



Rural City of  
**Wangaratta**

# Minutes

For the Scheduled Council Meeting  
Council Chambers, Municipal Offices  
62-68 Ovens Street, Wangaratta  
**6pm 22 October 2024**



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Unconfirmed

## 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 and to Elders from other communities who may be here today.*

## 2. Opening Prayer

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

## 3. Present

Councillors:

Irene Grant, David Fuller, Dean Rees, Harry Bussell, Harvey Benton, Ashlee Fitzpatrick, Jack Herry

Officers:

Brendan McGrath, Chief Executive Officer; Marcus Goonan, Director Community and Infrastructure; Sarah Brindley, Director Corporate and Leisure; Stephen Swart, Director Sustainability and Culture

Administration:

Executive Services Coordinator, Councillor and Executive Services Support Officer

## 4. Absent

## 5. Acceptance of Apologies & Granting of Leave of Absence

## Order of Business

### 6. Citizen Ceremony

Nil

### 7. Confirmation of Minutes

#### Resolution:

That Council read and confirm the Minutes of the Scheduled Meeting of 16 September 2024 and the Unscheduled Meeting of 30 September 2024 as a true and accurate record of the proceedings of the meetings.

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

**Carried**

### 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.

*Cr Dave Fuller declared a Material Conflict of Interest for:  
22.1 due to a family member being a board member of one of the groups*

## 9. Reception of Petitions

## 10. Hearing of Deputations

### Presentation Of Reports

For full transcript, please refer to the recording on the Rural City of Wangaratta YouTube channel. Time markers are noted in **(minutes:seconds)** format.

## 11. Councillor Reports (4:15)

### Resolution:

Councillor D Fuller moved a motion:

To change the standing orders so that Item 11 Councillor Reports be moved until after Item 21 Public Question Time.

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

**Carried**

Mayor Rees:

*I'd like to take a moment to remember Mr John Elward, who served as town clerk in the City of Wangaratta between 1974 and 1993 and who passed away on October 7, aged 89. The town clerk role is equivalent to the current CEO and Mr Elward was awarded a Public Service Medal in 1993 for his contribution to the municipality. The foyer of the Government Centre is named after John. We thank him for his service to our community and are thinking of his family at this time.*

### Officers' Reports

## 12. Executive Services

Nil

## 13. Corporate and Leisure

### 13.1 Annual Report 2023-24 (6:19)

Meeting Type: Scheduled Council Meeting  
Date of Meeting: 22 October 2024  
Author: Governance & Reporting Advisor

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 for Council's consideration of the Annual Report 2023-24 (Attachment 1).

#### Resolution:

That Council receives and adopts the Annual Report 2023-24, including the updated Governance and Management Checklist 2023-24.

**(Moved: Councillor I Grant/Councillor H Benton)**

For: Unanimous

Against:

**Carried**

#### Background

Section 98 of the *Local Government Act 2020* requires all councils to prepare, and meet to consider, an Annual Report for the preceding financial year.

The 2023-24 Financial Statements, the 2023-24 Performance Statement and the 2023-24 Governance and Management Checklist required to be included in the Annual Report were adopted in-principle by Council on 30 September 2024, subject to final VAGO approval.

The Financial Statements and Performance Statements included in the Annual Report have been audited by Crowe Australia on behalf of the Victorian Auditor-General's Office (VAGO) and have subsequently been submitted to VAGO where they received final approval on 17 October 2024.

No changes have been made to the Financial Statements (Income Statement, Balance Sheet, Statement of Cashflows, and Statement of Changes in Equity) as a result of VAGO's final review. An adjustment of \$412k has been made to the Statement of Capital Works to reflect projects that were reclassified from capital to operating expense; and updates made to Notes: 2.1 Performance against Budget; 3.5 Contributions; 3.7 relating to Landfill Provision; 4.4 Other expenses; 5.5 Provisions; and, 6.2 Statement of Capital Works as a result of quality checking.



At the last council meeting the prior year's Governance and Management Checklist was inadvertently provided. The correct and fully up-to-date document has also now been included. This demonstrates further progress against several governance deliverables however also to note for full transparency, is that council failed to deliver the Quarter 1 Budget Report last year due to a vacancy of the Finance Manager role at that time. This was rectified in Quarter 2.

All councils are required to report performance results as part of their annual report in accordance with the *Local Governance (Performance and Reporting) Regulations 2020* (Vic). The framework was introduced to ensure all councils measure and report on their performance in a consistent way. The Annual Report also follows the State Government's Model Report of Operations for producing the report of operations.

Notwithstanding the caretaker period that is currently underway, Local Government Victoria have confirmed that the adoption of the Council Annual Report is considered 'ordinary business' and does not breach the Election Period Policy or any requirements of the Act.

## Implications

### Policy Considerations

The Annual Report considers Council's delivery of the strategic objectives, major initiatives and strategic indicators set out in the Council Plan for the 2023-24 financial year.

### Financial/Economic Implications

The Annual Report includes the Financial Statements, Performance Statement, and Report of Operations, to provide transparency on the deployment of council funds over the past year, and the resulting delivery of services, infrastructure and initiatives.

### Legal/Statutory

The Annual Report has been prepared in accordance with the Act and the *Local Government (Planning and Reporting) Regulations 2020* (Vic).

### Social

The Annual Report demonstrates progress on delivering the Council Plan strategic objectives of 'Nurturing our Wellbeing' and 'Enhancing our Lifestyle', including numerous social, recreational, cultural, health and wellbeing outcomes.

### Environmental/Sustainability Impacts

The Annual Report demonstrates progress on delivering the Council Plan strategic objective of 'Valuing our Environment' including planting of native plants, diverting waste from landfill, production of compost from organic waste, and the use of renewable energy sources.

## Strategic Links

### Council Plan

The subject of this report supports achievement of the Council Plan strategic objective of strengthening Council's leadership through an engaged and connected community by providing open and transparent communication to the community to build trust, respect and understanding.

## Consultation/Communication

In accordance with the Act, the Mayor must report on the implementation of the Council Plan by presenting the Annual Report at a council meeting open to the public.

The Financial Statements, Performance Statement and Governance Checklist have been reviewed independently by external auditors, Crowe Australia, and by Council's Audit & Risk Committee who endorsed the draft statements in principle on 17 September 2024.

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

### Options for Consideration

The Annual Report process is a legislated process and therefore no alternative options exist.

### Conclusion

In accordance with the requirements of the Act, the Wangaratta Rural City Council has prepared an Annual Report for the financial year 2023-24 and believes that it is now appropriate for Council to adopt the Annual Report.

### Attachments

- 1 RCOW Annual Report 2023-2024 

## 14. Community and Infrastructure

Nil

Unconfirmed

## 15. Sustainability and Culture

### 15.1 Planning Permit Application 24/082 - 174 White Post Road, Everton Upper (8:25)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 October 2024
Category:	Strategic
Author:	Planning Coordinator
Approver:	Director Sustainability and Culture

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

#### Executive Summary

This report is presented to Council to determine planning application PInApp24/082.

The application seeks approval for the retrospective use and development of the land for a dwelling at 174 White Post Road, Everton Upper. The subject site is located within the Farming Zone, and the site is partially affected by the Bushfire Management Overlay.

A detailed assessment of the application is included at **Attachment 1** and the Officer's recommendation is that the application should be refused.

#### Recommendation:

That Council:

1. Issues a Notice of Refusal for planning application PInApp24/082 for the use and development of the land for a dwelling at 174 White Post Road Everton Upper, as per the grounds of refusal included at **Attachment 1**.
2. Advises the applicant of the decision.

#### Resolution:

##### Councillor D Rees moved an alternate motion:

That Council issue a Planning Permit with respect to Planning Permit Application PInApp24/082 for the use and development of land for a dwelling (retrospective) at 174 White Post Road Everton with the conditions outlined in **Appendix 1**<sup>1</sup>

**The alternate motion was seconded by Councillor I Grant**

<sup>1</sup> For a copy of Appendix 1, please contact Council via email at [council@wangeratta.vic.gov.au](mailto:council@wangeratta.vic.gov.au)

For: Cr Benton, Cr Bussell, Cr Fitzpatrick, Cr Fuller, Cr Grant, Cr Rees

Against: Cr Herry

**Carried**

### Property Details

Land/Address	174 White Post Road Everton Upper VIC 3678 Crown Allotment 3A Parish of Everton
Zones and Overlays	Farming Zone Bushfire Management Overlay (partial)
Why is a permit required	Clause 35.07-1 (Use of the land for a dwelling on a lot with a land area less than 40ha) Clause 35.07-4 (Buildings and works to construct a building associated with a Section 2 Use) Clause 35.07-4 (Buildings and works to construct or carry out works within 100m of a waterway, wetlands or designated floodplain).

The proposed use and development is located outside of the part of the site affected by the Bushfire Management Overlay. Therefore, no permit is necessitated under that provision.

### Proposal

The application seeks approval for the use and development of the land for a dwelling. The dwelling in question is an illegally converted agricultural outbuilding. The proposal seeks to formalise the use of that outbuilding for a dwelling. The proposed dwelling would contain one bedroom, an open kitchen/dining/lounge area, and one bathroom/laundry.

A detailed description of the proposal is included at **Attachment 1** and a copy of the proposed plans are included at **Attachments 2 & 3**.

### Summary of Key Issues

The key issues discussed later in this report and as part of the Officer's assessment report include:

- Consistency with rural land use and agricultural policies of the Wangaratta Planning Scheme.
- The dwelling being necessary to support or improve agricultural production.
- Permanent loss of agricultural land.
- Proliferation of dwellings in the Farming Zone and encouraging permanent land use changes to lifestyle properties.
- Artificial inflation of agricultural land values due to land use changes.

### Background

The subject site is a triangular parcel of land covering 8.6ha, to the east of White Post Road. The site is located approximately 1.8km north of the Everton township. The site currently contains an agricultural outbuilding that has been illegally converted to, and is currently being used for, a dwelling. There are a number of other small outbuildings that have been constructed in association with the residential use. The site is vegetated with a mix of planted exotic species and scattered remnant native trees. A designated (un-named) waterway traverses the south-east corner of the site, approximately 30-40m from the outbuilding.

The surrounding area is predominantly undulating grazing land with interspersed dwellings. There are 5 dwellings within 1km of the subject site, with the former Everton Upper settlement located approximately 1km to the north of the subject site. The surrounding area contains a mix of vegetation types, with scattered paddock trees, dense pockets of varying sizes and numerous vegetated linear corridors along roadsides and form rail reserves.

