances applies:
 - a) The development is not started within two years of the original issue date of this permit.
 - b) The development is not completed within four years of the original issue date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

31. The subdivision component of this permit will expire if any of the following circumstances applies:
 - a) The plan of subdivision is not certified within two years of the original issue date of this permit.
 - b) The registration of the subdivision is not completed within five years of the date of the plan of subdivision being first certified.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in part (a) of this condition.

Notes:

1. Before undertaking any works that cross onto Council land or roads, the permit holder must obtain a **Consent to Work within a Road Reserve permit**.
2. Before undertaking any works that cross onto other public land or roads, the permit holder may need to obtain approval from the relevant authority.



Rural City of
Wangaratta

This report has been prepared to document the statutory planning processing and assessment pursuant to the *Planning and Environment Act 1987 (the Act)*.

WANGARATTA PLANNING SCHEME

PlnApp21/213

Development of Five Dwellings and Five Lot Subdivision

8 Fairway Drive WALDARA VIC 3678

Lot 1 PS 819139C

KEY DETAILS

Land owner	Ferrello Developments Pty Ltd
Applicant	North East Survey Design
Zone	General Residential Zone - Schedule 1
Overlays	Nil
Property ID	19789
Site inspection	The site was visited on 21 October 2021

PROPOSAL AND SITE DETAILS

The subject land is within a recently subdivided residential estate in Waldara located to the east of Wangaratta-Yarrowonga Road on land previously used as part of a golf course. The approved staged subdivision which created the estate will when the final stage is registered create a total of 59 lots. The final stage of that subdivision is yet to be registered and so far 28 lots have been created with construction having commenced or been completed on many of those lots. Approximately half of the lots remain vacant. The estate is characterised by consistent and transparent fencing styles, established vegetation and dwellings fronting Wangaratta-Yarrowonga Road. These characteristics are as a result of restrictions on title required by conditions of the permit which allowed the subdivision creating the estate.

1 March 2022

The surrounding area is characterised by an existing golf course surrounding the estate to the north, east and south. On the opposite side of Wangaratta-Yarrowonga Road low density residential use and development is predominant. The surrounding area is located approximately 3.5 kilometres from Wangaratta's Central Activities Area.

The subject land is comprised of one lot and is located at the northern end of the estate with frontage to Fairway Drive to the north and east and frontage to Wangaratta-Yarrowonga Road to the west. The longest frontage is along the northern edge of the lot. The lot has an area of 2148 square metres. The shape of the lot is generally rectangular with a splay at the north-west and north-east corners of the lot. The lot is currently vacant. The western boundary of the subject land is already fenced in a style consistent with other lots in the estate. This fencing was constructed by the developer of the estate.

The proposal is to construct five dwellings on the subject land and to subdivide the land into five lots plus a common property lot. The design is for all five dwellings to be built side by side, double storey and all fronting Fairway Drive. The external materials of the dwellings are proposed to be predominantly brick walls with rendered brick featured along the front of the dwellings. The first floor to the east, west and south elevation is described vaguely on the plans as being 'selected cladding' although the plans appear to depict this as being steel cladding. A steel roof is proposed. The proposal does not give details on colours proposed although the plans are provided in colour which gives a clear indication of the approximate colours proposed.

All five proposed dwellings feature a similar layout with a first floor balcony and ground floor entrance to the north. The front of the dwellings is staggered and follows the line of the northern boundary of the lot. The front setback of each proposed dwelling includes an area of concrete and of lawn behind a proposed 1.5 metre high transparent black steel picket fence with a gate to each dwelling. This fencing is proposed to extend westward to meet the existing fencing and eastward to the edge of the proposed common property lot.

Proposed Units 2, 3 and 4 are located in the centre of the proposed row of five dwellings and feature an identical layout. The layout features family room, meals area, kitchen, master bedroom with ensuite, laundry and toilet on the ground floor and additional living area, two bedrooms, toilet and bathroom on the first floor.

Unit 1 is located at the western end of the proposed row of dwellings and includes an identical ground floor to Units 2, 3 and 4. The first floor is also very similar but has a varied layout with a smaller additional living area and a total of three bedrooms on the first floor. Unit 1 also has windows to the west.

Unit 5 is located at the eastern end of the proposed row of dwellings and includes an identical list of rooms on the ground floor but with a significantly different layout to the other proposed units. The shape of Unit 5 is also very different with the unit being wider and shorter than the other units. The first floor includes a lounge, three bedrooms, a study, bathroom and toilet.

1 March 2022

All five dwellings are proposed to have a double garage attached to the southern wall of the ground floor with space for storage, services, water tank, clothesline, bins and rear access to the dwellings to be accommodated also. The layout of the garage and adjacent areas is identical for Units 1, 2, 3 and 4 while Unit 5 has a slightly different layout and a brick wall creating an enclosed space.

Access to the garages for all proposed dwellings is proposed to be via a common property driveway along the southern boundary of the subject land and to connect to Fairway Drive at the eastern end of the subject land. A shared visitor car parking space is proposed at the eastern end of the common property driveway. Immediately to the west of the visitor car parking space, an automatic gate is proposed for security and a set of letterboxes is proposed.

The western end of the subject land is proposed to also be common property and to be used as a communal garden area. This area is able to be accessed via the common property driveway and also via a gate shown on the plans along the northern boundary of the subject land.

The communal garden area has an area of 418 square metres. The common property driveway area is 383 square metres. The total proposed common property area is 833 square metres and also includes a thin strip of garden along the north and north-eastern boundary of the subject land in front of the proposed fence.

The proposed lots for each of the proposed dwellings include the footprint of each dwelling and in the case of the proposed lots for Units 1, 2, 3 and 4 the area between the front of the dwelling and the front fence. The proposed lot for Unit 5 is larger and includes the front and side setback to the east of the proposed dwelling. The areas for the proposed lots are as follows:

- Proposed Lot 1 – 270 square metres
- Proposed Lot 2 – 222 square metres
- Proposed Lot 3 – 224 square metres
- Proposed Lot 4 – 226 square metres
- Proposed Lot 5 – 374 square metres
- Proposed Common Property Lot – 833 square metres

The proposal includes a landscaping plan which shows stone mulch to be used for areas adjacent to the driveway. Stone mulch is also shown as the surface treatment for areas underneath eaves. The strip of garden from the north western corner and extending around the northern boundary to the proposed common property area at the eastern end of the subject land is to be stone mulch with basket grass plants. The same is proposed for the garden area around the proposed visitor car parking space. The western edge of the proposed communal garden area is proposed to be stone mulch with hedge plants. Five tall slender trees are proposed along the eastern side of the proposed communal garden area.

PLANNING CONTROLS & TRIGGERS

Control	Clause(s)	Consideration
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1 March 2022

Zone	Clause 32.08-3 Clause 32.08-6	Subdivision Development of multiple dwellings on a lot
Overlay	Not applicable	Not applicable
Particular provision	Clause 52.29-2	Subdivision adjacent to a road in a Transport Zone 2



The subject land shown with zones and aerial imagery from IntraMaps 2019.

Planning Scheme Mandatory Requirements

Garden Area Requirement

The proposal is for both subdivision and development of multiple dwellings therefore the applicable garden area requirement is set out in Clause 32.08-4 (Construction or extension of a dwelling or residential building, General Residential Zone) of the Wangaratta Planning Scheme. As the subject land is greater than 650 square metres in area the minimum garden area required is 35% of the lot which equates to 751.8 square metres. The plans have been assessed and show approximately 891 square metres of garden area and therefore the proposal clearly meets the requirement.

Public Open Space Contribution

A public open space contribution was made when the subdivision creating the estate was registered therefore the proposal is not liable to make a public open space contribution.

1 March 2022

Cultural sensitivity

Pursuant to the *Aboriginal Heritage Regulations 2018*, a Cultural Heritage Management Plan (CHMP) is not required as the land is not a registered cultural heritage place or an area of cultural heritage sensitivity.

Restrictions on Title (Covenants, S173 agreements and easements)

The following restrictions are lodged on title:

Plan of Subdivision PS819139C

- The plan of subdivision sets out a 2.5 metre wide sewerage easement along the western boundary of the subject land.

Covenant AT788812Y

- This covenant gives power to Memorandum of Common Provisions MCP AA6631.
- The MCP restricts all buildings on the subject land to the building envelope as shown on the endorsed plan for planning permit PlnApp16/092.
- The MCP restricts fencing along and within 15 metres of the Wangaratta-Yarrawonga Road boundary of the subject land to being only an open style transparent design with a maximum height of 1.5 metres.
- It should also be noted that the MCP requires all lots in the estate which share a boundary with Wangaratta-Yarrawonga Road except for the subject land, to be designed and orientated to address Wangaratta-Yarrawonga Road.

Section 173 Agreement AT584196G

- The Agreement restricts vegetation removal in the estate for lots which have building envelopes designed to protect vegetation. The subject land does not have any vegetation protected in this way.
- The Agreement requires each habitable building to be connected to a 5000 litre water tank.
- The Agreement restricts direct vehicle access to Wangaratta-Yarrawonga Road.
- The Agreement restricts further subdivision of any lot in the estate with the exception of the subject land.
- The Agreement restricts each lot in the estate to a maximum of one dwelling with the exception of the subject land.

The proposal does not involve any buildings within any easement and restricts all buildings to within the building envelope.

The fencing along Wangaratta-Yarrawonga Road is already constructed and is consistent with the requirements. A small additional section of fencing which is subject

1 March 2022

to requirements (as it is within 15 metres of Wangaratta-Yarrowonga Road) is proposed and the design for this section of fencing is consistent with the requirements.

The proposal does not include direct access to Wangaratta-Yarrowonga Road and has instead appropriate access to Fairway Drive. Council's Technical Services Unit have agreed that 2500 litre tanks are acceptable for each proposed dwelling due to the reduced runoff expected per dwelling as a result of the dwellings being double storey.

