

WANGARATTA RURAL CITY COUNCIL



MINUTES OF THE ORDINARY MEETING
OF THE WANGARATTA RURAL CITY COUNCIL, HELD
IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES,
62-68 OVENS STREET, WANGARATTA
ON **TUESDAY, 10 DECEMBER 2013** COMMENCING AT 7.00PM

Kelvin Spiller
ACTING CHIEF EXECUTIVE OFFICER

As at 6/01/14 3:43 PM

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1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

2. OPENING PRAYER

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

3. PRESENT

Administrators:

Mrs Ailsa Fox, Chair; Ms Irene Grant; Mr Rod Roscholler

Officers Present:

Mr Kelvin Spiller, Acting Chief Executive Officer; Mrs Ruth Kneebone, Acting Director Sustainability; Mr Adrian Gasperoni, Acting Director Infrastructure Services; Ms Penny Hargrave, Acting Director Community Wellbeing

4. ABSENT

Nil

5. ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE

ORDER OF BUSINESS

6. CITIZENSHIP CEREMONY

The Australian Citizenship ceremony was held.

7. CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting of 19 November 2013 and the Special Meeting of 3 December 2013 be taken as read and confirmed as a true and accurate record of the proceedings of those meetings.

The motion was declared agreed by the Chair.

8. CONFLICT OF INTEREST DISCLOSURE

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

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

Nil

9. RECEPTION OF PETITIONS

Nil

10. HEARING OF DEPUTATIONS

Nil

TIDY TOWN OF THE YEAR PRESENTATION

10.1.1.1 TIDY TOWNS SUSTAINABLE COMMUNITIES AWARD 2013

Wangaratta Community Pride Committee

68.020.007

Introduction

Wangaratta was named the Tidy Town of the Year at the 2013 Keep Australia Beautiful Victoria – Tidy Towns Sustainable Communities Awards at Wycheproof on Saturday 12 October 2013.

Background

The award application was submitted by the Wangaratta Community Pride Committee, based on 11 projects by community groups throughout the municipality. Eight of these projects were selected as finalists for the awards. The table below shows the scope of work by these community groups. These projects demonstrate strong participation of the RCOW community in local sustainability.

Implications

As State winner, Wangaratta will become a finalist in the National Tidy Town awards. Wangaratta will also host the 2014 Victorian Awards presentation evening, with funding and administrative support from Keep Australia Beautiful Victoria.

Conclusion

At the Council meeting, the Wangaratta Community Pride Committee Chair Ms Marg Pullen, presented the plaque and award to Council to display for 12 months in public areas, for example the Council Chamber and Council Foyer.

Ms Pullen and a number of members of the Wangaratta Community Pride Committee made presentations to Council's Chair Administrator, Ms Ailsa Fox, who expressed Council's gratitude for the extraordinary volunteer effort made by this Committee.

Award Category	Finalist	Details of Project
Active Schools	Whitfield District Primary School (Highly Commended)	A program of sustainable living practices to teach students in their daily program.
Community Action Leadership	Wangaratta Community Pride	Recognition of volunteering through Volunteer Week event and networks with community groups.
Cultural Heritage	<ul style="list-style-type: none"> · El Dorado Museum Association · Milawa Heritage Group (Highly Commended) 	Promotion of museum collection and historical stories to the public. History of Ovens Valley in Milawa/Oxley - "A Mile Away"
Government Partnerships	Oxley Residents Association	Development of Oxley Memorial Park.
Litter Prevention	Community Pride Committee	Creation of local "Do your Litter Bit, Bin It" litter prevention campaign.
Pam Keating Environmental Sustainability	Wangaratta Sustainability Network	Sustainable House Day and related education in Wangaratta district.
Young Leaders	Wangaratta Youth Council	Showcasing work for youth in the local community.
NOTE: The award citation also recognises Council's Eco Living Project to encourage sustainable home practices in the community.		

11. PRESENTATION OF REPORTS

11.1 ADMINISTRATORS' REPORTS

Nil

11.2 OFFICERS' REPORTS

11.2.1 EXECUTIVE SERVICES

11.2.1.1 COUNCIL MEETING DATES AND VENUES 2014

Council Meetings

10.020.002

Introduction

This report provides a schedule for the Council Meetings for the first quarter of 2014.

Background

The *Local Government Act 1989(S.89 (4))* requires that reasonable notice be given to the public of meetings of the Council. This has been achieved by publishing the date and location of the meeting in the Wangaratta Chronicle on 2 consecutive Fridays prior to the meeting and the annual calendar of meetings on Council's website.

Council has maintained a policy of conducting four Council Meetings annually in rural townships throughout the Rural City of Wangaratta since 1997.

Currently this policy is being reviewed and Council is considering whether it would be more beneficial for rural communities if the Council was to visit rural areas for the purpose of having discussions with the particular community regarding issues specific to that community rather than conducting a Council meeting.

Council is also testing a new starting time for Council meetings and this will be 6:00pm for the first three meeting in 2014. The meetings will be held at the Wangaratta Government Centre.

Issues

Council must establish its schedule of Ordinary Council Meeting dates and venues for 2014 to allow for notice to be given and advance planning. This report provides the schedule for the first quarter of 2014.

Tuesday 21 January	6.00 pm Wangaratta
Tuesday 18 February	6.00 pm Wangaratta
Tuesday 18 March	6.00 pm Wangaratta

Implications

Council Plan Outcomes

The proposed Ordinary Meeting dates and venues schedule meets Council's objective of community leadership through the provision of accessible, open and

consultative government which is further specified under Council Plan Actions to continue rotation of Council meetings.

Community Engagement

Public Question Time provides an opportunity for community engagement at each Council meeting. This is only one of a range of community engagement processes which occur depending on the type of issue being considered by the Council and community segment which may be affected.

Consideration is being given to conducting community consultation opportunities in rural locations to allow for relevant community issues to be discussed rather than conducting Council meetings in rural areas.

Recommendation

That Council resolves that the schedule of Ordinary Council Meeting dates and venues for the first quarter of 2014 be as follows:

- ***Tuesday 21 January 6.00 pm Wangaratta;***
- ***Tuesday 18 February 6.00 pm Wangaratta; and***
- ***Tuesday 18 March 6.00 pm Wangaratta.***

The motion was declared agreed by the Chair.

Communication

Public notification will be provided of Council's Ordinary Meeting dates and venues for the first quarter of 2014.

11.2.1.2 APPOINTMENT OF CHIEF EXECUTIVE OFFICER

CEO Correspondence

20.020.003

Introduction

This report provides for the formal appointment of Brendan James McGrath as Chief Executive Officer for the Rural City of Wangaratta.

Background

Council's former Chief Executive Officer, Mr Doug Sharp, separated from the employment of Council on 30 August 2013.

As a result, Council has conducted an extensive executive search, including advertising in a newspaper circulating generally through Victoria, to enable the recruitment of a Chief Executive Officer utilising the services of SACS Consulting. The exhaustive process which included interviews, psychological assessments and reference checking resulted in the Administrators determining that the preferred candidate was Brendan James McGrath.

