



Rural City of  
**Wangaratta**

# Agenda

For the Ordinary Council Meeting  
Whorouly Recreation Reserve, 10 Memorial Park Drive - Whorouly VIC 3735  
**26 April 2022**



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## 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 29 March 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 2022/23 Draft Budget

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	26 April 2022
Author:	Manager Finance
File No:	IC22/498

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

#### Executive Summary

This report is presented to Council to consider endorsing the 2022/23 Draft Budget (Draft Budget), which has been prepared in accordance with Section 94 of the *Local Government Act 2020*.

#### Recommendation:

That Council:

1. Endorses the 2022/23 Draft Budget attached to this report.
2. Authorises the Chief Executive Officer to:
  - a. give public notice of the preparation of the 2022/23 Draft Budget in the Wangaratta Chronicle on Friday 29 April 2022 inviting the public to make written submissions on the 2022/23 Draft Budget; and,
  - b. make available for public inspection the 2022/23 Draft Budget at the Wangaratta Government Centre; and,
  - c. publish the 2022/23 Draft Budget on Council's website; and,
  - d. receive written submissions up to 5pm Friday 27 May 2022.
3. Forms a Committee of Councillors to meet at a date to be confirmed to hear any person wishing to be heard in support of their written submission on the 2022/23 Draft Budget.
4. Considers all submissions when deliberating on the adoption of the 2022/23 Draft Budget, with or without amendment, at the Scheduled Council Meeting to be held on Tuesday 28 June 2022 at 6.00pm.

#### Background

The *Local Government Act 2020* provides that Council must:

- Prepare a budget for each financial year and the subsequent three financial years by June 30 – Section 94(1)

- Ensure the budget contains financial statements, a description of services and initiatives, the total amount that Council intends to raise by rates and charges, prescribed indicators of service performance and a statement as to how these will contribute to achieving the strategic objectives specified in the Council Plan required by the regulations – Section 94(2).
- Ensure the budget is developed in accordance with the financial management principles and its community engagement policy – Section 96(1).

### **Highlights**

Headline figures of the Draft Budget include:

- Total income of \$89.26 million
- Total operating expenditure of \$71.11 million
- An accounting surplus of \$18.15m
- An adjusted underlying operating deficit of \$883k
- A capital works program of \$37.14 million, inclusive of \$6.65 million of works to be carried over from 2021/22
- A rate rise of 1.75% in line with the Fair Go Rate System cap
- No new borrowings

### **Capital Works Budget**

The proposed capital works budget of \$37.14 million is made up of \$30.50 million of new works for 2022/23 and \$6.65 million of works from the 2021/22 capital works program.

The program will be funded by \$18.89 million of grant funding and \$18.25 million of Council cash from operations, reserves and investments.

The \$30.50 million of new works for 2022/23 includes:

- \$9.59 million for the WSAC extension (\$10.49 million over two years, with \$5.50 million of funding)
- \$2.8 million for the delivery of the King Valley Prosecco Road Masterplan (\$4 million over two years fully funded)
- \$1.5 million for Flood Mitigation Structures (\$5.4 million over two years, with \$3.5 million of State and Federal funding)
- \$1.83 million of gravel re-sheeting
- \$1 million for initial works to Newman Street Drainage
- \$350k for the Moyhu Hall Redevelopment
- \$251k for new footpaths
- \$100k to continue Wangaratta entrance beautification
- \$125k to complete delivery of the Everton Infrastructure Plan

A full listing of capital works projects can be viewed in Note 4.5 of the attached 2022/23 Draft Budget.

Surging demand for contractors and materials, supply shortages and bottlenecks following COVID restrictions, stimulus and other global events have caused delays to the delivery of the 2021/22 capital works program, as outlined in the 2021/22 Quarter 3 Forecast Review. As such, \$6.65 million of projects have been identified as being required to carry forward into the 2022/23 financial year. These projects are identified in Note 4.5.3 of the attached Draft Budget, and include Ned



Kelly Glenrowan Heritage Project \$2.63 million, Bowser Cell 6 Construction \$1.53 million and King Valley Prosecco Road Masterplan \$600k.

### **Operating Budget**

Operational budget highlights include the continued delivery of Council's adopted Marketing and Branding Strategy, with large scale marketing promotion and awareness campaigns to attract visitors, new residents and investment. This is complimented by continued business attraction and investment activities, which will be guided by a review of the Economic Development and Tourism Strategy.

Other operational highlights include funding for the implementation of the Visitor Services Strategy, which includes the inclusion of visitor services at the new Ned Kelly Glenrowan Heritage Project Centre to capture and disseminate visitation through the municipality.

The Draft Budget also provides funding for the Environmental Sustainability Strategy, which will see actions implemented including education programs on energy efficiency and emission reduction plan deliverables.

Grant funding opportunities for the community in the budget year include \$192.5k for Community Grants across General, Access and Inclusion, Mental Health and Resilience and Active Wangaratta streams. This is in addition to \$90k identified for sponsorships by application.

Council has also made provision in the Draft Budget to deliver a traffic management plan with short and long term solutions for improving traffic management in the CBD, as identified in the Council Plan (item 5.1.3.4).