The proposal before Council does not breach any restriction on title.

Special Water Supply Catchments

The land is not within a declared Special Water Supply Catchment listed in Schedule 5 of the *Catchment and Land Protection Act 1994*.

Agricultural versatility

The land is within an urban setting – agricultural versatility is not a relevant consideration in this application.

REQUEST FOR FURTHER INFORMATION

Pursuant to Section 54(1) of the Act, additional information was sought by Council during the assessment of the application.

The information sought was:

- Minor corrections and clarification of details on the plans.
- A suggestion to reduce fence height or otherwise provide justification for the height shown on the original plans submitted.
- A suggestion to make an area where residents access letterboxes more accessible or to otherwise provide justification for surface treatments shown on the original plans submitted.

The applicant submitted minor changes to the plans to address the matters raised and satisfied the request.

1 March 2022

REFERRALS & PUBLIC NOTIFICATION

Referrals

The application was referred to the following authorities:

Authority	Referral trigger(s)	Section and status	Response
APA Group	Clause 66.01	S55 - Determining	No objection
AusNet	Clause 66.01	S55 - Determining	Conditional consent
North East Water	Clause 66.01	S55 - Determining	Conditional consent
Head, Transport for Victoria	Clause 52.29-4 Clause 66.03	S55 - Determining	Conditional consent

The conditions required by referral authorities in the referral responses were all standard conditions.

Internal advice (including verbal advice)

Unit	Reason for advice	Response
Technical Services	Drainage & access	Conditional consent

The referral response from Council's Technical Services Unit included standard conditions.

It should also be noted that the Section 173 Agreement AT584196G requires a 5000 litre tank to be connected to each dwelling except with the prior written consent of the Responsible Authority. The proposal shows 2500 litre tanks for each dwelling however given that the dwellings are double storey it was agreed that the proposed tanks would be sufficient for stormwater detention subject to appropriate permit conditions.

Public Notice

Public notice was carried out by Council in accordance with Section 52 of the Act.

Notice was given in the form of letters to adjoining and adjacent owners and occupiers.

It should be noted that Council received many reports of residents not receiving a letter notifying them of the proposal. Council records do indicate that the letters were sent by Council and it is unknown why many of the letters did not arrive. It is considered that the

1 March 2022

application has been satisfactorily advertised because it is clear from the number of objections received that there was widespread awareness of the proposal in the immediate vicinity of the subject land. Council did however re-advertise the application after becoming aware of the notification letters not being received, for the sake of transparency.

A total of 12 objections have been received at the time of writing this report and are considered later in this report.

A total of 3 letter of support were also received.

PLANNING CONSIDERATION

Planning Policy Framework

The following clauses of the PPF are relevant to the assessment of this application:

Clause 11.01-1S – Settlement

Clause 11.01-1R – Settlement – Hume

Clause 15.01-1S – Urban design

Clause 15.01-2S – Building design

Clause 15.01-3S – Subdivision design

Clause 15.01-5S – Neighbourhood character

Clause 15.02-1S – Energy and resource efficiency

Clause 16.01-1S – Housing supply

Clause 16.01-2S – Housing affordability

Local Planning Policy Framework

The following clauses of the PPF are relevant to the assessment of this application:

Clause 21.02 – Settlement

Clause 21.06 – Built environment and heritage

Clause 21.07 – Housing

Zone

Clause 32.08 – General Residential Zone

1 March 2022

Overlay(s)

Nil

Particular provisions

Clause 52.06 – Car parking

Clause 52.29 – Land adjacent to the principal road network

Clause 55 – Two or more dwellings on a lot and residential buildings

Clause 56 – Residential subdivision

General provisions

Clause 65.01 – Approval of an application or plan

Clause 65.02 – Approval of an application to subdivide land

ASSESSMENT AGAINST PLANNING POLICY

The proposal is consistent with the purpose of the General Residential Zone and is supported by policy addressing settlement because the proposal would utilise existing residential land to support additional housing. The proposal is also supported by policy addressing housing supply and housing affordability because the proposal will add to and diversify the housing stock in the local area and the municipality more broadly. The question central to the assessment of this application is whether the proposal responds appropriately to the local context of the site in regard to neighbourhood character and other policy addressing aspects of design.

The context of the site is that it is within an establishing residential estate adjacent to Wangaratta Golf Course. The estate was approved as a staged subdivision with the first stage separating the golf course from the residential area. The second stage which created 28 lots has been released and includes the subject land. The third and final stage will add a further 31 lots to the estate. The estate has a unique setting adjacent to the golf course and with several restrictions on aspects of how the lots within the subdivision may be developed. It is clear that the approval of the subdivision which created the estate carries with it a vision for a preferred neighbourhood character and that this vision was sought to be implemented through the various restrictions on title which apply to lots within the subdivision.

The restrictions on title set out a detailed set of requirements relating to fencing to ensure that development of lots within the estate presents attractively to public spaces within the estate. These public spaces include reserves within the estate, the golf course itself and the Wangaratta-Yarrowonga road reserve. The development of dwellings on

1 March 2022

the lots within the estate is also restricted to being within designated building envelopes. The building envelopes provide for consistent setbacks within the estate while also protecting significant vegetation. For lots with a boundary to the Wangaratta-Yarrowonga road reserve, dwellings must be designed and orientated to address the Wangaratta-Yarrowonga Road boundary as their primary frontage. Notably the subject land is excluded from this requirement.

The effect of these restrictions is already evident in the estate and has produced a unique neighbourhood character with a particular feature being the strip of vegetation along the western side of the estate (within lots in the estate) and within the Wangaratta-Yarrowonga road reserve which creates a buffer between the dwellings and the major road and maintains an attractive gateway entrance or exit to Wangaratta as one travels along Wangaratta-Yarrowonga Road. At the time of writing this report approximately half of the lots in the second stage of the estate had either a dwelling under construction or completed.

The fencing and dwelling setbacks of dwellings in the estate generally followed a consistent character and dwellings also adhered to the requirement to present to Wangaratta-Yarrowonga Road. These neighbourhood characteristics are of course as a result of the restrictions on title and therefore are not surprising although it is noteworthy the extent to which dwellings have been designed to present to both Fairway Drive and Wangaratta-Yarrowonga Road. The design of dwellings within the estate featured a wide range of architectural styles, colours and materials. The majority of dwellings were single storey with two examples of double storey dwellings noted. There is clearly no common architectural style which defines the neighbourhood character of the estate and in fact the defining neighbourhood character feature has developed to be the wide range of architectural styles. There is no common theme to the architectural style, roof form, heights, materials or colours of dwellings in the estate. Most dwellings do have a relatively consistent setback to Fairway Drive and have a building footprint which utilizes the majority of the width of the building envelope for each lot. All dwellings were detached dwellings and the typical size of dwellings was relatively large.

The proposed development will introduce a different architectural style and possibly feature different colours and materials to those already present in the estate. Given the wide variety of dwelling designs in the estate there is no concern with those factors of the proposed development. The key difference for the proposed development in comparison to the other dwellings in the estate is the scale of the building. The combined effect of the height and bulk of the proposed building will result in a building which is more prominent than any other building existing or likely to be constructed within the estate. The other key difference between the proposed building and other dwellings in the estate is that the proposal is for a set of five dwellings which will be attached. This is a design detail unique to the proposed development within this estate.

The impact of the proposed development will be softened by the staggered frontage of the building to Fairway Drive. The effect of this will be that the entire frontage of the building will become visible gradually as one enters the estate. When looking at the

1 March 2022

proposed development from a position directly north of the subject land the building will appear quite imposing however this is not the vantage point of most concern. There are no dwellings to be constructed on the northern side of the subject land and the more usual way the building will be seen is as one enters the estate and has the gradual reveal of the building with lesser impact. The same factor is at play in relation to views of the proposed development from Wangaratta-Yarrowonga Road with the added factor that when travelling from either direction the proposed development will be partially screened by vegetation for significant portions of the approach.

The subject land is not subject to any requirement to present to Wangaratta-Yarrowonga Road as its primary frontage. This is with good reason as the shape of the lot more readily lends itself to fronting Fairway Drive in a northerly direction as is proposed. The western elevation of the proposed development does include a reasonable amount of windows so as not to present a blank wall in that direction. The northern frontage of the subject land will actually be relatively prominent to Wangaratta-Yarrowonga Road and this factor along with the proposed landscaping will ensure that the proposed development blends into the Wangaratta-Yarrowonga Road streetscape.

The architectural style of the proposal is considered uncontroversial in the context of the wide variety of dwelling designs in the estate. The proposed development will however be prominent due to its scale. The impact of the scale of the building is however considered to be softened by the staggered setback making it an acceptable outcome.

The density of dwellings in the estate is generally lower than the density of the proposal. The second stage of the subdivision features lot sizes averaging around 1000 square metres and ranging from 501 square metres to 1280 square metres, excluding the subject land which is far larger at 2148 square metres. It is worth noting that the size of the lots in the subdivision can be relied upon to remain the same because of a restriction on title preventing further subdivision of lots in the estate except for the subject land. The third stage of the subdivision will feature similar average lot sizes to the second stage but with a greater variety of lot sizes. The third stage includes several lots between 500 and 600 square metres in area.

The proposal would create five lots ranging in size from 222 square metres to 370 square metres which would result in far smaller lot sizes than exists or will exist elsewhere in the estate. The balance of the subject land will however be an 833 square metre area of common property which is important for context. The best way therefore to understand the lot sizes is to divide the size of the subject land by five for each of the proposed dwellings (and associated lots) and this calculation results in an average area per lot of approximately 430 square metres. This remains less than is the case anywhere in the estate but not by a significant margin. The pattern of the estate does locate the majority smaller lots generally at the southern and opposite end of the estate to the subject land but the estate is still quite randomized with lot sizes fluctuating along the length of the estate.