Issues

The following requirements of the *Local Government Act 1989*, Section 94 are applicable to this appointment:

(1) A Council must appoint a natural person to be its Chief Executive Officer;

(1A) The Council must make a permanent appointment to the position of Chief Executive Officer as soon as is reasonably practicable after a vacancy in the position occurs;

(2) The Chief Executive Officer is a member of Council staff;

(3) A Council may only appoint a person to be its Chief Executive Officer after it has invited applications for the position in a notice in a newspaper circulating generally throughout Victoria and has considered all applications received by it that comply with the conditions specified in the notice.

Implications

Council Plan Outcomes

The Chief Executive officer is responsible for ensuring the delivery of the Council Plan.

Sustainability

The appointment of the Chief Executive will contribute to outcomes which will be very positive for the sustainability of:

- Local Economy;
- Local Environment;
- Local Community;
- Council's Workplace; and
- Council's Financial Position.

Conclusion

As a consequence of the above the Council must formalise the appointment of its Chief Executive Officer.

Recommendation

That the Council resolves to:

- 1. appoint Brendan James McGrath as its Chief Executive Officer in accordance with the terms as agreed between Mr McGrath and the Council and set out in the contract of employment; and**
- 2. sign and seal the contract of employment.**

The motion was declared agreed by the Chair.

Communication

As this appointment has been well publicised, no further communication is intended.

11.2.2 SUSTAINABILITY

11.2.2.1 RATING STRATEGY REVIEW

Council Budget 2014/15

51.060.022

Introduction

This report provides details of the proposed process for review, engagement, consultation and development of Council's Rating Strategy.

Background

Council's current rating strategy was last comprehensively reviewed in May 2007. This review was applied to rate revenue raised in the 2007/08 financial year. During the review, the following changes were made to Council's rating system:

- The definitions of rating categories were aligned to the Land Use Zones of the Wangaratta Planning Scheme rather than previously being defined by size and use; and
- A new rating category for 'Vacant Rural Residential' properties was introduced.

Following this review, slight changes to the rating differentials for 'Rural residential', 'Vacant rural residential' and 'Large Commercial & Industrial' properties were made for application to the 2008/09 financial year. From the financial years 2009/10 to 2013/14 financial years, Council has retained a reasonably consistent rating system with the exception of combining 'Rural/Residential' category with the 'General' category and removing the discount provided to 'Large Commercial & Industrial' properties in 2012/13. This was as a consequence of a rating strategy review adopted by Council as part of its 2012/13 budget deliberations (**refer attachment**). This strategy also adopted the following differentials and principles:

1. *current rating differentials be consolidated to the following differential categories, removing the Rural/Residential and Large Commercial/Industrial rate types:*

<i>Differential Category</i>	<i>Percentage of General Rate %</i>
	2012
<i>General, Rural/Residential</i>	100
<i>Vacant General</i>	200
<i>Vacant Rural/Residential</i>	200
<i>Rural</i>	73
<i>Rec & Cultural</i>	60
<i>Commercial/Industrial</i>	130
<i>Vacant Commercial/Industrial</i>	200

2. Council's long term financial planning principle of a rate increase consisting of 'property growth plus a cost index factor' be retained;
3. That the nexus between the Land Use Zones of the Wangaratta Planning Scheme and the definitions of the rating differentials be retained;
4. The following principles be applied to Council's rating system:
 - Equity – pursue an equitable distribution of the rating obligation across the community according to assessment of property wealth, benefit received and community resource allocation;
 - Transparency – ensure full, accurate and timely disclosure of rating information;
 - Consistency – ensure that spending and rating policies are consistent with corporate direction and promote a reasonable degree of stability in the level of the rating obligation;
 - Sustainability – adopt a triple-bottom-line approach to rating decisions, having regards to economic, social and environmental factors; and
 - Simplicity – pursue a rating system that is simple to understand and administer.

Table 1.1 summarises the general rate and differential rates for the last five financial years.

Rate type	Percentage of General Rate %				
	2009/10	2010/11	2011/12	2012/13	2013/14
General	100	100	100	100	100
Vacant General	200	200	200	200	200
Rural / Residential	100	100	100	-	-
Vacant Rural/Residential	200	200	200	200	200
Rural	73	73	73	73.5	73.5
Rec & Cultural	60	60	60	60	60
Commercial/Industrial	130	130	130	135	130
Vacant Commercial/Industrial	200	200	200	200	200
Large Commercial/Industrial	123	123	123	-	-

Table 1.1 History of differential rates

Issues

Council Plan

Council's 2013-2017 Council Plan contains an Action to:

'Undertake a rating review to ensure that the rating strategy is consistent with Council plan objectives and Ministerial Guidelines.'

Council Plan objectives in relation to this matter are:

- 4.1 *'To plan for and provide infrastructure appropriate to the community's needs; and*
- 4.2 *To ensure that Council's plans and budgets are responsible and sustainable.'*

Legislation

The *Local Government Legislation Amendment (Miscellaneous) Act 2012* empowered the Minister for Local Government to set guidelines for the application of differential rates and to prevent Councils from applying differential rates that are inconsistent with those guidelines (**refer attachment**). Council's Rating Strategy, adopted in 2012, supports the principles and guidelines provided by the Minister.

Community Engagement

It is essential that the rating strategy review adopt an appropriate engagement and consultation policy.

Implications

As a requirement of Council's 2013 – 2017 Council Plan and in support of the Ministerial Guidelines for Differential Rating, Council will undertake a Review of its Rating Strategy for application to the 2014/15 financial year.

This review will incorporate community engagement including:

- the establishment of a reference group representing a cross section of stakeholders. Draft Terms of Reference are provided for information (**refer attachment**). This may include representation from:
 - the Victorian Farmers Federation;
 - Charitable organisations;
 - Retirement villages;
 - Wangaratta Unlimited;
 - Council's Agriculture and Agribusiness Advisory Committee;
 - Business Wangaratta; and
 - Tourism and environmental groups
- public notices;
- media releases; and
- website content.

It is proposed that the following timelines will apply to the strategy review:

- Reference Group established – January 2014;
- Community engagement and consultation – February 2014; and
- Rating Strategy formulation – March 2014.

Conclusion

A Rating Strategy Review will be undertaken during the 2013/14 financial year to inform the 2014/15 budget and to ensure that Council's rating strategy is sustainable, compliant and reflects community aspirations.

Recommendation

That Council resolves to:

- 1. endorse the Draft Terms of Reference; and***
- 2. undertake a Rating Strategy Review during January and March of 2014.***

The motion was declared agreed by the Chair.

11.2.2.2 DRAFT WANGARATTA CENTRAL ACTIVITIES AREA FUTURE PLANNING REPORT

Draft Wangaratta CAA Future Planning Report

30.013

Introduction

This report provides background to the preparation of the Draft Wangaratta Central Activities Area Future Planning Report and seeks Council's endorsement to place the Draft Future Planning Report and supporting documentation on public exhibition.

Background

The Rural City of Wangaratta 2030 Community Vision contains a number of distinct outcomes for the Rural City of Wangaratta.

