



Rural City of  
**Wangaratta**

# Minutes

For the Scheduled Council Meeting  
Council Chambers, Municipal Offices  
62-68 Ovens Street, Wangaratta  
**3:00 PM 22 July 2025**



## Contents

1.	Acknowledgement to Country.....	5
2.	Opening Prayer .....	5
3.	Present .....	5
4.	Absent.....	5
5.	Acceptance of Apologies & Granting of Leave of Absence .....	5
	Order of Business .....	6
6.	Citizen Ceremony.....	6
7.	Confirmation of Minutes .....	6
8.	Conflict of Interest Disclosure .....	6
9.	Reception of Petitions .....	6
10.	Hearing of Deputations.....	6
	Presentation of Reports .....	7
11.	Councillor Reports.....	7
12.	Sustainability and Culture.....	8
15.1	Planning Scheme Amendment C86 and Permit Application 24/005, Wangaratta Whitfield Road and Targoora Park Wangaratta (06:23).....	8
15.2	Planning Application PlnApp23/102.02 - Rear 28-30 Ely Street, Wangaratta - Amendment to Permit for the Use of the Land for a Restricted Recreation Facility (39:31).....	23
15.3	Planning Application PlnApp24/087 - 10 Eldorado-Tarrowingee Road, Eldorado - 7 Lot Staged Subdivision & Removal of Native Vegetation (52:58).....	28
15.4	Arts and Culture Advisory Committee Membership Appointments (55:06)...	33
15.5	Local Law No. 1 - Community Amenity (58:04).....	37
	Officers' Reports .....	41
13.	Executive Services.....	41
14.	Corporate and Leisure.....	42
13.2	Amended Revenue and Rating Plan 2025-2029 and 2025-26 Revised Budget (1:01:45) .....	46
13.3	Community Vision 2045 (1:04:58) .....	53
15.	Community and Infrastructure .....	59

14.1	Draft Road Management Plan 2025-29 (1:16:10) .....	59
14.2	Waste Management Policy 2025 (1:20:54) .....	63
14.3	Targoora Park Budget Variation (1:27:48) .....	68
14.4	Retail Energy (Large Market Gas) Agreement (1:33:27) .....	71
14.5	Community Grants (1:35:16) .....	75
16.	Special Committee Reports .....	79
17.	Advisory Committee Reports .....	79
18.	Minutes of Advisory Committee Meetings .....	79
19.	Notices of Motion .....	79
20.	Urgent Business .....	79
21.	Public Question Time (1:47:27) .....	79
22.	Public Question Time (0:30) .....	80
23.	Confidential Business (12:24) .....	81
22.1	Contractual Matter .....	81
24.	Closure of Meeting .....	82
24.	Appendix .....	83
24.1	Appendix 1: Planning Application PlnApp23/102.02 – Attachment 1: Officer's Assessment Report .....	83
24.2	Appendix 2: Successful Applicants – Community Grants Program 2025-2026 .....	94

## 1. Acknowledgement to Country

*It is my privilege to respectfully acknowledge the traditional custodians of our wonderful country. We give our thanks to our ancestors whose vision, determination, innovation and resilience built our prosperous inclusive and democratic country. We acknowledge that we are the proud inheritors of this legacy, and we accept the challenge to continue to nourish and nurture our communities and we pledge to work to implement and enhance opportunities for the benefit of future generations, our children and their children into the future.*

## 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, Harry Bussell, Harvey Benton, Ashlee Fitzpatrick, Allison Winters, Tania Maxwell

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

### 7. Confirmation of Minutes

#### Resolution:

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

That Council read and confirm the Minutes of the Scheduled Meeting of 24 June 2025 as a true and accurate record of the proceedings of the meeting.

**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.

### 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

#### Mayor Irene Grant (03:45)

On behalf of the Rural City of Wangaratta I would like to acknowledge the Oxley Hall Committee and the Oxley community on the great work they have done in restoring and preserving an important part of Local Government history in the North East. Not only have they helped to restore a wonderful old building, one of the oldest in this region, they have also created an important social hub for their community. This was certainly in evidence at the celebration on June 28 2025 when hundreds of people came from near and far to celebrate 150 years of the building and its place in the local community. What is particularly noteworthy about the Oxley Hall Committee and the community is that while they have sought assistance with grants from a variety of sources, they have mostly rolled up their sleeves and done the hard work themselves- fundraising through their famous Oxley Market, working bees and community events to ensure the hall stays part of their community. Well done Oxley residents, past and present.

#### Resolution:

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

Councillor D Fuller moved a motion to :

That the Mayor's Councillor Report be noted in the Minutes and a copy sent to the Oxley Shire Hall Committee.

**Carried**

#### Resolution:

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

That standing orders be suspended to move to Item 15 Sustainability and Culture.

**Carried**

## 12. Sustainability and Culture

### 15.1 Planning Scheme Amendment C86 and Permit Application 24/005, Wangaratta Whitfield Road and Targoora Park Wangaratta (06:23)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Operational
Author:	Strategy Planner
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 consider the next step with Wangaratta Planning Scheme Amendment C86 and permit application 24/005 in accordance with the *Planning and Environment Act 1987* (the Act).

Amendment C86 is a site-specific rezoning and combined planning permit application affecting land located at Wangaratta Whitfield Road and Targoora Park as shown below:





The amendment proposes to rezone a larger parcel of land (shown in red outline above) from Low Density Residential Zone to General Residential Zone to facilitate a residential subdivision; and a smaller parcel of land (shown in blue outline above) from Public Park and Recreation Zone to Public Use zone to facilitate the construction and operation of an Integrated Wastewater Treatment Facility to service the proposed development and beyond. The proposed areas of rezoning are shown in **Attachment 1**.

The proposed planning permit seeks to subdivide the larger parcel of land (shown in red outline above) into 230 lots. The proposed subdivision layout plan is included as **Attachment 2**.

Council received 37 submissions in response to the exhibition of the proposal, including 30 objecting submissions. An independent Planning Panel reviewed the proposal and considered unresolved submissions. The Panel has considered all matters before it from the perspective of Council, the proponent and submitters and has recommended the amendment be adopted as exhibited and the permit be issued subject to updated conditions contained in the Panel Report (see **Attachment 3**).

Permit conditions provide requirements for obtaining the relevant Environmental Protection Authority (EPA) licence to develop the Integrated Wastewater Facility and constructing and commissioning the facility prior to any residential lots being available for home construction. The permit conditions also require legal arrangements to be made relevant to the proposed Integrated Wastewater Facility, which sit outside this combined planning scheme amendment and planning permit process.

Officers recommend the amendment be adopted, subject to changes to one permit condition (see **Attachment 4**), and submitted to the Minister for Planning for approval.

**Resolution:**

**(Moved: Councillor H Bussell/Councillor H Benton)**

That Council:

1. Considers the Wangaratta Planning Scheme Amendment C86 and Planning Permit Application 24/005 Panel Report (**Attachment 3**) in accordance with *Section 27 and 96(F) of the Planning and Environment Act, 1987 (The Act)*.
2. Adopts Wangaratta Planning Scheme Amendment C86, in accordance with *Section 29 of the Act*;
3. Submits the adopted Amendment C86 to the Minister for Planning for approval in accordance with *Section 31 of the Act*;
4. Recommends to the Minister for Planning that a planning permit be granted to approve Planning Permit Application 24/005, generally in accordance with the Panel's recommendations (as contained in **Attachment 3**) and with changes (outlined in **Attachment 4**), in accordance with *Section 96(G) of the Act*; and submits the recommendation and proposed planning permit to the Minister for approval in accordance with *Section 96(H) of the Act*.
5. Delegates to the Director of Sustainability and Culture authority to make changes to the adopted documents and prescribed documents as required by the Department of Transport and Planning or otherwise identified by in the preparation of the planning scheme amendment material.
6. Advise all submitters of the outcome.

**Carried**

**Background**

**The Proposal:**

Wangaratta Planning Scheme Amendment C86 is a site-specific rezoning and combined planning permit application affecting land located at Wangaratta Whitfield Road and Targoora Park. The rezoning applies to both sites and the planning permit application applies only to land at Wangaratta-Whitfield Road, Wangaratta. This proposal is a proponent led amendment (the proponent, Bislake Pty. Ltd. requested the amendment).

The amendment proposes to rezone a 24.5 ha parcel of land (Lot 2 PS744661 Wangaratta Whitfield Road) from Low Density Residential Zone to General Residential Zone; and approximately 1.9 ha of land contained within Targoora Park from Public Park and Recreation Zone to Public Use zone (to facilitate the construction and operation of an Integrated Wastewater Treatment Facility).

Whilst the construction of the Integrated Wastewater Treatment Facility is not part of the proposed amendment or permit, the proposed amendment and permit facilitates its construction. The Integrated Wastewater Treatment Facility is integral to the strategic context as it provides an innovative approach to wastewater treatment, and contributes to providing capacity in the sewerage network, which was severely constrained (and prohibitive to servicing development) at the time of the amendment's authorisation and exhibition. It's noted that Council has been actively working directly with the Water Authority on matters relating to sewerage capacity issues and alternative solutions are now in place to service development in Wangaratta, and particularly in the residential growth areas. The Integrated Wastewater Treatment Facility associated with this proposal provides additional capacity of 100 additional lots in the sewerage network, in addition to servicing the proposed subdivision.

The proposed permit is for the subdivision of the site at Lot 2 PS744661 Wangaratta Whitfield Road into 230 lots, including 3 super lots with the overall development potential of approximately 250 lots. The permit application further seeks to remove 0.47 ha of vegetation, alteration of access to a road in Transport 2 Zone and removal of an electrical transmission easement.

#### **Process so far**

A summary of the combined Planning Scheme Amendment and planning permit application process completed so far is provided below:

- *December 2022:*  
Council considered a rezoning and planning permit proposal at the Ordinary Meeting in December 2022 and agreed to progress the request. This became Wangaratta Planning Scheme Amendment C86.
- *December 2024:*  
Following the exhibition of combined Planning Scheme Amendment and planning permit application, Council considered key issues raised in submissions to the proposed amendment and the next steps in the amendment process. Six authorities provided permit conditions in response to the amendment's exhibition. Further the EPA and North East Water initially raised concerns with the amendment, however the proponent liaised with these authorities directly to address concerns. Consequently, these authorities provided supporting submissions to the amendment. Given there were other objecting community submissions, and the proponent did not agree to make changes to address the submissions, Council resolved to refer the amendment to an independent Panel for review.
- *Early 2025:*  
A Planning Panel was convened, and an online directions hearing was held on 17 March 2025. A Panel Hearing was held between 20 – 23 May 2025. The Panel Hearing was held in person, at the Wangaratta Performing Arts and Convention Centre and with online capability for remote participants.

#### **The Panel Hearing and the Panel Report**

At the hearing the Panel heard from:

- Council officers, who provided the background context to the amendment.
- The proponent's representatives, who spoke in support of the amendment and called on 5 expert witnesses in the areas of:
  - Planning

- Traffic
- Wastewater Treatment Plant
- Water quality and drainage
- Odour
- Eight community submitters. The submitters spoke on a range of matters that were raised in submissions, including:
  - Traffic (including access to the proposed subdivision, intersection upgrades, public transport)
  - Odour (from Integrated Wastewater Treatment Facility), and other liveability issues
  - Loss of Public Park and Recreation Zoned land (for the Integrated Wastewater Treatment Facility)
  - Alternative sewerage treatment solutions and locations
  - Strategic justification for the amendment
  - Environmental impacts, particularly on One Mile Creek and biodiversity
  - Importance of green/open spaces
  - Sustainable and inclusive development (including density matters)

The Panel considered all matters raised in submissions (regardless of whether the submitter appeared at the hearing).

The Panel Report (see **Attachment 3**) addressed submissions thematically. Overall, the Panel Report noted that the **Amendment**:

- Is consistent with planning policy.
- Unlocks short term housing supply otherwise constrained by the sewerage network in a location well suited for greater residential development.
- The impact on public open space has been minimised by its location and small footprint and will be offset by additional open space (at the subdivision site).

The Panel also noted that the **Amendment and draft Permit**:

- Provide for an innovative wastewater management solution which will provide additional short term housing capacity and the opportunity to sustainably irrigate adjacent active recreation areas.
- The proposed Integrated Wastewater Treatment Facility, while subject to a separate EPA approval, is designed to have a low risk of potential odour or noise impact on nearby sensitive receptors.

Further, the Panel Report notes that the proposed **Subdivision**:

- Is an appropriate response to its context and responds to the relevant planning policies and Planning Scheme provisions.
- Issues associated with traffic and movement, native vegetation removal, open space provision, flooding, stormwater, bushfire and impacts on One Mile Creek have been mitigated through subdivision design or the draft Permit conditions as amended.

The Panel report emphasises the importance of infill development opportunities to achieve newly implemented state government housing targets (6,000 additional homes in the Rural City of Wangaratta by 2051). After considering the matters before it, the Panel concluded that, on balance, the proposal was appropriate and recommended approval of the amendment and to issue a permit.

The Panel Report recommends amendments to exhibited permit conditions. Amendments reflect feedback from authority submissions received during the exhibition process and Panel conclusions. Officer's propose changes to one of the recommended permit conditions in the Panel Report to

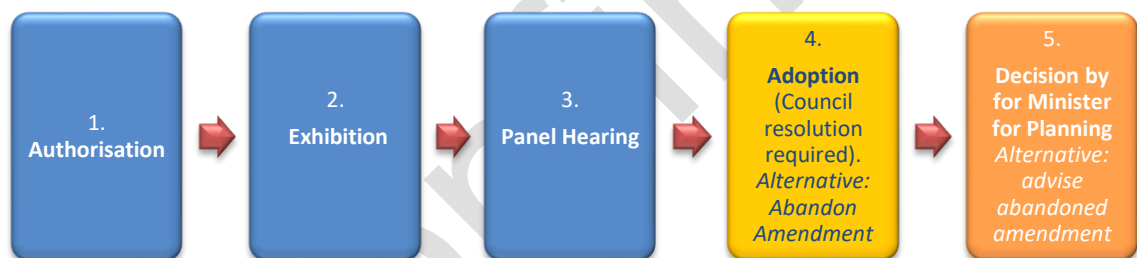
clarify road and associated infrastructure upgrade requirements relating to a section of Clarkes Lane. The proposed changes to the condition are identified in **Attachment 4**.

The Panel does not make comments on the operation of the Integrated Wastewater Treatment Facility. However, it did hear expert evidence relating to amenity, particularly odour and noise given the facilities proximity to housing noting the expert evidence and rigorous odour assessments concluded amenity impacts from odour would not be unreasonable.

The facility is required to support the subdivision and provide additional capacity in the sewerage network. The Integrated Wastewater Treatment Facility's construction and operation is subject to a licence being obtained from the EPA. A licence application was made in late June. The proposed planning permit conditions require the EPA licence to be obtained and the facility to be constructed and commission before a Statement of Compliance can be issued for the first stage of the residential subdivision (refer to Condition 10 in **Attachment 3**).

#### Next steps

To progress the matter Council is required to make a decision about the next step in the amendment process. The steps are summarised in the image below. This amendment is up to step 4 of the process. If the amendment is adopted, Council will be required to undertake further work to finalise legal agreements associated with the Integrated Wastewater Treatment Facility.



It's recommended that Council adopts the combined amendment and planning permit application, with changes to a permit condition outlined in **Attachment 4** (relating to road upgrade requirements) and submit the adopted amendment to the Minister for Planning for approval.

#### Implications

#### Policy Considerations

##### *Climate Mitigation Policy and Climate Adaptation Plan, 2025*

The Climate Mitigation Policy acknowledges the legislative requirements, moral obligations, and community expectations for Council to manage climate change responsibilities through mitigation actions. The Climate Adaptation Plan, 2025 seeks to reduce Council's risks from climate change, so it can efficiently and effectively serve the community.

The proponent has submitted that the proposal provides an innovative approach to Integrated Wastewater Management including providing for the opportunity to treat and use recycled wastewater for irrigation.



#### *Affordable Housing Strategy, 2024*

The Affordable Housing Strategy, aims to increase the supply of social, affordable and key worker housing to address the increases in housing stress and homelessness and through actions associated with land use planning, including supporting negotiations to facilitate this type of housing.

The proposed subdivision provides a variety of lot sizes between 300 square metres (7/230 lots) and larger than 700 square metres (9/230 lots). The majority of the proposed residential lots (112/230) will be between 500-600 square metres. The proposal, if approved will contribute to the supply of housing lots in Wangaratta.

#### *Walking and Cycling Strategy, 2020 - 2030*

Whilst the rezoning impacts Targoora Park, noting the Strategic Cycling Corridor Network traverses through Targoora Park, the proposal will not impact this Council infrastructure and this network.

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

As this is a proponent led amendment all statutory fees and other costs associated with the amendment will be passed on to the proponent. To date such costs are in excess of \$75,000. In addition, significant Council staff resources are required to administer the amendment and include preparation to represent Council at the Panel Hearing and ensuring the amendment's compliance with conditions, relevant legislation and processes.

There may be ongoing costs to Council attributable to the purchase of recycled water from the Integrated Wastewater Treatment Facility for irrigation purposes. Any such costs are unknown at this time.

Broadly, the proponent states the amendment provides economic benefit. The Panel Report discusses economic impacts in the context of providing balanced outcomes consistent with the Municipal Planning Statement, Ministerial Directions and Planning Practice Notes. It does not make any specific recommendations about economic impacts.

