

# Minutes

## Of the Ordinary Council Meeting

**Location:** Edi Upper Hall

**Date:** 19 March 2019

**Time:** 6PM



RURAL CITY OF  
**WANGARATTA**

Brendan McGrath  
Chief Executive Officer



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## 1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

*We acknowledge the traditional owners of the land on which we are meeting. We pay our respects to 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

### Councillors:

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

### Officers:

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

## 4. ABSENT

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

### ORDER OF BUSINESS

## 6. CITIZEN CEREMONY

Nil

## 7. CONFIRMATION OF MINUTES

### **RESOLUTION:**

**(Moved: Councillor A Fitzpatrick/Councillor M Currie)**

***That Council read and confirm the Minutes of the Ordinary Meeting of 19 February 2019 as a true and accurate record of the proceedings of the meeting.***

**Carried**

## 8. CONFLICT OF INTEREST DISCLOSURE

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

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

## 9. RECEPTION OF PETITIONS

*Mayor Dean Rees tabled on the night of the meeting a petition to the Parliament of Victoria also sent to Council regarding a dedicated Ned Kelly Centre for Glenrowan. The petition, which received 3481 signatures, is in support of the Ned Kelly Centre Ltd, a Kelly family not for profit public company to be located at Glenrowan.*

### **RESOLUTION:**

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

***Councillor H Bussell moved a motion:***

- 1. That Council accept this petition***
- 2. A report responding to this petition will be brought to the next Council Meeting***

**Carried**

## 10. HEARING OF DEPUTATIONS

### **PRESENTATION OF REPORTS**

## 11. COUNCILLOR REPORTS

**Cr Harry Bussell**

As most people are aware there is a fire at Rose River at the moment that has burnt approximately 3,300 acres. There's about 12 bulldozers working there, 6 aircraft and today there was 165 firefighters there. This is very steep country, very dusty, very smoky and on behalf of the Rural City of Wangaratta I would like to thank all the firefighters and machine operators. We do notice the work you do and although the fire is not threatening anybody, but there is a lot of work being done.

**OFFICERS' REPORTS**

**12. EXECUTIVE SERVICES**

Nil

**13. CORPORATE SERVICES**

Nil

## 14. COMMUNITY WELLBEING

### 14.1 ACTIVE WANGARATTA GRANTS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 19 March 2019  
**Author:** Community & Recreation Officer  
**File Name:** 2018 - 2019 ACTIVE WANGARATTA - CLUB PARTICIPATION GRANTS  
**File No:** F18/504

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

#### Executive Summary

This report is presented to Council to provide recommendations in relation to the 2018/2019 Active Wangaratta - Club Participation Program.

The 2018/2019 Revised Council Budget has an allocation of \$186,205 towards the Community Grants Program. A nominal budget of \$10,000 has been set aside from this allocation to fund the Active Wangaratta Program. The recommendations in this report are to fund two projects at a cost of \$4,000.

#### **RECOMMENDATION:**

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

***That Council awards the total of \$4,000 to fund the following projects as part of the 2018/2019 Active Wangaratta – Club Participation Program:***

<b>Organisation</b>	<b>Project</b>	<b>Recommended Funding Amount</b>
Wangaratta Traditional Karate-do Goju Ryu Association	Safety Mats	\$2,000
Wangaratta Croquet Club	Croquet Mallet Acquisition in support of Membership Drive	\$2,000

**Carried**

#### Background

Each year Council's Community Grants Program provides financial assistance to not-for-profit community groups and organisations for the development of projects that will enhance the social, cultural and environmental experience for residents of the Rural City of Wangaratta. As well as major and minor community grants, Council offers the Active Wangaratta Club Participation Program, grants



designed to facilitate active recreation opportunities for residents under 18 years of age.

The 2018/2019 program received four eligible applications. The total amount of funds requested in this round totalled \$6,542. The applications were assessed by officers from the Projects and Recreation team under assessment criteria approved by Council. The key outcome targeted from the assessment criteria is the provision of new participation opportunities with greater value placed on initiatives that provide ongoing opportunities and are sustainable into the future.

The assessment identified two projects for funding which are detailed in Table 1.

Table 1 – Recommended successful applications for 2018/2019 Active Wangaratta – Club Participation Program.

Organisation	Project	Recommended Funding Amount
Wangaratta Traditional Karate-do Goju Ryu Association	Safety Mats	\$2,000
Wangaratta Croquet Club	Croquet Mallet Acquisition in support of Membership Drive	\$2,000
<b>TOTAL</b>		<b>\$4,000</b>

Upon endorsement of the successful 2018/2019 Active Wangaratta – Club Participation Program, successful and unsuccessful applicants will be notified. A listing of the successful applicants will be promoted through Council's website. Projects will be monitored by Council staff to ensure that the projects are completed in accordance with the funding guidelines and to maximise promotional opportunities for each project.

### **Implications**

#### **Policy Considerations**

The Active Wangaratta – Club Participation Program is informed by Council's Community Grants Program Policy and Procedure (2015).

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

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

	2018/2019 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue/Income				
Expense	\$10,000	\$4,000	\$6,000	
Net Result		\$6,000	\$6,000	

**Legal/Statutory**

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

**Social**

The granting of funds to community groups achieves social outcomes that benefit our community.

Other social implications relate to the impact unfunded projects may have on community initiatives and projects. Unsuccessful applicants will be supported by Council to develop their projects and applications to strengthen future funding opportunities. Assessment of applications takes into consideration the social impact of projects for communities.

**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.

**We will create and deliver:**

- A community grants program that supports the future of local community groups and organisations.
- Exceptional services and programs that help our families and children to be healthy, happy and connected.

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

- To ensure we are responding to the current and future recreational needs to our community and creating sustainable and quality recreation reserves throughout our municipality.
- By acknowledging our municipality as both rural and urban and developing a new vision together that reflects our future.

**The non-negotiables:**

- Our community can access recreation facilities and programs. We can all lead an active and healthy lifestyles.
- Our rural communities are supported and recognised as significant contributors to the economic and social character of the municipality.
- Our community is given opportunities for everyone to participate and contribute to social, economic and cultural life.
- Our team will make the best and most efficient use of Council's resources.

**What we do every day:**

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

## **Strategic Links**

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

- Community groups continue to provide a substantial backbone to our personal and collective wellbeing.
- We are a community with a strong sense of connectedness, being actively engaged and connected with others across the community.
- We value and respect the young people of our community.
- Sports, whether organised or ad hoc, play a major role in encouraging involvement of young people in their community.
- Younger people continue to have an active and respected voice in the community, through formal mechanisms such as Youth Council, and less formal channels.
- The prominence and role of sport and active recreation remains as central to the Rural City of Wangaratta way of life.
- Sports development over the past 20 years has focussed on diversification, providing people of all ages with opportunities to take up new sport and recreation activities.

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

#### **Rural City of Wangaratta Recreation Strategy**

RS 7.2.3 Work with key groups to establish and promote unstructured recreation opportunities for specific groups in the community.

RS 7.4.1 Improve pathways for children and young people into community based sport and recreation.

RS 7.4.3 Support and enhance partnerships with local youth providers and groups to ensure that the recreational needs of young people continue to evolve and improve, and to ensure young people are involved in the planning of local recreation opportunities.

#### **Rural City of Wangaratta Municipal Public Health and Wellbeing Plan 2017 – 2021**

2.1.1 Promote and support accessible, affordable and inclusive opportunities for girls and women of all abilities and ages to be part of all elements of community life including sport, cultural, education, employment and leadership roles.

2.2.1 Work to remove economic barriers that prohibit or limit participation in sports and cultural activities for our children and young people.

5.2.4 Provide support to community groups and organisations that seek opportunities for innovation, collaboration and community participation.

### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Group/organisation's capacity to implement project with available volunteer capacity.	2	1	3	Continual monitoring throughout project implementation.
Group's ability to contribute committed cash and/or in-kind	2	1	3	Continual monitoring throughout project implementation.

### **Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Internal staff,	Email, social media
Consult	Internal staff, unsuccessful applicants	Email, phone, face-to-face
Involve	Applicants	Email, phone, face-to-face
Collaborate	Applicants	Email, phone, face-to-face
Empower	Successful applicants	Letter, email, phone, face-to-face

The Active Wangaratta – Club Participation Program was promoted to sport and recreation organisations through a range of communication methods including:

- Emails;
- Social media;
- Rural City of Wangaratta website; and
- Local newspaper – Rural City Connections.

In addition, previous applicants to the Community Grants Program who were unsuccessful and had projects that met the criteria of this program were encouraged to apply.

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

Successful and unsuccessful applicants will be informed of Council's decision.

### **Options for Consideration**

1. That Council endorse the allocation of \$4,000 to fund the projects as recommended as part of the 2018/2019 Active Wangaratta – Club Participation Program; or
2. Council reconsiders all submitted projects and recommences the assessment process.

