

# Agenda

## For the Ordinary Council Meeting

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

**Date:** Tuesday, 23 February 2021

**Time:** 6pm



RURAL CITY OF  
**WANGARATTA**

Brendan McGrath  
Chief Executive Officer

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## Rural City of Wangaratta Live Stream

Clause 24 of the Governance Rules provides the following:

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

### 1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

### 2. OPENING PRAYER

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

### 3. PRESENT

### 4. ABSENT

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

## ORDER OF BUSINESS

### 6. CITIZEN CEREMONY

### 7. CONFIRMATION OF MINUTES

#### RECOMMENDATION:

***That Council read and confirm the Minutes of the Ordinary Meeting of 27 January 2021 as a true and accurate record of the proceedings of the meeting.***

### 8. CONFLICT OF INTEREST DISCLOSURE

In accordance with section 130 of the Local Government Act 2020 a councillor who has a conflict of interest in respect of a matter must disclose the conflict of interest in the manner required by Council's Governance Rules and exclude themselves



from the decision making process in relation to that matter, including any discussion or vote on the matter and any action in relation to the matter.

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

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

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

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

## **9. RECEPTION OF PETITIONS**

### **9.1 WILSON ROAD FOOTPATH PETITION**

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 February 2021  
**Author:** Executive Assistant - Infrastructure Services  
**File No:** IC21/316

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

#### **Executive Summary**

A petition/joint letter containing 83 signatures from the ratepayers and residents of Wilson Road, Chandler Street, Weir Street, Sanctuary Close, Heach Street, Boyd Street, Dunphy Street and Thomas Street has been received.

The letter expresses concerns about the lack of a footpath and a drainage along Wilson Road. With the ever-increasing volume of road traffic along Wilson Road, the ratepayers and residents are concerned for the safety of people exercising or commuting along the narrow, uneven roadside.

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

#### **RECOMMENDATION:**

- 1. *That the petition/joint letter regarding the Wilson Road Footpath be received.***
- 2. *That a report into investigations into the request within the petition/joint letter be considered at the March Ordinary Council meeting.***

#### **Conclusion**

In accordance with Local Law No.3 of 2014 – (Administrators) Meeting Procedure, a joint letter presented to the Council must lay on the table until the next ordinary meeting of the Council and no motion, other than to receive the joint letter, may be accepted by the Chairperson, unless Council agrees to deal with it earlier.

#### **Attachments**

- 1 Wilson Road Footpath Petition Letter - Confidential**

## 9.2 PELICAN COURT PARK REQUEST FOR IMPROVEMENTS/ MAINTENANCE PETITION

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 February 2021  
**Author:** Executive Assistant - Infrastructure Services  
**File No:** IC21/348

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

### **Executive Summary**

A petition/joint letter containing 50 signatures from the ratepayers and residents of Pelican Court, Wangaratta has been received.

The letter expresses concerns about the lack of maintenance and requests improvements for the safety of park users and to improve the aesthetics of the park.

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

#### **RECOMMENDATION:**

1. *That the petition/joint letter regarding the Pelican Court Park be received.*
2. *That a report into investigations into the request within the petition/joint letter be considered at the March Ordinary Council meeting.*

### **Conclusion**

In accordance with Local Law No.3 of 2014 – (Administrators) Meeting Procedure, a joint letter presented to the Council must lay on the table until the next ordinary meeting of the Council and no motion, other than to receive the joint letter, may be accepted by the Chairperson, unless Council agrees to deal with it earlier.

### **Attachments**

Nil

**10. HEARING OF DEPUTATIONS**

**PRESENTATION OF REPORTS**

**11. COUNCILLOR REPORTS**

Nil

**OFFICERS' REPORTS**

**12. EXECUTIVE SERVICES**

Nil

### 13. CORPORATE SERVICES

#### 13.1 COUNCIL PLAN STRATEGIC INDICATORS AND PROJECTS UPDATE

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 February 2021  
**Author:** Governance and Reporting Advisor  
**File No:** IC21/247

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

#### Executive Summary

The purpose of this report is to present the 2020-21 Quarter 2 update for Council Plan Strategic Indicators and projects.

#### **RECOMMENDATION:**

***That Council notes the Council Plan Projects and Strategic Indicators Status Reports for Quarter 2 of the 2020-21 financial year.***

#### Background

Each year, Council sets out in the council plan its strategic objectives and the accompanying projects and strategic indicators for monitoring delivery and achievement of those objectives.

The year-to-date results for projects and strategic indicators allow progress against what is important to be measured and assists the community to understand the impact of what council is doing.

Two reports are provided.

The first report is the Council Plan Projects Status Report (**Attachment 1**) which provides information on the status of projects and initiatives to be delivered in the 2020-21 financial year.

37 projects and initiatives are to be completed. In respect of these projects, the following has been achieved:

- 6 are complete
- 31 are not yet complete:
  - 12 are nearing completion
  - 9 are 60-79% complete
  - 8 are 30-59% complete

- 2 are up to 29% complete

The second report is the Council Plan Strategic Indicators Status Report (**Attachment 2**) which provides the year to date quarter 2 results for council plan strategic indicators.

There are 22 strategic indicators showing the following quarter 2 results:

- 14 measures are meeting or exceeding the target
- 8 measures are below target

Several measures have been impacted by the restrictions implemented by the State Government to control the spread of COVID-19.

### **Implications**

#### **Policy Considerations**

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

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

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

#### **Legal/Statutory**

The *Local Government Act 2020* (Act) requires Council to report on performance annually in the annual report. The Act also requires the Mayor to report to the municipal community, at least once each year, on the implementation of the council plan.

This report provides the community with a Council Plan progress update.

#### **Social**

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

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

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

### **Council Plan**

This report supports achievement of council plan strategic objectives by measuring and communicating progress in strategic projects and indicators.

**Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Council Plan targets are not achieved leading to reputational risk	Low	High	Moderate	Material unfavourable variances are examined and addressed.  Regular monitoring and reporting.

**Conclusion**

This report assists Council and the community to monitor achievement of council plan strategic objectives.

**Attachments**

- 1 'What You Will See in 2020-21' Q2 status [↓](#)
- 2 Council plan measures 2021 Q2 [↓](#)

## 13.2 COUNCILLOR CODE OF CONDUCT

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 February 2021  
**Author:** Governance and Reporting Advisor  
**File No:** IC21/248

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, following a period of community consultation, to adopt the Councillor Code of Conduct under the *Local Government Act 2020* (the Act).

A Councillor Code of Conduct (code) must include the standards of conduct expected to be observed by councillors that are prescribed in regulations and may include other matters which the council considers appropriate.

Council must review and adopt the code within four months of the general election.

### **RECOMMENDATION:**

***That Council adopts the Councillor Code of Conduct attached to this report (Attachment 1) and revokes the Councillor Code of Conduct adopted in 2017.***

### **Background**

The Act requires council to review and adopt a code.

The code:

- must include the standards of conduct prescribed by the regulations expected to be observed by councillors
- must include any provisions prescribed by the regulations
- must include provisions addressing any matters prescribed by the regulations
- may include any other matters which the Council considers appropriate, other than any other standards of conduct

The code is based on a structure recommended by Local Government Victoria (**Attachment 1**) and includes:

- the prescribed standards of conduct:
  - treatment of others
  - performing the role of councillor
  - compliance with good governance measures



- councillor must not discredit or mislead council or public
  - standards do not limit robust political debate
- guidance and information to councillors regarding other matters that council considers appropriate, including:
  - promoting wellbeing in the workplace
  - using information
  - relationships with members of staff
  - conduct that is unlawful under other legislation
  - council values
  - the roles of a councillor, council, the mayor and Chief Executive Officer
  - support for councillors
  - councillor interactions with members of staff
  - community expectations
  - election related matters
  - conduct that is prohibited by the Act
  - using council resources
  - complaints
  - councillor personal dealings with council
  - media and spokespersons
  - events
- ways of resolving disputes, including:
  - disputes between councillors
  - disputes between members of the public and councillors
  - disputes between councillors and staff
- a description of the levels of misconduct set out in the Act related to breaches of the standards of conduct

### **Implications**

#### **Policy Considerations**

The code is a major council policy which meant that the process of community consultation set out in the Major Council Policy Consultation Local Law applied in relation to its review.

The code replaces the previous code adopted in 2017 which should, as a consequence, be revoked.

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

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

#### **Legal/Statutory**

The code must be adopted as required by section 139 of the 2020 Act within 4 months of the general election by a formal resolution of the Council passed at a

meeting by at least two-thirds of the total number of Councillors elected to the Council.

The prescribed standards of conduct are set out in regulation 4 and schedule 1 of the *Local Government (Governance and Integrity) Regulations 2020*.

## **Social**

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

## **Environmental/Sustainability Impacts**

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

## **Council Plan**

This report supports achievement of the strategic goal of a sustainable organisation by supporting good governance practices through effective and compliant policies:

## **Risk Management**

The code, upon adoption, will ensure statutory compliance and mitigate reputational, governance and financial risks associated with councillor misconduct.

## **Consultation/Communication**

The process of community consultation set out in the Major Council Policy Consultation Local Law has been followed. The code and its related community impact statement (**Attachment 2**) were exhibited for at least 28 days and community submissions invited.

No submissions were received from the public regarding the code.

Council officers are satisfied that appropriate community consultation has occurred and believe that the matter is now ready for Council's consideration.

## **Options for Consideration**

1. Council adopts the code (**Attachment 1**)
2. Council adopts the code with changes to those sections not prescribed by legislation ('other matters'). This is not recommended because the other matters included are considered appropriate as they cover the provisions of the Act and other acts relevant to a councillor's role as well as protocols essential to achieving good governance and effective decision making.

**Conclusion**

Appropriate community consultation has occurred, and Council must adopt the code by 24 February 2021 by a formal resolution of the Council passed at a meeting by at least two-thirds of the total number of Councillors elected to the Council..

**Attachments**

- 1 Councillor code of conduct [↓](#)
- 2 Community impact statement - councillor code of conduct [↓](#)

### 13.3 REVIEW AND DETERMINATION OF COUNCILLOR AND MAYORAL ALLOWANCES

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 February 2021  
**Author:** Governance and Reporting Advisor  
**File No:** IC21/249

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**

Following a period of community consultation, this report is submitted to council to set the allowance levels for councillors and the Mayor.

#### **RECOMMENDATION:**

***That Council, under section 74 of the Local Government Act 1989:***

- 1. Sets the allowance level for councillors at \$26,245, subject to any automatic future annual adjustments prescribed by the Minister for Local Government and announced in the Victoria Government Gazette, by plus an amount equivalent to the superannuation guarantee levy, payable from the date of this resolution; and***
- 2. Sets the allowance level for the Mayor at \$81,204, subject to any automatic future annual adjustments prescribed by the Minister for Local Government and announced in the Victoria Government Gazette, plus an amount equivalent to the superannuation guarantee levy, payable from the date of this resolution.***

#### **Background**

Allowances for Mayors, Deputy Mayors and Councillors are provided by section 39 of the 2020 Act.

Despite the repeal of sections 73B and 74 to 74B of the 1989 Act those sections continue to apply in respect of allowances payable to Mayors, Deputy Mayors and Councillors until the first determination made by the Victorian Independent Remuneration Tribunal (Tribunal) under section 23A of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019* comes into effect.

The first determination will come into effect 6 months after the tribunal receives a request from the Minister for Local Government to make the determination. The tribunal has not yet received a request to make the determination.

Consequently, the requirements of the 1989 Act continue to apply including the obligation on the Council to review and determine the level of the councillor allowance and the Mayoral allowance within the period of 6 months after a general election or by the next 30 June, whichever is later.

The Victorian Government has set the upper and lower levels for allowances paid to councillors and Mayors. Councils are divided into three categories based on the income and population of each Council. The Wangaratta Rural City Council is a category 2 council with the following current allowance level ranges:

- Mayor - up to \$81,204 per year plus an amount equivalent to the superannuation guarantee levy
- Councillors - \$10,914-\$26,245 per year plus an amount equivalent to the superannuation guarantee levy

Current allowance levels paid to the Wangaratta Rural City Council Mayor and councillors reflect the maximum allowable for the range set for a category 2 council. Allowance levels are subject to annual automatic adjustments that are announced in the Victoria Government Gazette by the Minister for Local Government.

In representing and serving the community, the Mayor and councillors make a significant time commitment, often after normal business hours, in attending meetings, functions and responding to community members. They are also responsible for considering diverse and complex policies and strategies, and social and advocacy issues, and determining a significant annual budget and capital works program. The current allowance levels reflect the significant commitment of time made by councillors and the Mayor.

Submissions to the review of allowances were invited from the community under section 223 of the 1989 Act.

The allowance levels determined by the review are payable from the date of the resolution of the Council determining them.

### **Implications**

#### **Policy Considerations**

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

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

Current Mayor and councillor allowance levels together with a provision for the annual automatic adjustment made by the Minister for Local Government are included in the adopted 2020-21 Council budget.

#### **Legal/Statutory**

Section 39 of the 2020 Act applies to the subject of this report. Until a first determination is made under this section the provisions of sections 73B and 74 to 74B of the 1989 Act continue to apply.

**Social**

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

**Environmental/Sustainability Impacts**

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

**Council Plan**

This report supports achievement of the council plan non-negotiable strategic objective of meeting all legislative, governance and compliance requirements.

**Risk Management**

Until the first determination of allowances comes into effect under section 39 of the 2020 Act, sections 73B and 74 to 74B of the 1989 Act continue to apply despite being revoked, including the legal obligation under section 74 to review and determine allowance levels.

**Consultation/Communication**

The process of community consultation set out in the *Local Government Act 1989* has been followed by inviting public submissions.

One submission was received recommending that \$10,000 be diverted from the mayor's allowance to the deputy mayor. This is not possible for council to do. A council does not have the power to establish a deputy mayor allowance. A council may only pay a Councillor allowance or Mayoral allowance as specified in the most recent of the relevant Order in Council made under section 74B of the 1989 Act or a Minister's notice published under section 73A, 73B or 74C of the 1989 Act as varied by the allowance level determination made by a Council under section 74 of the 1989 Act.

Council officers are satisfied that appropriate community consultation has occurred and believe that the matter is now ready for Council's consideration.

**Options for Consideration**

1. That Council maintains the current allowance levels for councillors and the Mayor.
2. That Council sets a lower allowance level for councillors and the Mayor. This option is not recommended as the current allowance levels reflect the significant commitment of time made by councillors and the Mayor to the performance of their Council duties.

**Conclusion**

Allowance levels for councillors and the Mayor should be maintained at the maximum level allowable for a category 2 council reflecting the significant commitment of time made by councillors and the Mayor.

**Attachments**

Nil

## 14. COMMUNITY WELLBEING

### 14.1 WANGARATTA SPORTS AND AQUATIC CENTRE / BARR RESERVE IMPROVEMENT PROJECT GRANT APPLICATION - COMMUNITY SPORTS INFRASTRUCTURE FUND

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 February 2021  
**Author:** Executive Assistant Community Wellbeing  
**File No:** IC21/410

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

#### Executive Summary

This report is presented to Council to consider the allocation of future budget towards an application for the Community Sports Infrastructure Fund (CSIF) for the Wangaratta Sports and Aquatic Centre (WSAC) expansion project. It is a requirement of the application that Council's financial contribution be acknowledged.

#### **RECOMMENDATION:**

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

- 1. Supports the application for funding for the Wangaratta Sports and Aquatic Centre expansion project under the Community Sports Infrastructure Fund.***
- 2. Supports the future contribution of \$3,000,000 Council funding for the expansion of the Wangaratta Sports and Aquatics Centre project.***

#### Background

In 2020, the Rural City of Wangaratta applied for \$8.9 million dollars in funding through The Victorian Government Community Sports Infrastructure Fund (CSIF - round 1) for the Wangaratta Sport and Events Precinct Expansion Project. Unfortunately, the application was unsuccessful.

Recently the Victorian government announced round 2 of the CSIF program with \$110 million contributed for the 2020-21 state budget. The application process would be by invitation for high quality projects that were unsuccessful in round 1.

Council has been invited to apply and are preparing an application for round 2. Following feedback from Sports and Recreation officers some change in scope has been made to the project to competitively position it in the funding process.



The aim of this development is to expand the indoor stadium and gym of the Wangaratta Sports and Aquatic Centre facility. Realising this project will further set Council's vision for the Sports, Aquatics and Events Precinct to become the premier sporting and events precinct in Regional Victoria. The project will further build upon the recently completed outdoor 50 metre outdoor pool, splash pad and refurbishments to the Wangaratta Sports and Aquatic Centre.

Furthermore, this expansion will create enhanced accessible and inclusive facilities, additional flexible programming opportunities that cater for the health and wellbeing of all our community members and drive economic benefit back to the Rural City of Wangaratta.

The closing date for CSIF is Tuesday 02, March 2021.

### **Implications**

#### **Policy Considerations**

The Parklands Masterplan was adopted by Council on December 15, 2020. The Masterplan sets the expansion of the WSAC facility as a major priority with the following inclusions:

- Reconfiguration of current show courts (Basketball, Netball and Volleyball) including seating to meet the required run off areas.
- Provide additional indoor basketball courts.
- Provide indoor netball/multi-use courts.
- Additional male and female rooms that can be easily accessed.
- Additional fitness program room – gymnasium.

The masterplan identifies that the proposed improvement will:

- Formalise WSAC's reputation as a premier sports and recreation facility into the future
- Provide indoor and outdoor sporting facilities of a state and regional competition standard, and for the use of the whole community.
- Provide safe and inclusive aquatics and fitness facilities to ensure the health and wellbeing of our local communities across generations.
- Encourage female participation in sports activities.
- Create a welcoming recreational and lifestyle destination for the community to live, work and play.

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

The Long Term Financial Plan (LTFP) allocates \$13,000,000 to the Parkland Masterplan development over four years from 2022/23 to 2025/26. Of that \$13,000,000 allocation, \$2,000,000 is proposed to be grant funding, the remaining \$11,000,000 is proposed as Council cash.

The current estimate for this project is \$8,500,000. The proposed funding application requests \$5,500,000 from CSIF with a \$3,000,000 contribution of Council cash allocated from the 2022/23 long term financial plan. If successful, this

grant will improve Council's financial position over the four-year development of the Parklands Masterplan by \$3,500,000.

There is no set contribution ratio for this funding stream. The contribution Council makes to the project is at their discretion. Feedback from Sport and Recreation officers highlighted that a greater contribution, combined with a smaller financial request would position this project more competitively. This financial split, and rescope of the project achieves both points.

The project will deliver significant economic benefits to Council, the communities of Wangaratta and the broader North East Region:

- Economic impacts generating a total of 39 direct jobs during the construction phase and a total expected impact of \$17.2m into the local economy.
- Responsible infrastructure development resulting in a more efficient service model and allocation of resources – resulting in a reduction in the operating deficit of the centre.
- Ability to host large scale major events and elite training for competitive basketball, netball and volleyball

Direct employment impacts of the expanded Wangaratta Sports and Aquatic Centre facilities are estimated to be significant – with a projected addition of 6FTE (10 staff members).

A business plan, developed in 2020, with full social and economic benefits is attached as a confidential attachment to this report.

### **Legal/Statutory**

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

### **Social**

The project will deliver significant social and health benefits to the community and region - with increased access and opportunity for informal and organised sport, improved access to fitness space and programs, and more diversity in offering for sport and recreation programs and participation.

The project will enable more groups to access the facility more often. The facilities will be able to host significant events and training, which will bring opportunities and benefit to the whole community.

The project will allow for programming that specifically targets groups that are underrepresented in sport and recreation – women, older adults, people with a disability, and people from lower socio-economic communities.

### **Environmental/Sustainability Impacts**

An Environmentally Sustainable Design (ESD) Strategy has been undertaken for this project. The initial assessments of ESD opportunities form part of the Services Cost Estimate. Assessments of ESD initiatives incorporate feedback from the Council projects team on-site and considers the planning intent to reduce greenhouse gas emissions and water use in operations.

## **2017 – 2021 Council Plan (2020 Revision)**

This report supports the 2017-2021 Council Plan:

### **Goal**

We are Thriving

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

- To ensure we are responding to the current and future recreational needs of our community and creating sustainable and quality recreation reserves throughout our municipality
- To make sure our services are responsive and adaptable to the changing needs and profile of our community

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

- Exceptional services and programs that help our families and children to be healthy, happy and connected

### **We will focus on our business:**

By making sure that all our teams work together to plan, develop and deliver innovative projects that enhance the health and wellbeing of our community

## **Strategic Links**

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

N/A

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

Wangaratta Parklands Masterplan

## **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Community expectation raised and unable to be met	Moderate	Disappointed and disengaged community and stakeholders	Significant	Clear and accurate communication regarding project and funding application

Risks	Likelihood	Consequence	Rating	Mitigation Action
Project costs are larger than estimates	Unlikely	Cost of project is higher than budgeted	Significant	Additional council funding is required, or scope of work is reduced

### **Consultation/Communication**

This project has been a significant priority for the city for almost a decade. The strength of the support behind the need for the project has been evidenced by its consistent presence in consultation outcomes with stakeholders, users, and the broader community.

The process of developing the scope and detail of the project has been informed by:

- Targeted planning and engagement with sport associations and core user groups
- Broad consultation with users and stakeholder groups as part of the master planning and precinct plans
- User consultation and review
- Community consultation and feedback

Consultation also played a vital role in providing valuable input to help shape the Parklands Masterplan. The draft plan was placed on public exhibition for a 60-day period between June and August of 2020. From this, 35 formal responses were received, and 156 online survey questions were answered. Council officers undertook a series of direct consultation sessions with key stakeholders over a period of 10 months. Council officers explored the feedback received and incorporated relevant changes into the final Masterplan.

### **Options for Consideration**

1. That Council supports the provision of \$3,000,000 in future funding for the Wangaratta Sports and Aquatic Centre expansion project and confirms this support within the CSIF application.
2. That Council supports the provision of a smaller amount (less than \$3,000,000) in future funding for the Wangaratta Sports and Aquatic Centre expansion project and confirms this support within the CSIF application.
3. Council does not proceed with the application.

### **Conclusion**

This project is a significant part of the expansion of the Sports, Aquatics and Events precinct, that will support the objective of developing as the premier Sports and Events precinct in Regional Victoria. If successful in funding, Council will secure significant financial support to deliver the priority.

**Attachments**

- 1 Building Wangaratta Business Plan 2020 - Confidential

## 15. INFRASTRUCTURE SERVICES

### 15.1 PETITION REGARDING SANDFORD ROAD UPGRADE AND HAMILTON CRESCENT

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 February 2021  
**Author:** Manager Infrastructure Planning and Delivery  
**File No:** IC21/302

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

#### **Executive Summary**

A petition was tabled at Council's Ordinary meeting on the 27 January 2021. The petition is seeking that Council consider kerb and channel, footpath and speed humps in Hamilton Crescent, Wangaratta.

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

#### **RECOMMENDATION:**

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

- 1. Notes the kerb and channel works which are already planned and underway in Hamilton Crescent;***
- 2. Includes the construction of a footpath in Hamilton Crescent in a future year's capital works program;***
- 3. Authorises officers to undertake further investigations into local area traffic management; and***
- 4. Responds to the first signatory with details of the resolution of Council.***

#### **Background**

Hamilton Crescent does not have a footpath within the road reserve. The kerb and channel in Hamilton Crescent is at the end of its useful life and needs replacement.

Officers confirm that the kerb and channel works will be completed with the Sandford Road works. These works will be undertaken between Sandford Road and Rowley Street.

The footpath along Hamilton Crescent is noted on the 10-year strategic footpath program. Detailed design will be undertaken in the 2021/22 year, with construction in the 2022/23 year.

Speed humps are not recommended in residential streets. Officers will collect and review traffic data and undertaken further discussion with the first signatory of the petition.

### **Implications**

#### **Policy Considerations**

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

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

The cost of the kerb and channel is \$152,000 and is budgeted for in the 2020/21 capital works budget.

The estimated cost of the footpath construction is \$95,000.

#### **Legal/Statutory**

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

#### **Social**

Installation of this footpath would increase the connectivity for the residents of Hamilton Crescent.

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

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

### **2017 – 2021 Council Plan (2020 Revision)**

This report supports the 2017-2021 Council Plan:

#### **Goal**

We are Established

#### **We will research and advocate:**

To facilitate drainage and road infrastructure to support future growth plans

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

Timely and appropriate infrastructure to support our growth areas

#### **We will focus on our business:**

By enhancing the way we plan and deliver infrastructure projects.

**The non-negotiables**

Our infrastructure is developed and maintained based on what we understand is important to the people who live, work and visit here.

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

N/A

**b) Other strategic links**

Freight and Land Use Strategy

Walking and Cycling Strategy

**Risk Management**

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

**Consultation/Communication**

There was no community consultation undertaken for this report.

**Options for Consideration**

1. Council could not adopt the recommendations of this report. The kerb and channel only would be installed.
2. Council could not allocate funding in a future budget to the footpath. The footpath would not be installed.
3. Council could recommend the installation of speed humps and allocate budget to these works.

**Conclusion**

Based on the above, kerb and channel will be installed in Hamilton Crescent this financial year. A footpath should be considered in a future year's capital works program and further investigation be undertaken into the local area traffic management.

**Attachments**

Nil.



## 16. DEVELOPMENT SERVICES

### 16.1 DRAFT ENVIRONMENTAL SUSTAINABILITY STRATEGY 2021-2026

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 February 2021  
**Author:** NRM Coordinator  
**File No:** IC21/287

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**

On 23 January 2021, Council resolved to defer the decision on endorsement and public exhibition of the draft Environmental Sustainability Strategy 2021-2026 until the February 2021 Ordinary Council Meeting to enable the Council more time to consider the item. Council Officers have since made changes to the draft strategy to clarify the wording of the objective relating to Council's electricity consumption under the 'Greenhouse Gas Emissions and Energy Reduction' priority area and include minor corrections.

This report is presented to Council to detail the development of the draft Environmental Sustainability Strategy 2021-2026 (see **Attachment 1**) and to seek endorsement of the draft strategy for public exhibition.

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

The draft Strategy builds upon the achievements of the previous Environmental Sustainability Strategy 2014 and seeks to learn from our past experiences; pulling together our existing work and delivering activities that we know have positive benefits.

#### **RECOMMENDATION:**

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

- 1. Endorses the draft Environmental Sustainability Strategy 2021-2026.***
- 2. Places the draft Environmental Sustainability Strategy 2021-2026 on public exhibition for a period of at least 30 days.***
- 3. Considers the submissions received and a final Environmental Sustainability Strategy 2021-2026 at a future Council meeting.***

- 4. *If no submissions requesting changes to the strategy are received, adopts the Environmental Sustainability Strategy 2021-2026 without further resolution.***

## **Background**

The draft Environmental Sustainability Strategy 2021-2026 has been developed to replace the previous Environmental Sustainability Strategy 2014 in order to guide Council in planning for a healthy, resilient and green future for our municipality.

The strategy aims to protect and invest in our environment, natural assets and the health and wellbeing of our community through our environmental sustainability commitment, expertise and leadership. We will achieve this by working with internal and external stakeholders and the community.

Our environment not only provides valuable ecosystem services and natural habitat for our local wildlife, it also is integral for the health and wellbeing of our community and our economic prosperity. There are a number of environmental challenges that we face, that are shared amongst communities around the world, that will present both challenges and opportunities for our region. These are driven by climate change, increasing demand for resources and changes to land use.

## **Implications**

### **Policy Considerations**

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

### **Financial/Economic Implications**

The draft Strategy identifies a significant amount of actions and targets to undertake over the five year lifespan of the strategy. Not all of these costs will be borne by Council, some will be targeted at future grant applications. The possible sources of funding are identified within the action tables of the strategy.

The actions within the strategy will be further scoped for consideration in future budget processes.

### **Legal/Statutory**

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

### **Social**

Under the Local Government Act 2020, Council's primary objective is to endeavour to achieve the best outcomes for the local community having consideration for the long term and cumulative effects of decisions. In seeking to achieve this objective, Council must promote the social, economic and environmental viability and sustainability of the municipality.