The impact of early receipt of 75 per cent of the 2022/23 Federal Financial Assistance Grants should be noted in respect of Council's budgeted 2022/23 operating position. As described in Council's 2021/22 Quarter 3 Forecast Review, much of this funding has been received in advance in 2021/22 and must be recognised on receipt. This timing difference has reduced projected operating grants in the 2022/23 budget, therefore reducing the budgeted adjusted underlying operating result.

### **Rates**

The Fair Go Rate Cap of 1.75 per cent is reflected in the Draft Budget, resulting in projected general rates revenue of \$29.76 million. This is an increase to the 2020/21 Rate Cap of 1.5 per cent, which is reflective of increased CPI projections. The full rate cap has been applied to ensure Council is able to maintain revenues in line with inflation and fund projects and services that our community values into the future.

Property valuations are undertaken annually, with the Valuer-General being the sole valuation authority. Section 4.1.1 of the Draft Budget reflects preliminary revaluation data as at 1 January 2022. The valuations will not be finalised until June and therefore are subject to change, in addition to other changes that may occur through the finalisation of supplementary valuations. Section 4.1.1 including the rate in the dollar will be revised and disclosed prior to adoption of the 2022/23 Budget based on any such changes.

Current draft valuation data suggests an average capital improved value increase across the municipality of 28.66 per cent. This does not mean that Council will generate 28.66 per cent in additional rates, rather it will influence how much of the total rates revenue, which is capped at a 1.75 per cent increase, will be contributed by each individual property. Property owners may see

an increase or decrease to their Council rates depending on their individual property value movement relative to other properties in the municipality.

Movements in individual property valuations (capital improved value or CIV) are not yet certified by the Victorian Valuer-General and are difficult to communicate through the Draft Budget Document. Section 4.1.2(f) of the attached Draft Budget provides an indication of the valuation movements for each rating differential, however individual property valuation movements will not be advised until the 2022/23 annual rates and valuation notice for each property are distributed.

### **User Fees and Charges**

User fees and charges have been reviewed by each operating unit to ensure they continue to represent the determined fee structure and account for increases to CPI, benchmarking and full-cost recovery where applicable. Many fees relating to hire of Council facilities including performing arts, gallery and library have been frozen in recent years due to the impact of COVID. As we adjust to COVID normal, these fees have largely been adjusted by CPI for the budget year.

Due to changes to the funding model for Aged and Community Care, fee increases are proposed for home care and domestic assistance beyond CPI. The proposed fees have been benchmarked against industry and designed to ensure Council is still able to provide these services to the community while remaining financially sustainable.

Kerbside waste charges are proposed to increase by 6% overall. Kerbside waste charges fund both the current operational requirements of collection and disposal of waste, including State Government Levies, in addition to future capital works and rehabilitation of landfill facilities.

Statutory fees and fines that are determined by prescribed fee or penalty units will be updated on publishing of the 2022/23 unit rates by the Department of Treasury and Finance.

### **Other Budget Influences**

In preparing the Draft Budget, several internal and external influences have been taken into consideration, as they impact significantly on the services delivered by the Council in the budget period.

COVID has had an impact on Council's financial position since 2019/20, due to changed operating requirements and the significant impact to Council's ability to collect User Fees. The Draft Budget sees significant improvement to projected User Fee income, an important source of revenue outside of rates revenue and operating grants. This revenue stream however continues to remain susceptible to any future COVID related restrictions or changes to operating conditions should they occur.

Budgetary pressures extending into future years may include increases to Council's insurance premiums, having seen a further increase of 4.5 per cent this year following a number of years of increases of 15 per cent, the continued increase to the superannuation guarantee, possible outcomes from future employee bargaining agreement negotiations and the continued pressure of the rate cap, especially in an environment where cost inflation of materials and services Council procures far exceeds the 1.75 per cent rate cap.

### Financial Performance Indicators

Section 5 of the attached Draft Budget documents Council's current and projected forecast across a number of prescribed indicators. These indicators are useful for analysing Council's financial position and are further supported by the Financial Policy Statements adopted in Council's Ten-Year Financial Plan.

Noteworthy results include strong working capital (greater than 100 per cent), indebtedness returning to within Financial Policy Statement guidelines (less than 60 per cent) over the budgeted and projected years and asset renewal and upgrade as a percentage of depreciation averaging 92 percent over the four budgeted and forecast years. Council's operating position remains close to breakeven, with the Financial Sustainability Program continuing to ensure this measure remains within target over the life of the Long-Term Financial Plan.

### **Policy Considerations**

The Annual Budget resources the Council Plan to enable the outcomes in the Council Plan to be achieved, including the implementation of Council policies.

### **Financial/Economic Implications**

	<b>2021/22 Projected Full Year Forecast ('000s)</b>	<b>2022/23 Draft Budget ('000s)</b>	<b>Variance ('000s)</b>	<b>Comments</b>
<b>Revenue/Income</b>	\$86,109	\$89,263	\$3,154	<ul style="list-style-type: none"> <li>- Total non-recurrent capital grants have increased, reflecting the size and nature of proposed 2022/23 capital works program</li> <li>- Total operating grants have reduced as a number of non-recurrent programs do not continue</li> <li>- Total user fees increase, reflecting of anticipated recovery from impacts of COVID</li> <li>- Rates and charges increase per the rate cap and published draft waste charges</li> </ul>
<b>Expense</b>	\$76,105	\$71,108	(\$4,997)	- Decrease in expenditure largely reflective of non-recurrent operating expenditure in 2021/22 (including Gun Club Rehabilitation, COVID Outdoor Activation and Business Concerge funding, Managing Pests and Weeds) that will not continue into 2022/23.

