

# Agenda

## For the Ordinary Council Meeting

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

**Date:** Tuesday, 11 December 2018

**Time:** 6pm



RURAL CITY OF  
**WANGARATTA**

Brendan McGrath  
Chief Executive Officer



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## Rural City of Wangaratta Live Stream

Clause 91(4) of the Governance and Meeting Conduct Local Law provides the following:

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

### 1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

### 2. OPENING PRAYER

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

### 3. PRESENT

### 4. ABSENT

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

### ORDER OF BUSINESS

### 6. CITIZEN CEREMONY

### 7. CONFIRMATION OF MINUTES

#### RECOMMENDATION:

***That Council read and confirm the Minutes of the Ordinary Meeting of 20 November 2018 and the Special Meeting of 26 November 2018 as a true and accurate record of the proceedings of the meetings.***

### 8. CONFLICT OF INTEREST DISCLOSURE

In accordance with sections 77A, 77B, 78 and 79 of the *Local Government Act 1989* Councillors are required to disclose a ‘*conflict of interest*’ in a decision if they would receive, or could reasonably be perceived as receiving, a direct or

indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

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

**9.     RECEPTION OF PETITIONS**

**10.    HEARING OF DEPUTATIONS**

**PRESENTATION OF REPORTS**

**11.    COUNCILLOR REPORTS**

Nil

## **OFFICERS' REPORTS**

### **12. EXECUTIVE SERVICES**

#### **12.1 MOU BETWEEN WANGARATTA RURAL CITY COUNCIL AND BENALLA RURAL CITY COUNCIL**

<b>Meeting Type:</b>	<b>Ordinary Council Meeting</b>
<b>Date of Meeting:</b>	<b>11 December 2018</b>
<b>Author:</b>	<b>Executive Service Coordinator</b>
<b>File Name:</b>	<b>N/A</b>
<b>File No:</b>	<b>N/A</b>

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 Councillors agreement to sign the memorandum of understanding between Benalla and Wangaratta Councils proposing that a framework be established to formalise the agreement that both Councils collaborate more closely and more frequently, to explore mutually beneficial outcomes. This idea arose from discussions between the Mayors of each of the municipalities and the desire to work more closely together.

#### **RECOMMENDATION:**

***That Council authorise the signing and execution of the proposed Memorandum of Understanding between both Wangaratta Rural City Council and Benalla Rural City Council.***

#### **Background**

This Memorandum of Understanding sets out what the Participating Councils have agreed to do, so that their support for the general concept of collaboration can be restated and a framework can be established in which mutually beneficial outcomes can better be explored.

#### **Implications**

#### **Policy Considerations**

This agreement does help achieve the State Governments stated goal of greater collaboration between Councils. It does not override each Councils independence or sense of sovereignty.

**Financial/Economic Implications**

Whilst there may be some cost efficiencies gained in the future through sharing of resources and collaboration, there are no specific costs to enter this agreement

**Legal/Statutory**

The agreement is about collaboration and cooperation. It is intended that the Participating Councils will retain absolutely their own identities, autonomy and sovereignty.

**Social**

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

**Environmental/Sustainability Impacts**

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

**2017 – 2021 Council Plan (2018 Revision)**

This report supports the 2017-2021 Council Plan:

**Goal**

We are Sustainable

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

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

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

N/A

**b) Other strategic links**

N/A

**Risk Management**

Each potential project and its risk will be considered independently in its own right in the future.

A Participating Council may withdraw from (and, if there are only two Participating Councils, therefore end) this Memorandum of Understanding by:

5.3.1 giving to the (or any) other Participating Council 60 days notice of its intention to withdraw; and 5.3.2 60 days then elapsing from the giving of the notice



**Consultation/Communication**

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

**Options for Consideration**

That Council

1. Sign agreement as proposed
2. Seek variations to the agreement
3. Not enter into any agreement

**Conclusion**

In conclusion this agreement is intended to encourage a greater sense of collaboration between Councils. It is not binding or specific about what should be done, but rather sets out a framework to work within.

**Attachments**

- 1 PROPOSED MOU BETWEEN RCOW & BRCC [↓](#)

### 13. CORPORATE SERVICES

#### 13.1 LEASING & LICENSING POLICY

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 11 December 2018  
**Author:** Manager People & Governance  
**File Name:** Leasing and Licensing Policy  
**File No:** D18/46937

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 placing the recently created Leasing & Licensing Policy (the Policy) on exhibition seeking feedback from the community. The Policy will provide a consistent, equitable and transparent approach for entering into formal tenure arrangements with other parties for their occupation of Council owned and/or managed assets which will ensure that the best possible outcome is achieved for the community.

#### **RECOMMENDATION:**

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

- 1. endorses the draft Leasing & Licensing Policy for public exhibition***
- 2. Invites public submissions regarding the draft Leasing & Licensing Policy in accordance with Council's "Major Council Policy Consultation Local Law No.4 of 2015" (the Local Law) until close of business on Friday 25 January 2019***
- 3. If submissions are received under the Local Law:***
  - a. Convenes a Special Council Meeting to hear from any person or persons who request to be heard in support of their written submission***
  - b. Receives a report on any Local Law submissions and any hearings held and resolves the draft Leasing & Licensing Policy at the next available Ordinary Council Meeting***
- 4. If no submissions are received under the Local Law, resolves to approve the draft Leasing & Licensing Policy without further resolution.***

**Background**

There are currently numerous property agreements in place with various community and sporting groups, as well as individuals. The agreements do not currently follow any consistent approach for rental amounts or length of terms. The draft Policy will address these inconsistencies by providing an equitable and transparent approach for entering into property agreements which will ensure the best possible outcome is achieved for the wider community.

**Implications****Policy Considerations**

There are no specific Council policies or strategies that relate to this report as this is a newly created policy.

**Financial/Economic Implications**

This will lead to slightly increased income for Council as well as a pricing methodology for officers to justify the rental amounts being requested of occupiers.

**Legal/Statutory**

The Local Government Act 1989 gives Council the power to lease and/or licence land or property which it owns or manages.

**Social**

There may be a slightly detrimental impact on the groups that have been on long-term peppercorn (\$1) agreements.

**Environmental/Sustainability Impacts**

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

**2017 – 2021 Council Plan (2018 revision)**

This report supports the 2017-2021 Council Plan:

**Goal**

We are Sustainable

**The non-negotiables**

Our team will make the best and most efficient use of Council's resources.  
Our community and recreation facilities are well maintained.

### **Strategic Links**

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

N/A

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

N/A

### **Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Consult	Seek feedback on the draft Leasing & Licensing Policy	Wangaratta Chronicle, Council's website.

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

### **Options for Consideration**

That Council

1. Do nothing.
2. Recommend further changes to the draft Policy
3. Endorse the draft Policy in its current state and invite public submissions.

### **Conclusion**

The draft Policy will provide a consistent, equitable and transparent manner for occupation of Council owned/managed assets. As a major Council policy it must now be placed on public exhibition seeking feedback from the community.

### **Attachments**

- 1 Leasing and Licensing Policy Draft December 2018 [↓](#)
- 2 Community Impact Statement [↓](#)
- 3 Application of Draft Policy to Current Leases and Licenses [↓](#)

## 14. COMMUNITY WELLBEING

### 14.1 MITCHELL AVENUE CHILDREN'S GARDEN

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 11 December 2018  
**Author:** Projects and Recreation Coordinator  
**File Name:** Recreation and Cultural Services - Facilities and Programs - Mitchell Avenue Master Plan  
**File No:** F17/476

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 draft concept plans for the Mitchell Avenue Reserve Children's Garden (Attachment 1) and to provide a summary of the community engagement undertaken (Attachment 2) in the development of the plan and to seek Council endorsement of the plan.

#### **RECOMMENDATION:**

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

- 1. notes the feedback received from the community during the consultation period;***
- 2. adopts the concept plans for the Mitchell Avenue Reserve Children's Garden; and***
- 3. considers the project during 2019/20 budget deliberations for implementation in the 2019/20 financial year.***

#### **Background**

The development of concept plans for the Mitchell Avenue Reserve Children's Garden was a key priority from the Mitchell Avenue Reserve Master Plan which was endorsed by Council in 2018 and aligns strongly with Council's Play Space Strategy which was endorsed in 2017.

The plans were developed by leading nature-playground designer Mary Jeavons Landscape Architecture and have been developed based upon feedback from the community.

## **Implications**

### **Policy Considerations**

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

### **Financial/Economic Implications**

An allocation of \$20,000 in the 2017-18 budget was made towards the design of the Children's Garden at the February 2018 Council Meeting. Currently 80% of these funds have been expended with the balance to finalise some detailed designs of some elements within the plan.

No additional funds are required at this stage to complete the designs.

	2017/2018 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income	\$20,000	-	-	
Expense: Concept designs		\$14,660		
Expense: Engagement activities		\$669		
Expense: Survey		\$1,550		
Not Yet Expended:		\$3,021		To allow for final engagement activities and detailed design of key elements in the concept plan.
Net Result		\$20,000		

The total estimated cost to implement the project is \$625,906. This project will be presented to Council for consideration in the development of the 2019/20 budget. Council has received funding from Sport and Recreation Victoria towards the project of \$199,660.

The estimated cost for the children's garden as provided by the landscape architect is \$540,496. An additional amount of \$85,410 will be included as part of the project for complimentary infrastructure elements consistent with the broader Mitchell Avenue Reserve Master Plan.

### **Legal/Statutory**

Planning and statutory requirements have been considered during the development of the concepts and will be addressed during the construction stage of this project.

## **Social**

The community engagement undertaken for the concept plan and the broader master plan has found strong support for the implementation of this project and the social benefits that it will provide.

Once constructed it will give residents a unique public space to visit, to undertake physical activity and to interact with other members of the community. It will add to the mix of the activities available within Mitchell Avenue Reserve and ensure that a range of community members of all ages and backgrounds are able to use the reserve, leading to increased social interaction and improved community wellbeing.

## **Environmental/Sustainability Impacts**

Mitchell Avenue Reserve is adjacent to the One Mile Creek and has been the site of revegetation works along the waterway. There are a number of remnant native trees on the site which have been incorporated into the concept plan. These trees will be an integral part of the Children's Garden and additional protection measures will be put in place to help ensure their longevity. The Children's Garden will also have educational benefits with children having a greater level of interaction with nature and creating a greater interest in the wellbeing of the environment.

## **2017 – 2021 Council Plan (2018 revision)**

### **We are Thriving**

**We will plan, research and advocate for the future:** To ensure we are responding to the current and future recreational needs of our community and creating sustainable and quality recreation reserves throughout our municipality.

**We will create and deliver:** Open spaces and reserves that allow everyone to enjoy our beautiful location and environment.

### **Strategic Links**

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

A Vibrant Community – sport, recreation, arts and culture, play an important role in bringing communities together and improving personal and community health and wellbeing

#### **b) Mitchell Avenue Reserve Master Plan (2018)**

The Children's Garden was one of the top priority projects based upon community feedback from the Mitchell Avenue Reserve Master Plan. Along with the establishment of a fitness equipment area (Dec 2018) and an off-leash dog park (early 2019), endorsing this concept plan will demonstrate Council's commitment to delivering on the master plan.

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**c) Wangaratta Aquatics Plan (2015)**

The delivery of a Children's Garden will be a further investment into recreational facilities and activities within Mitchell Avenue Reserve as per the commitment made by Council relating to the closure of the Yarrunga Family Swim Centre within this plan.

**d) Play Space Strategy (2017)**

The delivery of a Children's Garden aligns strongly with an increased emphasis on nature-based play, ensuring a variety of types of play are provided within a park and will further enhance the district level play space into a reserve with a regional catchment.

**Risk Management**

Risks associated with the construction, delivery and ongoing management of the Children's Garden have been considered in the development of the concept plan and will be incorporated and addressed as part of the project management.

Council has communicated a commitment to developing this precinct as a key community asset. The adoption of this concept plan and a commitment to implement the project further strengthens the commitment and expectation for this to be delivered.

These are identified as having a low risk rating.

**Consultation/Communication**

- The concept plan for the Mitchell Avenue Reserve Children's Garden has been developed following extensive consultation:
- The initial idea of a children's garden was identified by the community in late 2016 through a community engagement process discussing the future use of the site of the former Yarrunga Family Swim Centre;
- A master plan for the Mitchell Avenue Reserve was developed in 2018 where the children's garden idea was endorsed by the community and a range of ideas and concepts to incorporate into a design for the children's garden were identified; and
- Draft concept plans for the Children's Garden were presented to the community with general support along with some minor changes to further emphasise elements which had strong support through the consultation.
- Minor changes will be incorporated into the project plan and related to enhancing the following elements:
  - Inclusion of minor water elements
  - Retention of sand area to feature elements but reverting back to bark mulch in other areas
  - Incorporating additional tunnel/archway/cave elements where possible.

The specific consultation period for the concept plans for the Mitchell Avenue Reserve Children's Garden included:



### **Engagement Promotion**

- Council website and social media;
- Media releases;
- Classroom visits to Our Lady's Primary School and Yarrunga Primary School;
- A Letterbox drop to 300 adjoining and nearby residents and businesses with a copy of the draft plan and invitation to the Party in the Park; and
- Direct contact with interested community members.

### **Engagement Feedback**

- Year 5/6 students (x35) – via classroom visit at Our Lady's Primary School;
- Year 1 to 6 students (x40) – via classroom visit at Yarrunga Primary School;
- Educators and children (x30) at the Wangaratta Children's Services Centre; and
- Consultation session (x12) – via Party in the Park.