The recommended permit conditions require suitable infrastructure to be provided by the developer.

#### **Legal/Statutory**

Combined Planning Scheme amendments and planning permit applications, and subsequent approvals are obligated to follow the processes outlined in the *Planning and Environment Act 1987* and the *Subdivision Act 1988*. These are the key pieces of legislation guiding this process. Additionally, there are other associated regulatory, statutory and legal requirements (inclusive of Section 173 Agreements) that Council is required to follow to meet its legal and statutory obligations.

To fulfill the requirements of the *Planning and Environment Act, 1987*, Council is required to make a decision about the next step in the amendment process.

There are matters relating to using existing open space for other purposes, in accordance with the *Subdivision Act, 1988* and Council will be required to consider these matters should the proposal be approved.

Matters relating to the construction of Integrated Wastewater Treatment Facility and its operation require agreement from parties involved. Whilst the specifics of any legal agreements relating to the facility are yet to be negotiated, should this amendment be approved, a legal agreement will be required by the proposed planning permit conditions (see condition 11 in **Attachment 3**) to outline:

- The ownership of the and operation of the Integrated Wastewater Treatment Facility.
- Maintenance of the facility.
- Its development Licence (and any associated conditions as issued by the EPA)
- End of life, remediation works in accordance with the relevant EPA provisions and to Councils satisfaction.

### **Social and Diversity**

Social impacts identified by the Panel report:

- **Housing:** The proponent submitted that the rezoning and permit application is consistent with the objectives of housing as identified in the Wangaratta Planning Scheme. The submitters offered that the proposal is not required to accommodate housing targets recently proposed in the Plan for Victoria. The Panel concluded housing outcomes are appropriate.
- **Open Space:** The proponent submitted that approximately 10% of the area of the subdivision site is provided for open space, and this is twice the minimum required amount. Submitters raised concerns about the removal of open space from Targoora Park. The Panel determined that the overall outcome provides a net community benefit.
- **Amenity Impacts:** from the proposed Integrated Wastewater Treatment Facility, noting expert evidence suggest that the amenity impacts from the facility will be minimal. The Panel was satisfied that the Wastewater Treatment Facility, sited in the location proposed, can be developed in a way that achieves acceptable amenity outcomes if designed and managed appropriately.
- **Traffic:** The submitters raised concerns about the impacts of traffic at the subdivision site and on the surrounding road networks, noting with poor levels of public transport the reliance on private vehicles is increased. Expert evidence provided by the proponent suggested that all traffic movements were within an acceptable level and intersection treatments as proposed post exhibition are appropriate. It's noted that traffic conditions were informed by the Department of Transport and Planning's submission to the amendment. The Panel Report recommends changes to traffic related permit conditions (see **Attachment 3**).

### **Equity Impact Assessment (EIA)**

A Gender Impact Assessment was not required, however the proposal has been designed to be 'safe for all gender identities.'

### **Environmental/Sustainability Impacts**

There are environmental and sustainability impacts identified:

- Vegetation removal
- Biodiversity and flora
- Impacts on One Mile Creek

The Panel's assessment of these issues was that on balance, the proposal provides an acceptable outcome relating to these issues.

## Strategic Links

### Council Plan 2021 – 2025

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

#### Valuing our Environment

- 3.1.1.2 Collaborate on projects that assist the community to adopt sustainable building and living practices to reduce energy and water use.
- 3.2.1.3 Ensure services and facilities are operated in compliance with the updated Environmental Protection Act.
- 3.4.2.3 Work to ensure that access and use of our waterways balances water preservation and health.

#### Growing with Integrity

- 6.1.1.2 Identify opportunities for residential land supply to accommodate future population growth.
- 6.1.2.2 Encourage a variety of lot sizes in new residential estates.
- 6.3.1.2 Ensure future settlements are designed and located to consider the risks of climate change including fire, flood and other natural hazards.

### Rural City of Wangaratta 2033 Community Vision

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

#### *Environment: Build environmentally sustainable communities*

- L1 Collaborate with external stakeholders on community-based environment and sustainability-based initiatives
- L2 Facilitate design and development that creates environmentally supportive objectives.

The proposed subdivision will be serviced by an Integrated Wastewater Treatment Facility, which recycles wastewater. This treated water can be used for irrigation.

#### *Lifestyle: A community that is safe and welcoming for pedestrians and cyclists*

W1 Design and deliver pedestrian and cycle infrastructure that meet the needs of all community members.

The proposal includes open space that provides opportunity for passive recreation via cycling and walking by providing linear open space that connects into existing networks.

#### *Growth: The right growth in the right areas*

- AA1 Facilitate attractive long term residential growth opportunities
- AA2 Ensure a range of housing options to meet the needs of the community including affordable housing.

The proposal facilitates residential growth in a location that is a comparable distance to the centre of Wangaratta as the existing South Growth Area. The proposal provides opportunity for small residential lots and provides for the opportunity to facilitate medium density housing in areas located close to open space.

#### *Growth: Sustainable infrastructure that supports new growth*

BB1 Ensure new development is facilitated and does not conflict with existing land uses.



Council's consideration of this proposal meets the objective to facilitate new growth. Whilst the proposal impacts on existing land uses (i.e. the Integrated Wastewater Treatment Facility impacts existing Public Open Space) the Panel Report states that, on balance, the benefit provided by the facility in demonstrating how to innovatively recycle wastewater and use it for other uses (for example irrigation) provides a net community benefit.

### Other strategic links

#### *Plan for Victoria, 2025*

The State Government's Plan for Victoria specifies residential housing targets to achieve between now and 2051. For the Rural City of Wangaratta, the residential housing target is set at 6000 new dwellings. The Panel has emphasised the importance of undertaking actions to achieve these targets, particularly with a focus on infill development.

### Risk Management

Key risks are identified as:

- If the proposal is approved there is a risk the Integrated Wastewater Treatment Facility may not go ahead, as approval of its construction and operation is part of a separate EPA licence process, resulting in additional pressure on the existing sewerage system and voiding net community benefits. This risk is mitigated by the recommended permit conditions including a requirement that the facility must be constructed and commissioned prior to Statement of Compliance for the first stage of the subdivision. If approved as recommended, an amended planning permit would be required to amend this requirement.
- Abandoning the amendment involves a risk of losing the opportunity to trial an innovative solution to wastewater management, and achieving other community benefits.
- Development contributions have not been implemented as part of this proposal resulting in potential additional infrastructure costs to be absorbed by Council. The developers will be required to provide new infrastructure and upgrade existing infrastructure as part of the proposed planning permit conditions.

### Consultation/Communication

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and or solutions	Public notification advising public on the specifics of the proposal and how to participate in the amendment process.
Consult	We will keep you informed, listen and acknowledge your concerns and provide feedback on how public input can be made throughout the process	Public notification, direct notification and acknowledging feedback provided throughout the amendment process.
Involve	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on	Publicly and directly advising of how feedback will be used to impact the outcomes, particularly through the panel process.

	how the public influenced the decision	
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Proposed combined planning permit applications and Planning Scheme Amendments have a prescribed consultation process set out in the *Planning and Environment Act, 1987*. This proposal has been subject to those prescribed consultation procedures.

### Options for Consideration

#### Option 1: Recommended Option

*Adoption subject to changes to permit conditions.*

This progresses the amendment generally in accordance with the Panel's recommendations and with some changes to one of the proposed planning permit conditions (as shown in **Attachment 4**).

#### Option 2: Not recommended

*Adoption subject to significant changes to the amendment.*

There is an option to adopt the amendment and recommend granting the permit in a form significantly different to what the Panel recommends. However, without significant strategic justification, it's unlikely that such alterations would be approved by the Minister for Planning.

#### Option 3: Not recommended

*Abandon the Amendment*

This is inconsistent with Council's support for the amendment in its authorisation, exhibition and independent review. Further, abandoning the amendment would result in a waste of resources in progressing the amendment to this point, bringing an end to the proposal that is contrary to the recommendations of the Panel.

### Conclusion

A Panel has independently reviewed the combined amendment and permit application. The Panel and its report consider unresolved matters and makes a recommendation to adopt the amendment as exhibited and issue a permit subject to updated permit conditions.

Officers recommend the combined amendment and planning permit application be supported for approval, subject to changes to one permit condition (see **Attachment 4**).

### Attachments

- 1 Attachment 1- Rezoning Map
- 2 Attachment 2 - Subdivision Layout
- 3 Attachment 3 - Panel Report
- 4 Attachment 4 - Proposed amended permit conditions

### Public Questions

**Nevan Wadeson: (07:56)**

**As the Officers Recommendation is for the Approval of the Combined Amendment C 86 and Permit 24/005, what is the anticipated process and timing for Council to brief or assist the Officers of the Department of Transport and Planning with their assessment?**

*Director Stephen Swart responded:*

*If Council adopts the proposal as recommended, the required timeframe for the next step is stipulated by Ministerial Direction 15 which applies to all Planning Scheme Amendments in Victoria. The Direction requires Council as the Planning Authority to submit an adopted amendment to the Minister for Planning for approval within 10 business days of the date the amendment was adopted. The Department of Transport and Planning administers the approval process once an adopted amendment is submitted for approval. Council officers will assist the Department of Transport and Planning with any information requested.*

**Colin Anderson: (09:54)**

**Of the Councillors, who has read the full report?**

*Mayor Grant responded:*

*I would say all Councillors have read the particular report and submissions and we've been in consultation with the community over a long period of time.*

**Jenny Cogan: (11:35)**

**In reference to option 3, which is to abandon the amendment, which Officers had stated the rationale states that doing so would be inconsistent with earlier support authorised, the amendment that would represent a waste of resources to abandon the proposal at this stage. However, the very purpose of progressing the amendment to this stage, including organisation, exhibition, and panel review, is to uphold transparency and enable full community participation in the democratic planning process. Is it not a legitimately expected part of the democratic process, that even panel recommendations, Councillors retain full discretion to vote to abandon the agreement if they believe it does not serve in the public interest.**

**Are Councillors being in any way influenced or deterred by concerns that the proponent may pursue legal action, including the installation to the Supreme Court if a decision is made to abandon the meeting.**

*Mayor Grant responded:*

*The short answer to that is no. Council has been through this process over a protracted period of time. Council has had extensive discussion. Council resolved to put the actual application to a panel to give an independent oversight of the process which we have done and we have received information back and now we're going to progress to the next stage should that happen.*

*Director Swart responded:*

*Council does have full discretion to abandon this amendment, that's why that option is included in the report. But that's certainly not the Officers recommendation, and also not the Panel's recommendation.*

**Jenny Hart: (14:09)**

A small point of clarification, in the report that was read out by Director Swart you say there were 36 submissions, in fact in the Panel report 31 submissions only listed, 28 were objections, 3 only were supporting and I also note that those supporting submissions were not from the community but from vested interests. So I'm not quite sure where 36 comes from. It might be mistaken with required referral authorities which technically aren't submissions, so please correct the record.

*Director Swart responded:*

*We do count responses from authorities as submissions in the context of this proposal.*

**Are Councillors satisfied that this is in fact a greenfield site, not infill Also, has this classification and its implications for meeting state housing targets been fully considered by Councillors in their decision making?**

**Have Councillors also been made aware that in Council's own submissions to the Panel Hearing, it was stated that urban Wangaratta's greenfield housing needs to 2050 will already be met by the north and south growth areas and that this development is therefore not required to meet those greenfield targets?**

*Director Swart responded:*

*The way the Panel describes this as a greenfield site is not within Council's control. They do go to some lengths in the Panel Report to explain why they are describing it as an infill site. One of the aspects they consider is that currently it's already zoned for a residential purpose, and this proposal is to take it to another residential zone. They also talk about the location being a logical extension from existing residential to the south. In terms of the number of lots, I wasn't present at the Panel, so I'm not 100% sure about how that was presented, but I can tell you that our current growth areas, so that's the south growth area and the northwest growth area, collectively will get us about 2,500 lots, maybe a little bit more, and the housing target for Wangaratta is 6,000 lots by 2051. Our current growth areas will not get us to 6,000 lots. It will depend on developments like this one, and others, to get us to that target.*

**June Anderson: (18:05)**

**The proponent has declined to consider using treated water from the Wangaratta Waste Water Management facility to irrigate the open space within the proposed 233 lot subdivision or to return it as grey water service to the very lots that generate that water.**

**Do Councillors believe that the greater net community benefit lies in continuing to direct this water to limited external users such as Targoora Park and the adjoining private school, or is it using it to support public open space and gardens within the proposed development where the resource originates?**

**Where does the public interest long term benefit truly lie in this position? And how does it align with the key priorities in the Community Vision 2045 around the care of nature and the cost of living and affordability?**

*Director Swart responded:*

*Right from the get go when we started talking about this proposal, we were seeking not just a development that would benefit the landowner, but also something that would benefit the broader community. That is why it is a combined planning scheme amendment and planning permit application, because we want to make sure that the proposal for the integrated wastewater management facility is connected to this development. The reason why that is important to note is that that integrated water management facility is the thing that will deliver broader community benefit in a few ways.*

*One way is that it will facilitate some housing supply in the shorter term. Secondly, it will provide sewerage services not to just this development but beyond this development. So it will provide additional capacity for around 100 lots beyond this development. And then the third part of that is the irrigation water will be*

*produced by this facility. That irrigation water will then in turn be used on sporting fields in the immediate location to enhance our sporting fields, including at the school. So that's what we were focussing on, that broader community benefit. I guess it's certainly possible to also use that water in other ways, but that's what is being proposed at this point.*

*In terms of aligning with our Council Vision in terms of looking after the nature and also the cost of living. Having more housing supply on the market certainly should help with the price of housing within Wangaratta. And the second thing is the impact on the environment of this proposal has been thoroughly considered by the Panel as well, and through the application material, and it's been found to have minimal impact and not unacceptable impact on the environment.*

**Joan McKenzie: (21:34)**

**While the inclusion of linear active corridors in the proposed subdivision is welcome, they are insufficient for a development of this scale. 233 lots including three super lots ear marked for future medium density housing. This future isolated pocket of higher than average density general residential development disconnected from the broader south growth area could accommodate 575 plus residents yet offer no dedicated community gathering spaces for the public --- or for place making.**

**Do Councillor's believe this development has adequately addressed the long term social and health impacts associated with the lack of accessible public space, impacts which are now well documented across urban social planning research. And do Councillors realise there is absolutely no green space within the 60 acres of this development?**

*Director Swart responded:*

*When it comes to the design of this subdivision, open space was one of the areas that particular attention paid to. The first point to make is that our Planning Scheme requires a provision of 5% open space, so 5% of the total area. In this case 10% has been provided, so double of what's being required.*

*The next question is then about where the open space goes. In the context of the neighbouring area, the thought was that it would be best to connect existing open space with the development, so that's along the edges of the development, along the One Mile Creek for instance, and also making sure that there's pathways provided to make that connection. There's also smaller pockets of open space within the development and there's a requirement for a playground to be provided as well as part of the development. When we look at open space we do look at the broader context. When you look at this broader context, we've got Targoora Park there with the sports fields available there, and other open space particularly around, or along, One Mile Creek. I don't think it's accurate to say that no green space has been provided in this development. It is accurate to say there is not a significant size area of green space for active open space, but we didn't think that that would be required in the context of this location, and the Panel also considered that as there's a full section in the Panel Report about this and they have also found that there's sufficient open space being provided in suitable locations.*

**Jenny Hart on behalf of Sherryn Jenvey: (25:40)**

**The Panel Report acknowledges Ms Jenvey's concerns about privacy, trespass and erosion along the shared boundary property holders as it is directly adjacent to the proposed subdivision open space. On page 52, the report states that the landscaping condition should be amended to provide preventing treatments along the creek edge property boundary to restrict pedestrian access to the creek, minimise erosion and delineate private property. However, the planning permit conditions do not clearly reflect this and Ms Jenvey has requested that any fencing be constructed at the proponents expense and to the satisfaction of Ms Jenvey as the affected land holder, not to the proponents satisfaction.**

**Will Councillors advocate for this affected resident to ensure they are not left financially or practically disadvantaged in protecting their land and privacy?**

*Director Stephen Swart took that on Notice to clarify the recommendations.*

*Director Stephen Swart later found the information required to answer this question: (36:31)*

*That condition is included in the draft conditions in the Panel Report. It's included under detailed landscape plan and the panel added a section there to require fencing along One Mile Creek.*

Unconfirmed

## 15.2 Planning Application PInApp23/102.02 - Rear 28-30 Ely Street, Wangaratta - Amendment to Permit for the Use of the Land for a Restricted Recreation Facility (39:31)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
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 make a determination of whether to grant an amended planning permit for the use of the land for an indoor recreation facility at Rear 28-30 Ely Street Wangaratta.

The subject site is located within the Commercial 1 Zone, Bushfire Management Overlay (partial coverage), Design and Development Overlay – Schedule 1 and the Parking Overlay – Schedule 1.

A total of seven objections and 15 letters of support were received to the application. Grounds of objections relate to noise management.

A detailed officer's assessment of the amendment application is included at **Attachment 1**.

Based on the attached officer's assessment it is recommended that a Notice of Decision to Grant an Amended Permit be issued, as the proposal represents an orderly planning outcome that is consistent with the objectives and strategies of the relevant planning policy for land use compatibility and noise management.