<b>Net Result (Accounting Surplus)</b>	<b>\$10,004</b>	<b>\$18,155</b>	<b>\$8,151</b>	
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### Legal/Statutory

The Draft Budget has been prepared in accordance with the requirements of the *Local Government Act 1989*, *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2014 No.17.

### Social

The Draft Budget provides resources for the implementation of various strategies, plans, works and the delivery of services required to achieve the objectives of the Council Plan including an active and engaged community.

### Environmental/Sustainability Impacts

Environmental and sustainability impacts have been considered when developing the Draft Budget, including funding the implementation of the Environmental Strategy Action Plan.

### Strategic Links

The 2022/23 Draft Budget describes the resources required to deliver the strategic objectives of the Council Plan 2021-2025. See section 2 of the Draft Budget for services and major initiatives to be delivered under each strategic objective.

### Risk Management

A well-planned budget will reduce the risk that Council will not be able to provide the services expected and required by the community.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Budget not adopted within statutory timeframes	Low	High	Medium	Ensure Budget timetable for adoption is adhered to.
Budget adopted without consideration of Long-Term Financial implications	Low	High	Medium	Ensure continual review of Council's Long-Term Financial Plan as part of budget setting process.
Budget adopted without consideration of ratepayer input	Low	High	Medium	Undertake community consultation.

### Consultation/Communication

The Draft Budget has been developed in consultation with Managers, Leadership and Councillors to ensure it reflects delivery of the Council Plan.

The following deliberative engagement approach will now be taken in accordance with Council's Community Engagement policy:

Level of public participation	Stakeholder group	Tools/Techniques
Inform	Community	Undertake public exhibition process: Public notice in local newspaper and make available for viewing online and at Council's main office.
Involve	Community	Consider community submissions.

Following endorsement of the Draft Budget at the Scheduled Council Meeting on 26 April, the document will be placed on public exhibition for 28 days from Friday 29 April to invite submissions from the community.

The Draft Budget will be available for inspection at the Wangaratta Government Centre and on Council's website at [www.wangaratta.vic.gov.au](http://www.wangaratta.vic.gov.au).

Anyone who makes a written submission can request to be heard by a Committee of Council in support of their submission. The proposed timeline is as follows:

Tuesday 26 April 2022	Ordinary Council Meeting to endorse the 2022/23 Draft Budget
Friday 29 April 2022	Invite the public to make submissions in response to the 2022/23 Draft Budget
Friday 27 May 2022	Submission period closes at 5:00pm
Early-June 2022 – date and time to be determined	If required, Council Committee is formed to hear submissions
Tuesday 28 June 2022	Adoption of the 2022/23 Budget at the June Ordinary Council Meeting

### Options for Consideration

Council must prepare a Budget for the 2022/23 financial year to comply with the Act.

Options for consideration are:

1. Endorse the 2022/23 Draft Budget in the current state (refer to Attachment); or
2. Council recommends changes to the 2022/23 Draft Budget which are required to be made prior to the document being made available for public consultation and to receive submissions. This is not recommended as it risks that the organisation wouldn't have an adopted budget in place ready for the start the 2022/23 financial year which is in breach of the Act.

### Conclusion

The Draft 2022/23 Budget reflects the resources required to deliver the Council Plan and has been developed with input from Councillors and Council Officers.

This report seeks Council to endorse and authorise the exhibition of the Draft 2022/23 Budget for public exhibition from 29 April 2022 to 27 May 2022.

### Attachments

- 1 2022/23 Draft Budget [↓](#) 

## 14.2 Delegations

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	26 April 2022
Author:	Governance & Reporting Advisor
File No:	IC22/566

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

### Executive Summary

This report is presented to Council to provide an update on the Council's suite of Instruments of Delegations.

#### Recommendation:

That Council endorse the delegation, functions and/or powers described in 'Instrument of Delegation to members of Council staff' as attached.

### Background

Council provides a wide range of services to its residents and requires decisions to be made on an extensive range of matters. It is impractical for the elected Council members or the CEO to provide all these services and make all these decisions by themselves. The *Local Government Act 2020* (Vic) recognised this and allows for the Council and CEO to delegate some of their functions to other staff within the organisation who have the relevant expertise or knowledge on the subject matter. Some of these delegations have been amended to satisfy operational or legislative changes.

Maddocks law firm provides Council with regular notifications of amendments required to be made to the Instruments of Delegations as legislation and regulations evolve. The associated changes have been made, reviewed by the Corporate Management Team and are now presented to Council for formal adoption of the Instrument of Delegation to members of Council staff.