We acknowledge that we depend on our local environment for clean and plentiful water to drink, clean air to breathe, productive soils for food and energy sources. These environmental assets sustain our health, our lifestyle and our livelihoods.

### **Environmental/Sustainability Impacts**

Due to climate change and changing environmental conditions, we face significant challenges to maintain environmental sustainability in the future, yet with challenges come opportunities. Opportunities to innovate, lead by example and inspire communities through demonstrating environmental leadership in our own operations.

### **2017 – 2021 Council Plan (2020 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
- By accurately understanding the constraints and opportunities that face our organisation, our community and our region
- To identify and promote options to maximise the use of environmentally sustainable design in new and retro fitted residential, industrial and commercial developments
- To make sure that everything we do – from building assets to delivering events – considers the physical, social, cultural and financial needs of our community members

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

- Opportunities that promote conservation and assistance to community groups to undertake conservation projects
- Opportunities to assist the community to adopt sustainable building and living practices and to reduce energy and water use

#### **We will focus on our business:**

- Ensuring roadsides are appropriately used while conserving natural vegetation, through the implementation of Council's Conservation Roadside Management Plan

## The non-negotiables

- Our team will make the best and most efficient use of Council's resources.
- Our buildings, facilities and assets will be utilised in an efficient and equitable way.
- Our protection of the environment underpins our development, projects and decisions.

## Strategic Links

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

The Community Vision was last completed in 2009, with a new Community Vision due to be completed in 2021. At which point the strategy will be reviewed to ensure it supports the new vision.

### b) Other strategic links

#### Relationships with key Council Plans

We recognise that the strategy needs to co-exist and help deliver on other relevant strategies. The table below illustrates the relationship between the Environmental Sustainability Strategy and other key Council documents, including the Council Plan.

Key Council Plans	PURPOSE
<b>2030 Community Vision</b>	Our community is connected, sustainable and contemporary. We are the place where good things grow.
<b>Council Plan 2017-2021</b>	Council Plan 2017-2021 details Council's strategic objectives and the key strategic activities and actions we will be undertaking to achieve those objectives.
<b>Municipal Health &amp; Wellbeing Plan (MPHWP)</b>	The MPHWP sets the broad mission, goals and priorities to enable people living in the municipality to achieve maximum health and wellbeing.
<b>Conservation Roadside Management Plan</b>	The Roadside Conservation Management Plan aims to conserve roadside native vegetation that often provides valuable habitat and is an important feature in local landscapes.
<b>Waste Management Strategy (WMS)</b>	The Rural City of Wangaratta's WMS was developed to provide a strategy for sustainable waste management over five years. The purpose of this document is to consolidate all the related issues and topics, to provide a complete picture of waste management within the municipality.
<b>Economic Development and Tourism Strategy</b>	The Economic Development and Tourism Strategy has been produced to fulfil Council's aspirations for a vibrant and prosperous community that offers residents and businesses a broad range of highly rewarding opportunities for work and investment.

<b>Key Council Plans</b>	<b>PURPOSE</b>
<b>Tree Management Strategy</b>	The purpose of the strategy is to establish the Rural City of Wangaratta's future strategic direction for tree planting, protection and maintenance.
<b>Walking and Cycling Strategy</b>	Council's Walking and Cycling Strategy is a significant strategic document that will guide the way Council delivers infrastructure that supports the ability of people within our community to be active, to safely move around, and to stay connected
<b>Bush reserves management plans (Northern Beaches and Kaluna Park)</b>	Both the Kaluna Park and Northern Beaches Plans are to provide practical and perceptive information which will assist management to protect, and where possible enhance the natural values of these areas.
<b>Wangaratta Planning Scheme</b>	The Planning Scheme is the governing document for use, development and protection of land in the Rural City of Wangaratta.

### **Consultation/Communication**

Prior to commencing writing the draft strategy, Council's Natural Resource Management and Sustainability team consulted with the Wangaratta Landcare and Sustainability Network, Youth Council, Renewable King Valley and Waste Wise Wangaratta for initial feedback. Internal comments was also sought from all directorates. The feedback from this process has been incorporated into the draft strategy.

Further community consultation will occur when the draft strategy is placed on public exhibition. This will take the form of workshops and online submissions.

Officers believe that appropriate consultation has occurred to inform the development of the strategy draft and the matter is now ready for Council consideration.

### **Options for Consideration**

1. That Council endorses the draft Environmental and Sustainability Strategy 2021-2026 and seek community feedback by placing the draft on public exhibition for a period of no less than 30 days. **(Recommended)**
2. That Council does not endorse the draft Environmental and Sustainability Strategy 2021-2026 and seek further adjustments prior to being returned to Council for endorsement at a future meeting. **(Not recommended)**

### **Conclusion**

The draft Environmental and Sustainability Strategy 2021-2026 is an important document to guide Council in its future decision making.

Council has a crucial role to play to get the best results for our municipality by actively engaging and working with our community and stakeholders to:

- build awareness and progress towards environmental sustainability;
- ensure climate change is embedded within our business plans, strategies and policies; and
- to secure the future of Wangaratta, our region and beyond.

### **Attachments**

- 1 Draft Environmental Sustainability Strategy 2021-26 [↓](#)

**17. SPECIAL COMMITTEE REPORTS**

Nil

**18. ADVISORY COMMITTEE REPORTS**

Nil

## 19. MINUTES OF ADVISORY COMMITTEE MEETINGS

### 19.1 RECORD OF ADVISORY COMMITTEE REPORTS

**Meeting Type:** Ordinary Council Meeting  
**Date of Meeting:** 23 February 2021  
**Author:** Executive Service Coordinator  
**File Name:** Assemblies of Councillors  
**File No:** IC21/340

#### Executive Summary

##### Advisory Committee Meetings:

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

1. Arts, Culture, Heritage and Events Advisory Committee – 17 August 2020 – Approved Minutes
2. Wangaratta Economic Development and Tourism Advisory Committee – 10 November 2021 – Draft Minutes
3. Agriculture and Agribusiness Advisory Committee – 28 January 2021 – Draft Minutes
4. Sports and Recreation Advisory Committee – 10 February 2021 – Draft Minutes

#### **RECOMMENDATION:**

***That Council:***

1. ***notes the minutes and draft minutes of these Advisory Committees***

#### Attachments

- 1 Arts, Culture, Heritage & Events Advisory Committee - 17 August 2020 - Approved Minutes [↓](#)
- 2 Wangaratta Economic Development and Tourism Advisory Committee - 10 November 2021 - Draft Minutes [↓](#)
- 3 Agriculture and Agribusiness Advisory Committee - 28 January 2021 - Draft Minutes [↓](#)
- 4 Sports and Recreation Advisory Committee - 10 February 2021 - Draft Minutes [↓](#)



**20. NOTICES OF MOTION**

Nil

**21. URGENT BUSINESS**

**22. PUBLIC QUESTION TIME**

**23. CONFIDENTIAL BUSINESS**

Nil

**24. CLOSURE OF MEETING**

**ATTACHMENTS**

**Council Plan 2017-2021 (2020 Revision)**  
**What You Will See in 2020-21**

The Pillars	What You Will See in 2020-21	Status	Tracking	Benefits - completed projects	Comments this quarter
<b>WE ARE THRIVING</b>	1. Wangaratta Indoor Sports and Aquatics Centre Completion	Completed 100%		Benefit to be realised at a later time	New pools were opened on 19 Dec 2020.
	2. Integration of WISAC and Parklands Precinct under Council Management	Nearing Completion 80-99%	OFF TRACK		WSAC centre now open under council management including launch of new Olympic outdoor pool, hydrotherapy pool and splash pad. Centre not yet able to open up to full capacity due primarily to ongoing Covid restrictions and the associated impact on the leisure sector. CovidSafe operations are in place to ensure the wellbeing of community and staff.
	3. Construction of a landmark Regional Play Space and Park	Underway 30-59%	OFF TRACK		Project has been delayed with further consultation required. Excepted delay 3 Months.
	4. Development of Public Health and Wellbeing Plan	Started 1-29%	ON TRACK		The details of the Shape Wangaratta Panel have been completed and advertised. Community Engagement through this is about to commence, as well as data analysis to support the plan and engagement with stakeholders such as the Municipal Health and Wellbeing Partnership.
	5. Progression of the Grit and Resilience Program	Underway 30-59%	ON TRACK		<ul style="list-style-type: none"> <li>•Formed a Collective impact and Co-designed Consortium</li> <li>*Activated our social media presence.</li> <li>*Trained 103 people in supporting people bereaved by suicide.</li> <li>*Welcomed 4 Community partners onto the Consortium</li> <li>*Trained 39 community members in safe communication about Suicide</li> <li>*Engaged Evaluators into the program for 3 years.</li> <li>*Trained 49 people in Mental Health First Aid</li> <li>*Launched the Winter Solstice documentary to the Community</li> <li>*Completed a 3 phase Community engagement strategy and voted on the priorities for the program moving forward</li> <li>* Developed branding and identity for the Program</li> </ul>
	6. Implementation of the Waste Management Strategy (WMS)	Nearing Completion 80-99%	ON TRACK		Most actions in plan are nearing completion or are completed. Waiting on the direction of the Recycling Victoria reforms and how Council can best respond before continuing to implement the strategy
	7. Mitchell Avenue Children's Garden Construction	Nearing Completion 80-99%	ON TRACK		<p>Children's Garden complete.</p> <p>Skate and parkour works - will be completed by end of Feb 2021.</p>
	8. Delivery of programs to support recovery from Covid-19 and the bushfires	Nearing Completion 80-99%	ON TRACK		COVID bushfire grants have been allocated totalling \$367,386.80 = 32 Business and 32 Community Groups - working with Businesses and Community to ensure that those successful are delivered on time and in full and equitable process completed

**Council Plan 2017-2021 (2020 Revision)**  
**What You Will See in 2020-21**

The Pillars	What You Will See in 2020-21	Status	Tracking	Benefits - completed projects	Comments this quarter
<b>WE ARE GROWING</b>	9. Launch of large-scale marketing promotion and awareness campaign	Nearing Completion 80-99%	ON TRACK		<p>COVID has delayed the launch of a large scale marketing promotion in 2020. However during November and December we ran a targeted Christmas digital campaign to drive visitation over the holiday period. This ran on social, YouTube and search channels.</p> <p>We have also planned and prepared an large integrated campaign aimed at driving consideration of relocating to Wangaratta. The campaign is targeted at metro Melbourne and is capitalising on the remote working boom driven by COVID. The creative features 6 local children who talk about why they love living in Wangaratta. It launched on January 3, 2021 and will be running on TV and digital channels.</p>
	10. Wangaratta Aerodrome Infrastructure Development	Nearing Completion 80-99%	OFF TRACK		Civil Works are complete. Fuel tank relocation to be complete in March 2021. Hanger is complete, fire services to be installed by June 2021.
	11. Implementation of Economic Development and Tourism Strategy	On-going 60-79%	ON TRACK		Continue to assist businesses with grant applications and how to access support funding for both COVID-19 and bushfire relief and other recovery programs, Working with Infrastructure on the Outdoor Dining Program - outdoor seating and amenity and assisting businesses to fast track Footpath Trading expansion and Redline applications. Working on Ovens Murray RUC grant funding, Drought Funding - Bore Points & Adverse Event management, King Valley Masterplan.
	12. Continue Business Development and Support Programs	On-going 60-79%	ON TRACK		Working with Australian Small Business Advisory Services, Small Business Victoria and Tourism North East to provide a range of workshops to assist businesses - Marketing, Financial Sustainability, Business Planning and applying for grants to name a few.
	13. Moyhu Township Development Program	Started 1-29%	ON TRACK		Strategic Planners continuing to gather information for background documents and impacts of the new Bushfire Planning requirements on the township. Township Development Plan to formally start in Feb 2021
	14. Progress the development of Ovens College Site	On-going 60-79%	OFF TRACK		Currently working through title requirements with Department of Treasury and Finance. Also continuing to work with potential investors on opportunities.
	15. Participation in Tourism North East (TNE) programs	On-going 60-79%	ON TRACK		Ongoing program - have been working closely with Tourism North East on the Masterplan for the King Valley (funding announced in November) - Walking and Cycling Campaigns in market Dec/Jan
	16. Implementation of Visitor Services Strategy (VSS)	Underway 30-59%	OFF TRACK		Urban Enterprises have completed initial consultation - it was decided that the VSS would be put on a temp hold until a consumer and industry survey and summary study had been completed as part of the King Valley Masterplan so that findings could be incorporated as needed into our VSS. Expected delivery of Draft VSS - March 2021

**Council Plan 2017-2021 (2020 Revision)**  
**What You Will See in 2020-21**

The Pillars	What You Will See in 2020-21	Status	Tracking	Benefits - completed projects	Comments this quarter
<b>WE ARE ESTABLISHED</b>	17. Railway Precinct Enhancement Project Completion	Nearing Completion 80-99%	ON TRACK		Minor delay in final works due to service issues. Asphalt to be complete first week of Feb 2021. Works completed early March 2021.
	18. Opening of upgraded Barr 2 Oval	Nearing Completion 80-99%	OFF TRACK		Minor works to be finalised, springing of turf, rolling of pitch and top dressing. Centre wicket area is not of the required standard. Working with contractor to rectify the existing issues.
	19. Delivery of asset renewal program 2020/2021	Nearing Completion 80-99%	ON TRACK	Partial benefit realised	Multiple projects. Reseal works already complete, footpath works complete and ongoing, kerb and channel and several drainage projects out for tender. All projects on track to be completed by the end of the financial year.
	20. Implementation of Rural Placemaking projects as identified within district plans	Underway 30-59%	ON TRACK		Detailed design drawings for Milawa are being finalised, with a tender for construction to be released in February 2020. District Plan works funds have been used to fund works on five community halls. Evaluation for Springhurst infrastructure tenders is underway. Engagement with Tarrawingee and Everton communities to be undertaken in the new year.
	21. Annual Gravel Re-sheeting and Resealing Program	Nearing Completion 80-99%	ON TRACK	Partial benefit realised	Reseal works are complete.  Rose River works completed. Currently 39kms in total complete.
	22. Cusack and Spearing Street Drainage and Car Parking Renewal	On-going 60-79%	ON TRACK		Works are continuing onsite. Completed by end of March 2021
	23. Continued implementation of Council's Asset Data, Condition and Renewal Policy	Underway 30-59%	ON TRACK		Project has been awarded. Project to be completed by end of the financial year


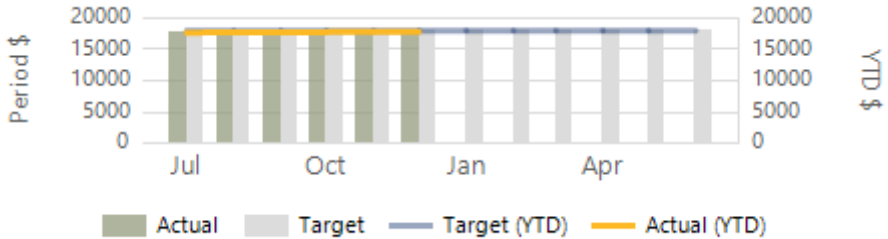
Council Plan 2017-2021 (2020 Revision)  
What You Will See in 2020-21

The Pillars	What You Will See in 2020-21	Status	Tracking	Benefits - completed projects	Comments this quarter
WE ARE INSPIRED	24. Support for 30th Wangaratta Festival of Jazz and Blues	Completed 100%		Benefit realised	
	25. Roll out of upgraded Events Procedures and workshops	Completed 100%		Benefit realised	Workshops will be ongoing as the need arises.
	26. Wangaratta Parklands Precinct and Wareena Park Masterplans	Completed 100%		Enabling project with no direct benefit	Wareena Park Masterplan is complete and adopted by council. The Parklands Masterplan is complete and has been adopted by council.
	27. Implementation of enabling frameworks for project management and employee collaboration	Nearing Completion 80-99%	On Track		Project Management Framework was deployed in July 2020, all council capital projects and a large number of operational projects are using the PMF. All 21-22 projects, both Capital and Operational are being submitted through the PMF. Training has been delivered to approx. 100 staff.
	28. Decommission and consult on future use of former Olympic Pool Site	Nearing Completion 80-99%	On Track		Wareena Park Masterplan has been adopted. Tender for the removal of the Olympic Pool will be awarded Feb 2021 and completed by May 2021.

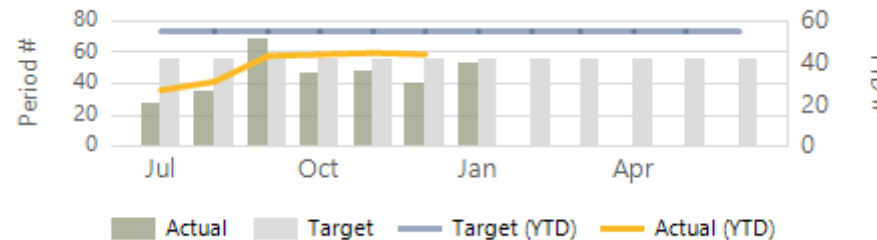
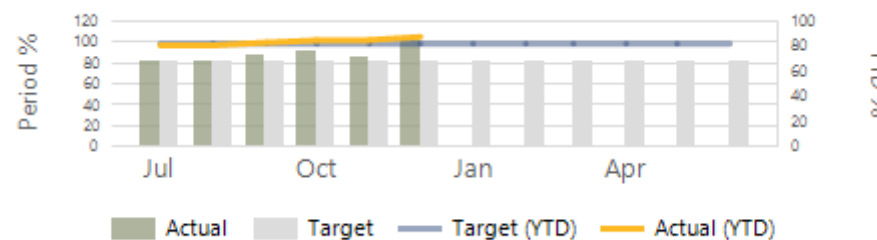
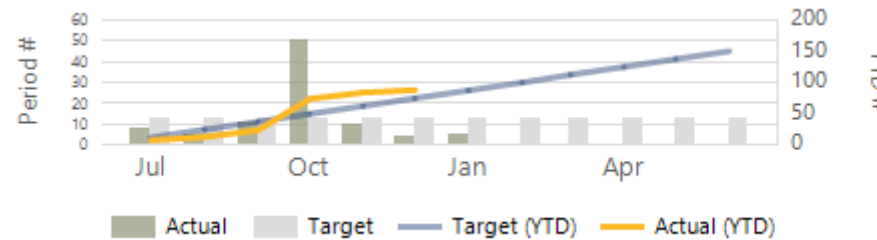
**Council Plan 2017-2021 (2020 Revision)**  
**What You Will See in 2020-21**

The Pillars	What You Will See in 2020-21	Status	Tracking	Benefits - completed projects	Comments this quarter
<b>WE ARE SUSTAINABLE</b>	29. Organics Processing Plant in full operation	Completed 100%		Benefit realised	Organics facility commissioning finalised and license issued by EPA. Now accepting all of RCoW's organic wastes. Planning commenced to start expansion so material can be accepted from other Councils in the Region.
	30. Environmental Sustainability Strategy 2020-25 Action Plan	On-going 60-79%	ON TRACK		Draft Environmental Sustainability Strategy completed - Due to go to January's councils for endorsement to go to community consultation.
	31. Ongoing reform of Council's Planning Services	Underway 30-59%	ON TRACK		Planning services review audit undertaken. Action plan developed and being reviewed.
	32. Street tree infill and renewal program	Completed 100%	ON TRACK	Benefit realised	program has been completed for 2020/21.
	33. Deliver our roadside weed and pest management programs	On-going 60-79%	ON TRACK		Ongoing program - Program continues depending on area and type of noxious weed/season required to be sprayed.
	34. Customer Experience Strategy Implementation	On-going 60-79%	ON TRACK		Customer service training is scheduled to commence 9 February 2021. Training collateral has been developed and an embedding learnings program is being developed. The new telephony system implementation has been completed.
	35. ICT Strategy Implementation	Underway 30-59%	ON TRACK		The ICT Strategy deployment is on target. The projects completed to date include: Data Backup, Working Area Network, ICT Network Infrastructure, End User Hardware Replacement and the migration to TEAMS telephony. The projects in progress (and scheduled for completion in May 2021) include: Server and Storage Infrastructure and Office 365 Cybersecurity. The core business system program of work is preparing to kick-off in March 2021.
	36. Facilitation of the 2020 Local Government Elections	On-going 60-79%	ON TRACK		Councillor induction program in progress. Draft councillor code of conduct on exhibition. Campaign donation returns submitted, reported to the Minister and placed on the website. Personal interests returns submitted.
	37. Commence implementation of the new Local Government Act 2020	Underway 30-59%	ON TRACK		Community engagement policy adopted. Integrated strategic planning tasks identified and timed.

## We Are Established

MEASURES & TARGETS	RESULTS (Year to Date)	COMMENTS
<p>                      E04: Value of infrastructure per head of municipal population                 </p> <p>                     YTD Target for 20/21: \$18000.00                      YTD Actual for 20/21: \$17835.33                 </p>	 <p>                         Period \$                          YTD \$                     </p> <p>                         Jul Oct Jan Apr                     </p> <p>                         Actual Target Target (YTD) Actual (YTD)                     </p>	<p>                         Year to date figure compared to target is representative of the remaining delivery of Council's 20/21 capital works program.                     </p> <p>                         Source: ABS estimated resident population (2018) and Council infrastructure excluding land.                     </p>

## We Are Growing

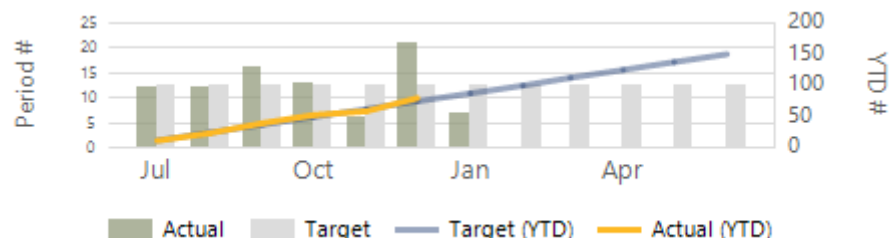
MEASURES & TARGETS	RESULTS (Year to Date)	COMMENTS																																																							
<div><div>✓</div><div>G01: Median number of processing days taken between receipt of planning application and a decision</div><div>YTD Target for 20/21: 55.00</div><div>YTD Actual for 20/21: 44.00</div></div>	<div><table><caption>Approximate data for G01</caption><thead><tr><th>Month</th><th>Actual</th><th>Target</th><th>Actual (YTD)</th><th>Target (YTD)</th></tr></thead><tbody><tr><td>Jul</td><td>25</td><td>55</td><td>25</td><td>55</td></tr><tr><td>Aug</td><td>35</td><td>55</td><td>35</td><td>55</td></tr><tr><td>Sep</td><td>55</td><td>55</td><td>55</td><td>55</td></tr><tr><td>Oct</td><td>45</td><td>55</td><td>55</td><td>55</td></tr><tr><td>Nov</td><td>45</td><td>55</td><td>55</td><td>55</td></tr><tr><td>Dec</td><td>40</td><td>55</td><td>55</td><td>55</td></tr><tr><td>Jan</td><td>50</td><td>55</td><td>55</td><td>55</td></tr><tr><td>Feb</td><td>50</td><td>55</td><td>55</td><td>55</td></tr><tr><td>Mar</td><td>50</td><td>55</td><td>55</td><td>55</td></tr><tr><td>Apr</td><td>50</td><td>55</td><td>55</td><td>55</td></tr></tbody></table></div>	Month	Actual	Target	Actual (YTD)	Target (YTD)	Jul	25	55	25	55	Aug	35	55	35	55	Sep	55	55	55	55	Oct	45	55	55	55	Nov	45	55	55	55	Dec	40	55	55	55	Jan	50	55	55	55	Feb	50	55	55	55	Mar	50	55	55	55	Apr	50	55	55	55	<div>Target exceeded</div> <div>Source: PPARS</div>
Month	Actual	Target	Actual (YTD)	Target (YTD)																																																					
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Mar	50	55	55	55																																																					
Apr	50	55	55	55																																																					
<div><div>✓</div><div>G02: Percentage of planning decisions made within 60 days</div><div>YTD Target for 20/21: 82.00%</div><div>YTD Actual for 20/21: 87.42%</div></div>	<div><table><caption>Approximate data for G02</caption><thead><tr><th>Month</th><th>Actual</th><th>Target</th><th>Actual (YTD)</th><th>Target (YTD)</th></tr></thead><tbody><tr><td>Jul</td><td>80</td><td>82</td><td>80</td><td>82</td></tr><tr><td>Aug</td><td>80</td><td>82</td><td>80</td><td>82</td></tr><tr><td>Sep</td><td>80</td><td>82</td><td>80</td><td>82</td></tr><tr><td>Oct</td><td>90</td><td>82</td><td>87</td><td>82</td></tr><tr><td>Nov</td><td>80</td><td>82</td><td>87</td><td>82</td></tr><tr><td>Dec</td><td>90</td><td>82</td><td>87</td><td>82</td></tr><tr><td>Jan</td><td>80</td><td>82</td><td>87</td><td>82</td></tr><tr><td>Feb</td><td>80</td><td>82</td><td>87</td><td>82</td></tr><tr><td>Mar</td><td>80</td><td>82</td><td>87</td><td>82</td></tr><tr><td>Apr</td><td>80</td><td>82</td><td>87</td><td>82</td></tr></tbody></table></div>	Month	Actual	Target	Actual (YTD)	Target (YTD)	Jul	80	82	80	82	Aug	80	82	80	82	Sep	80	82	80	82	Oct	90	82	87	82	Nov	80	82	87	82	Dec	90	82	87	82	Jan	80	82	87	82	Feb	80	82	87	82	Mar	80	82	87	82	Apr	80	82	87	82	<div>Good result</div> <div>Source: PPARS</div>
Month	Actual	Target	Actual (YTD)	Target (YTD)																																																					
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Mar	80	82	87	82																																																					
Apr	80	82	87	82																																																					
<div><div>✓</div><div>G04: Number of new housing lots released in municipality</div><div>YTD Target for 20/21: 75.00</div><div>YTD Actual for 20/21: 88.00</div></div>	<div><table><caption>Approximate data for G04</caption><thead><tr><th>Month</th><th>Actual</th><th>Target</th><th>Actual (YTD)</th><th>Target (YTD)</th></tr></thead><tbody><tr><td>Jul</td><td>5</td><td>10</td><td>5</td><td>10</td></tr><tr><td>Aug</td><td>10</td><td>10</td><td>10</td><td>10</td></tr><tr><td>Sep</td><td>10</td><td>10</td><td>10</td><td>10</td></tr><tr><td>Oct</td><td>50</td><td>10</td><td>20</td><td>10</td></tr><tr><td>Nov</td><td>10</td><td>10</td><td>25</td><td>10</td></tr><tr><td>Dec</td><td>5</td><td>10</td><td>30</td><td>10</td></tr><tr><td>Jan</td><td>10</td><td>10</td><td>35</td><td>10</td></tr><tr><td>Feb</td><td>10</td><td>10</td><td>40</td><td>10</td></tr><tr><td>Mar</td><td>10</td><td>10</td><td>45</td><td>10</td></tr><tr><td>Apr</td><td>10</td><td>10</td><td>50</td><td>10</td></tr></tbody></table></div>	Month	Actual	Target	Actual (YTD)	Target (YTD)	Jul	5	10	5	10	Aug	10	10	10	10	Sep	10	10	10	10	Oct	50	10	20	10	Nov	10	10	25	10	Dec	5	10	30	10	Jan	10	10	35	10	Feb	10	10	40	10	Mar	10	10	45	10	Apr	10	10	50	10	<div>Target exceeded</div> <div>Source: Rates</div>
Month	Actual	Target	Actual (YTD)	Target (YTD)																																																					
Jul	5	10	5	10																																																					
Aug	10	10	10	10																																																					
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Dec	5	10	30	10																																																					
Jan	10	10	35	10																																																					
Feb	10	10	40	10																																																					
Mar	10	10	45	10																																																					
Apr	10	10	50	10																																																					



G05: Number of building permits for new dwellings issued within municipality



YTD Target for 20/21: 75.00  
YTD Actual for 20/21: 80.00



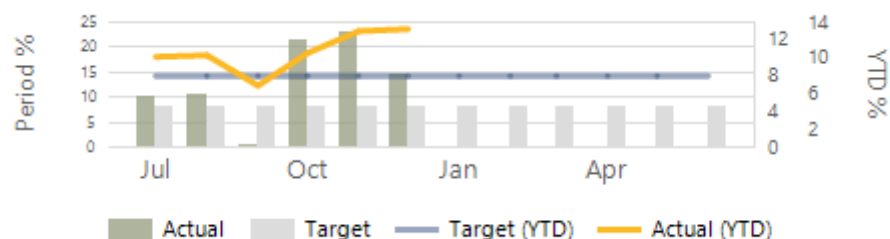
Above target

Source: VBA

G07: Percentage change in Followers of Visit Wangaratta Facebook and Instagram pages



YTD Target for 20/21: 8.00%  
YTD Actual for 20/21: 13.21%



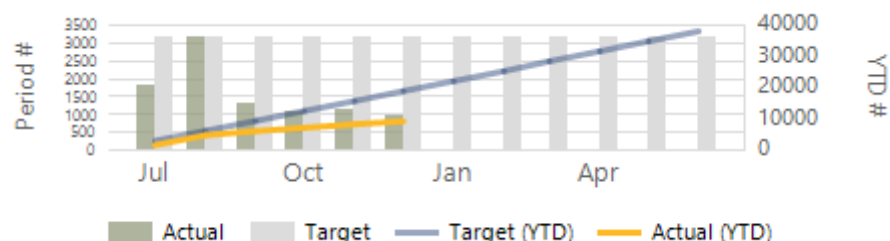
14% more posts compared to last year well exceeding the 8% target. Posts on Ned Kelly Gang and Paradise Falls proving very popular

Source: Facebook Analytics

G08: Number of cattle throughput at Wangaratta Livestock Exchange




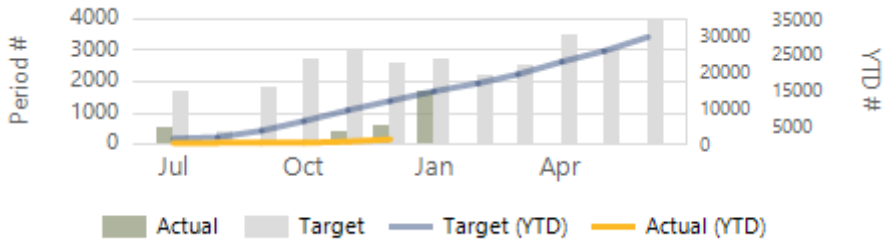

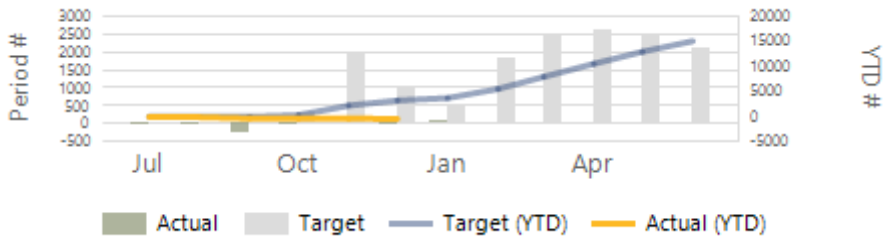
YTD Target for 20/21: 19002.00  
YTD Actual for 20/21: 9382.00



Throughput was under budget last quarter due to improved weather and feed across Australia causing producers to hold stock for fattening. Lower sales are causing stock prices to be at record highs driven by increased demand from previously drought-impacted areas like Queensland which are restocking. Sales volumes are down generally across the entire industry.