**Conclusion**

Projects for funding in the 2018/2019 Active Wangaratta – Club Participation Program have been listed in this report for Council's consideration.

**Attachments**

Nil.

**Public Questions**

*Mr Brian Fox asked is there \$2000 available to every club in Wangaratta and how is it justifiable to hand out these grants?*

Mayor Dean Rees responded, the amounts of money awarded differ from organisation to organisation depending on their needs. We will look at all clubs that put in grant applications and whether money is available at the time.

## 14.2 COUNCIL COMMITTEES

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 19 March 2019  
**Author:** Community and Recreation Officer  
**File Name:** COUNCIL COMMITTEES  
**File No:** F16/1609 & F16/1632

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 the Sport and Recreation Advisory Committee, and a number of Special Committees of Management (COM) where representatives are new or renominating upon expiry of their term on a COM.

The Sport and Recreation Advisory Committee provides advice to Council on matters pertaining to strategic planning, support and advice, together with the management of sport and recreation opportunities in the Rural City of Wangaratta.

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

### **RECOMMENDATION:**

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

**That Council:**

- 1. *Appoints Walter Pasquali, Sue Synnot and Kerry Strauch as representatives to the Sport and Recreation Advisory Committee; and***
- 2. *Appoints Rod Ambrose, Carolyn Trethowan, Sara Tatukaswili, Shane Gardener and Marion Walker as representatives to the Section 86 Special Committees of Management.***

**Carried**

## **Background**

Council has 15 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.

Committee of management nominees serve limited terms based on the requirements of the Charter. All committee charters establish a minimum required number of positions but allow for larger membership if there is an interests from community members to serve. These nominations represent either new nominees resulting from resignations or additional interest from local community members.

When member terms expire the nomination process is advertised in local media, through rural newsletters and via community word-of-mouth. The vacancies are a result of other members' terms expiring.

Nominations received for the Sport and Recreation Advisory Committee are assessed against a skills matrix (which forms part of the Charter). The skills matrix is based on existing involvement in sporting groups/organisations; sporting/club networks; local sport and recreation knowledge and interest in sport and recreation activities.

Nominations for the Section 86 committees are completed on an approved form which requests the reasons which have motivated the nomination and the provision of previous experience. Volunteers to Section 86 committees are rarely oversubscribed.

## **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**

1. Council has reviewed the expressions of interest received for appointment to the Sport and Recreation Advisory Committee.
2. Council has reviewed nominations received for the appointment of the relevant COMs which 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**

- 1 Nominations to Council Committees - Confidential

## 15. INFRASTRUCTURE SERVICES

### 15.1 CBD PEDESTRIAN IMPROVEMENTS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 19 March 2019  
**Author:** Project Manager  
**File Name:** Traffic and Car parking Strategy  
**File No:** P17/74

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 the proposed CBD Pedestrian Improvements works including pedestrian priority crossings and the introduction of a 40km/h area speed reduction throughout the CBD.

#### RECOMMENDATION:

*That Council:*

*1. endorse the attached plans for CBD Pedestrian Improvements including pedestrian priority crossings and 40km/h area speed reduction throughout the CBD.*

#### **RESOLUTION:**

**(Moved: Councillor K Clarke OAM/Councillor M Currie)**

***That Council:***

- 1. endorse the attached plans for CBD Pedestrian Improvements including pedestrian priority crossings and 40km/h area speed reduction throughout the CBD.***
- 2. The proposed 40km zone be expanded to include the section of Ryley St from the Warby St traffic lights through to the Ford St roundabout***

**Carried**

#### Background

The Wangaratta Project – A Masterplan For Our City, identified a ‘big idea’ which has long been spoken about within the community, although often simply as ‘we want pedestrian crossings’.

The Masterplan picked up on this long standing frustration, extending the scope to provide an opportunity to be about more than just a crossing. Previous community interest, has not progressed into solid actions with Regional Roads Victoria (RRV).

The CBD Pedestrian Improvements have been presented to the community for three weeks seeking feedback, commencing in early February. Traditional and social media channels were used to push out the message that Council were seeking discussions on improving pedestrian safety across the CBD, with the plans available on the Council website for viewing. Two pop-up engagement sessions were held in Molonys Arcade on 8 and 11 February with approximately 40 community members choosing to come along and discuss the plans with council officers.

Direct contact was made with businesses adjacent to the crossings, as well as identified key stakeholder groups – representing pedestrians, those with a disability, and businesses.

There were no significant objections raised regarding the pedestrian crossings or CBD 40km/h area. Feedback received was generally:

- in support of formal crossings;
- agreeable that a uniform 40km/h would be safer;
- understanding of the need to lose some parking spots to install safe pedestrian crossings;
- supportive of the raised crossings in slowing vehicle speeds.

Some dissatisfaction was expressed that:

- crossings would delay vehicle traffic for the benefit of pedestrians;
- crossings would result in congestion on already busy CBD streets;
- there was no need to change the current arrangements.

Initial discussions have been held with RRV, ahead of a formal submission once the plans are endorsed, seeking approval to the necessary elements. It is envisaged that the form and function of the works will not differ significantly from that which was exhibited.

These works are due to be completed in 2018/19 financial year, with works to commence once approval is received from authorities.

### **Implications**

### **Policy Considerations**

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

## **Financial/Economic Implications**

The CBD Pedestrian Improvements was allocated \$155,000 in the 2018/19 capital works budget. In addition to this, Council has received a \$100,000 grant from the TAC for increasing the scope of the original budgeted works.

## **Legal/Statutory**

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

## **Social**

These works will encourage a more pedestrian friendly CBD, which will support a shift in transport mode by supporting more equitable access for the community.

## **Environmental/Sustainability Impacts**

The implementation of the associated actions will reduce Council's environmental and sustainability impacts. Even if only a few people make a small change in transport mode to more active forms, this will have a positive impact on environmental outcomes.

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

This report supports the 2017-2021 Council Plan:

### **Goal**

We are Established

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

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

### **We will create and deliver:**

A city centre that is unique, diverse and active.

## **Strategic Links**

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

There are connections with helping to achieve a number of the objectives described in the 2030 Community Vision:

- Manage transport issues to, from, in and around Wangaratta
- Develop a future plan for the Wangaratta CBD
- Facilitate an ongoing extension to pedestrian and cycling linkages

## b) Other strategic links

The Wangaratta Project – A Masterplan For Our City, identified a ‘big idea’ which would require a number of actions to be taken.

The recently released (draft) version of the Urban Design Framework (UDF) explores a number of matters around urban renewal. This paper links with the objectives of the UDF.

Future Walking and Cycling Strategy.

## **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Community & businesses see the changes as a negative	likely	High	High	Ensure we explain changes & reasons well; strongly support with information material
Changes do not result in an improvement to CBD safety & amenity	likely	High	Moderate	Ensure that changes do not happen in isolation; implement other actions in support.
Project cost increases due to additional requirements from other authorities.	likely	High	High	Maintain close work relationships with other authorities.

## **Consultation/Communication**

The CBD Pedestrian Improvements have been presented to the community for three weeks, commencing in early February 2019. Traditional and social media channels were used to push out the message that Council were seeking to have a discussion on improving pedestrian safety across the CBD. Two pop-up sessions were held in Molonys Arcade on 8 and 11 February with approximately 40 community members choosing to come along and discuss the plans.

Direct contact was made with businesses adjacent to the crossings, as well as identified key stakeholder groups – representing pedestrians, the elderly, and businesses.

Further community communication will occur following the endorsement of the plans.

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	We will inform of our decisions and the reasons behind them.	Media materials, online information, Q&A document
Consult	We will consult with adjacent business and residents, to seek their input to mitigate impacts.	Letter box drop, direct contact, public information and opportunity for response

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

## **Options for Consideration**

There are no alternate recommendations.

## **Conclusion**

This report proposes works that will increase the safety of the community to ensure we are striking the right balance between all modes of transport.

## **Attachments**

- 1 Wangaratta CBD 40km area 
- 2 CBD Pedestrian Concept Designs 

## 15.2 WANGARATTA CAR PARKING REPORT - GETTING THE BALANCE RIGHT FOR OUR COMMUNITY

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 19 March 2019  
**Author:** Project Manager  
**File Name:** Traffic and Car parking Strategy  
**File No:** P17/74

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 seeking endorsement to the Wangaratta Car Parking Report – Getting the Balance Right for Our Community, which details a number of priority actions in relation to the supply of car parking in Wangaratta. Some recent work has been undertaken to understand our parking situation including community consultation, and the report outlines some key principles that will be carried forward in relation to parking management.