A summary of all the latest amendments required is included in the letter from Maddocks (Attachment 1). Council should note that in addition to the above, updates have also been made to the Instrument of Sub-Delegation by the CEO and minor incidental changes have been made to Instrument of Appointment and Authorisation, Instrument of Authorisation and Delegation by the Municipal Building Surveyor and Instrument of Delegation by the CEO. Those Delegations are authorised by the CEO and do not require a resolution of Council to be amended.

Attachment 2 is the current 'Instrument of Delegation to members of Council staff', last endorsed by Council in November 2021. Attachment 3 contains marked-up changes to this Instrument for reference only and Attachment 4 is the clean updated Delegation document, presented here to Council for final endorsement.

## 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

The *Local Government Act 2020* and its associated regulations sets out the legal requirements for delegations. Section 11 outlines a Council may delegate a power, duty or function to its Chief Executive Officer and section 47 of the Act outlines the Chief Executive Officer's power to delegate their powers to Council Officers. Further, the Chief Executive Officer is required to keep a register of their delegations.

### 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

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

### Rural City of Wangaratta 2033 Community Vision

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

Provide open and transparent communication to the community to build trust, respect and understanding.

## Risk Management

Council risks facing legal issues if it acts outside its delegation. It is incumbent upon Council to ensure it acts in accordance with all delegations to ensure compliance with relevant legislative requirements.

## Consultation/Communication





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



## Conclusion

Delegations form a key part of a Council's operations and provide for better efficiency and of key Council services. Delegations are regularly updated and Council will be notified.

## Attachments

- 1 Maddocks Letter [↓](#) 
- 2 Instrument of Delegation to members of Council Staff Clean [↓](#) 
- 3 Instrument of Delegation to members of Council Staff Marked Up [↓](#) 
- 4 Instrument of Delegation to members of Council Staff November 2021 [↓](#) 

### 14.3 2021/22 Quarter 3 Forecast Review

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	26 April 2022
Author:	Manager Finance
File No:	IC22/583

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 3 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 two months.

#### Recommendation:

That Council endorses the Quarter 3 Forecast Review, including

1. The increase to the projected accounting surplus of \$2.28m
2. The reduction to the projected capital works program of \$6.595m, with \$6.647 of works identified to be carried forward to the Draft 2022/23 Budget
3. The addition of a \$70k (\$100k over two years) capital project for building renewals at the Children's Services Facility, and
4. The Environmental Upgrade Agreement Quarterly Statement.

#### Background

Council has completed its third quarter financial reporting process to manage and monitor its financial performance against budget. The Quarter 3 Forecast is the forecast position presented in the Draft 2022/23 Budget.

Council's projected accounting surplus has increased by \$2.28 million to \$10.0 million. The projected underlying operating deficit (calculated by removing capital related income from the accounting surplus) has decreased by \$3.27 million to \$1.52 million, largely due to the timing of receipt of recurrent federal grant funding.

The 2021/22 Capital Works Budget has decreased by \$6.595 million to \$24.32 million, with \$6.647 million of works identified to be carried over into the Draft 2022/23 Budget. Capital works delivery in 2021/22 has been challenging for all councils, impacted by a combination of Covid and bad weather earlier in the year. Shortages of supply continue for both materials and contractors, with the cost of materials such as steel increasing significantly. Council has a number of large tenders currently out in the market. It is anticipated Council will need to continue to respond and actively manage and adjust capital works delivery for the remainder of the year (and likely continuing into 2022/23), subject to supplier tender response rates and pricing.

## Implications

### Policy Considerations

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

### Financial/Economic Implications

Rural City of Wangaratta 31 March 2022	21/22 Adopted Budget	21/22 Adopted Quarter 2 Forecast	21/22 Quarter 3 Forecast Review	21/22 Q2 to Q3 Forecast Variance
	\$'000	\$'000	\$'000	\$'000
<b>Income</b>	80,274	84,605	86,109	1,504
<b>Expenses</b>	70,102	76,878	76,105	(773)
<b>Surplus / (deficit) for the year</b>	10,172	7,727	10,004	2,277
<b>Capital Works Expenditure</b>	27,282	30,913	24,318	(6,595)

### Income Statement – Surplus Increase

Council's Quarter 3 Forecast Review projects a \$2.277 million favourable movement to surplus.

The favourable forecast largely relates to a Federal Budget decision to pay Councils 75% of the Federal Financial Assistance Grants in advance. These grants are not tied to a specific performance obligation aside from Council operations and road maintenance and must therefore be recognised as income on receipt. This income is heavily relied on by all Local Governments to deliver the services and public facilities the community expect, need and enjoy. Council had budgeted to receive 50% in advance as is normal procedure, with the additional 25% received in advance for 2022/23 resulting in a forecast increase of \$2.28 million. A corresponding decrease to budgeted income has been reflected in the Draft 2022/23 Budget.

Grant funding relating to capital projects is subject to assessment under AASB 1058 Income for Not-for-Profit Entities, whereby Council cannot recognise income for a capital project unless the related performance obligations have been completed. For capital works, this usually means completion of the project, often recognised in stages. Of the \$6.647 million of capital works identified in the Draft 2022/23 Budget as required to be carried forward from 2021/22, there is \$1.42 million of funding tied to these projects that will also be carried forward.