Source:

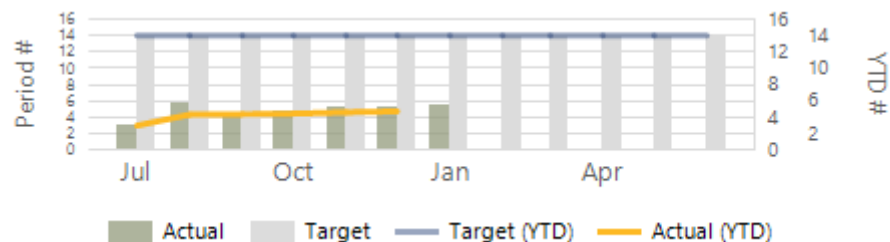
## We Are Inspired

MEASURES & TARGETS	RESULTS (Year to Date)	COMMENTS
<p> I01: Number of attendees at the Wangaratta Art Gallery</p> <p>YTD Target for 20/21: 12200.00 YTD Actual for 20/21: 1518.00</p>	 <p>Legend: Actual (green bar), Target (grey bar), Target (YTD) (blue line), Actual (YTD) (yellow line).</p>	<p>The gallery reopened to the public on 12 November 2020. Only Gallery 1 was open to the public. WPACC Foyer and Gallery 2 were closed. The main exhibition was REVEALED – WAG Digitisation project.</p> <p>Source: Door counter and manual record keeping</p>
<p> I06: Number of ticket sales for WPACC</p> <p>YTD Target for 20/21: 3200.00 YTD Actual for 20/21: -437.00</p>	 <p>Legend: Actual (green bar), Target (grey bar), Target (YTD) (blue line), Actual (YTD) (yellow line).</p>	<p>WPACC still closed under State Government COVID-19 restrictions. All ticket sales were suspended until clarity around sale dates was obtained (none to date). Negative ticket sales indicate more refunds of previously purchased tickets than future performance bookings. There were 11 future bookings and 79 refunds in December 2020.</p> <p>Source: Ticketing system</p>

- ✓ I08: Average number of days to close a customer request

YTD Target for 20/21: 14.00

YTD Actual for 20/21: 4.75



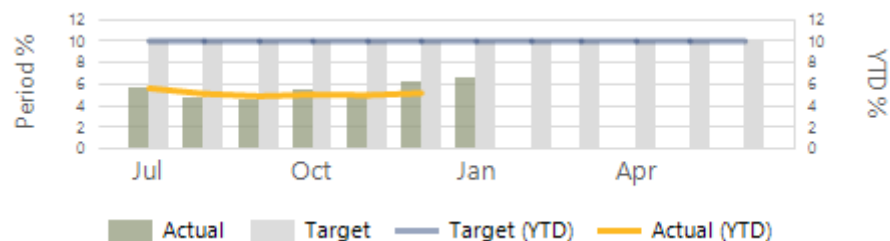
On Track: Work on-going: running as per established target of 14 days to close a customer request. In December, the average days a customer request remained open was 5.3 days within the established target's range. Council continues to follow up with customers on cases awaiting a response.

Source: CRMS December 2020

- ✓ I09: Percentage of customer requests overdue by more than 60 days

YTD Target for 20/21: 10.00%

YTD Actual for 20/21: 5.19%



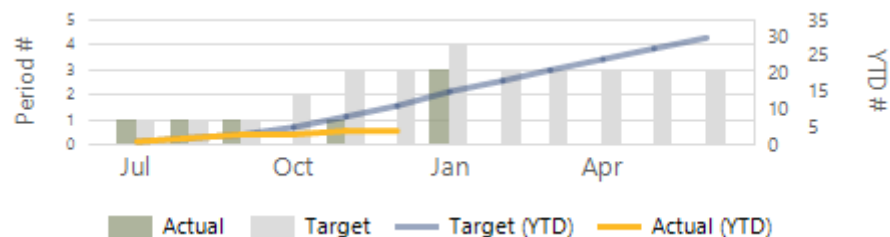
On Track: Work on-going - running as per established target of 10% overdue by more than 60 days. The current results demonstrate that council is responding to customer requests in the agreed target timeframes with an extremely small number of the most complex requests remaining open beyond 60 days.

Source: CRMS December 2020

- ✗ I10: Number of events held at the Wangaratta Library (excluding regular programs)

YTD Target for 20/21: 11.00

YTD Actual for 20/21: 4.00



The Library was closed until 12 November 2020. Road closures and reduced hours were in place following that and no additional events were delivered other than one on-line event in November.

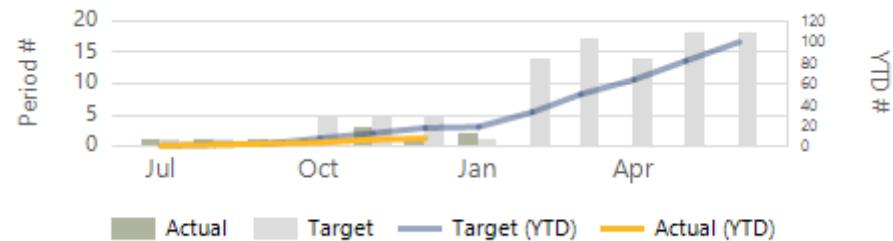
Source: Manual booking sheet



I11: Number of conferences and conventions at the Performing Arts and Convention Centre

YTD Target for 20/21: 18.00

YTD Actual for 20/21: 8.00



Venue closed due to COVID-19 restrictions. The only events that took place were immunisations as this was required under law. One small internal meeting was held in the venue in November and one stage rehearsal also took place in November.

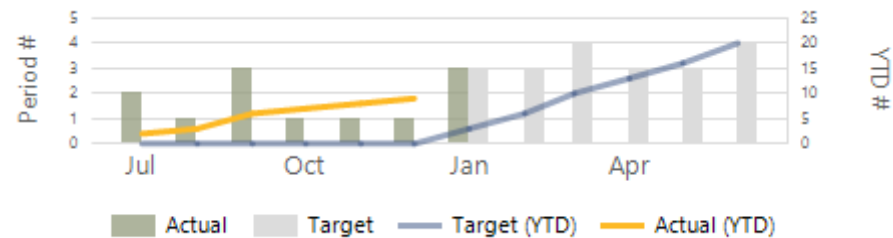
Source: Venue management software



I12: Number of events held at the Wangaratta Art Gallery

YTD Target for 20/21: 0.00

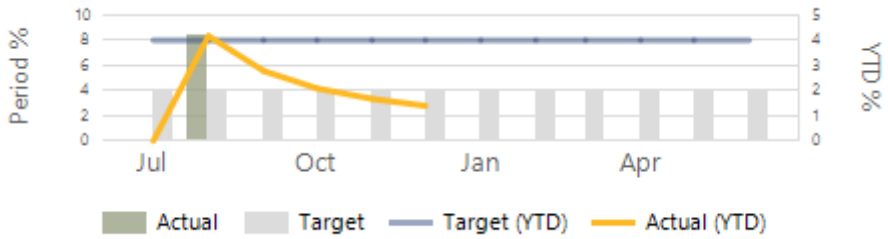
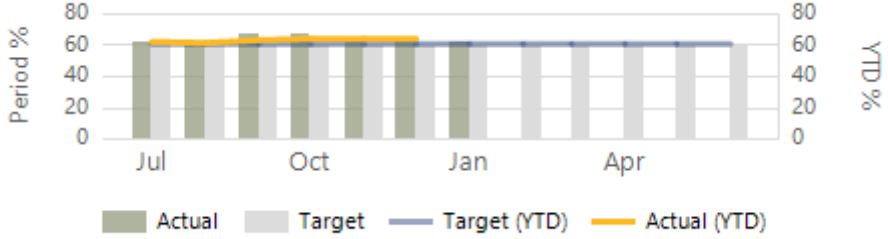
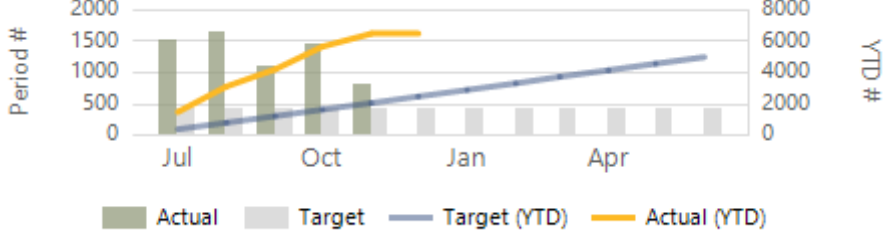
YTD Actual for 20/21: 9.00




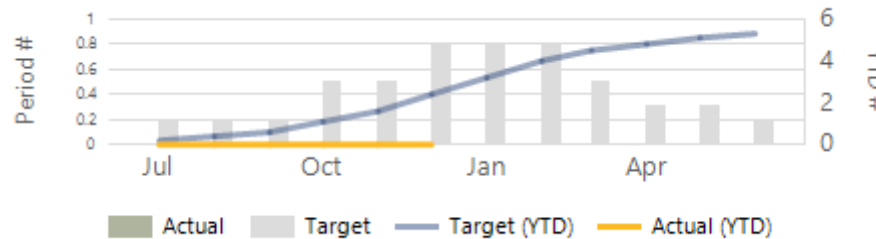

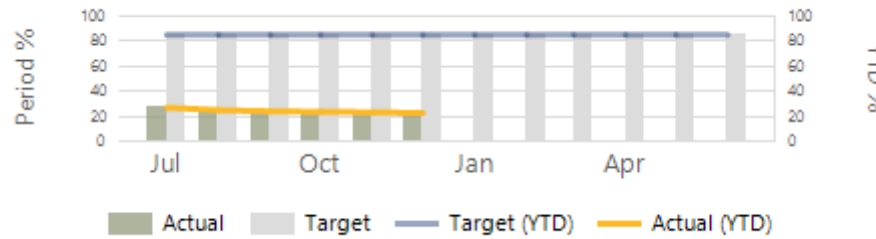

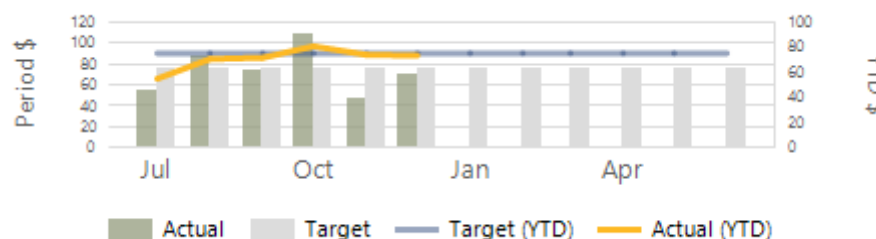
Events were delivered on line – one per month including an Art Lovers talk in October, WAG Friends Annual General Meeting in November and a teachers' workshop in December.

Source: Manual booking sheet

## We Are Sustainable

MEASURES & TARGETS	RESULTS (Year to Date)	COMMENTS
<p>✓ S01: Percentage of Council decisions made at meetings closed to the public</p> <p>YTD Target for 20/21: 4.00%</p> <p>YTD Actual for 20/21: 1.39%</p>	 <p>The chart for S01 displays monthly data from July to April. The left y-axis represents the 'Period %' (0-10), and the right y-axis represents the 'YTD %' (0-5). The legend indicates: Actual (dark green bars), Target (light grey bars), Target (YTD) (blue line), and Actual (YTD) (yellow line). The actual YTD line is significantly below the target YTD line, indicating that the percentage of decisions made at closed meetings is lower than the target.</p>	<p>Of the 62 decisions made in the first half of 2020-21 only 1 confidential item was decided at the August 2020 council meeting regarding the CEO performance review</p> <p>Source: Council meeting minutes</p>
<p>✓ S02: Percentage of kerbside collection waste diverted from landfill</p> <p>YTD Target for 20/21: 61.00%</p> <p>YTD Actual for 20/21: 64.21%</p>	 <p>The chart for S02 displays monthly data from July to April. The left y-axis represents the 'Period %' (0-80), and the right y-axis represents the 'YTD %' (0-80). The legend indicates: Actual (dark green bars), Target (light grey bars), Target (YTD) (blue line), and Actual (YTD) (yellow line). The actual YTD line is slightly above the target YTD line, indicating that the percentage of waste diverted from landfill is slightly higher than the target.</p>	<p>Good level of community use of the kerbside organics and recycling bins. Slightly decreased levels of organics compared to previous months with the vegetation growth slowing, but higher level of recycling coinciding with the festive season and the reduction in COVID restrictions.</p> <p>Source: Tipsite Bowser Weighbridge Data, Organics spreadsheet, JJ Richards invoice.</p>
<p>✓ S03: Native Plants planted in the Municipality - Greening Wangaratta Program</p> <p>YTD Target for 20/21: 2502.00</p> <p>YTD Actual for 20/21: 6500.00</p>	 <p>The chart for S03 displays monthly data from July to April. The left y-axis represents the 'Period #' (0-2000), and the right y-axis represents the 'YTD #' (0-8000). The legend indicates: Actual (dark green bars), Target (light grey bars), Target (YTD) (blue line), and Actual (YTD) (yellow line). The actual YTD line is significantly above the target YTD line, indicating that the number of native plants planted is much higher than the target.</p>	<p>No trees planted in December - hot conditions - team out watering recently planted seedlings</p> <p>Source: Council planting records</p>

## We Are Thriving

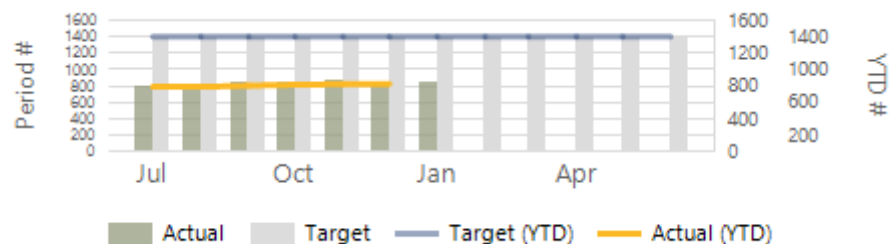
MEASURES & TARGETS	RESULTS (Year to Date)	COMMENTS
<p> T01: Number of visits to aquatic facilities per head of population</p> <p>YTD Target for 20/21: 2.40 YTD Actual for 20/21: 0.00</p>		<p>The WSAC and new aquatics facilities reopened under council management last quarter following a period of closure due to Covid. Centre now open, still with limited capacity due to continuing Covid restrictions. Reporting of attendance levels to recommence for Q3. Source: Not applicable</p>
<p> T02: Percentage of children enrolled to participate in the Maternal &amp; Child Health Service</p> <p>YTD Target for 20/21: 85.00% YTD Actual for 20/21: 22.86%</p>		<p>The overall trend in Q2 has the percentage of children enrolled as steady.  Source: Figures taken from LGPRF Report - CDIS - 01 December 2020 - 31 December 2020 Line items 52a &amp; 52b</p>
<p> T03: Cost of Maternal and Child Health Service per hour of service delivered</p> <p>YTD Target for 20/21: \$75.15 YTD Actual for 20/21: \$73.35</p>		<p>Variances shown are due to the reporting method and data source. Overall, the costs in Q2 are less due to fewer staff members employed and a freeze on training over the COVID period.  Source: Hours - Payroll - 11 Dec 20 - 30 Dec 20; Cost - Power Budget - December total minus previous months</p>

## T05: Number of Home Care Clients



YTD Target for 20/21: 1400.00

YTD Actual for 20/21: 827.17



The target for this measure was set based off a previous operational model and is to be revised within the development of the next council plan

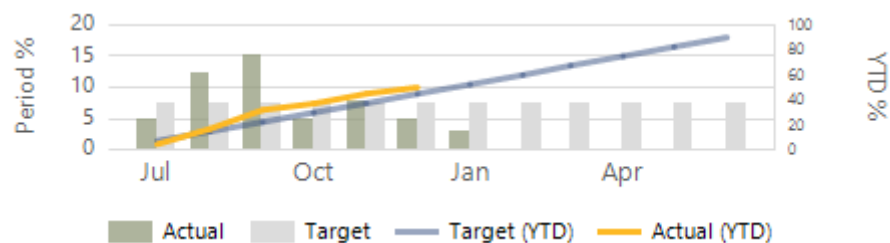
Source:

## T07: Percentage of registered class 1 and 2 food premises that receive an annual food safety assessment



YTD Target for 20/21: 45.00%

YTD Actual for 20/21: 50.08%



Inspections of all premises up to date

Source: Health Manager



# Councillor Code of Conduct

Responsible Officer	Adoption Date	February 2021
Governance and Reporting Advisor	Approved By	Council
	Review Date	February 2025
Authorising Officer	Policy Type	Major Council Policy
Director Corporate Services		

## Statement and Purpose

This policy supports councillors in effectively performing their role as councillors by setting clear standards of conduct as required by section 139 of the Act.

The councillor code of conduct also provides guidance on the other matters considered appropriate for inclusion. They include, for the sake of completeness, provisions of the Act and other Acts relevant to a councillors role as well as protocols essential to achieving good governance and effective teamwork.

## Scope

The policy applies to councillors.

The standards of conduct included in the councillor code of conduct are not intended to limit, restrict or detract from robust public debate in a democracy.



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## Treatment of others

### 1. Standard

A councillor must, in performing the role of a councillor, treat other councillors, members of council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the councillor:

- (a) takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the *Equal Opportunity Act 2010*; and
- (b) supports the Council in fulfilling its obligation to achieve and promote gender equality; and
- (c) does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and councillors; and
- (d) in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

### 2. Promoting wellbeing in the workplace

- (1) In line with occupational health and safety, human rights and equal opportunity legislation, Council is committed to protecting the health, safety and well-being of all councillors and members of staff and will provide, as far as practicable, a safe Council working environment that is free from bullying and violent behaviour.
- (2) Councillors are expected to promote an environment of wellbeing in the workplace.
- (3) Councillors are expected to ensure all people in the workplace are treated with respect.
- (4) Councillors are expected to report any acts or suspected acts of bullying and violence to the Chief Executive Officer.
- (5) Councillors will treat all people with courtesy and respect recognising there are legitimate differences in opinions, race, culture, religion, language, gender and abilities.

### 3. Using information

#### 3.1 Information in general

Councillors must not use information gained by virtue of being a councillor for any purpose other than to perform their role as a councillor and in particular not to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person or to cause, or attempt to cause, detriment to the Council or another person.

### 3.2 Confidential information

- (1) Councillors must not intentionally or recklessly disclose information that the councillor knows, or should reasonably know, is confidential information except for the reasons provided by section 125 of the Act.
- (2) Confidential information means the following information:
  - (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
  - (b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
  - (c) land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
  - (d) law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;
  - (e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;
  - (f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
  - (g) private commercial information, being information provided by a business, commercial or financial undertaking that:  
relates to trade secrets; or  
if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
  - (h) confidential meeting information, being the records of meetings closed to the public under section 66 of the Act;
  - (i) internal arbitration information, being information specified in section 145 of the Act;
  - (j) Councillor Conduct Panel confidential information, being information specified in section 169 of the Act;
  - (k) information prescribed by the regulations to be confidential information for the purposes of the Act;
  - (l) information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*

### 3.3 Personal and health information

- (1) Councillors may be required to handle personal information and health information in performing their role as a councillor.
- (2) Personal information is defined in the *Privacy and Data Protection Act 2014* as information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is

apparent, or can reasonably be ascertained, from the information or opinion unless certain exemptions apply.

- (3) Health information is defined in the *Health Records Act 2001* and includes:
  - (a) information or an opinion, that is also personal information, about:
    - i. the physical, mental or psychological health (at any time) of an individual; or
    - ii. a disability (at any time) of an individual; or
    - iii. an individual's expressed wishes about the future provision of health services to him or her; or
    - iv. a health service provided, or to be provided, to an individual
  - (b) other personal information collected to provide, or in providing, a health service
- (4) Councillors must comply with Council's obligations under the *Privacy and Data Protection Act 2014*, the *Health Records Act 2001*, associated regulations and related Council policies and procedures in respect of personal information and health information collected, held, managed, used, disclosed or transferred by Council, including that councillors:
  - (a) must not do an act, or engage in a practice, that contravenes an Information Privacy Principle in respect of personal information collected, held, managed, used, disclosed or transferred by Council
  - (b) must not do an act, or engage in a practice, that is an interference with the privacy of an individual if the act or practice breaches a Health Privacy Principle in relation to health information that relates to the individual.

#### **4. Councillor relationships with members of staff**

- (1) The Council appoints and reviews the performance of the Chief Executive Officer.
- (2) The Act establishes that all members of staff are accountable to the Chief Executive Officer who is responsible for appointing, directing or terminating members of staff.
- (3) To perform its role, Council must work as a team with the Chief Executive Officer and members of staff.
- (4) Councillors must:
  - (a) act in accordance with the Councillor Interaction with Members of Staff Policy set by the Chief Executive Officer;
  - (b) accept that their role is one of strategy and policy development and leadership, not management or administration;
  - (c) acknowledge that they do not have a role to instruct or direct or admonish members of staff on any matters pertaining to the performance of their duties.
  - (d) acknowledge that they are not responsible for implementing Council actions;
  - (e) acknowledge that they have no capacity to individually direct members of staff to perform or not perform particular functions;

- (f) not use their position to improperly influence members of staff in their duties or functions to gain advantage for themselves or others or to cause detriment to others;
- (g) respect the role of members of staff and treat them in a way that engenders mutual respect at all times;
- (h) acknowledge the professional obligation members of staff have to give advice based on their knowledge and experience and to write reports and recommendations in a professional, objective and unbiased way;
- (i) act with courtesy towards members of staff and avoid intimidatory behaviour;
- (j) refrain from publicly criticising members of staff in a way that casts doubt on their professional competency or credibility. Councillors should advise the CEO in a timely fashion of any concerns that they may have with any member of staff.

## **5. Unlawful conduct**

- (1) Councillors have individual legal obligations and can be held accountable as individuals by external courts and tribunals, for conduct that compromises the rights of other councillors, members of staff and community members.
- (2) Councillors must ensure that they do not allow, permit, aid, foster, encourage, reward, incite or instruct any form of unlawful conduct, nor engage in a manner that condones unlawful conduct.
- (3) Unlawful conduct includes direct, indirect and systemic discrimination, harassment, sexual harassment, victimisation, vilification, bullying and violence towards another councillor, Council committee member, member of staff or community member.

### **5.1 Discrimination**

- (1) Legal obligations regarding discrimination are established under the *Equal Opportunity Act 2010*.
- (2) In addition to a general prohibition on discrimination, a councillor must not, in the performance of his or her public functions, discriminate against another councillor of the Council or against a member of a committee of the Council who is not a councillor of the Council except on the basis of political belief or activity. Political belief or activity means holding or not holding a lawful political belief or view or engaging in, not engaging in or refusing to engage in a lawful political activity.
- (3) Direct discrimination is unfavourable treatment due to a personal characteristic protected by law.
- (4) Indirect discrimination occurs when an unreasonable requirement, condition or practice is imposed resulting in disadvantage for a person or group because of a personal characteristic protected by law.
- (5) Systemic discrimination relates to behaviour and action that affects a person or group with personal characteristics protected by law, and the outcomes of the behaviour and action have become entrenched or part of the culture and are reinforced by policies or procedures.



- (6) The personal characteristics that are protected by the *Equal Opportunity Act 2010* include:
- (a) age
  - (b) parent and carer status
  - (c) disability
  - (d) employment activity
  - (e) expunged homosexual conviction
  - (f) gender identity
  - (g) industrial activity
  - (h) lawful sexual activity
  - (i) marital status
  - (j) physical features
  - (k) political belief or activity
  - (l) pregnancy and breastfeeding
  - (m) race
  - (n) religious belief or activity
  - (o) sex
  - (p) sex
  - (q) personal association with someone who has, or is assumed to have, one of these personal characteristics
- (7) The *Australian Human Rights Commission Act 1986* provides guidance in relation to the inappropriate nature of discrimination on the basis of irrelevant criminal record, irrelevant medical record and social origin. These characteristics are adopted by the Council and are deemed protected personal characteristics under this code and shall be adhered to in the same manner as all other protected personal characteristics identified under the *Equal Opportunity Act 2010*. It is noted that under this code 'social origin' is used by Council to refer to place of origin, place of residency and presumed social status.