### **RECOMMENDATION:**

*That Council:*

1. *endorse the Wangaratta Car Parking Report – Getting the Balance Right for Our Community; and*
2. *adopts the guiding principles for parking for the next 5 years being:*
  - *prioritise pedestrians over vehicles within the CBD precinct;*
  - *minimise net loss of parking spaces within the CBD and Hospital precincts;*
  - *continue to move and develop all day parking to outside of the core CBD precinct;*
  - *implement no net increase to parking meters within the CBD precinct;*
  - *continue to support alternate all day parking options such as the multi-deck car park and Council parking permits.*

### **RESOLUTION:**

**(Moved: Councillor M Currie/Councillor A Fitzpatrick)**

***That Council defer this item to the next Ordinary Council Meeting***

**Carried**

## **Background**

The Wangaratta Car Parking Report – Getting the Balance Right for Our Community is a short summary and status report that identifies key principals for Council going forward in relation to parking management, and sets out some priority actions to improve the current parking situation.

The Plan has been revised following a two month period of consultation. Thirty-six responses were received, ranging from emails, letters, social media comments and personal contacts during the consultation period. The most contentious item raised by multiple respondents, through the media, and in a joint letter from businesses and customers, was the proposal to alter the parking configuration along a section of Rowan Street. From the submissions received, many were not in favour of changing the current parallel parking, which was expressed as being necessary for long vehicles and those with trailers, and that angle parking would present a dangerous situation on a busy CBD street.

Apart from the above and an undercurrent of dissatisfaction with the use of paid parking, and the construction of the multi-deck car park, the majority of the plan appears to be supported. There was a general feeling that the number of car parking spaces are adequate in and around the CBD, and that little needed to be done.

The Wangaratta Car Parking Report has been adjusted to reflect changes resulting from the feedback as follows:

### **Principles:**

Change – from “Ensure there is no net loss of parking spaces within the CBD or Hospital precincts.” to “Minimise the net loss of parking spaces within the CBD and Hospital precincts.”

### **Short Term Action:**

Remove – reference to changes on Rowan Street (between Ovens St and Baker St)

### **Medium Term Action:**

Move – Increase multi-deck car park usage to a “short” term action.

## **Implications**

### **Policy Considerations**

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

### **Financial/Economic Implications**



Individual initiatives under the Plan will need to go through further project development, including a cost estimate, and presented for budget consideration in subsequent years.

### **Legal/Statutory**

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

### **Social**

This report seeks to put forward changes to balance the car parking needs of our community. As Wangaratta is changing, we need to ensure the supply of car parking reflects the vision and objectives of the City. By making sure that our parking is better balanced for the kind of community we want to be, we will also encourage a more pedestrian and cyclist friendly CBD, that will support a shift in transport mode for those that can. This will in turn help support more equitable access to social, business and other economic activities for those from the rural towns and communities, who are reliant upon private vehicle use.

### **Environmental/Sustainability Impacts**

The implementation of the associated actions, will reduce Council's environmental and sustainability impacts. Even if only a few people make a small change in transport mode to more active forms, this will have a positive impact on environmental outcomes. Placing long term parking on the periphery of the CBD, should encourage an increase in parking once and walking for all day workers. This will reduce circulating traffic impacts as workers seek to change parking spots, and will help individuals to get extra physical activity into their daily routines.

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

This report supports the 2017-2021 Council Plan:

#### **Goal**

We are Established

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

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

#### **We will create and deliver:**

A city centre that is unique, diverse and active.

### **Strategic Links**

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

The Report has connections with helping to achieve a number of the objectives described in the 2030 Community Vision:

- Manage transport issues to, from, in and around Wangaratta
- Develop a future plan for the Wangaratta CBD
- Facilitate an ongoing extension to pedestrian and cycling linkages

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

The Wangaratta Project – A Masterplan For Our City, identified a ‘big idea’ opportunity *to make CBD car parking more efficient*, which would require a number of actions to be taken. This paper supports those actions.

The recently released (draft) version of the Urban Design Framework (UDF) explores a number of matters relating to parking and urban renewal. This paper links with the objectives of the UDF.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Community & businesses see the changes as a negative	likely	High	High	Ensure we explain changes & reasons well; strongly support with information material
Large rise in overstay in changed areas, results in enforcement issues & delays	low	High	Moderate	Ensure good communication to avoid an increase in overstay; ensure enforcement are aware of changes and work on education in the first instance.
Parking changes do not result in an improvement to CBD safety & amenity	likely	High	High	Ensure that parking changes do not happen in isolation; implement other actions in support.

### **Consultation/Communication**

The Report has been revised following two months of public consultation. Thirty-six responses received, ranging from emails, letters, social media comments, and personal contacts.

Consultation has occurred on a number of occasions in relation to other projects. The CBD Masterplan process, the Railway Precinct Project engagement, Ovens Street Redevelopment consultation and other regular discussions with individuals have all touched on various issues, ideas and opinions in relation to parking. It is considered that the matter is now ready for Council consideration.

Further community communication will occur following the endorsement of this report.

### **Conclusion**

This report presents a plan of priority actions that seeks to ensure Council are striking the right balance in relation to parking for our community.

### **Attachments**

- 1 Wangaratta Car Parking Plan - February 2019 

### 15.3 RESPONSE TO PETITION - REDUCING THE SPEED LIMIT ON SHANLEY STREET, SOUTH WANGARATTA

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 19 March 2019  
**Author:** Manager Infrastructure Planning and Delivery  
**File Name:** Shanley Street, Wangaratta  
**File No:** ST16850

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 respond to the petition tabled at the Council meeting held on 19 February 2019 seeking the reduction of the speed limit along Shanley Street, Wangaratta.

#### **RESOLUTION:**

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

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

- 1. Receives this report and advises the first signatory of the actions.***

**Carried**

#### **Background**

At the Council meeting on 19 February 2019, a petition with 21 signatures requesting a reduction in the speed limit on Shanley Street from 100km/h to 80km/h or lower, was tabled.

Council officers have since captured traffic count data for the area and investigated appropriate treatments.

Regional Roads Victoria (RRV) has responsibility for speed limits. Council officers have discussed this with RRV representatives at a Traffic Liaison Group meeting in the past, and it was agreed that the requirements have not been met for any speed reduction.

The data showed that this road has an average of 118 vehicles per day, with only 1.5% of these vehicles being heavy vehicles. The mean average speed is 80km/h.

The speed limit is currently 100km/h, and there is a walking track at the top of this section of road with a limited shoulder width and no walkable nature strip.

Engineering Manual No.2 Section 9.8.2 sets out the usage of sign W6-1 as the most appropriate sign for this area, to warn of unexpected pedestrian movements along the section of road (see image below). The installation of pedestrian caution signage will be programmed to occur in the near future.



### **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. There will be minor costs associated with the signage installation.

#### **Legal/Statutory**

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

#### **Social**

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

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

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

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

This report supports the 2017-2021 Council Plan:

#### **Goal**

We are Established

**We will plan, research and advocate 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**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Conflict between vehicles and pedestrians	Likely	Extreme	Extreme	Install signage to warn vehicles of pedestrians

**Consultation/Communication**

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

**Options for Consideration**

There are no alternate recommendations.

**Conclusion**

Having considered all possible treatments, installation of pedestrian signage is considered an appropriate response to the concerns raised in the petition.

**Attachments**

Nil.

#### 15.4 T1819/038 ORGANICS PROCESSING PLANT CONSTRUCTION - DECLARE CONTRACT DETAILS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 19 March 2019  
**Author:** Project Manager  
**File Name:** Organics Processing Plant Construction  
**File No:** T1819/038

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 declare the Contract amount for T1819/038 Organics Processing Plant Construction following negotiations with the awarded tenderer.

#### **RECOMMENDATION:**

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

***That Council advises the final Contract value for T1819/038 Organics Processing Plant Construction.***

**Carried**

*Alan Clark, Director Infrastructure Services declared the contract price for T1819/038 Organics Processing Plant Construction as \$3,303,474.50*

#### **Background**

At the Ordinary Council meeting held on Tuesday 19 February Council resolved as follows:

*“That Council:*

- 1. recognises Browns Wangaratta as the preferred tenderer;*
- 2. authorises officers to negotiate a final price with the preferred tenderer;*
- 3. requests officers revise the business case and review possible additional funding and present to Council;*
- 4. approves the maximum allocation of additional \$1,408,942 (Ex GST) from the waste reserve in the 2019/20 financial year;*
- 5. authorises the CEO to award the tender at a later stage for a maximum lump sum as specified in the confidential report attached;*
- 6. authorises the Chief Executive Officer to sign and seal documents for Contract T1819/038 Organics Processing Plant Construction, when available; and*
- 7. discloses the contract value of T1819/038 Organics Processing Plant Construction at the next Council meeting after the contract is awarded.”*

Council officers have negotiated changes to both scope and specification with the awarded contractor, Browns Wangaratta, to reduce the overall construction costs.

The Contract documents for T1819/038 Organics Processing Plant Construction will be signed and sealed when available.

### **Implications**

#### **Policy Considerations**

Council's Procurement Policy

Waste Management Strategy 2018-2023

### **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 a regional approach to waste management that has economic and environmental benefits.  
to assist the community to reduce their impact on the environment.

#### **We will create and deliver:**

the outcomes identified in the Rural City of Wangaratta Waste Management Strategy.