It is of particular note that 176 White Post Road partially relies on 174 White Post Road for road access to White Post Road, as the driveway for 176 White Post Road travels through the land at 174 White Post Road. There are no carriageway easements or registered agreements protecting that access on either title. Therefore, 176 White Post Road is essentially landlocked.

This application is a duplication of a previous planning application (PInApp23/077) which was refused under delegation in March 2024. The grounds of refusal are outlined in the officer's report at **Attachment 1**. The decision to refuse that application was not reviewed at the Victorian Civil and Administrative Tribunal (VCAT). The only material change between PInApp23/077 and the application herein is the provision of an engineering report outlining the structural integrity of the outbuilding. No additional information has been provided which demonstrates that the proposal is consistent with state and local planning policy.

### Assessment under the Planning and Environment Act

A detailed assessment of the application against the relevant policies and provisions of the Wangaratta Planning Scheme and the *Planning and Environment Act 1987* (the Act) is included at **Attachment 1**.

### Planning Policy Framework, Zoning, Overlays, and Particular and General provisions

Section	Clause	Provision
Planning Policy Framework and Municipal Planning Strategy	02.03-1	Settlement
	02.03-4	Natural resource management – Agriculture
	11	Settlement
	12.03-1S	River corridors, waterways, lakes and wetlands
	12.03-1L	River corridors, waterways, lakes and wetlands
	13.02	Bushfire
	13.07-1S	Land use compatibility
	14.01-1S	Protection of agricultural land
	14.01-1L	Dwellings and subdivisions in rural areas
	14.01-2S	Sustainable agricultural land use
	14.01-2L	Sustainable agricultural land use
	14.02-2S	Water quality
	15.01-6S	Design for rural areas
	15.01-6L	Design for rural areas
	16.01-1S	Housing supply

Zone	35.07	Farming Zone
Decision Guidelines	65.01	Decision Guidelines – Approval of an Application or Plan

## Implications

### Policy Considerations

Council's local planning policies (given effect by the Wangaratta Planning Scheme) are of relevance to this report. These policies are considered and addressed within this report and in the Assessment Report at **Attachment 1**.

### Financial Implications

There are no specific financial implications to Council arising from this report although there may be potential costs for Council representation at VCAT.

### Legal/Statutory

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

### Cultural Heritage

The subject site is not located within an area of Aboriginal cultural heritage sensitivity.

### Social

The application is not for the provision of social and affordable housing.

### Equity Impact Assessment (EIA)

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

### Environmental/Sustainability Impacts

Environmental and sustainability matters have been considered in this report.

### Referrals/Public Notice

The application was referred to Goulburn Murray Water who did not object to the issue of a permit subject to conditions.

Notice of the application was given to adjoining and surrounding landowners and occupiers. No objections were received.

## Strategic Links

### Council Plan 2021 – 2025

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

#### 1. Growing with Integrity

6.2.2.2 – Provide an efficient and effective permit system that facilitates appropriate growth.

6.3.1.2 – Ensure future settlements are designed and located to consider the risks of climate changes including fire, floods, and other natural hazards.

### Rural City of Wangaratta 2033 Community Vision

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

- BB1 – Ensure new development is facilitated and does not conflict with existing land uses.
- BB2 – Provide an efficient and effective permit system.

### Risk Management

It is not considered that there are any relevant risks to Council beyond those associated with standard statutory process (such as any decision being appealed at VCAT).

#### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Appeal of decision at VCAT	Possible	Minor	Low	Appropriate representation of Council at VCAT.

### Options for Consideration

### Conclusion




State and local planning policies seek to protect high quality agricultural land from the encroachment of urban land uses and the removal of farming land due to permanent land use changes. The subject site is identified as being of high agricultural versatility, which, even though the subject site is quite small, allows a level of agricultural activity to occur on the land. As the proposal is retrospective, the application must be assessed as though the outbuilding has not been converted and occupied. Therefore, the potential loss of agricultural land must be considered as a result of this proposal. The application was not accompanied by any farm management plan or other documentation outlining that the dwelling was required to facilitate agricultural activities on the land or that the dwelling would not limit the agricultural capacity of the site and surrounds.

Given that this is a duplicate application, the proponent has had opportunity to prepare documentation that might justify the need for a dwelling on the land. No such justification has been provided. The proposal must be assessed on its merits and it is evident that the proposal provides no positive benefit for agriculture on the site and would result in the further fragmentation of farming land in that area due to the permanent land use change that would occur.

Local policy specific to the Rural City of Wangaratta discourages dwellings on small lots in agricultural areas that would be used for rural lifestyle purposes, which this proposal is considered to represent. Therefore, given that the relevant policies of our Planning Scheme specifically seek to avoid this sort of planning outcome, it is recommended that the proposal is not supported as per the grounds of refusal set out at **Attachment 1**.



### Attachments

- 1 PInApp24/082 - Officers Assessment Report 
- 2 PInApp24/082 - Proposed site plan 
- 3 PInApp24/082 - Proposed floor and elevation plans 

Unconfirmed

## 15.2 Planning Permit Application 22/210 - Paradise Falls Road, Cheshunt - Two Lot Subdivision (15:30)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 October 2024
Category:	Strategic
Author:	Planning Coordinator
Approver:	Director Sustainability and Culture

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

### Executive Summary

This report is presented to Council to determine planning application PInApp22/210.

The application seeks approval for the subdivision of land into two lots at Paradise Falls Road Cheshunt (Lot 1 TP868284 Vol 02904 Fol 790). The subject site is located within the Farming Zone and is affected by the Bushfire Management Overlay of the Wangaratta Planning Scheme.

A detailed assessment of the application is included at **Attachment 1** and the Officer's recommendation is that the application should be refused.

### Recommendation:

That Council:

1. Issues a Notice of Refusal for planning application PInApp22/210 for the subdivision of land into two lots at Paradise Falls Road Cheshunt subject to the grounds of refusal at **Attachment 1**.
2. Advises the applicant of the decision.

### Resolution:

#### Councillor H Benton moved an alternate motion:

That Council issue a Planning Permit with respect to Planning Permit Application PInApp22/210 for a 2-lot subdivision at Paradise Falls Road Cheshunt with the conditions as outlined in **Appendix 2**<sup>2</sup>

#### The alternate motion was seconded by Councillor D Rees

For: Cr Benton, Cr Bussell, Cr Fitzpatrick, Cr Fuller, Cr Grant, Cr Rees

<sup>2</sup> For a copy of Appendix 2, please contact Council via email at [council@wangaratta.vic.gov.au](mailto:council@wangaratta.vic.gov.au)

Against: Cr Herry

Carried

### Property Details

Land/Address	Paradise Falls Road Cheshunt VIC 3678 Lot 1 TP868284 Vol 02904 Fol 790
Zones and Overlays	Farming Zone Bushfire Management Overlay
Why is a permit required	Clause 35.07-3 (Farming Zone) – subdivide land Clause 44.06-2 (Bushfire Management Overlay) – subdivide land

### Proposal

The application seeks approval for the subdivision of land into two lots. Proposed Lot 1 is sought to have a land area of approximately 70ha and proposed Lot 2 is sought to have a land area of approximately 59ha. Both lots are proposed to utilise existing crossovers to Paradise Falls Road and the boundary between the two lots is proposed along an existing fence line.

A detailed description of the proposal is included at **Attachment 1** and a copy of the proposed plan of subdivision is included at **Attachment 2**.

### Summary of Key Issues

The key issues discussed later in this report and as part of the Officer's assessment report include:

- Consistency with rural land use and agricultural policies of the Wangaratta Planning Scheme.
- Necessity of the subdivision to support or improve agricultural production.
- Personal circumstances not forming a relevant planning consideration.
- Fragmentation of agricultural land and a proliferation of dwellings in the Farming Zone.
- Bushfire planning considerations for seeking to locate new sensitive land uses away from high bushfire threats.

### Background

The subject site is a 129ha property located on the eastern side of Paradise Falls Road and is located approximately 6km to the south-east of Cheshunt. The site has an undulating topography with a number of gullies and waterways traversing the site. The site contains scattered vegetation, with more concentrated vegetation located along the gullies and waterways. The site also contains a few small dams and a cattle yard.

The subject site itself consists of one title allotment that forms part of a larger agricultural land holding. The overall farming operation appears to cover an area of approximately 500ha across multiple title allotments. The other title allotments forming part of that holding are not contiguous (i.e. sit adjacent to one another).

The surrounding area contains a mix of elevated and heavily vegetated private holdings and National Park, whilst the valley, particularly moving further north, consists of predominantly privately owned land that has been cleared and is actively used for agricultural activities of varying intensities.

*Previous application PlnApp21/196*

The application herein is a duplication of a previous planning application (PlnApp21/196) which was refused by Council in May 2022. The previous grounds of refusal are set out in the officer's report at **Attachment 1**.

The current application differs from the previous application in that there has been some further discussion around potential agricultural activities, although a Farm Management Plan or business plan have not been provided to date. The details provided as part of the current application are discussed in further detail in **Attachment 1**.

### Assessment under the Planning and Environment Act

A detailed assessment of the application against the relevant policies and provisions of the Wangaratta Planning Scheme and the *Planning and Environment Act 1987* (the Act) is included at **Attachment 1**.

### Planning Policy Framework, Zoning, Overlays, and Particular and General provisions

Section	Clause	Provision
Planning policy Framework and Municipal Planning Strategy	02.03-4	Natural Resource Management – Agriculture
	13.02	Bushfire
	14.01-1S	Protection of agricultural land
	14.01-1L	Dwellings and subdivisions in rural areas
	14.01-2S	Sustainable agricultural land use
	14.02-1S	Catchment planning and management
	14.02-2S	Water quality
Zone	35.07	Farming Zone
Overlay(s)	44.06	Bushfire Management Overlay
Provision	53.02	Bushfire planning
Decision Guidelines	65.01	Decision Guidelines – Approval of an Application or Plan
	65.02	Decision Guidelines - Approval of an application to subdivide land

### Implications

#### Policy Considerations

Council's local planning policies (given effect by the Wangaratta Planning Scheme) are of relevance to this report. These policies are considered and addressed within this report and in the Assessment Report at **Attachment 1**.

#### Financial Implications

There are no specific financial implications to Council arising from this report although there may be potential costs for Council representation at the Victorian Civil Administrative Tribunal (VCAT).

**Legal/Statutory**

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

**Cultural Heritage**

The subject site is not located within an area of Aboriginal cultural heritage sensitivity.

**Social**

The application is not for the provision of social and affordable housing.

**Equity Impact Assessment (EIA)**

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

**Environmental/Sustainability Impacts**

Environmental and sustainability matters have been considered in this report.