## 5.2 Harassment

- (1) Legal obligations regarding harassment are established under the *Equal Opportunity Act 2010*.
- (2) Harassment is a form of discrimination that is unwelcome conduct that offends, humiliates or intimidates on the basis of a personal characteristic protected by law. Intent or motive is irrelevant as it is the nature and the impact of the behaviour that is assessed. A single incident can amount to harassment.

## 5.3 Sexual harassment

- (1) Legal obligations regarding sexual harassment are established under the *Equal Opportunity Act 2010*.

- (2) Sexual harassment is unwelcome behaviour of a sexual nature that offends, intimidates or humiliates. It can be physical, verbal, written or online conduct. Sexual harassment is unlawful and can also be criminal. Intent or motive is irrelevant as it is the nature and impact of the behaviour that is assessed. A single incident can amount to sexual harassment.

#### **5.4 Victimisation**

- (1) Legal obligations regarding victimisation are established under the *Equal Opportunity Act 2010*.
- (2) Victimisation is subjecting, or threatening to subject, someone to reprisal or detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else to make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation.

#### **5.5 Vilification**

- (1) The *Racial and Religious Tolerance Act 2001* prohibits certain conduct involving the vilification of persons on the ground of race or religious belief or activity.
- (2) Vilification is behaviour that incites physical harm or hatred, serious contempt, revulsion or severe ridicule of a person or group because of their race or religion.
- (3) Race includes:
  - (a) colour;
  - (b) descent or ancestry;
  - (c) nationality or national origin;
  - (d) ethnicity or ethnic origin;
- (4) Religious belief or activity means:
  - (a) holding or not holding a lawful religious belief or view;
  - (b) engaging in, not engaging in or refusing to engage in a lawful religious activity;

#### **5.6 Bullying**

- (1) Since 1 January 2014, if a member of staff is being bullied at work, he or she has been able to apply to the Fair Work Commission for an 'order' to stop that bullying under the *Fair Work Act 2009*. The Commission must respond to such an application two weeks after it is received. Orders may direct the bullying behaviour to stop. If the person who is the bully does not follow the orders, they may be subject to very significant fines.
- (2) Sometimes bullying is also a form of discrimination. When that is the case, the *Equal Opportunity Act 2010* applies.
- (3) Legal obligations regarding all forms of serious bullying are also established under the *Crimes Act 1958*.

- (4) Under the *Occupational Health and Safety Act 2004*, the Chief Executive Officer has a general duty care to provide and maintain for members of staff, as far as practicable, a working environment that is safe and without risks to health, including psychological health. This means that the Chief Executive Officer must address workplace hazards such as bullying, which is an acknowledged, and serious, hazard.
- (5) Bullying is repeated, unreasonable behaviour, directed towards an individual or a group of people, that creates a risk to health and safety. It includes both physical and mental risks and abuse.
- (6) Repeated behaviour refers to the persistent or systematic nature of the behaviour or pattern of behaviours, over a period of time.
- (7) Unreasonable behaviour means behaviour that a reasonable person, having regard to all the circumstances, would expect to intimidate, humiliate, undermine, frighten or threaten.
- (8) Stalking can constitute bullying. It is wilful, repeated behaviour (or obsessive attention) that arouses apprehension and fear placing physical or mental health and safety at risk. Stalking involves intent and is often calculated behaviour, be it in person, or via other intrusive means such as surveillance, interfering with property, or the repeated delivery of messages, items or gifts.
- (9) Cyber-bullying utilises technology and operates via online, internet platforms and applications. It is wilful, repeated behaviour (or obsessive attention) that humiliates, intimidates and causes anxiety and fear, placing physical or mental health and safety at risk. Abusive text messages, malicious rumours or inappropriate images posted on-line and establishing false internet profiles are examples of cyber-bullying.

## 5.7 Violence

- (1) Depending on the severity of an incident, the *Summary Offences Act 1966* or *Crimes Act 1958* may apply.
- (2) Violence refers to any incident where a person is physically attacked, threatened, or subjected to significant aggression. It can be a single incident where a person is abused or assaulted. It covers abusive and aggressive behaviours that place physical or mental health and safety at risk, including verbal threats to harm, maim or kill, physical assault, the dangerous application of force to the body or clothing of a person, holding a person against their will or attacking a person with a weapon or makeshift weapon.

## Performing the role of councillor

### 6. Standard

A councillor must, in performing the role of a councillor, do everything reasonably necessary to ensure that the councillor performs the role of a councillor effectively and responsibly, including by ensuring that the councillor:

- (a) undertakes any training or professional development activities the Council decides it is necessary for all councillors to undertake in order to effectively perform the role of a councillor; and
- (b) diligently uses Council processes to become informed about matters which are subject to Council decisions; and
- (c) is fit to conscientiously perform the role of a councillor when acting in that capacity or purporting to act in that capacity; and
- (d) represents the interests of the municipal community in performing the role of a councillor by considering and being responsive to the diversity of interests and needs of the municipal community.

## **7. Values**

- (1) The 4 values of Council provide a clear framework for councillors when performing their role as a councillor. They are:
  - (a) Leadership - Council will exercise diligence in decision-making and good governance and accept responsibility for the consequences of those actions taken with appropriate accountability
  - (b) Engagement - Council will actively and openly participate in consultation and strive to achieve effective governance and the best outcome for the community
  - (c) Respect - Council will value the contribution and individuality of others and aim to achieve an honest and healthy working relationship with all citizens
  - (d) Progression - Council will achieve continuous improvement in performance and the highest standards and outcomes for the community and municipality
- (2) Councillors are required to actively model and foster the values in their role as a councillor.
- (3) The values reinforce that councillor behaviour must always be appropriate, positive and productive when councillors are, or are reasonably assumed to be, acting in connection with the Council.

## **8. Role of a councillor**

- (1) The role of every councillor is:
  - (a) to participate in the decision making of the Council; and
  - (b) to represent the interests of the municipal community in that decision making; and
  - (c) to contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.
- (2) In performing the role of a councillor, a councillor must:
  - (a) consider the diversity of interests and needs of the municipal community; and
  - (b) support the role of the Council; and

- (c) acknowledge and support the role of the Mayor; and
  - (d) act lawfully and in accordance with the oath or affirmation of office; and
  - (e) act in accordance with the standards of conduct; and
  - (f) comply with Council procedures required for good governance.
- (3) The role of a councillor does not include the performance of any responsibilities or functions of the Chief Executive Officer.

## **9. Role of council**

- (1) The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.
- (2) A Council provides good governance if:
- (a) it performs its role in accordance with the overarching governance principles; and
  - (b) the councillors of the Council perform their roles in accordance with section 28 of the Act.
- (3) A Council must in the performance of its role give effect to the overarching governance principles.

### **9.1 Overarching governance principles**

- (1) The following are the overarching governance principles:
- (a) Council decisions are to be made and actions taken in accordance with the relevant law;
  - (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
  - (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
  - (d) the municipal community is to be engaged in strategic planning and strategic decision making;
  - (e) innovation and continuous improvement is to be pursued;
  - (f) collaboration with other Councils and Governments and statutory bodies is to be sought;
  - (g) the ongoing financial viability of the Council is to be ensured;
  - (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
  - (i) the transparency of Council decisions, actions and information is to be ensured.
- (2) In giving effect to the overarching governance principles, a Council must take into account the following supporting principles:

- (a) the community engagement principles;
- (b) the public transparency principles;
- (c) the strategic planning principles;
- (d) the financial management principles;
- (e) the service performance principles.

## **9.2 Community engagement principles**

The following are the community engagement principles:

- (a) a community engagement process must have a clearly defined objective and scope;
- (b) participants in community engagement must have access to objective, relevant and timely information to inform their participation;
- (c) participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement;
- (d) participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;
- (e) participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.

## **9.3 Public transparency principles**

The following are the public transparency principles:

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;
- (b) Council information must be publicly available unless:
  - the information is confidential by virtue of this Act or any other Act; or
  - public availability of the information would be contrary to the public interest;
- (c) Council information must be understandable and accessible to members of the municipal community;
- (d) public awareness of the availability of Council information must be facilitated.

## **9.4 Strategic planning principles**

The following are the strategic planning principles:

- (a) an integrated approach to planning, monitoring and performance reporting is to be adopted;
- (b) strategic planning must address the Community Vision;
- (c) strategic planning must take into account the resources needed for effective implementation;
- (d) strategic planning must identify and address the risks to effective implementation;

- (e) strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.

### **9.5 Financial management principles**

- (1) The following are the financial management principles:
  - (a) revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans;
  - (b) financial risks must be monitored and managed prudently having regard to economic circumstances;
  - (c) financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community;
  - (d) accounts and records that explain the financial operations and financial position of the Council must be kept.
- (2) Financial risk includes any risk relating to the following:
  - (a) the financial viability of the Council;
  - (b) the management of current and future liabilities of the Council;
  - (c) the beneficial enterprises of the Council.

### **9.6 Service performance principles**

The following are the service performance principles:

- (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;
- (b) services should be accessible to the members of the municipal community for whom the services are intended;
- (c) quality and costs standards for services set by the Council should provide good value to the municipal community;
- (d) a Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring;
- (e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

## **10. Role of the Mayor**

The role of the Mayor is to:

- (a) chair Council meetings; and
- (b) be the principal spokesperson for the Council; and

- (c) lead engagement with the municipal community on the development of the Council Plan; and
- (d) report to the municipal community, at least once each year, on the implementation of the Council Plan; and
- (e) promote behaviour among councillors that meets the standards of conduct set out in the councillor Code of Conduct; and
- (f) assist councillors to understand their role; and
- (g) take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer; and
- (h) provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings; and
- (i) perform civic and ceremonial duties on behalf of the Council.

#### **10.1 Mayoral robe and chain protocol**

- (1) The Mayoral robe and chain must only to be worn by the Mayor.
- (2) The Mayoral robe and chain must not be worn by other councillors, members of staff or community members, with the exception of the Deputy Mayor or an Acting Mayor if and when they perform the role of the Mayor.
- (3) The Mayor may decide whether to wear or not to wear the Mayoral robe and chain during their term of office, subject to the Mayoral robe and chain only being worn:
  - (a) at official swearing in of the Mayor ceremony;
  - (b) at Council's citizenship ceremonies;
  - (c) at Australia Day Civic ceremonies and presentation of Order of Australia awards;
  - (d) at Remembrance Day memorial services;
  - (e) as a representative of the Council at graduation and dedication ceremonies held by universities and education institutions;
  - (f) for the purposes of official Council portraits;
  - (g) in advertising materials which signify official capacity;
  - (h) on occasions when the Mayor represents or is asked to officially represent the Council as the Mayor at events, functions and delegations where the objective is to showcase the Council's profile; and
  - (i) as otherwise agreed from time to time with the Chief Executive Officer to the benefit, official promotion and credit of the Council.
- (4) The Mayoral robe and chain will be stored securely and appropriately maintained at the direction of, and as determined solely by, the Chief Executive Officer.

#### **11. Role of the Chief Executive Officer**

- (1) The Chief Executive Officer is responsible for:



- (a) supporting the Mayor and the councillors in the performance of their roles; and
  - (b) ensuring the effective and efficient management of the day to day operations of the Council.
- (2) The responsibility for supporting the Mayor and the councillors in the performance of their roles includes the following:
  - (a) ensuring that the decisions of the Council are implemented without undue delay;
  - (b) ensuring that the Council receives timely and reliable advice about its obligations under the Act or any other Act;
  - (c) supporting the Mayor in the performance of the Mayor's role as Mayor;
  - (d) setting the agenda for Council meetings after consulting the Mayor;
  - (e) when requested by the Mayor, reporting to the Council in respect of the implementation of a Council decision;
  - (f) carrying out the Council's responsibilities as a deemed employer with respect to councillors, as deemed workers, which arise under or with respect to the *Workplace Injury Rehabilitation and Compensation Act 2013*.
- (3) The responsibility for ensuring the effective and efficient management of the day to day operations of the Council includes the following:
  - (a) establishing and maintaining an organisational structure for the Council;
  - (b) being responsible for all staffing matters, including appointing, directing, managing and dismissing members of members of staff;
  - (c) managing interactions between members of staff and councillors and ensuring that policies, practices and protocols that support arrangements for interaction between members of staff and councillors are developed and implemented;
  - (d) performing any other function or duty of the Chief Executive Officer specified in the Act or any other Act.

## **12. Other councillor role obligations**

### **12.1 Fairness and equity**

- (1) Councillors must consider issues consistently, promptly and fairly.
- (2) Councillors must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- (3) Councillors must take all relevant facts known to them, or that they should be reasonably aware of, into consideration and have regard to the particular merits of each case. councillors must not take irrelevant matters or circumstances into consideration when making decisions.

## 12.2 Unbiased administrative decision-making

- (1) Councillors must, when considering matters that may adversely affect others' rights, interests or legitimate expectations, bring an open mind to those matters free from the apprehension of bias, and such that they are open to persuasion notwithstanding their previously held and expressed views on the subject.
- (2) Councillors must be scrupulous in the way they make decisions in a way that ensures public confidence that our laws are not only administered justly but that their administration is seen to be just by:
  - (a) Acting impartially, reasonably, fairly and in good faith;
  - (b) Listening to both sides of any argument;
  - (c) Applying the principle of natural justice; and
  - (d) Ensuring procedural fairness applies.

## 12.3 Binding caucus votes

- (1) Councillors must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- (2) A binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the Council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- (3) The prohibition on binding caucus votes does not prohibit councillors from discussing a matter before the Council or committee prior to considering the matter in question at a Council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.
- (4) The prohibition on binding caucus votes does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

## 12.4 Obligations in relation to meetings

- (1) Councillors must comply with rulings by the chair at Council and committee meetings or other proceedings of the Council unless a motion dissenting from the ruling is passed.
- (2) Councillors must not engage in conduct that disrupts Council or committee meetings or other proceedings of the Council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- (3) Councillors must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council, such as:
  - (a) leaving a meeting of the council or a committee for the purposes of depriving the meeting of a quorum; or

- (b) submitting a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision; or
- (c) deliberately seeking to impede the consideration of business at a meeting.

### **13. Support for councillors**

The Mayor and councillors are supported by making available to them the resources and facilities reasonably necessary to enable them to effectively perform their role. These arrangements are set out in the Councillor Support Policy.

## **Compliance with good governance measures**

### **14. Standard**

A councillor, in performing the role of a councillor, to ensure the good governance of the Council, must diligently and properly comply with the following:

- (a) any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of council staff and councillors;
- (b) the Council Expenses Policy adopted and maintained by the Council under section 41 of the Act;
- (c) the Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act;
- (d) any directions of the Minister issued under section 175 of the Act.

### **15. Councillor interaction with members of staff**

Councillors must comply with the Councillor Interaction with Members of Staff Policy established by the Chief Executive Officer under section 46 of the Act.

### **16. Community expectations**

- (1) Councillors recognise the community's high expectations of councillors as their representatives, who they have elected to a position of public trust.
- (2) Councillors will regularly report back to the community on Council's obligations.
- (3) Councillors are expected to observe the principles of good governance and integrity achieved through:
  - (a) transparency by following proper processes that are open to public scrutiny; and
  - (b) accountability by being accessible and responsive to the needs of the whole municipal community.

## **17. Elections**

### **17.1 Separation of roles**

- (1) Councillors must continue to fulfil their Council duties during an election period unless they are granted a leave of absence.
- (2) Councillors must maintain a clear separation between their obligations as councillors and their personal interests as a candidate, or member of a political party, in an election period prior to any election.

### **17.2 Council elections**

Councillors must comply with the council Election Period Policy.

### **17.3 State and Federal elections**

- (1) A councillor who becomes an endorsed candidate of a registered political party or otherwise publicly expresses an intention to run as a candidate in a state or federal election, is a prospective candidate.
- (2) Prospective candidates will disclose their candidacy in written advice to the Chief Executive Officer as soon as practicable after becoming a prospective candidate.
- (3) The Chief Executive Officer will advise all councillors of a prospective candidate's candidacy as soon as practicable after receiving a councillor's prospective candidate disclosure.
- (4) A councillor who is a prospective candidate should declare their intended candidacy at a meeting of Council as soon as practicable after notifying the Chief Executive Officer.
- (5) Councillor who nominates as a candidate for a state or federal election is a nominated candidate.
- (6) Nominated candidates should apply for leave of absence from their Council duties for at least the period from the date of their nomination as a candidate and conclude no earlier than the close of voting for the respective election. During this leave of absence, the councillor who is on the leave of absence should not attend meetings of Council or otherwise act as a councillor.
- (7) Council will approve all requests for leave of absence by a prospective candidate or nominated candidate.
- (8) A councillor who is a prospective candidate or a nominated candidate:
  - (a) must observe the provisions of Council's Election Period Policy as if that policy has effect the state or federal election for the period that commences on the day that they declare themselves to be a prospective candidate or become a nominated candidate, as the case may be, and concludes on the day of the close of voting for the respective state or federal election;

- (b) must not use Council resources in connection with any state or federal election campaign;
- (c) must not seek media advice or assistance from Council staff or contractors in relation to election issues or in regard to publicity involving their candidacy in a state or federal election;
- (d) must not be referred to in their capacity as a prospective candidate or a nominated candidate in any Council media releases;
- (e) is not eligible to be Council's official spokesperson;
- (f) must differentiate between their role as a state or federal election candidate and their role as a councillor when making public comment; and
- (g) must not use council activities, including Council meetings, committee meetings and any other council-related events, for any purpose related to their candidacy for a state or federal election.

## **Councillor must not discredit or mislead Council or public**

### **18. Standard**

- (1) In performing the role of a councillor, a councillor must ensure that their behaviour does not bring discredit upon the Council.
- (2) In performing the role of a councillor, a councillor must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.

### **19. Prohibited conduct**

- (1) Councillors have legal obligations under the Act with offences established for conduct that includes:
  - (a) misuse of position
  - (b) directing a member of Council staff
  - (c) disclosing confidential information
  - (d) failure to disclose a conflict of interest
  - (e) failure to lodge initial or biannual personal interests returns
  - (f) intentionally or recklessly lodging initial or biannual personal interests returns that contain any false or incomplete information
  - (g) accepting, directly or indirectly, an anonymous gift
  - (h) acting as a councillor when not qualified or ceasing to hold office
- (2) These matters are set out below in order to provide a complete picture of councillor obligations because, by their nature, such actions will tend to discredit council or mislead council or the public.
- (3) Councillors must ensure that they do not act in any way that constitutes prohibited conduct.

## **20. Misuse of position**

- (1) Legal obligations regarding misuse of position are established under section 123 of the Act.
- (2) A councillor must not intentionally misuse their position to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person or to cause, or attempt to cause, detriment to the Council or another person.
- (3) Circumstances involving the misuse of a position by a councillor include:
  - (a) making improper use of information acquired as a result of the position the person held or holds; or
  - (b) disclosing information that is confidential information; or
  - (c) directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or
  - (d) exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or
  - (e) using public funds or resources in a manner that is improper or unauthorised; or
  - (f) participating in a decision on a matter in which the person has a conflict of interest.

## **21. Directing a member of Council staff**

- (1) Legal obligations regarding directing a member of Council staff are established under section 124 of the Act.
- (2) A councillor must not intentionally direct, or seek to direct, a member of Council staff:
  - (a) in the exercise of a delegated power, or the performance of a delegated duty or function, of the Council; or
  - (b) in the exercise of a power or the performance of a duty or function exercised or performed by the member as an authorised officer under this Act or any other Act; or
  - (c) in the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under this Act or any other Act; or
  - (d) in relation to advice provided to the Council or a delegated committee, including advice in a report to the Council or delegated committee.

## **22. Confidential information**

- (1) Legal obligations regarding confidential information are established under section 125 of the Act.
- (2) A councillor must not intentionally or recklessly disclose information that they know, or should reasonably know, is confidential information other than in the following circumstances where information may be disclosed:
  - (a) if it is information that the Council has determined should be publicly available;

- (b) for the purposes of any legal proceedings arising out of the Act;
- (c) to a court or tribunal in the course of legal proceedings;
- (d) pursuant to an order of a court or tribunal;
- (e) in the course of an internal arbitration and for the purposes of the internal arbitration process;
- (f) in the course of a Councillor Conduct Panel hearing and for the purposes of the hearing;
- (g) to a Municipal Monitor to the extent reasonably required by the Municipal Monitor;
- (h) to the Chief Municipal Inspector to the extent reasonably required by the Chief Municipal Inspector;
- (i) to a Commission of Inquiry to the extent reasonably required by the Commission of Inquiry;
- (j) to the extent reasonably required by a law enforcement agency.

## **23. Conflict of interest**

### **23.1 Legal basis**

- (1) Legal obligations regarding conflict of interest are established under Division 2 of Part 6 of the Act.
- (2) A councillor has a conflict of interest if the councillor has general conflict of interest or a material conflict of interest.
- (3) Family member means:
  - (a) a spouse or domestic partner of the councillor; or
  - (b) a parent, grandparent, sibling, child, grandchild, step-parent, step-sibling or step-child of the councillor or of their spouse or domestic partner; or
  - (c) any other relative that regularly resides with the councillor.
- (4) Matter means a matter with which a Council or a delegated committee of which the councillor is a member is concerned and that will require a power to be exercised, or a duty or function to be performed, or a decision to be made, by the Council or the delegated committee in respect of the matter
- (5) Not-for-profit organisation means a body that:
  - (a) operates exclusively for charitable, civil, sporting or other social purposes; and
  - (b) does not share or allocate the funds or profits of the body or organisation with the owners, shareholders or executives of the body or organisation.

### 23.2 Disclosure of a conflict of interest

- (1) A councillor who has a conflict of interest in respect of a matter to be considered at a Council meeting or to be considered at a meeting of a delegated committee of which the councillor is a member or at a meeting of a community asset committee of which the councillor is a member or that arises in the course of the exercise of a statutory function under this Act or any other Act must:
  - (a) disclose the conflict of interest in the manner required by the Governance Rules; and
  - (b) exclude themselves from the decision-making process in relation to that matter, including any discussion or vote on the matter at any Council meeting or delegated committee, and any action in relation to the matter.
- (1) If a councillor fails to comply with subclause (1) above in respect of a conflict of interest that is a material conflict of interest or a general conflict of interest, an application may be made to a Councillor Conduct Panel alleging serious misconduct.

### 23.3 Disclosure of conflict of interest at other meetings

- (1) A councillor who has a conflict of interest in respect of a matter at a meeting conducted under the auspices of the Council that is not a Council meeting, delegated committee meeting or community asset committee meeting must:
  - (a) disclose the conflict of interest in the manner required by the Governance Rules; and
  - (b) comply with the procedures specified in the Governance Rules or the purposes of this disclosure obligation.
- (2) If a councillor fails to comply with subclause (1) above an application may be made to a Councillor Conduct Panel alleging serious misconduct.

### 23.4 General conflict of interest

Unless an exemption applies, a councillor has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty.

- (a) private interests means any direct or indirect interest of a relevant person that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief;
- (b) public duty means the responsibilities and obligations that a relevant person has to members of the public in their role as a relevant person.

### 23.5 Material conflict of interest

Unless an exemption applies, a councillor has a material conflict of interest in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.



- (a) The benefit may arise or the loss incurred directly or indirectly or in a pecuniary or non-pecuniary form.
- (b) Any of the following is an affected person:
  - i. the councillor;
  - ii. a family member of the councillor ();
  - iii. a body corporate of which the councillor or their spouse or domestic partner is a director or a member of the governing body;
  - iv. an employer of the councillor, unless the employer is a public body;
  - v. a business partner of the councillor;
  - vi. a person for whom the councillor is a consultant, contractor or agent;
  - vii. a beneficiary under a trust or an object of a discretionary trust of which the councillor is a trustee;
  - viii. a person from whom the councillor has received a disclosable gift (one or more gifts with a total value of, or more than, \$500 or if an amount is prescribed, the prescribed amount, received from a person in the 5 years preceding the decision on the matter if the councillor held the office of councillor at the time the gift was received or if the gift was, or gifts were, or will be, required to be disclosed as an election campaign donation).

### 23.6 Exemptions

- (3) A conflict of interest does not arise if any of the following exemptions apply:
  - (a) the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the councillor in relation to the matter;
  - (b) the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the municipal district and does not exceed the interest held by the other residents, ratepayers or electors;
  - (c) the councillor does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;
  - (d) the interest only arises because the councillor is the representative of the Council on a not-for-profit organisation that has an interest in the matter and the councillor receives no personal advantage from the not-for-profit organisation;
  - (e) the interest only arises because a family member of the councillor is a member but not an office-holder of a not-for-profit organisation;
  - (f) the interest only arises because the councillor is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter;
  - (g) the interest arises in relation to a decision by a councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations;

- (h) a disclosable gift does not include the value of any reasonable hospitality received by the councillor at an event or function that the councillor attended in an official capacity as a councillor
- (4) The following matters are prescribed to be exempt:
- (a) the nomination or appointment by the Council of a councillor to a position for which the councillor will not be remunerated;
  - (b) the nomination or appointment by the Council of a councillor to a position in the Municipal Association of Victoria or in another body that has the purpose of representing the interests of Councils;
  - (c) a submission by the Council to an electoral structure review under section 16 of the Act or a ward boundary review under section 17 of the Act;
  - (d) the nomination of a councillor for election to the office of mayor or deputy mayor;
  - (e) the election of a councillor to the office of mayor or deputy mayor under section 25 or 27 of the Act;
  - (f) the appointment of a councillor to the office of acting mayor under section 20B of the Act;
  - (g) the payment of allowances to the mayor, deputy mayor or councillors as provided for under section 39(6) of the Act;
  - (h) the adoption of an expenses policy by the Council under section 41 of the Act;
  - (i) a decision by the Council to deal with a matter in an alternative manner under section 67 of the Act;
  - (j) the establishment of a delegated committee under section 67 of the Act (Council decision making where quorum cannot be maintained);
  - (k) the appointment of a councillor as a member or chairperson of a delegated committee;
  - (l) the adoption, review or amendment of a councillor code of conduct under section 139 or 140 of the Act;
  - (m) an application for an internal arbitration process under section 143 of the Act;
  - (n) an application to a Councillor Conduct Panel under section 154 of the Act;
  - (o) an application to VCAT for a review of a Councillor Conduct Panel decision under section 170 of the Act;
  - (p) a resolution by the Council related to a declaration under section 158(1) of the Local Government Act 1989 (declaring rates and charges);
  - (q) a resolution by the Council that has the effect of making the councillors eligible or ineligible for the superannuation guarantee under any taxation legislation;
  - (r) a matter related to preparing or adopting a budget or a revised budget under Part 4 of the Act if:
    - i. the budget or revised budget includes funding for that matter; and

- ii. the Council previously approved that matter and the proposed funding for that matter; and
    - iii. a councillor who had a conflict of interest in respect of that matter disclosed the conflict when the Council previously considered and made the decision in respect of that matter and approved the proposed funding for that matter;
  - (s) a matter related to preparing or adopting a Community Vision, Council Plan, Financial Plan, Asset Plan or Revenue and Rating Plan (a relevant document) under Part 4 of the Act if
    - i. the relevant document includes that matter; and
    - ii. the Council previously approved that matter for inclusion in a relevant document; and
    - iii. a councillor who had a conflict of interest in respect of that matter disclosed the conflict when the Council previously considered and made any decisions in respect of the matter;
  - (t) a matter for which
    - i. a decision by the Council has been made under section 67 of the Act (Council decision making where quorum cannot be maintained); and
    - ii. any component part of the matter in which a councillor had a conflict of interest has been resolved; and
    - iii. the councillor disclosed the conflict of interest when the Council previously considered that component part of the matter.
- (5) The circumstances in which a councillor carries out a function in any of the following positions are prescribed to be exempt:
- (a) as a representative of the Council to a Local Government Waste Forum established under the *Environment Protection Act 1970*;
  - (b) as a director of a Waste and Resource Recovery Group established under the *Environment Protection Act 1970*;
  - (c) as a member of the Country Fire Authority appointed under section 7 of the *Country Fire Authority Act 1958*;
  - (d) as a member of the governing body of a referral authority considering an application under section 56 of the Planning and Environment Act 1987;
  - (e) as a representative of the Council, or Councils, to the Municipal Association of Victoria or in another body that has a purpose of representing the interests of a Council or Councils;
  - (f) as an employee of the Crown or of a body established by or under any Act for a public purpose, if the councillor has no current or expected future responsibilities as that employee that relate to a matter;
  - (g) as a representative of the Council (with the Council's approval) to an organisation, if the councillor receives no remuneration as that representative;

- (h) as a member of a Planning Application Committee established under the *Planning and Environment Act 1987* or as a member or co-opted member of a subcommittee of that Committee.