1 March 2022

The density of dwellings within the estate is also affected by the availability of land with the size of lots in the estate being affected significantly by what vegetation exists on those lots and therefore how much available space there is to construct a dwelling. The way the estate will appear when all lots are built upon is that the majority of available land without vegetation will have dwellings constructed. In this context developing the subject land which is without vegetation at a higher density will be more consistent with neighbourhood character than would otherwise be the case without appreciating this factor.

The density of dwellings proposed is not significantly out of character with the existing neighbourhood. While the proposal will be the highest density part of the estate, it will not be so different in terms of density that it would radically alter the character of the local area in a way that would produce an unacceptable outcome.

The proposed subdivision design is a direct result of the proposed building and therefore the proposed subdivision is considered an acceptable outcome in relation to neighbourhood character for the same reasons as the proposed dwellings are considered acceptable.

The design of the building and the subdivision are consistent with relevant policy on design. The lot layout is practical and integrated with the street and is consistent with good subdivision design by providing for passive surveillance of the street. There is a logical delineation between public and private spaces. The design of the proposed development is an appropriate response to the features of the site and includes an acceptable design in terms of energy efficiency. Green space and landscaping is well provided for in the proposal. The proposal is consistent with the relevant design standards of Clause 55 (Two or more dwellings on a lot and residential buildings) and Clause 56 (Residential subdivision) as set out in the tables below. Overall the proposal is consistent with relevant policy on design.

Clause 55 assessment

Standard	Objective	Comments	Complies
B1	Neighbourhood character	The proposal is consistent with existing and preferred neighbourhood character as addressed previously in this report.	Yes
B2	Residential policy	The proposal is consistent with relevant state and local planning policy as addressed previously in this report.	Yes
B3	Dwelling diversity	Not applicable as the proposal is for less than ten dwellings.	Yes
B4	Infrastructure	The proposed development is able to be connected to all available reticulated services and no concerns have been raised by relevant authorities.	Yes

1 March 2022

B5	Integration with the street	All five proposed dwellings are orientated to front Fairway Drive which is an appropriate design response.	Yes
B6	Street setback	The applicable minimum setback to the front street (north) is 4 metres and all five proposed dwellings are setback at least 4 metres. The applicable minimum side setback is 2 metres and the proposed side setbacks well exceed the minimum requirement.	Yes
B7	Building height	The plans show the proposed development being 8.76 metres in height which is less than the maximum 9 metres.	Yes
B8	Site coverage	The plans show a site coverage area of approximately 862 square metres which equates to approximately 40% of the subject land and well under the maximum site coverage of 60%.	Yes
B9	Permeability and stormwater management	The plans show the total area of impermeable surfaces as being approximately 1220 square metres. This equates to permeable surfaces being approximately 43% of the subject land which is well above the minimum requirement of 20%.	Yes
B10	Energy efficiency	The proposal includes locating living areas to the northern side of dwellings. There are no existing dwellings on adjacent land that could be unreasonably impacted by the proposal.	Yes
B11	Open space	The proposed communal open space is conveniently accessible and useable for residents of the proposed dwellings via the common property driveway and a gate to Fairway Drive. The location of this communal open space is a product of the building envelope restriction on the subject land which makes it impractical to design the communal open space to be looked out on by multiple dwellings. The location of the communal open space and associated landscaping provides a buffer between the development and Wangaratta-Yarrowonga Road.	Yes
B12	Safety	The entrances to proposed dwellings are readily identifiable and visible from the street.	Yes

1 March 2022

B13	Landscaping	The proposed landscaping is appropriate and softens the appearance of the development.	Yes
B14	Access	The proposal rationalizes access so that all dwellings share a common property access way at the rear of the development which is an excellent outcome.	Yes
B15	Parking location	Car parking is well located to the rear of dwellings with convenient access to the rear entrance of the dwellings.	Yes
B17	Side and rear setbacks	The proposed development is well setback from the boundaries of the subject land and therefore complies with the standard.	Yes
B18	Walls on boundaries	No walls on boundaries are included in the proposed development.	Yes
B19	Daylight to existing windows	There are no existing dwellings on adjacent land which could be impacted by the proposed development.	Yes
B20	North-facing windows	There are no existing dwellings on adjacent land which could be impacted by the proposed development.	Yes
B21	Overshadowing open space	There are no existing dwellings on adjacent land which could be impacted by the proposed development.	Yes
B22	Overlooking	There are no existing dwellings on adjacent land which could be impacted by the proposed development.	Yes
B23	Internal views	The secluded private open space for all dwellings in the proposed development is provided with a balcony on the first floor. All balconies are protected from internal views from other dwellings in the proposed development by the position of walls.	Yes
B24	Noise impacts	All services and vehicle noise is appropriately located to the rear of the development where it will be least likely to impact on bedrooms.	Yes
B25	Accessibility	Both the front and rear entrances to the proposed development are at ground level and accessible.	Yes
B26	Dwelling entry	Entrances to all proposed dwellings have a sense of address and are visible and readily identifiable from the street.	Yes
B27	Daylight to new windows	All windows in the proposed development have the required light court adjacent to them.	Yes
B28	Private open space	All proposed dwellings include a first floor balcony which by itself provides for	Yes

1 March 2022

		adequate private open space to meet the standard. There is also additional private open space available to each dwelling.	
B29	Solar access to open space	All proposed balconies and other private open space areas for proposed dwellings are located on the northern side of the development.	Yes
B30	Storage	A dedicated storage area is shown on the plans within each proposed garage with sufficient dimensions to comply with the standard.	Yes
B31	Design detail	The proposed development is articulated and is consistent with neighbourhood character as addressed previously in this report.	Yes
B32	Front fences	The proposal includes front fencing with a height of 1.5 metres and of a style consistent with the fencing theme in the estate.	Yes
B33	Common property	The proposed common property areas are practical and logical and able to be maintained.	Yes
B34	Site services	Each proposed dwelling has a suitable area dedicated to site services shown on the plans. The proposed letter box area is suitably located and practically designed.	Yes

Clause 56 assessment

Standard	Objective	Comments	Complies
C6	Neighbourhood character	The proposed subdivision design is consistent with neighbourhood character as previously addressed in this report.	Yes
C7	Lot diversity and distribution	The proposed subdivision facilitates the provision of lots suitable for a higher density housing which contributes to the diversity of lots in the local area.	Yes
C8	Lot area and building envelopes	The proposed subdivision is part of a combined application for a residential development and therefore it is demonstrated that the lots can be developed for dwellings.	Yes
C9	Solar orientation of lots	The proposed lots all are orientated such that the long axis of the lot runs in a general north-south direction.	Yes

1 March 2022

C10	Street orientation	All proposed lots front Fairway Drive and are integrated to the street.	Yes
C11	Common area	The proposed common areas are clearly identified and their management is provided for via a common property lot. The design includes appropriate access to the road network.	Yes
C12	Integrated urban landscape	The proposal includes appropriate landscaping which contributes to neighbourhood character.	Yes
C15	Walking and cycling	The proposal is not of sufficient scale for there to be scope to provide walking or cycling infrastructure.	Yes
C17	Neighbourhood street network	The proposal does not involve the creation of any new streets.	Yes
C18	Walking and cycling network detail	The proposal does not involve any walking or cycling infrastructure.	Yes
C20	Neighbourhood street network detail	The proposal does not involve the creation of any new streets.	Yes
C21	Lot access	The proposal provides for access to the lots via a common property driveway.	Yes
C22	Drinking water supply	The subject land is able to be connected to a reticulated water supply.	Yes
C23	Reused and recycled water	A reticulated supply or reused or recycled water is not available at the subject land.	Yes
C24	Waste water management	The subject land is able to be connected to a reticulated waste water service.	Yes
C25	Stormwater management	The proposal will be connected to a reticulated drainage system and on-site detention of stormwater will also be addressed through permit conditions.	Yes
C26	Site management	The proposal will be subject to standard permit conditions addressing site management.	Yes
C27	Shared trenching	The proposal has scope to utilize the method of shared trenching.	Yes
C28	Electricity, telecommunications and gas	Electricity, telecommunications and gas are readily able to be connected to the proposed lots.	Yes
C29	Fire hydrants	The estate already has fire hydrants consistent with the requirements of the standard.	Yes

1 March 2022

C30	Public lighting	Public lighting has been provided for when the estate was created.	Yes
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The proposal provides for the necessary car parking spaces as required under Clause 52.06 (Car parking). Each proposed dwelling includes three or more bedrooms and therefore requires provision of two car parking spaces. These are provided within a double garage for each of the proposed dwellings. A shared visitor car parking space is also provided as is required for developments of five or more dwellings. All proposed car parking spaces are appropriately located and have sufficient dimensions to function effectively.

The Head, Transport for Victoria was referred this application because the proposal is for subdivision of land adjacent to a major road. The proposal will however have no impact on the road as the design provides for access from Fairway Drive. The function of the local road network will not be adversely impacted by the proposal. There is sufficient capacity for Fairway Drive to accommodate the modest increase in traffic which will be generated as a result of the proposal. There is sufficient capacity to provide all services and infrastructure to the proposed development.

Overall the proposal is strongly supported by policy regarding settlement, housing and design and the only question mark for the proposal was whether the proposal was an acceptable outcome in terms of neighbourhood character. For the reasons explained throughout this assessment the proposal is considered an acceptable outcome in terms of neighbourhood character and it is therefore recommended that a permit is issued.