### **Strategic Links**

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

In 2030 the Rural City of Wangaratta is a zero waste community.

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

N/A

### **Conclusion**

Council Officers have negotiated both scope and specification with Browns Wangaratta and have reduced the final contract price.



The Contract for T1819/038 Organics Processing Plant Construction will be signed and sealed when available.

**Attachments**

Nil

## 16. DEVELOPMENT SERVICES

### 16.1 ENVIRONMENTAL UPGRADE AGREEMENTS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 19 March 2019  
**Author:** Sustainability Officer  
**File Name:** Environment - Sustainability Initiatives - Environment Upgrade Finance  
**File No:** F18/224

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 to inform Council about the opportunity for increased economic, employment and environmental outcomes for the Rural City of Wangaratta afforded by Environmental Upgrade Agreements (EUAs), and to consider the establishment of the program for Wangaratta.

#### **RECOMMENDATION:**

**(Moved: Councillor D Fuller/Councillor A Fitzpatrick)**

***That Council resolves to:***

- 1. Endorse the establishment of an Environmental Upgrade Agreement program commencing 1 July 2019 with no loan minimum or trial period.***
- 2. Appoint Better Building Finance to administer the delivery of Environmental Upgrade Agreements;***
- 3. Delegate to the Chief Executive Officer, in accordance with section 181H of the Local Government Act 1989, the power to enter into an Environmental Upgrade Agreement on behalf of Council; and***
- 4. Delegate to the Chief Executive Officer the power to declare and levy and environmental upgrade charge.***

**Carried**

#### Background

An EUA is an agreement between a property owner, a bank and local government that facilitates a building upgrade to improve energy efficiencies,

reduce waste and/or reduce water use. There are a number of benefits to businesses that include competitive interest rates, long term finance and reduced operational costs. It also enables Council and the community to work towards reducing emissions. In Victoria a total of 29 Councils have facilitated EUAs with over 47 projects financed totalling \$24.86 million as of September QTR 2018/2019.

EUAs align with Council's strategies and goals to support industries and enterprises to prosper and develop sustainably by facilitating low carbon businesses, stimulating a green economy and facilitating resource efficient businesses.

The EUA program is supported through the Sustainable Melbourne Fund and its Better Building Finance (BBF) system. BBF are now the Third Party Administrator (TPA) for the EUA program, actively engaging with the finance and property sectors as a trusted intermediary for building owners. The program was originally offered in the City of Melbourne and on September 9th 2015 the State Government passed legislation to allow all Victorian Councils to offer EUAs to their business community.

Council's role in the program is to levy the EUA loan repayments through the council charge system (rates) and remit that payment to the finance provider.

*Key benefits for businesses are outlined below:*

- **Low Cost Abatement.** Upgrading buildings to deliver savings on utility bills, which help to drive down the overall financial cost of energy for business, while also reducing the impacts of climate change. EUA's are a mechanism for building owners to access attractive finance for retrofitting.
- **Overcome structural and market barriers.** EUA finance can overcome the split-incentive barrier (between owners and renters) by enabling the costs and benefits to be shared with all building occupiers. This means that building owners and tenants can pay back the loan at the same time that they are benefiting from the lower costs from a more resource efficient building. If ownership or tenancy rights change, the loan transfers to the new owners and are continued to be paid through their rates. Without this system businesses have a disincentive to invest in efficiency because they may move premises before paying off the loan.
- **Reduce Financial Risks.** EUAs unlock private investment in local communities. As a consequence, there is no financial risk to local councils budgets and does not require government funding.
- **Complementarity.** EUAs can work with any grants/subsidies available for projects through local, state or federal government departments to enhance the business case for a building retrofit. As such EUAs are a means of attracting government funding into local communities.

## **Implications**

### **Policy Considerations**

The EUAs are supported by both the Economic Development Strategy 2018-2023 and the Environment and Sustainability Strategy 2014.

### **Financial/Economic Implications**

The EUA administration through BBF is at no cost to Council. BBF charges ‘the borrower’ upfront fees, and ongoing administration for the life of the loan. However, Council’s role in administering the program will need to be taken into account over the life of the loan.

There is an option for Council to charge an additional administrative charge, payable by ‘the borrower’, to offset costs incurred by the administration of the program which includes; quarterly reporting under the Local Government Act 1989, raising invoices and processing funds.

If the Rural City of Wangaratta were to charge an administrative fee for this service, a minimum fixed fee of \$200 per annum per agreement is recommended. The amount of \$200 per annum would recover approximately one-hour processing time per agreement per quarter ( $\$50 \text{ per quarter} \times 4 = \$200 \text{ pa}$ ) for the life of the loan.

### **Legal/Statutory**

If the EUA program is implemented by Council, it must delegate the power to the CEO to declare environmental upgrade charges pursuant to the Local Government Act 1989 as amended.

Council authorisation would be by way of an Instrument of Delegation that provides the CEO with the power to declare and levy an environmental upgrade charge. This would need to be granted through a council resolution and is included in the recommendation.

### **Social**

EUA’s provide a feasible, cost-effective mechanism for local government to assist local businesses in the municipality to reduce rising operational and business costs. An EUA provides a long term fixed interest rate which businesses can utilise to pay for projects which will help them reduce their bills. The long-term tenure of the loan enables the debt to be structured such that building owners can be cash flow neutral or positive from day one, with the savings generated by the project effectively paying for the loan repayments and charges.

## **Environmental/Sustainability Impacts**

There are many environmental benefits for the municipality that may arise from introducing an EUA program for local businesses. Businesses can improve their efficiency and sustainability across energy, water and waste sectors.

### **2017 – 2021 Council Plan**

This report supports the 2017-21 Council Plan:

#### **We are Growing**

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

- To support our existing industry sector to innovate, adapt and grow.
- To facilitate considered planning and development in line with long term strategic objectives for the sustainability of our community and environment.

#### **We are Sustainable**

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

- To assist the community to reduce their impact on the environment
- To identify and promote options to maximise the use of environmentally sustainable design in new and retro fitted residential, industrial; and commercial developments

*We will create and deliver:*

- Opportunities to assist the community to adopt sustainable building and living practises and to reduce energy and water use

### **Strategic Links**

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

N/A

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

The Economic Development Strategy 2018-2023 lists the following action as part of its implementation plan that is relevant to this program:

- Investigate building upgrade assistance schemes to support businesses to install energy efficient technology to relieve pressure from high gas and electricity prices.

### **Risk Management**

The business owner's application needs to satisfy the lenders and BBF's financial and risk requirements as per standard financial lending practice to ensure due diligence. Additionally the CEO has authority and discretion to select which projects are approved.

In regards to risks associated with bankruptcy or a default on repayments, the Local Government Act (1989) was amended in 2015 to facilitate EUAs for all Council's and under the Act, Council is not liable for the loan. In the case a borrower does default on their loan repayments Council is required to go through standard debt recovery provisions, similar to the provision that enables recovery of unpaid rates and charges etc.

A potential risk for Council is the disclosure obligations in the event of a property sale that is subject to an EUA. Given loan debts are not registered on title, prospective purchasers would rely on the Land Information Certificate (LIC), completed by Council's Property & Revenue team during the normal course of property transfers, to disclose debts declared by an environmental upgrade charge. Council's existing corporate software system allows for non-rates related debts to be associated to the front-end property screen to reduce this risk.

While the risks are low, as the program has been running since 2011 and has 29 Council's now participating in the program at various levels. Council has the option to implement the program on a two-year trial with a cap of 5 local business loans over \$100,000 during this period. This will ensure the internal process for administering EUA's is efficient before taking on more EUA's long term. After the two-year trial Council can then review the program and administration fees.

### **Consultation/Communication**

Council has not undertaken any community consultation, although local businesses in the Rural City of Wangaratta have approached the BBF to express interest in participating in the program. Consultation has been conducted with BBF regarding the program and its administration requirements.

Internally the consultation regarding the feasibility of introducing an EUA program has been undertaken with Property & Revenue, Finance, Economic Development and Sustainability business units.

### **Options for Consideration**

#### **Option 1:** *Recommended*

**Council endorses the establishment of the EUA program for the Rural City of Wangaratta with no loan minimum or trial period.**

#### **Option 2:**

Council endorses the establishment of the EUA program for the Rural City of Wangaratta with a two-year trial period that is capped at 5 local business loans over \$100,000.

#### **Option 3:** *Not recommended*

Council does not endorse the establishment of the EUA program for the Rural City of Wangaratta.

## **Conclusion**

Through implementing EUAs, Council will be taking an innovative step in providing a mechanism that offers access to loans at affordable rates which will be used to improve environmental efficiencies and upgrades to their buildings. Upgrading of buildings also has impacts on local jobs, increases environmental performance/outputs and the overall value of the business.

## **Attachments**

Nil.