**Referrals/Public Notice**

The application was referred to Goulburn Murray Water, Country Fire Authority and Council's Technical Services Unit who did not object to the issue of a permit subject to conditions.

Notice of the application was given to adjoining and surrounding landowners and occupiers and in the Wangaratta Chronicle. To date, no objections have been received.

**Strategic Links****Council Plan 2021 – 2025**

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

**1. Growing with Integrity**

6.2.2.2 – Provide an efficient and effective permit system that facilitates appropriate growth.

6.3.1.2 – Ensure future settlements are designed and located to consider the risks of climate changes including fire, floods, and other natural hazards.

**Rural City of Wangaratta 2033 Community Vision**

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

- BB1 – Ensure new development is facilitated and does not conflict with existing land uses.
- BB2 – Provide an efficient and effective permit system.

**Risk Management**

It is not considered that there are any relevant risks to Council beyond those associated with standard statutory process (such as any decision being appealed at VCAT).

Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Appeal of decision at	Possible	Minor	Low	Appropriate representation

VCAT				of Council at VCAT.
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### Options for Consideration

### Conclusion

The application seeks to fragment an existing large agricultural lot to create two smaller lots for personal reasons (succession planning) without demonstrating that the proposal will either support or increase the agricultural capacity of the land and that the land will not fall into rural lifestyle activities. Minimal information has been supplied with the application of the farming activities currently being undertaken on the land and the activities that could occur as a result of the subdivision. The information provided to date is lacking detail in how farming activities will be supported as a result of the subdivision. The existing farming activities do not require the subdivision of land to be continued.

It is important to further highlight that simply meeting the minimum 40ha subdivision requirement under Clause 35.07-3 (Farming Zone) is not sufficient justification to subdivide land. Meeting this requirement is a condition of being able to lodge an application, with the application needing to be supported by material that outlines and describes why a subdivision is necessary to support ongoing agricultural activities on the land. Approving a subdivision of productive land on the basis that each lot is greater than 40ha overlooks important local and state policies seeking to protect large agricultural lots from being inappropriately fragmented and eventually lost to agriculture due to land use conflicts from additional dwellings being constructed in the Farming Zone.

Council policy seeks to direct new housing into appropriate locations within townships that are appropriately planned to avoid land use conflicts and have been designed to avoid bushfire risk. The creation of two lots within the Bushfire Management Overlay only 6km from an established township, each with a dwelling right, is contrary to state and local policy which seeks to ensure that the protection of life and property is prioritised and that bushfire risk is appropriately mitigated. Vacant subdivisions within the Farming Zone are not subject to the stricter standards of residential subdivisions and developments under the provisions of the Bushfire Management Overlay.

In general, the application lacks the necessary details to justify and facilitate the long term protection of productive agricultural land within the municipality. Therefore, the proposal does not represent an orderly planning outcome and is contrary with the Wangaratta Planning Scheme. The proposal should not be supported, as per the grounds of refusal set out at **Attachment 1**.

### Attachments

- 1 PInApp22/210 - Officers Assessment Report 
- 2 PInApp22/210 - Proposed subdivision layout 

### 15.3 Murray to Mountains Tourism North East Public Art Project (22:28)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 October 2024
Category:	Strategic
Author:	Manager Arts, Culture and Events
Approver:	Director Sustainability and Culture

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 Murray to Mountains Rail Trail Enhancements Project, led by Tourism North East, includes the development and installation of public art along the trail. Two of the five art installations will be located within the Rural City of Wangaratta at the following sections of the trail:

- Bower to Tarrawingee (Part 1)
- Oxley to Milawa (Part 2)

This report presents progress on the design process for both parts and requests Council's support for the finalisation of designs and ultimate fabrication and installation of the proposed art works.

For Part 1 (Bowser to Tarrawingee) of the art project the chosen theme is 'Magpie Alley' and the concept design of the proposed artwork can be seen at **Attachment 1**. This part of the art project has formally progressed to detail design.

For Part 2 (Milawa to Oxley) of the art project the chosen theme is 'Palate Palette' and the concept design for the proposed artwork can be seen at **Attachment 2**. If supported by Council, this part of the art project will progress to detail design next.

#### Resolution:

That Council:

1. Notes the progress made on the public art component of the Murray to Mountains Rail Trail Enhancements Project as it applies to the two sites located within the Rural City of Wangaratta.
2. Notes the concept design presented in **Attachment 1** for Part 1 of the public art component of the Murray to Mountains Rail Trail Enhancements Project, and that a detail design for this part is being finalised.
3. Endorses the concept design presented in **Attachment 2** for Part 2 of the Public Art component of the Murray to Mountains Rail Trail Enhancements Project, prior to it progressing to detail design.
4. Endorses the recommendations from the Rural City of Wangaratta's Public Art Acquisition Committee to accept the proposed artworks into the Public Art Collection.

5. Notes that minor adjustments in the designs may occur due to the detail design and fabrication processes and that Councillors will be updated as the process progresses.

**(Moved: Councillor D Fuller/Councillor D Rees)**

For: Cr Bussell, Cr Fitzpatrick, Cr Fuller, Cr Grant, Cr Herry, Cr Rees

Against: Cr Benton

**Carried**

### Background

In 2022, the Victorian State Government announced \$8.5 million in funding to support the Murray to Mountains Rail Trail Enhancements project. The Enhancements project includes infrastructure improvements and public art designed to increase visitation.

To support the delivery of the public art components of the Enhancement Project that spreads across five locations in three local government areas, Tourism North East is the lead agency, working closely with the design company DAE, the Rural City of Wangaratta, Indigo and Alpine Shires.

Following cultural symposiums for each community in late 2023, creative themes were developed for each of the selected sites. These creative themes formed the basis of an artistic brief that was sent to selected artists, chosen from an Expression of Interest process. After a competitive process, artists were selected to respond to the briefs at the corresponding sites. The theme, artist selected and current status of the two parts of the art project located with the Rural City of Wangaratta are shown in the table below:

Part	Theme	Artist	Current Status
Part 1 (Bowser to Tarrawingee)	'Magpie Alley'	Emily Floyd	Detail design being finalised
Part 2 (Milawa to Oxley)	'Palate Palette'	Beci Orpin	Concept design

Tourism North East has completed the following consultation process for the two parts:

#### Part 1 (Bowser to Tarrawingee)

- Cultural symposium - November 2023.
- Public Art Acquisitions Committee project overview presentation - May 2024.
- Public Art Acquisitions Committee artist presentation - June 2024.

Note: Detail design for part 1 is expected to be completed in October 2024 and installation is planned for completion by 21 March 2025.

#### Part 2 (Milawa to Oxley)

- Cultural symposium - November 2023.
- Public Art Acquisitions Committee project overview presentation - May 2024.
- Community meeting, school workshop and 'Meet the artist' event - June 2024.
- Public Art Acquisitions Committee presentations - July and August 2024.



Council's Public Art Acquisition Committee has considered and endorsed the concept designs for both parts.

## Implications

### Policy Considerations

This report considers and follows Council's Public Art Policy.

The policy guides process on accepting Gifts, Bequests and Donations to the Public Art Collection that fulfill the Public Art Collection guidelines.

### Financial/Economic Implications

There are no direct financial or economic implications identified for the subject of this report. The project has been funded by the Victorian State Government and led by Tourism North East.

If the donation of the art work were to be accepted the management and maintenance of the artwork will be the responsibility of Council.

### Legal/Statutory

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

### Social and Diversity

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

### Equity Impact Assessment (EIA)

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

### Environmental/Sustainability Impacts

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

## Strategic Links

### Council Plan 2021 – 2025

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

#### 2. Nurturing our Wellbeing

- Deliver arts, culture and exhibition programs that recognise, support and address issues of mental health and social inequities.
- Deliver annual events and initiatives that focus on celebrating diversity, connection and belonging for everyone within our community.

#### 5. Enhancing Our Lifestyle

- Increase the representation of our cultural story and history throughout our community and recognise its impact on our sense of place.
- Deliver an engaging public art program that helps to make our city and rural communities more vibrant.

## Rural City of Wangaratta 2033 Community Vision

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

Diverse arts and cultural experiences:

- Increase the exposure and experience of art for our community and visitors.
- A future that plans for evolving cultural needs and aspirations of our community.
- Activate spaces and places to compliment activity around the municipality.

### Other strategic links:

This report supports a number of broader State Government and Federal Government strategic links:

- *Creative State 2025*

The Victorian Government's next four-year creative industries strategy designed to grow jobs and skills and secure Victoria's reputation as a global cultural destination and bold creative leader.

- *Creative Australia – Revive: Australia's Cultural Policy 2023*

Federal Government Policy on the essential role arts and culture play on the life of every Australian and how creativity is central to Australia's economic and social success.

- Pillar 2 – A place for every story / Reflecting the breadth of our stories and the contribution of all Australians as the creators of culture. / Investing in local arts and cultural infrastructure across the arts.
- Pillar 4 – Strong Cultural Infrastructure / Providing support across the spectrum of institutions which sustain our arts, culture, and heritage.
- Pillar 5 - Making sure our stories connect with people at home and abroad.

## Risk Management

### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
• Community satisfaction	Possible	Moderate	Medium	Community and stakeholder consultation and engagement
Damage to sculpture	Possible	Moderate	Minor	Graffiti prevention treatment

### Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Community engagement sessions and school workshops delivered.  Rural City of Wangaratta's Public Art Acquisitions Committee informed.	Artists talks School workshops Tourism North East newsletter / website / social media  Online presentations
Consult	Local food, business & produce owners visited  Rural City of Wangaratta's Public Art Acquisitions Committee consulted on designs	Direct in person exchange  Online presentations
Involve	Local food, business & produce owners visited	Direct in person exchange
Collaborate	Local Primary School workshops	Artist led making and consultation
Empower	Local Primary School workshops	Artist led making and consultation

Officers believe that appropriate consultation with the community and the Rural City of Wangaratta's Public Art Acquisitions Committee has occurred and the matter is now ready for Council consideration.

### Options for Consideration

1. Council supports the designs presented in this report for Part 1 and Part 2 of the public art component of the Murray to Mountains Rail Trail Enhancements Project and endorses the Public Art Acquisitions Committee recommendation to accept the donation of the proposed art works. (Recommended)
2. Council does not support the designs presented in this report for Part 1 and Part 2 of the public art component of the Murray to Mountains Rail Trail Enhancements Project and does not endorse the Public Art Acquisitions Committee recommendation to accept the donation of the proposed art works.