Consideration of submissions

A total of 12 objections were received, their grounds for objection and the Officer response is as follows:

Ground of objection:	Response:
Community consultation <ul style="list-style-type: none"> • There was a lack of proper notification of the proposal with many residents claiming that they did not receive a notification letter. • Other methods of communication other than letters should be used. • The suggestion was raised that Council sought to quickly approve the proposal without the proposal being noticed by the local community. 	Council has complied with its obligations under the Planning and Environment Act 1987 for the notification of this application. Under the Act there is a requirement to notify adjoining and adjacent land owners and occupiers. Council decided to notify much more widely than that because of the prominent position of the subject land at the entrance to the estate and the expectation that there may be significant interest in the proposal as a result of that.

1 March 2022

<ul style="list-style-type: none"> • It should not be necessary to object and explain how one will be affected as it is obvious. • The amendment to planning permit PInApp16/092 which occurred in 2019 and created PInApp16/092.01 should have been notified to owners of lots in the estate. 	<p>Council records indicate that the letters were posted and it is not possible to determine what went wrong from that point which lead to so many owners and occupiers in the estate claiming that they did not receive their notification letter.</p> <p>Letters are the only accepted method Council can directly issue notification of an application for a planning permit to a person under the Act and therefore utilising another method of communication was simply not an option.</p> <p>Despite the apparent failure of many of the letters being delivered, it is apparent from the number of objections received that there is widespread community awareness of the proposal and therefore Council considers that the process has satisfactorily provided an opportunity for affected persons to lodge a submission.</p> <p>Council has however re-advertised the application to make certain that all owners and occupiers originally intended to receive a notice of the application will receive one. If any additional objections or addendums to previous objections are lodged then those will be addressed in an additional attachment to the Council report.</p> <p>Council rejects the suggestion that there was some attempt to quickly process and approve this application without public scrutiny. The attempt to notify the application far more widely than is required under the Act is clear evidence of this.</p> <p>The planning permit application process affords the opportunity to affected</p>
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1 March 2022

	<p>persons to object to a proposal which then provides such a person with appeal rights. This is simply a part of the planning process which a person may choose to participate in or not.</p> <p>The amendment to planning permit PInApp16/092 (which created permit PInApp16/092.01) in 2019 was exempt from requiring advertising because material detriment to any person was not possible. The purpose of this amendment was to clarify details and wording in the permit only.</p>
<p>Planning permit history and restrictions</p> <ul style="list-style-type: none"> • The proposal is inconsistent with the vision for the estate as set out in the planning panel report for the combined planning scheme amendment (C72) and planning permit (PInApp16/092). The vision was for larger than average lots with retention of vegetation in an upmarket area. • The proposal is inconsistent with the endorsed plans of the planning permit (PInApp16/092.01) for the subdivision which created the estate, regarding the intended use of the subject land. • The original plans and concept for the subdivision of the estate showed Lots 1 and 2 being subdivided to create four lots. • There should have been an Agreement registered on title controlling how the subject land is to be developed. • There was a covenant created which was later corrected by 	<p>The planning panel report for the combined planning scheme amendment (C72) and planning permit application (PInApp16/092) is not directly relevant to the current proposal. The panel report addressed the proposed subdivision which would create the estate. There is a vision discussed within that panel report which briefly summarised was for the estate to respond appropriately to its local context in relation to several aspects of local character that were identified. The assessment of this current application must make a similar assessment in regard to whether the proposal will respond appropriately to its local context.</p> <p>The endorsed plans for planning permit PInApp16/092.01 do show the subject land (Lot 1) as being for ‘possible golf course accommodation.’ It is unfortunate that any such information is given because whilst such a development may have been an intention at some point there is never any certainty that a particular development will be carried out and there is no power for Council to compel a particular development to be carried out. The permit allowed for subdivision and that subdivision was carried out in accordance with the</p>

1 March 2022

<p>changing which lots were excluded from restrictions.</p> <ul style="list-style-type: none"> • The subject land was deliberately excluded from many of the restrictions other lots in the estate are subject to. • The subject land should be subject to the same restrictions as other lots in the development in regard to ensuring dwellings fronted Wangaratta-Yarrowonga Road. • It is unfair that developers of the subject land are not subject to the same strict rules that applied to the other lots in the estate. 	<p>endorsed plans and the possible development of the subject land for gold course accommodation was never something that was authorised or required to be carried out under the permit.</p> <p>The planning permit which approved the subdivision which created the estate did include a condition requiring a covenant to be created and registered on title. Council does not have any direct involvement in this process and only requires evidence to be provided that the covenant has been registered on title before accepting that the condition has been complied with.</p> <p>The subject land is not subject to many of the restrictions that other lots in the estate are subject to. This was a decision made when the subdivision which created the estate was approved. It is not possible to establish the specific reasons why the restrictions were created as they were and it is not the purpose of the assessment of this application to review the merits of a planning decision made in the past. This is something that therefore should have been known to all purchasers of lots in the estate. Any earlier versions of plans are irrelevant because they were not approved.</p>
<p>Expectations for subject land</p> <ul style="list-style-type: none"> • The estate was sold as a premium golf estate in which units were not anticipated. • The proposal is not consistent with the lifestyle characteristics upon which sale of lots within the estate were pitched. • There was no disclosure when properties in the estate were 	<p>There has clearly been some purchasers of lots in the estate who have been shocked by the proposal because it was not something they expected. This seems to be because of the way the estate was marketed and because of an expectation the subject land would be developed for golf course accommodation.</p> <p>The marketing of property is not something Council is responsible for and</p>

1 March 2022

<p>purchased that the proposal would be constructed.</p> <ul style="list-style-type: none"> • The purpose of the subject land as shown on the endorsed plans for the planning permit indicates that the subject land would not be used for permanent residency. • Purchasers of lots in the estate were told that the subject land would be retained by the golf club to provide short term accommodation for visiting golfers and that the associated development would involve community consultation. • Purchasers of lots in the estate have done so based on the understanding that the subject land would be developed for golf course accommodation. • The vendor statement given to purchasers of lots in the estate indicated that the zoning of the land in the estate is Low Density Residential Zone, and the density of the proposed development is inconsistent with that zoning. 	<p>there is legislation addressing what information is to be provided by vendors.</p> <p>The subject land and the entire estate was never zoned Low Density Residential Zone. It is zoned General Residential Zone.</p> <p>Normally there is limited ability to know what future developments will occur on nearby land to a lot one is considering purchasing. This is because the owner of the nearby lot will decide what they wish to do with that lot and the intentions of a particular owner can change. There is no convention by which an owner must disclose what they might do in future with a lot.</p> <p>In the case of this estate there was an increased ability to have a more detailed knowledge of what future development of the area would be like due to the restrictions on title. The possibility of the proposed development was not closed off by the restrictions on title.</p> <p>There should not have been any reliance on information about what an owner of land may have been intending to do with that land unless that information was somehow formalised in a legal agreement.</p>
<p>Neighbourhood character</p> <ul style="list-style-type: none"> • The scale and built form of the proposed development is out of character with the estate. • The proposal is too darkly coloured. • The proposal is ugly and therefore inappropriate. 	<p>The assessment of neighbourhood character is a key factor in the decision and is addressed in detail earlier in the report.</p> <p>The scale and density of the proposed development are factors that were given detailed assessment but were ultimately considered to be acceptable.</p>

1 March 2022

<ul style="list-style-type: none"> • The proposal will adversely impact the aesthetic character of the local area. • The proposal is at the entrance to the estate and therefore impacts the initial impression of the estate. • The proposal is a development in the style of a motel and does not provide an attractive gateway approach to Wangaratta as was intended in the vision set out in the planning panel report. • The western elevation of the proposed development is not consistent with other properties in the estate which were required to ensure dwellings fronted Wangaratta-Yarrowonga Road. • The proposal is ugly • The density of dwellings proposed is not consistent with neighbourhood character. • The subject land is suitable for the development of two dwellings rather than five. • The proposal will generate disruption to the quiet character of the estate because of the number of people residing within the proposed development. • The proposal is inconsistent with the preferred neighbourhood character as expressed by the restrictions registered on title for lots in the estate. • The unique character of the estate was highlighted in correspondence sent from Rural City of Wangaratta to owners of lots in the estate in 2019. 	<p>Generally the proposal is in keeping with local neighbourhood character and a detailed assessment of what the key features which contribute to the neighbourhood character of the estate was included in the assessment of the proposal earlier in this report.</p> <p>The proposal has to be considered within a context in which there is a wide variety of building designs with no clear architectural theme. In this context it is not reasonable to consider any particular building material or colour or architectural style to be inappropriate. It is subjective and a matter of personal taste as to whether one considers a building to be attractive. When considering whether a particular design is acceptable within a local context the key is to look for particular objective elements of the design which can be compared to the existing neighbourhood.</p> <p>The impact of the proposal on the Wangaratta-Yarrowonga Road frontage was given detailed consideration earlier in the report.</p> <p>The correspondence sent from Rural City of Wangaratta to owners of lots in the estate in 2019 was an explanation of the restrictions on title and how they should be complied with. For the reasons set out earlier in this report the proposal complies with the relevant restrictions and is considered to provide for an acceptable outcome having regard to the particular characteristics of the subject land.</p>
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1 March 2022