Further details regarding the community engagement are included in Attachment 2.

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

### **Options for Consideration**

1. That Council note and endorse the concept plans for the Mitchell Avenue Reserve Children's Garden; or
2. That Council seek further changes to the Mitchell Avenue Reserve Children's Garden; or
3. That Council not endorse the Mitchell Avenue Reserve Children's Garden and take no further action.

### **Conclusion**

The concept plans for the Mitchell Avenue Reserve Children's Garden were developed based upon the needs and wants of the community. The plans were then presented back to the community to reaffirm that it met those needs.

The community engagement has strongly supported the draft plan with minor changes to be appended to the plan. The plan will provide Council a clear direction for detailed designs and implementation of this significant project within the Yarrunga and Wangaratta community.

### **Attachments**

- 1 Concept Plans [↓](#)
- 2 Community Engagement Summary [↓](#)

## 14.2 SECTION 86 COMMITTEES OF MANAGEMENT

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 11 December 2018  
**Author:** Community and Recreation Officer  
**File Name:** COUNCIL COMMITTEES  
**File No:** F16/1547

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 for nominations of community members to represent a number of Special Committees of Management (COM) where representatives are new or renominating upon expiry of their term on a COM.

The Special Committees of Council are responsible for the management, promotion and maintenance of facilities under their control.

### **RECOMMENDATION:**

**That Council:**

- Appoints the following representatives to the Section 86 Special Committees of Management:-***

<b>Everton Hall and Sporting Complex</b>	
Ruth Kneebone	Community Representative
Noel Kneebone	Community Representative
<b>Whorouly Pubic Library Hall</b>	
Pauline McPherson	Whorouly Primary School

### **Background**

Council has 16 COMs established under Section 86 of the *Local Government Act 1989* (the Act) for the purpose of managing and controlling activities at Council owned/managed facilities. Section 86 of the Act provides that Council may delegate certain functions, duties or powers to a COM.

These nominations represent either new nominees resulting from resignations or additional interest from local community members.

**Implications****Policy Considerations**

Council's policy 'Appointment to Council Committees' applies to this matter. At its discretion, where there are more nominations than vacancies and the nominees address the requirements of the relevant COM, Council may appoint a number of members to the committee greater than that specified in the charter.

**Financial/Economic Implications**

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

**Legal/Statutory**

Council must make formal appointments to Section 86 Special Committees as required by the Act. The appointment of members to Special Committees by formal resolution of Council ensures that the powers, functions and duties delegated to these COMs are able to be exercised legally.

**Social**

Closer links between Council and COMs create greater awareness of the needs of the community and of the facilities being managed on Council's behalf. The responsibilities delegated to the COMs promote the exchange of information between the committee and Council. Promotion of the facility by the COM facilitates increased community use.

**Environmental/Sustainability Impacts**

COMs are responsible for the management of any environmental issues relating to the land upon which their facilities are situated.

**2017 – 2021 Council Plan (2018 Revision)****We are sustainable:**

We will focus on our business, by ensuring that we have the processes in place to support our community groups and committees to be viable and sustainable.

**We are established:**

We will plan, research and advocate for the future, on behalf of our groups and committees to ensure that they have the resources and knowledge to do the things they need to do.

**Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Governance risk associated with the delegation of Council powers to a committee	Possible	Moderate	Medium	The appointment of members by a formal resolution of the Council reduces governance risks by ensuring that all members appointed to a committee are covered by Council's public liability insurance

**Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Keep informed	Emails/Media advertisements
Consult	Listen and acknowledge	Council will consult with the committees prior to making decisions that relate to facilities and Sport and Recreation matters.
Involve	Work with the respective committees to obtain feedback	Committees provide an important source of feedback for Council to manage these facilities and provide relevant information pertaining to sport and recreation.
Collaborate	Feedback will be incorporated into decisions as far as possible	Council collaborates with its committees prior to making decisions that relate to Sport and Recreation and facilities
Empower	Implementation in conjunction with the relevant committees	Committees have delegated powers to make decisions in relation to the day-to-day management of the facilities.

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

**Conclusion**

The appointment of the nominations detailed herein to the relevant COMs will delegate the management, function and duties of the activities and facilities under the COMs and will uphold Council's requirements under the Act.

**Attachments**

Nil



### 14.3 YOUTH COUNCIL NOMINATIONS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 11 December 2018  
**Author:** Youth Development Officer  
**File Name:** Council Report - 2019 Youth Council Endorsement  
**File No:** d18/78473

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

#### **Executive Summary**

This report is presented to Council to seek endorsement of nominations recently invited for membership of the 2019 Rural City of Wangaratta Youth Council.

Nominations were sought from:

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

In total there were ten nominations received.

#### **RECOMMENDATION:**

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

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

Toby Miliankos-King	Wangaratta High School
*Chloe Dowell	Wangaratta High School
Jorja O'Connor	Galen Catholic College
Layla Creek	Cathedral College Wangaratta
Alannah Baguley	Wangaratta High School
Shevanti Perera	Wangaratta High School
Rachel Fischer	Galen Catholic College
Matthew Stone	Borinya Community Partnership
Oscar Day	Cathedral College Wangaratta
Peter Sang	Borinya Community Partnership

\*served one previous term as Youth Councillor.

#### **Background**

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

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

- The Manager Community and Recreation;
- Youth Development Officer; and
- A current Youth Council representative.

Referee checks were conducted for all candidates. Consideration was given to candidate's suitability, team fit, and ability to represent their peers.

Nominations for Youth Council were advertised in:

- The Chronicle;
- Through social media;
- Through the Rural City of Wangaratta website, and
- Through existing school networks and newsletters.

### **Implications**

#### **Policy Considerations**

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

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

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

#### **Legal/Statutory**

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

#### **Social**

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

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

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

### **2017 – 2021 Council Plan (2018 Revision)**

This report supports the 2017-2021 Council Plan:

## Pillar

We are Inspired

### Our non-negotiables:

- Our commitment to communicate and engage with our community about local decision making in a way that is clear, accessible and easy to understand.
- Our community is given opportunities for everyone to participate and contribute to social, economic and cultural life.

### What we do every day:

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

## Strategic Links

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

Work with young people to further develop activities for youth.

### b) Municipal Public Health & Wellbeing Plan 2017 - 2021

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

### c) Rural City of Wangaratta Youth Charter

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

## Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Limited Youth involvement in Council	Likely	Minor	Medium	Maintain Youth Council program and commitment to youth engagement

## Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Youth Council nominees	Correspondence
Consult	Youth Council providers	Correspondence; meetings
Involve	Councillors, Operational	Correspondence;



	staff	meetings
Collaborate		
Empower		

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

### **Conclusion**

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

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

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

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

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

The proposed recommendation is presented to Council for its consideration.

### **Attachments**

Nil.

## 15. INFRASTRUCTURE SERVICES

### 15.1 T1819/037 OVENS STREET CIVIL AND ELECTRICAL WORKS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 11 December 2018  
**Author:** Project Officer  
**File Name:** T1819/021 Ovens Street Civil and Electrical Works  
**File No:** T1819/037

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 provides Council with details of the evaluation of T1819/037 Ovens Street Civil and Electrical Works.

#### **RECOMMENDATION:**

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

- 1. award T1819/037 Ovens Street Civil and Electrical works to Excell Gray Bruni Pty Ltd;***
- 2. authorises the Chief Executive Officer to sign and seal documents for Contract T1819/037 Ovens Street Civil and Electrical works; and***
- 3. discloses the contract price for Contract T1819/037 Ovens Street Civil and Electrical works.***

#### Background

The development of Ovens Street Wangaratta forms an integral part of Councils, Wangaratta Project CBD Masterplan. The Wangaratta Project CBD Masterplan includes the redevelopment of part of Ovens Street Wangaratta, works include demolition and construction of kerb, road pavement and installation of street lighting and beautification works.

Tenders for the Civil and Electrical Works on Ovens Street were invited through advertisements as follows:

<u>Advertisement</u>	<u>Date</u>
Tenderlink	12 October 2018
Chronicle	12 October 2018

Tenders closed at 2:00pm on 8 November 2018.

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

Two tenders were received by the closing time as follows:

<b>Tenders Received</b>
Excell Gray Bruni P/L
Dunstan Civil P/L

Tenders were evaluated against the following criteria:

<b>Evaluation Criteria</b>	<b>Description</b>	<b>%</b>
<b>Cost to Council – Direct &amp; Indirect</b>	Total price of the work.	30%
<b>Experience &amp; Qualifications</b>	Capability to perform contract works based on experience and past performance in previous similar works.	25%
<b>Response to Specification</b>	All specification items have been clearly addressed.	20%
<b>Risk &amp; Quality Management</b>	Management system and procedures including OH&S.	10%
<b>Local Content</b>	Purchasing locally sourced material and consumables Subcontracting services from local businesses Employment of local people.	10%
<b>Business &amp; Financial Capacity</b>	Viability of the Business to deliver both financial and functional aspects of the tender.	5%

Panel members assigned a score (maximum 100) to each criteria (as shown below) and then weighted the average score to produce a final Weighted Attribution Method Score.

<b>P</b>	<b>Evaluation Result</b>	<b>Criteria</b>
<b>100</b>	<b>Exceptional</b>	Demonstrated capacity exceeds all required standards and innovations proposed.
<b>90</b>	<b>Excellent</b>	Demonstrated capacity exceeds all required standards.
<b>70</b>	<b>Good</b>	Complies with all required standards and capacity demonstrated.
<b>50</b>	<b>Satisfactory</b>	Complies with relevant standards without qualifications.
<b>30</b>	<b>Marginal</b>	Complies with relevant standards with qualifications.
<b>0</b>	<b>Unsatisfactory</b>	Fails to satisfy required standards.

From the Weighted Attribution Method the tenderers were scored as follows:

<b>Tenderer</b>	<b>Weighted Score</b>
Excell Gray Bruni P/L	<b>80</b>
Dunstan Civil P/L	59

### **Implications**

#### **Policy Considerations**

Council's Procurement Policy.

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

The preferred tender price is within the allocated budget for these works.

#### **Legal/Statutory**

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

#### **Social**

The project will improve pedestrian safety within Ovens Street, revitalise the current streetscape, improve connectivity to King George V Gardens and improve Wangaratta's open spaces for community enjoyment.

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

There will be some tree losses as part of the project. The trees have been properly assessed and the necessary permits have been obtained.

### **2018 – 2021 Council Plan (2018 Revision)**

This report supports the 2017-2021 Council Plan:

#### **Goal**

We are Thriving  
We are Growing  
We are Established

#### **We will plan, research and advocate for the future**

To make sure our services are responsive and adaptable to the changing needs and profile of our community

To address traffic, parking and pedestrian challenges to create communities that are safe, easy to navigate and accessible

## **We will focus on our Business**

To ensure that we understand and plan for the long term opportunities, challenges and priorities that face our growth potential

## **We will create and deliver**

A city centre that is unique, diverse and active

## **Strategic Links**

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

**b) The Wangaratta Project – A masterplan for the city**

**c) Wangaratta Urban Design Framework**

## **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeframe and achieving the proposed timelines	Possible	Timeframe become unrealistic	High	Project manager to reassess
Unsatisfactory quality of works	Rare	Statement of conformance not issued	Moderate	Project Manager to reassess
Community backlash over the removal of trees	Medium	Reputation management	High	RCoW open communication as ear marked trees have been assessed by RCoW arborist and all of the necessary permits have been obtained
Disgruntled business owners	Moderate	Reputation management	High	Regular communications with RCoW staff
Community backlash over loss of parking	High	Reputation management	High	Communication about pedestrian friendly CBD and where other parking is within the CBD
Traffic management	Possible	Death or Injury – WorkCover investigation	Extreme	Contractor to provide traffic management plan to demonstrate how they are managing risks relating to traffic movements.  RCoW regular communications about the timings of road closures. (1 way traffic for the length of the project and a full road closed for two weeks)
Contractor Injury	Possible	Death or Injury – Workcover investigation	Extreme	Contractor to provide Safe work method statements to demonstrate how they are managing risks to workers.

**Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	We will keep you informed throughout the life of the project	<ul style="list-style-type: none"><li>• Face2face communication</li><li>• Update of RCoW website</li><li>• Updates in the local paper</li></ul>

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

**Conclusion**

The tenders received were evaluated and reference checks undertaken and the Evaluation Panel therefore recommend that Excell Gray Bruni Pty Ltd as the preferred tenderer for T1819/037 Ovens Street Civil and Electrical Works.

**Attachments**

- 1 T1819/037 Ovens Street Civil and Electrical Works - Evaluation Report - Confidential

15.2 T1819/033 OSBOLSTONE ROAD AND SISELY AVENUE  
INTERSECTION UPGRADE AND T1819/036 CONSTRUCTION OF A  
ROAD AND 3-SPAN BRIDGE, CRUSE STREET

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 11 December 2018  
**Author:** Project Officer  
**File Name:** Osboldstone Rd and Sisely Avenue Intersection  
Upgrade and T1819/036 Construction of a road and  
3-span bridge, Cruse Street  
**File No:** T1819/033 & T1819/036

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 provides Council with details of the evaluation of T1819/033 Osboldstone Road and Sisely Avenue Intersection Upgrade and T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta.