As referenced in the officer's report (**Attachment 1**), the following additional attachments are included:

- Application Material – **Attachment 2**
- Existing Planning Permit – **Attachment 3**
- Acoustic Report – **Attachment 4**
- Independent Acoustic Review – **Attachment 5**

### Resolution:

(Moved: Councillor H Benton/Councillor H Bussell)

That Council:

1. Issues a Notice of Decision to Grant an Amended Permit with respect to the use of the land for an indoor recreation facility at Rear 28-30 Ely Street, Wangaratta, subject to the conditions outlined at **Attachment 1**.



2. That Condition 10 in the attachment end at the word “type” to say:  
10. All security alarms must be of a silent type.

*Conditions are listed in Appendix 1*

**Carried**

### Background

This report is presented to Council to make a determination on Planning Application PlnApp23/102.02 as the application received seven objections. The grounds of objection, and the officer’s consideration of these are discussed in detail in the report at **Attachment 1**.

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

- Noise management and amenity considerations.
- Additional operating hours and patron numbers.
- Parking availability.

A detailed assessment of the application against the relevant policies and provisions of the Wangaratta Planning Scheme (the Scheme) and the *Planning and Environment Act 1987* (the Act) is included at **Attachment 1**. The following table shows the policies and provisions that have been considered.

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

Section	Clause	Provision
Planning policy Framework and Municipal Planning Strategy	13.05-1S 13.07-1S	Noise Management Land use compatibility
Zone	34.01	Commercial 1 Zone
Overlays	N/A	The Bushfire Management Overlay does not trigger the need for a permit as no buildings and works are proposed. Further, the Parking Overlay – Schedule 1 is also not applicable as the proposed land use is not listed in the Table to Schedule 1. It is also noted that Clause 52.06 does not include a parking rate for indoor leisure and recreation, therefore, the provision of parking must be to the satisfaction of Council.
Provision	52.06	Car parking
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 Officer's Assessment Report at **Attachment 1**.

### Financial/Economic Implications

There are no specific financial implications to Council arising from this report although there may be potential costs should this matter proceed to 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*.

### 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:

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

### Rural City of Wangaratta 2033 Community Vision

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

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.

## Consultation/Communication

### Public Notice

Notice of the application was given to adjoining and surrounding landowners and occupiers. To date, seven objections and 15 letters of support have been received.

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

## Options for Consideration

1. Council issues a Notice of Decision to Grant an Amended Permit for Application PInApp23/102.02 subject to conditions (recommended);  
OR
2. Council issues a Notice of Refusal to Amend a Permit for Planning Application PInApp23/102.02.

## Conclusion

The proposal is considered to represent an orderly planning outcome and will ensure that the use can operate within the confines of the EPA Noise Protocol, with additional patron limits and operating hours to support the business. Therefore, the proposal is considered to represent an appropriate outcome and meets the objectives and strategies for land use compatibility and noise management subject to conditions relating to a noise limiter.

Therefore, the proposal should be supported.

## Attachments

- 1 Officer's Assessment Report 
- 2 Application Material 
- 3 Existing Planning Permit 
- 4 Acoustic Report 
- 5 Independent Acoustic Review 

## Public Questions

**Wayne Stafford (41:40)**

I believe as part of the recommendation there is a condition, or clause, that talks about a monitoring system to itemise noise emanating from the business. Is this correct?

*Director Swart responded:*

*Yes, there's a condition in the, they're draft conditions at this stage, about installing a noise limiting device on this premises, and then there's further conditions to report and tell us how that device is going to be working, and this is all to ensure that the planned use complies with the Environmental Protection regulations and the EPA regulations.*

**Given that this particular premises is in a commercial zone and we have competing interests in a commercial zone, at one time we had 3 night clubs based in our CBD, we have multiple items of noise that goes on in the CBD, having regard to what I believe is Council's ambition to support small business and those in Wangaratta, I'm just asking the question, when these sort of conditions are considered, do you have any regard to the financial implications to the applicants? I believe this condition is upwards of \$10,000. Given the amount of money that various parties have contributed towards this ongoing saga, it's just another dagger in the heart.**

*Director Swart responded:*

*To answer the direct question, do we consider the cost? Of course, we consider whether the conditions we impose on permits are reasonable in the context of that specific application and that specific land use, some of it will come at a cost and we recognise that. It should also be noted that the option, or the recommendation, to install a noise limiter at the site comes from a report submitted by the applicant, an acoustic report submitted by the applicant. The acoustic expert recommended that this is one of the options that should be applied to this land use and that's the option that we've included in the conditions.*

### 15.3 Planning Application PInApp24/087 - 10 Eldorado-Tarrawingee Road, Eldorado - 7 Lot Staged Subdivision & Removal of Native Vegetation (52:58)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Strategic
Author:	Planner
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 a planning permit application for a Staged Subdivision and Removal of Native Vegetation at 10 Eldorado-Tarrawingee Road, Eldorado.

The recommendation is to Issue a Notice of Decision to Grant a Permit. Having undertaken an assessment of the application and considered the matters raised in submissions, officers are of the view that the application is suitable for support (refer to **Attachment 1** for detailed assessment).

#### Resolution:

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

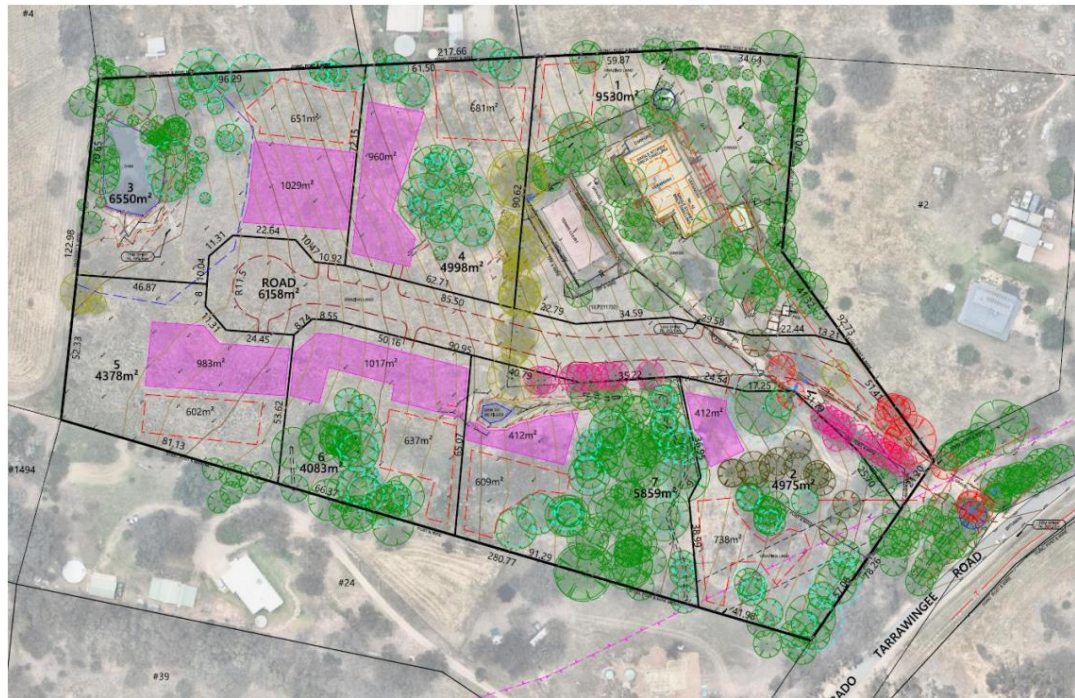
That Council:

1. Issues a Notice of Decision to Grant Permit with respect to Planning Permit Application PInApp24/087 for a Staged Subdivision and Removal of Native Vegetation at 10 Eldorado-Tarrawingee Road, Eldorado, subject to the conditions included in **Attachment 1**.

**Carried**

#### Background

The proposed subdivision seeks to create seven lots ranging in size between 4083m<sup>2</sup> and 9530m<sup>2</sup>. The proposed layout of the subdivision is shown below:



To facilitate subdivision ten native trees are proposed to be removed.

Notice of the application was given and four objections were received. These objections remain unresolved. Any planning permit application subject to four or more objections cannot be determined by officers under delegation and must be reported to Council for decision.

Additional details of the site and surrounds, the proposal, relevant policy and assessment are included in the officer's assessment report at **Attachment 1**.

#### Assessment under the Planning and Environment Act 1987

A detailed assessment of the application against the relevant policies and provisions of the Wangaratta Planning Scheme (the Scheme) and the *Planning and Environment Act 1987* (the Act) is included at **Attachment 1**. The following table shows the policies and provisions that have been considered.

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

Section	Clause	Provision
Planning policy Framework and Municipal Planning Strategy	02.03-1	Settlement
	02.03-2	Environmental and landscape values
	02.03-6	Housing
	02.03-9	Infrastructure
	11.02-1S	Supply of urban land
	12.01-1S	Protection of biodiversity
	12.01-1L	Protection of biodiversity
	12.01-2S	Native vegetation management
	12.01-2L	Native vegetation management

	13.02-1S	Bushfire planning
	13.02-1L	Bushfire planning
	15.01-1S	Urban design
	15.01-3S	Subdivision design
	15.01-5S	Neighbourhood character
	15.01-5L	Neighbourhood character
	16.01-1S	Housing supply
	16.01-1L	Housing supply
	16.01-2S	Housing affordability
	16.01-2L	Housing affordability
	16.01-3S	Rural residential development
	16.01-3L	Rural residential development
	19.02-6S	Open space
	19.02-6L-01	Open space
	19.03-2L	Infrastructure design and provision
Zones	32.05	Township Zone
Overlays	42.02	Vegetation Protection Overlay
Particular Provisions	52.17	Native Vegetation
	53.01	Public Open Space Contribution and Subdivision
	56	Residential Subdivision
General Provisions	65.01	Approval of an application or a plan
	65.02	Approval of an application to subdivide land

## Implications

### Policy Considerations

- Local Planning Policy (Wangaratta Planning Scheme)

### Financial Implications

There are no specific financial implications to Council arising from this report although there may be potential costs should this matter proceed to 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 and Diversity

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

### Equity Impact Assessment (EIA)

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

### Environmental/Sustainability Impacts

Environmental/sustainability impacts have been considered in this report.



## Strategic Links

### Council Plan 2021 – 2025

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

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

### 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.

### Other strategic links

There are no further strategic considerations relevant to this report.

## 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.

## Consultation/Communication

Public consultation was undertaken in accordance with Section 52 of the *Planning and Environment Act 1987*. Four objections were received to the application as a result of notice. Key concerns raised by objectors include:

- **Neighbourhood character:** Increased density is not in keeping with Eldorado's rural aesthetic and that there are other sites better suited to development in Eldorado.
- **Layout:** Cul de sac design limits routes of egress in an emergency i.e. bushfire.
- **Vegetation removal:** Impacts upon wildlife and biodiversity as well as resultant loss of privacy and amenity.
- **Increased traffic:** Reduced amenity, impacts on wildlife, existing roads not suitable to accommodate additional vehicle movements.
- **Domestic animals:** Impacts upon native wildlife and loss of amenity.

The issues raised in the objections and how they have been considered are detailed in the assessment report included as **Attachment 1**.

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

### Options for Consideration

1. Council issues a Notice of Decision to Grant a Planning Permit subject to conditions (contained at **Attachment 1**) for Planning Application PInApp24/087; or
2. Council issues a Notice of Refusal to Grant a Planning Permit for Planning Application PInApp24/087.

### Conclusion

The proposal aligns with relevant strategic directions for the development of rural townships within the municipality and is considered to be consistent with the purposes of the Township Zone. The proposed layout (**Attachment 2**) is suitably responsive to both the character of the area and the site constraints. It has also been satisfactorily demonstrated that the proposed removal of native vegetation adheres to the principles of avoid, minimise and offset ensuring no net loss of biodiversity.

The application remains the subject of four unresolved objections and whilst the matters raised in submissions have some planning relevance, they are not considered sufficient to refuse the application nor seek major amendments.

On balance the application is considered appropriately consistent with the Wangaratta Planning Scheme and is suitable for support.

### Attachments

- 1 Officer Assessment Report 
- 2 Subdivision Layout Plan 



## 15.4 Arts and Culture Advisory Committee Membership Appointments (55:06)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Operational
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

This report is presented to Council to appoint members to the Arts and Culture Advisory Committee (ACAC) after an expression of interest process.

### Resolution:

#### (Moved: Councillor D Fuller/Councillor A Winters)

That Council appoints the following 8 people as representatives on the Rural City of Wangaratta Arts and Culture Advisory Committee for the terms listed in Attachment 1 to this report:

- Andrew Sinclair – 3 year term
- Bronwen Garner – 3 year term
- Prue Noble – 3 year term
- Anita Morgan (Cooper) – 3 year term
- Josh Kane – 3 year term
- Rachel Vallender – (return member) – 2 year term
- Deborah Kemp – 3 year term
- Renee Paola – 3 year term

**Carried**

### Background

Membership of ACAC is made up of the Councillors holding the Arts and Culture portfolio and up to 10 appropriately skilled representatives of the community, based on an established skills matrix, and Council officers.

Committee members of ACAC are appointed as voluntary members to set terms of service. There are 8 vacancies for the Committee. Expressions of interest were publicly called for in late May 2025; the opportunity was open for 2 weeks with 9 applications received. Councillors and Senior Management of the Arts and Culture portfolio reviewed and scored all expressions of interest against the skills matrix as recommended in the Advisory Committee Charter.

The selection criteria to assess applications for ACAC membership includes:

- experience and skills;
- ability to provide advice on arts, cultural and heritage issues;

- ability to promote arts, cultural and heritage opportunities; and
- ability to encourage and facilitate joint initiatives and to ensure all sectors of the community have the opportunity to provide input.

## Implications

### Policy Considerations

The Council Advisory Committee Charter for the committee set out the terms and key dates for appointment on an annual basis when vacancies arise. There are currently 2 standing members, which allowed for 8 vacancies. The retiring committee members terms ended in April 2025.

### Financial/Economic Implications

Advisory Committees provide a positive outcome for the sustainability of the local community.

An annual cost for catering is provided at Committee meetings to acknowledge the nature of the volunteer commitment, often requested during the evening and through meal times. This cost is included in the approved budget.

### Legal/Statutory

The appointment of Advisory Committees is provided for in the *Local Government Act 2020*.

The *Local Government Act 2020* includes a number of overarching principles that must be taken into account by Councils. They include and are relevant to this project via:

- priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- the municipal community is to be engaged in strategic planning and strategic decision making;
- innovation and continuous improvement is to be pursued;
- regional, state, and national plans and policies are to be considered in strategic planning and decision making.

### Social and Diversity

Advisory Committees provide the opportunity for 2-way engagement between Council and Community members. Council welcomes and encourages diverse representation from the community on this committee.

### 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:

#### Strengthening our Leadership (1)

- 1.4 Strong and consistent leadership that addresses our needs and priorities.

**Nurturing our Wellbeing (2)**

2.3 Increased sense of inclusivity and connectedness.

**Enhancing our Lifestyle (5)**

5.2 Cultural Heritage that is recognised and celebrated.

5.5 Diverse arts and cultural experiences.

5.6 Engaging Events that celebrate and enhance our community.

**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.
- Provide an engaging and welcoming Performing Arts and Conventions Centre.
- 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 the following strategies and plans:

- Wangaratta Project (CBD Masterplan) 2014
- Wangaratta Events and Attractions Strategy 2025-2030
- Wangaratta Creative Precinct Business Case and Concept Design 2022
- Wangaratta Creative Precinct Detailed Design 2024
- Rural City of Wangaratta Public Art Policy
- Rural City of Wangaratta Reconciliation Action Plan REFLECT 2025 (draft)

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

- Creative State 2025
- REVIVE - Creative Australia – National Cultural Policy – February 2023-2027

**Risk Management**Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
The recommended candidates are not appointed by Council	Unlikely	Insignificant	Low	Re-advertise

**Consultation/Communication**

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Keep informed	<ul style="list-style-type: none"> <li>▪ Newspaper advertisements</li> <li>▪ Website</li> <li>▪ Social media</li> </ul>

		<ul style="list-style-type: none"> <li>Email correspondence</li> <li>Letters to committee members</li> </ul>
Consult	Consultation and Awareness	Email correspondence to current members to share the EOI opportunity.

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

The applicants will be notified of Council's decision. Unsuccessful applicants will be encouraged to apply in future nomination periods. Outgoing members have been thanked for their support and involvement in Council's advisory committee process.

#### Options for Consideration

#### Conclusion

Following consideration of the nominations received in response to a recent expression of interest process for membership of the ACAC, it is recommended that Council fill the 8 available vacancies on the Committee. The new appointments will continue to provide an advisory role to Council with advice, feedback, recommendations and guidance.

#### Attachments

- Arts & Culture Advisory Committee Nominations - Recommendations JULY 2025 - Confidential

## 15.5 Local Law No. 1 - Community Amenity (58:04)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Strategic
Author:	Manager - Economic Development, Environment & Compliance
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 adopt the Rural City of Wangaratta Local Law No.1 – Community Amenity.

The Local Law (see **Attachment 1**) has been updated in response to wording that dropped off in the final document in Section 31 - Incinerators & Burning.

### Resolution:

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

That Council:

1. resolves to adopt the Local Law No. 1 - Community Amenity 2025 in the form attached to this Report as Attachment 1, to commence on 23 July 2025; and
2. Authorises Council's Chief Executive Officer to publish in the Victorian Government Gazette and on Council's website the notice required by s 74(4) of the Local Government Act 2020 in respect of the Local Law No.1 - Community Amenity 2025.