<ul style="list-style-type: none"> • The correspondence from Rural City of Wangaratta in 2019 provides examples of suitable and unsuitable development in relation to the restrictions and the proposed development is inconsistent with those principles. • The provision of open space on lots in the subdivision is a characteristic of the neighbourhood which the proposal is inconsistent with. 	
<p>Amenity impacts</p> <ul style="list-style-type: none"> • Frequent vehicle movements will occur within the proposed common property area leading to noise affecting adjacent land to the south. • The proposal will block or reduce views from a future dwelling on adjacent land to the south. • The proposal will reduce solar access to a future dwelling and outdoor areas around a future dwelling on adjacent land to the south. • The proposal will reduce solar access to proposed solar panels on a future dwelling on adjacent land to the south. • The proposal will result in overlooking to a future dwelling on adjacent land to the south. • The proposal will generate traffic impacts including impacts on the function of the roundabout adjacent to the subject land. • The proposal will generate general disruption to the quiet character of the estate. 	<p>The proposal will have a negligible impact in terms of traffic and number of people in the estate. The concerns raised about amenity impacts are considered unrealistic and the outcome will be a normal level of noise and other activity in a residential context.</p> <p>While it is possible residents of the proposed development may own more vehicles than can be accommodated within the proposed development, it is not reasonable to require additional car parking spaces beyond what is required under the planning system.</p> <p>In relation to the specific concerns about the potential impacts on the adjacent property to the south, it is important to note that the adjacent property in question is currently vacant. On this basis there is no ability to make an assessment of the possible impacts on the amenity of a dwelling which does not yet exist.</p>

1 March 2022

<ul style="list-style-type: none"> • The proposal will generate additional car parking demand not met within the proposed development. 	
<p>Use of the proposed development</p> <ul style="list-style-type: none"> • The proposal is similar to an apartment block and is likely to be used for short term rental accommodation leading to amenity impacts. • Unit developments have a reputation for being poorly maintained and having regular visitors. • The suggestion was made that the communal open space may not be properly maintained. • If the purpose of the proposed development is for tourist accommodation associated with the golf course then this should be accommodated in a more appropriate zone. • The proposal may generate additional pressure on stormwater infrastructure causing local impacts. 	<p>There has been no suggestion by the permit applicant that the proposed development is intended to be used for short term rental accommodation, whether that be associated with the golf course or not. The proposal is simply for five dwellings and these dwellings could legally be rented out for any length of time as could any dwelling. There is no reasonable basis to assume that there will be any amenity impacts caused by the use of the dwellings.</p> <p>The speculation regarding the type of people who will live in a particular development and how well the development will be maintained is also not a relevant consideration. The planning system cannot make a judgement on the potential behaviour of a future resident. The property is capable of being efficiently managed and whether this is properly done is a matter for the body corporate which will be created to manage the common property.</p> <p>The proposal was referred to Council’s Technical Services Unit who manage the drainage infrastructure. The drainage system has sufficient capacity to accommodate the proposed development subject to stormwater detention being incorporated into the development as is addressed on the plans and in the recommended permit conditions.</p>
<p>Property values</p>	<p>Property values can be impacted by many factors, some of which are relevant factors for a planning assessment but</p>

1 March 2022

<ul style="list-style-type: none"> The proposal will for a variety of reasons result in reduced property values within the estate. 	<p>impact on property values is not itself relevant to a planning assessment.</p>
<p>Street addressing</p> <ul style="list-style-type: none"> The proposal is for five dwellings however there are not enough even numbers able to be allocated given that the adjacent property is number 10. 	<p>Planning staff do not make decisions on street addressing however there is always a way to solve any problem with street addressing and this factor is therefore given no weight in the assessment of the proposal.</p>

Although the objections are relevant, they do not warrant refusal of the application.

CONDITIONS DISCUSSION

The permit should include standard permit conditions with the exception of a requirement for amended plans modified to show full details of all external materials and colours of the proposed development. There are some details which are not provided on the plans or which are vague such as the reference to selected cladding.

CONCLUSION

The application is consistent with the Wangaratta Planning Scheme and is suitable for support. All submissions have been considered but they do not warrant a refusal of the application. It is recommended that a Notice of Decision to Grant a Permit be issued with appropriate conditions.

Recommendation

That the Council issue a Notice of Decision to Grant a Permit in accordance with Section 64 (1) & (2) of the *Planning and Environment Act 1987*, and that the notice include the conditions set out in Attachment 1 of the Council report.

Planner: Jack Pickering

Date: 1 March 2022

1 March 2022



Note: All dimensions and areas shown on this plan are subject to Council approval and survey

DATE	DESCRIPTION	VERSION	REVISION STATUS
23-11-21	For Approval	3	
04-11-21	For Approval	2	
19-09-21	For Approval	1	

NORTH EAST SURVEY DESIGN

For: FERRELLO DEV Pty Ltd
At: Wangaratta

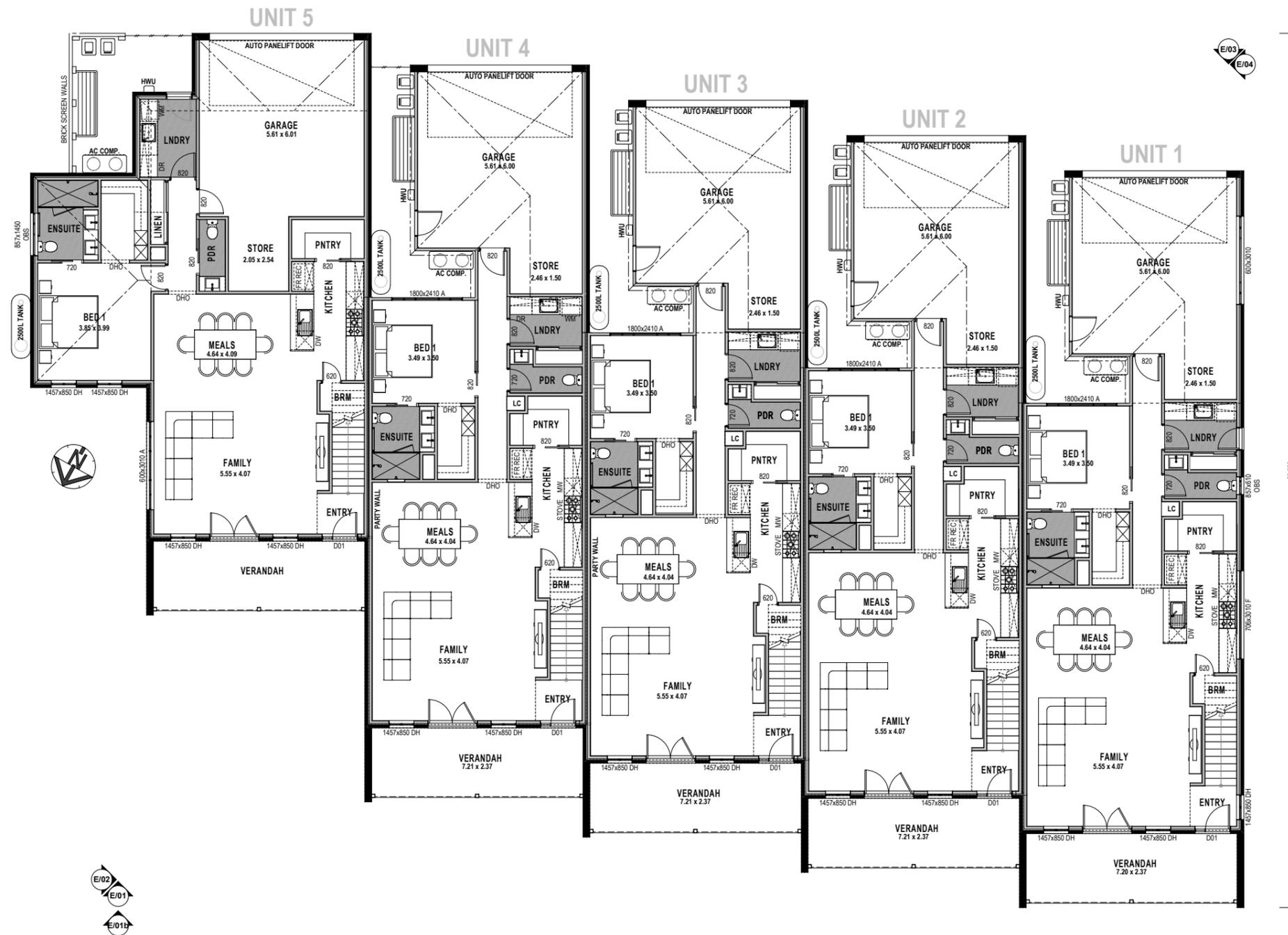
PROPOSED SUBDIVISION
Lot 1 Fairway Drive
Waldara