## **Public Questions**

*Mr Brian Fox asked in reference to point 4 in the recommendation does this mean the CEO can increase the cost of removing my yellow bin? I am concerned about staff making an increase to the rate payer.*

Brendan McGrath Chief Executive Officer responded, this arrangement simply enables, for example a business owner in Wangaratta who wishes to do an upgrade to their premise that has an environmental/sustainable slant, they can go to one of the finances that is approved under this program not to Council but to other external vendors to borrow an amount of money. Our involvement in this is simply to collect that repayment of behalf of the lender and pass it on to them.

## 16.2 DRAFT WANGARATTA HEALTH PRECINCT STRUCTURE PLAN

<b>Meeting Type:</b>	<b>Ordinary Council Meeting</b>
<b>Date of Meeting:</b>	<b>19 March 2019</b>
<b>Author:</b>	<b>Strategy Planner</b>
<b>File Name:</b>	<b>Health Precinct Plan</b>
<b>File No:</b>	<b>F18/133</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:

- Provide background to the preparation of the Draft Health Precinct Structure Plan (HPSP).
- Provide an outline of the key findings and recommendations of the Draft HPSP.
- Provide a summary of the next steps in the process required to finalise the Draft HPSP.
- Seek Councils endorsement of the Draft HPSP for the purpose of public consultation.

The Draft HPSP has been prepared for the Rural City of Wangaratta by SJB Urban.

The goals of the HPSP include:

- Provide specific direction as to where health and allied services activities are to be located.
- Meet the healthcare needs of the municipality and the broader North East regional areas.
- To support economic and social benefits to the broader areas.
- Create a vision and feel for the area that defines built form, open space design, landscaping enhancements and entry points.
- Improve access and connectivity including appropriate car parking, walkability, safety, all-abilities access, public transport and emergency services access.
- Demonstrated environmental sustainability.



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

- 1. Endorses the Draft Health Precinct Structure Plan (HPSP) for community consultation;***
- 2. Invites submissions regarding the Draft HPSP for the period of approximately 2 months (commencing Friday, 22 March and concluding at the close of business on Friday 31 May 2019);***

**Carried**

## **Background**

Council is undertaking the preparation of the HPSP in response to an identified need within the Wangaratta Planning Scheme as listed at *Clause 21.01-1 (Community Infrastructure)*, which requires Council to:

*‘Undertake a Wangaratta Hospital Precinct Structure Plan to support medical uses and avoid interface conflict issues’*

Following consideration of the projects purpose, it has been decided to rename the project to the Wangaratta Health Precinct Structure Plan in order to articulate that the structure plan simply does not focus just on the hospital, and looks at the greater areas as a defined Health Precinct.

In March 2018, Council appointed SJB Urban to undertake the preparation of the HPSP, following a public request to quote process. A Draft HPSP has been completed and is ready for community consultation.

## **The Structure Plan - Study Area**

The Health Precinct is nominated as the area generally bounded by Rowan Street to the North, the railway line to the East, Roy Street West to the South and Swan Street to the West, as outlined by the solid red line in the map below.

In addition to this an extended study area has been included to the North of Rowan Street which encapsulates the Wangaratta Private Hospital as outlined by the dashed red line in the map below.



Key elements of the precinct can be defined as the following:

- North East Health (Public Hospital) is the key tenant in the precinct.
- Wangaratta Hospital was established in 1872 on the present site.
- The Wangaratta Hospital services a population base of approximately 80,000.
- North East Health is the single largest employer in the Rural City.
- Residential land uses are still the most predominate land use within the precinct.
- Significant heritage properties and heritage overlays are located within the precinct.
- There are limited retail and industrial uses within the precinct.

### **The purpose of the Health Precinct Structure Plan?**

The purpose of the project is to develop a long-term guiding framework for land use and built form within the Health Precinct that will coordinate ongoing changes in land use, movement, access, built form, character and the public realm.

The key objectives of the structure plan are to:

- Create a vision for the future of the precinct, balancing the growth and development of the Health Sector against the established residential interfaces and uses.
- Provide specific direction as to where the health and allied activities are to be located.
- Meet the healthcare needs of the municipality and the broader regional area.
- To support the economic and social benefits to the broader areas.
- Create a vision and feel for the area that defines built form, open space design, landscape enhancements and entry points.
- Improve access and connectivity including appropriate car parking, walkability, safety, all ability access, public transport and emergency vehicle access.
- Demonstrate environmental sustainability.

### **Current Wangaratta Planning Scheme Policy**

The current vision within the Wangaratta Planning Scheme for the Health Precinct includes:

#### **13.02-1S - Health Facilities (State Policy)**

- *Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.*

#### **21.02-2 - Activity Centres**

- *Medical uses have emerged around the Wangaratta public and private hospitals, creating some potential amenity conflicts with residential uses, pressure on the residential dwelling supply and car parking difficulties*

21.10-1 Community Infrastructure:

**Objective 2** *To encourage medical uses around the public and private hospitals in Wangaratta*

**Strategy 2.1** *Support medical uses around the public and private hospitals in Wangaratta.*

**Strategy 2.2** *Minimise amenity conflicts with adjacent residential uses.*

**Strategy 2.3** *Provide adequate car parking.*

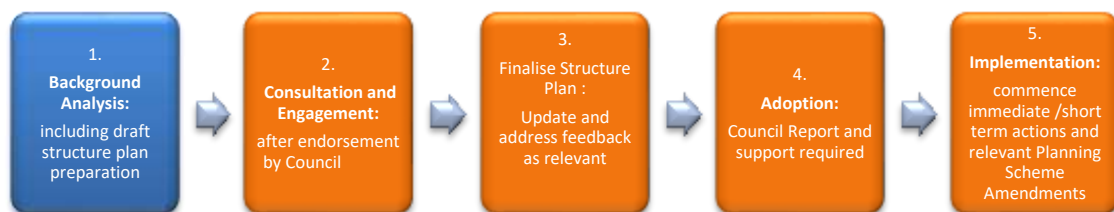
**Strategy 2.4** *Avoid conflict with residential car parking and traffic flows.*

The current policy context supports the development of a Structure Plan for the Health Precinct with a vision to both continuing the development of this Precinct from a community and healthcare perspective, an economic perspective and also as a planning tool to guide future development of the precinct.

The Structure Plan will also seek to avoid the inherent land use conflict associated between commercial uses being located within an essentially residential area.

**Process of the Health Precinct Structure Plan**

The chart below outlines the basic steps in the process of developing the HPSP, including development, community engagement, formalisation, adoption and finally implementation.



The blue box indicates the steps that have been undertaken to date and the orange boxes indicate the steps still required to finalise the structure plan.

This report is before Council recommending endorsement of the Draft HPSP for the purpose of progressing to Step 2, which involves consultation with the broader community.

To date consultation with external stakeholders has been limited to North East Health, key tenants and landowners within the Precinct. The formal community consultation will involve the engagement with the broader community, including all landowners within the precinct, relevant statutory authorities and other agencies.

**Summary of Key Recommendations within the Structure Plan:**

The following is a summary of the key general recommendations of the structure plan:

- The designation of the precinct into '5 sub precincts':
  - *Sub Precinct 1 – Core Hospital and Education Precinct.*
  - *Sub Precinct 2 – Allied Health (Purpose Built) Precinct.*
  - *Sub Precinct 3 – Allied Health (Adaptive Re-Use) Precinct.*
  - *Sub Precinct 4 – Limited Change Residential Precinct.*
  - *Sub Precinct 5 – Moderate Change Residential.*
- The designation of 5 key 'Strategic Sites' within the precinct with significant redevelopment potential.
- The rezoning of selected areas of land to facilitate the vision of the above mentioned precincts and strategic sites and in some circumstances the incorporation of overlays to facilitate appropriate built form outcomes.
- The incorporation of a public realm framework to guide Council on the upgrade of streetscapes and public spaces, including:
  - *Greater pedestrian / cycling connectivity & safety.*
  - *Increased greening of the streetscapes to provide continuous canopy.*
  - *Improved passive open spaces.*
  - *Increased lighting along designated routes for pedestrian safety.*
  - *Incorporation of Water Sensitive Urban Design (WSUD) along key corridors to mitigate flooding and improve water quality.*
- Advocate for improved public transport including around the entire Hospital site.

### **Planning Scheme Related Outcomes of the Structure Plan:**

The following is a summary of how the structure plan will be implemented in to the Wangaratta Planning Scheme:

- Rezoning of selected precincts to facilitate the vision of the plan.
- The application of applicable overlays to guide the future built form outcomes described in the vision of the plan.
- The extension of the Parking Overlay (Clause 45.09) across commercial zoned land to reduce the requirements for on-site car parking.
- Updating of existing local policy (22.12 – *Medical Centres within Residential Areas*) within the Planning Scheme to provide guidance to the community.
- Update Clause 22.11 (Local Areas) to incorporate the Medical Precinct Structure Plan.

The above changes are proposed to be translated into the Wangaratta Planning Scheme through a future planning scheme amendment.