## **24. Personal interests returns**

- (1) Legal obligations regarding personal interests returns are established under Division 3 of Part 6 of the Act.
- (2) A councillor must lodge an initial personal interests return with the Chief Executive Officer containing the matters prescribed by the regulations within 30 days of taking the oath or affirmation of office of a Councillor.
- (3) A councillor must not intentionally or recklessly lodge an initial personal interests return that contains any false or incomplete information.
- (4) If a person is re-elected upon completion of their term of office as a councillor, the Councillor does not have to submit a new initial personal interests return.
- (5) A councillor must lodge a biannual personal interests return with the Chief Executive Officer containing the matters prescribed by the regulations twice yearly by the end of each prescribed period. the prescribed periods are:
  - (a) the period from 1 March to 31 March; and
  - (b) the period from 1 September to 30 September.
- (6) A councillor must not intentionally or recklessly lodge a biannual personal interests return that contains any false or incomplete information.

## **25. Anonymous gifts**

- (1) Legal obligations regarding anonymous gifts are established under Division 4 of Part 6 of the Act.
- (2) A councillor must not accept, directly or indirectly, a gift for the benefit of the councillor the amount or value of which is equal to or exceeds the gift disclosure threshold unless:
  - (a) the name and address of the person making the gift are known to the councillor; or
  - (b) at the time when the gift is made, the councillor is given the name and address of the person making the gift and the councillor reasonably believes that the name and address so given are the true name and address of the person making the gift.
- (3) If the name and address of the person making the gift are not known to the councillor for whose benefit the gift is intended, the councillor is not in breach if the councillor disposes of the gift to the Council within 30 days of the gift being received.

## **26. Acting as a councillor when not qualified or ceasing to hold office**

- (1) Legal obligations regarding acting as a Councillor when not qualified or ceasing to hold office are established under Division 5 of Part 2 of the Act.
- (2) A person must not act as a Councillor if the person knows, or should reasonably know, that they:
  - (a) are not qualified to be a Councillor; or
  - (b) have ceased to hold the office of Councillor.
- (3) If a councillor becomes aware that they have ceased to be qualified to be a councillor of a Council, the councillor must immediately give notice in writing to the Chief Executive Officer of the Council that they have ceased to be qualified to be a councillor of the Council.

### **26.1 Qualification to be a councillor**

- (1) A person is qualified to be a councillor of a Council if the person:
  - (a) has attained the age of 18 years; and
  - (b) is an Australian citizen or an eligible British subject referred to in section 48(1)(a) of the *Constitution Act 1975*; and
  - (c) is enrolled on the voters' roll for the Council or would be enrolled on the voters' roll for the Council on a particular day if a voters' roll were to be prepared on that particular day; and
  - (d) is not a person to whom subclause (2) applies.
- (2) A person is not qualified to be a councillor of a Council if the person:
  - (a) is a member of the Parliament of Victoria or of the Parliament of the Commonwealth of Australia or of another State or a Territory of the Commonwealth; or
  - (b) is employed as a Ministerial officer, a Parliamentary adviser or an electorate officer by a member of the Parliament of Victoria or in a corresponding position (however designated) by, or for, a member of the Parliament of the Commonwealth of Australia or of another State or a Territory of the Commonwealth; or
  - (c) is a councillor of another Council constituted under this Act or a member of a corresponding body (however designated) under an Act of another State or a Territory of the Commonwealth; or
  - (d) is a member of Council staff of the Council; or
  - (e) is an undischarged bankrupt; or
  - (f) has property that is subject to control under the law relating to bankruptcy; or
  - (g) has failed to take the oath or affirmation of office of councillor at any Council when required under this Act during the current term of office of that Council; or

- (h) has been disqualified from being a councillor after a finding by VCAT of gross misconduct, for the period that the period of disqualification specified in the order made by VCAT is in force; or
- (i) has been subject to 2 or more findings of serious misconduct by a separate Councillor Conduct Panel under section 167 of the Act in the preceding 8 years and the period during which the person can apply under section 170 of the Act to VCAT for a review of those findings has expired, for the period of 4 years following the second finding of serious misconduct during which the disqualification is in force; or
- (j) has been convicted of the offence of failing to lodge an election campaign donation return in relation to the current term of the Council; or
- (k) has been convicted of an offence against the Act in the preceding 8 years for which the maximum penalty is at least 120 penalty units or a period of imprisonment of at least 12 months; or
- (l) has been convicted of an offence in the preceding 8 years, committed when the person was of or over 18 years of age, which is punishable upon first conviction for a term of imprisonment of 2 years or more under the law of Victoria, or the law of any other State, or a Territory of the Commonwealth, or the law of the Commonwealth; or
- (m) is disqualified from managing corporations under Part 2D.6 of the *Corporations Act*.

## 26.2 Councillor ceasing to hold office

- (1) Councillor ceases to hold the office of councillor and the office of the councillor becomes vacant if the councillor:
  - (a) ceases to be qualified to be a Councillor; or
  - (b) dies; or
  - (c) resigns in writing delivered to the Chief Executive Officer; or
  - (d) is ousted from office; or
  - (e) subject to section 35 of the Act, is absent from Council meetings for a period of 4 consecutive months without leave obtained from the Council.
- (2) A councillor who would cease to have a qualification as an enrolled voter under section 34(1)(c) of the Act on a particular day if a voters' roll for the Council were prepared on that particular day, ceases to hold the office of councillor at the expiration of the period of 50 days after that particular day if the councillor has not obtained another entitlement to be on the voters' roll for the Council.
- (3) A councillor is considered to have ceased to have a qualification as an enrolled voter under section 34(1)(c) of the Act if:
  - (a) their only entitlement to be enrolled on the voters' roll for the Council is as a resident under section 241 of the Act; and
  - (b) their principal place of residence is no longer located within the municipal district of the Council.

- (4) The Council must grant any reasonable request for leave.
- (5) A councillor is not to be taken to be absent from a Council meeting:
  - (a) while any proceeding for ouster from office of the Councillor is pending; or
  - (b) while the Councillor is suspended from office.
- (6) A councillor is not to be taken to be absent from Council meetings during the period of 6 months after the councillor or their spouse or domestic partner:
  - (a) becomes the natural parent of a child; or
  - (b) adopts a child under the age of 16 yearsand the councillor has responsibilities for the care of the child during that period.

### **26.3 Ouster from office**

- (1) The Minister, the Chief Municipal Inspector or a Council of which a particular councillor is a member may apply to the Supreme Court for the ouster from the office of councillor of any person whom the Minister, the Chief Municipal Inspector or the Council believes is declared elected or holds the office of councillor contrary to this Act.
- (2) If an application relates to the election of a councillor, the application must be made during the term for which that person was elected.

### **27. Use of council resources**

- (1) Councillors must use council resources ethically, effectively, efficiently and carefully in performing the role of a councillor, and must not use them for private purposes, unless the use is lawfully authorised and proper payment is made where appropriate.
- (2) Councillors must be scrupulous in their use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- (3) Councillors must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for their private benefit or for the private benefit of any other person or body.
- (4) Councillors must not use council resources, members of staff, property or facilities for the purpose of assisting their election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- (5) Councillors must comply with policies relevant to the use of council resources.

### **28. Complaints handling**

Councillors must refer any complaint they receive about the quality of an action taken, decision made, or service provided or about a delay or failure in providing a service, taking an action, or

making a decision to Executive Services so that the matter can be resolved according to the Complaints Handling Policy.

## **29. Personal dealings with council**

- (1) Councillors who have a reason to deal with the council in their personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a planning permit granted by council) must not expect or request preferential treatment because they are a councillor.
- (2) Councillors must avoid any action that could lead members of the public to believe that they are seeking preferential treatment.
- (3) Councillors must undertake any personal dealings they have with the council in a manner that is consistent with the way other members of the community deal with the council.

## **30. Media**

### **30.1 Council spokesperson**

- (1) The Mayor is the principal spokesperson for the Council which is constituted under the Act and consists of its democratically elected councillors.
- (2) The Mayor may request another councillor to make official comment on behalf of the Council, where appropriate.
- (3) A Council spokesperson may comment on matters that:
  - (a) relate to the decision making of the Council
  - (b) concern the diverse interests of the municipal community in Council decision making
  - (c) relate to the strategic direction of the Council, including strategic risks
  - (d) have to do with the development of the key strategic documents of the Council, including plans, strategies, policies
  - (e) involve engagement with the community on the council plan and other strategic decision-making
  - (f) cover advocating for the municipal community on matters that impact the municipal community that are not Council functions
  - (g) involve any other function or duty of the Council specified in the Act or any other Act
- (4) A Council spokesperson must ensure communications are clear, honest and consistent with the facts of the matter and positively portray Council as a decisive and responsible governing body
- (5) The Chief Executive Officer performs the role of principal spokesperson for the Council during an election period.



### 30.2 Organisation spokesperson

- (1) The Chief Executive Officer is the official spokesperson for all operational matters pertaining to Council as an organisation including:
  - (a) day to day operations of the Council including regulatory and enforcement functions
  - (b) implementation of decisions of the Council
  - (c) establishment and maintenance of an organisational structure for the Council
  - (d) all staffing matters, including appointing, directing, managing and dismissing members of staff
  - (e) any other function or duty of the Chief Executive Officer specified in the Act or any other Act
- (2) The Chief Executive Officer may nominate another member of staff as spokesperson for operational matters.

### 30.3 Councillors' own communications

- (1) There may be times when a councillor as an individual disagrees with a majority decision of Council and wants the community to know that. The appropriate time and place for communicating diverging views is when an item is being debated in the Council Chamber. This provides the best opportunity for informed decision-making and for both the community and the media to better understand the diversity of views and perspectives in context.
- (2) Although Council supports transparency and accountability in decision making, including free speech and the use of appropriate robust processes to debate policy, pursue political objectives and resolve differences, Council does not and will not condone personal and public criticism and abuse, harassment, vilification or bullying of councillors, members of staff, the organisation and any other person or organisation. Any councillor who engages in such conduct will be doing so without the sanction and authority of Council.
- (3) Councillors may express their independent views through the media but in doing so must:
  - (a) not pre-empt official Council communications
  - (b) not use Council material or branding
  - (c) make it clear any comment is their own personal view which does not represent the position of Council
  - (d) demonstrate respect for the decision-making processes of Council which are based on a decision of the majority of councillors
  - (e) strive to achieve balance in the matters that are communicated
  - (f) not communicate confidential information
  - (g) not compromise the privacy of individuals by inappropriately communicating personal information or health information

## **31. Events**

### **31.1 Event roles**

- (1) The Mayor is the principal Council representative for events.
- (2) The Mayor may choose to delegate the principal Council representative role to another councillor, as appropriate.
- (3) A councillor must not accept a speaking role at an event without approval from the Mayor.
- (4) Speeches reflecting Council's position will be prepared by the business unit responsible for media relations and communication for the official councillor role at Council and external events.

### **31.2 Council events**

- (1) Council events include those organised by Council or sponsored by Council.
- (2) All councillors will receive an invitation to Council events subject to the agreement of the event organiser
- (3) Invitations for Council events will be issued under the Mayor's authority.
- (4) Wording for plaques commemorating the opening of Council facilities will be approved by the Chief Executive Officer.

### **31.3 Ministerial events**

- (1) If Council has received significant state or federal funding for a project, event or facility, the responsible Minister will be invited by the Mayor to officially launch or open the project, event or facility.
- (2) The Mayor is responsible for hosting visiting Ministers and dignitaries, including conducting the official welcome, and conveying appropriate acknowledgements.
- (3) If a Minister advises Council of their intention to visit the municipality or host a media opportunity, the Chief Executive Officer will notify councillors of the event consistent with any embargo protocols.

### **31.4 Community and external events**

A councillor must not offer Council resources, including advertising, to a community member, group or organisation in relation to any event.

### **31.5 Councillors' own events**

Councillors, in conducting their own events must:

- (a) make it clear to attendees, and otherwise generally, that the event is not a Council endorsed or organised event.

- (b) Not use Council resources in the promotion, preparation or conduct of the event.

## Disputes

### 32. Disputes between councillors

#### 32.1 Productive debate

- (1) Councillors are mindful that having and expressing differing and sometimes opposing viewpoints is a normal function of the process of democratic local government. Sharing and expressing these different views leads to informed and well considered debate. All Councillors have the right to influence the decisions made by Council through this debate.
- (2) Councillors must endeavour to foster and encourage positive and productive interactions at all times.
- (3) Conflict or disputes may emerge if the differences between councillors become personal rather than focussed on facts or ideas.
- (4) A conflict or dispute may arise between two individual councillors, between one councillor and another or a group of councillors or between two or more different groups of councillors. The following dispute resolution procedure will apply regardless of the dynamics and numbers involved.

#### 32.2 Self-resolution

- (1) Before commencing a formal dispute resolution process, councillors who are parties to a disagreement have an individual and collective responsibility to try every avenue possible to resolve the dispute in-house in a courteous and respectful manner to prevent them from further escalating.
- (2) Either party may ask the Mayor to informally facilitate discussions to assist the self-resolution process.

#### 32.3 Mediation

- (1) If self-resolution is unsuccessful or not possible, the use of mediation should be considered to resolve the dispute.
- (2) Mediation is where the parties are assisted to achieve a negotiated resolution by the Mayor, and can be used where:
  - (a) a respectful discussion on the issues is possible
  - (b) the parties feel safe
  - (c) a third person can assist discussions and innovative resolution
  - (d) maintaining control of the outcome is important
  - (e) an ongoing positive relationship is valued

- (3) The Mayor cannot take sides, make decisions, tell the parties what to agree to, decide whether parties are right or wrong, provide legal or financial advice or conduct counselling.
- (4) The Mayor should not mediate disputes where he or she has a conflict of interest in the matter or where it is likely that they might be perceived as being influenced by a personal interest in the matter. Where the Mayor believes that he or she has a conflict of interest, the Deputy Mayor shall be appointed as the mediator. Where the Deputy Mayor has a conflict of interest in a matter to be mediated or where it is likely that they might be perceived as being influenced by a personal interest in the matter, an independent mediator with appropriate skills and qualifications may be appointed by the CEO to mediate the Councillor dispute subject to the agreement of the parties.
- (5) The request for mediation must be made in writing, indicating the reason for the dispute, the names of those involved, provisions of the code that may have been breached and any evidence to support the allegation and the name of the councillor representative if the request is being made by a group of councillors.
- (6) The Mayor will become involved as soon as practically possible by convening a meeting at the earliest available opportunity to commence formal mediation discussions.
- (7) The Mayor will ensure the Chief Executive Officer is advised of the dispute
- (8) The Mayor will document agreed mediation outcomes, if any, and will provide copies to all parties.
- (9) In the event that mediation fails, parties to the mediation may seek to institute an internal arbitration process under Division 5 of Part 6 of the Act.
- (10) In the event that a party does not comply with the agreed mediation outcomes, the other party to the dispute may seek to institute an internal arbitration process under Division 5 of Part 6 of the Act.

#### **32.4 Internal resolution process**

- (1) The internal arbitration process established under Division 5 of Part 6 of the Act applies to any breach of the prescribed standards of conduct.
- (2) An application for an internal arbitration process to make a finding of misconduct against a councillor may be made by:
  - (a) the Council following a resolution of the Council; or
  - (b) a councillor or a group of councillors.
- (3) An application must be made within 3 months of the alleged misconduct occurring.

- (4) An application under this section must be given to the Principal Councillor Conduct Registrar in the manner specified by the Principal Councillor Conduct Registrar in any guidelines published.
- (5) The Principal Councillor Conduct Registrar, after examining an application under section 143 of the Act, must appoint an arbiter to the Council to hear the matter if the Principal Councillor Conduct Registrar is satisfied that:
  - (a) the application is not frivolous, vexatious, misconceived or lacking in substance; and
  - (b) there is sufficient evidence to support an allegation of a breach of the Councillor Code of Conduct as specified in the application
- (6) The arbiter must conduct the internal arbitration process so that:
  - (a) any processes prescribed by the regulations, including any application process, are followed
  - (b) the parties involved are given an opportunity to be heard by the arbiter
  - (c) a councillor who is a party does not have a right to representation unless the arbiter considers that representation is necessary to ensure that the process is conducted fairly
- (7) Sanctions that may be imposed by an arbiter on finding of misconduct include:
  - (a) direct the councillor to make an apology in a form or manner specified by the arbiter;
  - (b) suspend the councillor from the office of councillor for a period specified by the arbiter not exceeding one month;
  - (c) direct that the councillor be removed from any position where the councillor represents the Council for the period determined by the arbiter;
  - (d) direct that the councillor is removed from being the chair of a delegated committee for the period determined by the arbiter;
  - (e) direct a councillor to attend or undergo training or counselling specified by the arbiter.
- (8) The arbiter must provide a written copy of the arbiter's decision and statement of reasons to:
  - (a) the Council; and
  - (b) the applicant or applicants; and
  - (c) the respondent; and
  - (d) the Principal Councillor Conduct Registrar.
- (9) A copy of the arbiter's decision and statement of reasons, with confidential information redacted, must be tabled at the next Council meeting after the Council received the copy of the arbiter's decision and statement of reasons and recorded in the minutes of the meeting.

### **33. Disputes between members of the public and councillors**

- (1) Where a complaint is received from the public in respect of a councillor, the matter will be referred to the Mayor for consideration.
- (2) Where the Mayor determines a breach of the Councillor Code of Conduct has occurred, the Mayor will progress the matter in accordance with this dispute resolution process.
- (3) The Mayor should not consider a matter where he or she has a conflict of interest in the matter or where it is likely that they might be perceived as being influenced by a personal interest in the matter. Where the Mayor believes that he or she has a conflict of interest, the Deputy Mayor shall consider the matter. Where the Deputy Mayor has a conflict of interest in the matter or where it is likely that they might be perceived as being influenced by a personal interest in the matter, a councillor independent of the matter may be selected by the CEO to assess the matter.

### **34. Disputes between councillors and staff**

#### **34.1 Raising the issue**

- (1) The Chief Executive Officer has sole responsibility for the management of members of staff.
- (2) In the event of a dispute between a councillor and a member of staff, it must be brought to the immediate attention of the Chief Executive Officer:
  - (a) by the member of staff direct to the Chief Executive Officer who will advise the Mayor, unless the Mayor is the subject of the dispute; or
  - (b) by the councillor to the Mayor who will advise the Chief Executive Officer
- (3) The Chief Executive Officer will investigate the dispute and progress the matter in accordance with the following process.

#### **34.2 Informal resolution**

- (1) The councillor and Chief Executive Officer will attempt to resolve the matter in an “informal” but courteous and respectful manner regardless of whether the dispute was raised by a Councillor or staff member.

#### **34.3 Formal complaint**

- (1) If the informal process is unsuccessful and a councillor wishes to lodge a formal complaint against a member of staff, this complaint must be lodged with the Chief Executive Officer.
- (2) The Chief Executive Officer has the discretion as to what, if any, action is undertaken, however, the Chief Executive Officer will report back to the councillor who made the complaint, once that complaint has been investigated.
- (3) Complaints involving the Chief Executive Officer will be referred to the Mayor who has the discretion as to what, if any, action is undertaken, however, the Chief Executive Officer will report back to the councillor who made the complaint, once that complaint has been

investigated. If the matter remains unresolved, the Mayor will raise the matter with all councillors in the performance review process.

- (4) If the informal process is unsuccessful and a staff member wishes to lodge a formal complaint against a councillor, this complaint must be lodged with the Chief Executive Officer who will, if deemed appropriate, discuss the matter with the Mayor. Where the Mayor deems that a breach of this Code of Conduct has occurred, the Mayor will progress the matter in accordance with the dispute resolution process outlined in clause 32 - Disputes Between Councillors.
- (5) The Mayor should not consider a matter where he or she has a conflict of interest in the matter or where it is likely that they might be perceived as being influenced by a personal interest in the matter. Where the Mayor believes that he or she has a conflict of interest, the Deputy Mayor shall consider the matter. Where the Deputy Mayor has a conflict of interest in the matter or where it is likely that they might be perceived as being influenced by a personal interest in the matter, a councillor independent of the matter may be selected by the CEO to assess the matter.

## Misconduct

### 35. Councillor misconduct

Misconduct by a councillor means any breach by a councillor of the prescribed standards of conduct included in this code.

### 36. Serious misconduct

- (1) Serious misconduct by a councillor means any of the following:
  - (a) the failure by a councillor to comply with the Council's internal arbitration process;
  - (b) the failure by a councillor to comply with a direction given to the councillor by an arbiter under section 147 of the Act;
  - (c) the failure of a councillor to attend a councillor Conduct Panel hearing in respect of that councillor;
  - (d) the failure of a councillor to comply with a direction of a councillor Conduct Panel;
  - (e) continued or repeated misconduct by a councillor after a finding of misconduct has already been made in respect of the councillor by an arbiter or by a councillor Conduct Panel under section 167 of the Act;
  - (f) bullying by a councillor of another councillor or a member of staff;
  - (g) conduct by a councillor that is conduct of the type that is sexual harassment of a councillor or a member of staff;
  - (h) the disclosure by a councillor of information the councillor knows, or should reasonably know, is confidential information;
  - (i) conduct by a councillor that contravenes the requirement that a councillor must not direct, or seek to direct, a member of staff;

- (j) the failure by a councillor to disclose a conflict of interest and to exclude themselves from the decision-making process when required to do so in accordance with the Act.
- (2) A Councillor Conduct Panel may hear an application that alleges serious misconduct by a councillor.
- (3) An application for a Councillor Conduct Panel to make a finding of serious misconduct against a councillor may be made by:
  - (a) the Council following a resolution of the Council to make an application to a Councillor Conduct Panel under subsection 154(2) of the Act in respect of a councillor's conduct; or
  - (b) a councillor or a group of councillors; or
  - (c) the Chief Municipal Inspector. Allegations of a failure to disclose a conflict of interest may only be made by the Chief Municipal Inspector.
- (4) If a Councillor Conduct Panel makes a finding of serious misconduct against a councillor, the Councillor Conduct Panel may do any one or more of the following:
  - (a) reprimand the councillor;
  - (b) direct the councillor to make an apology in a form or manner determined by the Councillor Conduct Panel;
  - (c) suspend the councillor from office for a period specified by the Councillor Conduct Panel not exceeding 12 months;
  - (d) direct that the councillor is ineligible to chair a delegated committee of the Council for a period specified by the Councillor Conduct Panel not exceeding the remainder of the Council's term.

## Definitions

Act	<i>Local Government Act 2020</i>
Chief Executive Officer	The person occupying the office of Chief Executive Officer of the Council, and includes a person acting in that office
Organisation	The Wangaratta Rural City Council comprised of elected councillors and led by the Mayor
Council	The Rural City of Wangaratta, led by the Chief Executive Officer



Councillor	A councillor of the Council
Council meeting	A meeting of the Council convened in accordance with the governance rules
Delegate	A member of Rural City staff to whom powers, functions and duties have been delegated by an instrument of delegation
Delegated committee	A committee established by the Council under section 63 of the Act
Members of staff	Employees of Rural City of Wangaratta organisation, including associates

## References

### Legislation

- *Australian Human Rights Commission Act 1986*
- *Crimes Act 1958*
- *Equal Opportunity Act 2010*
- *Fair Work Act 2009*
- *Health Records Act 2001*
- *Local Government (Governance and Integrity) Regulations 2020*
- *Local Government Act 1989*
- *Local Government Act 2020*
- *Occupational Health and Safety Act 2004*
- *Privacy and Data Protection Act 2014*
- *Racial and Religious Tolerance Act 2001*
- *Summary Offences Act 1966*
- *Workplace Injury Rehabilitation and Compensation Act 2013*

**Internal policies**

- Complaints Handling Policy
- Council Expenses Policy
- Councillor Interaction with Members of Staff Policy
- Councillor Support Policy
- Election Period Policy
- Governance Rules

**Review**

The policy may be amended by the Council at any time.

It must be reviewed by the Council, and amended if necessary, within 4 months of a general election.

## Major Council Policy Community Impact Statement

### Councillor Code of Conduct

Council provides the following information to the community in respect of this major council policy.

#### PART A – General

Council must make a new councillor code of conduct (the code) because of the commencement of the *Local Government Act 2020* (2020 Act).

The code will replace the councillor code of conduct adopted by council in 2017 under the *Local Government Act 1989*. Section 139 of the 2020 Act, Councillor Code of Conduct, has replaced section 76C of the *Local Government Act 1989* (1989 Act), Councillor Code of Conduct.

Council must review and adopt the code within four months of the general election. Until council adopts a code under the 2020 Act, councillors must comply with the code adopted in 2017.

The code is a major council policy which means that the process of community consultation set out in the Major Council Policy Local Law applies.

This community impact statement has been prepared to inform the community about the code and to assist any member of the public who may wish to make a submission to Council.

#### PART B – Background

The code must include the standards of conduct expected to be observed by councillors that are prescribed in regulations and may include other matters which the council considers appropriate.

#### PART C – Proposed code

The code:

- must include the standards of conduct prescribed by the regulations and expected to be observed by councillors
- must include any provisions prescribed by the regulations
- must include provisions addressing any matters prescribed by the regulations
- may include any other matters which the Council considers appropriate, other than any other standards of conduct

The proposed code is based on a structure recommended by Local Government Victoria. It:

- includes the prescribed standards of conduct :
  - treatment of others
  - performing the role of councillor
  - compliance with good governance measures
  - councillor must not discredit or mislead council or public
  - standards do not limit robust political debate

- provides guidance and information to councillors regarding other matters that council considers appropriate, including:
  - promoting wellbeing in the workplace
  - using information
  - relationships with members of staff
  - conduct that is unlawful under other legislation
  - council values
  - the roles of a councillor, council, the mayor and Chief Executive Officer
  - support for councillors
  - councillor interactions with members of staff
  - community expectations
  - election related matters
  - conduct that is prohibited by the 2020 Act
  - using council resources
  - complaints
  - councillor personal dealings with council
  - media and spokespersons
  - events
- provides ways of resolving disputes, including:
  - disputes between councillors
  - disputes between members of the public and councillors
  - disputes between councillors and staff
- describes the levels of misconduct set out in the 2020 Act related to breaches of the standards of conduct

## PART D – Consultation

Under the provisions of the major council policy consultation local law, Council is required to give public notice of the proposed code and invite submissions for a period of at least 28 days.

Anyone who makes a written submission can request to be heard in support of their submission by a committee of council.

A copy of the proposed code is available from the council's website..

## PART E – Overall impact assessment

### Legislative context

There is no overlap with existing legislation.

The proposed code has no relevance to the Planning Scheme.

### Risk assessment

The proposed code, upon adoption, enhances Council's arrangements for good governance and decision-making by mitigating reputational, governance and financial risks associated with councillor misconduct..

The code ensures that the Council is compliant with the Act.

### Policy approach adopted

No other legislation can be used. The code must be made and adopted.

The proposed code is a standalone instrument that effectively addresses the issue and of the prescribed elements of the Act.

The proposed code does not impose any increased costs on the community as it relates to councillor conduct, decision-making and governance.

### Restriction of competition

Council has conducted a review of the proposed code in accordance with National Competition Principles. The results of that review are attached.

The proposed code relates to the Council's conduct, decision-making and governance arrangements.

There are no National Competition Policy implications associated with the proposal.

### Permits

The proposed code does not make provision for the issue of permits.

### Fees

The proposed code does not prescribe any fees.