Project No: M7607 Version: 3
Drawn by: MB Checked/Signed By: MB

Scale: 1:250 @ A3 / 1:125 @ A1

Status: **FOR APPROVAL**

Print Date: 23/11/2021
Drawing Name: Sheet 1
File Name: M7607 PropSub 3.dgn

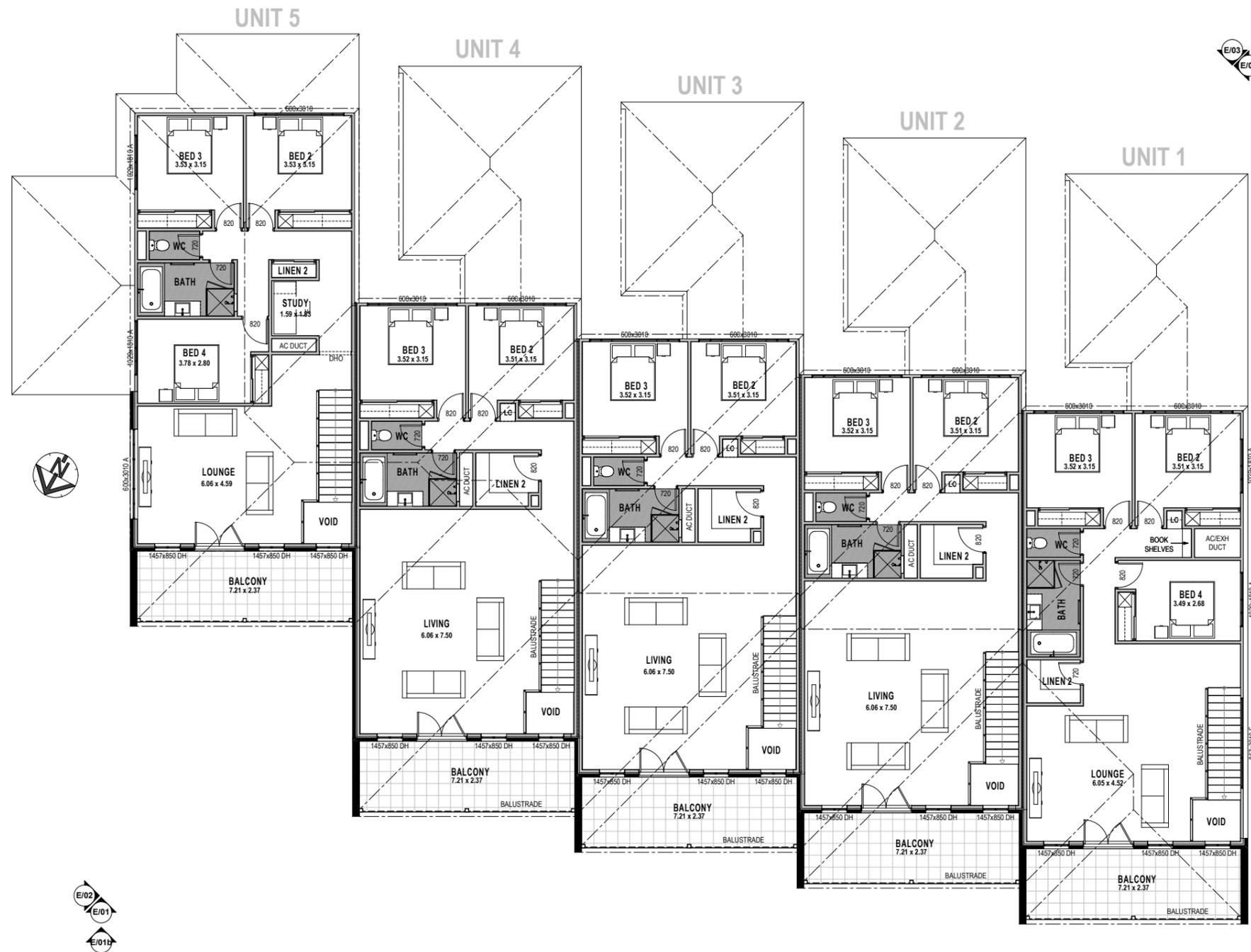


GENERAL NOTES		BUILT AREAS		REVISIONS		SCALE	SHEET	FERRELLO DEV P/L	
1) THIS PLAN SHEET MUST BE READ WITH REFERENCE TO THE NOTES ON SHEET 1.		BUILT ZONE	AREA (m ²)	DATE	REVISION	1:100 (A2)	CUSTOM DESIGN	SITE L1 FAIRWAY DVE	
2) DIMENSIONS TAKE PRECEDENCE OVER SCALING.		ALFRESCO	89.57	24/02/21	SITE LAYOUT			WALDARA	
3) REFER ASSOCIATED ENGINEER DETAILS. ENGINEER DETAILS TAKE PRECEDENCE.		BALCONY	89.57	04/01	PRELIM SKETCH US	BAL: TBC		GF SKETCH PLAN	
4) ALL CONSTRUCTION GENERALLY TO BE IN ACCORDANCE WITH NCC, COUNCIL REGS AND AUSTRALIAN STANDARDS.		FF LIVING	548.05	17/4/21	PRELIM SKETCH US	DRAWN: MOHARE		THIS PLAN SHALL REMAIN THE SOLE PROPERTY OF AFONSO BUILDING SOLUTIONS AND MUST NOT BE CHANGED, LENT, GIVEN, RESOLD OR OTHERWISE DISPOSED OF.	
5) CONTRACTORS SHOULD VERIFY ALL DIMENSIONS ON SITE.		GARAGE	208.83	22/4/21	AMENDMENTS	AMENDMENTS		A: 133 Victoria Cross Pk, Wodonga VIC 3690 Ph: (02) 6024 2899	
6) DIMENSIONS SHOWN DO NOT NECESSARILY ALLOW FOR INTERNAL OR EXTERNAL LININGS OR CLADDINGS UNLESS OTHERWISE NOTED.		GF LIVING	664.40	31/02/21	AMENDMENTS	AMENDMENTS		Vic: DB-U #24308 Vic: DB-U #58197 NSW: 224046C	
7) CONTRACTORS SHOULD VERIFY THAT THE PLANS BEING USED ARE LATEST REVISION.		ROOF ZONE	AREA (m ²)	2/02/21	AMENDMENTS	AMENDMENTS		www.afonso.com.au	

UNIT 5	UNIT 4	UNIT 3	UNIT 2	UNIT 1
ZONES	ZONES	ZONES	ZONES	ZONES
ALFRESCO	ALFRESCO	ALFRESCO	ALFRESCO	ALFRESCO
BALCONY	BALCONY	BALCONY	BALCONY	BALCONY
FF LIVING				
GARAGE	GARAGE	GARAGE	GARAGE	GARAGE
GF LIVING				
303.97 m ²	298.18 m ²	298.04 m ²	298.04 m ²	301.99 m ²

afonso
building solutions

A: 133 Victoria Cross Pk, Wodonga VIC 3690 Ph: (02) 6024 2899
Vic: DB-U #24308 Vic: DB-U #58197 NSW: 224046C
www.afonso.com.au



GENERAL NOTES

- 1) THIS PLAN SHEET MUST BE READ WITH REFERENCE TO THE NOTES ON SHEET 1.
- 2) DIMENSIONS TAKE PRECEDENCE OVER SCALING.
- 3) REFER ASSOCIATED ENGINEER DETAILS. ENGINEER DETAILS TAKE PRECEDENCE.
- 4) ALL CONSTRUCTION GENERALLY TO BE IN ACCORDANCE WITH NCC, COUNCIL REGS AND AUSTRALIAN STANDARDS.
- 5) CONTRACTORS SHOULD VERIFY ALL DIMENSIONS ON SITE.
- 6) DIMENSIONS SHOWN DO NOT NECESSARILY ALLOW FOR INTERNAL OR EXTERNAL LININGS OR CLADDINGS UNLESS OTHERWISE NOTED.
- 7) CONTRACTORS SHOULD VERIFY THAT THE PLANS BEING USED ARE LATEST REVISION.

BUILT AREAS

BUILT ZONE	AREA (m ²)
ALFRESCO	89.57
BALCONY	89.57
FF LIVING	548.05
GARAGE	208.83
GF LIVING	564.40
TOTAL	1,500.42 m²

REVISIONS

DATE	REVISION
24/02/21	SITE LAYOUT
04/02/21	PRELIM SKETCH US
17/02/21	PRELIM SKETCH US
22/02/21	PRELIM SKETCH US
23/02/21	AMENDMENTS
05/02/21	AMENDMENTS
28/02/21	AMENDMENTS
08/02/21	PLANNING ISSUE
21/02/21	AMENDMENTS

SCALE SHEET

SCALE	1:100 (A2)
SHEET	CUSTOM DESIGN
BAL:	TBC
DRAWN:	MOHARE

FERRELLO DEV P/L

SITE	L1 FAIRWAY DVE WALDARA
PROJECT	FF SKETCH PLAN

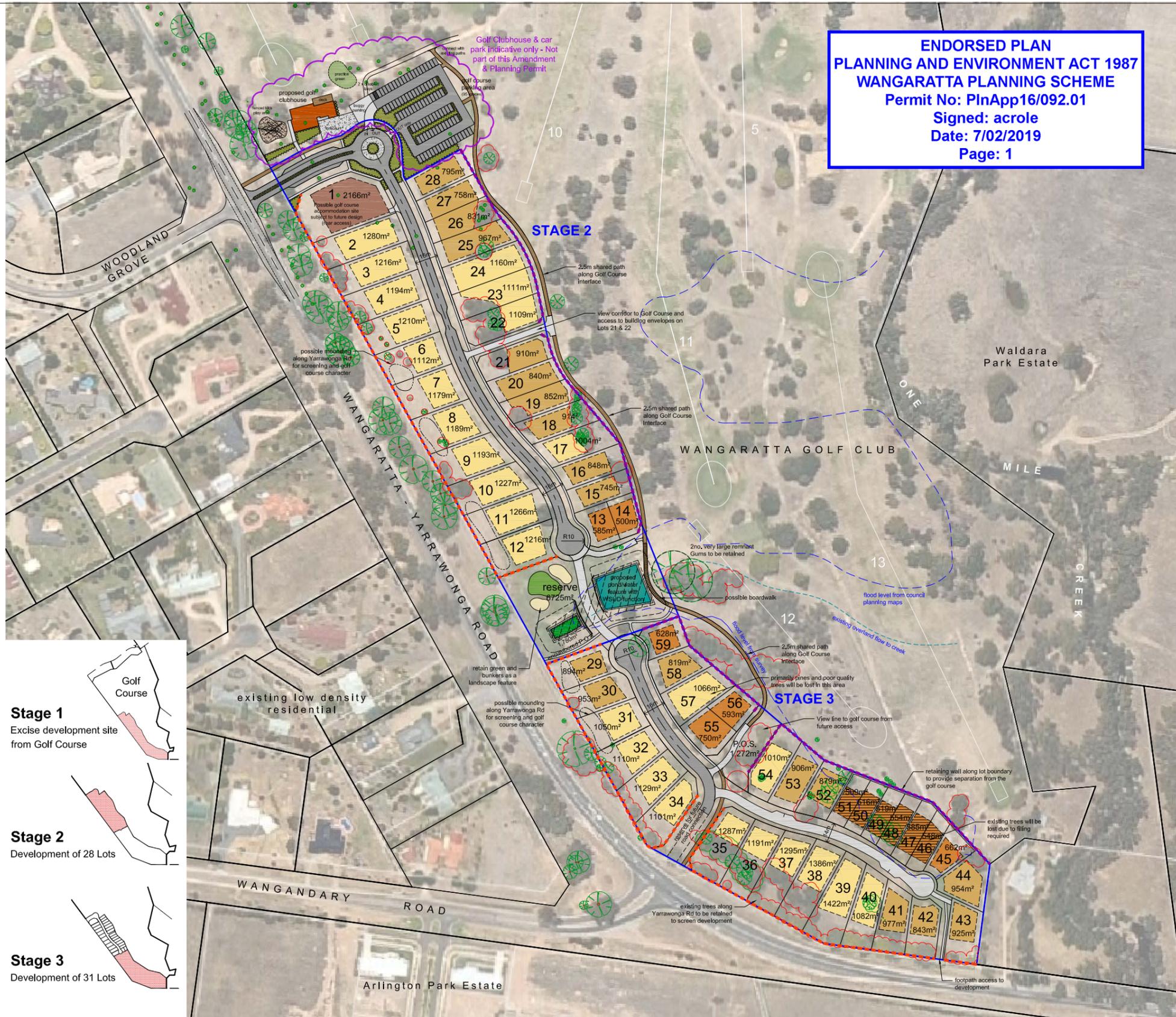
A: 133 Victoria Cross Pk, Wodonga VIC 3690 Ph: (02) 6024 2899
 Vic: 08-U#24308 Vic: 08-U#8197 NSW: 224046C
 www.afonso.com.au