**RECOMMENDATION:**

***That Council:***

- 1. Award T1819/033 - Osboldstone Road and Sisely Avenue Intersection Upgrade to O'Loughlin Excavations.***
- 2. Award T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta to MACA Infrastructure Pty Ltd.***
- 3. Authorises the Chief Executive Officer to sign and seal documents for Contract T1819/033 Osboldstone Road and Sisely Avenue Intersection Upgrade***
- 4. Authorises the Chief Executive Officer to sign and seal documents and T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta; and***
- 5. Discloses the contract price for Contract T1819/033 Osboldstone Road and Sisely Avenue Intersection Upgrade and T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta.***

**Background**

The City of Wangaratta is a part of the Hume Regional Growth Plan (2010) with the expected population growth from 29,000 (2011) to 33,000 by the year 2031.

The north western growth area was identified in the Wangaratta Population and Housing Strategy (2013) as a preferred location to accommodate future growth.

The north-west growth area is located 4kms from the central business district of Wangaratta and in time, will provide for the establishment of a new community of approximately 5,000 people.

The vision of the Wangaratta North West Growth Area Structure Plan (September 2018) is to create a new, well connected and serviced community that has a positive sense of place that requires upgrades to roads including a pedestrian and cycle network.

The Osboldstone Road and Sisely Avenue intersection upgrade as well as Construction of a road and 3-span bridge at Cruse Street has been identified in the Rural City of Wangaratta's 2018/2019 Capital works programme to upgrade infrastructure required to open up the north west for proposed development.

Tenders for T1819/033 - Osboldstone Road and Sisely Avenue Intersection Upgrade were invited through advertisements as follows:

Advertisement	Date
Tenderlink	23 October 2018
Chronicle	26 October 2018

Tenders closed at 2:00pm on Thursday 14 November 2018

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

Three tenders were received by the closing time as follows:

<b>Tenders Received</b>
Dunstan Civil Pty Ltd
Excell Gray Bruni P/L
O'Loughlin Excavations

Tenders were evaluated against the following criteria:

<b>Evaluation Criteria</b>	<b>Description</b>	<b>%</b>
<b>Cost to Council – Direct &amp; Indirect</b>	Total price of the work.	30%
<b>Experience &amp; Qualifications</b>	Capability to perform contract works based on experience and past performance in previous similar works.	25%
<b>Response to Specification</b>	All specification items have been clearly addressed.	20%
<b>Risk &amp; Quality Management</b>	Management system and procedures including OH&S.	10%
<b>Local Content</b>	Purchasing locally sourced material and consumables Subcontracting services from local businesses	10%



	Employment of local people.	
<b>Business &amp; Financial Capacity</b>	Viability of the Business to deliver both financial and functional aspects of the tender.	5%

Panel members assigned a score (maximum 100) to each criteria (as shown below) and then weighted the average score to produce a final Weighted Attribution Method Score.

P	Evaluation Result	Criteria
100	Exceptional	Demonstrated capacity exceeds all required standards and innovations proposed.
90	Excellent	Demonstrated capacity exceeds all required standards.
70	Good	Complies with all required standards and capacity demonstrated.
50	Satisfactory	Complies with relevant standards without qualifications.
30	Marginal	Complies with relevant standards with qualifications.
0	Unsatisfactory	Fails to satisfy required standards.

From the Weighted Attribution Method the tenderers were scored as follows:

Tenderer	Weighted Score
O'Loughlin Excavation	79
Dunstan Civil	64
Excell Gray Bruni	78

Tenders for T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta were invited through advertisements as follows:

Advertisement	Date
Tenderlink	26 October 2018
Chronicle	2 November 2018

Tenders closed at 2:00pm on Thursday 22 November 2018.

The tender evaluation team included Council's Delivery and Contracts Coordinator and two Project Managers. The Rural City of Wangaratta also employed the services of a probity officer to ensure transparency of the tender evaluation process.

Seven tenders were received by the closing time as follows:

Tenders Received
North East Civil Construction
McPherson's Earthmoving Contractors

<b>Tenders Received</b>
Mawson Constructions
MACA Infrastructure
BMD Urban
Astern Group
Recivil Pty Ltd

Tenders were evaluated against the following criteria:

<b>Evaluation Criteria</b>	<b>Description</b>	<b>%</b>
<b>Cost to Council – Direct &amp; Indirect</b>	Total price of the work.	30%
<b>Experience &amp; Qualifications</b>	Capability to perform contract works based on experience and past performance in previous similar works.	25%
<b>Response to Specification</b>	All specification items have been clearly addressed.	20%
<b>Risk &amp; Quality Management</b>	Management system and procedures including OH&S.	10%
<b>Local Content</b>	Purchasing locally sourced material and consumables Subcontracting services from local businesses Employment of local people.	10%
<b>Business &amp; Financial Capacity</b>	Viability of the Business to deliver both financial and functional aspects of the tender.	5%

Panel members assigned a score (maximum 100) to each criteria (as shown below) and then weighted the average score to produce a final Weighted Attribution Method Score.

<b>P</b>	<b>Evaluation Result</b>	<b>Criteria</b>
<b>100</b>	<b>Exceptional</b>	Demonstrated capacity exceeds all required standards and innovations proposed.
<b>90</b>	<b>Excellent</b>	Demonstrated capacity exceeds all required standards.
<b>70</b>	<b>Good</b>	Complies with all required standards and capacity demonstrated.
<b>50</b>	<b>Satisfactory</b>	Complies with relevant standards without qualifications.
<b>30</b>	<b>Marginal</b>	Complies with relevant standards with qualifications.
<b>0</b>	<b>Unsatisfactory</b>	Fails to satisfy required standards.

A preliminary evaluation based upon the documentation was undertaken to assess the Tenderers against the evaluation criteria. The purpose of this “preliminary evaluation” was to provide a short list of Tenderers to be interviewed. From the Weighted Attribution Method the shortlisted tenderers “final scores after interviews were as follows:

<b>Tenderer</b>	<b>Weighted Score</b>
MACA Infrastructure	<b>73</b>
BMD Urban	71
North East Civil Construction	68

### **Implications**

#### **Policy Considerations**

Council’s Procurement Policy  
Development Contribution Plan

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

The preferred tender prices are within the allocated budget for these works.

T1819/036 is funded via the Development Contribution Plan.

T1819/033 is directly funded by Council.

#### **Legal/Statutory**

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

#### **Social**

Improved social amenity and connectivity.

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

There will be some tree removals as part of this project. The trees have been assessed and the necessary permits have been obtained. Larger trees will be utilised by North East Catchment Authority for waterway revegetation.

#### **2017 – 2021 Council Plan (2018 Revision)**

This report supports the 2017-2021 Council Plan:

#### **Goal**

We are Growing  
We are Established

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

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

To provide for attractive long term residential growth opportunities.

**We will create and deliver:**

Timely and appropriate infrastructure to support our growth areas.

**We will plan and make decisions for the future:**

To facilitate drainage and road infrastructure to support future growth plans

**We will focus on our business:**

To ensure that we understand and plan for the long term opportunities, challenges and priorities that face our growth potential.

**The non-negotiables:**

To appropriately protect, plan and develop residential, rural, commercial and industrial land based on what we understand is important to the people who live, work and visit here.

To monitor our road network to meet current and future needs of our community and our industry.

**Strategic Links**

- a) Rural City of Wangaratta 2017-2021 Council Plan
- b) Rural City of Wangaratta 2030 Community Vision
- c) Wangaratta Population and Housing Strategy
- d) Wangaratta North-West Growth Area Structure Plan
- e) Wangaratta North-West Growth Area Development Contributions Plan
- f) Hume Regional Growth Plan

**Risk Management****T1819/033 - Osboldstone Road and Sisely Avenue Intersection Upgrade**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeframe achieving and the proposed timeframes	Possible	Timeframe become unrealistic	High	Project manager to reassess
Insufficient labour	Possible	Delay to project	Moderate	Project manager to reassess

Unsatisfactory quality of works	Rare	Statement of conformance not issued	Moderate	Project manager to reassess
Traffic management	Possible	Injury or death – Workcover investigation	Extreme	Contractor to provide RCoW with traffic management plan to demonstrate how they are managing the risks relating to traffic movements

### **Risk Management**

#### **T1819/036 Construction of a road and 3-span bridge Cruse Street, Wangaratta**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Timeframe and the proposed timeframes	Possible	Timeframe become unrealistic	High	Project manager to reassess
Insufficient labour	Possible	Delay to project	Moderate	Project manager to reassess
Unsatisfactory quality of works	Rare	Statement of conformance not issued	Moderate	Project manager to reassess
Damage to waterways	Possible	Delays in project  Fines from the EPA / Water Authorities	Moderate	Contractor to provide work instructions
Contractor injury	Possible	Injury or death – Workcover investigation	Extreme	Contractor to provide RCoW safe work method statements to demonstrate how they are managing risk to workers

### **Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	We will keep you informed throughout the life of the project	<ul style="list-style-type: none"> <li>• Updates in the local paper</li> <li>• Updates on the RCoW website</li> <li>• Face2face communication</li> </ul>

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

### **Conclusion**

The tenders received were evaluated and reference checks undertaken.

The Evaluation Panel consider O'Loughlin Excavations the preferred tenderer for T1819/033 Osboldstone Road and Sisely Avenue Intersection Upgrade works. The Evaluation Panel consider MACA Infrastructure Pty Ltd the preferred tenderer for T1819/036 Construction of a road and 3-span bridge, Cruse Street, Wangaratta.

**Attachments**

- 1 T1819/033 Osboldstone Road & Sisely Avenue Intersection Upgrade - Evaluation Report - Confidential
- 2 T1819/033 Osboldstone Road & Sisely Avenue Intersection Upgrade - Probity Report - Confidential
- 3 T1819/036 Cruse Street - construction of a road and 3-span bridge - Evaluation Report - Confidential
- 4 T1819/036 Cruse Street, Construction of a road and 3-span bridge - Probity Report - Confidential

## 16. DEVELOPMENT SERVICES

### 16.1 PARKING ON NATURE STRIP IN JOHNSTON'S LANE WANGARATTA : PETITION

<b>Meeting Type:</b>	<b>Ordinary Council Meeting</b>
<b>Date of Meeting:</b>	<b>11 December 2018</b>
<b>Author:</b>	<b>Manager Building, Planning and Compliance</b>
<b>File Name:</b>	<b>N/A</b>
<b>File No:</b>	<b>N/A</b>

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**

Council at its meeting on 16 October 2018 received a petition from 13 residents of Johnston's Lane, Wangaratta and resolved that a report into investigations into the request be considered at a subsequent meeting.

The petition requests an exemption to the *Road Safety Road Rule 2009* to allow parking of two wheels on the kerb of Johnston's Lane to enable free passage of vehicles.

The matter has been considered by Council's Infrastructure Services and Community Compliance Unit, looking at the legal options available to achieve adequate parking on the street, not obstructing footpaths, and reasonable through access for vehicles including emergency vehicles.

A recommendation for parking on the north side of the street only has been made as the preferred solution.

#### **RECOMMENDATION:**

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

- 1. Allow parking to occur on the north side of Johnston's Lane only, with residents to be advised of this decision prior to the erection of appropriate signage.***

#### **Background**

This matter originally arose due to complaint that vehicles parking partly on the footpath in Johnston's Lane was creating an obstacle for pedestrians. When action was taken to correct this situation and have vehicles park legally, residents informed Council that they needed to park partly on the footpath because the street pavement was narrow, parking at the kerb (on the roadway) on both sides

impeded the passage of vehicles including emergency vehicles, and also made access into some driveways difficult.

### Discussion of Options

The current common practise is for residents in Johnston's Lane to park with two wheels straddling the kerb to enable the free passage of vehicles.

Johnston's Lane is approximately 6.5 metres wide and runs in an east/west direction.

Two of the most common vehicles, Holden Commodore and Ford Falcon have a width of approximately 1.9 metres and the biggest selling utility, the Ford Ranger, has a width of 2.163 metres. Two vehicles parked legally and directly opposite each other have a combined width of 3.8 metres leaving 2.7 metres clearance for vehicles to pass between. Considering the vehicle examples mentioned above, passing vehicles would have a clearance of between 0.537 and 0.8 metres.

Parking on the roadway on both sides of the street may prevent emergency vehicles from attending incidents in Johnston's Lane, as CFA vehicles in particular, require extra width than normal vehicles. Waste collection vehicles also required additional width.

The Wangaratta CFA state that a typical fire tanker require a clearance of at least 3.0 metres width, with a preferred clearance of 4.0 metres. The length of a tanker varies from 8.3 to 9.2 metres.

As it currently stands, residents parking with wheels on footpath add an extra 1.2 metres of width to the area available to a passing vehicle making a clearance of 3.9 metres. However, this contravenes Victorian State Legislation - *Road Safety Road Rules, Section 197*, and also *Council Local Law No 1 Community Amenity*, which prevents parking on a nature strip without a permit. This parking pattern also restricts pedestrian access along footpaths.

Alternative options available to provide for car parking on the roadway are:

- 1) Staggered parking (marked or unmarked) – this will normally reduce the available amount of parking available to residents. Taking into account the length of a CFA tanker (8.3 - 9.2 metres) advice from the CFA indicate that they require approximately double the length of the truck (16.6 – 18.4 metres between parked vehicles) to manoeuvre safely where staggered parking is in place. This would further reduce the number of spaces available to residents.
- 2) Allow parking to occur on one side of the street only. Infrastructure Services indicate the north side of Johnston's Lane to be the preferred side. Parking on the north side only will allow for legal parking with improved access throughout the street, allowing for cars to pass each other, improve access to driveways and safe pedestrian access.
- 3) A combination of turning Johnston's Lane into a one way thoroughfare with traffic travelling in a westerly direction only and car parking only on the north side of the roadway.