### Conclusion

The public art component of the Murray to Mountains Rail Trail Enhancements Project is an important visitor enhancement project for the North East tourism market that focuses on the engagement through art along the rail trail. The strategic objectives of the project include increasing visitation to the region and impacting economic outcomes from the tourism market.

The artists chosen to respond to the locations and themes within the Rural City of Wangaratta are artists of significance and the proposed art installations will be valuable additions to our community public art collection.

The designs delivered have been informed by a comprehensive consultation process, including endorsement by Council's Public Art Acquisitions Committee. The Committee recommended that the proposed artworks be accepted as a donation into our community's public art collection. If the donation is accepted, the artworks will become Council assets.

The proposed public art outcome aligns with Council's Public Art Policy and associated guidelines and will come into Council's ownership in the category of a donation.

Council Officers recommend that Council support the designs presented.

#### Attachments

- 1 M2M\_Concept Design\_Part 1\_ Emily Floyd 
- 2 M2M\_Concept Design\_Part 2\_ Beci Orpin 

## 15.4 ARTC Inland Rail - Wangaratta Railway Station Public Art Project (30:11)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 October 2024
Category:	Strategic
Author:	Manager Arts, Culture and Events
Approver:	Director Sustainability and Culture

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 Australian Rail Track Corporation (ARTC) is delivering public artworks as part of the Inland Rail Project at the Wangaratta Railway Station Precinct. Three public artworks and interpretive signage elements will be delivered as part of this work.

This report presents progress on the design of the three public artworks proposed at the following locations within the station precinct:

- Station entry
- Underpass Wall
- Rail Yard Garden

Concept designs have been completed for the 3 artworks and this report requests Council's support for the finalisation of designs and ultimate fabrication and installation of the proposed art works.

For the Station entry, the chosen theme is 'Aboriginal Wangaratta' and 'Stations & Travel'. The concept design of the proposed artwork at this location can be seen at **Attachment 1**. If supported by Council, this part of the art project will progress to detail design.

For the Underpass Wall, the chosen theme is 'Stations & Travel' and 'Local History' and the concept design for the proposed artwork at this location can be seen at **Attachment 2**. If supported by Council, this part of the art project will progress to detail design.

For the Rail Yard Garden, the chosen theme is 'Industry & Trade'. The concept design of the proposed artwork at this location can be seen at **Attachment 3**. If supported by Council, this part of the art project will progress to detail design.

Locations and the project overview are detailed in **Attachment 4**.

### Resolution:

That Council:

1. Notes the progress made on the public art component of the ARTC's Inland Rail Project as it applies to three locations within the Wangaratta Railway Station Precinct.
2. Endorses the concept designs presented in **Attachment 1-3** for the public art

component of the ARTC's Inland Rail Project at the Wangaratta Railway Station Precinct prior to it progressing to detail design.

3. Endorses the recommendations from the Rural City of Wangaratta's Public Art Acquisition Committee to accept the proposed artworks into the Public Art Collection.
4. Notes that minor adjustments in the designs may occur due to the detail design and fabrication processes and that Councillors will be updated as the process progresses.
5. Notes that the content to be included in the proposed interpretive panels will be determined as part of the next stage of work and Councillors will be briefed on this aspect as it is developed.

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

For: Cr Bussell, Cr Fitzpatrick, Cr Fuller, Cr Grant, Cr Herry, Cr Rees

Against: Cr Benton

**Carried**

## Background

The Inland Rail Project will transform the way freight will move around the country. It will complete the spine of the national freight network between Melbourne and Brisbane via regional Victoria, News South Wales and Queensland.

The Tottenham to Albury section of Inland Rail is planned along 305km of existing rail corridor from metropolitan Melbourne to the Victoria-NSW border at Albury-Wodonga. The project will see enhancements of existing structures to provide increased clearances along the rail corridor to accommodate double stack freight trains. This includes the following works at the Wangaratta Railway Station Precinct:

- a new pedestrian underpass and removal of the Cusack Street pedestrian bridge;
- the relocation of the eastern track to the western side of the station along with introduction of a new platform;
- a renewed station entry point;
- community spaces;
- car parking;
- landscaping;
- public art.

A Heritage Interpretation Plan, endorsed by Heritage Victoria, identified three public artwork opportunities at the Wangaratta Railway Station Precinct as part of the ARTC's Inland Rail Project along with a number of interpretive signage elements. Three new art installations will be located within the redeveloped site at the following locations:

- Station entry
- Underpass Wall
- Rail Yard Garden

To deliver the public artwork component at the three identified locations, the ARTC opened an Expression of Interest opportunity to all Australian artists or artistic teams with relevant experience, local emerging or mid-career artists were encouraged to apply. A selection panel consisting of Rural City of Wangaratta, Inland Rail and Green Shoot Consulting selected a shortlist of three artists for each opportunity, who were then engaged to deliver a concept design.

Community and stakeholder engagement was delivered by the lead consultants (Green Shoot Consulting) on behalf of ARTC in May and June 2024. These events were as follows:

- Council's Public Art Acquisitions Panel Information session.
- Community workshop opportunity.
- Community Drop-in session.
- Artist's capacity building workshop.
- Artist's brief information online session.

With consideration to Council's Public Art Policy and the artists response to the brief, Council's Public Art Acquisitions Panel, and a representative from the ARTC assessed all concept designs submitted and selected preferred artist/designs for each location. The artist selected, and medium of the artwork of the three proposed artworks are shown in the table below:

Location	Medium	Artist
Station entry	Sculpture	Aunty Kim and Chris Joy
Underpass Wall	Two-dimensional painting	Tommy May and Juddy Roller
Rail Yard Garden	Sculpture	Robbie Rowlands

The interpretive signage/panel elements of the project will be developed as part of the next stage of work. The endorsed Heritage Interpretation Plan defines the key narratives to be explored through the interpretive work and specifies which interpretive opportunities relate to each narrative. These narratives are as follows:

- Industry & Trade
- Stations & Travel
- Local History
- Aboriginal Wangaratta

## Implications

### Policy Considerations

This report considers and follows Council's Public Art Policy.

The policy guides process on accepting Gifts, Bequests and Donations to the Public Art Collection that fulfill the Public Art Collection guidelines.

### Financial/Economic Implications

There are no direct financial or economic implications identified for the subject of this report. The project has been funded by the ARTC's Inland Rail Project.

If the donation of the art work were to be accepted the management and maintenance of the artwork will be the responsibility of Council.

**Legal/Statutory**

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

**Social and Diversity**

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

**Equity Impact Assessment (EIA)**

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

**Environmental/Sustainability Impacts**

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

**Strategic Links****Council Plan 2021 – 2025**

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

**2. Nurturing our Wellbeing**

- Deliver arts, culture and exhibition programs that recognise, support and address issues of mental health and social inequities.
- Deliver annual events and initiatives that focus on celebrating diversity, connection and belonging for everyone within our community.

**5. Enhancing Our Lifestyle**

- Increase the representation of our cultural story and history throughout our community and recognise its impact on our sense of place.
- Deliver an engaging public art program that helps to make our city and rural communities more vibrant.

**Rural City of Wangaratta 2033 Community Vision**

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

Diverse arts and cultural experiences:

- Increase the exposure and experience of art for our community and visitors.
- A future that plans for evolving cultural needs and aspirations of our community.
- Activate spaces and places to compliment activity around the municipality.

**Other strategic links**

This report supports a number of broader State Government and Federal Government strategic links:

- *Creative State 2025*

The Victorian Government's next four-year creative industries strategy designed to grow jobs and skills and secure Victoria's reputation as a global cultural destination and bold creative leader.

- *Creative Australia – Revive: Australia's Cultural Policy 2023*



Federal Government Policy on the essential role arts and culture play on the life of every Australian and how creativity is central to Australia's economic and social success.

- Pillar 2 – A place for every story / Reflecting the breadth of our stories and the contribution of all Australians as the creators of culture. / Investing in local arts and cultural infrastructure across the arts.
- Pillar 4 – Strong Cultural Infrastructure / Providing support across the spectrum of institutions which sustain our arts, culture, and heritage.
- Pillar 5 - Making sure our stories connect with people at home and abroad.

## Risk Management

### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
1. Community satisfaction	Possible	Moderate	Medium	Community and stakeholder consultation and engagement, via a community workshop and drop- in session in May, 2024.
Damage to sculpture	Possible	Moderate	Minor	Graffiti prevention treatment

## Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Community and artists workshops and drop-in sessions in May and June 2024.  Rural City of Wangaratta's Public Art Acquisitions Committee informed, May and June, 2024.	ARTC & Green Shoot Consulting website / local media advertising and social media.  Artists talks and Online presentations
Consult	Wangaratta Community members and Rural City of Wangaratta's Public Art Acquisitions Committee consulted on designs	Direct in person exchange  Online presentations
Involve	General Community members	Direct in person exchange, open information sessions held in May 2024.
Collaborate	Local Artist workshops and information sessions on the EOI process	Consultant guidance on how to apply, mentoring opportunities made available.
Empower	Artists and Community	Artist orientated guidance

	members.	and consultation workshops inperson.
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Officers believe that appropriate consultation with the community and Council's Public Art Acquisitions Committee has occurred and the matter is now ready for Council's consideration.

### Options for Consideration

1. Council supports the concept designs presented in this report for the public art component of the ARTC's Inland Project as it applies to three locations within the Wangaratta Railway Station Precinct. (Recommended)

Council does not support the concept designs presented in this report for the public art component of the ARTC's Inland Project as it applies to three locations within the Wangaratta Railway Station Precinct.

### Conclusion

The public artwork component of the ARTC's Inland Rail Project at the Wangaratta Railway Station Precinct intends to tell a layered story of the historical and cultural landscape it is situated within.

Concept designs have been delivered for public artwork at three locations within the station precinct and the preferred designs and artist have been selected by the selection panel.

The concept designs have been informed by the consultation process described in this report, including endorsement by Council's Public Art Acquisitions Committee. The Committee recommended that the proposed artworks be accepted as a donation into our community's public art collection. If the donation is accepted, the artworks will become Council assets.

Council Officers recommend that Council support the designs presented.

### Attachments

- 1 ARTC Inland Rail - Public Art - Station Entry 
- 2 ARTC Inland Rail - Public Art - Underpass Wall 
- 3 ARTC Inland Rail - Public Art - Railyard Garden 
- 4 ARTC Inland Rail - Public Art Project & Locations 

## 15.5 Meadow Creek Solar Farm (35:48)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 October 2024
Category:	Strategic
Author:	Planning Coordinator
Approver:	Director Sustainability and Culture

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

### Executive Summary

This report is presented to Council to provide information to form a position on whether to formally object or make a submission of support to an application for the use and development of the land for a solar energy facility and utility installation, associated buildings and works, display of a business identification sign and the removal of native vegetation at 1033 Oxley-Meadow Creek Road, Meadow Creek; Docker-Carboor Road, Docker and 193 Docker-Carboor Road, Docker. Plans showing the proposal are included in **Attachment 1 and 2**.