**Carried**

### Background

At the June 2025 Council meeting the Local Law No. 1 – Community Amenity was adopted by Council after undergoing a full review and community consultation process.

It was noted before going to be Gazetted per s74 (4) of the Local Government Act 2020 that the wording in section 31.2 had changed slightly in the final document and was missing the word 'Not', under Section 31 Incinerators and Burning - 31.2. Adding 'Not' back to this clause (same as the 2018 Local Law), will allow the community to have a fire in certain circumstances as it was originally intended.

### Current:

31.1 A person must not, without a Permit, light, allow to be lit, or allow to remain alight any fire in the open air or in an Incinerator in a Residential Area, Commercial Area or Industrial Area.

31.2 This Clause 31.1 does apply to a fire that is:

**Should read:**

31.2 This Clause 31.1 does **not** apply to a fire that is:

- 31.2.1 authorised or directed to be lit under the provisions of any Act or Regulations or the Municipal Planning Scheme;
- 31.2.2 in a Barbeque, pizza oven or other properly constructed appliance while it is being used for the exclusive purpose of cooking food;
- 31.2.3 a fire in a chimney, potbelly stove, or a small open fire in a suitable container used for heating, cooking, cultural or social purposes, which is not offensive and to the extent reasonably possible, any nuisance to neighbouring properties.
- 31.2.4 lit by a Service Authority carrying out training or fire hazard reduction activities; or
- 31.2.5 lit for the purpose of the person enjoying their culture or practicing their religion, provided that the fire is at all times appropriately located and managed so as to reduce, to the extent reasonably possible, any nuisance to neighbouring properties.

## Implications

### Policy Considerations

There are no specific Council policies or strategies that relate to this report. The Local Law assists in the consistent delivery of Council requirements for the safety and wellbeing of all residents.

### Financial/Economic Implications

New or revised penalties while necessary for improved governance are unlikely to involve a large number of infringements.

### Legal/Statutory

*Local Government Act 2020*, once adopted by Council a notice relating to the Local Law must be published in the Victorian Government Gazette and Council's website. A legal review of the draft local law has been completed.

### Social and Diversity

A local law must not be inconsistent the any Act (including the Charter of Human Rights and Responsibilities Act 2006).

### Equity Impact Assessment (EIA)

An Equity Impact Assessment has been undertaken and informed the community engagement

### Environmental/Sustainability Impacts

The environmental impacts considered in this local law are in relation to permits and requirements around fire and firewood collection, invasive pest, and grazing.

## Strategic Links

### Council Plan 2021 – 2025

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

**1. Strengthening our Leadership**

1.4.1.1 Keep informed of emerging trends and issues that may impact our community, our region and our Council.

**2. Nurturing our Wellbeing**

2.6.2 Ensure our community understands and meets the requirements of safety legislation and compliance.

**Rural City of Wangaratta 2033 Community Vision**

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

K2: Ensure our community understands and meets the requirements of safety legislation and compliance.

**Other strategic links**

Local Government Act 2020 – Part 3, Division 3 Local Laws.

### Risk Management

#### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Section 31.2 is not updated to allow certain fires and BBQ	Low	Medium	Medium	Updating Section 31.2 local law, in accordance with the <i>Local Government Act 2020</i> .

### Consultation/Communication

Officers believe that appropriate consultation has been undertaken in preparation of the Local Law No. 1 – Community Amenity and the matter is now ready for Council consideration.

### Options for Consideration

1. That Council adopts the Rural City of Wangaratta Local Law No. 1 – Community Amenity with recommended change to Section 31.2 (**Recommended**)
2. That Council does not adopt the Rural City of Wangaratta Local Law No. 1 – Community Amenity with recommended change to Section 31.2 (Not Recommended)

### Conclusion

The Rural City of Wangaratta Local Law No. 1 – Community Amenity has been through consultation and relevant changes were made. This update to section 31.2 allows for uses and not restrictions.

Officers consider that the local law is ready for adoption.

#### Attachments

- 1 Local Law No.1 - Community Amenity 2025 
- 2 tracked change - Local Law No.1 Community Amenity 

#### Resolution:

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

That Standing Orders be resumed.

**Carried**



## **Officers' Reports**

### **13. Executive Services**

Nil

Unconfirmed

## 14. Corporate and Leisure

### 13.1 Appointment to Council Committees Policy (59:44)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Strategic
Author:	Governance & Reporting Advisor
Approver:	Director Corporate and Leisure

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

#### Executive Summary

This report is presented to Council to consider the revised draft Appointment to Council Committees Policy 2025. This is a standard policy review to ensure the currency of the policy.

#### Resolution:

**(Moved: Councillor D Fuller/Councillor T Maxwell)**

That Council:

1. Endorses the draft Appointment to Council Committees Policy 2025 (the 'Policy') for community engagement.
2. Invites community submissions on the Policy for 28 days from Friday 25 July 2025 up to 5pm on Friday 22 August 2025.
3. If submissions requesting changes to the Policy are received:
  - a. Establishes a meeting of Councillors to hear submissions on the Policy in person, if required, at a time to be determined; and
  - b. Reviews and considers adopting the Appointment to Council Committees Policy 2025 at the next available Scheduled Council Meeting, taking into consideration all submissions made and any further changes.
4. If no submissions requesting changes to the Policy are received, adopts the Appointment to Council Committees Policy 2025 without further resolution.

**Carried**

#### Background

This policy was reviewed as part of Council's standard policy review cycle and to identify and areas of improvement or gaps.

The key changes to the policy in the 2025 version from the 2020 version are detailed below:

1. Outlining the legal obligations that Council has in ensuring the community and impacted stakeholders are actively involved in Council's decision-making processes (**clause 1.3**);
2. Clarifying that this policy does *not* apply to appointments of community members onto the Audit and Risk Committee or Community Reference Groups (**clause 2.2**);
3. Reinforcing that behaviour of community members that is inconsistent with that committee's governing instrument can result in termination of that member's membership (**clause 3.3g**);
4. Including the obligation of all appointees to have a valid Working with Children's Check *before* they formally commence their term (**clause 3.5**);
5. Including that Council may call for nominations at any time, not just at the completion of a member's term. This is to provide more flexibility in the recruitment process (**clause 3.15**);
6. Defining the obligations of Council (i.e the elected councillors) and the Governance and Reporting Advisor (**clause 4.1 and 4.2**);
7. Requiring that a period of community engagement is undertaken prior to formal Council endorsement (**clause 6**); and
8. Some clarification of definitions (**throughout clause 10**) and the inclusion of other references and related policies (**throughout clause 11**).

## Implications

### Policy Considerations

There are no specific Council policies or strategies that relate to this report. Council's Community Reference Group Policy (and any Terms of Reference created under that policy) and Audit and Risk Committee Charter provide the membership nomination and appointment requirements of those groups.

### Financial/Economic Implications

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

### Legal/Statutory

There are no legal/statutory implications identified for the subject of this report. Failure to review policies across the organisation in their suggested timeframes can lead to gaps in operational efficiency by leading resources away from other areas when not necessary and can potentially lead to legislative changes not being reflected in council policy.

### Social and Diversity

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

### Equity Impact Assessment (EIA)

An Equity Impact Assessment has been developed for this report. Two focus areas were identified: the aspiration of having more community members outside the Wangaratta township being able to participate in Council committees; and, having suitable IT infrastructure to accommodate this.

### 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:

#### 1. Strengthening our Leadership

- 1.1.1.6 Continue to provide transparency for the community regarding the information being considered in decision making processes
- 1.1.2.3 Examine and review the structure of Council's Advisory Committees and align with the updated Community Engagement Policy.

## Risk Management

### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
The failure to have appropriate processes in place to ensure only suitable people are appointed onto can lead to inappropriate people being appointed.	Possible	Moderate	Medium	Council must endorse all nominees and only after each nominee has provided working with children's checks and police checks.

## Consultation/Communication

This policy has undergone a period of internal consultation with key staff members who work with council committees. The community more broadly are afforded the opportunity to review and provide feedback.

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

## Options for Consideration

Councillors may endorse the draft policy in readiness for a period of community consultation, or request a report be presented at a future Council meeting with any further proposed changes.

### Conclusion

The draft policy has been reviewed and is now presented for Council to endorse commencing a period of community engagement.

### Attachments

- 1 Appointment to Council Committees Policy 2020 
- 2 Appointment to Council Committees Policy 2025 
- 3 Major Impact Statement 

Unconfirmed

### 13.2 Amended Revenue and Rating Plan 2025-2029 and 2025-26 Revised Budget (1:01:45)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Strategic
Author:	Service Development Manager
Approver:	Director Corporate and Leisure

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 adopt an amended Revenue and Rating Plan 2025 – 2029 (**Attachment 1**) and a 2025/26 Revised Budget (**Attachment 2**).

Changes are required to the Revenue and Rating Plan 2025–2029 to rectify an administrative error in the incorrect application of rate differential definitions, which would have led to unintended rating outcomes. The differential categories have now been amended to address this. Consequently, these adjustments also require a revised 2025/26 Budget to be adopted to ensure these strategic documents maintain alignment.

#### Resolution:

(Moved: Councillor H Benton/Councillor T Maxwell)

That Council:

1. Adopts the amended Revenue and Rating Plan 2025 – 2029 (Attachment 1) in accordance with Section 93 of the Local Government Act 2020;
2. Adopts the 2025/26 Revised Budget (Attachment 2) for the purposes of section 95 of the Local Government Act 2020;
3. Declares the Rates and Charges for the 2025/26 financial year as summarised in this report and contained in the attached 2025/26 Revised Budget;
4. Authorises the Chief Executive Officer to give notice of the adoption of the 2025/26 Revised Budget.

**Carried**

#### Background

Following adoption of the Revenue & Rating Plan 2025 – 2029 at the 27 May 2025 Scheduled Council Meeting, council officers conducted final checks on the 2025/26 rates. During this process it was identified that incorrect application of the rate differential definitions concerning rural properties had been applied when setting this year's rates in the 2025/26 Budget. This could have led to unintended rating outcomes if not addressed prior to sending out this years' rates notices, which occurs in August each year.

In the proposed amended Revenue & Rating Plan 2025-29, the differential categories have been updated and expanded, provided a clearer, fairer and more equitable distribution of the rating burden across the different land rating categories.

The 2025/26 Budget was adopted at the 24 June 2025 Scheduled Council Meeting and was prepared based on the adopted Revenue and Rating Plan 2025 – 2029. It therefore also requires amendment to ensure Council's declared rates are in accordance with the intended principles of this amended Revenue and Rating Plan, and to address associated administrative updates. This proposed Revised Budget 2025/26 is required under section 95 of the Local Government Act 2020 because Council will be making pre-emptive changes to the declared rates.

Both amended documents should be adopted by Council as a matter of priority. There is a window of opportunity to correct the declared rates before Rates Notices are issued in August 2025, and by doing this no property owners will be affected.

This report summarises the amendments made to the:

- Revenue and Rating Plan 2025 – 2029
- 2025/26 Revised Budget

### **Amended Revenue and Rating Plan**

The Revenue and Rating Plan is a four-year plan that outlines the Rural City of Wangaratta's decision-making process on how revenues are calculated and collected and is a requirement of the Local Government Act 2020.

The changes to this amended Revenue and Rating Plan 2025 – 2029 are:

- Reversion to Rural 1 and Rural 2 differential categories. The Revenue and Rating Plan adopted in May 2025 had changed these categories to Rural <20ha and Rural >20ha.
- Transfer of all Rural Residential properties to General Rates. The Rural Residential properties have a long-standing principle of paying the same rate in the dollar as all other residential properties classified in General Rates. Merging the two categories into one will simplify the rating structure and maintain principles of equity between residential properties throughout the municipality.
- Set the Rural 1 and Rural 2 differential rates at 70% and 60% respectively (formerly Rural 1 70% and Rural 2 65% in 2024/2025).

The changes set out above are required to ensure there is a fair and equitable distribution of the rating burden across the different types or classes of land. Specifically, the changes seek to reduce the rate burden for Rural 2 properties (larger agricultural land) whose rate contribution has increased substantially since 2020.

Council is mindful of the challenging economic and climate conditions and the Victorian Government's changes to the Emergency Services and Volunteers Fund which will all have a disproportionately large impact on our farming community. As such, Council has sought to reduce the rating burden for farming properties more than 40 hectares (ha) in size.

Council is also seeking to simplify the number of differential rates and therefore the amalgamation of the Rural Residential properties into General Rates will achieve this goal. Residential properties will continue to pay the same rate in the dollar as General Rates. This also aligns with the approach of combining Commercial and Industrial land and reducing the number of vacant



categories. Overall this reduces the complexity of Council's differential rates structure and will simplify the disclosures needed on Rates Notices.

All other changes in the Revenue and Rating Plan 2025 – 2029 will remain, specifically:

- Combine Commercial and Industrial land into one category.
- Combine the three Vacant land types (excluding land which has been vacant for three years or more) into one category.
- Remove the Mixed Use land category until a better identification process can be implemented.
- Increase the Commercial & Industrial differential rate from 138% to 145% of the General Rate.
- Reduce the rate for land vacant for three or more years by 20% to 240% to comply with the Local Government Act 1989 (the highest differential rate must be no more than four times the lowest differential rate).

### Revised Budget

As a result of amending the Revenue and Rating Plan 2025 – 2029 to reflect the intended application of differential rates, Council must re-declare the rates for the 2025/26 year. This requires Council to adopt a 2025/26 Revised Budget to maintain compliance with the obligations of the Local Government Act 2020.

Council continues to apply the rate cap of 3.0 per cent set by the Minister for Local Government under the Fair Go Rates System. The 2025/26 Budget applied the same increase and the total rates income collected by Council is not changing.

Section 4 of the Budget provides the Notes to the Financial Statements. Note 4.1.1 contains the required disclosures for the setting of rates and charges. The disclosures that have changed in the 2025/26 Revised Budget (compared to the 2025/26 Budget) are as follows:

4.1.1(b) The rate in the dollar to be levied as general rates under section 158 of the Act for each type or class of land compared with the previous financial year

Type or class of land	2024/25 cents/\$CIV	2025/26 cents/\$CIV	Change
General	0.003051271	0.003072247	0.69%
Rural 1	0.002135890	0.002150573	0.69%
Rural 2	0.001983326	0.001843348	-7.06%
Commercial & Industrial	0.004210754	0.004454758	5.79%
Vacant	0.006102542	0.006144494	0.69%
Vacant > 3 Years	0.007933305	0.007373392	-7.06%
Rural Residential	0.003051271	0.000000000	-100.00%
Mixed Use	0.003631013	0.000000000	-100.00%

The 2024-25 Rural Residential rates have been combined with General Rates for 2025/26. The Mixed Use category has been removed for 2025/26 and properties will be reallocated to General and Commercial & Industrial.

4.1.1(c) The estimated total amount to be raised by general rates in relation to each type or class of land, and the estimated total amount to be raised by general rates, compared with the previous financial year.

Type or class of land	2024/25	2025/26	Change	
	\$'000	\$'000	\$'000	%
General	18,787	19,801	1,014	5.40%
Rural 1	1,872	1,923	51	2.72%
Rural 2	6,554	6,052	(502)	-7.66%
Commercial & Industrial	4,160	4,851	691	16.61%
Vacant	828	843	15	1.81%
Vacant > 3 Years	59	43	(15)	-26.06%
Mixed Use	13	-	(13)	-100.00%
<b>Total amount to be raised by general rates*</b>	<b>32,273</b>	<b>33,514</b>	<b>1,240</b>	<b>3.84%</b>

The total amount to be raised in the 2024/25 base year above excludes \$265,000 of annualised Supplementary Rates income raised during 2025/26. When annualised Supplementary Rates for 2025/26 are included in the base (per the legislated State Government rate cap formula), the total % change for 2025/26 is 3.00%

Rural Residential rates have been combined into General Rates per the Revenue & Rating Plan 2025 - 2029.

4.1.1(d) The number of assessments in relation to each type or class of land, and the total number of assessments, compared with the previous financial year

Type or class of land	2024/25	2025/26	Change	
	Number	Number	Number	%
General	12,030	12,131	101	0.84%
Rural 1	979	977	(2)	-0.20%
Rural 2	1,984	1,998	14	0.71%
Commercial & Industrial	1,115	1,127	12	1.08%
Vacant	364	361	(3)	-0.82%
Vacant > 3 Years	26	23	(3)	-11.54%
Mixed Use	6	-	(6)	-100.00%
<b>Total number of assessments</b>	<b>16,504</b>	<b>16,617</b>	<b>113</b>	<b>0.68%</b>

4.1.1(f) The estimated total value of each type or class of land, and the estimated total value of land, compared with the previous financial year.

Type or class of land	2024/25	2025/26	Change	
	\$'000	\$'000	\$'000	%
General	6,157,184	6,445,177	287,993	4.68%
Rural 1	876,672	894,327	17,655	2.01%
Rural 2	3,304,437	3,282,963	(21,474)	-0.65%
Commercial & Industrial	988,049	1,089,036	100,987	10.22%
Vacant	135,667	137,177	1,510	1.11%
Vacant > 3 Years	7,375	5,867	(1,508)	-20.45%
Mixed Use	3,578	-	(3,578)	-100.00%
<b>Total value of land*</b>	<b>11,472,962</b>	<b>11,854,547</b>	<b>381,585</b>	<b>3.33%</b>

\*Valuations as at 1 January 2025 will be used for the 2025/26 rating year

In the above table, it is important to note that annual property revaluations do not provide Council with any additional rate revenue but can significantly realign how rates are distributed between ratepayers based on individual property valuations. The Valuer General has revalued all properties and overall, Capital Improved Value (CIV) property valuations have increased by 3.3 per cent.