UNIT	ZONES	AREA (m ²)	UNIT	ZONES	AREA (m ²)	UNIT	ZONES	AREA (m ²)	UNIT	ZONES	AREA (m ²)	UNIT	ZONES	AREA (m ²)
UNIT 5	ALFRESCO	17.86	UNIT 4	ALFRESCO	17.86	UNIT 3	ALFRESCO	17.86	UNIT 2	ALFRESCO	17.86	UNIT 1	ALFRESCO	18.13
	BALCONY	17.86		BALCONY	17.86		BALCONY	17.86		BALCONY	18.13		BALCONY	18.13
	FF LIVING	109.57		FF LIVING	109.17		FF LIVING	109.20		FF LIVING	109.20		FF LIVING	110.81
	GARAGE	42.43		GARAGE	41.62		GARAGE	41.62		GARAGE	41.62		GARAGE	41.54
	GF LIVING	116.25		GF LIVING	112.97		GF LIVING	111.90		GF LIVING	112.89		GF LIVING	112.89
TOTAL	303.97 m²	TOTAL	298.18 m²	TOTAL	298.04 m²	TOTAL	298.04 m²	TOTAL	298.04 m²	TOTAL	301.99 m²	TOTAL	301.99 m²	



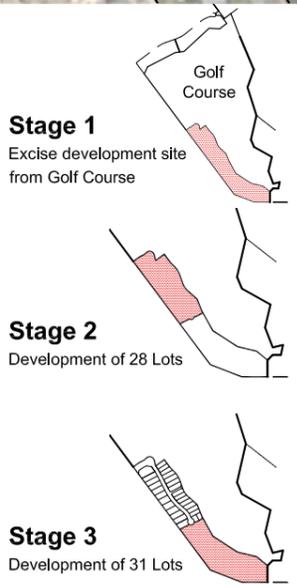
GENERAL NOTES		BUILT AREAS		REVISIONS		REV: -	SCALE	SHEET	FERRELLO DEV P/L	
1) THIS PLAN SHEET MUST BE READ WITH REFERENCE TO THE NOTES ON SHEET 1.		BUILT ZONE	AREA (m ²)	DATE	REVISION		1:100 (A2)		SITE: L1 FAIRWAY DVE WALDARA	
2) DIMENSIONS TAKE PRECEDENCE OVER SCALING.		ALPESCO	89.57	24/3/21	SITE LAYOUT				SKETCH ELEVATIONS	
3) REFER ASSOCIATED ENGINEER DETAILS. ENGINEER DETAILS TAKE PRECEDENCE.		BALCONY	89.57	04/21	PRELIM SKETCH US		CUSTOM DESIGN		A: 133 Victoria Cross Pde, Wodonga VIC 3690 Ph: (02) 6024 2899	
4) ALL CONSTRUCTION GENERALLY TO BE IN ACCORDANCE WITH NCC, COUNCIL REGS AND AUSTRALIAN STANDARDS.		FF LIVING	546.05	17/4/21	PRELIM SKETCH US				Vic: 08-U #24308 Vic: 08-U #58197 NSW: 224046C	
5) CONTRACTORS SHOULD VERIFY ALL DIMENSIONS ON SITE.		GARAGE	208.83	22/4/21	PRELIM SKETCH US				www.afonso.com.au	
6) DIMENSIONS SHOWN DO NOT NECESSARILY ALLOW FOR INTERNAL OR EXTERNAL LININGS OR CLADDINGS UNLESS OTHERWISE NOTED.		GF LIVING	564.40	21/5/21	AMENDMENTS					
7) CONTRACTORS SHOULD VERIFY THAT THE PLANS BEING USED ARE LATEST REVISION.			1,500.42 m ²	05/21	AMENDMENTS					
		ROOF ZONE	AREA (m ²)	2/8/21	AMENDMENTS					
				08/21	PLANNING ISSUE					
				21/1/21	AMENDMENTS					
				-	-					
				-	-					

CONCEPT DEVELOPMENT PLAN



ENDORSED PLAN
PLANNING AND ENVIRONMENT ACT 1987
WANGARATTA PLANNING SCHEME
 Permit No: PInApp16/092.01
 Signed: acrole
 Date: 7/02/2019
 Page: 1

- Legend**
- Proposed residential lots
 - > 1,000m²
 - 701 - 999m²
 - < 700m²
 - Terrace house lots
 - Future Golf Course accommodation site subject to future design (medium density - potential rear access along southern boundary)
 - Building envelope
 - Proposed footpath - 1.5m wide
 - Shared path/buggy path - 2.5m wide
 - Existing trees proposed to be retained
 - Proposed playground
 - Proposed boundary fencing to be provided by developer.
 - Type 1 - 1.2m high open style pool fence.
 - Type 2 - 1.5m high open style pool fence.
 - Fencing styles to be confirmed as part of landscape plan approval.



DATE	DESCRIPTION	REVISION STATUS
16.11.18	For Approval	2
24.03.19	For Approval	11
17.10.18	For Approval	10
20.08.18	For Approval	9
29.04.18	For Approval	8
16.03.18	For Approval	7
18.02.18	For Approval	6
27.11.17	For Approval	5
29.09.17	For Approval	4
18.05.17	For Approval	3
05.03.17	For Approval	2
07.10.14	For Approval	1
30.07.14	For Discussion	-
27.05.14	For Discussion	-
16.05.14	For Discussion	-
22.05.14	For Discussion	-
23.05.14	For Discussion	-
15.05.14	For Discussion	-

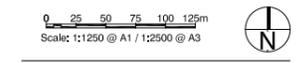
NORTH EAST SURVEY DESIGN

488 83 127 450 897
 PO Box 882
 Wangaratta VIC 3676
 Mobile 0407 216 710
 Fax 03 5721 6701
 matt@nesd.com.au
 www.nesd.com.au

For: Wangaratta Golf Club
 At: Waldara

Title: PROPOSED SUBDIVISION
 Wangaratta Golf Club - Site 3
 Yarrawonga Road, Waldara

Drawing No: M1252_ODP-overall
 Project No: M1252
 Revision: 12
 Drawn by: KW
 Checked/Signed By: MS



Status:
FOR COUNCIL ENDORSEMENT

Drawing Creation Date: 14.11.2018
 Plot / Issue Date: 16.11.2018
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CONCEPT DEVELOPMENT PLAN



ENDORSED PLAN
PLANNING AND ENVIRONMENT ACT 1987
WANGARATTA PLANNING SCHEME
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 Date: 7/02/2019
 Page: 2

Golf Clubhouse & car park indicative only - Not part of this Amendment & Planning Permit

STAGE 2

DATE	DESCRIPTION/REVISION	REVISION STATUS
16.11.18	For Approval	8
24.08.18	For Approval	7
17.10.18	For Approval	6
29.04.18	For Approval	5
27.11.15	For Approval	4
18.05.15	For Approval	3
03.03.15	For Approval	2
07.10.14	For Approval	1
30.07.14	For Discussion	-
27.05.14	For Discussion	-
16.05.14	For Discussion	-