### Comparison with neighbouring and like Councils

Other councils are following this approach.

### Charter of Human Rights

Council has assessed the proposed code for compatibility with the Charter of Human Rights and Responsibilities. A report of this assessment is attached.

The proposed code is compatible with the Charter of Human Rights.

### Consultation

In the process of developing the proposed code, consultation will be undertaken in accordance with the major council policy consultation local law.

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

### Submissions

Submissions are invited from the community regarding the proposed code in accordance with the major council policy consultation local law.

A notice to this effect will be advertised in a local newspaper on 17 December 2020 and on Council's website indicating that submissions will be received up to 5.00pm on 29 January 2020.

Persons making submissions can request an opportunity to be heard in respect of their written submission. A special committee of Council will be established to hear submissions on the proposed code if required.

All submissions will be considered by Council when deciding to adopt the code at a meeting of Council.



Rural City of  
**Wangaratta**

## Proposed Code Human Rights Charter Assessment

As from 1 January 2008 Council is required to act in accordance with the Human Rights Charter, and to consider human rights when making a decision.

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

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

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

Section	Rights impacted positively	Rights impacted negatively
Performing the role of councillor	Right to a fair hearing Right to hold an opinion and freedom of expression	
Standards do not limit robust political debate	Right to hold an opinion and freedom of expression	
Treatment of others	Right to privacy and to protect your reputation	

The proposed code is compatible with the Charter of Human Rights.

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

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

The Charter protects the following rights in Victoria:

- Right to be recognised and treated equally before the law;
- Right to life and to not have your life taken without a lawful reason;
- Protection from cruel treatment or punishment, including torture and medical treatment without consent;
- Freedom from forced work or slavery;
- Right to move freely within Victoria, to come into and leave Victoria, and to choose where to live;
- Right to privacy and to protect your reputation;
- Freedom of thought, conscience, religion, and belief;
- Right to hold an opinion and freedom of expression;

- Right to gather together, take part in a peaceful demonstration or protest, and to join groups such as political, sport or union groups;
- Protection of families and children;
- Right to take part in public life, including the right to vote;
- Right to enjoy your culture, practise your religion, and speak your language;
- Right not to have your property taken away, unless the law says it can be taken;
- Right not to be arrested or detained unfairly, and right to the security of person, such as protection from harassment and threats in everyday life;
- Right to be treated humanely when arrested or detained;
- Protection of children in the criminal process;
- Right to a fair hearing;
- Rights in criminal proceedings including the right to be presumed innocent until proved guilty; and
- Right not to be tried or punished more than once for the same crime.

## Proposed Code National Competition Policy Assessment

The code must not restrict competition unless it can be demonstrated that: -

- The benefits of the restrictions to the community outweigh the costs; and
- The objectives of the code can only be achieved by restricting competition.

This report applies the competition test to the proposed code.

*The proposed code does not contain any restriction on competition.*

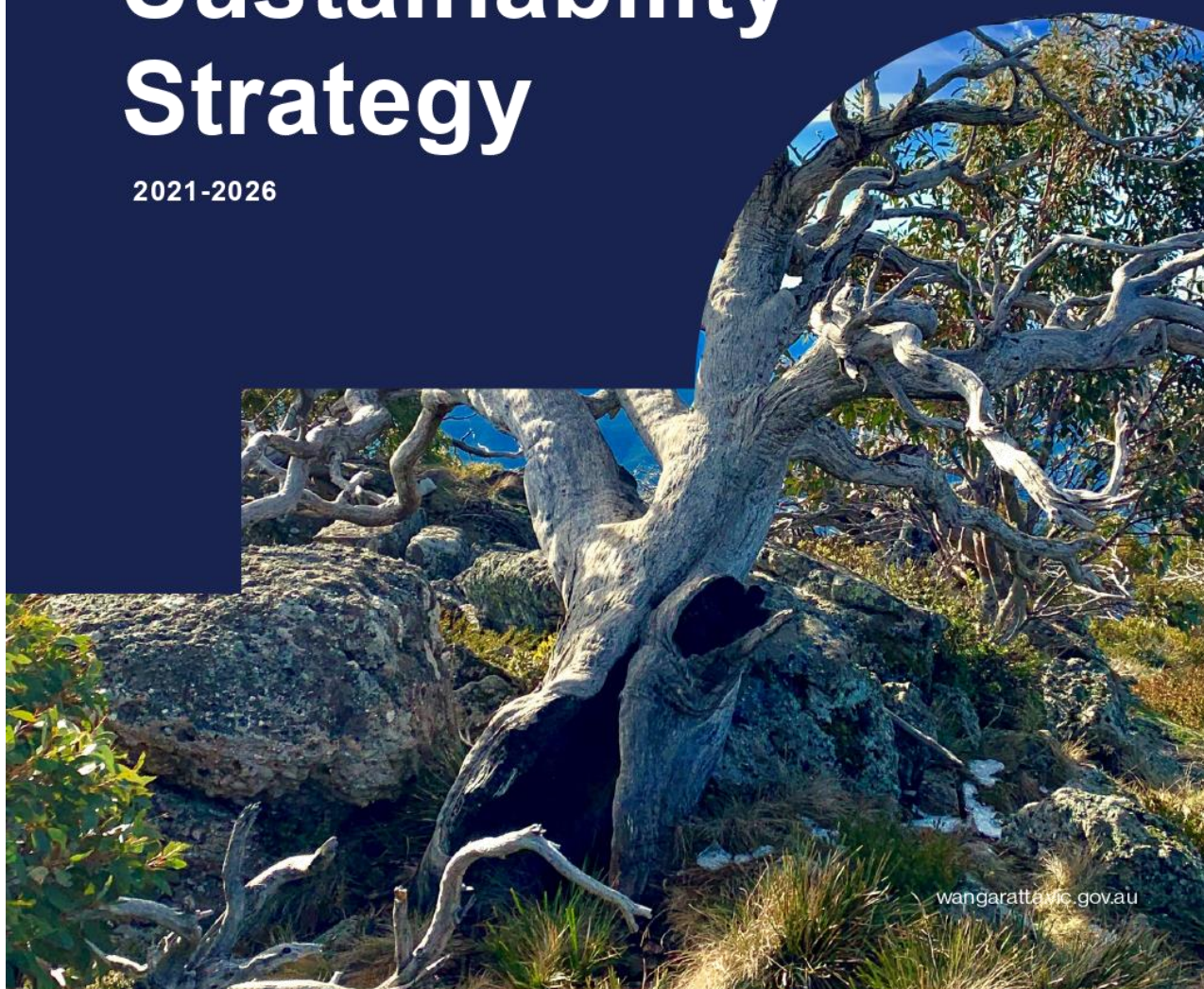




Rural City of  
**Wangaratta**

# Environmental Sustainability Strategy

2021-2026



wangarattavic.gov.au

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*\*Cover photo taken at Mount Cobbler Walking Track*

## Acknowledgement of Country

We acknowledge the traditional owners of the lands of the Rural City of Wangaratta and pay our respects to their Elders past, present and emerging.

## Executive Summary

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

This Strategy builds upon the achievements of the previous Environmental Sustainability Strategy 2014 and seeks to learn from our past experiences; pulling together our existing work and delivering activities that we know have positive benefits. We recognise there is still much to do. Success will require a mix of leadership and collaboration, education, and partnerships and both advocacy and action to take advantage of opportunities and to face the challenges facing our municipality.

These challenges have been identified as unsustainable resource use, pest plants and animals, changes to land use, ongoing loss of habitat, water resource availability, soil health issues, adverse weather events and climate change. Climate change is not a distant threat. The recent 2020 bushfires are a sharp reminder of how climate change can impact upon our lives, it highlights the risks we face with increased adverse weather events and the urgency required to reduce our greenhouse gas emissions if we are to rise to the challenge of creating a better life for future generations.

To meet these challenges, six priority areas have been established in the Strategy. Each priority area is divided into objectives and then further divided into specific actions that will be undertaken to fulfil these objectives. We also seek to align with the latest national, regional and local strategies and targets and we recognise the need to measure and report regularly so we can be sure our actions are working, such as setting a new emission target for our operations and to start reporting on community emissions.

Above all, there is an understanding that we all have a role to play in order to get the very best results for our municipality. We need to actively engage and work with residents and Council staff to build awareness and progress towards environmental sustainability, ensure climate change is embedded within our business plans, strategies and policies; and work in partnership and collaboration with community groups and external stakeholders to secure the future of Wangaratta, our region and beyond.

## Our Strategy

### Vision

An environmentally sustainable municipality that is resilient, healthy and continues to protect the environment to allow 'good things to grow'.

### Mission

To protect and invest in our environment, natural assets and the health and wellbeing of our community through our environmental sustainability commitment, expertise and leadership. We will achieve this mission by working with internal and external stakeholders and the community.

### Introduction

***Environmental sustainability is about acting in a way that provides for the needs of individuals and communities now and ensures future generations have the natural resources available to live an equal, if not better, way of life as current generations.<sup>1</sup>***

This strategy identifies the approach that Council will take in realising the vision above, recognising that in order to achieve the best outcomes we need to work closely with national, state, regional and non-government agencies along with our local community.

Under the *Local Government Act 2020*, Council's primary objective is to endeavour to achieve the best outcomes for the local community having consideration for the long term and cumulative effects of decisions. In seeking to achieve this objective, Council must promote the social, economic and environmental viability and sustainability of the municipality.

We acknowledge that we depend on our local environment for clean and plentiful water to drink, clean air to breathe, productive soils for food and energy sources. These environmental assets sustain our health, our lifestyle and our livelihoods. Due to climate change and changing environmental conditions, we face significant challenges to maintain environmental sustainability in the future yet with challenges come opportunities. Opportunities to innovate, lead by example and inspire community through demonstrating environmental leadership in our own operations.

There are many functions undertaken by Council that enable the strengthening of sustainability. Local councils can make a difference through town planning, public health planning, facilitating economic development, waste management, recycling, stormwater management, transport planning, community education, public land management, emission reporting, capital works material use as well as the delivery of specific environmental programs. Council can also make a valuable contribution through reducing its own day-to-day environmental impact through green purchasing and reduction of waste, water, energy and resource use.

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<sup>1</sup> United Nations, Accessed July 2020 <https://www.unenvironment.org/about-un-environment/sustainability>



As a result the Environmental Sustainability Strategy (ESS) has developed an action plan to advance environmental sustainability across the full range of Council activities. It responds to community aspirations for a more sustainable future. The Strategy:

- reviews key deliberations that express the intent of the community as well as studies that examine local environmental issues
- identifies key issues affecting Council operations and services, the community, the natural environment, and their related impacts
- examines the challenges posed by key environmental issues - climate change and resource; and
- sets out actions to reduce impacts and improve environmental outcomes, including adaptation approaches under the following six priority areas;



Biodiversity



Healthy Waterways



Built Environment



Sustainable Communities



Greenhouse Gas Emission  
& Energy Reduction



Waste Reduction & Resource  
Recovery

Actions in the Strategy utilise a range of approaches. For example, increasing awareness, planning and control, education and engineering. These approaches are based on the achievements of the previous ESS (2014), a number of community and technical studies conducted by the Council and other organisation in the north east region, as well as some key Victorian studies.

The Strategy is intended to consolidate and build on the outcomes of community deliberations and environmental studies forming the link between longer term community plans, the Council Plan and operational programs.

## Our Role & Policy Context

The Rural City of Wangaratta is responsible for many activities that may impact upon our environment and may include everything from maintaining infrastructure, delivery of waste services, maintaining parks and bush reserves to administering the planning scheme and enforcing state and local laws in regard to land use.

Through these activities Council is fortunate to have the closest immediate relationship to community compared to other levels of government and is therefore well positioned to promote environmental sustainability and work closely with the community in order to achieve these aspirations. We recognise that our role includes leading by example in how we operate and advocating for change at various levels of government. It includes monitoring and reporting on our progress and empowering and engaging with our local community by supporting local environmental initiatives within our resourcing capacity.

Council has many legislative requirements that guide our operations in the environmental space and the Strategy seeks to align with key Federal, State and Regional documents and these are listed under each relevant focus area within the strategy.

## Our Community Vision 2030

### *“Our Environment remains our most valuable asset” – 2030 Community Vision*

The Community Vision was last completed in 2009, with a new Community Vision due to be completed in 2021. At which point the strategy will be reviewed to ensure it supports the new vision.

## Council Plan 2017-2021 Revised 2020

### Our Council Pillars

Council has identified five pillars, that are our goals within the Council Plan. The pillar relevant to this Strategy is “We are Sustainable”. Our strategic objective for this pillar is recognising that to ensure our long-term viability and capacity to deliver quality services and infrastructure, we need to continue to meet the changing and complex challenges that face us. We focus on how we can do things better, improve our environmental and economic impact, and create lasting benefits for our community and future generations.

### Relationships with key Council Plans

We recognise that this strategy needs to co-exist and help deliver on other relevant strategies. Table 1 illustrates the relationship between the ESS and other key Council documents, including the Council Plan.

**Table 1: Key Council Plans**

DOCUMENT	PURPOSE
<b>2030 Community Vision</b>	Our community is connected, sustainable and contemporary. We are the place where good things grow.
<b>Council Plan 2017-2021</b>	Council Plan 2017-2021 details Council's strategic objectives and the key strategic activities and actions we will be undertaking to achieve those objectives.
<b>Municipal Health &amp; Wellbeing Plan (MPHWP)</b>	The MPHWP sets the broad mission, goals and priorities to enable people living in the municipality to achieve maximum health and wellbeing.
<b>Conservation Roadside Management Plan</b>	The Roadside Conservation Management Plan aims to conserve roadside native vegetation that often provides valuable habitat and is an important feature in local landscapes.
<b>Waste Management Strategy</b>	The Rural City of Wangaratta's Waste Management Strategy (WMS) was developed to provide a strategy for sustainable waste management over the next five years. The purpose of this document is to consolidate all the related issues and topics, to provide a complete picture of waste management within the municipality.
<b>Economic Development and Tourism Strategy</b>	The Economic Development Strategy (EDS) has been produced by the Rural City of Wangaratta (RCoW) to fulfil Council's aspirations for a vibrant and prosperous community that offers residents and businesses a broad range of highly rewarding opportunities for work and investment.
<b>Tree Management Strategy</b>	The purpose of the strategy is to establish the Rural City of Wangaratta's future strategic direction for tree planting, protection and maintenance.
<b>Walking and Cycling Strategy</b>	Council's Walking and Cycling Strategy is a significant strategic document that will guide the way Council delivers infrastructure that supports the ability of people within our community to be active, to safely move around, and to stay connected.
<b>Bush reserves management plans (Northern Beaches and Kaluna Park)</b>	Both the Kaluna Park and Northern Beaches Plans are to provide practical and perceptive information which will assist management to protect, and where possible enhance the natural values of these areas.
<b>Wangaratta Planning Scheme</b>	The Planning Scheme the governing document for use, development and protection of land in the Rural City of Wangaratta.

The Council Plan is the principal plan for Council that clearly identifies what the Council aims to achieve over the next 5 years as part of longer-term objectives.

### Funding

Funding the actions of the Environment Sustainability Strategy will require both internal and external funding. It is noted that securing funding continues to be a challenge for environmental sustainability projects where it can be difficult to demonstrate definitive economic outcomes or that the environmental outcomes and benefits are long term.

## Our Region

### Our Environment

We are the Rural City of Wangaratta, but in truth, we're so much more than that. A municipality that includes both a vibrant city and distinctive rural towns. We're known for our waterways, the rugged beauty, and surrounds of different landscapes. We are located in the Hume region of North-East Victoria and our municipality covers an area of 3,645 square kilometres, experiences cool temperate climate with low humidity and a high diurnal (day-night) temperature range.

The population of Wangaratta has grown steadily over the past decade rising from 26,390 to 28,310, as informed by the latest 2016 census. Furthermore, the latest Regional Population Report estimates the population in 2019 to be 29,187<sup>2</sup> and the growth rate for the region between 2014-2019 to be 0.93%<sup>3</sup>. Compared to the rest of Victoria the proportion of people aged 14-45 is much lower and the population aged 49 and above is higher, reflecting an ageing population.



The health care and social assistance industry was identified as the largest employer in Wangaratta in 2016. Whilst agriculture and manufacturing, although declining in terms of employment, remained the predominant export industries in the municipality.

Throughout the municipality, Council is responsible for many reserves with high habitat value, often located beside waterways. Our municipality encompasses the valleys of the lower Ovens River and the King River, and these two rivers and nearby surrounds are home for threatened and endangered wildlife that includes the powerful owl, squirrel glider and iconic Murray Cod. Unsustainable agricultural practices, including land clearing, gold dredging and invasion of pest animals and plants have caused degradation to the waterways over the ensuing centuries.<sup>4</sup>

*Photo: Kaluna Island interpretive signage.*

<sup>2</sup> Australian Bureau of Statistics, Regional Population Growth, Australia, 2018-19

<sup>3</sup> Regional Development Victoria, <https://www.rdv.vic.gov.au/victorias-regions/wangaratta>

<sup>4</sup> Environment Victoria, Accessed July 2020, <https://environmentvictoria.org.au/our-campaigns/healthy-rivers/about-healthy-rivers/river-stories/ovens-river/>



Crown land in the municipality contains a diversity of habitats and native species. Key Crown land areas include the Warby-Ovens National Park, the Alpine National Park, the Chiltern-Mt Pilot National Park, as well as state reserves, and linear reserves on Crown land along roads, rail and waterways. These linear reserves form important fauna corridors across cleared landscapes. A number of agencies work in conjunction to conserve these parks and links, including Council, Department of Land, Water and Planning (DELWP), Parks Victoria (PV), Trust for Nature (TFN), North East Catchment Management Authority (NECMA) and Regional Roads Victoria.



Photo: Boorhaman Native Grassland



Photo: Salisbury Walk in the Warby Ranges

The National Parks and the Lower Ovens River have been recognised as national ecosystem flagship areas by the Federal Government Caring for Country program, with the Lower Ovens River being heritage listed. Areas to the north of Wangaratta have been recognised for potential as a biolink between these flagship areas. A large part of the northern section of the municipality is part of the Grey Box Grassy Woodlands vegetation community. The value of this nationally threatened vegetation community has been recognised and protected under the Federal government Environment Protection and Biodiversity Conservation Act, 1999. Included is vegetation on private land in these cleared landscapes that also provides connections across the landscape and important habitat for wildlife.



Photo: Mullinmur billabong

The municipality has several distinct biogeographical regions (bioregions) that contain more than 20 different vegetation types or communities. Several of these are listed as 'high priority for protection and management' by the North East Catchment Management Authority and the Department of Environmental, Land, Water and Planning.

## Our region in numbers



**2000**km

road reserves  
managed

**200**ha

bush reserves  
managed



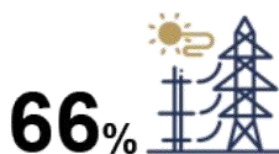
**6000**

native trees  
& shrubs are planted  
per year on average  
by Council

**1930**

Native flora &  
fauna species of which

**160** are threatened



**66%**

of council emissions  
come from electricity



**11**

is the no. of hybrid cars  
in council's light fleet



**87**kw

of solar installed  
across 3 council  
sites



**12000**t

that's how much  
green waste our  
organics plant  
can process



**2273**

people attended our  
enviro events (19/20)

**11.38**k

tonnes of waste is  
collected kerbside  
annually



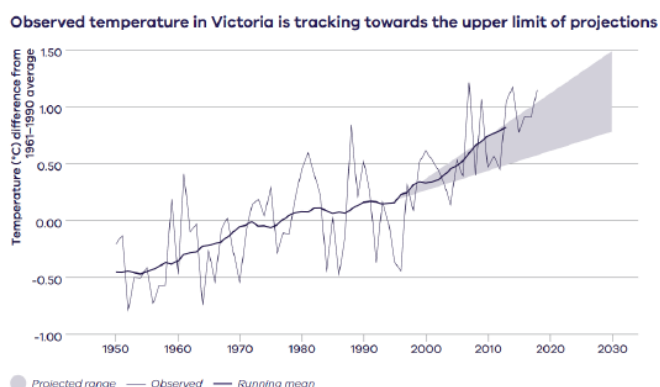
## Climate Trends

Climate research has shown us that global surface air temperatures have risen by more than 1°C over the past 100 years. It is now undeniable that human activity is a major contributor to the increasing greenhouse gas levels in our atmosphere from the burning of fossil fuels, land use change and agriculture.<sup>5</sup> In Victoria, we are already experiencing the impacts of climate change with increased incidents of bushfire and flood, and we recognise the increasing challenges it will have on our community, businesses, the agricultural industry and our environment.

### Temperature

Projections from Victoria's Climate Science Report (2019) indicate an increase in average annual temperatures leading up to 2030. Figure 2 illustrates the observed average yearly temperatures from 1961 to 1990 average (thin black line) plus the 10-year running average (thicker black line), and the projected temperature change to 2030 across climate models and emission scenarios.

Figure 2.



As for North-East Victoria, the latest CSIRO climate change projections reflect the above findings pointing towards an increase of around 2°C to 3°C in mean daily maximum temperatures by 2050, with increases of 1°C to 2°C in mean daily minimum temperatures. It is also expected that there will be a continued increase in the frequency of heat wave events, that comprise of 3 or more consecutive days with a daily maximum temperature greater than 35°C.

### Rainfall

*“Even though a warming climate is leading to reduced annual rainfall totals in Victoria, extreme rainfall events, such as the flash floods north of Wangaratta in December 2018, are likely to get more extreme.” – DELWP, Climate Projection Report 2019*

Rainfall for our region is expected to decrease overall, however, the distribution throughout the year is likely to change, and this will impact upon livestock and growing conditions. In addition, we will see more extreme, and intense short-duration rainfall events despite this overall decrease in rainfall.

<sup>5</sup> DELWP, Accessed June 2020, [climatechange.vic.gov.au/](https://climatechange.vic.gov.au/)

## Key Challenges

Our environment not only provides valuable ecosystem services and natural habitat for our local wildlife, it also is integral for the health and wellbeing of our community and our economic prosperity. There are a number of environmental challenges that we face, that are shared amongst communities around the world, that will present both challenges and opportunities for our region. These are driven by climate change, increasing demand for resources and changes to land use.

A number of the key challenges are described below.

### Adverse Events

Our climate is changing and with increased temperatures and changes to rainfall distribution there is a greater risk of flooding, heat stress, drought, and harsher fire weather with longer fire seasons.

Council recognises the impacts flooding has upon our infrastructure, businesses and livelihoods. Heat stress puts the vulnerable in our communities at risk, increasing water and energy consumption, which in turn increases the cost of living for our residents. Droughts reduces the availability of irrigation water and impacts our agricultural industry as well as stressing local wildlife and vegetation. In addition, there are increased costs relating to maintaining our parks and gardens during these extreme dry events.

The 2019/20 summer season exposed us to the devastating impacts of harsher fire weather, with our municipality being declared as one of the six local councils in the declared State of Disaster areas post the bushfires. An increase in bushfires will have long-term impacts on the ecology of the area, posing a continual threat to human life, and impacting upon the economy.

### Ongoing loss of habitat

Habitat is degraded by the removal or deterioration of elements of the biological structure of the habitat. A rich ecosystem will have many species of vegetation in ground cover and grasses, small and medium shrubs and trees and large old trees with hollows. Common types of habitat degradation are:

- Removal of ground cover and the understorey shrub layer by grazing. This removes insect and invertebrate habitat, reducing food for other species
- Removal of fallen timber for firewood and in 'cleaning up'. This removes shelter, homes and foraging areas for many species, including bush stone-curlews and inland carpet python and
- Lack of regeneration of big old trees means they will eventually disappear from the area, removing essential nesting and feeding sites. Many species of trees need more than a hundred years to form hollows.
- Urbanisation – loss of habitat, habitat corridors and habitat degradation due to urban expansion

### Pest plants & animals

Pest and weeds are a key threat to biodiversity, native flora and fauna and agriculture in both the terrestrial and aquatic environments. These include aquatic weeds, terrestrial weeds, pathogens, insects, pest animals such as rabbits, foxes, deer, feral cats and wild dogs.

### Water Resources

The supply of water to the region is critical to the community, the environment and for further development of the agriculture in the area. A decrease in rainfall (and a consequent decrease in runoff and groundwater inflow) may see current sources of water affected, in particular, the unregulated Ovens



River. Increased evaporation and drier soils magnify the impact on runoff, with greater impact likely in drier areas in the west of the municipality and water pollution is generated by both urban and rural areas.

### Population

Wangaratta is forecast to increase its population to 32,160 by 2036, which is an average rate increase of 0.6%.<sup>6</sup> The growth in population will see a demand for new developments and put pressure on existing infrastructure and both will need to consider the impact of climate change and how to increase resilience and adapt to the changing conditions.

We also recognise we have an ageing population with the latest population projections from the Department of Health & Human Services indicating that the age group of 60-85+ in Wangaratta is expected to increase over the next five years. The elderly are identified as one of the groups most vulnerable to heat stress and changes in cost of living.

### Unsustainable Resource Use

Total waste generation for North-East Victoria is predicted to increase from 222k total waste generation to 234.7k by 2025<sup>7</sup>. In addition, Victoria, like the rest of Australia, is facing major challenges with the collection and disposal of waste and there has been an increase in trade restrictions surrounding the international export of recyclable materials. We recognise that consumption of goods and waste generation have both a direct and indirect impact upon our local environment and we also recognise that what is currently considered waste has resource potential under a circular economy as outlined in the State Government's new 10 year circular economy plan, 'Recycling Victoria'.

### Changes in Land Use

With the effects of climate change on our region, and the importance of agriculture to the local economy, we recognise the importance of preserving agricultural land and supporting innovation in farming practices that have minimal impact on the natural environment to ensure sustainability for the future. Supporting local production, through strategies such as the North East Local Food Strategy, can also prove beneficial for the local community and reduce carbon emissions through a reduction in food miles.

### Soil Health

The Regional Catchment Strategy (NECMA, 2013) records significant soil health issues in the region. Key risks to soil health and land assets include erosion, soil structure decline, organic matter loss, soil pathogens, acidity, dryland salinity, and increases in climate variability and related soil moisture changes. Soil health was highlighted as a key environmental issue in the 2030 Community Vision. Soil health issues are exacerbated by inappropriate management practices, poor grazing management, land clearing and bushfires. The North East Catchment Management Authority and Landcare are leading projects to improve soils health in the region.

<sup>6</sup> Department of Environment, Land, Water & Planning 'Victoria in Future 2019' report

<sup>7</sup> SV Waste Projection Model, Accessed August 2020 <https://www.sustainability.vic.gov.au/Government/Victorian-Waste-data-portal/Interactive-waste-data-mapping/Waste-projection-model/#>

## Our Priorities

We recognise that local government plays a pivotal role in creating environmentally sustainable deliverables for our local community that will address the challenges we face. It will require responses from all levels of government, businesses, and the community.

In response, our Strategy will focus on six broad strategic priority areas. On the following pages these priorities are listed with their context, relevant legislation, strategies & policies followed by objectives, indicators and actions at both a council operation and community level.

### Table Key

In each priority area there is a table with actions listed. One of the columns is denoted with a \$ which represents 'financial resourcing source' of the particular action. They are as follows;

**F** (Funded) – This action will be funded by inhouse resources or has been already allocated funding, noting that these will still be up for review during the annual budget process and may change.

**S** (Subject to Funding) – Requires budget approval for action to proceed.

**G** (Grant Funding Required) – Identified that grant funding assistance will be required.



Photo: Reedy Creek



## Biodiversity

### CONTEXT:

Biodiversity is all components of the living world: the number and variety of native plants, animals and other living things across our land and waterways. It includes the variety of their genetic information, their habitats and their relationship to the ecosystems in which they live.

Biodiversity has intrinsic value. It is vital to sustaining agriculture and tourism and fundamental to the cultural practices of Indigenous people.

Threats to biodiversity in the RCoW include habitat loss and fragmentation, invasive species (weeds, pest animals) and changed fire and water regimes – all of which will be exacerbated by the effects of climate change. Healthy, biodiverse ecosystems are more resilient to the impacts of climate change.