The application was lodged with the Department of Transport and Planning on 16 August 2024. Pursuant to Clause 72.01-1 of the Wangaratta Planning Scheme, the Minister for Planning is the Responsible Authority for the application. The application was advertised to the Rural City of Wangaratta on 18 September 2024 in accordance with Section 52(1)(b) of the *Planning and Environment Act 1987*. Public notice of the application concludes on 29 October 2024. Submissions can be made to an application up until the time a decision is made on an application regardless of when the public notice formally concludes.

Pursuant to Clause 53.22 of the Wangaratta Planning Scheme, a renewable energy facility with an installed capacity of 1 megawatt or greater and a utility installation used to transmit or distribute electricity or store electricity with an installed capacity of 1 megawatt or greater, is designated as a significant economic development. This is of particular note as Clause 53.22-4 exempts the application from the decision requirements of Sections 64(1), (2) and (3), and the review rights of Sections 82(1) of the *Planning and Environment Act 1987*. Section 64 of the Act covers the issuing of a Notice of Decision to any parties that make a submission to an application and Section 82 permits applications for review to be made with the Victorian Civil and Administrative Tribunal. In short, whilst Council and other parties have been notified of the application, it is important to highlight that any decision made by the Department or Minister on this application is not able to be challenged at VCAT by an objector.

Further, the application has been accepted by the Department under their Development Facilitation Program for expedited assessment. Therefore, this report has been brought to the October Council Meeting to ensure that Council's position on the application can be included in the Department's assessment of the application.

### Resolution:

That Council:

1. Makes a submission to the Department of Transport and Planning objecting to the issue

of a planning permit, on the grounds set out at the end of this report.

- Includes in its submission to the Department of Transport and Planning objecting to the issue of a planning permit, a requirement that the conditions set out at **Attachment 3** be included in a permit if a permit is issued.

**(Moved: Councillor H Benton/Councillor I Grant)**

For: Cr Benton, Cr Bussell, Cr Fitzpatrick, Cr Grant, Cr Fuller, Cr Rees

Against:

Abstained: Cr Herry

**Carried**

Consultation/Communication

Referrals and advertising

The Wangaratta Planning Scheme requires the following referrals to be completed for the proposal:

Authority:	Section/Clause:	Purpose:
Goulburn Murray Water	Clause 66.02-5	Use and development of the land within a declared Special Water Supply Catchment Area.
Department of Energy, Environment and Climate Action	Clause 66.02-2	For the removal, destruction or lopping of native vegetation within the detailed assessment pathway and for the removal of native vegetation within a road reserve (crown land maintained by Council).
AusNet Electricity Services Pty Ltd	Clause 66.02-4	Buildings and works within 60m of a major electricity transmission line or electricity transmission easement.
North East Catchment Management Authority	Clause 66.03 and Clause 44.03-6 (Floodway Overlay) and Clause 44.04-6 (Land Subject to Inundation Overlay)	Buildings and works within the FO and LSIO.  Buildings and works that traverse a waterway (works on waterway).

For completeness, comments should be sought from the following authorities:

Authority:	Section/Clause:	Purpose:
Country Fire Authority	Clause 13.02 (Bushfire)	Use and development of land within a Bushfire Prone Area.
Environment Protection Authority	N/A	Use and development of land that could result in contamination and land use conflicts.
Agriculture Victoria	N/A	Seeking comments regarding the agricultural capacity of the land and the impacts that the proposal may have on continuing agricultural activities on the site and surrounds.

The Department gave notice of the application via letters to adjoining and surrounding landowners and occupiers and notices in the Wangaratta Chronicle and other local newsletters.

Council has been contacted by community members raising concerns regarding the proposal. The key points of concern are summarised as follows:

- Discrepancies in the application material regarding the agricultural capacity of the land.
- Lack of consideration in the application material regarding the designated Special Water Supply Catchment Area.
- Concerns around not only the risk of fire that the proposal poses to neighbouring properties but also the liability risks that the proposal would pose from fires that could occur outside the site.
- Traffic management during construction, particularly as the surrounding road network is not sealed and currently generates a lot of dust.
- Concerns that the proposal will detrimentally impact the rural landscape character and amenity of the site and surrounds (particularly from aerial and higher view positions within the valley).
- Concerns that the proposal represents an industrial land use which is discouraged in water catchments and should not be located in prime agricultural areas.
- Concerns regarding impacts to the tourism industry in the King Valley which seeks to promote food and winery industries.
- The proposal does not represent net community benefit as it would detrimentally impact on the community within which the proposal is to be located.

## Discussion

### Protection of agricultural land

There are multiple state and local planning policies that seek to protect agricultural land for farming activities and ensure that new development does not result in the loss of productive land.

The subject site is located within an area of predominantly high and very high agricultural versatility, as per the Agricultural Versatility study (2001) completed for the Rural City of Wangaratta. Local policy seeks to protect the primacy of rural land for agricultural purposes in these areas, and protect the productivity and versatility of that land. The *Hume Regional Growth Plan* states that strategic agricultural areas are defined as “having versatility in production, being of significant scale, located in proximity to value-adding processing and having access to secure water supplies” (pg. 23). Based on the mapping provided in that regional growth plan, the subject site is identified as strategic agricultural land of national/state, regional or sub-regional significance. Clause 14.01-1S of the Wangaratta Planning Scheme seeks to protect productive farmland that is of strategic significance in the local or regional context.

The proposal herein seeks to convert the site into a renewable energy facility, with some grazing capacity beneath the solar panels. Whilst farming activities are not proposed to be removed in their entirety from the subject site, they are proposed to be significantly reduced. Diversification on farming properties is generally supported where it demonstrates benefit to, or intensification of the agricultural activities on the land. This proposal does not seek to achieve intensification and rather seeks to convert the main land use to a non-agricultural activity. Further, the proposal will result in the permanent removal of agricultural land within an area that is identified as being of strategic significance. Given that state and local planning policies seek to avoid this, the proposal is not considered to be consistent with the objectives of the Municipal Planning Strategy and Planning Policy Framework of the Wangaratta Planning Scheme.

The purpose of the Farming Zone seeks to encourage the retention of productive agricultural land. The subject site is clearly productive, by virtue of the current grazing activities being undertaken on the land, and although the application material seeks to represent the site as not being of strategic significance and of only moderate quality, the site conditions and history contradict that statement. The constraints identified on the land, being drainage, soil quality and erosion, are not issues that could not be feasibly managed to improve the agricultural capacity of the land. Therefore, it is considered inappropriate to classify the site as anything other than being of high and very high agricultural versatility. Therefore, based on the purpose of the Farming Zone, it would be inappropriate to convert such a large farm holding to a non-agricultural activity.

#### Appropriate siting and land use compatibility

Clause 17.03-2L (Industrial development siting) of the Wangaratta Planning Scheme seeks to direct industrial uses with potential amenity impacts to locations in Wangaratta that are well connected to roads, power supply and necessary infrastructure, particularly the North Wangaratta Industrial Area. Clause 19.01-2S (Renewable energy) seeks to facilitate renewable energy development in *appropriate* locations, with Clause 19.01-2R (Renewable energy – Hume) seeking to create renewable energy hubs that support co-location of industries to maximise resource use efficiency which further supports such a proposal as this to be located adjacent or near to other existing renewable energy facilities in the municipality, which are not located in areas of strategically significant agricultural land. Given that there are other existing facilities that are located in more *appropriate* locations, it is considered that there are other feasible locations outside of important agricultural areas that could facilitate such a proposal as this.

Further, Clause 13.07-1S of the Wangaratta Planning Scheme seeks to facilitate appropriate uses with potential adverse off-site impacts whilst also protecting community amenity, and human health and safety. Strategies of that policy seek to ensure that use or development of land is compatible with adjoining and nearby land uses. Whilst the proposal could be considered fairly innocuous on face value, concerns have been raised regarding the ability of existing farm holdings to continue to sell livestock and sufficiently insure their properties due to potential offsite

impacts from the proposal (such as land and water contamination, and fire risks). Therefore, it could not be definitively determined that the proposal could operate without impacting on the ability of adjoining agricultural activities to continue, based on the information provided with the application. Whilst policy does seek to encourage renewable energy facilities, they must be appropriately located and priority must be given to the protection of strategically significant agricultural land and the existing farm holdings.

The Victorian Government, through VicGrid, is putting in place a long term strategic plan for energy infrastructure. As part of this process the *2024 Victorian Transmission Plan Guidelines* have been released. The guidelines identify parts of Victoria that are suitable for investigation for potential future renewable energy development. These areas were identified through a statewide strategic land use assessment and identifies land for investigation in 3 tiers of priority. The subject land is included in Tier 3, the lowest priority.

#### Rural landscape character and facilitating tourism

State policy seeks to ensure that the siting, scale and appearance of development protects and enhances rural character. The application was accompanied by renderings with indicative buffer planting that would assist in obscuring the development from adjacent roadsides, although the application has not addressed wider viewpoints outside of the immediately adjacent road network. There are concerns that the proposal would impact on the rural landscape character of the King Valley when viewed from high points and hills around the surrounding area, and aerial viewpoints (such as from hot air ballooning).

This raises concerns around the potential impacts to the tourism industry within the King Valley. Clause 17.04-1L (Facilitating tourism) seeks to strengthen the municipality as a significant hub for the Legends, Wine and High Country Region, with particular emphasis on maintaining the municipality as a destination for wineries and gourmet food experience in the King Valley gourmet region. This supports state and local policy for the protection of productive agricultural land which feeds the gourmet tourism of the King Valley. Therefore, the proposal is not considered to be consistent with the strategic directions of the King Valley region.

#### Water catchment considerations

Clauses 14.02-1S (Catchment planning and management) and 14.02-1L (Declared Special Water Supply Catchment Areas) of the Wangaratta Planning Scheme seek to avoid locating industrial land uses within special water supply catchment areas and ensuring that development located near waterways provides for the protection and enhancement of the environmental qualities of the waterways and their water quality. Concerns have been raised regarding stormwater and floodplain management across the site generally by surrounding landowners and occupiers, with specific concerns raised around the siting of the Battery Energy Storage System (BESS). The BESS is proposed to be located immediately south of a designated waterway (seasonal watercourse/drainage line) and east of two existing dams. Whilst there is bunding proposed around the BESS facility, there remains concerns around the potential for land and water contamination as a result of locating the battery storage within such proximity to waterbodies within a designated water catchment. Given the significance of the water catchment for the protection of both drinking water and the provision of water for agricultural production, and the policy objectives for appropriate development siting and land use compatibility, it is considered appropriate to take a conservative approach to such proposals.