This includes that Wangaratta *'continues to be a thriving regional centre, renowned for its high-standard housing, employment, retail businesses, industry, sports and recreation, culture and tourism.'*

The delivery of this Draft Future Planning Report was subsequently funded through Council's Budget as a major project in the strategic planning program.

Council engaged SMEC Urban in December 2012 to examine the future planning and role of the Central Activities Area within the City. This engagement included community and stakeholder engagement on the planning directions for the Wangaratta Central Activities Area.

The development of the Draft Future Planning Report included three key steps:

Stage 1 - Background research – including the preparation of a Background Report dated August 2013 (*refer attachment*).

Stage 2 – Consultation – including a 3 day Enquiry by Design Workshop process during March 2013.

Stage 3 – Preparation of the Draft Future Planning Report including the Background Report (*refer attachment*).

This project commenced in December 2012. The aims of the project were to:

- Review the current situation in the Wangaratta Central Activities Area;
- Identify/finalise the boundaries of Central Activities Area;
- Develop a vision for the Central Activities Area; and
- Provide recommendations to Council

Issues

The key findings of the Background Report were:

- Reinforcement of the role of the Wangaratta Central Activities Area as the major multi-functional activity focus area to serve the needs of the local community and regional population;
- Opportunity exists to further develop commercial, residential, tourism, educational, civic and recreational uses and developments, and to apply a high standard of urban design, and street works in the area;
- The emerging arts and cultural precinct in Ford Street complements the commercial and mixed uses in this area;
- Car parking provision and location is an important issue for Wangaratta and the Wangaratta Central Activities Area;
- Medical uses have emerged around the Wangaratta public and private hospitals, creating some potential amenity conflicts with residential uses, pressure on the residential dwelling supply and car parking difficulties; and
- Minimisation of the environmental impacts of built form.

The Draft Wangaratta Central Activities Area Future Planning Report provides Council and the local community with 10 key vision principles and supporting strategic directions for the future development of Wangaratta Central Activities Area.

The key recommendations for Council from the Draft Wangaratta Central Activities Area Future Planning Report are to prepare:

- a Structure Plan for the Central Activities Area;
- a Signage and Way Finding strategy for the Central Activities Area to co-ordinate directional signage, promote services and important activities and enhance existing signage; and
- a revised Car Parking strategy to address arrangements external to the Wangaratta Central Activities Area and the impact of congested traffic movement through the general area.

There are also a number of Council specific outcomes including:

- Various minor Amendments to the Wangaratta Planning Scheme including clear identification of Central Activities Area boundaries and new Commercial zonings in the Central Activities Area;
- Implement the outcomes of Population and Housing Strategy including applying new residential rezoning;
- Implement the Tourism and Economic Development Strategy 2012-2015;

- Seek financial contributions toward joint infrastructure through developer contributions; and
- Investigate a location for an adaptive performance space within Merriwa Park.

Implications

The Draft Wangaratta Central Activities Area Future Planning Report supports a range of actions to implement the vision for the Wangaratta Central Activities Area.

Further work is required to implement the findings of the Draft Wangaratta Central Activities Area Future Planning Report.

Community Engagement

The local community and key stakeholders were actively engaged during the development of this project.

Five consultation workshops were conducted to seek input from stakeholders and the community for developing the vision for Central Activities Area.

Re-engagement with those persons/agencies will occur during the public comment/exhibition process following Council endorsement of the Draft Wangaratta Central Activities Area Future Planning Report.

This process will give consideration to the Christmas and New Year period and provide sufficient lead-in time to ensure that re-engaging the community on this work is effective.

Recommendations

That Council resolves to:

- 1. endorse the Draft Wangaratta Central Activities Area Future Planning Report and supporting reports, amended to include the consideration of bicycle safety and Access and Inclusion, for public exhibition and consultation;***
- 2. re-engage with those individuals, agencies and groups involved in the community engagement held to develop the Draft Wangaratta Central Activities Area Future Planning Report in early 2014 prior to formal exhibition; and***
- 3. exhibit the Draft Wangaratta Central Activities Area Future Planning Report and supporting Background Report for a period of 28 days in early 2014.***

The motion was declared agreed by the Chair.

11.2.2.3 DRAFT RURAL CITY OF WANGARATTA POPULATION AND HOUSING STRATEGY

Draft Rural City of Wangaratta Population and Housing Strategy

30.073.050/30.013.01032

Introduction

This report provides a summary of submissions received to the Draft Rural City of Wangaratta Population and Housing Strategy and seeks Council's endorsement of the Draft Strategy as exhibited with recommended corrections and alterations.

Background

Council resolved at its meeting on the 17 September 2013 to:

1. *endorse the Draft Rural City of Wangaratta Population and Housing Strategy;*
2. *determine that the Draft Rural City of Wangaratta Population and Housing Strategy is no longer confidential;*
3. *authorise the CEO to undertake to exhibit the Draft Strategy for public comment for a period of 30 days; and*
4. *ensure that, following public exhibition, a report outlining details of the submissions received is presented to Council for further consideration of the Draft Strategy.*

The Draft Rural City of Wangaratta Population and Housing Strategy was exhibited from the 20 September to the 22 October 2013.

Submissions to the Draft Rural City of Wangaratta Population and Housing Strategy

Submissions to the Draft Rural City of Wangaratta Population and Housing Strategy include:

1. Those proposals and rezoning submissions provided to Council by eleven proponents; and
2. Submissions made during the public exhibition period.

All submissions have been summarised, responded to and recommendations made to alter the Draft Rural City of Wangaratta Population and Housing Strategy in response to some submissions. These are contained in Attachment 2 (***refer attachment***).

Council Technical Submissions

As part of the officer review of the Draft Rural City of Wangaratta Population and Housing Strategy, comments have been provided from Technical Services and Environment Services Units. The issues raised by this review include:

- confirming the technical advice provided during the development of the Draft Rural City of Wangaratta Population and Housing Strategy regarding the infrastructure, drainage and flooding issues within the long-term residential development area in the north-west growth corridor of Wangaratta;
- costs associated with future development of this area and the technical requirements to fully assess the capability and suitability of this area for future development;
- ‘significant assets’ within the Municipality needs to include roadside vegetation;
- improving the social connectivity within the Municipality;
- the need to ensure that infill developments also include provision for Water Sensitive Urban Design;
- the need to consider the issues associated with climate change adaptation;
- the need to link future structure planning to corridors of remnant vegetation and waterways; and
- the buffers to the abattoir in Greta Road must be considered.

The Draft Rural City of Wangaratta Population and Housing Strategy acknowledges the constraints of drainage and flooding within the long term residential growth area of the north-west growth corridor. It will be necessary to investigate these limitations and constraints in conjunction with the future planning of this area. These constraints alone do not preclude this area from strategic investigations as recommended by the Draft Rural City of Wangaratta Population and Housing Strategy.

The technical matters raised regarding response of the Draft Rural City of Wangaratta Population and Housing Strategy will be discussed with the project consultant at the time of developing Structure Plans and Development Contributions.