A thorough audit of the rates has been undertaken to provide further assurance. It is important to note that this change has not affected property owners as rates notices aren't due to be sent out

yet. The community can be reassured that previous rate notices have been accurate, as the recent definition change was not applicable in prior years. Each year, the Essential Services Commission (ESC) independently reviews Council's compliance with the rate cap. Council has been consistently compliant since monitoring began in 2016/17.

### Implications

#### Policy Considerations

The Revenue and Rating Plan is an important part of Council's Integrated Strategic Planning and Reporting Framework and sets out how income will be generated to fund delivery of the next Council Plan. The Revenue and Rating Plan is required to be adopted every 4 years and it is recommended that the amended Revenue and Rating Plan is now adopted. In turn, the 2025/26 Revised Budget should now be adopted to ensure the principles of the amended Revenue and Rating Plan are achieved in the setting of this year's rates.

#### Financial/Economic Implications

These amendments do not impact the Financial Statements in the 2025/26 Adopted Budget. Council's sources of revenue, expenditure and capital works expenditure will all remain the same in the 2025/26 Revised Budget.

	2025/26 Budget ('000s)	2025/26 Revised Budget ('000s)	Variance ('000s)	Comments
Revenue/Income	99,702	99,702	Nil	No change to Financial Statements
Expense	86,240	86,240	Nil	
Net Result (Accounting Surplus)	13,462	13,462	Nil	

Section 4 of the Budget contains the Notes to the Financial Statements and this is what will be updated in the Revised Budget. Specifically, note 4.1.1 contains the required disclosures for the setting of rates and charges. The parts of Note 4.1.1 that have changed are:

- Introductory commentary
- 4.1.1(b) Rate in the dollar
- 4.1.1(c) Amount to be raised by rates
- 4.1.1(d) Number of assessments
- 4.1.1(f) Total value of each differential category
- 4.1.1(l) Fair Go Rates System Compliance
- 4.1.1(n) Differential rates

Consequential changes will also be made to certain indicators in Section 5 of the 2025/26 Revised Budget. Specifically,

- Rates effort: rate revenue / capital improved value of properties
- Revenue level: residential rate revenue / number of residential properties

The expanded rating category definitions are also now inserted in a new Section 7 in the Revised Budget.

**Legal/Statutory**

The 2025/26 Revised Budget has been prepared in accordance with the requirements of the Local Government Act 2020 and Local Government (Planning and Reporting) Regulations 2020. The specific disclosure obligations required in the above Act and Regulations are reflected in the attachments to 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**

There are no specific strategic policies or plans outside of the Budget and Revenue and Rating Plan that are relevant to this report.

**Risk Management**

Please refer to the 27 May 2025 Scheduled Council Meeting agenda for the reported risks relating to adopting a Revenue and Rating Plan, and to the 24 June 2025 Scheduled Council Meeting for risks relating to adopting the 2025/26 Budget.

It is recommended Council adopt the Revenue & Rating Plan 2025 – 2029 and associated amendments to the 2025/26 Revised Budget to mitigate the risk of “*Unreasonable financial impact on individual ratepayers, including following future annual property valuations*”. The below risks would occur if the 2025/26 Revised Budget is not adopted:

Risks	Likelihood	Consequence	Rating	Mitigation Action
Non-compliance with Local Government Act 2020 reporting obligations for the declaration of charges	Almost certain	Major	Extreme	Adopt 2025/26 Revised Budget and amended Revenue and Rating Plan 2025 – 2029
Rates in the dollar applied in Rates Notices would result in inappropriate and unintended outcomes for ratepayers, with inequitable rate increases or decreases. Council reputational damage due to inequity in 2025/26 rates	Almost certain	Major	Extreme	Adopt 2025/26 Revised Budget and amended Revenue and Rating Plan 2025 – 2029

### Consultation/Communication

Community consultation and participation occurred during the development of both the 2025/26 Budget and Revenue and Rating Plan 2025 – 2029.

The changes to the Revenue and Rating Plan 2025 – 2029 are aligned with the feedback received during the community engagement activities between December 2024 and January 2025.

Council will issue a Media Release notifying of the Revised Budget and amendments to the Revenue and Rating Plan to ensure that the community is informed of the changes and the reasons.

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

### Options for Consideration

A revised budget must be adopted as soon as practicable after it has been developed under section 95(3) of the *Local Government Act 2020*. A 2025/26 Revised Budget is recommended to make changes to the declared rates for the 2025/26 financial year.

Options are:

1. Adopt the amended Revenue and Rating Plan 2025 - 2029 (refer to Attachment 1) and adopt the 2025/26 Revised Budget in the current state (refer to Attachment 2) - recommended; or,
2. Adopt the Revenue and Rating Plan 2025 – 2029 and 2025/26 Revised Budget, with modifications; or
3. Do not adopt a 2025/26 Revised Budget. The 2025/26 Adopted Budget and the declared rates and charges will apply for the 2025/26 year.

### Conclusion

Council should adopt the amended Revenue and Rating Plan 2025 – 2029 and the 2025/26 Revised Budget. Adopting the 2025/26 Revised Budget will amend the declared rates in the dollar and will be used in the Rates Notices to be issued in August 2025.

### Attachments

- 1 Amended Revenue and Rating Plan 2025 - 2029 
- 2 Revised Budget 2025 - 2026 

### 13.3 Community Vision 2045 (1:04:58)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Strategic
Author:	Governance Manager
Approver:	Director Corporate and Leisure

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 recommend the adoption of the Community Vision 2045 (Attachment 1).

#### Resolution:

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

That Council:

1. Adopts the Community Vision 2045 attached to this report for the purpose of Section 88 of the Local Government Act 2020.
2. Notes and thanks community members for the time, effort and input they have given in providing their feedback and collaborating with Council to develop the proposed Community Vision 2045.

**Carried**

#### Background

Section 88 of the Local Government Act 2020 (the Act) requires that Council must prepare and adopt a Community Vision:

- (1) A Council must maintain a Community Vision that is developed with its municipal community in accordance with its deliberative engagement practices.
- (2) The scope of the Community Vision is a period of at least the next 10 financial years.
- (3) A Community Vision must describe the municipal community's aspirations for the future of the municipality.
- (4) A Council must develop or review the Community Vision in accordance with its deliberative engagement practices and adopt the Community Vision by 31 October in the year following a general election.
- (5) The Community Vision adopted under subsection (4) has effect from 1 July in the year following a general election.

In development of the Community Vision Council undertook a range of general and deliberative engagement processes, all aligned to Council's community engagement policy.

Since November, Council has obtained feedback on the current Community Vision. The proposed 2045 Community Vision was developed following analysis of feedback from many community members through surveys, workshops, targeted engagement, and pop-up events between December 2024 and March 2025.

The development of the Community Vision has been a highly collaborative process, informed by over 2,000 people, and with 3,200 ideas from the community and service providers working in the municipality being captured.

This engagement included:

- 529 surveys
- 118 community participants across 3 deliberative workshops
- Over 340 quick poll votes across 8 community pop ups
- 116 children's worksheets
- 10 conversation kits
- 60+ targeted engagements
- 100+ council staff engaged

The top 10 priorities identified by the community through these engagement activities were:

1. Wangaratta, a place for everyone
2. Community health and wellbeing
3. Places and spaces for community connection and culture
4. Transport, roads and infrastructure
5. Care for nature and the environment
6. Cost of living and affordability
7. Community safety
8. Family violence and harm from drug and alcohol usage
9. Local economy and development
10. Communication, accountability and transparency.

Along with very clear messaging that the previous Vision Statement should be shortened and simplified, the list of priorities above has provided a "North Star" for the creation of the Community Vision.

An updated Vision Statement was subsequently launched on Connect Wangaratta (council's online community engagement portal) from 16 May to 13 June, seeking feedback on two questions:

1. Does the Vision Statement, "Wangaratta is a place for everyone" reflect your hopes for our community's future?
2. What is your preferred headline for the Community Vision?

At the Draft Council Plan Workshop on 23 June, Councillors reviewed community feedback and further revised the Vision Statement.

The final proposed Vision Statement is:



***The Rural City of Wangaratta is a place for everyone.***

*We are a welcoming, connected, and caring community.*

*We value our urban and rural communities, ensuring shared opportunity and quality of life.*

*Our natural environment supports our wellbeing and forms a strong part of our cultural identity.*

*Our strength is our resilience and active participation in shaping a future for everyone to thrive.*

The Community Vision document captures the process Council went through to arrive at this vision.

## Implications

### Policy Considerations

The Community Vision 2045 has been prepared in accordance with Council's deliberative engagement practices set out in the Community Engagement Policy.

### Financial/Economic Implications

There is no direct funding allocated to the Community Vision 2045 itself. The Community Vision 2045 informs development of the Council Plan 2025-2029 which is currently in development. The initiatives and priorities identified in the Council Plan will then be funded through council's future Annual Budgets.

### Legal/Statutory

The development of the Community Vision has been consistent with Section 88 of the Local Government Act 2020.

### Social and Diversity

Designed into the engagement process was improved representation of traditionally under-represented groups (e.g. CALD communities, people with disabilities, First Nations peoples, and LGBTQIA+). These were identified through the Equity Impact Assessment that was conducted to support this process.

### Equity Impact Assessment (EIA)

An EIA has been completed for the production of the Community Vision and Council Plan (see Attachment 2).

### Environmental/Sustainability Impacts

There are no environmental/ sustainability impacts identified for the subject of this report. These will be captured more specifically in the Council Plan 2025-2029 as explained above.

## Strategic Links

**The Community Vision 2045 leans on the learnings for the Community Vision 2033. It provides an overarching vision for the creation of the Council Plan 2025-29.**

The 4 Pillars of the Council Plan 2025-29 are anticipated to be:

1. Community Wellbeing
2. Natural Environment
3. Economy and Tourism
4. Infrastructure and Place

### Rural City of Wangaratta 2033 Community Vision

The Community Vision 2045 will supersede the 2033 Community Vision.

### Risk Management

All risks related to the delivery of the Community Vision were identified and managed through the Community Vision and Council Plan Project PR0611. Key risks were:

#### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Insufficient Community Engagement leading to a Vision not fit for purpose	3 Possible	4 Major	12	Detailed community engagement strategy planned and executed.
Lack of staff capacity leading to an inability to meet the statutory deadline.	3 Possible	3 Moderate	9	RCoW procured external consultants to support the engagement and writing processes.

### Consultation/Communication

Deliberative engagement practices employed to develop Council's Community Vision 2045 are described in the Engagement Summary Report (Attachment 3). These are summarised as:

Level of public participation	Promises to the public/stakeholders	Tools/Techniques
Inform	Informed of each step of the process	Social Media, Press Releases, Digital and Print Media
Consult	All community had an opportunity to engage	Online Platforms, community events
Involve	Forums open to all	Online Platforms, Workshops
Collaborate	Demonstrated listening and inclusion of input	Online Platforms, Workshops
Empower	Opportunities provided to give feedback and ratify draft proposals	Online Platforms, Workshops

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

### Options for Consideration

1. Adopt the Community Vision 2045 as presented to Councillors.
2. Council may elect to not adopt the Community Vision 2045 and continue consultation and make revisions until the due date of 31 October 2025.

### Conclusion

The Community Vision 2045 was developed in accordance with Council's deliberative engagement practices and with direct input from the community.

This document will continue to guide the direction of future Council projects, services and resource allocation to our community over the coming years.

### Attachments

- 1 Community Vision 2045 
- 2 Engagement Summary Report 
- 3 Equity Impact Assessment 

### Public Questions

**Cassandra Pollock (1:06:39)**

**Would Council consider adopting a Community Vision Statement as a standalone paragraph without the need for the attached 16 page report?**

*Mayor Irene Grant responded:*

*The Vision does become part of the Council Plan, so I think the intention of having that document was to put that Vision out there to the community in a way that they could focus on.*

*Director Sarah Brindley responded:*

*I think some of the Councillors wouldn't necessarily disagree with you either to be fair. Part of it is about forming a public record so that background information does keep there with the Vision Statement so the context of the significant community engagement to show I guess the validity of that Vision Statement. And you're right, I think the Vision Statement does stand on its own too. The other part in the document is that summary of community engagement and those 10 priority areas that will then further inform the development of the Council Plan, which is why we've included them.*

**Brian Fox (1:09:55)**

**On communication, I would like to ask you if you would be in favour of giving all Councillors an Australia Post letterbox?**

*Councillor Harvey Benton called a Point of Order: What does this have to do with the Community Vision?*

Unconfirmed

## 15. Community and Infrastructure

### 14.1 Draft Road Management Plan 2025-29 (1:16:10)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Strategic
Author:	Assets Officer
Approver:	Director Community and Infrastructure

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

#### Executive Summary

This report is presented to Council to seek endorsement to proceed with placing the draft Road Management Plan (RMP) on public exhibition in accordance with the requirements of the *Road Management Act* 2004 and Council's Community Engagement Policy.

The existing plan was adopted in 2021 and serves to establish a system for our road management functions and to set performance standards based on operational objectives and available resources.

Council officers are now seeking to place the draft road management plan on public exhibition for a period of 28 days.

Council's road register is also being made available to the community to identify which roads falls under the RMP and individual road classification.

#### Resolution:

**(Moved: Councillor H Benton/Councillor T Maxwell)**

That Council:

1. Endorses the draft Road Management Plan 2025-29 for community engagement.
2. Invites community submissions on the draft Road Management Plan 2025-29 for 28 days from 25 July 2025 to 22 August 2025.
3. Reviews and considers all submissions made to the draft Road Management Plan 2025-29 at a future Scheduled Council Meeting.
4. If no submissions requesting changes to the Plan are received, adopts the draft Road Management Plan 2025-29 without further resolution of Council.

**Carried**

## Background

The *Road Management Act*, 2004 requires that if Council has a Road Management Plan then it must review that plan every four years following the Council election.

The RMP sets the standard for how council will perform its inspection, maintenance and repair responsibilities for rural and urban roads covering:

- Sealed and unsealed road surfaces,
- Road pavement,
- Footpaths,
- Kerb and channel,
- Drainage pits,
- Bridges,
- Regulatory, hazard and warning signage,
- Guard rail and
- Vegetation.

The RMP covers aspects such as:

- The hierarchy of our road network and the level of service provided for each category of road,
- The intervention level for responding to defects in the road network and the intervention times for repairing these. For example, setting out for the timeframes for repairing potholes based upon the road classification and the size (depth and diameter) of the pothole.
- How council manages infrastructure at the interfaces with other council areas and how council and:
- How council will respond with emergency works, whereby works that result from emergency incidents to make our roads safe will be undertaken immediately.

Since the last plan was adopted, the Municipal Association of Victoria (MAV), in conjunction with its member Councils, has developed a Road Management Plan template, which it has recommended all Councils consider adopting. RCoW has used this template in preparing the draft RMP.

## Implications

### Policy Considerations

The Road Management Plan is a part of the Asset Management Framework and as such plays an important role in the management of Council's transport assets.

### Financial/Economic Implications

The intervention timeframes set out in the Road Management Plan have a financial impact to council, requiring appropriate staffing and materials to meet intervention levels.

### Legal/Statutory

The *Road Management Act*, 2004 requires that Council undertakes a review of its Road Management Plan every four years and that both the revised plan and a summary document detailing any substantive changes.

**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:

**5. Enhancing our Lifestyle****5.1 Accessible and sustainable transport management****Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Road & Footpaths Assets are not maintained in accordance with the road management plan, with damage of a number of assets	3 - Moderate	3 – Moderate	9 – Medium	Proactive maintenance programs are undertaken on our roads to minimise the extent of defects that meet the intervention levels identified in Council's Road Management Plan, coupled with regular monitoring of defect response timeframes in accordance with road management plan timeframes

**Consultation/Communication**

Following endorsement of this draft road management plan by council, the draft plan will be placed on public exhibition for a period of 28 days.

During this period short videos will be released on social media to provide explanation of how the road management plan works, explaining aspects such as road defects and intervention levels to provide context on how the road management plan works in practice.

Two drop-in sessions to be held in Wangaratta and the King Valley, together with opportunity to book a time to talk with council officers.



### Options for Consideration

1. Endorses the draft Road Management Plan 2025-29 for community engagement.
2. Council does not endorse the draft Road Management Plan 2025-29 for community engagement and requests further changes.

### Conclusion

Council officers believe that the draft road management plan is ready to be placed on public exhibition. Supporting documents will accompany the road management plan so that the community have an opportunity to understand the coverage of the road management plan with roads in their area.

### Attachments

- 1 Draft Road Management Plan 2025-29 
- 2 Public Road Register 

## 14.2 Waste Management Policy 2025 (1:20:54)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Strategic
Author:	Waste Management Coordinator
Approver:	Director Community and Infrastructure

The following Council officers and contractors have provided advice in relation to this report and have disclosed a conflict of interest regarding the matter under consideration:

### Executive Summary

This report is presented to Council to seek endorsement to proceed with placing the draft Waste Management Policy 2025 on public exhibition. There are several minor updates included in this review to account for additional scope of waste services with the introduction of a kerbside glass collection in September 2025.