Other forecast adjustments influencing the increase to projected surplus include an increase to contributions, reflective of Council receiving funds under a Developer Contribution Plan and decreases to employee costs as savings relating to vacancies and changes to operating conditions earlier in the year as a result of COVID restrictions are realised.

### Capital Works Program – Decrease to Budget

The capital works program is forecast to decrease by \$6.595 million to \$24.32 million, due to a mix of projects identified to be carried forward, the inclusion of new projects, and savings identified for completed projects.

Council continues to experience challenges in respect of contractor and materials availability, with delays of up to 25 weeks being experienced for some projects. These challenges are echoed across many Local Government counterparts and are reflective of surging demand, supply shortages and supply bottlenecks following COVID restrictions and stimulus.

Projects identified to be carried forward into the Draft 2022/23 Budget include:

- \$2.63 million for the Ned Kelly Glenrowan Heritage Project. This is a multi-year project worth \$5.3 million, with \$2.7 million of grant funding.
- \$1.5 million for Bowser Landfill Cell 6 Construction
- \$600k for the King Valley Prosecco Road Masterplan Implementation. This is a multi-year project worth \$4m that is fully funded.
- \$602k for the Merriwa Park Retaining Wall Repairs
- Other projects totalling \$1.288 million, as detailed in the attached Statement of Capital Works and note 4.5.3 of the Draft 2022/23 Budget.

New projects identified and recommended are:

- \$70k (\$100k over two years) for building renewal of the Children's Services Facility. The facility has undergone a service review and are delivering on operational recommendations and targets. These building renewals will improve the administration area and meeting spaces, to improve ways of working by better connecting the team and enhance the facilities available to users.
- \$50k for the Showgrounds Relief Centre. Council was successful in seeking \$2.039m of grant funding to improve the relief centre capacity of the Showground facility following the 2020 bushfires. This work will be delivered over two years, with works to commence this financial year.
- \$25k for Energy Efficiency Upgrades to preschool and kinder facilities – partially funded.

### Balance Sheet

Council's working capital is in a strong position at 254% due to borrowings drawn down in 20/21, grant funding received in advance not yet recognised as a liability, 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 3.8% 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 no new Environmental Upgrade Agreements during the third quarter of 2021/22.

There are two Environmental Upgrade Agreements 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**

- a. Maintain liquidity ratio – target > 100%
- b. Ensure Council’s financial sustainability through transparent and accountable financial management.
- c. 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 3 Forecast Review – recommended.
2. That Council endorse the Quarter 3 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 Financial Statements - 2021/22 Quarter 3 Forecast Review [↓](#) 

## 15. Infrastructure Services

### 15.1 Merriwa Park Masterplan adoption

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	26 April 2022
Author:	Project Officer
File No:	IC22/96

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 with a recommendation to adopt the Merriwa Park Masterplan, following a 60-day public exhibition period which received 55 formal submissions.

The final Masterplan has provided a 10-year action plan for implementation and delivery of future works. Whilst establishing a key vision for the park “to protect and enhance Merriwa Park’s beautiful natural environment and provide an environment of fun and relaxation, with activities for the whole family to enjoy”.

Council Officers are satisfied the appropriate community consultation has occurred and incorporated where possible into the final plan.

#### Recommendation:

That Council adopt the Merriwa Park Masterplan April 2022.

#### Background

Merriwa Park is located in Ryley Street, Wangaratta tucked away within Wangaratta’s CBD. Merriwa Park is a large, beautiful park.

The existing Masterplan for Merriwa Park was developed in 2014. Since this Masterplan was developed Council have completed several plans and feasibility studies which have impacted on the usage of Merriwa Park and its aging infrastructure.

The Masterplan will assist Council to confidently plan future investments within the park and ensure the park is developed in line with the community’s expectations.

At the November Council Meeting last year, the draft Masterplan was recommended for public consultation. Following the 60-day public consultation period, 55 formal submissions were received. Overall submissions received were supportive, identifying the below key themes which have been incorporated into the final Masterplan.

Key themes:

- Concerns no bus parking

- Removal of the Bike Hub
- Tree removal Ryley Street
- Artwork & Wayfinding Signage
- Fernery Improvements
- Water Quality Concerns
- Concerns around the promotion of fishing within the lagoon
- Request for additional improvements to the Soundshell
- Rear car parking
- Rear toilets to remain
- Footpath construction to be gravel / natural

### Implications

#### Policy Considerations

Procurement Policy.

#### Financial/Economic Implications

The 10-year masterplan has an estimated implementation cost of \$6.5M (ex GST), which will be incorporated into Council's Long Term Financial Plan.

#### Legal/Statutory

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

#### Social

The Masterplan will continue to build on the characteristics of Merriwa Park and enhance the park's natural environment to provide a fun and relaxing environment for locals and visitors to enjoy.

#### Environmental/Sustainability Impacts

The Masterplan will look to preserve the significant remnant vegetation throughout Merriwa and Kaluna Parks for future generations.

### Strategic Links

#### Council Plan 2021 – 2025

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

- 1. Strengthening our Leadership**  
Adopt and maintain a responsible and transparent 10 Year Financial Plan
- 2. Valuing our Environment**  
Enhance urban vegetation corridors for environmental, recreational, and aesthetic benefit to the community.
- 3. Expanding our Lifestyle**  
Develop a Masterplan to improve the waterways and community infrastructure at Merriwa Park including the junction of the Ovens and King Rivers.