Minor Draft Rural City of Wangaratta Population and Housing Strategy Corrections

During public exhibition of the Draft Rural City of Wangaratta Population and Housing Strategy a number of anomalies have been identified. Minor corrections and typographical corrections are recommended. These corrections do not alter the intent of the Draft Rural City of Wangaratta Population and Housing Strategy.

Submitters Meeting

Council facilitated a submitters meeting on Wednesday 13 November 2013 to discuss the Draft Rural City of Wangaratta Population and Housing Strategy and identify the range of submissions made during public exhibition. From this meeting two additional submissions have been made to Council.

The additional issues raised include:

- Concerns over the intensification of residential development in the Central Activities Area; and
- Issues regarding the equine development on Reith Road.

It is considered that the general issues raised in the submission regarding Central Activities Area have been dealt with in the Draft Rural City of Wangaratta Population and Housing Strategy.

In respect of the Reith Road additional submission regarding three issues raised for Council's consideration, the following response is provided:

- The agreement of all parties is essential to ensure that the equine development proposal can proceed. Council will note that the Wangaratta Turf Club have identified the equine development as a key investment in the development of the facilities at the Turf Club;
- Council has raised informally the issue of Structure Planning for the equine area with the proponent and this is consistent with the overall need to develop a clear direction for the north-west growth corridor. There is likely to be shared access to the Turf Club from two (2) parcels of land. To consider this and other related matters, the development of a Structure Plan should be considered;
- Council has identified two (2) parcels as having suitability to develop for equine purposes. This allows for a range of options to be explored that respond to demands now and in the future. Council has not received any submission or objection from the adjoining land also identified as being suitable for equine development from being included in the Draft Rural City of Wangaratta Population and Housing Strategy.

It is considered that Council has provided sufficient support for the equine proposal identified in the Draft Rural City of Wangaratta Population and Housing Strategy to facilitate this development.

Stage 2: Rural City of Wangaratta Population and Housing Strategy Implementation

The implementation of the Rural City of Wangaratta Population and Housing Strategy now involves a number of priority short-term projects identified in Section 10.1 of the Strategy. These include:

1. Wangaratta City Greenfield Urban Expansion Areas - Commence the process of structure planning, development contributions, rezoning, development plan overlay and precinct planning processes for greenfield urban expansion areas to the north-west and south of the City to deliver short to medium term land supply. This process will determine development constraints, housing mix and density, key nodes, community facilities and commercial development, infrastructure requirements and areas of environmental significance.

Council Response

The scope of this work is being developed with the project consultants Aurecon and a briefing will be provided to Council. It is anticipated that this process will begin in early 2014.

2. Continued Central Activities Area (CAA) Intensification based on existing provisions at Clause 22.02-1 of the Wangaratta Planning Scheme, Wangaratta Central Activities Area Urban Design Framework, Apex Park, the Faithfull Street Precinct, Victoria Parade, Chisholm Street, Southern Gateway and Merriwa Park Precinct bounded by Norton Street, Green Street and the Railway line. Housing sites are included within these precincts.

Council Response

Council has commenced this process and is considering the introduction of the new Residential Growth Zone within these areas with the preparation of Draft Amendment C53. This Draft Amendment will be referred to Council for consideration and approval to proceed to authorisation in December 2013 – refer to item 11.2.2.8 of this business paper.

3. Wangaratta City Equine Related Development - Land to the south-west of the Wangaratta Racecourse and west of Three Mile Creek, east of Reith Road. Investigate the potential to provide for live/work training opportunities in association with the Wangaratta Racecourse including horse stabling and training facilities either on allotments greater than 2 hectares in area or through the retention of the current allotment pattern for larger equine related development. Obtain consensus from the Wangaratta Racecourse, landowners and the Council.

Council Response

Council has received a proposal for equine related development within the area identified within the Draft Strategy. This requires the preparation of a planning scheme amendment to rezone the land to facilitate the proposed equine related development. This will require modification of the current Special Use Zone that applies to the racecourse, development of a structure plan and the preparation of a local planning policy for the proposed equine related development.

As recommended in Attachment 2 of this report (*refer attachment*), the Draft Rural City of Wangaratta Population and Housing Strategy (p.97 Action 26) would be amended to reflect the minimum lot size (being the average of between 1 and 2 hectares) for the future development of this area.

4. Implement the New Residential Zones into the Wangaratta Planning Scheme for Wangaratta City as follows:
 - a) Central Activities Area comprising the mixed use land within the Wangaratta City centre;
 - b) Rezone the residential areas within the Infill Residential Growth Area, not covered by heritage control or of outstanding character as Residential Growth Zone (RGZ) to facilitate infill residential development;
 - c) Rezone the remaining areas within the Infill Residential Growth Area covered by heritage control or of outstanding character as Neighbourhood Residential (NRZ) for protecting and promoting the character of these areas;
 - d) Rezone the remaining established residential areas outside of the Central Activities Area and the Infill Residential Growth Area, and future residential Greenfield locations as General Residential Zone (GRZ).

Council Response

As outlined above Council has commenced this process and is considering the introduction of the new Residential Growth Zone within these areas with the preparation of Draft Amendment C53. This Draft Amendment will be referred to Council for consideration and approval to proceed to authorisation in December 2013 - refer to item 11.2.2.8 of this business paper.

5. Undertake the necessary Central Activities Area “Future Planning” Study and resultant strategic planning investigations in order to build on previous Central Activities Area investigations including the Wangaratta Urban Design Framework 2002 and Master Plan and Structure Plan for the Ovens River / Faithfull Street Precinct 2001, and provide direction for future mixed use investment including housing in the Central Activities Area.

Council Response

Council has received the Draft Central Activities Area Future Planning Report with a view to publicly exhibit the Draft findings of that work in early 2014 to enable further investigations to continue.

6. Prepare a Townships Structure Plan for the Rural City that sets out of the preferred location of housing within each of the townships having regard to the existing available land supply, and the need to develop a statutory framework in which to consider new housing proposals.

Council Response

Council has previously identified the need to prepare Structure Plans for Glenrowan, Milawa and Oxley. Work has commenced on the Glenrowan Structure Plan with the exhibition of the Bushfire Assessment Report. It is anticipated that formal engagement with the local community will commence early in 2014.

7. Undertake a review of the Draft Rural Land Strategy (2012) and implement through an amendment to the Wangaratta Planning Scheme.

Council Response

A review of Draft 2 of the Rural Land Strategy has been prepared and will be presented to Council for consideration.

Council Plan Outcomes

The Population and Housing Strategy provides the overall guidance to commence the implementation of Section 5.1.1.1. of Council Plan that identifies that Council will:

Develop and pursue an overall housing/population strategy which takes into account: appropriate zoning; density and service provision to accommodate population growth within Wangaratta and surrounding townships; and structure plans.

Sustainability

The outcomes of the Population and Housing Strategy are very positive for the sustainability of:

- Local Economy;
- Local Environment; and
- Local Community

Community Engagement

Those persons making submission to the Population and Housing Strategy will be advised of Council's decision in writing

Conclusion

As a consequence of the above, the Rural City of Wangaratta Population and Housing Strategy is ready to be endorsed by Council to enable further strategic progress on delivering Councils 2030 Vision for the municipality.