## **Implications**

### **Policy Considerations**

The Draft HPSP is a key strategy recommended for development within the Wangaratta Planning Scheme.

### **Financial Implications**

The development of the HPSP has been funded within the 2017/18 and 2018/19 budget years.

A future planning scheme amendment will be required to integrate the recommendations into the Planning Scheme, there may be future costs associated with this in the form of officers time, panel costs and amendment fees as required.

### **Legal/Statutory**

The adoption of this structure plan will lead to further strategic planning work, including future amendments to the Wangaratta Planning Scheme. The content of these planning scheme amendments will depend upon the final adopted HPSP.

### **Environmental/Sustainability Impacts**

The structure plan supports the creation of attractive streetscapes with continuous tree canopies to improve amenity and mitigate the impacts of the urban heat island effect.

### **Economic Impacts**

The structure plan supports the economic development of the health precinct into the future, ensuring that the growth of the precinct occurs in an orderly fashion.

### **Referrals/Public Notice**

#### **2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

#### **Goal**

We are Healthy

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

By identifying future development areas and giving consideration to potential planning scheme amendments.

**The non-negotiables**

Residential, rural, commercial and industrial land that is appropriately protected, planned and developed.

The health of everyone who lives in and visits our community is protected.

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

The HPSP supports the following elements of the 2030 Community Vision:

- *Facilitate an ongoing extension to pedestrian and cycling linkages across the Rural City of Wangaratta.*
- *Identify opportunities to improve community safety and accessibility through future planning controls.*

**Options for Consideration**

This report to Council is for the purpose of considering the draft HPSP for community consultation.

**Options for Consideration****Option 1: Recommended**

Consider the draft HPSP and endorse the draft for community consultation for a period of approximately one month. This will allow the community of Wangaratta and other stakeholders to consider the draft and provide feedback for Council's consideration.

**Option 2: Not Recommended**

Do not endorse the draft HPSP for consultation. This will continue the present policy vacuum that exists within the Wangaratta Planning Scheme with regards to the Health Precinct.

**Conclusion**

The draft HPSP has been prepared by experience personnel in this field with input from a range of Council business units and key health precinct stakeholders and is now considered to be ready for community consultation. Council should endorse the draft structure plan, for the purpose of public consultation and to

allow the draft structure plan to be publically exhibited for a minimum period of approximately one month.

### **Attachments**

- 1 Draft Wangaratta Health Precinct Structure Plan 



**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 19 March 2019  
**Author:** Planner  
**File Name:** PInApp18/204 - Development of a Telecommunications Facility  
**File No:** PInApp18/204

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 application is for the development of a telecommunications facility. The proposed facility is proposed to be constructed within HP Barr Reserve approximately 40 metres to the north of the existing public swimming pool. The subject land is currently being used for a variety of recreational uses. The proposed telecommunications facility is a 35 metre monopole with attached telecommunications equipment.

Formal notice of the application was given to nearby affected land owners and occupiers on 3 December 2018. At the time of writing this report, ten objections to the proposal were received.

#### **RESOLUTION:**

**(Moved: Councillor M Currie/Councillor H Bussell)**

***That Council resolves to:***

- 1. Issue a Notice of Decision to Grant a Planning Permit with respect to Planning Permit Application 18/204 for the Development of a Telecommunications Facility at HP Barr Reserve, Edwards Street Wangaratta subject to the permit conditions contained within Attachment 1; and***
- 2. Advise the applicant and all submitters of Council's decision.***

**Carried**

### **Property Details**

The subject land is located approximately 1.8 km north-west of the Wangaratta Central Activities Area and is a Crown Reserve zoned Public Park and Recreation Zone. The subject land is made up of one lot with a total area of approximately 34 hectares which forms a part of the larger area known as HP Barr Reserve.

The subject land is irregular in shape and access to the land is available from adjoining roads to the south, west and north. The topography of the subject land is generally flat. The subject land is adjacent to the Ovens River and parts of the subject land near the river are flood prone. The subject land contains sporting facilities, numerous buildings associated with community facilities, car parking areas and a significant amount of native vegetation.

Land to the east beyond the adjacent Ovens River is generally farming land whilst adjacent land in all other directions is part of Wangaratta's urban area and is used predominantly for residential uses.



Aerial Imagery from IntraMaps 2017.

### **Permit Triggers**

Land/Address	HP Barr Reserve, Edwards Street Wangaratta
Zones and Overlays	Public Park and Recreation Zone
Why is a permit required	Development of a Telecommunications Facility (Clause 52.19-1, Permit Requirement, Telecommunications Facility).

### **Proposal in Detail**

The application is for the development of a telecommunications facility (see Attachment 2).

The proposed facility is to be located towards the western side of the subject land approximately 40 metres to the north of a public swimming pool located within the reserve. Three water tanks are located between the swimming pool and the proposed site. An existing car parking area and access way are located immediately to the south of the proposed site and are accessible from Park Lane. The proposed site is also located immediately to the east of an existing sports field. The proposed site is currently vacant and is not being used for any

particular purpose other than contributing generally to the amount of open space available within the reserve for passive recreation. The proposed site is clear of vegetation.

A significant amount of development is scheduled to be undertaken in the near future within close proximity to the proposed site. The adjacent sports field is proposed to be enlarged and reorientated and some associated vegetation removal is required. Light towers are proposed in association with this sports field. A major upgrade to the public swimming pool is also proposed and as part of these works the adjacent car parking area is to be significantly upgraded. All these works are to be carried out by or on behalf of Council. The applicant has consulted with Council as the Public Land Manager of the subject land and the proposed site has been selected with these other projects taken into consideration.

The proposed telecommunications facility is to be contained within an approximately 44 square metre fenced compound. The compound is to include security fencing to a height of approximately 3 metres with a 3 metre wide gate. A cabinet containing telecommunications equipment is to be located within the compound and a space for a generator to park is also included within the compound.

The proposed telecommunications facility is a monopole with a width of approximately 1 metre at the base tapering towards the top of the pole. The monopole is proposed to be 35 metres in height however equipment attached to the top of the monopole will reach a height of 36.7 metres.

Access to the proposed facility is shown on the submitted plans as being via the existing access way and car parking area to the west of the public swimming pool accessible from Park Lane and then across part of the sports field immediately to the west of the proposed facility.

Power supply and fibre optic cabling to the proposed facility are to be provided through shared underground trenching around the northern and eastern sides of the public swimming pool and connecting to a supply point near the south western corner of the netball courts.

### Referrals

The application was not required to be referred to any referral authorities under Section 55 of the Planning and Environment Act 1987.

Referral Authority	Response
Nil	Not applicable

### Internal Departmental Advice

Department	Response
Natural Resources Unit	No objection subject to conditions
Technical Services Unit	Object to the proposed access across the sports field however accept that this

	<p>can be addressed by permit condition.</p> <p>Also require a note to be placed on any permit granted alerting the permit holder to nearby works scheduled to occur and that consultation will be required with Council to arrange access to the proposed development site during the construction of the telecommunications facility.</p>
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## Advertising

This application was advertised on 3 December 2018 under Section 52 of the Planning and Environment Act 1987, to all land owners and occupiers who could be affected by the proposal. An advertisement was also placed in a local newspaper notifying the public of the proposal.

Ten objections have been received to the proposal.

Concerns raised by objectors with respect to the proposal are summarised as follows;

Ground for Submission	Concern Raised	Comments/Response
Visual Impact	<p>The proposal will create an adverse visual impact:</p> <ul style="list-style-type: none"> <li>- for those using the recreation reserve</li> <li>- for those residences located within view of the proposed facility</li> <li>- on views of the proposed upgraded public swimming pool adjacent to the proposed facility</li> <li>- on the adjacent sports field.</li> </ul>	<p>The proposed facility will unavoidably create a visual impact because it is a large structure. It is considered that the impact will be minimal and has been reduced to an acceptable level.</p>
Health Concerns	<p>The proposed facility will be too close to children and infants using the swimming pool and recreation reserve.</p> <p>Local residents and people using the</p>	<p>The application includes information about the electromagnetic energy which will be emitted by this facility which show that the emissions will be well within safe levels.</p>

	recreation reserve may suffer adverse health impacts as a result of the proposal due to exposure to electromagnetic energy.	
Alternative locations for proposed facility	<p>There are more suitable locations within Wangaratta for a telecommunications facility.</p> <p>There is no community benefit for a telecommunications facility in the proposed location because coverage is already excellent.</p> <p>The proposed facility should be located in an area with poor telecommunications coverage.</p>	<p>The application indicates that the location for the proposed telecommunications facility was chosen in order to provide telecommunications coverage to a targeted area for which it is accepted that the proposed location was most appropriate.</p> <p>The application does not indicate that the site of the proposed telecommunications facility experiences poor coverage. It is expected that the proposed facility will provide telecommunications coverage to areas within a wide range of the proposed location.</p> <p>The application is for a telecommunications facility on the subject land. It is not the role of Council under the Planning Scheme to direct where and how a private company should invest.</p>
Other	<p>The proposed facility may deter people from using the recreation reserve.</p> <p>The proposal may adversely impact property values for nearby residences.</p> <p>Compound fencing will encroach into the adjacent sports field.</p>	<p>The proposal is considered not to create any health hazards and visual impact is considered to be minimal therefore it is not anticipated that a significant number of people will be deterred from using the recreation reserve.</p> <p>This is not a matter for consideration in the assessment of planning permit applications under the Planning and Environment Act 1987.</p> <p>The proposed compound fencing is minor in scale and will not encroach onto the playing area for the existing adjacent sports field. It should be noted that the sports field is proposed to be enlarged and reorientated. Council's Technical Services Unit considered the proposal and have no concern with potential impact of the proposed compound</p>