#### 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  
*“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”.*

**Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Community dissatisfaction	Possible	Moderate	Medium (6)	Community consultation
Budget expectations	Possible	Major	High (7)	Actions adopted into the LTFFP where possible / External funding will be required.

**Consultation/Communication**

Prior to the development of the draft Masterplan online stakeholder engagement sessions were held with key stakeholders shown below to capture their needs for the future development of Merriwa Park.

Key stakeholders:

- Wangaratta Lawn Tennis Club
- Wangaratta Lions Club
- Wangaratta Urban Landcare Group

Community feedback was captured through one online community engagement session which received only three attendees, in addition to an online survey which received 30 detailed responses.

The draft Masterplan was placed on public exhibition for 60 days. The draft Masterplan was further promoted via signage installed throughout the park and social media posts.

Following public consultation 55 submissions received, which identified the below key themes.

A summary of how these key themes were addressed in the final plan is reflected below:

Themes	How will this be achieved?
Concerns no bus parking	Bus parking is proposed on Ryley Street, with improvements to be undertaken to improve pedestrian access to the park. Consideration for bus access during events will remain.
Removal of the Bike Hub	Proceed to relocate / determine usage requirements as per draft plan.
Tree removal Ryley Street	Trees to remain.
Artwork & Wayfinding Signage	Improve this action, particularly around Ryley Street.
Fernery Improvements	Build on current actions to include additional infill planting, re-establishment of the “loop track” and path improvements.

Themes	How will this be achieved?
Water Quality Concerns	Develop a management plan to undertake improvements to improve water quality, via water filtration and sediment control.
Concerns around the promotion of fishing within the lagoon	Fishing to be removed from the plan.
Request for additional improvements to the Soundshell	Provide support to the Lions Club to seek funding for future upgrades.
Rear car parking	Rear parking provisions will remain and further highlighted in the final plan.
Rear toilets to remain	Rear toilets are to be removed. New toilets suitable for small events installed closer to the playspace. Adequate space has been retained for portable toilet hire at the rear of the park for large events.
Footpath construction to be gravel / natural	Final plan will reflect granitic paths where suitable.

All formal submissions have received a personalised response from Council on how their feedback was included, or how their needs will be addressed outside of this Masterplan.

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

### Options for Consideration

1. Adopt the final Merriwa Park Masterplan
2. Defer the adoption of the Masterplan, recommending further review

### Conclusion

Council Officers are satisfied that appropriate community engagement has been undertaken and recommend adopting the Merriwa Park Masterplan.

### Attachments

- 1 Merriwa Park Masterplan [↓](#) 

## 15.2 Draft Asset Plan: 2022-2032

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	26 April 2022
Author:	Acting Asset Planning Coordinator
File No:	IC22/307

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

### Executive Summary

This report is presented to Council to seek endorsement to place the Draft Asset Plan 2022-2032 on Public Exhibition for a period of 28 days from 27 April 2022.

Council must maintain an Asset Plan of 10 year strategic and financial outlook within the Integrated Strategic Reporting and Planning Framework in accordance with Section 92 of the Local Government Act 2020. The first Asset Plan must be adopted by 30 June 2022, and thereafter by 31 October in the year following a general election.

This report presents the Rural City of Wangaratta's inaugural Asset Plan delivered under the Act.

### Recommendation:

That Council:

1. Endorses the Draft Asset Plan 2022-2032 for public exhibition for a period of 28 days from 27 April 2022.
2. Reviews and considers adopting the Draft Asset Plan 2022-2032 at a future Ordinary Council Meeting taking into consideration all submissions made.
3. If no submissions requesting changes are received, adopts the Draft Asset Plan 2022-2032 without further resolution.

### Background

The *Local Government Act 2020* (the Act) mandates Councils to undertake a principles-based approach to integrated strategic planning and reporting, including development of an Asset Plan with a ten year outlook.

The first Asset Plan must be adopted by Council prior to 30 June 2022 in accordance with Section 92 of the Act. Thereafter, by 31 October in the year following a general election.

The requirement for an Asset Plan in the Act is welcome recognition that asset management practices are an integral part of local government's business. Inclusion in the Integrated Strategic Reporting and Planning Framework acknowledges that decisions around assets are not made for the sake of assets alone, they are made in the pursuit of the delivery of the Community Vision and the Council Plan.

Local Government Victoria released its official guidance on preparation of the Asset Plan on 22 February 2022. The guidance specifies that an Asset Plan should be:

- Community Focused and Non-Technical
- Use reliable inputs (a robust and reliable asset register and annual budgeting forecasts)
- Integrated and Strategic with the Community Vision and Financial Plan

In accordance with the guidance, the key components delivered in this Draft Asset Plan include commentary on:

- Strategic Intent
- Linkages to the Community Vision and Council Plan
- Financial Integration (to the Long Term Financial Plan)
- Summary of Asset Classes and Current State of the Assets assessment
- Challenges and Choices when managing Council's Assets

### Implications

Given the Asset Plan is the last component of the Act to be delivered and has been segregated from other integrated strategic planning and reporting, in particular the development of the Financial Plan and Strategy, there is a risk that the plan remains less integrated in this first 4-year cycle. This will be mitigated by adopting greater collaboration in the Improvement Plan action items.