Discussion with residents by Council's Community Compliance Unit also resulted in the suggestion by some residents that the street should be made 'one way only' preventing easterly travel to address the 'rat run' occurring in the morning where through traffic tries to avoid the Green Street roundabout.

Advice received from Infrastructure Services is:

- Making the street one way will not fix the issues relating to access to driveways and will also increase traffic on other residential streets, this is not supported.
- Staggering the car parking either side of the street, is confusing for traffic will reduce parking numbers, this is not supported.
- Parking one side of the street is the preferred option, with the north side achieving the best parking solution, allowing one more parked vehicle than the south side.
- No exemption should be granted for parking on nature strips in any location in the municipality.

### **Implications**

#### **Policy Considerations**

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

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

There are no major financial or economic implications identified for the subject of this report. Minor costs for signage is acceptable.

#### **Legal/Statutory**

There are no legal/statutory implications identified for the subject of this report, provided that the solution is legal to the *Road Safety Road Rule 2009*.

#### **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.

### **2013 – 2017 Council Plan (2016 Revision)**

This report supports the 2013-2017 Council Plan:

**Goal**

We are established  
We are Healthy

**We will plan and make decisions for the future:**

To address traffic, parking and pedestrian challenges to create communities that are safe, easy to navigate and accessible

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

N/A

**b) Other strategic links**

N/A

**Risk Management**

Assessed as Low risk provided that a legal solution is implemented.

Non-compliance with parking rules creates obstructions which affects pedestrian access. The various parking solutions suggested improves access for vehicles while still achieving reasonable parking.

**Consultation**

Officers believe that appropriate consultation has occurred, with a petition for action, consultation in person with residents actively supporting the petition and the matter is now ready for Council consideration.

**Options for Consideration**

- a. To consult the residents of Johnston's Lane further to gauge response to the proposal for parking.
- b. To implement parking on the north side of Johnston's Lane only by signage, and to implement 'one way' access.
- c. Allow the current rules to remain, making clear that parking is not permitted on the footpath and residents should ensure their parked vehicles do not obstruct access through the street.

**Conclusion**

Having considered the views of residents through complaints, a petition and direct dialogue, the recommendation of Infrastructure Services is considered the best solution to the issue expressed in the petition. Parking on the north side of Johnston's Lane only will allow for legal parking with improved pedestrian and vehicle access throughout the street, allowing for cars to pass each other, and improve access to driveways.

**Attachments**

Nil.

**17. SPECIAL COMMITTEE REPORTS**

Nil

## 18. ADVISORY COMMITTEE REPORTS

### 18.1 ADVISORY COMMITTEE REPORTS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 11 December 2018  
**Author:** Executive Assistant - Corporate Services & Councillors  
**File Name:** Committees & Groups - Advisory Committees - Establishment - Administration  
**File No:** F16/2255

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

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

1. Economic Development & Tourism Advisory Committee Meeting
2. Arts, Culture and Heritage Advisory Committee

#### **RECOMMENDATION:**

***That Council notes the minutes of these committees.***

#### Attachments

- 1 Economic Development and Tourism Advisory Committee Meeting Minutes [↓](#)
- 2 Arts Culture & Heritage Advisory Committee Meeting Minutes [↓](#)

## 19. RECORDS OF ASSEMBLIES OF COUNCILLORS

### 19.1 RECORD OF ASSEMBLY OF COUNCILLORS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 11 December 2018  
**Author:** Executive Assistant - Corporate Services & Councillors  
**File Name:** Assemblies of Councillors  
**File No:** F16/2117

#### Executive Summary

An “Assembly of Councillors” is a meeting at which matters are considered that are intended or likely to be the subject of a Council decision and is either of the following:

- a meeting of an advisory committee where at least one Councillor is present; or
- a planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

At an assembly of Councillors, a written record is kept of:

- a) the names of all Councillors and members of the Council staff attending;
- b) the matters considered;
- c) any conflict of interest disclosures made by a Councillor attending; and
- d) whether a Councillor who has disclosed a conflict of interest leaves the assembly.

The written record of an assembly of Councillors is, as soon as practicable:

- a) reported at an Ordinary Meeting of the Council; and
- b) incorporated in the Minutes of that Council meeting.

Date	Meeting details	Refer
13 November 2018	Economic Development and Tourism Advisory Committee	Attachment
19 November 2018	Councillor Briefing Forum	Attachment
26 November 2018	Councillor Briefing Forum	Attachment
3 December 2018	Councillor Briefing Forum	Attachment

#### **RECOMMENDATION:**

***That Council receives the reports of Assemblies of Councillors.***

**Attachments**

- 1 Assembly of Councillors - Economic Development and Tourism Advisory Committee 20181113 [↓](#)
- 2 Assembly of Councillors - Briefing Forum - 20181119 [↓](#)
- 3 Assembly of Councillors - Briefing Forum - 20181126 [↓](#)
- 4 Assembly of Councillors - Briefing Forum - 20181203 [↓](#)

**20. NOTICES OF MOTION**

Nil

**21. URGENT BUSINESS**

**22. PUBLIC QUESTION TIME**

**23. CONFIDENTIAL BUSINESS**

Nil

**24. CLOSURE OF MEETING**

**ATTACHMENTS**



**THIS MEMORANDUM OF UNDERSTANDING** is made on 2018.  
**BETWEEN**

**BENALLA RURAL CITY COUNCIL**, having its  
Municipal Office at 1 Bridge Street East, Benalla Victoria 3672

("Benalla")

– and –

**WANGARATTA RURAL CITY COUNCIL**, having its Municipal  
Office at 62-68 Ovens Street, Wangaratta, Victoria 3676

("Wangaratta")

#### **BACKGROUND**

- A. Benalla and Wangaratta ("the Participating Councils") are interested in collaborating more closely and more frequently, to explore mutually beneficial outcomes.
- B. It is possible that, as a corollary of closer and more frequent collaboration, the Participating Councils may jointly tender services or jointly apply for grants offered by the Commonwealth or Victorian Government.
- C. Currently, however, the Participating Councils intend no more than a restatement of their general support for the concept of collaboration, and establishing a framework within which mutually beneficial outcomes can better be explored.
- D. This Memorandum of Understanding sets out what the Participating Councils have agreed to do, so that their support for the general concept of collaboration can be restated and a framework can be established in which mutually beneficial outcomes can better be explored. It is about collaboration and cooperation. It is intended that the Participating Councils will retain absolutely their own identities, autonomy and sovereignty.

#### **OPERATIVE PROVISIONS**

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##### **1. INTERPRETATION AND EFFECT**

###### **1.1 Interpretation**

In this Memorandum of Understanding,

"Chief Executive Office" includes any person acting in the position, or performing the duties, of Chief Executive Officer.

"notice" means notice in writing.

"Participating Councils" has the meaning set out in the Preamble.

###### **1.2 Effect**

This Memorandum of Understanding is not intended to have legal effect.

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**2. IN PRINCIPLE SUPPORT**

Each Participating Council agrees with the other Participating Council that, as a general principle, it supports, and will continue to support, collaboration with the other Participating Council.

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**3. FRAMEWORK****3.1 Chief Executive Officer Discussions**

The Participating Councils will ensure that their Chief Executive Officers or, if appropriate, the delegates of their Chief Executive Officers, meet regularly to discuss the opportunities for collaboration.

**3.2 Consultation**

Each of the Participating Councils agrees that if

3.2.1 the circumstances of doing so make it appropriate; and

3.2.2 it is in the best interests of that Council,

it will

3.2.3 prior to tendering services which it considers it desirable to tender jointly with the other Participating Council; and

3.2.4 prior to making application for a grant which it considers it desirable to be the subject of a joint application with the other Participating Council,

consult with the other Participating Council.

**3.3 Qualification**

Nothing in sub-clause 3.2 obliges either of the Participating Councils to jointly tender any services or jointly apply for any grant.

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**4. GOOD FAITH**

Each Participating Council agrees with the other Participating Council to act in good faith in relation to any issue of collaboration.

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**5. TERM, FURTHER COUNCILS AND WITHDRAWAL****5.1 Admission of Further Councils**

Any other council may, with the written consent of both of the Participating Councils, become a party to this Memorandum of Understanding. In the event of a council giving notice in writing of its willingness to become a party to this Memorandum of Understanding and both of the Participating Councils giving notice in writing of their consent, the council will become a party and a Participating Council as if it was expressly named as such in this Memorandum of Understanding.

**5.2 Term**

This Memorandum of Understanding commences on the day on which it is made, and continues for a term of three years.

**5.3 Withdrawal and Termination**

A Participating Council may withdraw from (and, if there are only two Participating Councils, therefore end) this Memorandum of Understanding by:

- 5.3.1 giving to the (or any) other Participating Council 60 days' notice of its intention to withdraw; and
- 5.3.2 60 days then elapsing from the giving of the notice.

The **COMMON SEAL** of the **BENALLA RURAL** )  
**CITY COUNCIL** was hereunto affixed this )  
day of 2018 in the presence )  
of:

.....  
Councillor

.....  
Councillor

.....  
Chief Executive Officer

The **COMMON SEAL** of the **WANGARATTA** )  
**RURAL CITY COUNCIL** was hereunto affixed )  
this day of 2018 in the )  
presence of:

.....  
Councillor

.....  
Councillor

.....  
Chief Executive Officer



## LEASING AND LICENSING POLICY

Responsible Officer: <b>Governance and Corporate Planning Advisor</b>	Adoption Date:	
	Approved By:	Council
Authorising Officer: <b>Director Corporate Services</b>	Review Date:	
	Policy Type	Major Council Policy

### INTRODUCTION

Council is the custodian of land and property on behalf of the Wangaratta community. This Policy establishes the framework for Council to lease or licence Council owned and managed properties. It is based on the powers, duties and functions conferred on Council by the *Local Government Act 1989* and other Acts.

### CONTEXT

The *Local Government Act 1989* gives Council very wide functions including providing facilities for the local community, providing and maintaining community infrastructure and raising revenue to perform these functions.

In addition, subject to any limitations or restrictions imposed by, or under, the *Local Government Act 1989* or any other Act, Council has the power to do all things necessary or convenient to be done in connection with the achievement of its objectives and the performance of its functions.

The foregoing is the basis of Council's power to enter into tenures.

### SCOPE

This Policy applies to the leasing or licensing of all Council land and property.

This Policy applies to all Councillors, Council Officers and agents of Council and to any other person involved in the leasing or licensing of Council land.

### PURPOSE

The purpose of the Policy is to support a consistent, equitable and transparent approach for entering into formal tenure arrangements with other parties for their occupation of Council owned land and/or managed property which will ensure the best possible outcome is achieved by Council.

Adopted by Wangaratta Rural City Council [Choose date]

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The objectives of this Policy are to provide clarity of Council's role as Owner, Trustee or Committee of Management in relation to:

1. Clearly setting out the rights and obligations of tenants; and
2. Clearly setting out the principles for Council and Council Officers to consider in the management of leasing and licencing; and
3. Identifying, managing and mitigating the risks associated with the leasing and licensing of Council land and property; and
4. Providing for a fair and financially viable approach to the tenancy of Council property; and
5. Providing a framework for management and use of Council's property, including repairs, alterations, relocation and removal of the structures; and
6. Ensuring compliance with related Legislation.

## POLICY

Council will provide and maintain community infrastructure assets that are accessible, safe, sustainable and responsive to the needs of the community.

Council will achieve the best possible outcome for utilisation of its property and land consistent with:

1. Promoting the social, economic and environmental viability and sustainability of the municipal district; and
2. Improving the overall quality of life of people in the local community; and
3. Ensuring that land and facilities provided by Council are accessible and equitable.

## LEASING AND LICENSING PRINCIPLES

Tenures enable the community to use and enjoy Council controlled land and property, particularly through the provision of recreational, cultural and sporting facilities, for commercial uses and for important community infrastructure.

A tenure may be provided in the form of a licence or a lease.

**Leases** are grants from a lessor (the landlord) to a lessee (the tenant) for a defined term (duration) of the right to exclusive possession of land with the intention of giving the tenant an interest in land rather than a personal privilege.

**Licences** (including agreements and permits) generally allow non-exclusive use of land for a fixed term, for a particular purpose, by a licensee and do not convey an interest in land. They may allow for some transitory or non-site-specific activity. Generally, they cannot be assigned or transferred to a third party.

GST is applicable to all leases and licences.

Four principles must be applied when assessing land or property tenures:

1. Provide benefits to the community;

Adopted by Wangaratta Rural City Council [Choose date]

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2. Ensure consistency and transparency - generally, a competitive selection process will apply to granting tenures, although in special circumstances direct negotiations will be permitted; and
3. Manage Council land and property sustainably - Tenure proposals need to demonstrate the application of sustainable management principles; and
4. Council land and property are not a private resource - Private occupation of Council assets is a privilege, not a right. Tenure arrangements will be structured to avoid any Council asset becoming a form of private investment from a public resource. New private structures that provide for single occupancy/exclusive use will generally not be permitted unless Council considers the structure integral to deriving economic or community benefit.