### RELEVANT LEGISLATION, REPORTS & STATE/FEDERAL TARGETS:

- Aboriginal Heritage Act, 2006 and Aboriginal Heritage Regulations, 2018
- DELWP Protecting Victoria's Environment: Biodiversity 2037 – State targets: By 2037 there will be a net improvement in the outlook across all species and all Victorians will value nature.
- Catchment and Land Protection Act 1994 (CaLP Act)
- DELWP – Native vegetation removal regulations
- Environment Protection and Biodiversity Conservation Act 1999
- Environment Protection and Biodiversity Conservation Amendment (Wildlife Protection) Act 2001
- Victorian State of the Environment Report, 2018

### OTHER RELEVANT STRATEGIES & POLICIES:

- North East Firewood Strategy
- NECMA Regional Catchment Strategy
- Mullinmur Wetland Management Plan
- NECMA North East Climate Ready NRM Strategy
- NECMA North East Waterway Strategy
- Wangaratta Urban Waterway Action Plan

### COUNCIL ACHIEVEMENT HIGHLIGHTS:

- 7000 native plants planted in 2019 with a 90% survival rate.
- Australian Government Partnerships with Landcare award 2015
- Invasive species management on 2000km roadsides annually
- Increased community engagement in our Enviro Events, with 2273 participants in 2019-20.



Photo: National Tree Day community planting.



**HOW WILL THIS BE ACHIEVED?****COUNCIL PERFORMANCE OBJECTIVE:**

To address threats to biodiversity from invasive species, habitat loss and fragmentation on Council owned and managed reserves we will maintain and improve habitat by increasing native vegetation, protecting remnant vegetation and managing invasive species.

**INDICATOR:** *Assess habitat condition over time using regular monitoring of permanent monitoring points.*

**COUNCIL OPERATIONS**

THEME	ACTIONS	YEAR	\$
RESILIENCE	<ul style="list-style-type: none"> <li>▪ Increase annual program of invasive species control &amp; habitat restoration in Council managed reserves &amp; roadsides.</li> </ul>	2021-26	F/S/G
	<ul style="list-style-type: none"> <li>▪ Set up permanent monitoring points to monitor changes in habitat condition, increase weed mapping &amp; management of emerging pests.</li> </ul>		
	<ul style="list-style-type: none"> <li>▪ Reduce risk of damage to natural areas through education, improve firewood depots, firewood permit system &amp; enforcement.</li> </ul>		
EDUCATION	<ul style="list-style-type: none"> <li>▪ Work with all areas of Council to ensure best practice biodiversity conservation in planning, project design and works.</li> </ul>	2021-26	F/S/G
	<ul style="list-style-type: none"> <li>▪ Update roadside conservation status &amp; weed mapping data.</li> </ul>		
CAPACITY BUILDING	<ul style="list-style-type: none"> <li>▪ Recognise indigenous NRM knowledge, invite traditional owners to share their knowledge and incorporate into best practice.</li> </ul>	2021-26	S/G
RESEARCH	<ul style="list-style-type: none"> <li>▪ Explore innovative ways to improve &amp; monitor biodiversity outcomes.</li> </ul>	2021-26	S/G
INVESTMENT	<ul style="list-style-type: none"> <li>▪ Identify suitable areas to use for improving habitat connectivity, green spaces, biodiverse firewood plantations &amp; native vegetation offset sites.</li> </ul>	2021-26	F/S/G
	<ul style="list-style-type: none"> <li>▪ Increase connectivity, accessibility and education opportunities across natural areas.</li> </ul>		
ADVOCACY	<ul style="list-style-type: none"> <li>▪ Advocate for improved firewood regulations and domestic animal control to conserve biodiversity.</li> </ul>	2021-26	F/S
	<ul style="list-style-type: none"> <li>▪ Advocate for research on sustainable agriculture including soil health, carbon capture and improved water usage.</li> </ul>		



## Environmental Sustainability Strategy

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**COMMUNITY PERFORMANCE OBJECTIVE:**

Foster community involvement in the stewardship, enjoyment, and preservation of our natural spaces. Work with partners to assist the community to conserve and enhance biodiversity.

**INDICATOR:** *Number of participants at events & No. of private properties with conservation covenants.*

**COMMUNITY**

THEME	ACTIONS	YEAR	\$
EDUCATION	<ul style="list-style-type: none"> <li>Deliver education events and resources in partnership with community groups and other agencies.</li> <li>Increase knowledge and build capacity to manage natural resource management issues including retaining and improving habitat, managing invasive species and increasing sustainable agriculture practices.</li> </ul>	2021-26	F/S/G
COLLABORATION	<ul style="list-style-type: none"> <li>Work with Landcare and other partners to support on ground conservation action, sustainable land management practices and citizen science monitoring eg water quality, photo point habitat condition, fauna surveys.</li> <li>Work with partners on regional projects to protect and enhance biodiversity and improve landscape scale connectivity.</li> </ul>	2021-26	F/S/G
PROMOTION	<ul style="list-style-type: none"> <li>Promote the Council's bush reserves and natural spaces to ensure they are sufficiently valued and maintained.</li> </ul>	2021-26	F/S



## Built Environment

### CONTEXT:

The built environment, the way our municipality is planned out, its buildings and suburbs, are a large contributor to emissions therefore it is increasingly important to avoid being locked into emission-intensive buildings, with a need to embrace resource efficient and smart design.

Through planning & investment we can improve our community's quality of life, accommodate the needs of a diverse and growing population and build climate resilience.

Council is therefore committed to creating an environmentally sustainable municipality through the minimisation of adverse impacts from our built environment, improving our urban ecology and to facilitating and encouraging development that is resource efficient.



### RELEVANT LEGISLATION, REPORTS & STATE/FEDERAL TARGETS:

- Planning & Environment Act, 1987
- State Planning Policy Framework
- DELWP Climate Ready Hume Program 2019-2021
- State Planning Policy Framework (Wangaratta Planning Scheme)

### OTHER RELEVANT STRATEGIES & POLICIES:

- Wangaratta Planning Scheme
- Asset Management Policy 2016
- Tree Management Plan 2018-2022
- Open Space & Recreation Strategy
- Walking & Cycling Strategy

### Environmentally Sustainable Design

Environmentally Sustainable Design (ESD) is building design that promotes environmental quality, economic vitality and social benefit. Council recognises the importance of ESD in developments within Wangaratta and thus in 2017 was one of eight regional councils that engaged AECOM to explore the feasibility of establishing best practice ESD for regional greenfield subdivisions.

The project identified that there is a disconnect between subdivision and dwelling outcomes due to gaps between planning and building systems and lack of statutory tools to assess ESD subdivisions. Following from that project, 16 Victorian Councils, the Victorian Planning Authority and the Council Alliance for a Sustainable Built Environment have been working to develop a Framework for statutory planners to assess the sustainability measures included in subdivision applications and provide justification and means to conduct an 18-month trial starting in September 2020 to collect data and test the Framework.

## Environmental Sustainability Strategy

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**COUNCIL PERFORMANCE OBJECTIVE:**

Enhance the energy and water efficiency of Council owned buildings.

**INDICATOR:** Assessed by reduction of annual potable use & electricity usage/baseline 2019.

**COUNCIL PERFORMANCE OBJECTIVE:**

Increased tree canopy cover within the urban footprint to minimise heat island effect in line with policies and strategies.

**INDICATOR:** Baseline 2017 number of public trees sourced via i-Tree Eco.

**HOW WILL THIS BE ACHIEVED?**

COUNCIL OPERATIONS			
THEME	ACTIONS	YEAR	\$
STRATEGIC	▪ Ensure changing rainfall, flooding, bushfire and drought patterns are included in all Council strategies and asset management plans where applicable.	2021-26	F
	▪ Develop and implement a Sustainable Building Policy for Council buildings.	2022-24	S
	▪ Embed Climate Resilient Infrastructure checklists into relevant processes for designing and maintaining infrastructure (Once Sustainable Building Policy Completed)	2023-26	S
	▪ Investigate adopting a target for the use of recycled material in our works program.	2021-26	f/S
ADAPTATION	▪ Partner with outside agencies to develop an urban tree strategy and planting program for expected climate change, including fire safe landscaping.	2021-24	F/G
INNOVATION	▪ Investigate opportunities to incorporate Smart Cities technology into future planning & works.	2021-26	F/G
INFLUENCE	▪ Collaborate with other agencies to seek opportunities around climate mitigation and adaptation through ESD tools & regulatory processes (i.e Strategic planning, CASBE/BESS membership, planning scheme)	2021-26	S/G
	▪ Assess, where feasible, subdivision applications under the trial Subdivision Framework.	2021-22	F

## Environmental Sustainability Strategy 20

**COMMUNITY PERFORMANCE OBJECTIVE:**

Promote community action to reduce resources, energy and water use in retrofitting or new home builds.

**INDICATOR:** Assessed by no. of participants at events and workshops.

**COMMUNITY PERFORMANCE OBJECTIVE:**

Community buildings and assets are supported in improving energy efficiency and retro-fits through knowledge building, initiatives and partnerships.

**INDICATOR:** Assessed through a qualitative measure of active partnerships, joint projects and events held.

**HOW WILL THIS BE ACHIEVED?**

COMMUNITY			
THEME	ACTIONS	YEAR	\$
EDUCATION	<ul style="list-style-type: none"> <li>Partner to deliver education programs to demonstrate cost/benefits of sustainable design to community and development applicants.</li> </ul>	2021-26	S/G
RESILIENCE	<ul style="list-style-type: none"> <li>Investigate feasibility of capturing and using stormwater for urban and rural sporting ground watering.</li> </ul>	2023-26	S/G
CAPACITY BUILDING	<ul style="list-style-type: none"> <li>Work with partners to engage with the community regarding energy efficiency and funding opportunities for both home owners, occupants and businesses.</li> </ul>	2021-26	F/S/G
INFLUENCE	<ul style="list-style-type: none"> <li>Support and encourage more sustainable transport options as per the Walking &amp; Cycling strategy and through the development of a Sustainable Transport Study within the strategic planning department.</li> </ul>	2021-26	F/S



## Greenhouse Gas Emissions & Energy Reduction

### CONTEXT:

Council recognises its key role in supporting Australia's transition to a low carbon and resource efficient future, including mitigating and adapting to climate change. As a contributor to greenhouse gas emissions through our own operations we recognise the need to demonstrate leadership through the continued reduction of our emissions and to find new innovative solutions to the growing challenges. We are a part of the Goulburn Broken Greenhouse Alliance, Cities Power Partnership (CPP) and recently signed a CPP joint statement committing to economic recovery solutions that create jobs while tackling climate change.

We recognise the important role the community plays in reducing emissions for the municipality through behaviour change, the uptake of renewables and retrofitting. Therefore, Council aims to partner and assist our residents, businesses and community groups to build capacity and resilience and to support our community in this energy transition.

### RELEVANT LEGISLATION, REPORTS & STATE/FEDERAL TARGETS:

- Renewable Energy Amendment Bill 2019 (Vic) – VRET 2030 Target: Renewable Energy Targets for generation of 40 per cent by 2025 and 50 per cent by 2030.
- Australia's Federal 2030 Climate Change Target - reduce emissions to 26-28 per cent on 2005 levels by 2030.

### OTHER RELEVANT STRATEGIES & POLICIES:

- Energy Reduction Plan 2016
- RCOW Climate Change & Peak Oil Risk Assessment & Adaptation Planning 2013
- Local Power Plan September 2020

### COUNCIL ACHIEVEMENT HIGHLIGHTS:



Photo: Ecoliving Centre solar panels at WISAC

- Since 2016-17 financial year, greenhouse gas emissions from Council owned buildings, streetlights and fleet reduced by 7.5%.
- "Watts Working Better" Street lighting Project in 2016 achieved a cost reduction by 37% and reduced emission by 425 tonnes.
- Solar installations on Council owned buildings include 63kw on WISAC stadium, 18.82kw at Wangaratta Childcare Centre, 4.2kw at Saleyards, 10kw at AC Swinburne Pavilion, 5kw Milawa Hall, 4 kw Bowmans Murmungee Hall and 8.64kw at the Eco Living Centre.
- The co-generation unit at WISAC generates 58kw electricity and 104 kw thermal heat which heats the pools.
- In 2019 Council made the decision to switch its light fleet cars to hybrid through leasing, so far 11 cars have been switched to hybrids.

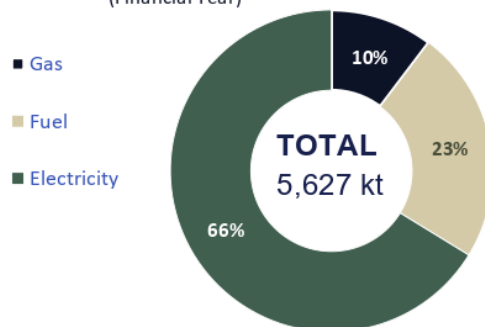


### Emission Profile

The Rural City of Wangaratta has been recording and monitoring the greenhouse gas emissions from its operations since 2006 when it signed up to the Cities Communities aim to reduce 20% of emissions by 2016 with the achievement of this target outlined in the Energy Reduction Plan 2016. Our current emission inventory considers emissions from electricity usage, fuel from fleet and gas from council-operated facilities that fall under scope 1 and 2 emissions. While to date Council has not been able to report on its landfill emissions, it is listed as one of the actions within the strategy.

#### Emission Profile 2018-2019

(Financial Year)



#### Where do our emissions come from?

For 2018-2019 the predominant source of emissions came from the consumption of electricity accounting for over half of the total, with petrol, diesel and LPG powered vehicles accounting for 23%.

The remaining emissions were from consumption of natural gas at some of our facilities.

Council aims to demonstrate leadership by setting a new emission target for its council operations for 2025 and working towards the State's target of transitioning to a climate resilient community and economy with net zero emissions by 2050, as per Victoria's Climate Change Act 2017. After reviewing the previous accomplishment of a 20% reduction by 2016, and planned and future projects, the Rural City of Wangaratta is setting a target of 50% emission reduction from its electricity, fuel and gas usage by 2026\*.

This challenge means we will need to continue retrofitting council-owned buildings, upgrading assets with innovative solutions and investing into renewable energy. Taking into account that electricity makes 66% of our emission profile, the falling prices in renewables in Victoria, and the opportunities for renewable energy purchasing through either green power or power purchasing agreements, we believe this is a realistic target for our operations.

Additionally, it needs to be noted that in order to aim for a net zero emission target, we need to address the previously mentioned landfill emission reporting gap before an overall target is set.

*\* To be confirmed through the development of the Carbon Reduction Action Plan*

**COUNCIL PERFORMANCE OBJECTIVE:**

For at least 50% of Council's electricity to be sourced from renewable energy sources by 2026, with the target being reviewed on a regular basis.

**INDICATOR:** *Baseline 2015-16 levels*

**COUNCIL PERFORMANCE OBJECTIVE:**

Reduce Council's operational carbon emissions by 50% by 2026 to create financial and carbon savings. *(To be confirmed through the development of the Carbon Reduction Action Plan)*

**INDICATOR:** *Baseline 2015-16 levels.*

**HOW WILL THIS BE ACHIEVED?**

COUNCIL OPERATIONS			
THEME	ACTIONS	YEAR	\$
REPORTING	<ul style="list-style-type: none"> <li>Investigate feasibility of/and develop landfill emission reporting for the municipality.</li> </ul>	2021-22	S/G
INFLUENCE	<ul style="list-style-type: none"> <li>Consider submitting a voluntary emissions reduction pledge under the Climate Change Act 2017.</li> </ul>	2021-22	F
STRATEGIC	<ul style="list-style-type: none"> <li>Develop a carbon reduction action plan for corporate operations in order to achieve emission target.</li> </ul>	2021-22	F/S
	<ul style="list-style-type: none"> <li>Continue to investigate feasibility of purchasing renewable energy through power purchasing agreements &amp; other sustainable energy alternatives.</li> </ul>	2021-26	F
RESILIENCE	<ul style="list-style-type: none"> <li>Investigate and partner with sustainable energy provider to pilot at least one battery on a council owned building.</li> </ul>	2023-26	S/G
ASSETS	<ul style="list-style-type: none"> <li>Continue to replace remaining main road street lighting, that are shared assets with Regional Roads Victoria, to energy efficient LED lighting.</li> </ul>	2021-24	S
	<ul style="list-style-type: none"> <li>Continue energy auditing and retrofitting of Council buildings.</li> </ul>	2021-26	S/G
	<ul style="list-style-type: none"> <li>Install solar PV systems where feasible on remaining community halls.</li> </ul>	2022-24	S
	<ul style="list-style-type: none"> <li>Review opportunities to transition council vehicle fleet to electric &amp; installing both council and public use electric recharge stations</li> </ul>	2021-26	S/G

**COMMUNITY PERFORMANCE OBJECTIVES:**

Engage and empower the community to reduce energy consumption and carbon emissions.

Work with partners to inform, educate and assist the community with the aim of promoting and increasing the uptake of renewable energy.

**INDICATOR:** Assessed by no. of participants at events and workshops.

**HOW WILL THIS BE ACHIEVED?**

COMMUNITY			
THEME	ACTIONS	YEAR	\$
REPORTING	<ul style="list-style-type: none"> <li>Create a community emissions inventory to monitor and report on.</li> </ul>	2021-24	S
CAPACITY BUILDING	<ul style="list-style-type: none"> <li>Through partnerships investigate feasibility of community owned renewable energy generation.</li> </ul>	2021-26	F/G
	<ul style="list-style-type: none"> <li>Support community leaders wishing to set targets for the reduction of emissions.</li> </ul>	2021-26	F/S
RESILIENCE	<ul style="list-style-type: none"> <li>Review and investigate opportunities for community halls to improve energy efficiency.</li> </ul>	2022-26	S/G
EDUCATION	<ul style="list-style-type: none"> <li>Work with community groups and external agencies to deliver education programs and workshops on energy efficiency to community and business to increase knowledge of opportunities.</li> </ul>	2021-26	F/S
ADVOCACY	<ul style="list-style-type: none"> <li>Advocate for sustainable energy industries within the municipality through the ongoing Economic Development Strategy.</li> </ul>	2021-26	F
	<ul style="list-style-type: none"> <li>Advocate for low cost renewable energy sources for most vulnerable members of the community.</li> </ul>	2021-26	F





## Healthy Waterways

### CONTEXT:

Our waterways and wetlands are an integral part of what makes the Rural City of Wangaratta so special. We depend on our local environment for clean and plentiful water. We recognise the significance of our waterways to the cultural identity of local indigenous people and in maintaining healthy and prosperous communities.

Threats to the health of our rivers, creeks and wetlands include a reduction in native vegetation cover and habitat loss, pollution, invasive species and unsustainable use. With predicted declines in annual rainfall and stream flow and the increased likelihood of extreme weather events that will impact water quality it is vital that we manage water sustainably and build resilience in our natural systems. Council recognises it is essential to protect and enhance local waterways, wetlands and floodplains to increase ecosystem and community resilience to the impacts of a changing climate.

### RELEVANT LEGISLATION, REPORTS & STATE/FEDERAL TARGETS:

- Catchment and Land Protection Act 1994 (CaLP Act)
- Water Act 1989
- Environment Protection Act 1970
- Environment Protection and Biodiversity Conservation Act 1999
- Environment Protection and Biodiversity Conservation Amendment (Wildlife Protection) Act 2001

### OTHER RELEVANT STRATEGIES & POLICIES:

- |                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>▪ Wangaratta Urban Waterway Action Plan</li> <li>▪ RCoW Stormwater Management Plan</li> <li>▪ Mullinmur Wetland Management Plan</li> <li>▪ State Environment Protection Policy (Waters)</li> </ul> | <ul style="list-style-type: none"> <li>▪ Victorian Government Water for Victoria, Water Plan</li> <li>▪ NECMA Regional Catchment Strategy</li> <li>▪ NECMA North East Climate Ready NRM Strategy</li> <li>▪ NECMA North East Waterway Strategy</li> </ul> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### POSITIVE PARTNERSHIPS

Citizen science is keeping an eye on water quality in the Mullinmur Billabongs and adjacent Ovens River to ensure it remains suitable for native fish populations. Volunteers from Wangaratta Landcare and Sustainability Inc and RCoW staff are using the Waterwatch program and nest box monitoring as part of an environmental education program to assess wetland ecosystem health. Waterwatch in North East Victoria is delivered by North East CMA in partnership with the Rural City of Wangaratta and Petaurus Education Group, with funding from the Victorian Government. We recognise the value of community contributions to monitoring and improving the health of our precious ecosystems.



Photo: Water bug survey.

**COUNCIL PERFORMANCE OBJECTIVES:**

To address threats to waterway health from loss of native vegetation, invasive species, unsustainable use, and pollution we will improve the ecological health of waterways and wetlands on Council managed land using sustainable water management, increasing riparian habitat, managing invasive species and improving infrastructure.

**INDICATOR:** *Assess habitat condition and water quality over time using regular monitoring of permanent monitoring points.*

**HOW WILL THIS BE ACHIEVED?**

COUNCIL OPERATIONS			
THEME	ACTIONS	YEAR	\$
RESILIENCE	<ul style="list-style-type: none"> <li>Improve water quality and riparian habitat connectivity with increased invasive species control and habitat restoration.</li> </ul>	2021-26	F/S/G
	<ul style="list-style-type: none"> <li>Work with partners to develop regional projects.</li> </ul>		
	<ul style="list-style-type: none"> <li>Set up permanent monitoring points to monitor changes in habitat condition and water quality over time.</li> </ul>		
INVESTMENT	<ul style="list-style-type: none"> <li>Identify opportunities for green/blue infrastructure development - incorporate natural systems that provide ecological and amenity value with stormwater management.</li> </ul>	2021-26	S/G
	<ul style="list-style-type: none"> <li>Plan renewal of infrastructure to reduce impacts of pollution and flooding with innovative design.</li> </ul>		
STRATEGIC	<ul style="list-style-type: none"> <li>Update relevant Council plans with sustainable stormwater management considerations.</li> </ul>	2021-26	F/S
ADAPTATION	<ul style="list-style-type: none"> <li>Investigate alternative sources of water (eg stormwater, recycled) for maintaining green spaces, water wise landscaping and invest in water saving technologies.</li> </ul>	2021-26	F/S/G

**COMMUNITY PERFORMANCE OBJECTIVE:**

Foster community involvement in protecting waterway health. Work with partners to assist the community to use water sustainably, maintain habitat and reduce pollution to improve water quality.

**INDICATOR:** Assessed by number of participants at events and community involvement in waterway health indicator monitoring.

**HOW WILL THIS BE ACHIEVED?**

COMMUNITY			
THEME	ACTIONS	YEAR	\$
RESILIENCE	<ul style="list-style-type: none"> <li>Work in partnership with community groups and agencies to preserve waterway values and enhance remnant habitat through riparian planting and invasive species management.</li> </ul>	2021-26	F/S/G
EDUCATION	<ul style="list-style-type: none"> <li>Encourage participation in citizen science e.g. monitoring water quality, photo point habitat condition, fauna surveys to help understand the impact of habitat destruction, pollution and invasive species on waterways and inform actions to reduce this impact.</li> </ul>	2021-26	F/S/G
COLLABORATION	<ul style="list-style-type: none"> <li>Integrated water management. Work with partners including NECMA, NE Water and communities to deliver innovative solutions to adapt to changing climatic conditions and protect waterway, wetland and floodplain health on a regional scale.</li> </ul>	2021-26	F/S/G



## Sustainable Communities

### CONTEXT:

Victoria has been experiencing impacts from climate change within its communities, from heatwaves, floods and bushfires. It is Council's role to assist the community in the transition to a future with different climate and resources and to deal with both direct and indirect impacts.

These will affect many of the health pillars identified in the Municipal Health & Wellbeing Plan that include social equity, mental health, healthy behaviours and active communities.

We are seeking to increase the resilience of the community to mitigate and adapt to these changes. In order to achieve this Council commits to strengthening partnerships and collaboration with various stakeholders including Youth Council, businesses and local community groups.

### RELEVANT LEGISLATION, REPORTS & STATE/FEDERAL TARGETS:

- UN Sustainable Development Goals
- Recycling Victoria - national target to halve Australia's food waste by 2030
- Victoria's Climate Change Framework

### OTHER RELEVANT STRATEGIES & POLICIES:

- North East Local Food Strategy 2018-2022
- Municipal Emergency Management Plan
- Access & Inclusion Plan
- Wangaratta Urban Flood Study



Photo: Aerial of Wangaratta

### TACKLING CLIMATE CHANGE THROUGH COLLABORATION

Council is part of the Goulburn Broken Greenhouse Alliance (GBGA) which is made up of 13 regional Councils, the Goulburn Broken Catchment Management Authority, North East Catchment Management Authority, and the Department of Environment, Land, Water and Planning (Hume).

The vision of GBGA is to enable our communities to actively respond to climate change and it is one of a network of regional greenhouse alliances across Victoria, working to respond to climate change through the development of a variety of projects.

These have included the Watts Working Better project, Main Road Streetlighting Project, Electric Vehicle Study, Climate Smart Agricultural Development, developing a sustainability indicator tool, and co-sponsoring the regional conference, "Managing Climate Risk in Agriculture".

**COUNCIL PERFORMANCE OBJECTIVE:**

Increase environmental & sustainability awareness for staff at all levels at Council.

**INDICATOR:** Assessed by number of Eco Leader events & no. of participants.

**COUNCIL PERFORMANCE OBJECTIVE:**

Demonstrate commitment through the inclusion of climate change & sustainability criteria in all relevant documents and policies.

**INDICATOR:** Assessed by reviewing Council documents & policies.

**HOW WILL THIS BE ACHIEVED?**

COUNCIL OPERATIONS			
THEME	ACTIONS	YEAR	\$
STRATEGIC	<ul style="list-style-type: none"> <li>Respond to adverse weather events through the review and continual update of emergency preparedness and response actions.</li> </ul>	2021-26	F
INFLUENCE	<ul style="list-style-type: none"> <li>Ensure sustainability criteria are strengthened for the community grants program and to support relevant applicants through the process.</li> </ul>	2021-22	F
EDUCATION	<ul style="list-style-type: none"> <li>Continue the staff Eco Leaders team to increase awareness and actions regarding environmental sustainability.</li> </ul>	2021-26	F
GOVERNANCE	<ul style="list-style-type: none"> <li>Integrate environmental considerations &amp; climate change risk in the Council plan and council strategies during their review.</li> </ul>	2021-26	F



## Environmental Sustainability Strategy

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**COMMUNITY PERFORMANCE OBJECTIVE:**

Increase the resilience capacity of community to mitigate and adapt to changes driven by climate change and to respond to extreme events.

Work collaboratively with external stakeholders on community-based environment and sustainability initiatives.

**INDICATOR:** Assessed by number of joint events & projects.

**HOW WILL THIS BE ACHIEVED?**

COMMUNITY			
THEME	ACTIONS	YEAR	\$
BUILDING AWARENESS	<ul style="list-style-type: none"> <li>Collaborate with local groups in the creation of communication material to showcase sustainability stories from residents to empower &amp; educate the community to make sustainable changes at home.</li> </ul>	2021-26	F/S
ADVOCACY	<ul style="list-style-type: none"> <li>Advocate for continued funding for initiatives around rural resilience &amp; mental health in the face of climate change and develop community driven support mechanisms.</li> </ul>	2021-26	F/G
	<ul style="list-style-type: none"> <li>Advocate for the inclusion of a sustainability category for the Wangaratta Business Awards.</li> </ul>	2021-23	
ENGAGEMENT	<ul style="list-style-type: none"> <li>Create an Environment &amp; Sustainability reference group to encourage increased dialogue &amp; collaboration.</li> </ul>	2021-26	F/S/G
CAPACITY BUILDING	<ul style="list-style-type: none"> <li>Continue to support initiatives to improve community access to food through local food and economies, the North East food strategy and regenerative agricultural practices.</li> </ul>	2021-26	F/S/G
	<ul style="list-style-type: none"> <li>Engage with local landholders, businesses and residents about local climate adaptation through the development of a newsletter, utilising social media platforms, and additional website information</li> </ul>	2021-26	S
EDUCATION	<ul style="list-style-type: none"> <li>Explore feasibility of providing sustainability information to new tenants and homeowners by working with local real estate agents &amp; owners corporations.</li> </ul>	2023-24	S



## Waste Reduction & Resource Recovery

### CONTEXT:

In Australia our waste and recycling system is facing serious challenges and the sector is rapidly evolving with a focus on waste avoidance and the emergence of a shift to resource recovery and a circular economy.