It is understood that (at the time of writing this report) that Goulburn Murray Water have requested further information to satisfy that the proposal is suitable to be located within a

designated water catchment area. Therefore, without suitable evidence demonstrating that the proposal will not detrimentally impact on the catchment, it is not considered that the application is consistent with state and local policy for the protection of the catchment.



*Waterways within and surrounding 1033 Oxley-Meadow Creek Road (King River shown in bold blue).*

#### Biodiversity and protection of native vegetation

The application seeks to either remove or will result in the loss of over 2ha of native vegetation, including 33 large trees (scattered and within patches). The removal and losses include both direct removal and consequential losses associated with the development of the facility itself and for access upgrades and the installation of the transmission lines. State and local policy seeks to ensure that applications for the removal of native vegetation demonstrate that they have sought to avoid and minimise vegetation losses. Further, local policy also seeks to protect scattered paddock trees as they are important for the retention of habitat. Council's Environment & Sustainability Unit reviewed the application and provided the following comments:

- The site has a number of key ecological values, including:
  - Confirmed population of Sloane's Froglet along Sheep Station Creek (Endangered species under the EPBC Act [Cth] and FFG Act [Vic]) which requires connections between areas of habitat (such as the Gilgai wetland located on the property).
  - Highly likely occurrence of three threatened species (Gang-Gang Cockatoo [EPBC Act & FFG Act endangered], Squirrel Glider [FFG vulnerable], Murray River Turtle [FFG Act critically endangered]).
  - Potential habitat for 26 threatened species.
  - Two endangered EVCs (Creepline Grassy Woodland and Plains Grassy Woodland) which are threatened by land clearing.
  - Large hollow bearing trees.
  - Established revegetation.



- FFG Act listed Victoria Temperate Woodland Bird Community (vegetation and bird species).
- Watercourses (Sheep Station and Hurdle Creek) and minor waterways/drainage lines/dams.
- Impacts on Council roadside vegetation – Vegetation Protection Overlay – Schedule 2:
  - Trees to be removed from Docker-Carboor Road in low conservation area, although the roadside also has a very high conservation area.
  - Trees to be removed from Oxley-Meadow Creek Road in low and medium conservation areas, with Council's roadside assessment including threatened Fauna species (Brown Tree Creeper NT).
  - Trees to be removed on Allans Lane located in a very high conservation rating, with Council's roadside assessment including threatened fauna species (Barking Owl – critically endangered under FFG Act and endangered under EPBC Act).
- Acknowledgment that the proposal has sought to avoid and minimise the removal of native vegetation.

Overall, the application has made efforts to avoid the removal of native vegetation, although there are a number of flora and fauna species that require consent under other state and commonwealth legislation if impacted. If considering the loss of vegetation as a percentage of the total land area, the removal is fairly minor, although the potential impacts to those identified flora and fauna could be significant regardless. The Flora and Fauna assessment report accompanying the application includes a number of recommendations that seek to minimise the ecological impact during construction and operation of the facility, and it is considered appropriate that should a permit be issued, that those recommendations be included and documented as part of any Environmental Management Plan.

#### Traffic management and drainage

The application was referred to Council's Technical Services Unit who provided the following comments:

- According to the Traffic Impact Assessment Report supplied with the application, Technical Services note the following:
  - Snow Road is a part of Victoria's gazetted B-Double Network and is hence suitable to accommodate heavy vehicle movements.
  - Wangaratta-Whitfield Road is a part of Victoria's gazetted B-Double Network and is hence suitable to accommodate heavy vehicle movements.
  - Oxley-Meadow Creek Road is a part of Victoria's gazetted B-Double Network and is hence suitable to accommodate heavy vehicle movements.
  - Docker-Carboor Road is **not** a part of Victoria's gazetted B-Double Network. Therefore, Council Engineers will require the section of this road that will be used for this development be upgraded to comply with IDM requirements.
  - There are five bridges along Docker-Carboor Road between Wangaratta-Whitfield Road and Oxley-Meadow Creek Road, which cross the King River and a small swamp. According to the information provided in the application, Council has apparently indicated that these bridges are rated to support high loads, and regularly support loads in excess of 80 tonnes. However, no correspondence was attached confirming the tonnage level from Council within the documentation.
  - Whorouly-Bobinawarra Road may not be part of Victoria's gazetted B-Double Network (unsure due to possible error in section 2.3.5 of the report).

- There is a significant increase in traffic loads on Council roads during the construction phase of the project.
- There are intersections and access points to the site expected to be upgraded.
- The proposed haulage routes are as follows:

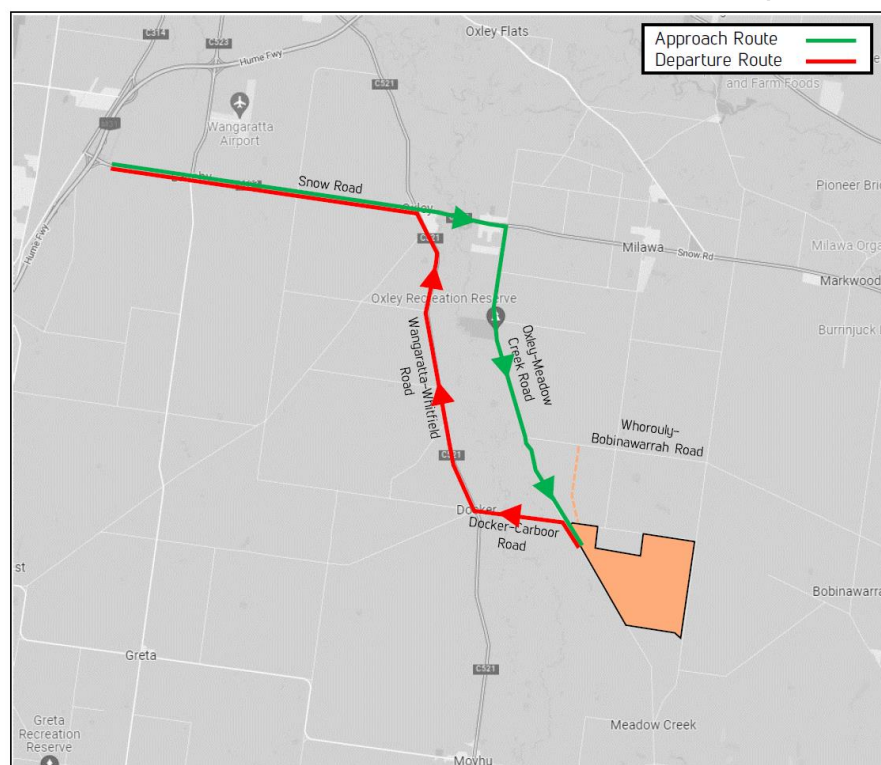


Figure 16 Oxley-Meadow Creek Road Haulage Route

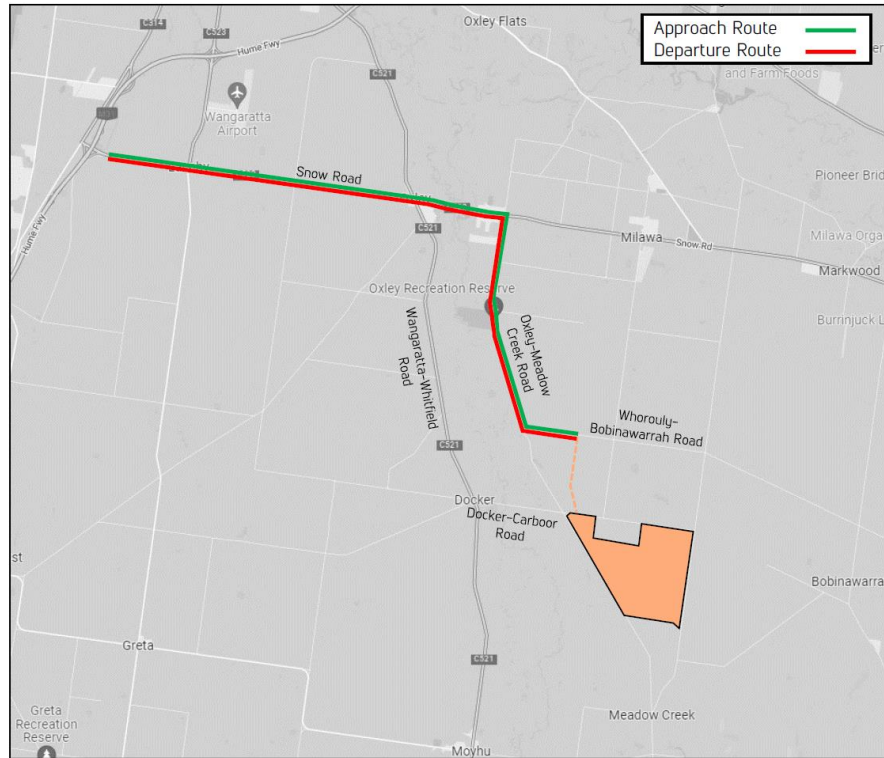


Figure 17 Whorouly-Bobinawarra Road Haulage Route

- According to the Hydrology and Flood Risk Assessment Final Report (Rev 2.0, dated: 17/6/2024) by Alluvium Consulting Australia Pty Ltd, the following recommendations were made:
  - Maintaining the natural state of the draining flow paths whenever possible. Where the proposed access roads cross these watercourses, we recommend at-grade compacted rock causeways at the majority of crossings to provide low maintenance access with limited impact on the waterway. Where access in flood events will be required, raised roads will be necessary and their flood impacts should be considered.
  - Foundations for the photovoltaic arrays should be located away from areas that exceed flood depths of 0.5m and flow velocities greater than 1.0 m/s. Where this cannot be achieved, an increases maintenance frequency should be adopted to monitor possible erosion at the foundations.
  - Fence alignments should be reviewed where possible to locate outside of significant flow paths, or designed to allow the passage of flow underneath to reduce the risk of blockage and potential damage and maintenance implications this brings.