## POWERS TO ENTER INTO A TENURE

### Land Status

The status of the land will determine whether Council has the power to enter into a tenure and to some extent the form of agreement for that tenure. Council may hold land in a variety of ways, including land that has the status of:

Land Status	Legal Authority
<b>Freehold Land</b> in fee simple	<b>Freehold Land</b> owned by Council, the <i>Local Government Act 1989</i> applies and Council is the landlord
<b>Roads Reserves</b> set aside in freehold subdivisions and which are usually vested in Council	<b>Roads set aside in freehold subdivisions</b> and vested in Council, the <i>Local Government Act 1989</i> applies and Council is the Landlord
<b>Reserves</b> set aside in freehold subdivisions and which are usually vested in Council	<b>Reserves set aside in freehold subdivisions</b> and vested in Council, the <i>Local Government Act 1989</i> applies and Council is the Landlord
<b>Easements</b> , usually for drainage purposes, created in favour of Council	<b>Easements created in favour of Council</b> , the <i>Local Government Act 1989</i> applies and Council is the Landlord
<b>Government Roads</b> that are municipal roads, which are Crown Land, are public highways and are under the care and management of Council ( <i>King v Bass Coast, Supreme Court, 1999</i> ) provided they are not State Roads	<b>Government Roads</b> that are municipal roads excluding Crown Land strata above and below the land surface, the <i>Local Government Act 1989</i> applies and Council is the Landlord
<b>Crown Land reserved for a public purpose</b> with Council as Committee of Management under the <i>Crown Land (Reserves) Act 1978</i> or previous legislation	<p><b>Crown Land</b>, the Landlord (Minister, Trustees, Council, and Committee of Management etc.) may grant tenures only under an Act</p> <p><b>Crown Land which is unreserved</b> including strata above and below the land</p>

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	<p>surface of Government Roads, the <i>Land Act 1958</i> applies and DELWP, as the agent of the Minister, is the Landlord</p> <p><b>Crown Land reserved for a public purpose</b>, the <i>Crown Land (Reserves) Act 1978</i> applies and the Landlord is the:</p> <ul style="list-style-type: none"> <li>a) Committee of Management, in some cases Council, with the approval of the Minister for Energy, Environment and Climate Change; or the</li> <li>b) Minister for Energy, Environment and Climate Change if there is no Committee of Management or if the term of the tenure exceeds 21 years</li> </ul>
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### **APPROVING TENURES**

A two stage process will apply to granting tenures involving firstly, approval in principle to grant a tenure and secondly, approval of the terms and conditions of the tenure. In the case of retail leases, the provisions of the *Retail Leases Act 2003* will be applied.

#### **Tenure Approval in Principle**

Authority to approve tenures depends on the nature of the proposal. Directors of Council departments have been delegated the Chief Executive Officer's powers to lease land under section 190 the *Local Government Act 1989* where there is no requirement to give public notice under Section 223 and to enter into agreements for voluntary or not-for-profit organisations to use Council land and facilities. Where Section 223 applies, Council retains the authority to grant the tenure.

#### **Tenure – Terms and Conditions**

To ensure a consistent approach to tenures, standard documentation will be used to outline the terms and conditions, unless otherwise approved by the relevant Director.

If a formal agreement cannot be entered into until certain events have occurred (for example, planning approvals are obtained, or capital works carried out), the Director, with the approval of Council, may offer a prospective tenant a Memorandum of Understanding.

The term of tenures must be in accordance with the *Crown Land (Reserves) Act 1978* or the *Local Government Act 1989*, as the case may be.

#### **Rental Fee**

Depending on the terms and conditions of the tenancy, a market rental assessment can be commissioned to determine the **Annual Rental Fee** and/or the Annual Rental Fee will be set with regard to the purpose and nature and of the organisation seeking to rent land or property. This will be reviewed at the completion of the individual terms, or at least every 5 years.

Council will determine changes to **Annual Rental Fees** as part of the budget process. These changes will be applied in accordance with the terms of the rental agreement.

Adopted by Wangaratta Rural City Council [Choose date]

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**Rates, taxes and outgoings**

Generally, tenants are required to reimburse Council or pay the relevant authority directly for all outgoings which may include rates, service charges, Fire Levy, stamp duty and taxes (except land tax if the lease is a retail lease) levied against the facility or the agreement.

In the case of multiple tenancy of a facility, service charges will be apportioned between tenants by Council.

**Ownership and maintenance of existing and new improvements**

Council is responsible for the external structural integrity of Council properties, except in the case of structural damage caused by the tenant, or the tenant's guests, invitees and contractors. Tenants are responsible for maintaining Council land and properties in their existing condition.

**Sub-letting**

Sub-letting and sub-licensing require the consent of Council as the landlord. In addition, if the tenure is granted by Council as the Committee of Management for a crown land reserve, the consent of the Minister must be obtained before a sub-lease or sub-licence is entered into.

**Assignment and mortgage**

All assignments or mortgages require the consent of Council as the landlord. In addition, if the tenure is granted by Council as the Committee of Management for a crown land reserve, the consent of the Minister must be obtained before an assignment or mortgage is entered into.

**Casual third party hire**

Only tenants who have been given consent by Council to hire out the facility to third parties will be permitted to do so. The proposed use of the premises by third parties must be consistent with the permitted use of the facility by the tenant.

The tenant is responsible to ensure that third parties hold appropriate public liability insurance for each use, and to keep records of third party hirers' insurance and signed hire agreements.

**Insurance**

Tenants are advised to insure their possessions as Council's insurance does not cover these.

Tenants are required to maintain public liability insurance for up to a value determined by Council's Risk Officer, on the advice of Council's insurer, as detailed in the lease or licence documents. Tenants must provide Council with a Certificate of Currency for the required insurances on or before the commencement date of the agreement and annually thereafter if requested.

**Rebuilding a structure**

Where an existing structure is substantially damaged (greater than 50% loss), building of a new structure may be permitted within the existing footprint of the structure at the discretion of Council.

The building of the replacement must be completed within the timeframes specified within the permit or permission may be deemed to have lapsed.

The style, form and materials of any building should be consistent with Council requirements.

Adopted by Wangaratta Rural City Council [Choose date]

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**Removal of structures**

Agreement must be reached with Council prior to any structure being removed. Council will take into account the following circumstances:

- The structure is dilapidated, beyond repair or is a hazard to public safety;
- The structure does not comply with the relevant construction standards;
- The tenant fails to give effect to notices issued by the Council;
- The structure is at risk or may contribute to land or water changes;
- Removal is planned through any Management Plan or Policy for the area; or
- The area around the structure is unsafe to access

**End of tenure**

At the conclusion of any lease or license, a review of the occupancy shall be undertaken to ensure any ongoing occupation would meet the criteria set out in this Policy.

At Council's discretion, tenancies may be renewed at the end of the tenure period for a further term where:

- There have been no breaches of terms or conditions; and
- The structure is maintained to the satisfaction of Council; and
- There are no other circumstances that support the occupancy of the land or property not being renewed.

Council reserves the right to seek Expressions of Interest from the community to ensure the objectives of this Policy would be met by any future occupancy.

**OCCUPANCY CONDITIONS****General maintenance**

To provide a consistent and fair framework for the conduct of maintenance on Council's premises, maintenance schedules will be developed by Council and each tenant is required to maintain the facility in accordance with the maintenance schedule attached to the lease or Licence.

**Risk and Occupational Health and Safety**

Council will require appropriate risk management measures in all leases and licenses which will include requiring tenants to:

- Release and indemnify Council for all claims resulting from any damage, loss, death, or injury, in connection with the premise unless such claims arise out of Council's negligence;
- Maintain adequate public liability insurance;
- Ensure that appropriate documentation and insurance is in place for occasional or hired use of the premises by third parties, if applicable;
- Comply with emergency evacuation procedures and risk management practices implemented by Council;
- Implement a risk management plan that identifies the risks associated with the tenant's use of the premises and how such risks will be addressed;
- Only use appropriately qualified tradespeople to undertake repairs.

Adopted by Wangaratta Rural City Council [Choose date]

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**Nuisance**

Council requires that tenants undertake their permitted activities without adversely impacting on the amenity of nearby neighbours. If there is a breach of this requirement, Council reserves the right to terminate the tenancy, or to restrict the use of premises by the tenant through occasional hire arrangements.

**REGISTER**

Council will publish, on its website, a Lease Register of all Leases and Licences it has entered into.

**MANAGEMENT FRAMEWORK**

Council will maintain a Leasing and Licensing Management Framework. Key elements of the management framework include the:

- Leasing and Licensing Policy
- Lease and Licence Register
- Standard Agreements
- Council Fees and Charges Schedule
- Leasing and Licensing Procedure

**DEFINITIONS**

**Market Rental** means the highest conforming bid set by a competitive tender; or the highest and the best value which might be obtained given the limitations and constraints of the property or land, as determined by a certified valuer.

All other terms have their normally accepted business meaning.

**REFERENCES**

*Crown Land (Reserves) Act 1978*  
*DELWP (2010) Leasing Policy for Crown Land in Victoria 2010*  
*DELWP (2012) Crown Land Leasing Guidelines Leasing Legislation*  
*Land Act 1958*  
*Local Government (General) Regulations 2015*  
*Local Government Act 1989*  
*Native Title Act 1993*  
*Planning and Environment Act 1987*  
*Residential Tenancies Act 1997*  
*Retail Leases Act 2003*  
*Traditional Owner Settlement Act 2010*

Adopted by Wangaratta Rural City Council [Choose date]

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**APPENDIX****Annual Rental Fee for Community Groups:**

	<b>2018-2019</b>	<b>2019-2020</b>	<b>2020-2021</b>	<b>2021 and beyond</b>
<b>Community Groups Category 1:</b> Non-sporting groups who provide a community service and are predominately volunteer based	\$50	\$75	\$104	Annual CPI increase
<b>Community Groups Category 2:</b> Tenants who: <ul style="list-style-type: none"> <li>• hold a liquor licence; OR</li> <li>• hold a Food Registration Certificate; OR</li> <li>• hire their facilities for functions/social events; OR</li> <li>• conduct sporting activities for members and/or guests</li> </ul>	\$50	\$125	\$260	Annual CPI increase

Adopted by Wangaratta Rural City Council [Choose date]

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## Major Council Policy Impact Statement

### Leasing and Licensing Policy

Council provides the following information to the community in respect of the proposed Major Council Policy.

#### PART A – General

##### Background

Council officers have developed a new major council policy; the Leasing & Licensing Policy (the Policy).

The Policy applies to community groups and defines the key terms and pricing under which they can lease or license property owned or managed by the Rural City of Wangaratta. The Policy has been developed in consultation with a number of key Council stakeholders. Council's Manager People & Governance and Property & Revenue Coordinator have prepared the Policy after lengthy review and consideration of Council's current and historical property agreements.

##### Objectives

The Policy helps to achieve Council's objectives by ensuring transparency and accountability in Council decision making. Additionally, in many instances it will lead to improving the overall quality of life of people in the local community based on the groups that Council enters into property agreements with. (e.g. historical groups, sporting groups, cultural groups, etc.)

By entering into property agreements with appropriate groups, Council will also meet its objective of ensuring that services and facilities provided by the Council are accessible and equitable.

#### PART B –Major Council Policy proposal overall

##### Measures of success of the Major Council Policy proposal

The success of the Policy will be measured by the extent to which it improves the transparency of property agreements and the decisions made relating to the terms and conditions offered to external parties for said agreements.

There is no proposed specific goal in place to measure the success of the Policy, however the Policy will lead to greater consistency for all Council property agreements.

##### Legislative context

The Policy directly interacts with the Local Government Act (s.190) and the Crown Land (Reserves) Act that both legislate certain requirements Council must obey if it is to enter into property agreements.

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**Major Council Policy Impact Statement****Leasing and Licensing Policy**

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**Risk assessment**

The Policy has been developed to reduce the risk of community dissatisfaction due to a lack of transparency and equity in relation to property agreements.

**Policy approach adopted**

A policy approach is to be chosen as it will help guide officers in making decisions in relation to property agreements. There are items within the Policy that allow for officer discretion in particular instances. Council has benchmarked the Policy with that of neighbouring and like Councils and believe the exceptions identified above are consistent with our benchmarking.

**Least burden / greatest advantage test**

The Policy will create an additional financial burden on most groups that is considered to be reasonable. The small increase in Council income will assist with the ongoing administration of property agreements in alignment with the Policy.

**Restriction of competition**

The Policy has no National Competition Policy implications.

**Permits**

This Policy does not make provisions for the issue of permits.

**Fees**

Whilst the fees outlined in the Policy will be, in many cases, an increase for lessees/licensees based on the current rental amounts set out in their respective agreements (\$1.00 in many cases), the quantum of the fees are not unreasonable and are in alignment with that of neighbouring and like Councils.

**Comparison with neighbouring and like Councils**

Council has compared the Policy with a number of Council's across the state as well as some interstate councils and the State Government department DELWP.

The variances in each council's policies in relation to pricing methodologies are quite large, however the underlining objective of each of them is very similar.

We believe we've chosen a conservative approach.

**Charter of Human Rights**

Council has assessed the policy for compatibility with the Charter of Human Rights. A report of this assessment is attached.

**Major Council Policy Impact Statement****Leasing and Licensing Policy**

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**Consultation**

In accordance with Council's Major Council Policy Consultation Local Law, Council will invite submissions from interested parties. Due to there being no January 2019 Council Meeting, the submission period will be extended beyond the standard 28 days.

All submissions and any proposed changes will be considered by Council prior to the Policy being adopted.

**Part C – Major Council Policy proposal specific provisions****Part(s) of the Major Council Policy**

The Policy contains a pricing methodology for non-commercial property agreements that has stepped increases for the next two years to implement the change in rental amounts in a more manageable way for groups.