NORTH EAST
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 Fax 03 572 16701
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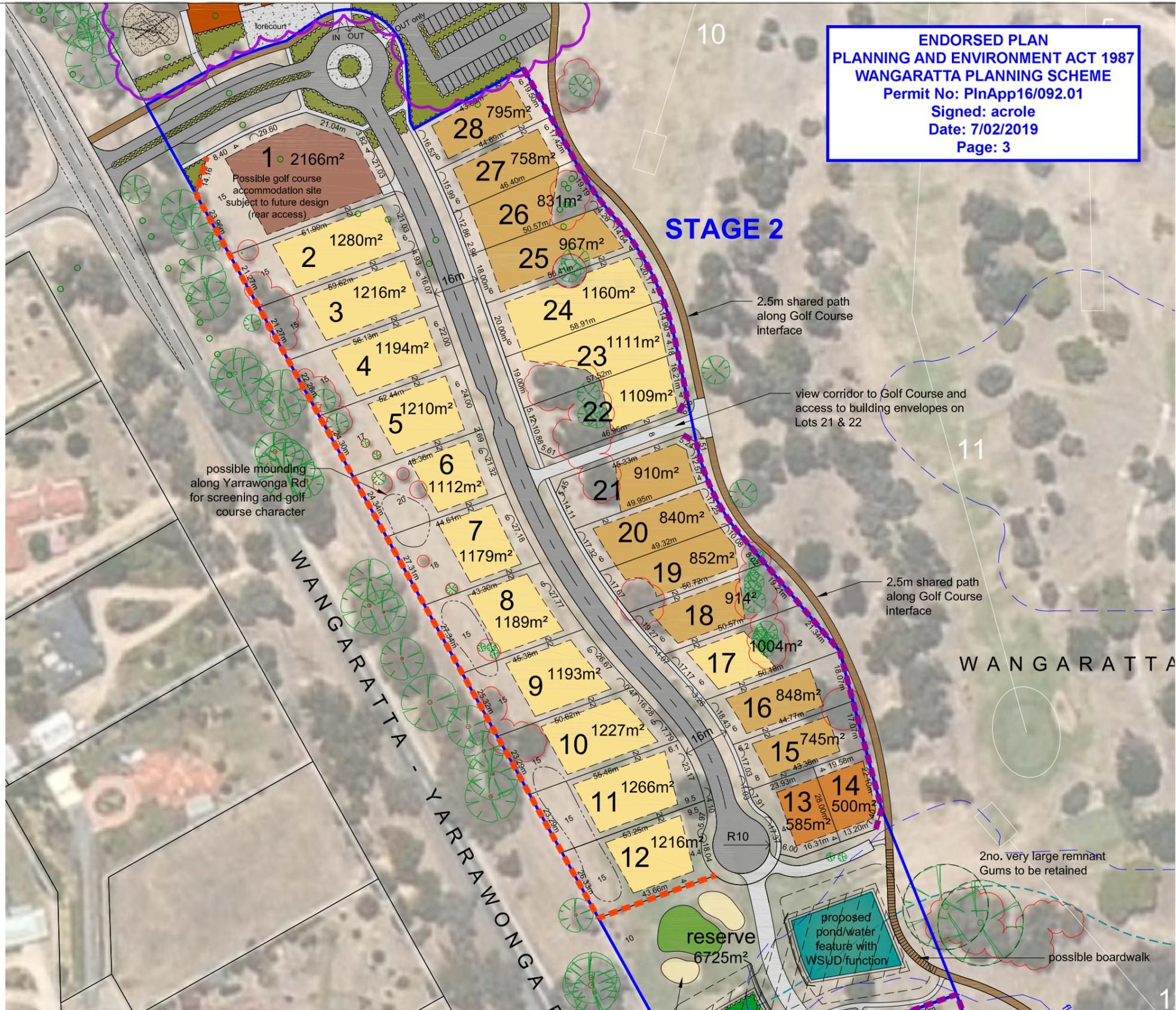
For: Wangaratta Golf Club
 At: Waldara
 Title: PROPOSED SUBDIVISION
 Wangaratta Golf Club - Site 3
 Yarrowonga Road, Waldara
 Drawing No: M1252_ODP-clubhouse
 Project No: M1252
 Revision: 8
 Drawn by: KW
 Checked/Signed By: MS

0 5 10 15 20 25m
 Scale: 1:500 @ A1 / 1:1000 @ A3

Status:
FOR COUNCIL ENDORSEMENT

Drawing Creation Date: 14.11.2018
 Plot / Issue Date: 16.11.2018
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CONCEPT DEVELOPMENT PLAN



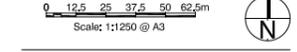
ENDORSED PLAN
PLANNING AND ENVIRONMENT ACT 1987
WANGARATTA PLANNING SCHEME
 Permit No: PinApp16/092.01
 Signed: acrole
 Date: 7/02/2019
 Page: 3

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DATE	DESCRIPTION/REVISION	REVISION STATUS
16.11.18	For Approval	11
24.08.18	For Approval	10
17.10.16	For Approval	9
29.04.16	For Approval	8
16.03.16	For Approval	7
16.02.15	For Approval	6
22.11.15	For Approval	5
18.05.15	For Approval	4
03.03.15	For Approval	3
02.10.14	For Approval	2
19.08.14	For Discussion	1
30.07.14	For Discussion	-

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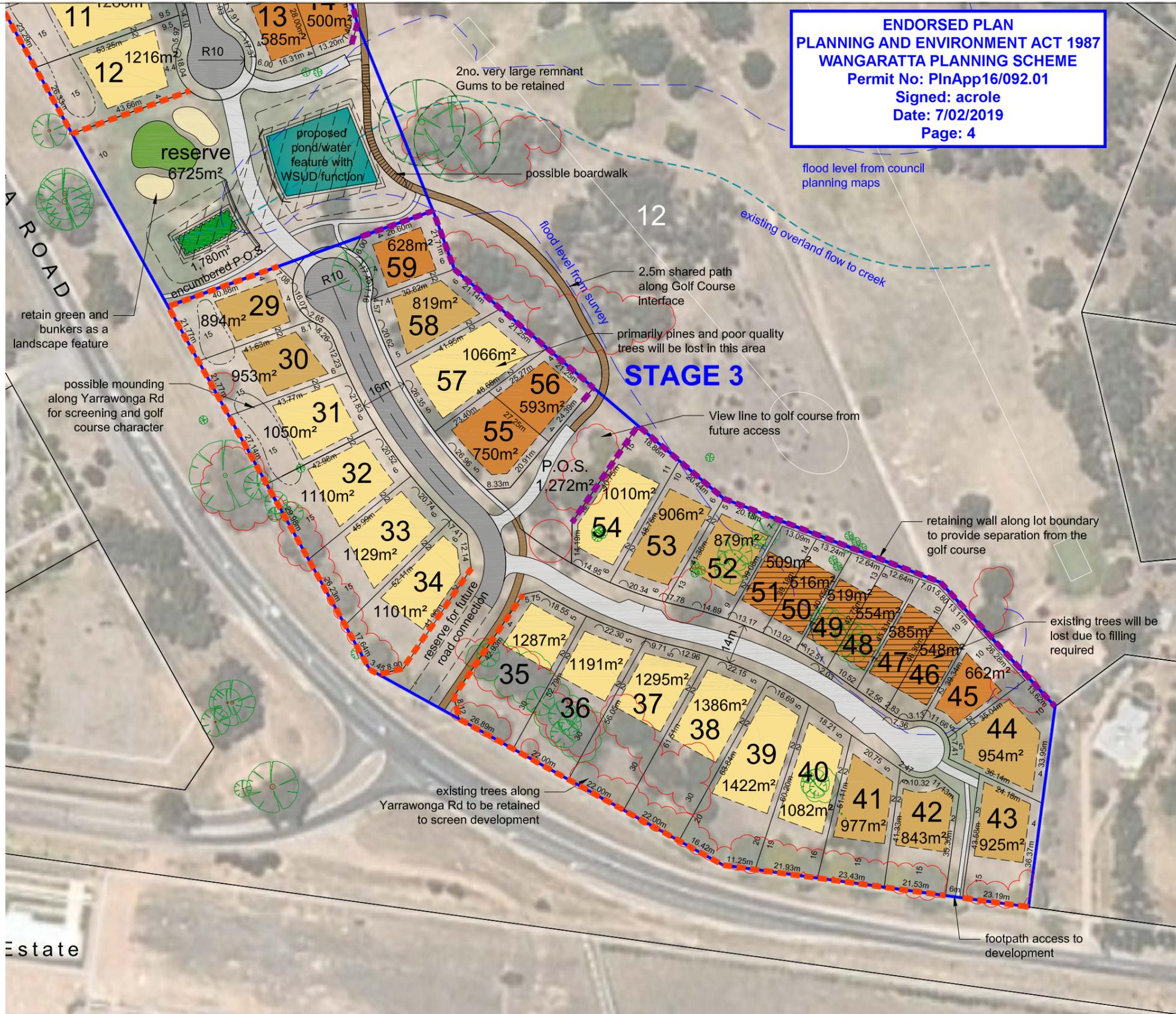
For: Wangaratta Golf Club
 At: Waldara
Title: PROPOSED SUBDIVISION
 Wangaratta Golf Club - Site 3
 Yarrowonga Road, Waldara
Drawing No: M1252_ODP-stage 2
 Project No: M1252
 Revision: 11
 Drawn by: KW
 Checked/Signed By: MS



Status:
FOR COUNCIL ENDORSEMENT

Drawing Creation Date: 14.11.2018
 Plot / Issue Date: 16.11.2018
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CONCEPT DEVELOPMENT PLAN



ENDORSED PLAN
PLANNING AND ENVIRONMENT ACT 1987
WANGARATTA PLANNING SCHEME
 Permit No: PInApp16/092.01
 Signed: acrole
 Date: 7/02/2019
 Page: 4

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DATE	DESCRIPTION	REVISION STATUS
16.11.18	For Approval	12
23.08.18	For Approval	11
17.10.18	For Approval	10
29.04.18	For Approval	9
16.03.18	For Approval	8
16.02.18	For Approval	7
27.11.17	For Approval	6
18.05.17	For Approval	5
03.03.15	For Approval	4
07.10.14	For Approval	3
04.09.14	For Discussion	2
19.08.14	For Discussion	1
30.07.14	For Discussion	-

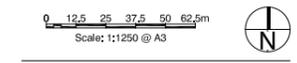
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Title: PROPOSED SUBDIVISION
 Wangaratta Golf Club - Site 3
 Yarrowonga Road, Waldara

Drawing No: M1252_ODP-stage 3
 Project No: M1252
 Revision: 12
 Drawn by: KW
 Checked/Signed By: MS



Status:
FOR COUNCIL ENDORSEMENT

Drawing Creation Date: 14.11.2018
 Plot / Issue Date: 16.11.2018
 File Location: N:\NESD Job Directory\M1252 Wangaratta Golf Club\16112018\16112018_M1252_ODP_MCTHE_revised001.dwg