Recommendation

That Council resolves to:

- 1. adopt the Draft Population and Housing Strategy, as exhibited, with amendments as highlighted in this report in response to submissions received during public exhibition as well as minor corrections to the Draft Strategy; and***
- 2. notify those persons who made submissions of Council's decision in this matter.***

The motion was declared agreed by the Chair.

Communication

All persons making a submission to the Draft Population and Housing Strategy will be advised of Council's decision.

11.2.2.4 DRAFT GLENROWAN BUSHFIRE ASSESSMENT REPORT

Glenrowan Bushfire Study

73.010.021

Introduction

This report provides a summary of the outcomes of public exhibition of the Draft Glenrowan Bushfire Assessment Report (“Draft Report”) and recommends, that subject to minor changes resulting from public comment, the report be adopted by Council.

Background

The Draft Glenrowan Bushfire Assessment Report was considered by Council at its meeting on 8 October 2013.

Council resolved at that meeting:

‘to authorise the Chief Executive Officer to:

1. *exhibit the Glenrowan Bushfire Assessment for public comment for a period of 28 days;*
2. *consult with relevant agencies and stakeholders regarding the completed assessment; and*
3. *present a further report to Council, with any submissions, at the end of the public exhibition period.’*

The Draft Glenrowan Bushfire Assessment Report was exhibited for public comment from the 18 October 2013 to the 22 November 2013. A total of three (3) submissions were received and these are included in Attachment 1 (***refer attachment***).

Consideration of Submissions

One submission raises no objection to the Draft Glenrowan Bushfire Assessment Report.

The second submission received to the Draft Glenrowan Bushfire Assessment Report raised concern over terminology used in reference to a precinct identified in the report. From a land use planning perspective this is an area not identified for strategic growth of Glenrowan. The third submission supports the findings of the Study.

It is recommended that the Draft Glenrowan Bushfire Assessment Report be amended to introduce a suitable reference to highlight the bushfire planning restrictions on this precinct. This will be undertaken in conjunction with bushfire consultants Terramatrix.

Implications

The Draft Glenrowan Bushfire Assessment Report provides input into Council's Structure Planning process for Glenrowan. Further work is required to implement the findings of the Draft Glenrowan Bushfire Assessment Report through this process.

Council Plan Outcomes

The adoption of the Draft Glenrowan Bushfire Assessment Report is consistent with the Council's Plan 2013-2017. Objective 5.2 aspires *'to ensure land use planning provides balanced outcomes for community growth, existing land use, environment and heritage.'*

Sustainability

The outcomes of the Draft Glenrowan Bushfire Assessment Report are very positive for the sustainability of:

- Local Economy;
- Local Environment; and
- Local Community.

Community Engagement

Council has engaged with the local community on the Draft Glenrowan Bushfire Assessment Report.

Recommendation

That Council resolves to:

- 1. endorse the Draft Glenrowan Bushfire Assessment Report as exhibited with amendment to terminology; and***
- 2. notify those person/s who made submissions to the Draft Glenrowan Bushfire Assessment Report of Council's decision.***

The motion was declared agreed by the Chair.

Communication

All persons making a submission to the Draft Glenrowan Bushfire Assessment Report will be advised of Council's decision.

11.2.2.5 DRAFT AMENDMENT C38 TO WANGARATTA PLANNING SCHEME – MAPPING ERRORS AND ANOMALIES

Planning Scheme Amendment C38 – Mapping Errors and Anomalies

73.010.020

Introduction

This report seeks Council's agreement to adopt Draft Amendment C38 in full and submit the Draft Amendment to the Minister for Planning under Section 31 of the *Planning and Environment Act 1987* requesting the Minister's approval.

Background

Amendment C38 was considered by Council on the 25 January 2011.

At that meeting Council resolved to:

1. *Seek authorisation from the Minister for Planning to prepare an amendment to the Wangaratta Planning Scheme to correct mapping errors as contained in the explanatory report and shown on the prepared maps;*
2. *Apply for an exemption to the requirements for giving notice of the amendment pursuant to Section 20(2) of the Planning & Environment Act 1987; and*
3. *Request that the Minister for Planning authorise Council to approve the amendment.*

Authorisation to proceed with the amendment was provided on the 17 February 2012 and extended for 12 months.

Current Situation

The Amendment was exhibited for public comment from the 10 October 2013 to the 8 November 2013. Notification in accordance with Section 19(1) of the *Planning and Environment Act 1987* was also undertaken.

Five (5) submissions were received from the Environment Protection Authority, North East Water, Goulburn Murray Water, North East Catchment Management Authority and Department of Environment and Primary Industries (***refer attachment***).

Generally, the submissions provided to Council raise no objection to the proposed draft amendment.

The submission from North East Catchment Management Authority however raises three issues for Council's attention and response:

1. **Minor mapping corrections** – minor adjustments to zone mapping have been identified by North East Catchment Management Authority to correct the proposed zoning changes on Map 18/19 to Lot O PS615934. The recommended changes clarify the current incorrect zone boundary position and remove the incorrect PPRZ zone on private land.
2. **Flood levee in Parfitt Road** – the adjustment to the zone boundary is required to correct the encroachment of a public land zoning on private land. This adjustment will not impact the levee system and the comments by North East Catchment Management Authority are noted.
3. **Flood overlay request for Templeton Street** – the application of the flood overlay has been deferred to inclusion within Draft Amendment C54 which was considered by Council at its meeting in October 2013 to seek authorisation from the Minister for Planning.

Planning Panels Victoria was notified on the 11 November 2013 that a Panel Hearing was not considered necessary for the Draft Amendment.

Implications

Council Plan Outcomes

The proposal is consistent with Objective 5.2 *'To ensure land use planning provides balanced outcomes for community, growth, existing land use, environment and heritage'*

Sustainability

The outcomes of the Draft Amendment are positive for the sustainability of:

- Local Economy;
- Local Environment; and
- Local Community.

Community Engagement

Council has complied with notification requirements under the *Planning and Environment Act 1987*.

Recommendation

That Council resolves to:

- 1. adopt Draft Amendment C38 Mapping Corrections in full, with minor amendments to Zoning Map 18 and 19 under Section 29 of the Planning and Environment Act 1987; and***
- 2. submit Draft Amendment C38 Mapping Corrections to the Minister for Planning requesting the Minister approve the Draft Amendment under Section 35 of the Planning and Environment Act 1987.***

The motion was declared agreed by the Chair.

Communication

A formal written request will be forwarded to the Department of Transport, Planning and Local Infrastructure seeking approval of the amendment.

11.2.2.6 DRAFT AMENDMENT C46 TO WANGARATTA PLANNING SCHEME – ADVERTISING SIGNS POLICY

Planning Scheme Amendment C46 - Advertising Signs Policy

73.030.064

Introduction

This report seeks Council's agreement to adopt Draft Amendment C46 in full and submit the Draft Amendment to the Minister for Planning (the Minister) under Section 31 of the *Planning and Environment Act 1987* (the Act) requesting the Minister's approval.

Background

Amendment C46 was considered by Council on the 18 June 2013.