The pricing methodology is simple for council officers to administer and simple for external parties to understand.



## Major Council Policy – Human Rights Charter Assessment

### Leasing & Licensing Policy

As from 1 January 2008 all public authorities (including Councils) are required to act in accordance with the Human Rights Charter, and to consider human rights when making a decision.

The Charter is a law that protects the rights of all people in Victoria. It introduces standards and a framework to assist public authorities to consider the rights of all interested parties, and to be better able to strike a balance between an individual's rights and those of competing public interests.

The rights in the Charter may be subject to reasonable limitations in order to achieve this balance. As with all discerning decision making, if limitations are applied, this must be documented.

There are twenty rights listed in the Charter that promote the principles of freedom, respect, equality and dignity. These are listed at the end of this document.

Issues and Purpose	Rights Impacted Positive	Rights impacted Negative	Justification and alternatives
Introduction	Nil	Nil	N/A
Objectives, Legislative Compliance & Application	Nil	Nil	N/A
Policy	Right to gather together, take part in a peaceful demonstration or protest, and to join groups such as political, sport or union groups	Nil	N/A

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**Major Council Policy – Human Rights Charter Assessment****Leasing and Licensing Policy**

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**Victoria's Charter of Human Rights and Responsibilities**

The Charter sets out the rights, freedoms and responsibilities that are shared by all Victorians and protected by law.

The Charter protects the following rights in Victoria:

- Right to be recognised and treated equally before the law;
- Right to life and to not have your life taken without a lawful reason;
- Protection from cruel treatment or punishment, including torture and medical treatment without consent;
- Freedom from forced work or slavery;
- Right to move freely within Victoria, to come into and leave Victoria, and to choose where to live;
- Right to privacy and to protect your reputation;
- Freedom of thought, conscience, religion and belief;
- Right to hold an opinion and freedom of expression;
- Right to gather together, take part in a peaceful demonstration or protest, and to join groups such as political, sport or union groups;
- Protection of families and children;
- Right to take part in public life, including the right to vote;
- Right to enjoy your culture, practise your religion, and speak your language;
- Right not to have your property taken away, unless the law says it can be taken;
- Right not to be arrested or detained unfairly, and right to the security of person, such as protection from harassment and threats in everyday life;
- Right to be treated humanely when arrested or detained ;
- Protection of children in the criminal process;
- Right to a fair hearing ;
- Rights in criminal proceedings including the right to be presumed innocent until proved guilty; and
- Right not to be tried or punished more than once for the same crime.





## Major Council Policy – National Competition Policy Assessment

### Leasing & Licensing Policy

#### Introduction

A policy must not restrict competition unless it can be demonstrated that:-

- The benefits of the restrictions to the community as a whole outweigh the costs; and
- The objectives of the local law can only be achieved by restricting competition.

*This report applies the competition test to the Leasing & Licensing Policy.*

#### Objectives, Legislative Compliance and Application

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

*It does not contain any restriction on competition.*

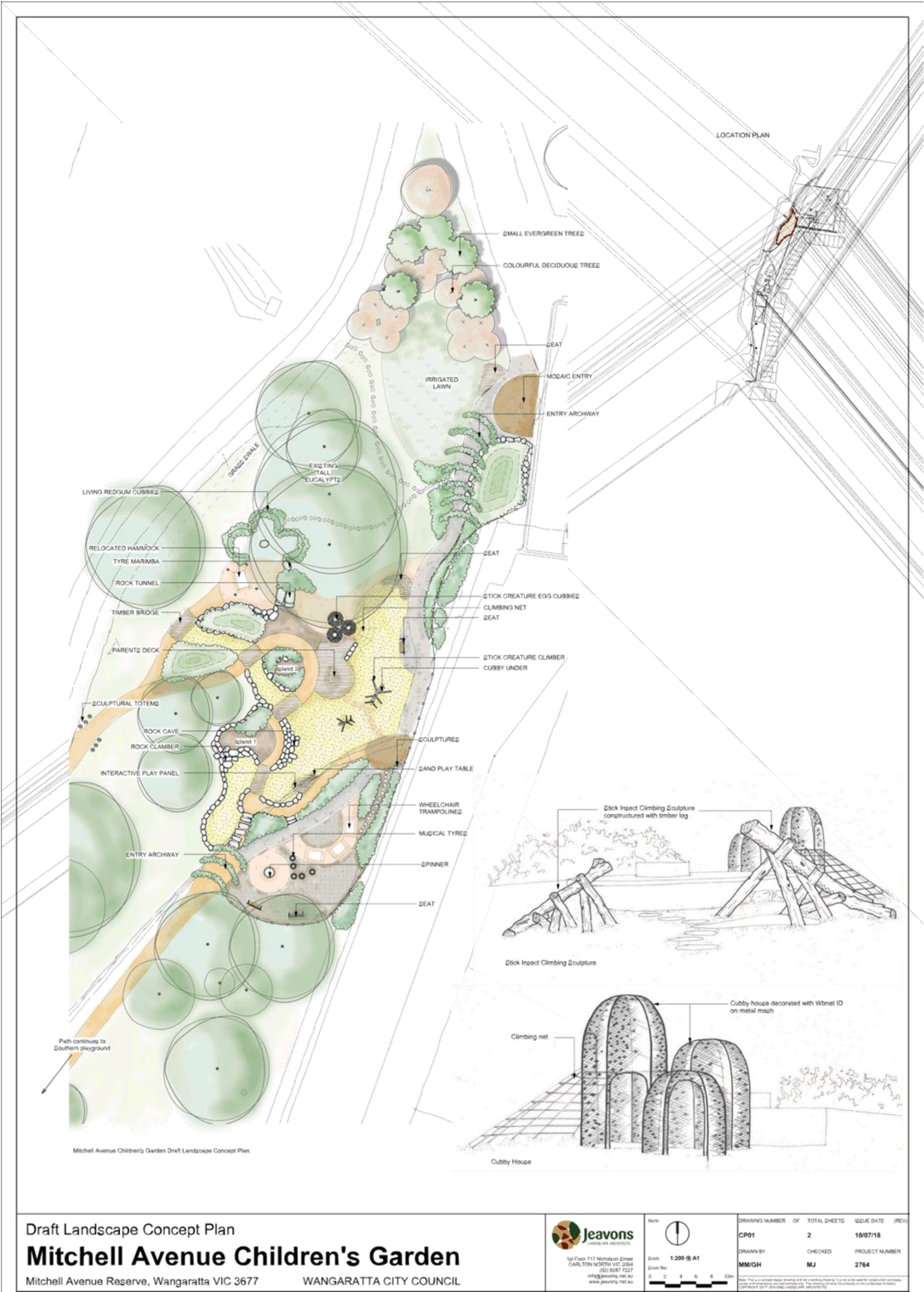
#### Part 3 – Availability of Major Council Policies

This section sets out the Leasing & Licensing Policy settings and supporting processes that will guide the conduct of Council and staff.

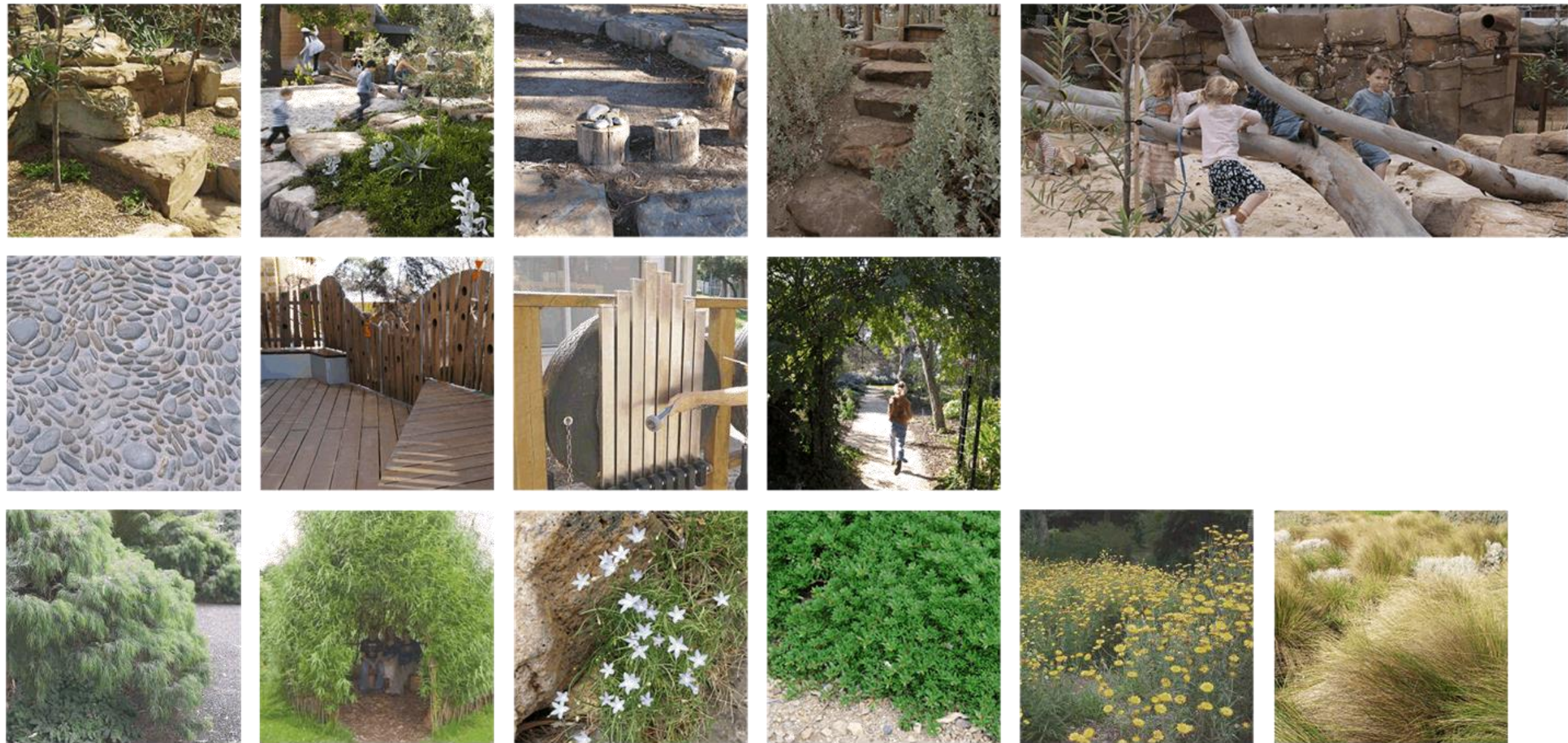
*It does not contain any restriction on competition.*