### Resolution:

**(Moved: Councillor A Winters/Councillor A Fitzpatrick)**

That Council:

1. Endorses the draft Waste Management Policy 2025 for community engagement.
2. Invites community submissions on the draft Waste Management Policy 2025 for 28 days from 25 July 2025 to 22 August 2025.
3. Reviews and considers all submissions made to the draft Waste Management Policy 2025 at a future Scheduled Council Meeting.
4. If no submissions requesting changes to the Plan are received, adopts the draft Waste Management Policy 2025 without further resolution of Council.

**Carried**

### Background

At the June Council meeting Council endorsed the Local Law No1. Community Amentity 2025 and adopted the Waste Management Policy 2025. Due to the timing of the community engagement on the Local law and the final decision by Council on the roll out of the glass collection service model, that version is no longer up to with service provisions.

Changes to the Draft Waste Management Policy 2025 include:

- Added definition of "Glass bin"
- Added definition of "Approved glass items"
- Added context to collection times

- Added frequency of collection (12 weeks)
- Removal of free annual delivery of caddy (*no longer undertaken by Council*)
- Removal of free annual delivery of caddy bags (*no longer undertaken by Council*)
- Removal of free replacement of caddy (*no longer undertaken by Council*)
- Amended emergency exemption, now aligned with Council's Financial Hardship Assistance Policy.
- Defined term of medical exemption provision (12 months)
- Removal of exemption for "unoccupied commercial property".
- Amended term for reimbursement of services not delivered (reduction to 12 months)

### Implications

#### Policy Considerations

Local Law No1. – Community Amentity 2025 , Waste Management Policy 2025

#### Financial/Economic Implications

Implementation of the Policy assists in ensuring that appropriate fees are obtained to safeguard financial viability of the kerbside waste collection services.

#### Legal/Statutory

Section 76(2) of the *Local Government Act 2020* (Vic) provides that a local law may *incorporate* policies etc. that support the implementation of that local law. These supporting policies are not in effect until they are endorsed by Council.

Council is delivering services in accordance with the requirements of the Circular Economy Act.

#### Social and Diversity

The policy considers households caring for members of our community with additional waste needs.

Under Section 76(3) of the Local Government Act 2020 Council must publish on Councils website policies once they have been approved

#### Environmental/Sustainability Impacts

Better management of public waste services will help to reduce littering and illegal dumping in hotspot areas.

### Strategic Links

#### Council Plan 2021 – 2025

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

#### 3. Valuing our Environment

- 3.2 Reduce waste and enhance resource recovery
- 3.2.1.1 Develop the new Waste Strategy in consultation with the community.
- 3.2.1.2 Ensure service delivery is in accordance with the Recycle Victoria Policy

- 3.2.1.3 Ensure services and facilities are operated in compliance with the updated Environmental Protection Act.
- 3.2.1.4 Explore feasibility of commercial options to divert materials from waste and recycling streams.
- 3.2.1.5 Introduce a third glass-only bin into the community. Provide educational resources to households to ensure a successful uptake.

### **Rural City of Wangaratta 2033 Community Vision**

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

Environment – Reduce Waste and Enhance Resource Recovery

- M1 Service our community by managing our waste and recycling streams
- M2 Strengthen positive behaviours throughout the community to minimise the negative impact of waste
- M3 Reduce waste and waste generation from Council Operations
- M4 Establish our community as leaders in the organics waste processing and associated resource recovery

### **Risk Management**

#### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
The Waste Management Policy 2025 is not revised and remains outdated	Low	Medium	Medium	The Policy is reviewed and updated alongside sector guidelines and operational requirements

### **Consultation/Communication**

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

### **Options for Consideration**

1. Endorses the draft Waste Management Policy 2025 for community consultation..
2. That Council does not endorse the draft Waste Management Policy 2025 for community consultation and requests further changes.

### Conclusion

An update of the Waste Management Policy 2025 has been undertaken to strengthen the existing policy with the implementation of the kerbside glass collection service ensuring that it remains accurate and applicable to service delivery.

### Attachments

- 1 Draft Waste Management Policy 2025 

### Public Questions

**Kunie O'Keefe (1:22:37)**

I live at Respect Independent Village where there are 153 houses and apparently each one of those are going to receive a purple bin which we don't want.

The houses are mainly occupied by single people and don't eat a lot so we don't create a lot of rubbish and it is very limited in what you can put in the bins, its only bottles and peanut butter and stuff all comes in plastic containers. The manager of Respect has rung the council a couple of times but there has been no answer or reply. Also it says in the paper that you can email the Council to find out more about it. 50% of the people in the Village don't have computers or a mobile phone. Owners corporation of large multiunit buildings of more than 8 units can negotiate the number of glass units that they receive – now can we do the same? At the moment for the green bins, there are 12 Bins strategically placed around the village, perhaps we could do the same for the Purple Bins? Because otherwise it's a waste of money when we will have to pay next year. And a waste for trucks to come along and empty the bins when there is nothing in them. It will be a saving for us, but also the council as well.

*Mayor Irene Grant responded:*

*Yes you absolutely can, and I'm sorry that you people have rung and you have not received a response. It is my understanding that multiunit unit developments will have the opportunity to negotiate and rather than 153 bins, you might only need half a dozen or whatever it might be.*

*Director Marcus Goonan responded:*

*Apologies if we have not got back to management at Respect, I will make sure that happens tomorrow. Absolutely, you will not require a bin to every household as you pointed out for all the right reasons you articulated then, so it will be the same process as is was for the Green waste bins so there will be 10-14 etc. and we will work that out with the management at Respect.*

**Cr Allison Winters (1:26:22)**

Yes thank you so much Madam Mayor, I'd actually like to ask a question to clarify why the \$5 hard waste vouchers for residents who have been effected by a natural local disaster have been removed from the draft policy and what will be the plan in place?

*Director Marcus Goonan responded:*

All be it that it has been removed in its current form, it has been included as part of our hardship management policies so that's a policy that sits right across council and so you will still be able to access it in the same way, we are just putting the right policy framework around it.

Unconfirmed

### 14.3 Targoora Park Budget Variation (1:27:48)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Operational
Author:	Director Community and Infrastructure
Approver:	Director Community and Infrastructure

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 seeks Council approval for a budget allocation of \$120,000 to support the successful application to the Regional Community Sports Infrastructure Fund – Round 2 (Sport and Recreation Victoria) for the Targoora Park Lighting Upgrade – Diamond 1, home of the Wangaratta Rangers Baseball & Softball Club.

The requested allocation constitutes a budget variation within Council's existing approved budget. No additional funding is required, as the \$120,000 will be funded through anticipated savings within the current year's capital works program.

#### Resolution:

**(Moved: Councillor H Bussell/Councillor H Benton)**

That Council:

1. Approves the allocation of \$120,000 to the Targoora Park Lighting Upgrade

**Carried**

#### Background

Council has received confirmation that its application to Round 2 of the Regional Community Sports Infrastructure Fund has been successful. The application, submitted for the Targoora Park Lighting Upgrade – Diamond 1 (home of the Wangaratta Rangers Baseball & Softball Club), has secured \$352,200 in funding from Sport and Recreation Victoria.

Council is required to contribute the remaining \$120,000 to fully fund the project.

This investment will enable the installation of lighting at Diamond 1, improving safety, increasing training and competition capacity, and supporting the long-term development of baseball and softball in the region. The project aligns with Council's strategic commitment to enhancing local sporting infrastructure and fostering inclusive participation in community sport.

During the budget process, Officers chose not to include this project (and other matched-funding projects) due to the uncertainty of grant outcomes. The intent was to seek Council funding via future savings if the grant application was successful.

In accordance with Council's Budget Variation Policy, all new project budgets greater than \$50,000 must be presented to Council for final approval at the next available Council Meeting.

### Implications

#### Policy Considerations

Recreation Strategy  
Budget Variation Policy

#### Financial/Economic Implications

The project has been awarded \$352,200 in funding from Sport and Recreation Victoria. Council is required to contribute the remaining \$120,000, which will be funded through anticipated savings within the current year's capital works program.

#### Legal/Statutory

Building permits will be required.

#### Social and Diversity

Funding community sporting groups achieves social and physical outcomes that benefit our community.

#### Equity Impact Assessment (EIA)

EIA will be completed during the design phase of the project.

#### Environmental/Sustainability Impacts

There are no Environmental / Sustainability Impact of this report.

### Strategic Links

#### Council Plan 2021 – 2025

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

##### 1. Nurturing our Wellbeing

2.1.1.13 Support the development of and delivery of community driving programs.

##### 2. Expanding our Economy

5.5.1.3 Continue to explore and advocate for the availability of accessible community creative exhibition spaces throughout our municipality.

#### Rural City of Wangaratta 2033 Community Vision

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

H2 Facilitate and support strong, accessible, and sustainable community groups that add vibrancy to our community

H3 Increase opportunities for people to connect to their community and each other

I1 Deliver and support programs that increase participation in physical activity



### Other strategic links

Recreation Strategy

#### Risk Management

To mitigate any risk of the project not being delivered, Council officers will actively monitor progress throughout the project delivery period and promptly address any issues that arise, ensuring successful outcomes. Risk Management Framework

#### Consultation/Communication

1. Council endorses the allocation of funding to this project.
2. Council doesn't endorse the allocation of funding and request further information.
3. Council doesn't endorse the allocation of funding and requests the funding be returned.

#### Conclusion

The project has now been fully scoped, and allocation of funding is required to enable construction to proceed.

#### Attachments

Nil.

### Public Questions

**Jenny Hart (1:29:19)**

While not related directly to the Budget Variation, but in relation to the purpose of the Budget Variation for lighting at I believe it's Targoora Park. I am concerned that affected neighbours who were impacted by the lighting haven't been informed of this. I believe residents on Wenham's Lane received a letter. Our property and other properties that get direct light pollution from these light towers have never received any form of notification to enable us to participate in the process about the installation of these light towers, for the existing ones, nor these proposed ones, and therefore I object to local variation on that basis. It also has direct impact to the future lots of C86 that we've just voted to approve because they will be directly impacted by the light and this was raised as an issue to be considered in the planning panel hearing report. They did make mention of it and they simply said buyer beware.

*Mayor Irene Grant responded:*

*It's my understanding that the lights will only operate on a limited basis.*

*Director Marcus Goonan responded:*

*This project obviously hasn't had its design, or definitely not finalised as we've just received the funding. So there'll certainly be further consultation. There is quite good standards and requirements from both Australian Standards point of view and EPA point of view with regards to lighting and lighting spill and they will be adhered to.*

#### 14.4 Retail Energy (Large Market Gas) Agreement (1:33:27)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Strategic
Author:	Director Community and Infrastructure
Approver:	Director Community and Infrastructure

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 award Procurement Australia's Energy Supply Agreement for large market gas supply 2806/0650 – Retail Energy – Large Market Gas for a contract period of three years.

##### Resolution:

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

That Council:

1. Awards 2806/0650 – Retail Energy – Large Market Gas to Alinta Energy
2. Authorises the Chief Executive Officer to sign and seal all the relevant contract documents (including any extensions) for 2806/0650 – Retail Energy – Large Market Gas

**Carried**

##### Background

This report is presented to Council to establish a new Energy Supply Agreement for large market gas for a period of three years, commencing as soon as possible.

Council currently procures its energy supply through Procurement Australia's Contract 2806/0650. This contract is due to expire. In preparation for this, Procurement Australia conducted a competitive tender process on behalf of member councils to establish new energy supply agreements.

The Wangaratta Sports and Aquatic Centre (WSAC) is Council's only facility requiring large market gas. Under the previous contract, Council expended just under \$700,000 over a 3-year period on large market gas, reflecting the volatility of gas prices even under contract conditions.

Council uses Procurement Australia contracts to ensure compliance with procurement legislation while achieving value for money through aggregated buying power. These contracts are competitively tendered, offering pre-vetted suppliers, and strong contract terms. By using Procurement Australia, Council reduces procurement risk, saves time and internal resources.

Securing a stable and cost-effective gas supply agreement is essential to ensure continued service delivery at the WSAC while mitigating financial and environmental risks.

### Implications

#### Policy Considerations

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

#### Financial/Economic Implications

The WSAC is Council's only facility that requires large market gas. Under the previous contract, Council spent just under \$700,000 on large market gas over 3 years. Despite being under contract, gas prices remain volatile and continue to rise. Council currently has a budget allocation of \$330,000 for the 2025/26 financial year.

#### Legal/Statutory

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

#### Social and Diversity

The large market gas is used for heating at the WSAC, with the various pools the primary users. Providing accessible exercise and therapy options for people with disabilities, older adults, and those with chronic health conditions. It fosters community connection, reduces social isolation, and enables culturally safe spaces for diverse user groups, enhancing overall wellbeing and participation.

#### Equity Impact Assessment (EIA)

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

#### Environmental/Sustainability Impacts

Alinta Energy, Council's preferred supplier for large market gas, reported approximately 1.05 million tonnes of Scope 1 greenhouse gas emissions in 2023, primarily from natural gas combustion. While Alinta is actively investing in renewable energy initiatives—such as the proposed Spinifex offshore wind farm—and has committed to achieving net-zero emissions by 2050, gas supply remains a significant contributor to emissions in the short term.

To support Council's sustainability objectives, the Wangaratta Sports and Aquatic Centre (WSAC) has submitted a Power Efficiency Program Grant Application under Round 2 of the Community Energy Upgrades Fund. If successful, this project would reduce the facility's reliance on gas, thereby directly lowering Council's operational carbon footprint.

### Strategic Links

#### Council Plan 2021 – 2025

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

##### 1. Strengthening our Leadership

- 1.2 An effective and efficient Council
- 1.3 Partnerships that bring benefit and opportunities to our community

### Rural City of Wangaratta 2033 Community Vision

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

C1 - Ensure Council's financial sustainability through transparent and accountable financial management

### Risk Management

#### Risk Management Framework

Risks	Likelihood	Consequence	Rating	Mitigation Action
Gas market price volatility	Likely	High	High	Secure a fixed-price or capped-rate contract; monitor market trends closely
Supplier non-performance or contract breach	Unlikely	Medium	Medium	Conduct due diligence on supplier; include penalty clauses in contract
Contract terms not aligned with operational needs	Possible	Medium	Medium	Engage legal/procurement experts; align scope with operational forecasts
Inaccurate usage forecasting	Possible	Medium	Medium	Review historical usage; allow contract flexibility for volume adjustment
Environmental and reputational impact of gas use	Possible	Medium	Medium	Review emissions reduction strategy; communicate mitigation efforts
Budget shortfall due to price escalation	Likely	High	High	Monitor and review gas use regularly; explore efficiency upgrades or alternate energy

### Consultation/Communication

Consistent with public sector requirements, a public advertisement was placed in the following press:

- Melbourne Herald Sun - Wednesday 26 March 2025

### Options for Consideration

1. Awards 2806/0650 – Retail Energy – Large Market Gas to Alinta Energy.
2. Does not Awards 2806/0650 – Retail Energy – Large Market Gas to Alinta Energy and retenders to the market internally.

### Conclusion

A new large market gas supply agreement through Procurement Australia provides Council with a compliant, cost-effective, and lower-risk procurement. With energy prices continuing to rise and the Wangaratta Sports and Aquatic Centre remaining Council's only large gas user, securing a competitive contract is essential for financial sustainability and service continuity.

### Attachments

- 1 2806-0650 Retail Energy Evaluation Report (large market gas) - Confidential

## 14.5 Community Grants (1:35:16)

Meeting Type:	Scheduled Council Meeting
Date of Meeting:	22 July 2025
Category:	Strategic
Author:	Manager - Community Services
Approver:	Director Community and Infrastructure

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 approve Community Grants applications 2025/2026. The Community Grants Program supports local projects, programs and events with community groups and organisations who work to enhance the social, cultural and environmental experience of local residents.

Community Organisations can apply for funding for programs of work that deliver outcomes from the Council Plan from \$1000 to \$10,000 per year.

### Recommendation:

That Council:

1. Approves the recommended applicants for the 2025/2026 Community Grants as per the confidential attachment.
2. Once approved discloses the successful applicants.

### Resolution:

**(Moved: Councillor H Benton/Councillor T Maxwell)**

That Council:

1. Approves the recommended applicants for the 2025/2026 Community Grants as per the confidential attachment.
2. Once approved discloses the successful applicants.
3. Allocates \$5,000 per year until 2028/29 to the Rotary Club of Appin Park Wangaratta – Community Raffle.

*Successful Applicants are listed in Appendix 2*

**Carried**

## Background

The total amount of funding the 2025/2026 Community Grants Program is \$166,000. The Program received 78 applications with a total request of \$450,260, the largest grant submissions to date.

Applications have been assessed in a two-stage assessment:

**Stage 1 – Eligibility** – All applications assessed by Community Groups Officer and Community Wellbeing Officer to determine eligibility against criteria outlined in the Community Grants Guidelines. Four applications were determined to be ineligible, two put forward for delivery of project not in our LGA, and the other two by private businesses.

**Stage 2** - 74 applications were assessed by the Assessment Panel. The panel was made up of 5 Council staff from various Council directorates and teams who were able to provide expertise in different areas. The panel included staff members from our Field Services, Events, Grit & Resilience and Executive Services teams.