	<p>The proposal will adversely impact the proposed swimming pool upgrade resulting in a waste of Council resources.</p> <p>The recreation reserve is extensively used by the community therefore the impact from issues associated with the proposal will be significant and widespread.</p>	<p>fencing on either the existing or upgraded sports field.</p> <p>The proposal is considered not to create any health hazards and visual impact is considered to be minimal therefore it is not anticipated that the proposal will have any significant impact on the adjacent and soon to be upgraded swimming pool.</p> <p>The proposal is considered not to create significant adverse impacts on the recreation reserve or those using the reserve.</p>
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### **Assessment under the Planning and Environment Act**

Section	Clause	Provision
Planning Policy Framework	12.01-2S 17.01-2S 19.03-4S	Native Vegetation Management Innovation and Research Telecommunications
Municipal Planning Policy	Nil	Not applicable
Zoning	36.02	Public Park and Recreation Zone
Overlays	Nil	Not applicable
Particular Provisions	52.06 52.17 52.19	Car Parking Native Vegetation Telecommunications Facility
Decision Guidelines	65.01	Approval of an Application or a Plan

### **Planning Policy Framework**

#### **Clause 12.01-2S – Native Vegetation Management**

This policy seeks to avoid and minimise the removal, destruction or lopping of native vegetation. The proposal includes proposed underground shared trenching for fibre optic and power cabling through an area with remnant native vegetation. A suitable condition can be placed on any permit granted requiring the trenching to be bored at a depth which avoids the Tree Protection Zone of all native vegetation and therefore the proposal is consistent with this policy.

#### **Clause 17.01-2S – Innovation and Research**

This policy seeks to encourage innovation and research and as one of its strategies seeks to encourage the development of communications infrastructure. The proposal is therefore supported by this policy.



## **Clause 19.03-4S – Telecommunications**

This policy seeks to ensure that telecommunications services are available to businesses, community services and households whilst ensuring that telecommunications infrastructure does not create an adverse impact. The proposal will increase and improve the quality and availability of telecommunications services in the municipality. The siting of the proposed facility is considered appropriate as it will be near other towers (proposed light towers for sports field) and large buildings (public swimming pool) whilst not being within close proximity to any dwelling. The visual impact of the facility is considered to have been minimised to an acceptable level and therefore the proposal is considered to be consistent with this policy.

### **Municipal Planning Policy**

There are no local planning policies directly relevant to this proposal.

### **Zoning**

#### **Public Park and Recreation Zone**

The subject land is located within the Public Park and Recreation Zone. The use of land for a telecommunications facility is a Section 1 Use within the Public Park and Recreation Zone because it is a use not requiring a permit under Clause 62.01 (Uses Not Requiring a Permit). There is no trigger for the proposed construction of the facility under the zone provisions as this is exempted pursuant to Clause 62.02-1 (Buildings and Works Not Requiring a Permit, Buildings and Works).

### **Overlays**

There are no overlays affecting the proposed site on the subject land.

### **Particular Provisions**

#### **Clause 52.06 – Car Parking**

Pursuant to Clause 52.06-5 (Number of car parking spaces required under Table 1, Car Parking) there is no set car parking rate for a telecommunications facility therefore car parking must be provided to the satisfaction of the Responsible Authority. No car parking provision is proposed. This is considered acceptable given the nature of telecommunications facilities requiring no staff for the vast majority of the time. Occasional maintenance staff will likely park beside the facility when maintenance is required.

#### **Clause 52.17 – Native Vegetation**

The proposal does not propose to remove, destroy or lop any native vegetation however there is some risk that the shared underground trenching for fibre optic and power cabling to the proposed facility will encroach into the Tree Protection Zone of some native trees. The application was referred to Council's Natural

Resources Unit who had no objection to the proposal subject to conditions which would ensure that the proposed shared trenching was bore drilled at a depth which avoided the Tree Protection Zone of all native trees. These conditions will ensure that no native vegetation is affected by the proposal.

### **Clause 52.19 – Telecommunications Facility**

Pursuant to Clause 52.19-1 (Permit Requirement, Telecommunications Facility) a permit is required for the development of a telecommunications facility. The applicant has provided correspondence indicating that the Public Land Manager consents to the proposed development and this application being made as required under Clause 52.19-4 (Application Requirements, Telecommunications Facility). There are two relevant decision guidelines for this proposal pursuant to Clause 52.19-5 (Decision Guidelines, Telecommunications Facility) and they are addressed below.

The decision guidelines require the proposal to be assessed against *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*. The proposal is consistent with Principle 1 of the Code which addresses visual impact. The proposal does not interrupt the views of any heritage place from any public or private land. The proposed facility is to be located approximately 200 metres from the nearest dwelling and the presence of a large amount of vegetation within the recreation reserve will mean that from most residences the lower portion of the monopole will be obscured. There will be some level of visual impact for people using the recreation reserve however it is unavoidable that such a facility will be visible. The specific proposed site is not considered particularly worthy of protection from visual impact in comparison to any other potential location within the recreation reserve. It is therefore considered that the proposal is consistent with Principle 1.

Principle 2 of the Code requires that telecommunication facilities be co-located where practicable. The applicant has demonstrated in the report submitted with the application that co-location was not possible in this instance given the area for which telecommunications coverage is proposed to be provided by the proposed facility. The proposal is therefore considered to be consistent with Principle 2.

Principle 3 requires that telecommunications facilities meet health standards for electromagnetic exposure. The applicant has provided a report indicating that the proposed facility will be well within the relevant health standards. The proposal is therefore considered to be consistent with Principle 3.

Principle 4 requires construction of telecommunications facilities to be carried out with minimal disturbance and risk. The proposed siting of the facility is not in a location in which construction is likely to be particularly disruptive. There will need to be some negotiation between Council's Technical Services Unit and the permit holder if a permit is granted to ensure that the imminent upgrade to the swimming pool and upgrade to the adjacent sports field are managed effectively. The proposal is therefore considered to be consistent with Principle 4.

The proposal may have a minor impact on adjoining land with regard to visual impact. This matter was addressed under Principle 1 of the Code. Adjoining land



may be impacted by a minor increase in traffic associated with construction of the facility however this is considered negligible. There are no other impacts on adjoining land expected to be caused by the proposed facility.

### **Clause 65.01 – Approval of an Application or a Plan**

The decision guidelines under clause 65.01 (Approval of an Application or a Plan) are addressed below:

*The matters set out in section 60 of the Act.*

The proposal is consistent with all matters set out in Section 60 of the Act.

*The Municipal Planning Strategy and the Planning Policy Framework.*

The Municipal Planning Strategy and the Planning Policy Framework have been addressed previously in this report.

*The purpose of the zone, overlay or other provision.*

The proposal is consistent with the purpose of the zone and all other relevant provisions.

*Any matter required to be considered in the zone, overlay or other provision.*

All relevant decision guidelines have been previously addressed in this report.

*The orderly planning of the area.*

The proposal is consistent with the principles of orderly planning.

*The effect on the amenity of the area.*

The proposed facility will have a minor impact on the amenity of the area however this is considered acceptable.

*The proximity of the land to any public land.*

The proposal is to be sited on public land. The proposed development has the consent of the Public Land Manager.

*Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*

The proposal is not expected to lead to any of the above issues.

*Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*

The proposal is not expected to generate any significant amounts of stormwater.

*The extent and character of native vegetation and the likelihood of its destruction.*

The protection of native vegetation has been previously addressed in this report.

*Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*

No native vegetation will be lost as a result of the proposal.

*The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

The proposed site is not exposed to any significant identified risk of bushfire, flood, erosion or any other such hazard.

*The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*

The proposed facility includes sufficient space around it to accommodate any loading and unloading which may be required from time to time.

### **Consultation**

The planning application was advertised as per the notification requirements under the Planning and Environment Act 1987. Ten objections were received.

### **Implications**

#### **Policy Considerations**

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

#### **Financial Implications**

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

#### **Legal/Statutory**

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

#### **Cultural Heritage**

The proposed development site is not within an area of Aboriginal Cultural Heritage Sensitivity.

**Social**

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

**Environmental/Sustainability Impacts**

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

**Economic Impacts**

The proposed telecommunications facility would improve the quality and extent of telecommunications coverage in the local area which would support the economy.