At that meeting Council resolved to:

- '1. adopt the amended Advertising Signs Local Policy;*
- 2. resubmit the amendment to the Minister for Planning to amend the Wangaratta Planning Scheme to incorporate the proposed Advertising Signs Policy in the Local Planning Policy Framework;*
- 3. subject to authorisation being received from the Minister exhibit the draft amendment for public comment; and*
- 4. delegate to the Chief Executive Officer to permit minor amendments or changes to the Draft Amendment with the Minister as required.'*

Authorisation to proceed with the amendment was provided by the Minister on the 24 September 2013 and extended for 12 months.

Current Situation

The amendment was exhibited for public comment from Thursday 24 October 2013 to Friday 22 November 2013.

Notification in accordance with Section 19(1) of the *Planning and Environment Act 1987* was also undertaken.

Three (3) submissions were received from the Environment Protection Authority, Goulburn Murray Water and North East Catchment Management Authority (***refer attachment***).

Generally, the submissions provided to Council raise no objection to the proposed draft amendment.

Planning Panels Victoria was notified on the 26 November 2013 that a Panel Hearing was not considered necessary for the Draft Amendment.

Implications

Council Plan 2013-2017 Objectives

The proposal is consistent with Objective 5.2 *‘To ensure land use planning provides balanced outcomes for community, growth, existing land use, environment and heritage’*

Sustainability

The outcomes of the draft amendment are very positive for the sustainability of:

- Local Economy;
- Local Environment; and
- Local Community.

Community Engagement

Council has complied with notification requirements under the *Planning and Environment Act 1987*.

Recommendation

That Council resolves to:

- 1. adopt Draft Amendment C46 Advertising Signs Policy in full under Section 29 of the Planning and Environment Act 1987; and***
- 2. submit Draft Amendment C46 Advertising Signs Policy to the Minister for Planning requesting the Minister approve the Draft Amendment under Section 35 of the Planning and Environment Act 1987.***

The motion was declared agreed by the Chair.

Communication

A formal written request will be forwarded to the Department of Transport, Planning and Local Infrastructure seeking approval of the amendment.

11.2.2.7 AMENDMENT NO. C47 – REZONING OF 2-6 GREEN STREET, WANGARATTA AND APPLICATION OF AN ENVIRONMENTAL AUDIT OVERLAY

Planning Scheme Amendment C47 – Rezoning of 2-6 Green Street

11566

Introduction

This report seeks Council's agreement to adopt Amendment C47 pursuant to Section 27 of the *Planning and Environment Act 1987* (the Act) and to seek the Minister for Planning's approval pursuant to Section 31 of the Act to rezone 2-6 Green Street, Wangaratta from Residential 1 Zone to Commercial 1 Zone and to apply an Environmental Audit Overlay over the site.

Background

The site is an irregular shape, comprises approximately an area of 3,200 square metres and is currently zoned Residential 1.

From 1925 to 1998 the site was used as a fuel depot. In 1998 fuel depot operations ceased and the site was fully decommissioned. All known underground storage tanks (UST) and above ground infrastructure were removed. The site has been vacant and disused since that time.

As the land has been used previously for a fuel depot, it meets the definition of high risk for potential contamination of land and could not be developed for any sensitive use (dwelling/residential, childcare centre, school etc.) unless a satisfactory Environmental Audit is undertaken.

Current Situation

URS Australia was engaged by Shell Australia Ltd. to consult with Council and investigate the potential for redevelopment and rezoning of the site.

Council resolved on 20 August 2013 to seek authorisation to prepare and exhibit Amendment C47. The amendment was exhibited from 3 October 2013 until 4 November 2013.

Submissions

No submissions objecting to the proposed amendment have been received to date. One submission was received from the Environmental Protection Authority which stated:

“EPA acknowledged the effort council has made to ensure that this amendment provides strong controls for the future use of this land.

EPA considers that the use of an Environmental Sensitivity Overlay on this parcel of land is both appropriate and effective in providing this control.’

Pursuant to Section 23 of the Act, Council must consider all submissions received. Where a submission requests a change, Council must change the amendment accordingly or request an independent Panel Hearing. As the submission received from the EPA makes no request for a change, Council may proceed directly to adoption without the requirement for a Panel Hearing.

This amendment proposes the following:

Zoning Maps

1. Planning Scheme Map No. 20 is amended in the manner shown on the attached map marked “Wangaratta Planning Scheme, Amendment C47” (***refer attachment***).

Overlay Maps

2. Planning Scheme Maps No. 20 EAO is amended in the manner shown on the attached maps marked “Wangaratta Planning Scheme, Amendment C47” (***refer attachment***).

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In Overlays – following Clause 45.01, insert a new Clause 45.03 in the form of the attached document.
4. General Provisions - Clause 61.03, replace the Schedule with a new Schedule in the form of the attached document.

Implications

Council Plan 2013-2017 Objectives

The proposal is consistent with Objective 5.2 *‘To ensure land use planning provides balanced outcomes for community, growth, existing land use, environment and heritage’*

Sustainability

The outcomes of this amendment are positive for the sustainability of:

- Local Economy;
- Local Environment; and
- Local Community.

Community Engagement

The land owner has approached Council to undertake this amendment and have engaged consultants to prepare the required documentation.

The consultants have engaged with Council, Environment Protection Agency, Shell Australia Ltd., and Department of Transport, Planning and Local Infrastructure in preparation of the amendment.

The amendment was placed on public exhibition from 3 October 2013 until 4 November 2013 with no submissions of objection received.

Financial Impact

The amendment documentation has been prepared and submitted by URS on behalf of Shell Australia Pty Ltd. and at their cost; therefore, there is negligible financial impact to Council.

Recommendation

That Council resolves to:

- 1. adopt Amendment C47 without changes pursuant to Section 27 of the Planning and Environment Act 1987; and***
- 2. submit the adopted amendment to the Minister for Planning for approval pursuant to Section 31 of the Planning and Environment Act 1987.***

The motion was declared agreed by the Chair.

Communication

A formal written request will be forwarded to the Department of Transport, Planning and Local Infrastructure seeking approval of the amendment.

11.2.2.8 DRAFT PLANNING SCHEME AMENDMENT C53 – NEW RESIDENTIAL ZONES

Planning Scheme Amendment C53 – New Residential Zones

Introduction

The purpose of this report is to provide details of the draft amendment for Council's consideration and seek Council resolution to request authorisation of the amendment by the Minister for Planning.

Background

On 17 September 2013, Council resolved to prepare Draft Amendment C53 to the Wangaratta Planning Scheme to give effect to the new Residential Zones in accordance with the Minister's Direction; and to present draft Amendment C53 to Council for consideration prior to seeking authorisation from the Minister for Planning. This report presents the amendment documents for consideration, being the Explanatory Report, suite of zones and schedules, and the proposed mapping (*refer attachment*).