The Assessment Panel recommends 40 of the 74 projects for funding (see attachments Community Grants Program- Recommendations 2025/2026 & Unsuccessful Applications 2025/2026).

## Implications

### Policy Considerations

The Community Grants Program is informed by Council Grants and Sponsorship Policy (2012)

### Financial/Economic Implications

The Community Grants Program has a budget of \$166,000. Some projects have been funded less than the requested amount, but only where the applicant has indicated they have capacity to deliver with less funding.

### Legal/Statutory

A number of projects will require planning and building permits and will be notified of such as part of their approval process.

### Social and Diversity

The granting of funds to community groups achieves social outcomes that benefit our community. Other social implications relate to the impact unfunded projects may have on community initiatives and projects. All unsuccessful projects are supported to develop their projects and applications to strengthen future funding opportunities – both within Council and through other funding opportunities.

### Equity Impact Assessment (EIA)

Equity questions are part of the application, and assessment of grant submissions takes into consideration the social impact of projects for communities.

### Environmental/Sustainability Impacts

Environment and sustainability questions are asked as a part of the application process, and assessment of submissions considers these

## Strategic Links

### Council Plan 2021 – 2025

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

#### 1. Nurturing our Wellbeing

2.1.1.13 Support the development and delivery of community driving mental health and wellbeing projects through Council's Community Grants Program.

2.3.1.5 Support the delivery of LGBTQIA+ programs and services.

2.3.2.2 Continual review and improvement of community grant programs across Council, based on feedback, trends and best practice.

#### 2. Valuing our Environment

3.1.2.5 Ensure that the Council Community Grants Program supports environmentally sustainable projects.

#### 3. Expanding our Economy

5.5.1.3 Continue to explore and advocate for the availability of accessible community creative exhibition spaces throughout our municipality.

### Rural City of Wangaratta 2033 Community Vision

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

H2 Facilitate and support strong, accessible, and sustainable community groups that add vibrancy to our community

H3 Increase opportunities for people to connect to their community and each other

I1 Deliver and support programs that increase participation in physical activity

I3 Facilitate improved access to healthy food and beverages

I4 Take action to address food security challenges within our community

X1 Increase the exposure and experience of art for our community and visitors

Y2 Support the delivery of events throughout the municipality that provide social, cultural and economic benefits

## Risk Management

Due to the competitive nature of the Community Grants Program, the number of applications far exceeds the funding available. Programs not funded to the requested amount may not be able to be delivered, and Council officers will undertake conversations with the recipients about their capacity to deliver on a lesser amount before funding is awarded.

Council officers will provide feedback to unsuccessful applicants when requested and provide information about alternative funding opportunities through discussions with applicants and through Council's External Grants webpage.



To mitigate any risk in the event that successful applicants are unable to deliver projects or will require an extension the Community and Recreation team will monitor projects throughout the project delivery period and stay on top of any issues as they arise, ensuring positive outcomes.

Recipients will also be required to acquit their year's expenditure, as part of the acquittal process community groups are asked to provide a photo and quote for RCOW Media and Communication Team to use in promoting the Community Grants Program. They are also provided with the link to invite Councillors to their event or program launch or completion and asked to acknowledge the funding for their project came from Council Community Grants Program 2025/2026

### **Consultation/Communication**

The Community Grants Program opened between Thursday 1 May and Thursday 5 June 2025. Community Grants were promoted via the Rural City Connections in the Wangaratta Chronicle, Posters around town, Council social media, Council website, Council newsletters and direct emails to community groups and organisations.

Community and Recreation team members held drop-in sessions around the rural community in Eldorado, Moyhu, Oxley, Glenrowan and Wangaratta. Community & Recreation Officers had conversations or meetings with the following organisations to discuss their applications: including Cheshunt Hall, Moyhu Soldiers Memorial Hall, Eldorado Senior Citizens Club, Glenrowan Primary School, Wangaratta Pony Club

Upon endorsement, successful and unsuccessful applicants will be notified by email. Information about successful applicants will be made available through Council's website, social media and media release.

### **Options for Consideration**

1. The Council endorse the Community Grants Assessment Panel recommendations.
2. The Council reconsiders all submitted projects and the assessment process

### **Conclusion**

With assessment now complete, projects recommended for funding have been listed in this report.

### **Attachments**

- 1 Community Grants Program Recommendations 2025-2026 - Confidential

**16. Special Committee Reports**

Nil

**17. Advisory Committee Reports**

Nil

**18. Minutes of Advisory Committee Meetings**

Nil

**19. Notices of Motion**

Nil

**20. Urgent Business**

**21. Public Question Time (1:47:27)**

Meeting closed 4:45pm

Live YouTube recording ended.

New live YouTube recording began.

Meeting reopened at 4:55pm

## 22. Public Question Time (0:30)

21.1	<p><b>Adrian Fox</b> asked the following question at the June Council meeting which was taken on notice:</p> <p><b>Question - What is the expected income from paid parking in 2025/2026?</b></p> <p><i>Director Stephen Swart's response as provided by email 27 June 2025 was:</i></p> <p><i>The expected income from paid parking in the Wangaratta CBD for the 2025/26 financial year is \$260,000.00.</i></p>
21.2	<p><b>Lynda Jackson</b> submitted the following questions for the July Council meeting:</p> <p><b>Question 1 – Parking meters, it's difficult for many older residents and most likely visitors to use and pay for the parking via the app, I know you can purchase vouchers but this all adds up in time and costs which we have enough of nowadays, please reconsider and remove the parking meters it is a deterrent to people coming to Wangaratta to attend to business and shopping which will impact negatively in town.</b></p> <p><b>Regarding the parking meters and their change in paying to online or vouchers, if the council is still adamant on keeping parking meters why not also still offer using cash via the meter too? The meters are still in place and it will be usable by those residents/visitors who cannot use the newer forms of payment.</b></p> <p><i>Director Stephen Swart responded:</i></p> <ul style="list-style-type: none"> <li><i>• Paid Parking has been in place within the Wangaratta CBD for many years. In recent years this included the option of using the EasyPark app.</i></li> <li><i>• At the February Council meeting, Council decided to continue with paid parking in the CBD but to remove physical parking machines that were at the end of their useful life. As the EasyPark App was already successfully in use, Council made the decision to continue with the App as well as implementing a voucher that can be purchased at Council Offices.</i></li> <li><i>• Separately, free parking options remain available within the CBD.</i></li> <li><i>• Assistance with the parking payment system is available by contacting Council.</i></li> </ul>
21.3	<p><b>Barbara Griffiths</b> submitted the following questions for the July Council meeting:</p> <p><b>Question 1 – Are the councillors fully aware of the backlash re the new parking system? Having had my credit card details stolen twice I will not enter these details on my phone. The only good to come out of it is a fitter population as I now park in a free spot and walk (with some limited ability).</b></p>

	<p><i>Mayor Irene Grant responded:</i> The voucher system is being taken up very well by the community and the review of the system will come over time as this is only new</p>
21.4	<p><b>Brian Fox</b></p> <p><b>Question 1 – I have lived in Swan Street since 1970 and see nothing wrong with it so why is \$1M being spent on it?</b></p> <p><i>Director Marcus Goonan responded:</i> Our Road reconstruction program is driven by data and review. Swan Street has come up a number of times for a number of different issues with a number of potholes. Community satisfaction survey also identified Swan Street (other than VicRoads roads).</p> <p><b>Question 2 – There is no reference in this Agenda to EasyPark and yet it seems to be a big topic in the community. How can I get the Councillors opinion when I can't get through to them.</b></p> <p><i>Mayor Irene Grant responded:</i> Our phone numbers and emails are all made public and therefore accessible to the public.</p>

## 23. Confidential Business (12:24)

### Resolution:

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

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 Contractual Matter

**Item 22.1 is Confidential under the Local Government Act 2020 as it contains information relating to : (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. and (g) Private Commercial Information.**

**Carried**

Allison Winters left the meeting at 05:08 pm.  
Tania Maxwell left the meeting at 05:08 pm.  
Irene Grant left the meeting at 05:08 pm.  
David Fuller left the meeting at 05:08 pm.  
Ashlee Fitzpatrick left the meeting at 05:08 pm.  
Harry Bussell left the meeting at 05:08 pm.  
Harvey Benton left the meeting at 05:08 pm.

Allison Winters returned to the meeting at 05:20 pm.  
Tania Maxwell returned to the meeting at 05:20 pm.  
Irene Grant returned to the meeting at 05:20 pm.  
David Fuller returned to the meeting at 05:20 pm.  
Ashlee Fitzpatrick returned to the meeting at 05:20 pm.  
Harry Bussell returned to the meeting at 05:20 pm.  
Harvey Benton returned to the meeting at 05:20 pm.

**Resolution:**

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

That the Meeting be resumed.

**Carried**

**24. Closure of Meeting**

The Meeting closed at 5:21pm.

## 24. Appendix

### 24.1 Appendix 1: Planning Application PInApp23/102.02 – Attachment 1: Officer's Assessment Report

1.1.1.1 PLANNING PERMIT APPLICATION PInApp23/102.02 - Use of the land for an indoor recreation facility AT Rear 28-30 Ely Street WANGARATTA VIC 3677, Office 28-30 Ely Street WANGARATTA VIC 3677

**Author:**  
Holly Sawyer (Coordinator Planning)

PInApp23/102.02  
**Reviewed by:**

#### Background

**Applicant:** North East Planning Plus  
**Owner:** MP Lloyd Pty Ltd  
**Subject Land:** Lot 1 TP 11990 Vol 10412 Fol 991  
 Rear 28-30 Ely Street WANGARATTA VIC 3677  
 Office 28-30 Ely Street WANGARATTA VIC 3677  
**Zone/s:** Commercial 1 Zone  
 Bushfire Management Overlay (partial)  
**Overlay/s:** Design & Development Overlay – Schedule 1  
 Parking Overlay – Schedule 1

#### Recommendation

That planning permit PInApp23/102 is amended to alter the conditions relating to noise, patron limits and operating hours, as set out at the end of this report.

#### Site & Context

The subject site is a generally rectangular parcel of land entirely developed with an office directly fronting Ely Street and a large shed to the rear which is accessible via a Council owned carpark and a private laneway. The site contains a land area of approximately 520sqm, and, as the site is entirely developed, does not benefit from any on-site car parking.

The office to the front of the subject site is currently used by a solicitor and does not form part of this application. The shed to the rear of the site is the subject building of planning permit PInApp23/102 (see permit and plans at **Attachment 3**). The use of that building for a restricted recreation facility has commenced since the issue of PInApp23/102 (the Permit) in September 2023.

The subject site is located within the central commercial precinct of Wangaratta in a highly developed area. The surrounding area contains a mix of retail, offices and leisure services. Ely Street is a secondary commercial strip to Murphy Street, with the Council owned car park off Ely Street providing rear access to many tenancies that front Murphy and Reid Streets. It is noted that most buildings within the immediate area do not have provision (or complete provision) of on-site parking and utilise on-street or the Council owned car park (which typically requires permits for all day parking).

*Planning Permit PlnApp23/102 background*

The original application sought to use the land for a fitness (yoga and pilates) studio. The proposal sought to operate between 6am-12pm and 5pm-7pm daily, with class sizes between 5 to 10 patrons (with one instructor). The application did not seek to provide any onsite car parking.

The original application was advertised to adjoining and surrounding landowners and occupiers. No objections were made to the original application.

Based on the details supplied with the application, conditions were included in the issued permit relating to operating hours, maximum patron numbers and noise limitations on the emission of amplified music and announcements. Those conditions are the subject of the amendment application herein.

**Proposal**

The amendment application (see **Attachment 2**) seeks to amend three conditions on the permit, as follows:

Condition:	Existing:	Proposed:
4	The use must only operate between 6am to 12pm (noon) and 5pm to 7pm Monday to Sunday, unless otherwise agreed in writing by the Responsible Authority.	The use must only operate between 6am to 8pm Monday to Sunday, unless otherwise agreed in writing by the Responsible Authority.
6	At any time no more than 10 patrons may be present on the land, unless otherwise agreed in writing by the Responsible Authority	At any time no more than 25 patrons may be present on the land, unless otherwise agreed in writing by the Responsible Authority
7	No amplified music, announcements or broadcasts are to be audible beyond the property boundary of the land.	Delete and replace with reference to compliance with the EPA noise protocol.

It is noted that condition 5 was originally proposed to be amended to alter the wording, although this is no longer pursued as condition 5 is a standard condition under the Commercial 1 Zone.

The proposed changes to conditions 4 and 6 are sought due to the evolution of the land use and the changes are requested to meet the demand for more availability. The proposed changes to condition 7 are sought as the activities on the land are more intensive than a yoga/pilates studio (being for gym classes with amplified music and announcements) and the land use has not been able to comply with this condition.

The application was accompanied by an acoustic assessment which indicated that the land use would be able to comply with the EPA noise protocol provided

there were noise limiters installed on the internal sound system and/or all music and announcements were run via personal headphones. A copy of the submitted acoustic report is at **Attachment 4**.

#### **Planning Permit Trigger**

- Clause 34.01-1: Use of the land for a restricted recreation facility (indoor leisure and recreation).

The Bushfire Management Overlay does not trigger the need for a permit as no buildings and works are proposed. Further, the Parking Overlay – Schedule 1 is also not applicable as the proposed land use is not listed in the Table to Schedule 1. It is also noted that Clause 52.06 does not include a parking rate for indoor leisure and recreation, therefore, the provision of parking must be to the satisfaction of Council.

#### **Relevant Planning Provisions**

##### Planning Policy Framework

The following policies of the PPF are relevant to this application:

Clause	Policy
13.05-1S Noise Management	<p><i>To assist the management of noise effects on sensitive land uses.</i></p> <p>Strategies include:</p> <ul style="list-style-type: none"> <li>• Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.</li> <li>• Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area.</li> </ul>



Clause	Policy
13.07-1S Land use compatibility	<p><i>To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.</i></p> <p>Strategies include:</p> <ul style="list-style-type: none"> <li>• Ensure that use or development of land is compatible with adjoining and nearby land uses</li> <li>• Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.</li> <li>• Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.</li> <li>• Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.</li> </ul>

### Zone

#### *Commercial 1 Zone (C1Z)*

The subject site is located within the C1Z pursuant to Clause 34.01 of the Scheme. The purpose of the C1Z is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

The relevant decision guidelines at Clause 34.01-8 are as follows:

- The effect that existing uses may have on the proposed use.
- The effect of traffic to be generated on roads.
- The interface with adjoining zones, especially the relationship with residential areas.

### Particular provisions

#### *Clause 52.06 (Car parking)*

The purpose of this provision is as follows:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Pursuant to Clause 52.06-6, where a land use is not specified in Table 1 to Clause 52.06-5, car parking spaces must be provided to the satisfaction of the responsible authority.

The following decision guidelines of Clause 52.06-10 are relevant to this application:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.

#### General provisions

##### *Clause 65 – Approval of an application or plan*

The relevant decision guidelines of Clause 65.01 are as follows:

- The purpose of the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

#### Referrals

The application was not referred under any formal referral pathways, although an independent review of the acoustic assessment supplied with the application was sought. This review was generally in agreement on the operational limitations recommended.

**Advertising**

The application was advertised to adjoining land owners and an advertisement was placed in the Wangaratta Chronicle. 7 objections were received and an applicant/objector meeting was held on 07 July 2025 to provide an opportunity for the applicant and submitters to directly present their concerns to the Councillors.

The issues raised in the representations are summarised below and comments made.

Issue	Comment
Do not support deletion of noise controls as part of the permit. Require condition for compliance with EPA requirements.	The applicant is now proposing to replace condition 7 with a condition that refers to compliance with the EPA noise protocol rather than only deleting the condition.
Expansion of the use (increase of patron numbers and operating hours) should not be supported if use cannot comply with Noise Protocol.	The acoustic report submitted with the application indicates that the use can comply with the Noise Protocol subject to an electronic noise limiter being installed.
Noise and bass are impacting other commercial tenancies and residences in the surrounding area.	As above.
Condition 7 should be retained until further soundproofing works are completed on the subject site.	As above.

**Planning Assessment****Land use compatibility and amenity considerations relating to noise**

The previous assessment of the original application considered the following:

*The proposed use of the land for indoor leisure and recreation is not nested as a retail activity for the purposes of planning. Whilst the proposal is not a traditionally retail related land use, it is considered to pose benefits to other retail activities within the surrounding area. Particularly as the proposal will draw people to the area who will then see and potentially patronise other businesses within the commercial precinct. There are a number of existing and approved indoor recreation facilities within the commercial precinct, although commercial*

*competition is not a planning consideration. The proposal will utilise a vacant building within the subject site that may not easily be used for other commercial activities as it does not have main road frontage, therefore, an appointment / membership only land use is considered suitable based on the context of the site. The proposed operating hours will partially accord with the operating hours of other businesses in the area (morning operation), although the latter operating hours will mainly fall outside of standard business hours. Further, the surrounding area is within common zoning and any sensitive land uses could generally expect some reduced amenity due to the nature of the commercial activities within the precinct. Although, standard conditions relating to noise should be included on any issued permit to ensure that noise does not result in detrimental amenity impacts to other businesses in the area (such as beauty salons) if the nature of the classes changes from pilates/yoga to something more intensive. Therefore, the proposed use of the land is considered to be appropriate and represents an orderly planning outcome.*

The proposal seeks to replace the existing conditions relating to noise, which do not permit any amplified music or announcements to be audible beyond the property boundary, with reference to the EPA noise protocol. This would allow noise emissions from the property, within certain limits.