**Referrals/Public Notice**

Addressed earlier in this report under the relevant 'Referrals' and 'Advertising' headings.

**2013 – 2017 Council Plan (2015 Revision)**

This report supports the 2013-2017 Council Plan:

**Goal****We are sustainable**

We will plan, research and advocate for the future by accurately understanding the constraints and opportunities that face our organisation, our community and our region.

**We are thriving**

We will plan, research and advocate for the future to ensure the health and social needs of our community are understood and considered.

**We are growing**

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

We ensure new developments comply with legislation and the needs and characteristics of our community.

We ensure that land is used and developed in a manner that is economically, socially and environmentally responsible.

We will plan, research and advocate for the future to facilitate considered planning and development in line with long term strategic objectives for the sustainability of our community and environment.

We will focus on our business to ensure we understand and plan for the long term opportunities, challenges and priorities that face our growth potential.

### **We are established**

We will plan, research and advocate for the future to address traffic, parking and pedestrian challenges to create communities that are safe, easy to navigate and accessible.

### **We are inspired**

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

### **Strategic Links**

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

N/A

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

N/A

### **Risk Management**

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

### **Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Notify potentially affected parties of the application.	Notice of Application sent to the owners and

		occupiers of nearby properties and advertised in local newspaper.
Consult	All submissions to the application will be considered.	All submissions have been reviewed and summarised in this report along with response to concerns raised.
Involve	Opportunity to make a submission.	Notice of Application sent to the owners and occupiers of nearby properties and advertised in local newspaper.
Collaborate	Not applicable	Not applicable
Empower	Not applicable	Not applicable

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

### **Options for Consideration**

Issue a Notice of Decision to Grant a Permit (NOD) with respect to Planning Permit PlnApp18/204 for the Development of a Telecommunications Facility at HP Barr Reserve, Edwards Street Wangaratta.

OR

Refuse the application for a planning permit.

### **Conclusion**

This application seeks approval for the development of a telecommunications facility. The proposed facility is considered to be consistent with the relevant Code of Practice and impacts on adjacent and nearby land uses are considered minor and acceptable. It is therefore recommended that Council resolve to Issue a Notice of Decision to grant a permit.

### **Attachments**

- 1 PlnApp18/204 - Recommended Permit Conditions 
- 2 PlnApp18/204 - Development Plans 

### **Public Questions**

*Joan Comer asked has this EME report been verified with the Australian Radiation Protection and Nuclear Safety agency?*

Stephen Swart Director Development Services responded, the information within this planning application in front of us is that it has been assessed. The information states it is well below the levels stipulated by the agencies that regulate this area which was considered. When we look at Planning Permit Applications we have very specific provisions within the planning scheme that we need to cover off on. In this case the communications facility itself is regulated by

the telecommunications act and there is also a code of practice involved. It is also the Australian Communications and Media Authority which looks after the electromagnetic emissions. Our information is that the application does meet their requirements.

*Joan Comer asked why is Huawei on these plans as they have been banned from participating in the 5G network from September 2018?*

Stephen Swart Director Development Services responded, when we look at planning applications we focus on the physical nature of the development. In this case it is about the tower, where it is located, what the surrounding land users are. The company name that is on the plan would not be considered as part of the planning process.

*Joan Comer asked Huawei is banned so who is building the tower?*

Stephen Swart Director Development Services responded I'm uncertain to who will end up building the tower.

*Joan Comer asked If you were to approve this tower would you do regular testing of radiation on the ground?*

Stephen Swart Director Development Services responded, no we will not be doing any testing. That part is regulated by Australian Communications and Media Authority and that will be their responsibility if there were any concerns around this.

*Dave Hocking asked what is the visual effect that this tower is going to have and why would you want to put a tower next to a pool that is going to host hopefully host state or even international competitions?*

Stephen Swart Director Development Services responded, it is recognised in this Officers report that this tower will definitely have a visual impact on the reserve and surrounding areas as it is quite a high tower. We believe the location of the tower actually minimizes the visual impact. The reason for this is it is some distance away from the closest house and there are some trees in the area which will help with the visual screening and there are also some large structures in that area that will help with that too.

*Phil Larkin asked is the tower in Moyhu 4G or 5G?*

Brendan McGrath Chief Executive Officer responded 4G

**17. SPECIAL COMMITTEE REPORTS**

Nil

## 18. ADVISORY COMMITTEE REPORTS

### 18.1 ADVISORY COMMITTEE REPORTS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 19 March 2019  
**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. Place Naming Committee Meeting Minutes
2. Wangaratta Economic Development & Tourism Advisory Committee joint with Agriculture & Advisory Committee Meeting Minutes
3. Arts, Culture & Heritage Advisory Committee Meeting Minutes




#### **RESOLUTION:**

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

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

**Carried**

#### Attachments

- 1 Place Naming Committee Meeting - Minutes - 26 February 2019 
- 2 Wangaratta Economic Development and Tourism Committee Minutes & Agriculture and Agribusiness Committee Minutes - 5 February 2019 
- 3 Arts Culture & Heritage Advisory Committee Minutes - 11 February 2019 



## 19. RECORDS OF ASSEMBLIES OF COUNCILLORS

### 19.1 RECORD OF ASSEMBLY OF COUNCILLORS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 19 March 2019  
**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
5 February 2019	WEDTAC & AAAC Advisory Committee Meeting	Attachment
11 February 2019	Cemetery Trust Meeting	Attachment
11 February 2019	Arts Culture & Heritage Advisory Committee Meeting	Attachment
11 February 2019	Councillors Briefing Forum	Attachment
12 February 2019	Councillors Budget Review Session	Attachment
18 February 2019	Councillors Briefing Forum	Attachment
25 February 2019	Councillors Briefing Forum	Attachment
26 February 2019	Place Naming Advisory Committee Meeting	Attachment
4 March 2019	Councillors Briefing Forum	Attachment

**RESOLUTION:****(Moved: Councillor H Benton/Councillor A Fitzpatrick)*****That Council receives the reports of Assemblies of Councillors.*****Carried****Attachments**

- 1 Assembly of Councillors - WEDTAC and AAAC Meeting - 20190205 
- 2 Assembly of Councillors - Cemetery Trust Meeting - 20190211 
- 3 Assembly of Councillors - Arts Culture & Heritage Advisory Committee Meeting - 11 February 2019 
- 4 Assembly of Councillors - Briefing Forum - 20190211 
- 5 Assembly of Councillors - Councillors Budget Review Session - 20190212 
- 6 Assembly of Councillors - Councillors Briefing Forum - 20190218 
- 7 Assembly of Councillors - Councillors Briefing Forum - 20190225 
- 8 Assembly of Councillors - Place Naming Committee - 20190226 
- 9 Assembly of Councillors - Councillors Briefing Forum - 4 March 2019 

**20. NOTICES OF MOTION**

Nil

**21. URGENT BUSINESS****22. PUBLIC QUESTION TIME**

*Mr Brian Fox asked is it possible to put in a road level pedestrian crossing near the water tower in Norton Street?*

Mayor Dean Rees responded we will pass this on to the ARTC for their consideration.

*Mr Brian Fox asked is the Rural City of Wangaratta conducting a phone survey?*

Brendan McGrath CEO responded to the best of my knowledge we are not conducting any surveys.

*Robert Cook asked I understand it is a Vic Roads road can it be put to them that Wangaratta Whitfield Rd needs upgrades even just the shoulders widened?*

Brendan McGrath CEO responded, it is my understanding that Vic Roads have been given additional funding for shoulder sealing and road widening across the state. We have advocated on numerous occasions for the Wangaratta Whitfield Rd to have that sort of treatment and will continue to do so. Vic Roads has a newly appointed regional director so we will take the opportunity to meet with him fairly soon and will make sure that this road is on that list as we have done in the past.

Alan Clark Director Infrastructure Services responded, what really helped the Wangaratta Whitfield Rd was when there was public consultation held by Vic Roads that issue got wide spread support and became their number one project in the region. It is on their books and is sitting fairly high.

*Dave Hocking asked why did the tower have to be located here why could it not be located back behind the bowls club or somewhere away from public vision?*

Brendan McGrath CEO responded from Council's perspective our role as the planning authority is to assess the applications presented to us we don't ordinarily get too involved in the selection of appropriate sites and locations. We do have conversations with applicants about those matters but largely it's up to the telco who is applying to determine what the best location is and then we assess it on its merits and the information provided.

*Susan Singh asked does Council have an overhanging tree branch policy and who to and how do I report this issue?*

Alan Clark Director Infrastructure Services responded we have a requirement to keep a clear zone under the travel path on the road which is around 4.5 metres. If a branch is overhanging higher than that it doesn't mean we will come along and clear it but if a tree was identified as dangerous then yes we will do something about it.

**23. CONFIDENTIAL BUSINESS**

Nil

**24. CLOSURE OF MEETING**

The Meeting closed at 7.18pm.