Council has a key role to play in leading this change to engage and incentivise responsible consumption and production in our municipality which is recognised in the Waste Management Strategy. The additional targets and actions within this Strategy are complementary to those.

We also recognise the emerging local production and innovation opportunities within Victoria's circular economy that has the potential to lead to lower greenhouse gas emissions, cost efficiencies and job creation.

### RELEVANT LEGISLATION, REPORTS & STATE/FEDERAL TARGETS:

- Recycling Victoria Policy – Cut total waste generation by 15 per cent per capita by 2030.
- 2025 National Packaging Waste Targets – 100% recyclable, reusable or compostable packaging in Australia by 2025.
- National Waste Policy 2018
  - Divert 80 percent of waste from landfill by 2030 and 72 per cent by 2025.
  - Significantly increase the use of recycled content by government and industry
- Victorian Government's Social Procurement Framework

### OTHER RELEVANT STRATEGIES & POLICIES:

- Events & Attractions Policy 2018-2023



Photo: Organics Processing Plant

### What is a circular economy?

The Victorian Government defines a circular economy as one that continually seeks to reduce the environmental impacts of production and consumption, while enabling economic growth through more productive use of natural resources.

It "promotes more efficient business models that encourage intense and efficient product use, such as sharing products between multiple users, or supplying a product as a service that includes maintenance, repair and disposal" and "It transforms our linear economy mindset—take, use and throw away—and fosters innovation and productivity that invigorates existing businesses and creates new ones, delivering more jobs and more growth for local, regional, state and global economies." -Recycling Victoria Policy

**COUNCIL PERFORMANCE OBJECTIVE:**

Reduce resource and waste generation from Council operations.

**INDICATOR:** *Assessed through bin audits, paper consumption and water usage.*

**COUNCIL PERFORMANCE OBJECTIVE:**

Addition of sustainability and waste reduction requirements/policies for council operations and events.

**INDICATOR:** *Assessed by reviewing Council documents & policies.*

**HOW WILL THIS BE ACHIEVED?**

COUNCIL OPERATIONS			
THEME	ACTIONS	YEAR	\$
STRATEGIC	<ul style="list-style-type: none"> <li>Develop and implement a single use plastic policy for Council's operations &amp; events, that includes an educational workshop and bin audit.</li> </ul>	2022-26	F/S
EDUCATION	<ul style="list-style-type: none"> <li>Reduce waste, paper and water usage through education &amp; changing processes.</li> </ul>	2021-26	F/S
REPORTING	<ul style="list-style-type: none"> <li>Review and change procurement policy to address sustainability considerations and criteria for tenders.</li> </ul>	2022-26	F/S
INNOVATION	<ul style="list-style-type: none"> <li>Assess feasibility of extracting methane gas from Council owned facilities to convert into energy.</li> </ul>	2022-26	G



**COMMUNITY PERFORMANCE OBJECTIVES:**

Work in partnership with the community to reduce the amount of waste send to landfill.

Increased awareness of circular economy & recycling opportunities to encourage waste recovery and extend lifecycle of resources.

**INDICATOR:** Assess success through landfill data.

**HOW WILL THIS BE ACHIEVED?**

COMMUNITY			
THEME	ACTIONS	YEAR	\$
EDUCATION	<ul style="list-style-type: none"> <li>Work in partnership with the community &amp; local groups to increase awareness of resource consumption and improve waste avoidance.</li> </ul>	2021-26	F/S/G
	<ul style="list-style-type: none"> <li>Trial cloth nappy rebate for community members.</li> </ul>	2021-26	S
CAPACITY BUILDING	<ul style="list-style-type: none"> <li>Investigate opportunities and collaborate with external organisations to develop a share library of household items to minimise household consumption (i.e power &amp; hand tools, household party supplies, sports or camping equipment)</li> </ul>	2021-26	S/G
INVESTMENT	<ul style="list-style-type: none"> <li>Identify and assist businesses and agricultural producers to establish circular economy opportunities and attract sustainable industries.</li> </ul>	2021-26	S/G
STRATEGIC	<ul style="list-style-type: none"> <li>Develop 'Waste Wise' event guidelines that include waste minimisation guidelines for all event applications.</li> </ul>	2021-23	F
INFLUENCE	<ul style="list-style-type: none"> <li>Support State &amp; external organisation led circular economy education campaigns &amp; promote innovation through our communications and events.</li> </ul>	2021-26	F

## Appendices

### Glossary

Term	Definition
<b>Biodiversity</b>	the variety of plant and animal life in the world or in a particular habitat, a high level of which is usually considered to be important and desirable.
<b>Built Environment</b>	man-made structures, features, and facilities viewed collectively as an environment in which people live and work.
<b>Catchment</b>	natural drainage area that collects water such as rainfall.
<b>Climate Change</b>	changes in the world's weather as a result of human activity increasing the level of carbon dioxide in the atmosphere.
<b>Community</b>	group of people living in the same place, in this case all people within the Rural City of Wangaratta municipality including individuals, households, businesses and schools.
<b>Context</b>	Background information that assists in explaining reason for priority area and following actions.
<b>Ecosystem</b>	a biological community of interacting organisms and their physical environment
<b>Environmentally Sustainable Design (ESD)</b>	aims to improve the health and comfort of buildings for occupants whilst at the same time reducing negative impacts on the environment.
<b>Environmental Sustainability</b>	responsibly interacting with the planet to maintain natural resources and ensuring they will be protected and maintained for future generations.
<b>Flora</b>	the plants of a particular region, habitat, or geological period.
<b>Fauna</b>	the animals of a particular region, habitat, or geological period.
<b>Goulburn Broken Greenhouse Alliance (GBGA)</b>	is one of a network of regional greenhouse alliances across Victoria consisting of 13 councils responding to climate change through the implementation of various regional projects.
<b>Greenhouse Gas Emissions</b>	Gases, such as carbon dioxide, methane and nitrous oxide that trap heat in the atmosphere and are resulting in changes to the planet's climate systems.
<b>Invasive Species</b>	a plant or animal species occurring as a result of human activities beyond its accepted normal distribution which threatens valued environmental, agricultural or other resources by the damage it causes.

<b>Native</b>	broadly refers to a species that normally lives and thrives in a particular ecosystem, in this case endemic to Australia.
<b>Natural Assets</b>	assets of the natural environment. They consist of biological assets (produced or wild), land and water areas with their ecosystems, subsoil assets, and air.
<b>Natural Resource Management (NRM)</b>	refers to the management of natural resources such as land, water, soil, plants, and animals
<b>Procurement Policy</b>	a council policy outlining the act of obtaining goods or services is managed.
<b>Recycling</b>	the action or process of converting waste into reusable material. An example of resource recovery.
<b>Renewable Energy Sources</b>	Sources of energy that come from natural sources or processes that are constantly replenished such as solar, wind, water (hydro), biomass and geothermal.
<b>Resilience</b>	In the context of this strategy council defines it as the ability to anticipate, prepare for, and respond to hazardous events, trends, or disturbances related to climate.
<b>Resource Recovery</b>	is when energy, a material, or a product is taken from waste and used for another purpose.
<b>Stormwater</b>	Surface water resulting from rainfall which runs off surfaces including roofs, pavement and land that is captured by constructed drainage systems.
<b>Subdivisions</b>	a portion of land divided into lots for real-estate development.
<b>Sustainable Food Systems</b>	food that is produced, processed, distributed and disposed of in ways that protect the diversity of both plants and animals and the welfare of farmed and wild species and avoids damaging or wasting natural resources or contributing to climate change.
<b>Tree canopy cover</b>	a form of green infrastructure providing shade and a measure of how much the plant canopy covers the ground when viewed from the air.
<b>Urban Heat Island Effect</b>	an increase in temperature in urbanised areas due to removal of vegetation or introduction of structures such as buildings and roads that absorb and re-emit the sun's heat.
<b>Waterways</b>	a channel for water including a river, creek, stream or watercourse where water regularly flows.

Environmental Sustainability Strategy

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Rural City of  
**Wangaratta**

## Arts, Culture and Heritage Advisory Committee Meeting ~ Minutes



**Date** Monday 17, August 2020  
**Time** 5:30pm  
**Location** Via Zoom Online Meeting

### AGENDA ITEM

#### 1. PRESENT

Committee members	Councillor & Officers
David Godkin	Cr Dave Fuller
Rhonda Diffey	Penny Hargrave
Margaret Brickhill	Tanya Camplin
Adrian Vaughan	Celeste Brockwell
Ian Poole	

#### 2. APOLOGIES

##### Motion:

*That apologies be accepted from **Patricia Boake** and **Marc Bongers***

**Moved:** Adrian Vaughan  
**Seconded:** Ian Poole

#### 3. CONFLICT OF INTEREST DECLARATIONS

NIL

#### 4. MINUTES OF PREVIOUS MEETING (previously circulated)

##### Motion:

*That the minutes of the June 2020 meeting be accepted as presented.*

**Moved:** Rhonda Diffey  
**Seconded:** David Godkin

#### 5. GENERAL BUSINESS & BUSINESS ARISING (from the previous minutes)

ACHAC members advised that ACHAC did not submit a combined submission on the Council Budget for FY 2021 or the Wareena Parklands Master Plan. Individual members of the group did submit personal submissions.

Positive feedback was received from one member regarding the detailed response they received from a Council officer after making a submission to the Wareena Parklands Master Plan and expressed their appreciation on the time taken to respond.



## DISCUSSION

### **Ovens College Site – update – Celeste Brockwell - Manager - Economic Development, Environment & Strategy (EDES)**

- Celeste provided an overview of the background to the Ovens College site, the issues that Council is working through and the completed actions to date.
- Celeste provided a list of potential permitted uses of the site under the terms of the contracts

### **Climate Change – Council's response - Celeste Brockwell - Manager – EDES**

- Environment & Sustainability Strategy 2021 – 2025 is in draft form
- The draft strategy has undergone internal peer review, councilor review and limited community review
- Members requested to be included in the community consultations when the report is ready
- The priority points of the strategy are:
  - Biodiversity
  - Built Environment & Urban Ecology
  - Carbon Emission & Energy Reduction
  - Healthy Waterways
  - Sustainable Communities
  - Waste Reduction & Resource Recovery

### **Community & Business grants – Celeste Brockwell - Manager – EDES**

- Celeste provided an overview of the grant program
- Details had been circulated to the members prior to the meeting and recirculated post the meeting
- Applications close ~ 11/09/2020
- Decision ~ 16/10/2020
- Grant to be expended by 30/06/2021

### **Background**

- The Business and Community Recovery Grants Program has been established to provide financial support to businesses and community organisations within the Rural City of Wangaratta who have experienced disruption and hardship due to the devastating bushfires of January 2020 and the COVID-19 pandemic.
- As part of Rural City of Wangaratta's 20/21 budget, Council approved the allocation of \$372,876 for the Business and Community Recovery Grants Program.
- The Business and Community Recovery Grants Program for FY20/21 only will replace Council's Community Grants Program, Tourism Event Funding Program. These respective grant programs will recommence in FY21/22.
- The Business and Community Recovery Grants Program is a competitive program open to:
  - Non-profit community organisations \$1,000 - \$10,000
  - Businesses \$1,000 - \$10,000

### **Result of Audience Outlook Monitor Survey – Stages 1 & 2 – Australia Council for the Arts – Tanya Camplin**

- Tanya Camplin provided an overview of the research conducted by the Australia Council for the Arts on audience sentiment about returning to live performance. Comparisons were provided across all states of Australia and across two survey periods.
- The report was circulated prior to the meeting

**Australia Day nominations – update**

- An update on the process was provided.
- Discussion around encouraging the “quiet achievers” to nominate or to be nominated
- Plans in place for a virtual ceremony of the Wangaratta awards if a face to face ceremony cannot take place
- The success of streaming the Anzac Day service could be replicated for Australia Day even if the ceremony can take place

**ACHAC Committee re-elections – timelines – terms expire February 2021**

- Advised committee members of expiry of terms
- Provided details of re-election process

**BUSINESS UNIT REPORTS**

**Motion:** *That the June 2020 – September 2020 reports for Arts, Culture, and Events Unit circulated via email & presented at the August 2020 meeting be accepted as presented.*

**Moved:** David Godkin  
**Seconded:** Adrian Vaughan

**MEETING CLOSED** 7:00pm

**NEXT MEETING**

Monday 12 October 2020 at 5:30pm.

Location to be determined based on COVID-19 restrictions in place at that time.



Rural City of  
**Wangaratta**

## DRAFT Minutes

### Wangaratta Economic Development & Tourism Advisory Committee

5:30pm November 10, 2020 at Microsoft Teams

**APPOLOGIES:** Celeste Brockwell, Robert Floyd

**COMMITTEE:** John Joyce, Elizabeth Ellis, Robert Floyd, Stephen Oxley, Ilana Young, Simon Frazer, Christine Haddrick

**GUESTS:** N/A

**NON VOTING:** Stephen Swart, Janine Rolles, Travis Vincent, Kate Clark (minutes)

#### Agenda Item

##### 1. Welcome – John Joyce

- **Meeting Apologies** – As above.
- **Review of previous meeting minutes:**  
Moved by: Christine Haddrick  
Seconded by: Simon Frazer
- **Conflict of interest declarations:** N/A
- Dennis introduced himself to members who were absent at the last meeting.
- Trent introduced himself to members who were absent at the last meeting.

##### 2. WEDTAC Strategic Actions and Structure

A survey sent around to the committee a few months ago showcased committee members feeling not a great deal was being achieved by WEDTAC. Discussion followed about how the committee should progress forward both in an advisory capacity to RCoW staff and also to work on their own projects.

It was noted that when RCoW specifically seeks feedback on topics the committee's skills, knowledge and contacts make that feedback very worthwhile. Other beneficial aspects from the committee has been their ability in identifying gaps throughout the municipality.

Committee members commented that sometimes there could be more of a dissemination of information from RCoW before the fact/project is confirmed. Further



commentary around issues brought up (Truck Parking, Composting, Logistics) by the committee resulting in listening to what has been done and not what we can help with. As business owners, community members and residents the committee are a ready-made group that would/should be valuable for market research from RCoW.

Rather than WEDTAC setting their own agenda it should ensure it works within Councils Plan and be used for its original intent.

Elizabeth- with 4 - 5 years on the committee I think in the last few years we have provided some valuable advice.

Outcomes from the last workshop and 5 key areas of Healthcare, Industry Development, Training & Workforce, Tourism and Agriculture were discussed by committee.

Dennis and John led discussion around six areas identified by the Commonwealth Government (Modern Manufacturing Strategy) for grant funding.

Discussion followed around water security:

Elizabeth: as hobby farmers we have an excess of water we don't know what to do with it - advice would be good. **ACTION - John to take to sub(working)group.**

Three areas were determined as key to progress forward:

- Industry Development -Simon, Dennis, Liz, Christine & Stephen Oxley
- Tourism – Trent, Liz,
- Workforce and Education and Innovation – Ilana,Christine, John

**ACTION – Between now and Christmas members of subcommittees (areas defined above) to meet for a coffee and come up with your two major priorities for your area to report back to the committee with.**



### 3. Business Arising

- Dennis raised that someone out at aerodrome is working on a plane that could potentially be a tourist attraction.
- Stephen Swart – Shape Wangaratta. Encouraged members to register their interest.
- Stephen Swart – Visitor Servicing Strategy has commenced. An invitation for members 10am Thursday November 12 will be circulated.
- Stephen Swart – gave an update to the committee on the elections and new Councillors being sworn in on November 24.
- December meeting flagged as potential to have a slightly less formal meeting.  
**ACTION - Kate to keep committee members posted on this via email.**

The meeting concluded at 7:08 pm



## Minutes

### Agriculture and Agribusiness Advisory Committee

5:00pm Thursday 28, January 2021 Microsoft Teams and Ovens Room.

#### Attendees

Cr Harvey Benton, Graeme Norman, Geoff Bussell, Noel Bennett, Leon Carter

Celeste Brockwell, Stephen Swart, Rachael Richards, Janine Rolles, Martin Ireland

Guest Speakers – Tom Fahy – Horticulture Coordinator

#### Apologies

Lachlan Campbell

Agenda Item	Action
<ul style="list-style-type: none"> <li>Acceptance of apologies: Moved: Geoff Bussell Seconded: Harvey Bennett</li> <li>Acceptance of minutes Moved: Geoff Bussell Seconded: Graeme Norman</li> <li>No conflicts of interest declared.</li> </ul>	
<p><b>1. Design Process when implementing Roadsides within the Municipality – Tom Fahy – Horticultural Coordinator</b></p> <ul style="list-style-type: none"> <li>Tom gave the committee a comprehensive overview of the processes that are undertaken when assessing roadside trees.</li> <li>Committee noted concerns about trees that posed an immediate threat and how quickly they can be assessed and dealt with. Concerns around two sets of rules, one for Council and one for DELWP.</li> </ul>	<p><i>Rachael to send out information as supplied by Tom to the Committee.</i></p>

Minutes Name Here

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Agenda Item	Action
<ul style="list-style-type: none"> <li>Based on the tree's condition and an assessment of the actual risk, Council will take the appropriate action, and undertake or order the relevant works.</li> </ul>	
<b>2. Water Security Project Group – Harvey Benton</b>	
<ul style="list-style-type: none"> <li>Harvey noted that the Project Group had met with Grant Jones from GHD who had provided information on existing water systems and highlighted where the group might focus its outcomes and actions into the future.</li> <li>The Group continues to progress the project and will look to contact relevant water authorities to further expand their knowledge base.</li> </ul>	<i>Continued updates to committee regarding progress of project.</i>
<b>3. Making Grants easy to Navigate - Advocacy</b>	
<ul style="list-style-type: none"> <li>Feedback from the committee and community identified the difficulties around submitting applications. The process and hoops that people had to go through often at very difficult times in their lives.</li> <li>Council – there are strict guidelines around reporting requirements for any funding that is distributed by council. There are organisations that are funded to assist with grant submission, AgBiz assist is a great example. Council will always have a dedicated contact person to assist with enquiries and point people in the right direction for assistance.</li> <li>Better communication to be sent out about the assistance available. Helen Haines MP Website has a great set of resources in regard to grant writing.</li> </ul>	<i>Committee to be proactive in helping to get information out regarding assistance.</i>
<b>4. Environmental Sustainability Strategy – Harvey Benton</b>	
<ul style="list-style-type: none"> <li>The Environment Sustainability Strategy was presented at the Ordinary Council Meeting and the recommendation was to hold off going to public exhibition until the Council had further time to discuss.</li> </ul>	<i>Rachael to send out ESS and notes from Harvey.</i>  <i>Committee to read through ESS and note</i>

Minutes Name Here

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Agenda Item	Action
<ul style="list-style-type: none"> <li>Harvey has noted some areas of concern and has asked the committee to form a sub-committee to go over the ESS and prepare a submission on behalf of the AAAC.</li> <li>This item will be discussed at the Combined WEDTAC and AAAC meeting on February 15, 2021.</li> </ul>	<p><i>any concerns or changes they may have.</i></p> <p><i>Two – three members to form sub-committee to discuss and prepare a submission on behalf of the AAAC.</i></p>
<b>5. General Business</b>	
<ul style="list-style-type: none"> <li>Pest and Weeds – confusion over costings and information. The EOI for Weed Control has been extended.</li> <li>Council will start work on their Vision and Council Plan in coming months. The Committee noted that the Shape Wangaratta Community Panel had poor representation from its rural community members. The plan will set the strategic direction for the next five years and should provide people the opportunity to have their say, including rural areas.</li> </ul>	<p><i>Celeste to follow up with the Environmental Team to work through clearer information.</i></p> <p><i>Rachael to check closing dates for Shape Wangaratta.</i></p>
<b>End Meeting:</b>	6.29am
<b>Next Meeting:</b>	Monday 15 February 5.30pm Council Chambers



# Minutes

## Sport and Recreation Advisory Committee

4.00pm Wednesday 10 February 2020 at Council Chambers

### Attendees

Cr. Harvey Benton (Chair), Cr. Harry Bussell, Ben Thomas, Brad Gill, Mel Paul, Cassy Campbell, Wally Pasquali, Noel Boyd, Russell Canning

### Apologies

Sue Synnot, Kerry Strauch, Nicholas Impink

Agenda Item	Action
<p><b>1. Meeting Introduction</b> (Cr. Harvey Benton)</p> <ul style="list-style-type: none"><li>• Present</li><li>• Apologies</li><li>• Conflict of Interest Declarations</li></ul> <p><b>Motion/Recommendation:</b> <i>That the apologies for this meeting be accepted.</i> <i>Moved: Noel Boyd</i> <i>Seconded: Wally Pasquali</i></p>	
<p><b>2. Previous Meeting</b> (Cr. Harvey Benton)</p> <ul style="list-style-type: none"><li>• Due to the length of time from the previous meeting it was discussed to not review the previous minutes.</li></ul>	
<p><b>3. Purpose and Charter Review</b> (Cr. Harvey Benton)</p> <ul style="list-style-type: none"><li>• The objectives of the Advisory Committee were discussed.</li><li>• The ability of the Advisory Committee to form sub-committees was raised with Cr. Benton and Ben identifying it as an opportunity to focus on specific issues.</li></ul>	<p><i>Charter to be distributed to all members by Brad – Due 24 Feb</i></p>

Agenda Item	Action
<ul style="list-style-type: none"> <li>The meetings have often been largely information sharing but an increase in collaboration on specific topics will see the value of the Advisory Committee increasing.</li> <li>Discussion was held around the Ten-Year Sport and Recreation Plan which would be a focus for the Advisory Committee</li> </ul>	
<p><b>4. Wangaratta Sport and Aquatic Centre</b> (Ben Thomas)</p> <ul style="list-style-type: none"> <li>The vision is to be an integrated sports and events precinct delivering social, recreational, health and economic benefits.</li> <li>Cr. Benton identified that the management of the precinct will continue to be up for discussion with the Advisory Committee.</li> <li>Cr. Benton raised that it was intended to have a policy developed for the management of the precinct as an action from when Council disbanded the Showgrounds Committee of Management.</li> <li>Discussion was held around customer service issues and the need to build trust amongst existing members. The need for increased interaction with users was identified and improved opportunities for customers to give feedback, whether in-person, via iPads, feedback boxes or similar.</li> <li>There was discussion around the number of staffing changes, the stability of staffing with multiple resignation and the impacts of COVID.</li> <li>Several achievements have been successful within the precinct with the operational setup of the centre, the construction of the new outdoor pool and hydrotherapy pool and the renewal of the reception area.</li> <li>A grant through Sport and Recreation Victoria for an expansion of the dry areas was unsuccessful but the funding body have demonstrated interest in the project.</li> <li>An informal opening of the new pool was held in December with a small (due to COVID) but successful event held.</li> <li>The impact of COVID has been significant, exacerbated by the timing of the changeover from</li> </ul>	<p><i>Plans for the dry area expansion to be an agenda item at the next meeting by Brad – Due 14 Apr</i></p>

Agenda Item	Action
<p>YMCA, there is significant unemployment within the leisure industry and there have been 17 rounds of employment to recruit staff at the precinct. A scholarship program has been developed as an incentive to recruit people. The availability of suppliers and contractors has also been an issue.</p> <ul style="list-style-type: none"> <li>There was a query raised as to the opening hours of the new outdoor pool. The hours have been limited due to financial viability and needing to have adequate staff on site.</li> <li>Manager of the precinct, Chloe Davies will be involved in the Advisory Committee in the future and particularly in leading up to the management of the precinct.</li> </ul>	<p><i>Discussion around the management of the Parklands Precinct with Chloe Davies to be organised by Brad – Due 13 October</i></p>
<p><b>5. Parklands Precinct Masterplan</b> (Brad Gill)</p> <ul style="list-style-type: none"> <li>The Parklands Precinct Masterplan has been in development for the last 18 months with significant engagement with user groups and the community.</li> <li>The masterplan was endorsed by Council in December.</li> <li>Discussion around several key projects and those high priority projects that will be seeking Council endorsement in the upcoming budget process.</li> <li>A query was raised about the lack of playgrounds within the precinct. It was discussed that there are already playgrounds servicing that area of Wangaratta outside of the precinct and therefore none were included. There may still be opportunities where individual clubs may seek a small playground to benefit their activity, but it was acknowledged that there is not a need for another playground to service the community.</li> </ul>	<p><i>Link to full Masterplan to be distributed to all members by Brad – Due 24 February</i></p> <p><i>Advisory Committee members to be engaged in relation to priority projects by Brad – Due 14 Apr</i></p>
<p><b>6. Wareena Park Masterplan</b> (Brad Gill)</p>	<p><i>Link to full Masterplan to be distributed to all</i></p>



Agenda Item	Action
<ul style="list-style-type: none"> <li>The Wareena Park Masterplan has been in development since mid-2019 with significant engagement with user groups and the community.</li> <li>Concurrently, a Senior Citizens Feasibility Study has been undertaken and identified Wareena Park as a preferred venue for a new senior citizen's centre.</li> <li>Discussion around several key projects and those high priority projects that are currently underway including the design of the buildings identified in the masterplan.</li> </ul>	<p><i>members by Brad – Due 24 February</i></p>
<b>7. General Business (All)</b>	
<ul style="list-style-type: none"> <li>Cr. Bussell identified that the focus of today's meeting was Wangaratta-centric, also need focus on rural areas.</li> <li>Cr. Benton raised the issue of drainage at the Wangaratta Showgrounds as shown in the Wangaratta Chronicle. General discussion occurred on the history of the issue.</li> <li>Cr. Benton raised the issue of communicating with clubs regarding the works on Barr Reserve #2 Oval and when they would be able to use the oval.</li> <li>There was a query as to the status of Merriwa Park and the long-term planning for that site, it was confirmed that there is a need to do further planning for that site.</li> <li>There was discussion around the need for additional sporting fields including the possibility of the Rodeo Grounds being used. It was confirmed that the masterplan identifies this area as a multipurpose training space. Discussion about the need for addressing the increasing conflict between football and cricket and query on the potential to use or further develop Targoora Park, Bindall Avenue Reserve and Bruck Oval.</li> <li>Cr. Benton opened a discussion around the role of the Chair and whether the committee wanted to nominate a community representative to take on that role.</li> <li>Cr Benton queried members as to whether the day and time of the meeting suited all members. There was</li> </ul>	<p><i>Review the issue of drainage at the Showgrounds and provide feedback to the Committee by Ben – Due 14 April</i></p>

Agenda Item	Action
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general agreement that the current 4pm Wednesday time is appropriate.

***The meeting closed at 5.18pm.***

## Action Plan

Action	Responsible	By When	Status
2020/02 – Advisory Committee Charter to be distributed to all members	B Gill	24 Feb 2021	Incomplete
2020/02 - Plans for the dry area expansion to be an agenda item at the next meeting	B Gill	14 Apr 2021	Incomplete
2020/02 - Link to full Masterplan to be distributed to all members	B Gill	24 Feb 2021	Incomplete
2020/02 - Advisory Committee members to be engaged in relation to priority masterplan projects	B Gill	14 Apr 2021	Incomplete
2020/02 - Link to full Masterplan to be distributed to all members	B Gill	24 Feb 2021	Incomplete
2020/02 - Discussion around the management of the Parklands Precinct with Chloe Davies	B Gill	13 Oct 2021	Incomplete
2020/02 - Review the issue of drainage at the Showgrounds and provide feedback to the Committee	B Thomas	14 Apr 2021	Incomplete