The Residential Growth Zone, General Residential Zone and Neighbourhood Residential Zone were introduced into the Victoria Planning Provisions on 01 July 2013. The existing Residential 1, 2 and 3 Zones are to be replaced by the three new residential zones. The Minister for Planning has given councils 12 months from 01 July 2013 to introduce the new residential zones into their local planning scheme. Where Council has not finalised an amendment to implement the new residential zones by 1 July 2014, the General Residential Zone will be implemented to replace all land zoned Residential 1, 2 and 3.

Relevant Strategic Planning Projects

The following strategic planning projects support the recommended residential zones proposed in this report:

- the Draft Population and Housing Strategy;
- the Draft Wangaratta Central Activities Area Future Planning Report;
- the review of the Urban Heritage Precincts through the Heritage Study; and
- principles and criteria developed for new residential zoning by the Department of Transport, Planning and Local Infrastructure

The attached Explanatory Report details the rationale behind application of the new zones. In brief, the General Residential Zone will replace all existing Residential 1 Zone land outside the area defined as the Residential Growth Area (*refer attachment*) in the Population and Housing Strategy.

Residential land inside the Residential Growth Area has been assigned either Neighbourhood Residential Zone, if it is identified as an area of minimal change

(i.e. a Heritage Overlay or Land Subject to Inundation Overlay applies), or Residential Growth Zone in areas identified as well-serviced and appropriate for greater housing diversity and density. There are areas of transition between each Zone as well.

Implications

Council Plan Outcomes

The proposal is consistent with Objective 5.2 *‘To ensure land use planning provides balanced outcomes for community, growth, existing land use, environment and heritage’*

Sustainability

The outcomes of the draft amendment are very positive for the sustainability of:

- Local Economy;
- Local Environment; and
- Local Community

The introduction of the new residential zones promotes the orderly and economic use of land which is consistent with current State and Local planning outcomes.

Community Engagement

No direct community engagement has occurred during preparation of this draft Amendment. However, both the Population and Housing Strategy and the revised Urban Heritage Precincts have been on public exhibition and views are well known on these two documents.

Due to the large number of land owners affected by the amendment, it is proposed to give direct notice under section 19(1)(b) of the *Planning and Environment Act 1987* only to those landowners whose property will change from Residential 1 Zone to either Residential Growth Zone or Neighbourhood Residential Zone. There will be notice given in The Chronicle newspaper to inform the broader population when the draft amendment is placed on public exhibition.

Recommendation

That Council resolves to:

- 1. seek the Minister’s authorisation to prepare and exhibit Draft Amendment C53 to the Wangaratta Planning Scheme; and***
- 2. delegate to the Chief Executive Officer the ability to make amendments or changes to the Draft Amendment as required prior to exhibition.***

The motion was declared agreed by the Chair.

Communication

A formal written request is to be forwarded to the Department of Transport, Planning and Local Infrastructure seeking authorisation to proceed.

11.2.2.9 PROPOSED REZONING AND AMENDMENT C57 - WANGARATTA PLANNING SCHEME – 19-81 SISLEY AVENUE, WANGARATTA

Bruck Mill Amendment

616950.0900

Introduction

This report has been prepared for Council's consideration following recent engagement with the owners of the Bruck Textiles Pty Ltd and a subsequent submission from Oxley & Company (received 21 November 2013) to seek Council's support for proceeding with amendment to the Wangaratta Planning Scheme to rezone part of the Bruck Textiles site as residential land.

Background and History of the Site

The rezoning of the Bruck Textiles site for residential purposes has been previously considered by Council in 2010. Council management has also previously engaged with the Environment Protection Authority and the owners on the key environmental issues associated with the site as identified in this report.

In February 2012, Council management formally advised the Chairman of Bruck Textiles Pty Ltd that there was no policy support for the proposed rezoning of Industrial land and further that the Environment Protection Authority had required the completion of two (2) critical site assessments. The owners of the site did not respond to Council's advice at that time and no further assessments were completed.

The owners of the land made a submission to the Draft Population and Housing Strategy ("Draft Strategy") as part of the Strategy development as well as a second submission during the public exhibition period.

These submissions have been considered in respect of a response to the Draft Strategy and this has been provided to Council in a separate report prepared to seek endorsement of the Draft Strategy.

Current Situation

The owners of the site have engaged Oxley & Company to prepare a formal submission for amendment to the Planning Scheme for Council's consideration. This submission follows a range of recent meetings and presentations (***refer attachment***) from the owner of the site to Council and other state agencies.

This formal submission was lodged with Council on the 21 November 2013 and is included in Attachment 1 (***refer attachment***) for Council's information.

Assessment of the Request

Rezoning proposal

The amendment seeks to rezone part of the land known as 19-81 Sisley Avenue, Wangaratta from Industrial 1 Zone to General Residential Zone. The General

Residential Zone is one of the new zones that Council is considering across the City as part of preparation of Draft Wangaratta Planning Scheme Amendment C53.

The owner of the land has provided a supporting letter with the submission outlining the commitments required during the Amendment process including:

- undertake a site specific environmental audit to meet Environment Protection Authority requirements;
- provide a detailed plan showing Bruck's future plans;
- Reduce the number of stacks;
- Establishment of a Business Incubator project; and
- Purchase of the previous Nuplex site and neutralise the site to remove the consideration of any future operation of the site for any chemical manufacture.

Planning and Environmental Assessment

A detailed assessment has not been completed at this stage. This will need to be undertaken in accordance with the *Planning and Environment Act 1987* and *Ministerial Direction 11 Strategic Assessment Guidelines* and advice provided to the proponent regarding any additional matters to be addressed.

This proposal is a complex rezoning as it involves the rezoning of industrial land to residential land within an existing operating industrial area. This report identifies some of the critical issues affecting this proposal.

Strategic Justification for the Amendment

There is no strategic planning basis supporting the proposed amendment. The intended amendment was not foreseen as an option at the time.

The existing Municipal Strategic Statement (MSS) and Local Planning Policy Framework of the Wangaratta Planning Scheme did not envisage this land to be zoned for any purpose other than industrial uses. Currently the Municipal Land Strategy developed in 2004 provides direction in the Scheme for residential development. This includes directing growth to the north-west and to the south of existing residential areas. Current policy supports a variety of housing styles and infill development but did not consider change of land use from industrial to residential uses.

In terms of updating the Municipal Strategic Statement, Local Planning Policy Framework and responding to Council's 2030 Vision, Council has been actively engaged since 2011/12 in preparing the Draft Population and Housing Strategy. This is a key strategic planning project for the Council.

The purpose of the Draft Population and Housing Strategy is to update the Municipal Land Strategy, respond to the Hume Regional Growth Plan and also

address a range of planning and land use issues associated with the need to guide future land development and growth across the City. The Draft Population and Housing Strategy includes not only the urban areas of Wangaratta it also includes the townships and villages within the municipality.

Prior to commencing the development of the Draft Population and Housing Strategy Council specifically put “on hold” a range of rezoning proposals that were provided to Council for consideration in the preparation of the Draft Strategy. Preparation of the Draft Population and Housing Strategy has involved the engagement of Council, agencies and the local community for more than 18 months. A public exhibition process has recently concluded.

The issue of changes in the industrial areas of the City was considered within the context of the Bruck site (based on the earlier pre-strategy submission) and on a more general basis. This was to give Council some confidence that in the future, land use changes affecting local industry and industrial land may need to be considered.