- The lowest edge of the panel arrays shall maintain 300mm clearance to the 1% AEP flood level where possible. Maintaining this clearance will help mitigate any risk of flow redirection in large events as well and mitigate the risk of blockage with debris in the small openings under the panel arrays.
- There was an Environmental Management Plan Framework document by URBIS dated 7 June 2024, which indicated that subsequent documents relating to environmental management/protection will be submitted following the issue of a Planning Permit.
- It is recommended that guidance from the Catchment Management Authority is sought for the proposal.

Technical Services recommended, that should a permit be issued, roads to be used during construction of the development (namely Oxley-Meadow Creek Road and Docker-Carboor Road) should be upgraded and sealed. This is particularly due to issues around controlling dust and improving safety along these roads for local traffic.

#### Options for Consideration

- Submit an objection to the application to the Department of Transport and Planning.
- Submit a submission of support to the application to the Department of Transport and Planning.
- Make no submission.

#### Conclusion

Whilst there is policy support for encouraging the development of renewable energy facilities, those same policies seek to ensure that renewable energy facilities are located in appropriate locations. In order to comply with state and local policies for the protection of agricultural land of strategic significance to the State and ensuring the ability for existing agricultural activities to continue long term, it is considered that the proposal does not represent an orderly planning outcome as it is not located in a suitable location. The subject site is clearly an area of strategically significant agricultural land for the Hume region and the State of Victoria, therefore, permanently removing the land from agriculture (even if minor grazing could occur beneath the solar panels) is not considered to be an appropriate outcome for the long-term planning of the area. Local policy directs these sorts of activities as proposed to other areas of the municipality, where land use compatibility would be more achievable. Therefore, it is considered necessary to submit an objection to the planning application to the Department of Transport and Planning, on the following grounds:




- The proposal does not represent an orderly planning outcome pursuant to Clause 65.01 of the Wangaratta Planning Scheme.
- The proposal is not appropriately sited and is therefore inconsistent with the policy objectives of Clause 19.01-2S (Renewable energy) of the Wangaratta Planning Scheme.
- The proposal would result in the loss and fragmentation of strategically significant agricultural land as identified in the Hume Regional Growth Plan as identified in Clause 11.01-1R (Settlement – Hume) and is inconsistent with the policy objectives of Clauses 02.03-4 (Natural resource management), 14.01-1S (Protection of agricultural land),

14.01-2S (Sustainable agricultural land use), and 14.01-2L (Sustainable agricultural land use).

- The proposal is inconsistent with the purpose of the Farming Zone pursuant to Clause 35.07 of the Wangaratta Planning Scheme as it does not provide for the retention of productive agricultural land and may impact on the ability of neighbouring agricultural activities to continue operating.
- The proposal has not satisfactorily demonstrated that it will not detrimentally impact on the health and amenity of the surrounding area pursuant to Clause 13.07-1S (Land use compatibility).
- The proposal is inconsistent with Clauses 14.02-1S (Catchment planning and management) and 14.02-1L (Declared Special Water Supply Catchment Areas) which seek to avoid locating industrial land uses within special water supply catchment areas.
- The proposal is inconsistent with the strategies of Clause 17.04-1L (Facilitating tourism) which seeks to maintain the King Valley gourmet region as a destination for wineries and gourmet food experiences, and to protect the landscape values and economic potential of tourist routes from land use and development that would compromise those values.
- The proposal is inconsistent with the strategies of Clause 15.01-6S (Design for rural areas) which seeks to site and design development to minimise impacts on surrounding natural scenery and landscape features including waterways. The proposal has not demonstrated that it will not impact on the wider rural landscape character of the area, when viewed from areas other than the immediate roadsides adjacent to the site.

Council will be responsible for the enforcement of conditions on any planning permit that may be issued. Under the circumstances where a permit is issued by the Department of Transport and Planning or the Minister for Planning despite Council's objection, suitable conditions should be provided that may form part of any issued planning permit. Such conditions are included in **Attachment 3**.

### Attachments

- 1 Meadow Creek Solar Farm - Site plans 
- 2 Meadow Creek Solar Farm - Elevation plans and signage details 
- 3 Meadow Creek Solar Farm - draft conditions 

### Public Questions (37:00)

#### Meadow Creek Agricultural Community Action Group

**To Councillor Harry Bussell, do you have a conflict of interest in voting on the Meadow Creek Solar Proposal?**

*Councillor Harry Bussell responded: No*

**We understand you have a neighbouring relative who has 500 KV transmission lines running through his property, and you are within close proximity to these same lines.**

*Councillor Harry Bussell responded: Several kilometres away*

**Have you considered benefiting from a renewable facility (solar and/or battery) on your property now or in the future?**

*Councillor Harry Bussell responded: No*

**Has your relative considered financially benefiting from a renewable facility in the future? If so, would there be a conflict of interest, and should you step aside from voting on this matter?**

*Councillor Harry Bussell responded: I have no idea what my relatives do*

**Brad Hennessy**

**Could I request the following additional questions to Councillor Harry Bussell?**

**Have you been approached by any renewable developers about your land and the opportunity for a renewable facility?**

*Councillor Harry Bussell responded: No*

**Have you had any discussions with any renewable developers about what an agreement and/or financial outcome for you with a renewable facility on your land would be?**

*Councillor Harry Bussell responded: No*

**Have any of your neighbouring relatives been approached by any renewable developers about their land and the opportunity for a renewable facility?**

*Councillor Harry Bussell responded: Don't know*

**Have any of your neighbouring relatives had any discussions with any renewable developers about what an agreement and/or financial outcome for them with a renewable facility their land?**

*Councillor Harry Bussell responded: I don't see their bank balances so I don't know*

**Derek McPherson**

**Can the council legally vote on whether to submit an objection or not to the proposed solar farm?**

**As this vote is not to approve/decline the planning of the solar farm but more of a feel good vote to calm the mob. With the council in "Caretaker Mode" until 6pm Sat 26th, to me, by having this vote, it would seem to be outside of the terms of the "Local Government Act 2020". As by have this proposed vote and seeing which way the current councillors vote on the matter, it has the potential to change how people may, or may not vote in the coming elections and will also reflect an opinion of the current council, which may, or may not be different to the new council after the elections and therefore this vote would be illegal according to the Act.**

*Director Stephen Swart responded:*

*The Local Government Act 2022 requires Councils to have an election period policy and stipulates what decision Councils must not make during an election period. Based on the Act and Council's election period policy, it is Council's view that a Council decision on making a submission to the State Government about the planning permit application for the Meadow Creek Solar Farm falls outside of stipulated prohibited decisions. The matter is considered part of a statutory process with a deadline that does not allow it to be considered by the next Council. Council requested additional time from the State Government for this process to allow it to be considered by the next Council but this request was denied.*

**Heather**

**Is the land classification agricultural?**

*Mayor Rees responded: Correct, it's farming zone*

**Sally Martin**

**My concern is, with the expanse of solar panels, reflecting back into the atmosphere, what I want to know, are they aware of the differences in surrounding temperature and moisture content of the environment, is that going to be affected? I've heard of cases where it has risen the temperature of the surrounding area. We're also concerned about the moisture coming up out of the ground is blocked and it's reflected back up into the atmosphere, the heat, as a heat bank result for the environment. I want to know, how much research has gone into that side of it.**

*Director Stephen Swart responded: I don't think we need to take it on notice. I don't believe the application documents directly address those matters so I don't think we've got that answer*

*Cr Herry commented: I certainly don't have a clear answer to your questions. I, myself have looked into and asked those same questions and studied the research trying to find some information on those matters. My readings certainly indicated that there is no significant heat island affects relating to larger arrays of panels. There's small kind of temperature differentials in a matter of tens of centimetres or metre above the panel, but it's just negligible and dissipates at distances greater than a metre or a couple of metres, so I didn't come out with anything conclusive. Regarding moisture, again, I don't have answers relating to moisture coming up. I have read some material which speaks about the precipitation of moisture and condensation and dew formation on the panels which effectively condenses moisture out of the atmosphere and drops it onto the ground that otherwise wouldn't be condensed in such a manner, and that's generally talked about as a positive moisture influence on the soil.*

**John Griffiths**

**Regarding the future of farming on this particular solar farm. There's been quite a number of studies about grazing sheep and cattle on existing solar farms. Numurkah for example, is dual purpose with running sheep on a solar farm. Will the Council take into account, in the future, grazing sheep on this property?**

*Mayor Rees responded: Councillors have considered everything in relation to the solar farm with the information that's provided and it's up to them to make a decision and you'll see that in the vote.*

*Cr Herry commented: I guess the question was whether we had considered that point and I think it's good that you raised it because it is really a salient point and we don't want to lose sight of maintaining agricultural production, and also growing net production from land, so thank you for raising the point.*

Unconfirmed



**16. Special Committee Reports**

Nil

**17. Advisory Committee Reports**

Nil

Unconfirmed

## 18. Minutes of Advisory Committee Meetings

### 18.1 Minutes of Advisory Committee Meetings (1:15:21)

Meeting Type: Scheduled Council Meeting  
 Date of Meeting: 22 October 2024  
 Author: Councillor and Executive Services Support Officer

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

#### Executive Summary

Minutes of Advisory Committee Meetings and committee reports are reported to Council for information (please refer attachments.)

Date	Meeting details	Refer
6 August 2024	Audit and Risk Committee	Attachment

#### Resolution:

That Council notes the minutes of these Advisory Committees.