As individual Asset Management Plans in the Asset Portfolio level are developed and/or updated with detailed renewal modelling and financial forecasting, the Council Financial Plan will need to be revised and updated in accordance.

### Policy Considerations

The Draft Asset Plan 2022-2032 follows the Local Government Victoria Asset Plan guidance released on 22 February 2022.

It is noted that the Act and guidance from Local Government Victoria has provided exemption from deliberative community engagement for this first iteration of the Asset Plan.

### Financial/Economic Implications

The Draft Asset Plan 2022-2032 provides a current state of the assets summary for the Asset Portfolios of Transport (Roads, Paths, Bridges), Stormwater, Buildings and Open Spaces and provides commentary on current renewal forecasts and 10-year financial planned expenditure.

### Legal/Statutory

The Asset Plan has been prepared in accordance with Section 92 of the Local Government Act 2020.

### Social

The Draft Asset Plan 2022-2032 states how Council intends to manage \$768 M asset portfolio for which Council is the trusted custodian on behalf of residents, rate payers, business owners and visitors of the Rural City of Wangaratta.

### Environmental/Sustainability Impacts

Environmental and sustainability impacts have been considered and discussed in the challenges and choices with respect to each Asset Portfolio in the Plan. Issues of environmental and

sustainability consideration will have a significant impact on how we choose to manage our assets both physically and financially into the future.

### Strategic Links

#### Council Plan 2021 – 2025

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

#### 1. Strengthening our Leadership

*Action Item 1.2.1.3 Develop an Asset Management Plan that outlines the key elements involved in maintaining Council Assets*

#### Other strategic links

This Asset Plan supports through the Integrated Strategic Reporting and Planning Framework:

- Rural City of Wangaratta 2033 Community Vision
- Council Plan 2021-2025
- Financial Plan 2021-2031
- Annual Budget

### Risk Management

The Asset Plan 2022-2032 provides an overarching framework for the provision of sound asset management practice within the Rural City of Wangaratta. When adhered to and practiced well will reduce the risk that Council will not be able to support the \$768 M asset portfolio for which it is the trusted custodian on behalf of the community.

### Consultation/Communication

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

It is noted that the Act and guidance from Local Government Victoria has provided exemption from deliberative community engagement for this first iteration of the Asset Plan.

Significant deliberative engagement has already occurred via the Shape Wangaratta Engagement Panel, community collaborators in the development of the Council Plan 2021-2025 and the Wangaratta Community Vision 2033 and the Financial Future Survey undertaken when developing the Financial Plan 2021-2031.

Inputs from each of these previous engagements and consultations have been considered in development of the Asset Plan.

Following endorsement by Council, the Draft Plan will be placed on public consultation for a period of 28 days.

### Options for Consideration

Endorses the Draft Asset Plan 2022-2032 for public exhibition.

Do not endorse and request officers to make further changes before public exhibition.

### Conclusion

The draft Asset Plan 2022-2032 has been developed in accordance with Council's Engagement Policy and with consideration of the other complimentary Long Term 10 year strategic plans required under the Act, being the Community Vision and the Financial Plan.

This asset plan will help guide future financial decisions for long term growth and renewal planning resource allocation in the pursuit of sound asset management practices for the benefit of the whole community within the Rural City of Wangaratta.

### Attachments

- 1 Draft Asset Plan 2022-2032 [↓](#) 

## 16. Development Services

### 16.1 Sale of Land - 75 Carboor-Whorouly Road, Whorouly South

Meeting Type:	Ordinary Council Meeting
Date of Meeting:	26 April 2022
Author:	Manager - Economic Development, Environment & Strategy
File No:	IC22/676

The following Council officer has provided input in relation to this report and has disclosed a perceived conflict of interest regarding the matter under consideration:

•**Officer: Manager- Economic Development, Environment & Strategy**

The Council officer has not made any decisions related to this matter.

It has been assessed that it is still appropriate that the Officer completed this report as they are the only person with expertise in certain areas of the report, their line manager has determined that any perceived conflict of interest has not influenced the advice provided, and because the decision-making parties on this matter are Council's Corporate Management Team and Councillors, not the Officer concerned.

#### Executive Summary

This report is presented to Council to finalise Council's statutory process to sell the land at 75 Carboor-Whorouly Road, Whorouly South being the land described in Certificates of Title being Crown Allotment 77E, Parish of Whorouly Volume 6045 Folio 886 and Crown Allotment 77D, Parish of Whorouly Volume 5462 Folio 254.

In accordance with *Local Government Act 2020* (the Act) a consultation period for the sale of council land has been completed. The parcel of land (the former Whorouly South Community Centre and Scout Hall), has been vacant and underutilised for a number of years, and is no longer required by Council.

Two Expressions of Interest were received from surrounding landowners, and it is recommended to proceed to sell the land to one of these interested parties.