DRAFT APPLICATION OF PROPOSED LEASING AND LICENSING POLICY															
Name ID	Name	Annual Rent (\$)	Proposed Rent 2018-19	Difference	Proposed Rent 2019-20	Difference	Proposed Rent 2020-21	Difference	Category of Tenant	Property Address	Property Description	Prop ID	CIV	3%	Notes
2036	Northeast Health Wangaratta	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	62-68 Ovens Street WANGARATTA	Pt Ground Floor; WGC	16651	\$ 8,500,000	\$ 255,000	Part
17545	Wangaratta Netball Association	\$ 30.00	\$ 50.00	\$ 20.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	Edwards Street WANGARATTA	HP Barr Reserve - Netball Courts	8131	\$ 1,749,000	\$ 52,470	Part
18309	Wangaratta Bowls & Sports Club Inc	\$ 25.00	\$ 50.00	\$ 25.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	20 Park Lane WANGARATTA	Wangaratta Bowls Club	8828	\$ 296,000	\$ 8,880	
14826	Scouts Victoria	\$ 25.00	\$ 50.00	\$ 25.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	College Street WANGARATTA	Barr Reserve Scout Hall	8042	\$ 1,749,000	\$ 52,470	Part
17544	Wangaratta Hardcourt Tennis Assoc	\$ 25.00	\$ 50.00	\$ 25.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	Edwards Street WANGARATTA	HP Barr Reserve - Tennis Courts	8130	\$ 1,749,000	\$ 52,470	Part
11802	Everitt, Gregory Thomas	\$ 20.00	\$ 50.00	\$ 30.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	Snow Road MILAWA	Milawa Old Tip Site	1600	\$ 8,000	\$ 240	
32663	Dagoli, Kenny Michael	\$ 15.00	\$ 50.00	\$ 35.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	River Road TARRAWINGEE	Drainage Reserve	15522	\$ 39,000	\$ 1,170	
22718	Wangaratta Lions Club	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	2-12 Evans Street WANGARATTA	Wangaratta Showgrounds - The Lions Shed	8200	\$ 41,000	\$ 1,230	Part
17622	Wangaratta Bridge Club Inc.	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	48 Evans Street WANGARATTA	Wangaratta Showgrounds - Bridge Club	8202	\$ 1,000	\$ 30	
17624	Wangaratta Players Inc.	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	40 Evans Street WANGARATTA	"The Stage Door" - Showgrounds	8204	\$ 21,000	\$ 630	
23180	Cathedral College	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	330 Wangaratta-Whitfield Road WANGARATTA	Targoora Park - Car Park	1818	\$ 572,000	\$ 17,160	Part
24629	Whorouly Pre School	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	10 Church Street WHOROULY	Whorouly Pre School - Supper Room	2719	\$ 64,000	\$ 1,920	
12533	Wangaratta Aero Club	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	80-82 Brian Higgins Drive LACEBY	Wangaratta Aero Club & Hangar	3267	\$ 192,000	\$ 5,760	
16303	Girl Guides Victoria	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	70-74 Ryan Avenue	Ryan Avenue Reserve (Guides hall)	6986	\$ 301,000	\$ 9,030	Part
16304	Wangaratta Croquet Club	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	Ryan Avenue WANGARATTA	Croquet greens	6988	\$ 31,000	\$ 930	
22718	Wangaratta Lions Club	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	Reserve, Ryan Avenue WANGARATTA	Apex Road Safety School	6990	\$ 40,000	\$ 1,200	
22450	North East Regional Preschool Association Inc	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	Various	Kindergartens	7020	\$ 125,000	\$ 3,750	
22730	AFLNEB Umpires	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	Evans Street Wangaratta (Showgrounds)	Umpires Clubrooms	8203	\$ 42,000	\$ 1,260	
30273	Wangaratta Wesleyan Methodist Church	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	34-40 Parfitt Road Wangaratta	Wesleyan Church - Emergency access point	8735	\$ 11,000	\$ 330	
14826	Scouts Victoria	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	Vincent Road Wangaratta	Yarrunga Reserve - Scout Hall	14153	\$ 33,000	\$ 990	
38337	Wangaratta Community Garden Club	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	36-46 Willis Street WANGARATTA	Wangaratta Community Garden	14350	\$ 332,000	\$ 9,960	
15684	Wangaratta Football Club Inc	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	4A Evans Street WANGARATTA	Showgrounds - Club Rooms	8201	\$ 720,000	\$ 21,600	
30469	Australian Football League (Victoria) Limited	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	4E Evans Street WANGARATTA	Showgrounds Multi-Purpose Centre	18166	\$ 1,272,000	\$ 38,160	Part
22727	Wangaratta Sports Club Incorporated	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	2-12 Evans Street WANGARATTA	Showgrounds	8200	\$ 4,500,000	\$ 135,000	Part
22701	Wangaratta Agricultural & Industrial Society	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	2-12 Evans Street WANGARATTA	Showgrounds	8200	\$ 4,500,000	\$ 135,000	Part
22708	Wangaratta Cycling Club Incorporated	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	2-12 Evans Street WANGARATTA	Showgrounds	8200	\$ 4,500,000	\$ 135,000	Part
22714	Wangaratta Junior Football League Inc.	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	2-12 Evans Street WANGARATTA	Showgrounds	8200	\$ 4,500,000	\$ 135,000	Part
22709	Wangaratta & District Cricket Association Inc.	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	2-12 Evans Street WANGARATTA	Showgrounds (Clem Fisher Pavilion)	8200	\$ 4,500,000	\$ 135,000	Part
17625	Wangaratta Kennel & Obedience Dog Club	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	2-12 Evans Street WANGARATTA	Showgrounds	8200	\$ 4,500,000	\$ 135,000	Part
13012	Feldtmann, Dianne Pamela	\$ 15.00	\$ 50.00	\$ 35.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	Land adjoining Lots 2,3&4 Macartney Street Oxley	unmade section of Macartney Street	3691	\$ 315,000	\$ 9,450	Licencee's actual property; not road
38660	Wangaratta Community Toy Library	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	White Street WANGARATTA	Toy Library	13130	\$ 150,000	\$ 4,500	Part - 15%
22705	Wangaratta City Pipe Band	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	14 Swan Street WANGARATTA	Wareen Park Hall	12607	\$ 165,000	\$ 4,950	Part - 10%
36389	Wangaratta Amateur Olympic Swimming Club	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	14 Swan Street WANGARATTA	Wareena Park Pavilion (Pt)	12607	\$ 165,000	\$ 4,950	Part - 10%
11594	Moyhu Bowling Club	\$ 25.00	\$ 50.00	\$ 25.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	5 Byrne Street MOYHU	Moyhu Bowling Green	2475	\$ 95,000	\$ 2,850	
4844	Country Fire Authority	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	990 Shanley Street WANGARATTA SOUTH	Saleyards; CFA Training Facility	18928	\$ 1,060,000	\$ 31,800	
106	Goulburn Ovens Institute Of TAFE	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	Tone/Gravel Pit Roads WANGARATTA	Three Mile Creek Reserve	15269	\$ 390,000	\$ 11,700	Part
15158	Wangaratta Historical Society	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	29 Ford Street Wangaratta	Old Fire Station	5705	\$ 12,000	\$ 360	
25779	Wangaratta RSL Sub Branch Inc	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	100-104 Murphy Street WANGARATTA	Visitor Information Centre; 1st Floor	6393	\$ 732,000	\$ 21,960	
24701	Wangaratta Family History Society	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	Upstairs - 100-104 Murphy Street, WANGARATTA	Visitor Information Centre (Former Library)	6393	\$ 732,000	\$ 21,960	Part
32699	Community Accessibility Inc.	\$ 1.00	\$ 50.00	\$ 49.00	\$ 75.00	\$ 25.00	\$ 104.00	\$ 29.00	Category 1	Ovens Street WANGARATTA	King George V Gardens (Rest Room)	6471	\$ 16,000	\$ 480	
7616	Wangaratta Artists Society	\$ 1.00	\$ 50.00	\$ 49.00	\$ 125.00	\$ 75.00	\$ 260.00	\$ 135.00	Category 2	1A Tone Road WANGARATTA	The Studio - Batchelors Green	7224	\$ 6,500	\$ 195	









### Precedent Images



Job no. 2764  
Date: July 2018





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## *Community Engagement Summary*

### *Children's Garden at Mitchell Avenue Reserve*

#### **What did we engage about?**

Following endorsement of the Mitchell Avenue Reserve Master Plan in May 2018, the community had identified a children's garden as one of the highest priorities. Through engagement for the master plan, a number of key elements of what would make a successful children's garden were identified. These elements were used to form the basis of a concept design for the Mitchell Avenue Reserve Children's Garden. This engagement was focused on the concept designs for the Children's Garden.

#### **Why did we engage?**

- We needed to reaffirm that the draft plan reflected the wants and needs of the community as had been previously identified.
- All public spaces work better when the local community is actively engaged with it and feel a sense of empowerment and ownership of the space. By actively listening to and engaging with the local community in the decision making process, this sense of ownership increases.

#### **How did we engage?**

Formal engagement directly related to the Children's Garden was undertaken from 4 September 2018 to 27 September 2018. A number of activities were used to promote the various opportunities to engage and to directly engage with the community. These activities included a competition for children in the schools to assist in the design and interpretative information for the Children's Garden. This competition will continue beyond the formal engagement period.

##### Letter Box Drop – Surrounding Properties, 4 September 2018

- 300 copies of the draft plan, including an invitation to the Pop-Up Session and details of how to engage were distributed to adjoining and nearby residents.

##### Pop-Up Session – Mitchell Avenue Reserve, 12 September 2018, 3.30pm to 6.00pm

- A Pop-Up information session was held in the reserve at the location of the future Children's Garden. Along with staff to discuss the concept plan, free fruit was available and there were activities for children to undertake.

##### School Visit – Yarrunga Primary School – 14 September 2018

- A consultation session in the Yarrunga Primary School Library was held during class time. This session involved three 20-minute sessions with different grade groups – Grade 1&2, Grade 3&4 and Grade 5&6. Students were briefed on the project by Council officers before participating in some activities. Approximately 40 students attended the engagement.

#### School Visit – Our Lady’s Primary School – 19 September 2018

- The team visited with 35 students and teachers from Our Lady’s Primary School Grade 5 and 6 class for approximately one hour. A brief theatre style presentation was made, followed by activities and a Q&A with the students. The class had already been engaged throughout the development of the Master Plan so had some prior knowledge of the project.

#### Childcare Visit – Wangaratta Children’s Services Centre – 25 September 2018

- The team visited educators and students at the Children’s Services Centre for a pop-in session and informal chat with children.

#### General Promotion

- The draft plan and the engagement activities were promoted on Council’s website, via Council social media and via media release. The project was also picked up by local media with The Chronicle running a story on the Pop Up Session and the ability of the community to engage about the project.
- The draft plan and information about how to provide feedback was sent to all schools, kindergartens and childcare centres within the Rural City of Wangaratta with a request that they share with their families.

#### Public Feedback

- Members of the community were invited to provide feedback
- People who had engaged in relation to the Mitchell Avenue Reserve Master Plan were invited to provide feedback
- A selection of community members who have previously expressed interest in the site were invited to provide feedback
- No feedback was received from the community via general submission

### **Who engaged with us?**

- Pop Up Session – 12 residents – a majority of these were local residents arriving by foot, there was a diverse age group represented.
- Our Lady’s PS visit – 35 students and teachers – 11 and 12 year olds who live nearby and play in the park regularly
- Yarrunga PS visit – 40 students – 6 to 12 year olds who live nearby and play in the park regularly
- Wangaratta Children’s Services Centre – 12 educators
- Face-to-face meetings with interested individuals – one individual
- General Feedback – no submissions
- Facebook feedback- 26 comments and 83 reactions were made on a post about the Children’s Garden put up by Council on the 9<sup>th</sup> September 2018.

Overall, there was direct engagement with 108 members of the community but the engagement is known to have reached approximately 630 members of our community (excluding Council’s social media and reach from external media coverage).

## What did we hear?

Overall, the consultation with the community regarding the Children's Garden was mostly positive and a lot of excitement was expressed. Reassuringly, there should not be any reason to question the implementation of the proposed ideas. The community not only validated the plan, but also provided some insight on other elements to consider during implementation of the project. These suggestions can be used for the planning stages moving forward.

Key Features	Example Image
<b>Archways and Tunnels</b> There was a strong focus on the archways amongst the children. Examples of these archways were provided in various forms which all proved popular: <ul style="list-style-type: none"> <li>• Edible plants/ gardens</li> <li>• Fairy-theme</li> <li>• Cubby houses</li> <li>• Quiet, tranquil spaces</li> </ul> Children's Services staff also emphasised the attractiveness for kids regarding tunnels.	
<b>Accessibility</b> There was some positive discussions amongst children to ensure that the design enables participation by all members of society and particularly those in wheelchairs.	
<b>Hiding Places, Caves and Nooks</b> Children had a strong interest in ensuring there were lots of small spaces to explore and hide. In a similar manner to the support for archways, there was a strong desire for the sense of feeling enclosed and within a confined space.	
<b>Seating and Shade</b> A lot of people highlighted the importance of adequate seating and shade.	
<b>Safety</b> Children's Services staff acknowledged a few things related to safety including: <ul style="list-style-type: none"> <li>• Rocks fixed to the ground (not being loose)</li> <li>• Education/instruction on dealing with wildlife as well as domestic animals in the area, with contact numbers</li> <li>• Having less shrubs that attract snakes</li> </ul>	
<b>Maintenance Considerations</b> Children's Services staff had a lot of feedback related to sand and the need for an effective barrier to keep the sand contained to the area.	

**Inclusion of water element/s**

There was strong interest in having water to play with in the garden.

**What are we changing based on what we've heard?**

The feedback received during the engagement was predominantly positive. It is recommended that no major changes are made to the plan. However, there are some minor changes recommended.

Major Changes

- None

Minor Changes

- Inclusion of water elements – there was consistent belief that a water element would be beneficial. This could be as simple as an antique-style hand pump with a small zero-depth run off into a garden bed or drain.
- Reduction in sand area – sand as an undersurfacing has been identified as higher maintenance than Council's standard bark mulch undersurfacing. The extent of sand in the plan will be reduced but will be kept in key areas such as under the 'Giant Stick Creature'.
- Additional tunnels – the concept of archways, caves and tunnels was very favourable. The existing plan doesn't have a tunnel specifically so discussions will be had with the designer to see if a tunnel can be incorporated.

**What other feedback was received outside the scope of this engagement**

- There is still support for a skate park within the precinct
- There was interest in the BMX Pump Track – particularly whether it would be concrete or dirt. At this stage, it is likely to be concrete but this will be confirmed during the planning and design stage of that project. A concrete track will partially offset the desire for a skate park as it would be at least partially rideable for skateboards and scooters. Other design suggestions were made via social media, such as the inclusion of step ups, hips and half pipes. Community involvement will be key in the development of the BMX pump track design.
- There is some concern about the grassed area within the plan and the possibility of Council selling this land off for residential development
- Concern around funding for the garden and managing the expectations of the community
- Desire to make reference/homage to the Yarrunga Pool via signage and imagery throughout the Reserve
- Public art in the garden could provide an opportunity to represent fauna that is Indigenous to the area. For example gliders and goannas.
- Safety concerns were raised regarding other elements in the Masterplan ie: danger of dogs and safety of Parkour equipment.





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**5:00pm Tuesday 2nd October 2018**  
**Ovens Room, Wangaratta Government Centre**  
 62 Ovens Street Wangaratta

## MINUTES

1.	COMMITTEE: Elizabeth Ellis, Robert Floyd, Jamie Ramage, Cr.Mark Currie, Christian Dal Zotto, Robin Box, , Stephen Oxley  Guests:, John Joyce, Cr. Dave Fuller, Barry Sullivan  NON VOTING: Barry Green, Celeste Brockwell, Janine Rolles, Benn Sheffield (minutes)
2.	APOLOGIES: Brendan McGrath Cr. Harry Bussell, Alan Clark, Dean Rees, Thomas Moritz  Moved:  Seconded:
3.	CONFLICT OF INTEREST DECLARATIONS
4.	Moved: JR Seconded: EE  RECOMMENDATION: <i>That the minutes of the meeting held on 4th September 2018 be confirmed as a true and accurate record of the proceedings of the meeting.</i>
5	AGENDA ITEMS



### Economic Development & Tourism Advisory Committee Meeting

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#### 5.1 Barry Sullivan

Barry was the former Chair of the Wangaratta Unlimited Board. Explained that there used to be some shoulder tapping to get appropriate members onto the board.