The acoustic report submitted with the application does not deem any physical works to be required to comply with the EPA noise protocol and that operational limitations will suffice. These recommendations are:

- Electronic noise limiter; and/or
- Headsets
- General operational noise management plan:
  - All members should be instructed to enter and leave the gym in a quiet and efficient manner prior to 7am; and
  - Members should be mindful of keeping noise to a minimum when arriving or leaving prior to 7am.

Clause 13.05-1S (Noise management) seeks to ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions. Further to this, Clause 13.07-1S (Land use compatibility) seeks to minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures (emphasis added). Based on the supplied acoustic report and

Council's independent review of that report (see **Attachment 5**), it is considered that noise can be suitably managed via operational limitations, particularly via an electronic noise limiter.

#### **Increased patron numbers and operating hours considerations**

The amendment application seeks to extend the operating hours by removing the daytime 'gap' between 12pm and 5pm and allowing an extra evening hour (i.e. 6am to 8pm Monday to Friday). The acoustic report supplied with the application stated that there is no acoustic reason that the proposed operating hours would not be permissible. The extra evening hour would be subject to compliance with the Noise Protocol and is not so late as to additionally impact on surrounding sensitive land uses generally.

The proposed additional patron numbers are sought due to higher than expected demand from the first application. This change is considered to be appropriate given that patron attendance is part of scheduled classes, and therefore, the patron numbers are more easily controlled. The site is suitably scaled for the proposed patronage, and it is unlikely that there will be any truly noticeable difference in operational intensity on face value. Therefore, the change is considered to be appropriate in this instance.

#### **Availability of parking**

The subject site does not benefit from any existing on-site parking, nor is there availability of land to provide them due to the subject site already being entirely built over. The subject site is a corner allotment with the laneway to the north of the site including public parking, with additional on-street parking available along Ely Street (and Murphy Street further north). The Planning Scheme does not provide a minimum parking rate for the proposed land use; therefore, the provision of parking is to the satisfaction of the Responsible Authority.

The existing permit allows a maximum of 10 patrons, with the amendment request seeking to allow 25 patrons on site at any one time. Given the potential for ride sharing or alternative transport modes, in addition the site being in an area of high pedestrian accessibility, it is not considered that the increase of 15 additional patrons will create a burden on parking availability. Further, the parking that is available is mostly restricted to two-hour parking. Given that the classes would typically run for less than or up to one hour, this is considered to be sufficient for the purposes of the land use. Given that this is fairly consistent with visit times and parking availability experienced for other land uses within the area, it is considered to be a reasonable planning outcome.

#### **Conclusion**

The proposal is considered to represent an orderly planning outcome and will ensure that the use can operate within the confines of the EPA Noise Protocol, with additional patron limits and operating hours to support the business. Therefore, the proposal is considered to represent an appropriate outcome and meets the objectives and strategies for land use compatibility and noise management subject to conditions relating to a noise limiter.

**Recommendation:**

It is recommended that Council issue a Notice of Decision to Amend a Planning Permit for the use of the land for an indoor recreation facility at Rear 28-30 Ely Street Wangaratta, subject to the below conditions.

**Communication**

That the applicant and submitters be advised of Council's decision.

**Proposed conditions:**

1. This permit will operate from the issued date of this permit.
2. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the Responsible Authority.
3. Before the use starts, plans must be approved and endorsed by the Responsible Authority. The plans must:
  - a. Be prepared to the satisfaction of the Responsible Authority.
  - b. Be drawn to scale with dimensions.
  - c. Submitted in electronic form.
  - d. Be generally in accordance with the plans that form part of the application.
4. The layout of the use must not be altered from the layout on the approved and endorsed plans without the written consent of the Responsible Authority.
5. The use must only operate between 6am to 8pm Monday to Sunday, unless otherwise agreed in writing by the Responsible Authority.
6. The use must be managed so that the amenity of the area is not detrimentally affected to the satisfaction of the Responsible Authority, including through the:
  - a. Transport of materials, goods or commodities to or from the land;
  - b. Appearance of any building, works or materials;

- c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water, waste products, grit or oil;
- d. Presence of vermin; or
- e. In any other way.

7. At any time, no more than 25 patrons may be present on the land, unless otherwise agreed in writing by the Responsible Authority.

8. At all times, noise emanating from the land must comply with the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the Responsible Authority.

Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time.

9. Before the use starts, the operator must install and maintain to the satisfaction of the Responsible Authority a Noise Monitor and Limiter ("the Device"). The Device must be set at a level by a qualified acoustic engineer to ensure the escape of amplified music noise from the land does not exceed the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol.

Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protections Authority on its website, as in force from time to time.

Within 3 months of the issued date of the amended permit, a report must be submitted to the Responsible Authority. The report must:

- a) be prepared to the satisfaction of the Responsible Authority
- b) be prepared by a suitably qualified acoustic engineer
- c) confirm that the Device is operating and has the following characteristics which are also operating:
  - i. the Device limits internal noise levels so as to ensure compliance with the music noise limits according to the *Environment Protection Regulations 2021*
  - ii. the Device has a limiter suitable for interfacing with a Permanently Installed Sound System which will include any amplification equipment and loudspeakers
  - iii. the Device monitors noise levels at frequencies between 50Hz and 100Hz and is wired so as to ensure that the limiter governs all power points potentially accessible for amplification

- iv. the Device controls are in a locked metal case that is not accessible by personnel other than a qualified acoustic engineer or technician nominated by the owner of the land and notified to the responsible authority
  - v. the Device is installed to control all amplification equipment and associated loudspeakers
  - vi. the Device is set in such a way that the power to the amplification equipment is disconnected for 15 seconds if the sound level generated by the amplification equipment exceeds for one second the maximum sound level for which the monitor is set
  - vii. the monitor level component of the Device includes a calibratable frequency discriminating sound analyser with an internal microphone incorporated in its own tamper-proof enclosure (beyond the normal reach of a person)
  - viii. the Device demonstrates compliance with noise limits in the *Environment Protection Regulations 2021*.
10. All security alarms must be of a silent type and be directly connected to a security service to the satisfaction of the Responsible Authority.
11. Provision must be made on the land for the storage and collection of waste and recyclables. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
12. This permit as it relates to use will expire if any of the following circumstances applies:
- a. The use has not commenced within two years of the original issue date of this permit; or
  - b. Once commenced the use is then discontinued for a period of two years.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.



## 24.2 Appendix 2: Successful Applicants – Community Grants Program 2025-2026

Community Group	Project	Project Details	Amount Funded
<b>Cheshunt Public Hall and Recreation Reserve</b>	Cheshunt Hall Beautification	Enhancing the grounds of the Cheshunt Hall to create a more accessible and inviting venue to hold our broad range of events and BBQs which engage and embrace our community.	<b>\$7,835.49</b>
<b>Moyhu Soldiers Memorial Hall Committee</b>	Stage Electrical Upgrade	To replace old electrical wiring and light fittings, install additional power points to the stage and dressing room areas, also install additional power points in main hall.	<b>\$3,000.00</b>
<b>Tarrawingee Community Group Inc.</b>	Tarrawingee Tennis Court Improvement Project	Repair and improvements to Tarrawingee tennis courts, inclusion of 2 Pickleball courts and purchase of equipment to provide community access to the sports of Tennis & Pickleball.	<b>\$6,485.35</b>
<b>U3A Wangaratta</b>	Chairs for Safety	In order to provide a safe environment for any members whose mobility is compromised, we wish to provide safe, comfortable and ergonomically suitable chairs.	<b>\$2,959.00</b>
<b>Eldorado Senior Citizens Club Inc</b>	Indoor Carpet Bowls Mat replacement	The provision of a certified tournament mat to replace the current unofficial mat which lacks correct markings. This will enable us to continue to promote the club and its tournaments	<b>\$3,000.00</b>

<b>Wangaratta Football &amp; Netball Club Inc</b>	Fully monitored and 24/7 publicly accessible defibrillator package	Install a 24/7 publicly accessible, monitored defibrillator at Norm Minns Oval to improve safety, as many community units are locked or poorly maintained, making them unusable during emergencies.	<b>\$3,495.00 (asked for \$6,490)</b>
<b>Greta Valley Primary School</b>	Community Intergenerational Project	We will form a partnership with residents from St Johns Respect where our older students will have a buddy to work together on various activities over the 10 weeks.	<b>\$3,500.00</b>
<b>Moyhu Tennis Club Inc.</b>	Moyhu Tennis Club Scoping Plan for Court Upgrade	MTC has engaged 2MHConsulting to create/design a Scoping Plan which is required as part of our future plan to have courts upgraded.	<b>\$5,000.00</b>
<b>Whitfield District Primary School</b>	150 year anniversary community celebration	Whitfield District Primary School's 150th Anniversary Fete celebrates local heritage with games, performances, bush dance, and storytelling—fostering community pride, intergenerational connection, and capturing community memories through a professional video project.	<b>\$3,300.00</b>
<b>St Judes Anglican Church Eldorado</b>	Church Hall Airconditioning	Reverse Cycle Airconditioning for Hall to improve the comfort of the users, ensure year round use, and improve functional and safe use of the room.	<b>\$3,075.00</b>
<b>Greta Bunyip - Community Newsletter</b>	Greta Bunyip Newsletter	We would like to continue producing this community newsletter. The current format, some electronic and some colour printed hard copy, provides a vital service to our community.	<b>\$1,500.00</b>

<b>Christopher Robin Pre-School Centre Inc.</b>	Sun Shade for Treehouse	The project aims to install a cantilever umbrella over the treehouse while waiting for the council to replant the felled trees and for them to grow enough to provide shade.	<b>\$6,605.00</b>
<b>EDI UPPER TENNIS CLUB INC</b>	Pickleball try out day	A social “come and try” Pickleball day. Pickleball is played on a small court with a net, paddles and a ball. A BBQ will be provided.	<b>\$800.00</b>
<b>Wangaratta Kennel &amp; Obedience Dog Club Inc.</b>	Weather proofing Existing walkway	The Weather proofing of an existing ramp walkway between the Kitchen and the Amenities room, will provide safe and hygienic transportation of food from natural elements from rain and heat.	<b>\$10,000.00</b>
<b>NORTH EAST WINDSPORT CLUB</b>	Painting & Maintenance	Our facilities are now showing need of maintenance and restoration with many rusted areas showing through and leaking. We would like to make them more attractive in club colours	<b>\$4,500.00</b>
<b>Eldorado Memorial Hall Committee of Management</b>	Eldorado Memorial Hall 90th Celebrations	Eldorado Memorial Hall 90th Celebrations Live music -'Sweet Buzz' Party! Saturday May 2 from 7pm Eldorado Pizza Co from 6pm Sunday 4th 1pm Interpretive Board Unveiling Time capsule installation Afternoon Tea	<b>\$4,853.00</b>
<b>North East Multicultural Association</b>	Diwali – Festival of Light	Diwali is primarily originating from the Indian Hindus, also celebrated by many other religions, the festival is a fun celebration, dance, and sharing the traditional foods of the different cultures.	<b>\$5,000.00</b>

<b>Wangaratta Pony Club</b>	Wangaratta Equestrian Centre disability toilet upgrade	This project will install a new accessible toilet at the Wangaratta Equestrian Centre (home to Wangaratta Pony Club and Adult Riding Club), replacing the current non-compliant, irreparable facility.	<b>\$10,000.00</b>
<b>Wangaratta City Football Club</b>	Water Drinking Fountain	This project provides clean, safe drinking water by installing a public fountain, promoting health, reducing plastic waste, and ensuring sustainable access to hydration in underserved or high-traffic community areas.	<b>\$1,943.00</b>
<b>Wangaratta Bowls and Sports Club Inc.</b>	Jacking Pump Replacement	The replacement of the existing Jacking Pump will enable us to pump water directly from the Ovens River, ensuring we are able to maintain the condition of the bowling greens.	<b>\$5,353.00</b>
<b>Wangaratta Auskick</b>	Wangaratta Auskick Inspiring Young Footballers	Wangaratta Auskick will purchase a digital camera to capture and share player moments, enhancing community engagement, social media presence, and family connection through high-quality photos and team images.	<b>\$1,000.00</b>
<b>Dirrawarra Indigenous Network (DIN)</b>	Dirrawarra Community Connection - Stronger Together through community, culture and connection	Dirrawarra Indigenous Network will hold three free cultural gatherings featuring workshops, guest speakers, and food to strengthen connection, share Aboriginal culture, and build understanding in the Wangaratta community.	<b>\$6,000.00</b>
<b>Wangaratta District Specialist School</b>	Burrowing Into our Community	To support our student's to engage in school, positive recreation and their community they will purchase a worm farm. They will use the worms for recreation and to sell.	<b>\$5,000.00</b>

<b>Oxley Shire Hall Community Asset Committee</b>	Concrete Driveway and gutter	The main entrance from Ely St. is an unformed deeply corrugated gutter. it is both dangerous and unsightly. Vehicles using this entrance range from small sedans to large commercial trucks	<b>\$8,000.00</b>
<b>Glenrowan Primary School</b>	Remake of school WW1 Honour Roll	Remaking a marble WWI Honour Roll from 1921. This memorial was severely cracked and following the relocation of the plaque due to a front garden upgrade, it fell apart completely.	<b>\$2,482.00</b>
<b>Gateway Health</b>	Growing Recovery	The project involves the WTC residents working together to expand the food growing garden to grow more food for use in the WTC kitchen and donate excess to local community.	<b>\$2,145.00</b>
<b>Wangaratta Community Garden</b>	Wangaratta Grow Safe Project	Our garden is a place to grow, connect, and feel good. To make it even more welcoming and safe, we're adding sensor lights, educational signage, and security cameras soon!	<b>\$495.90 (asked for \$4,150.40)</b>
<b>Wangaratta Stingrays Swimming Club</b>	Wangaratta Stingrays Swimming Club All Abilities Squad	Establishment of an all-abilities swim squad within the fabric of Wangaratta Stingrays Swimming Club to increase access to competitive swimming opportunities for those with disabilities.	<b>\$8,750.00</b>
<b>Milawa Hall and Park Committee</b>	Carols in the Park	Carols in the Park is an annual Christmas community event focusing on inclusive, accessible, family fun for all ages with Carols, candles, entertainers, Santa, glow sticks, food vans and more.	<b>\$2,805.00 (asked for \$6,000)</b>

<b>Wangaratta Bridge Club</b>	Replacement of Heating and Air Conditioning Systems at the Wangaratta Bridge Club	Replacing aged evaporative cooling system and an inefficient gas space heater (both 30 years old). Currently both require costly annual safety and maintenance procedures to keep them running and safe.	<b>\$5,000.00</b>
<b>Wangaratta Target Archers</b>	New Member Assistance Package	Purchase of better-quality equipment for members to use, while they arrange to purchase their own, thus helping reduce initial costs and make the sport more accessible to the community.	<b>\$3,899.00</b>
<b>WANGARATTA TABLE TENNIS ASSOCIATION INCORPORATED</b>	Table Tennis Development Initiative	Much needed upgrade of equipment, including a new table tennis table and 30 new bats, allowing us the ability to increase our player numbers and provide competition standard equipment.	<b>\$2,544.00</b>
<b>Edi Recreation Reserve</b>	Dinner Dance	Provision of a dinner dance including 5 course meal and old time dancing to a live band.	<b>\$1,000.00</b>
<b>Moyhu Action Group</b>	Carl Schulz Reserve Storyboards	Install two storyboards at the corner of Byrne and Market Streets in Moyhu - one telling local early history and the other the story of Carl Schulz.	<b>\$2,700.00</b>
<b>Whorouly and District Preschool</b>	Reducing noise for the girls and boys	Our project is to install sound reducing acoustic panels and other measures to dampen down noise to create an accessible and safe place for all users.	<b>\$10,000.00</b>
<b>WANGARATTA PICKLEBALL CLUB INCORPORATED</b>	pickleball net upgrades	Our old nets are showing wear and tear so upgraded new nets are required to keep up with the increasing number of courts being used as membership and participation increases.	<b>\$6,305.25 (asked for \$9,688)</b>

<b>The King River and District Fishing Club</b>	Access Gate, Glenrowan Rec Reserve	We aim to install a pedestrian Access gate suitable for Wheelchair access and repair the track leading up to access point, creating safer access.	<b>\$3,000.00</b>
<b>Football Victoria</b>	Regional All Abilities Rebellion Soccer Team	All Abilities Soccer is a fun, inclusive program where people with disabilities and mental health challenges play, connect, build confidence, and enjoy a safe, supportive team environment.	<b>\$1,902.18 (asked for \$10,000)</b>
<b>Tarrawingee Football and Netball Club</b>	Upgrade to Scoreboard	The Tarrawingee Football and Netball Club wishes to replace the current dated scoreboard to an electronic scoreboard resulting in greater operating capacity for the club, its facilities and its volunteers.	<b>\$10,000.00</b>
<b>Wangaratta Sports Club</b>	Wangaratta Sports Carnival	Featuring afternoon and evening events, culminating in running of the Wangaratta Gift under lights. Entry is free, providing the community access to the best handicapped racing in the country.	<b>\$8,000.00</b>
<b>TOTAL</b>		<b>RECOMMENDED FUNDING</b>	<b>\$165,396.68</b>