#### Recommendation:

That Council:

1. Agrees to proceed to sell the land at 75 Carboor-Whorouly Road, Whorouly South being the land described in Certificates of Title being Crown Allotment 77E, Parish of Whorouly Volume 6045 Folio 886 and Crown Allotment 77D, Parish of Whorouly Volume 5462 Folio 254, in accordance with section 114 of the *Local Government Act 2020*;
2. Seeks authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment to rezone the land at 75 Carboor-Whorouly Road from Public Use Zone 3 (Health and Community) to Farming Zone.

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

## Background

The subject land was the former site of the Whorouly South Community and Scout Hall (the Centre). The Centre buildings were demolished in August 2014.

At a Council meeting in July 2014 a request was put before Council to sell the land subject to community feedback and submissions. Council subsequently received 12 submissions from local residents opposed to Council selling the land to be absorbed into surrounding farmland.

As a consequence of the community opposition to the sale of the land, Council at the December 2014 Council meeting resolved to request that the community form an incorporated body (or source a willing incorporated body) to assume the operational management and maintenance of the Whorouly South Reserve and, upon notification of an eligible incorporated body, enter into a license agreement with Council for the management and maintenance of the Whorouly South Reserve. Council also resolved to review the agreement in three years' time to determine the on-going community support and use for the Whorouly South Reserve.

Council received another Expression of Interest to purchase the land more recently and while completing the relevant due diligence officers found that the above resolution and requirements had not been completed, despite efforts of Council officers to negotiate the management of the site with the community and a incorporated body.

The land is no longer required by Council and in December 2021 Council resolved to give public notice of its intention to sell the land at 75 Carboor-Whorouly Road, Whorouly South and consider the sale of this land at a future Council meeting.

Council officers completed the Notice of Intention to Sell Land in accordance with *Local Government Act 2020*, placing notices on Council's website and in the Wangaratta Chronicle, the submission period was open for six weeks (17 December 2021 to 28 January 2022) - (see **Attachment 1**). No objections or submissions were received during this time and officers are now of the view that council can proceed with the sale of land, and rezoning of the land from Public Use Zone 3 (Health and Community) to Farming Zone through a planning Scheme amendment.

Eligible surrounding landowners were provided with an opportunity to submit an Expression of Interest to purchase the land and two Expressions of Interest were received.

## Implications

### Policy Considerations

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

### Financial/Economic Implications

Expenditure will be incurred for the valuation and will be provided for under the Sale of Land budget FY21/22. Legal costs associated with the contract of sale and completion of it, will be also incurred and these will be offset by the sale of the property.



**Legal/Statutory**

Local Government Act 2020 – Section 114

Restrictions on power to sell or exchange land

1. Except where section 116 applies, if a Council sells or exchanges any land it must comply with this section
2. Before selling or exchanging the land, the Council must—
  - a. at least 4 weeks prior to selling or exchanging the land, publish notice of intention to do so
    - i. on the Council's Internet site; and
    - ii. in any other manner prescribed by the regulations for the purposes of this subsection; and
  - b. undertake a community engagement process in accordance with its community engagement policy; and obtain from a person who holds the qualifications or experience specified under section 13DA(2) of the Valuation of Land Act 1960 a valuation of the land which is made not more than 6 months prior to the sale or exchange.

**Social**

Council acknowledges that Whorouly South has a strong community focus with access to good facilities and a reserve nearby in Whorouly. The subject land has not been used by the community for many years.

**Environmental/Sustainability Impacts**

The site will be maintained by the future landowner including appropriate noxious weed control.

**Strategic Links**

**Council Plan 2021 – 2025**

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

1. **Strengthening our Leadership**
  - 1.1 An engaged and connected community

**Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Conducted Community Engagement for the proposed sale of land	Completed Notification on Council Website and Advertised in Local Paper
Consult	Notice to sell the land went out to community consultation for a period of 6 weeks until 28 <sup>th</sup> January 2022	Website and Local Paper

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

### Options for Consideration

Council agrees to proceed with the sale of land at 75 Carboor-Whorouly Road, Whorouly South and authorises council officers to proceed with a planning scheme amendment to rezone the land from Public Use Zone 3 (Health and Community) to Farming Zone

Council does not give approval to proceed with the sale of land at 75 Carboor-Whorouly Road, Whorouly South and does not authorises council officers to proceed with a planning scheme amendment to rezone the land from Public Use Zone 3 (Health and Community) to Farming Zone.

### Conclusion

Council officers have undergone a review of the history of the site and the previous Council decisions and found that the site is not being used for its intended purpose as noted in the Council resolutions.

Council gave notice of the intention to sell the land as required under the Act and undertook a formal Expression of Interest process to ensure a fair and equitable procedure for eligible surrounding landowners to express interest in purchasing the land. Two Expressions of Interest were received and officers recommend selling the land to one of these interested parties.

The requirements for the sale of land under *Local Government Act 2020* have been met and it is appropriate to proceed with the sale of land at 75 Carboor-Whorouly Road, Whorouly South.

### Attachments

- 1 Notice of Intention to Sell Land - 75 Carboor-Whorouly Road [↓](#) 

**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**

















































































































































































































































































































































































































































































































































































































































































































































































































































































