Barry described the process taken to business by the board of Wang Unlimited.

Each year a review of the strategy was undertaken to establish how the strategy tied back to state and federal body's plans/priorities. They used a ten year vision as a minimum when strategising.

For venture capitalists they want to see a twenty to thirty year plan from councils before investing into a region.

As part of the process Wangaratta Unlimited would identify key sectors, then investment funding ready projects in these sectors.

Also part of their work was supporting key sectors in times of need, ie racecourse. Volunteer time and effort to helping these sectors, put effort into supporting and promoting them.

Cr Currie: How did the council/Wangaratta unlimited relationship work? What was the breakdown between tasks and advice?

Barry S: Very important to work together,



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Important for the committee to be ready and supportive of investment but not picking winners in technology races.

John: In terms of major development were they off the back of new investment or expansion of local existing businesses.

Barry S: Hard to get balance right, but is easier to support existing business than to help get new enterprises into town.

MC: Be interesting to do a SWOT on Wangaratta.

Some discussion that a SWOT was done as part of developing the current Economic Development Strategy.

Barry S: What do the neighbouring sectors do? Benalla for instance has some defence industry.

What can Wangaratta do to tap into that? Make the region strong in that sector.

Elizabeth: Seems that Wangaratta Unlimited being high profile and project ready is key to previous success.

Barry S: We found when getting new people onto the committee important to go through a thorough induction process to ensure information isn't lost in the handover.



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	<p>Barry G: Wangaratta Unlimited was completely separate from council, this created some issues. Was similar to old Albury-Wodonga development board.</p> <p>Stephen O: Has been some evolution of the committee over the years I have been involved</p> <p>Further discussion of the points raised by Barry S and how these could be incorporated into current operations.</p> <p>Christian: Need to make businesses comfortable to approach council. Need to make them aware of what council can offer and how to approach them.</p> <p>Barry G: Interesting to note the demographics of attendees at the small business workshops and where they are from, some businesses will not attend local workshops so that others don't see them "looking for help".</p>
<p><b>5.2</b> Four vacancies on the committee to be advertised</p>	<p>Update to committee.</p> <p>Report is going to the next council meeting for approval and then the new members will be appointed.</p> <p>Some discussion of the possibility of joining the committee with the AAAC.</p>



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<p><b>5.3</b> Update from the Economic Development team</p>	<p>Janine gave an update to the committee on projects going on in the Municipality.</p> <p>Discussion of a range of factors that affect the retail space and business make up.</p>
<p><b>5.4</b> Christmas promotion discussion</p>	<p>Presentation on the decorations for this year</p> <p>Janine gave a presentation to the group about the plans for Christmas decorations and the future plans for them. Included a power point presentation showing what is planned.</p> <p>Discussion of what is planned and how to maybe connect with what private properties are doing.</p> <p>Cr Fuller gave a brief overview of what Business Wangaratta is planning for their Christmas promotion.</p> <p>Cr Currie asked the committee if they had ideas around what they would like to see in the Christmas period.</p> <p>Robert: How do we engage the broader business community on other parts of the town? Vincent rd etc</p>
<p><b>5.5</b> Further discussion on the Economic Development Action Plan and advisory committee involvement and support</p>	<p>Report from focus groups on progress so far.</p>



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	<p>Janine led a discussion about the activities of the focus groups and what the next steps are for them.</p> <p>Still need to draw out requirements from key sectors so that we can target support and get projects shovel ready.</p> <p>Janine to invite committee to another workshop, to include Dave Fuller please.</p>
5.6	
5.7	
6.0	<b>BUSINESS ARISING</b>
7.0	<b>NEXT MEETING</b>
	Tuesday 13 <sup>th</sup> November at 5.30pm in the Ovens Room.
8.0	<b>MEETING CLOSED</b>
	There being no further business, the meeting closed at ...7:03.....pm



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**ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE**  
**Tuesday 4 September 2018 @ 5:30pm**

**Wangaratta Library**

**MINUTES**

1.	<p><b>PRESENT</b></p> <p><u>Committee members:</u></p> <ol style="list-style-type: none"> <li>1. David Godkin</li> <li>2. Rhonda Diffey</li> <li>3. Ian Poole</li> <li>4. Annie O'Shea</li> <li>5. Cazz Hicks</li> <li>6. Adrian Vaughan</li> <li>7. Marc Bongers</li> <li>8. Trish Boak</li> <li>9. Delia Jackson</li> </ol> <p>Cr Dave Fuller – CHAIR</p> <p><u>Officers in attendance:</u></p> <p>Penny Hargrave – Manager – ACE</p> <p>Loueen Twyford – Coordinator – Wangaratta Library</p>	
2.	<p><b>APOLOGIES</b></p> <p>Margaret Brickhill</p>	<p><i>That apologies be accepted</i></p> <p><b>Moved: Ian Poole</b> <b>Seconded Annie O'Shea</b> <b>CARRIED</b></p>



3.	<b>CONFLICT OF INTEREST DECLARATIONS</b>	NIL
4.	<b>MINUTES OF PREVIOUS MEETING (previously circulated)</b>	<p><b>Motion:</b> <i>That the minutes of the meeting held on 8 May 2018 be confirmed as a true and accurate record of the proceedings of the meeting.</i></p> <p><b>Moved:</b> Rhonda Diffey  <b>Seconded:</b> Annie O'Shea  <b>CARRIED</b></p>
5.	<b>BUSINESS ARISING FROM PREVIOUS MINUTES</b>	
6.	<b>AGENDA ITEMS</b>	
	<p>5.1 <u>Railway Precinct update – Project Manager -Nathan Mullane</u></p> <ul style="list-style-type: none"> <li>Gave an overview of consultation opportunities undertaken so far</li> <li>Gave background to first round of consultation (October 2017)and feedback received  <i>Dominated by bitumen, not pedestrian friendly, hot and not shady</i>  key themes from 1<sup>st</sup> round – greener., way finding activation, support cycling, wider footpaths</li> <li>revised concept presented</li> <li>consultation closes Wednesday 05/09 – ACHAC has a week to provide feedback – by 12/09/2018.</li> <li>Construction starts 2019</li> </ul> <p>5.2 <u>Introduce new ACHAC members - Cr Fuller</u></p> <ul style="list-style-type: none"> <li>Welcomed new members Adrian Vaughan, Marc Bongers, Trish Boak, Delia Jackson</li> </ul>	





	<p>5.3 <u>Purpose ACHAC - meeting protocol, outcomes, frequency, information dissemination, projects - Cr Fuller</u></p> <ul style="list-style-type: none"> <li>• Presented charter</li> <li>• Discussed purpose of ACHAC and benefit to RCoW</li> <li>• Discussed meeting frequency</li> <li>• Discussed an option of developing a culture map of Wangaratta</li> </ul> <p>5.4 <u>Events Calendar / Events Strategy - Penny Hargrave</u></p> <ul style="list-style-type: none"> <li>• Presented annual calendar of events curated by Wangaratta Rural City Council and other annual events in Wangaratta</li> <li>• Feedback received around “consultation type events in CBD” that weekend days might work better than weekday evenings.</li> </ul> <p>5.5 <u>Wangaratta Library update - Loueen Twyford</u></p> <ul style="list-style-type: none"> <li>• Overview of Library since moving to Council management</li> <li>• Tour of Library</li> <li>• North East History Room opportunities were discussed</li> </ul>	
7.	<b>CORRESPONDENCE</b>	<b>NIL</b>
8.	<p><b>REPORT:</b></p> <p>8.1 Quarterly Report for Arts, Culture, Heritage and Events services</p> <ul style="list-style-type: none"> <li>• Not presented at the September meeting - to be circulated post meeting</li> </ul>	
9.	<b>GENERAL BUSINESS:</b>	



<p><b>David Godkin</b> Bright Lights Big City – Jazz Festival Community Arts Project encouraged ACAHAC members to participate in community arts project. Some local &amp; metro schools involved. Looking to involve medical students. CWA, The Centre &amp; Winton Wetlands. All information on Jazz Festival website Deadline = 19/10/2018. 2017 = 1,000 artists / 2018 – hoping for the same.</p> <p><b>Annie O'Shea:</b> WAC Jazz function – Uniting Church Rowan Street Saturday 10/09 @ 8:00pm. Book sorting starts this week for next year's Lit Fest. 26/09 is first committee meeting for 2019 festival. Attending Artlands in October.</p> <p><b>Rhonda Diffey:</b> Interim Report - Constitutional Recognition – Tuesday 11/09 4:30pm Uniting Church Rowan Street, Meeting room – discuss submissions to the interim report – focus on Bangerang people. Submissions due 16/09/2018; 24/09 Committee meeting in Albury – opportunity to present to committee. Rhonda to provide link &amp; PH to circulate</p> <p><b>Marc Bongers</b> Wangaratta Camera Club (=45 pax) – hosting Victorian Amateur Photographic Society – conference 250+ pax - 2020 in Wangaratta – last weekend in May 2020</p> <p><b>Rhonda Diffey / Adrian Vaughan</b> Victorian History Award – submitted VACATION - multimedia presentation category &amp; cmt history category – received invitation to event 10/10/2018</p>	
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10.	<b>NEXT MEETING</b> Tuesday 13 November 2018 @ 5:30pm – venue tba	
11.	<b>MEETING CLOSED: 7:33pm</b>	

File: F16/2117



## Assembly of Councillors

Date: 13/11/2018

Meeting: Economic Development and Tourism Advisory Committee

Commenced: 5:30pm

**Councillors:**

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

**Officers:**

Brendan McGrath – CEO	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Alan Clark – DI	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chris Gillard – ADCS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Stephen Swart – DDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jaime Carroll – DCW	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Celeste Brockwell</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Janine Rolles</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Elizabeth Santarelli</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Apologies:** Brendan McGrath, Robin Box, Thomas Moritz, Cr Dean Rees, Christian Dal Zotto

**Independent Presenters:** Travis Heeney

**Conflict Of Interest Disclosure: (Left the room – Returned)**

1. N/A

**Matters Considered:**

5.1	Presentation and discussion with Travis Heeney, GoTafe CEO
5.2	Discussion of the new Draft Urban Design Framework
5.3	Four vacancies on the committee to be advertised
5.4	Update from the Economic Development team
5.5	Further discussion on the Economic Development Action Plan and advisory committee involvement and support

File: F16/2117

**Meeting Closed at: 7:15pm**

Sub Folder S18/249



## Assembly of Councillors

**Date:** 19 November 2018

**Meeting:** Councillors Briefing Forum

**Commenced:** 2.00pm

**Councillors:**

Cr Ken Clarke - Mayor  
Cr Mark Currie – Deputy Mayor  
Cr Harry Bussell  
Cr Dean Rees  
Cr Dave Fuller  
Cr Harvey Benton  
Cr Ashlee Fitzpatrick

**Present**

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**Absent**

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**Officers:**

Brendan McGrath – CEO  
Alan Clark – DIS  
Jaime Carroll – DCW  
Sarah Brindley – DCS  
Steven Swart– DDS

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**Apologies:**

**Presenters:** Anthea Sloan – Manager Finance, Celeste Brockwell - Manager Strategy Growth and Environment, Brad Gill - Projects & Recreation Coordinator, Tom Arnold – Youth Development Officer

**Conflict of interest:**

**Meeting Closed at: 5.55pm**

Sub Folder S18/249



## Assembly of Councillors

**Date:** 26 November 2018

**Meeting:** Councillors Briefing Forum

**Commenced:** 2.00pm

**Councillors:**

Cr Ken Clarke - Mayor  
Cr Mark Currie – Deputy Mayor  
Cr Harry Bussell  
Cr Dean Rees  
Cr Dave Fuller  
Cr Harvey Benton  
Cr Ashlee Fitzpatrick

**Present**

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**Absent**

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**Officers:**

Brendan McGrath – CEO  
Alan Clark – DIS  
Jaime Carroll – DCW  
Sarah Brindley – DCS  
Stephen Swart – DDS

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**Apologies:**

**Presenters:** Penny Hargrave – Manager Culture & Events, Marcus Goonan – Manager Infrastructure Planning & Delivery, Clare Cowdery – Planning Coordinator

**Conflict of interest:**

**Meeting Closed at: 5.17pm**

Sub Folder S18/249



## Assembly of Councillors

**Date:** 3 December 2018**Meeting:** Councillors Briefing Forum**Commenced:** 2.00pm**Councillors:**

Cr Ken Clarke - Mayor  
Cr Mark Currie – Deputy Mayor  
Cr Harry Bussell  
Cr Dean Rees  
Cr Dave Fuller  
Cr Harvey Benton  
Cr Ashlee Fitzpatrick

**Present**

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**Absent**

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**Officers:**

Brendan McGrath – CEO  
Alan Clark – DIS  
Jaime Carroll – DCW  
Sarah Brindley – DCS  
Steven Swart– DDS

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**Apologies:**

**Presenters:** Gillian Hoysted – Manager People & Governance, Marcus Goonan – Manager Infrastructure Planning & Delivery

**Conflict of interest:****Meeting Closed at: 5.30**