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

For: Unanimous

Against:

**Carried**

#### Attachments

1 06 August 2024 Audit and Risk Committee Minutes 

## 19. Notices of Motion

Nil

## 20. Urgent Business

## 21. Public Question Time (1:16:42)

21.1	<p><b>Jessica Carson</b></p> <p><b>A growing number of local governments, including the City of Greater Dandenong and Maribyrnong City Council, have formally recognised the State of Palestine and pledged their support to the people of Gaza.</b></p> <p><b>In Wangaratta, up to 125 locals meet monthly for our 'Peace for Palestine' gatherings, expressing deep frustration with the inaction of our federal government.</b></p> <p><b>Will the Rural City of Wangaratta take a stand and officially recognise the State of Palestine, aligning itself with the millions suffering under oppression?</b></p> <p><b>Your response will be archived, ensuring future generations understand where this council stood on this critical issue.</b></p> <p><i>CEO Brendan McGrath responded: We had a bit of a discussion at Councillor Briefing yesterday when this question was first tabled with us. The first thing I'd say is this Council doesn't have an official position on Palestine or any other countries in a situation of war. I think the view is we also don't consider it core or key Council business to be taking a position on international issues like that. We certainly have sympathy and empathy for the innocent victims in all war affected countries, and individual Councillors being respectful will potentially have their own views about these things, but the current position is that we don't have a formal position on Palestine or any other war affected countries.</i></p> <p><i>Cr Herry added: I want to express support for a lot of what CEO Brendan McGrath has on this position and what he has said. I certainly don't think that these sorts of matters are necessarily benefited by having formal positions and decisions put forth in these sorts of rooms. Having said that, I certainly do think as individual leaders and figures in the community, we certainly have the responsibility and a role to play not bringing it in as a decision or a matter to be considered in this room, but certainly in contributing to the broader community discussions that are happening at Council and at those higher levels of government which sit above us and I certainly do pay my respects and express great horror of the situation that is occurring that's specifically referenced in this with respect to the Palestinians and their plight and the war that's occurring in the Middle East and Israel and all the other countries that are involved. A great number of horrors are occurring and it is incredibly incredible.</i></p>
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21.2	<p><b>Cassandra Pollock asked the following question at the 16 September Council Meeting which was taken on notice:</b></p> <p><b>Question – regarding the Draft Inclusive Wangaratta Plan</b>  <b>In the spirit of transparency, what external organisations have formally submitted to this existing draft?</b></p> <p><i>Director Marcus Goonan responded:</i>  <i>There were three</i></p> <ul style="list-style-type: none"> <li>- <i>North East Health</i></li> <li>- <i>Pride and Diversity</i></li> <li>- <i>Rainbow Local Government</i></li> </ul>
21.3	<p><b>Babara Griffiths</b></p> <p><b>Having attended a 6 hour workshop recently at PAC nearly every one of the 83 adjoining car parking spaces was used. It would not have been possible to exit the workshop to move my car. Who ever thought it O.K.to get rid of this parking for extension of the Arts precinct?</b></p> <p><i>Director Stephen Swart responded:</i>  <i>The plans for the Creative Precinct include new building elements extending into the current car park at the rear of the Wangaratta Performing Arts and Convention Centre and Gallery. A traffic impact assessment has been conducted as part of this proposal which details the underutilised parking within the Wangaratta CBD available to meet the needs of the creative precinct.</i>  <i>The current parking behind the venues is limited to of 3 hours and attendees of longer conferences and events are encouraged to park in the all-day parking available in the CBD.</i></p>

## 22A. Councillor Reports (1:22:58)

### Mayoral outgoing speech – Dean Rees

It has come time to say goodbye and good luck to the Rural City of Wangaratta, and, maybe for some of you out there, about me, good riddance!

I am going to take this opportunity to talk about government in general and to share my thoughts on the last eight years in Council and six years as your Mayor.

I have truly loved and respected my role here. It has taught me a great deal about people and has opened my eyes to some of the limitations that local government has, while also highlighting the remarkable things that are achievable.

I've always found it challenging to accept authority from State and Federal governments because I believe they don't fully understand how small communities like ours operate. The legislation crafted in Spring Street often feels disconnected from the realities of regional life. Our needs are different from those in the big city.

I am a firm believer that regional communities and Local Government are the heartbeat of Victoria. Councillors serve as the voice of you, the people, and it's crucial that we continue to have their representation in local matters.

I'm concerned about the future of Local Government, especially with increasing costs shifting from the state and the rising costs of running these organisations. The administration of excessive programs and policies—which would be unsustainable in the private sector—poses a real financial risk.

Yet, our core responsibility is to improve the quality of life in our community. Council exists to serve the people, with their needs at the forefront of everything we do. While we generally do this well, change and respect are always necessary. In a democracy, we must listen to the majority while also respecting the minority. And the minority need to respect the majority.

I've had the privilege of working alongside some incredible individuals whose dedication and attention to detail I've greatly appreciated. I know I will miss collaborating with them. Their friendship, support, and commitment have made a lasting impression on me.

There are a few people in particular that I would like to acknowledge. These are the people I see daily and who are all willing to assist me at the drop of a hat.

- Clare Cowdery, Manager Statutory Services
- Our Governance Team Andrew Lovett and Andrew Scoffern
- Our amazing events team, Elisha, Karen, and Dave.
- Our Field Services Team especially Jamie Reid previous manager, Lauren Malins and great workers on our turf team Glen and Darin, who keep our grounds always looking their best.
- Ben Thomas, Manager Community Services (He has a massive job, and does a great job)
- The people in our Economic Development team led by Celeste and Janine
- Media and Comms team led by Felicity and Tori (making sure I don't say the wrong thing which happens a lot)
- The great association I have with Darren Macklan and Allan Thrum of which I know will always continue following my departure, thank you.

I'd also like to thank the EA's I have had over the years.

- Bec Golia
- Zoe Giglio
- Amie Newman
- Megan Earl
- Last but not least, Jess King

Thank you to the Corporate Management Team who have been at my beck and call.

- Sarah Brindley - you have a big heart, and we need this. Thank you for being you and for all the hard work you do for this Council.
- Marcus Goonan - I really enjoy our discussions, especially when I'm right, but mostly we do agree. You have one of those tough jobs that I certainly would not like to have. Your service, knowledge and dedication to your job is greatly respected. Thanks for humouring me.
- Stephen Swart – It's been enjoyable working alongside you, and I look forward to conversing with you up until the very last minute of me being on Council. But then it will be time for you to stand on your own two feet and stop relying on me for advice! You've been a great combatant with me, I've loved working with you, it's been a great Challenge. I know you've learnt a lot from me. I do appreciate the service you give, it's a bit like Marcus' position, there's not a lot of thanks,

you have to make some difficult decisions, and you've done a great job and I appreciate our friendship.

- Brendan – I have enjoyed our many great conversations. Thank you for helping me deliver my thoughts and ideas and for being a great listener, and a great eye roller at me. You challenge the small-minded part of me. We have had many trips to Melbourne and Canberra to knock on politicians' doors, asking for money, and I couldn't have asked for better person to do that with. I think we have worked brilliantly together. You have always been the number one in this organisation, after me! With respect, cheers, and good luck. Thank you. I do appreciate everything you have done for me, and for turning me into a better human.

To all the people I have served with on Council, my current Councillors, you've been fantastic, thank you for our years together and thank you for supporting me as a Mayor for 6 years.

To outgoing Councillor Jack Herry, thank you for this term. You are a family man and a deep thinker, thank you for thinking uniquely, sometimes on your own but always with a passion for the community. Thank you.

This council has achieved many milestones over the past four/eight years —improving the towns aesthetics, infrastructure, community cohesion, and economic development. These accomplishments mean we're recognized as one of the top 10 regional cities outside Melbourne.

I'd like to acknowledge our Federal Member Helen Haines. Being the Mayor alongside Helen has been rewarding. Our relationship is one of respect. I thank you for your support of me, for Council and for continuing to advocate for our community at a federal level.

I thank our State member Tim McCurdy. Let me tell you a story about Tim..... I was lost on a subject more recently and I rang him last week, he was in a sitting week, he took my phone call, I'm hearing the bell go off, he has to go back to Parliament. I said have you got to go? He goes no, I'd rather talk to you. I have to go into sitting, but I'll get in there late, just so I can talk to you. This is what we need from our local representative. Thanks for all you have done for this Council and your community. You've been an advocate for us all the way along and you will continue to do so. I appreciate your time and showing me through the halls of Parliament down there in Melbourne. He walks me around and shouts me beer, so it's been fantastic to have and introduces me to politicians again which has led to great success over six years, to be able to get money for our community.

I'd also like to mention Jaclyn Symes who is the Attorney General and our Upper House member for Northern Victoria. Jaclyn has always been ready and able on the phone for a quick conversation, always returns the calls, gets back to us, and advocates for us from this area, for this area, because she comes from this area, so thank you Jaclyn Symes.

To the Wangaratta community, thank you for allowing me to be your Mayor, and for your support over the years.

I'd like to mention a few people in particular who have always been encouraging. I want to thank Sandra and Peter Headland, Marg and Clive Pullen, Max and Barbara Batey, Paula McGavin, Geoff Daley, for people who have been supportive of me.

I'd also like to thank businesses that I'm involved with regularly during our discussions over the years to help benefit the community. To Matt Salmon, Mike Noble & Gary Nash - thanks for the great conversations and for championing Wangaratta with me.

There are many more who have been a great support to me, including former Mayors, Geoff Dinning, Don Joyce and Ken Clarke.

Thank you to my friendship group who has always listened to me. To the whinges, the whines, the gripes, especially Wade and Candice, Linton and Alana, Dan and Amanda, and Chris and Megan. Thank you guys for being the support and putting up with me.

Thank you to my extended family, Mum, Dad, Andrew, Stephen & Nicole, thanks for the constant support, the babysitting, the meals and for fixing the things that I haven't had time to fix.

To my greatest supporters Lexi, Oliver, and my beautiful wife Marni. I am looking forward to being home more often, cooking, and being part of the family again and being there when you need me most. Thank you all for the love and smooches every night. I couldn't have done this job without the support you guys have given me over the last 8 years. So thank you.

So, everyone, so long, see you around, and most importantly I'll see you around this great place we call the Rural City of Wangaratta. It's my home, and the place that I want to spend my life. Goodbye and Goodnight. Thank you.

**Resolution:**

Councillor D Fuller moved a motion:

That Mayor Rees' Report be recorded in the Minutes.

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

**Carried**

## 23. Confidential Business (1:39:45)

**Resolution:**

That Council resolves to close the meeting to members of the public in accordance with Division 3(1) of the Local Government Act 2020 to consider the following items:

**22.1 Consideration of Event Plans**

**Item 22.1 is Confidential under the Local Government Act 2020 as it contains information relating to : (e) Legal Privileged Information and (g) Private Commercial Information.**

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

For: Unanimous

Against:

**Carried**

*Cr Dave Fuller previously declared a Conflict of Interest in relation to this item. Cr Fuller remained in the Council Chambers.*

Dean Rees left the meeting at 07:41 pm.  
Jack Herry left the meeting at 07:41 pm.  
Irene Grant left the meeting at 07:41 pm.  
Ashlee Fitzpatrick left the meeting at 07:41 pm.  
Harry Bussell left the meeting at 07:41 pm.  
Harvey Benton left the meeting at 07:41 pm.

Dean Rees returned to the meeting at 07:57 pm.  
Jack Herry returned to the meeting at 07: 57 pm.  
Irene Grant returned to the meeting at 07: 57 pm.  
Ashlee Fitzpatrick returned to the meeting at 07: 57 pm.  
Harry Bussell returned to the meeting at 07: 57 pm.  
Harvey Benton returned to the meeting at 07:57 pm.

**Resolution:**

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

That Standing Orders be resumed.

For: Unanimous

Against:

**Carried**

## 24. Closure of Meeting

The Meeting closed at 7:58.