The Draft Population and Housing Strategy makes provision for well-designed, medium density, infill residential development within existing residential neighbourhoods and generally within 400 metres of the Wangaratta City Central Activities Area and in proximity to Northeast Health Wangaratta (Wangaratta Hospital). Infill residential development is generally discouraged in areas outside of the 400 metre distance from the Central Activities Area and within heritage areas, smaller lots and cul-de-sacs.

Objective 6 of the Draft Population and Housing Strategy states that Council:

‘Support infill residential development that contributes to and improves the quality of the existing urban fabric.’

This includes appropriate locations.

Section 6.1.2. of the Draft Population and Housing Strategy specifically identifies there are:

‘Limited opportunities for housing infill development within the South Wangaratta Industrial Area due to existing industrial uses, associated buffer distances and fragmented land parcels.’

Section 9.1.1.2 of the Draft Population and Housing Strategy does anticipate possible future changes in industrial lands and establishes specific outcomes for the South Wangaratta Industrial Area.

The Draft Strategy states that *‘The South Wangaratta Industrial Area will continue to remain as a location for existing and new industry; however it is recommended that live-work opportunities be encouraged for small to medium sized businesses where they are not detrimental to the on-going use of the area for industry. In addition, should large industrial sites become redundant or vacant, a master planning process should commence to determine the most appropriate land use for these sites, including residential development opportunities where industrial*

development is no longer attractive or viable. The subject land is considered to be excess to requirements and vacant.

Action 22 of Section 9.1.1.2 of the Draft Population and Housing Strategy states:

'Where large industrial sites become vacant and/or redundant for industrial purposes within the South Wangaratta Industrial Area, investigations should be undertaken to determine whether brownfield residential development or other mixed uses could be accommodated within the existing urban area. It is envisaged that this will be achieved through a site based master planning exercise or Development Plan Overlay (DPO), and should be undertaken for redundant and/or vacant sites with the following characteristics:

- i. Large sites with limited fragmentation;*
- ii. Sites within single or limited ownership;*
- iii. Whether the availability of the site will result in a significant change to the industrial make-up of the surrounding precinct;*
- iv. Where the change of use of the land will not be detrimental to the on-going use of surrounding industrial land for industry, in particular having regard to Clause 52.10 Uses With Adverse Amenity Potential of the Wangaratta Planning Scheme; and*
- v. Where implementation of a site based master plan is considered to be achievable having regard to the characteristics of the site, occupiers, landowners and market conditions. '*

The Draft Population and Housing Strategy continues to be developed to give some confidence to Council and the community regarding the future of residential land supply and housing growth.

Environment Protection Authority Comments

Council has sought and received preliminary advice from the Environment Protection Authority identifying the statutory requirements for environmental assessment of a proposal to rezone this site from industrial to residential land. This includes:

- 1. 'Council must be satisfied that the proposal will not adversely affect sensitive uses from unintended industry generated impacts, it is critical that an assessment be undertaken in accordance with the principles of the EPA Publication 1518 – Recommended separation distances for industrial residual air emissions (2013);*
- 2. In assessing a site specific variation in a separation distance, Council will need to consider the criteria in Table 4 of Environment Protection Authority Guideline 1518. It is the responsibility of the 'agent of change' to provide evidence to the planning authority and other responsible authorities, that a variation from the recommended separation distance(s) is appropriate. In this case, the 'agent of change' is Bruck Textiles;*

3. *The Environment Protection Authority are willing to guide the applicant in the development of the assessment to ensure that it is in accordance with Environment Protection Authority Publication 1518 – Recommended separation distances for industrial residual air emissions (2013). Environment Protection Authority can also assist Council in assessing the findings of the assessment;*
4. *The amendment will trigger Ministers Direction No. 1 (MD No.1) – requiring the planning authority to satisfy itself that the environmental conditions of the land proposed to be used for a sensitive use, are, or will be, suitable for that use;*
5. *Ministers Direction No.1 requires the Planning Authority to ‘satisfy itself’ through an Environmental Audit, in accordance with Part IXD of the Environment Protection Act 1970. Ministers Direction No.1 outlines how the planning authority should ‘satisfy itself’ that the land is suitable for the intended use. Item 5 of this Direction states that the planning authority must comply with either sub-clause (1) or (2) in order to meet the requirements of the Direction; and*
6. *Environment Protection Authority recommends that an Environmental Audit is conducted as early in the planning process as possible. The advantages of this approach are that-*
 - *The Audit informs both Council and the developer about the suitability of the intended use and,*
 - *if a Statement is provided, (in accordance with Part IXD of the Environment Protection Act, 1970) then Council and the developer can include any conditions for use within any permit issued.’*

The owners of the site have completed a Preliminary Environmental Site Assessment of the land examining the potential contamination of the site. This assessment is included in Attachment 2 (**refer attachment**).

The proponent indicates within the Explanatory Report that it intends to provide an Environmental Audit prior to residential use commencing or building or works are commenced on site.

To date no assessment has been completed by the proponent that would reflect the preliminary advice that Council must be satisfied that the proposal will not adversely affect sensitive uses from unintended industry generated impacts. The Environment Protection Authority has advised Council that it is critical that an assessment be undertaken in accordance with the principles of the *Environment Protection Authority Publication 1518 – Recommended separation distances for industrial residual air emissions (2013)*.

A full assessment will be completed during the amendment process once Council receives the Minister’s authorisation for the amendment.

Recent Planning and Legal Advice

The rezoning of land for residential purposes within operating and functioning industrial estates has been subject to consideration by the Victorian Planning Panel and Advisory Committee.

Legal advice from Maddocks has been obtained by Council to assist in evaluating those key planning concerns associated with this proposal which would place residential properties in close proximity to operating and functioning industries and industrial land.

This advice refers to a matter recently considered by an Advisory Committee in regard to an amendment to the Cardinia Planning Scheme (*Michael Street Pakenham (AC) 2013 PPV 111 16 September 2013*). A copy of this Advisory Committee's recommendation is included in Attachment 3 (***refer attachment***).

This amendment involved rezoning 2.8ha of Industrial zoned land for residential purposes.

The Advisory Committee, in regard to the Cardinia rezoning proposal, recommended that the proposal not proceed, essentially as the proposal has the potential to compromise the amenity of those who acquire the residential land and undermine the ongoing operations of the Industrial land. The Committee observed that there was no real answer to this situation despite, in this case, where the proponent endeavoured to address the amenity prejudice to industry land issues by incorporating noise bunds, landscaping, section 173 agreements, development plan controls etc.

The Advisory Committee was not ultimately satisfied that they would be effective but, even if they were effective, they depended on ongoing commitment, enforcement and a willingness of future residential owners to forgo their rights to protect their amenity.

Legal advice indicates that Section 173 agreements and appropriate planning controls could secure the benefits offered but it would require a major commitment from the Council.

In terms of considering this proposal Council will need to consider:

- the recommendations of the Advisory Committee;
- this legal advice;
- whether the benefits of this proposal outweigh the lack of strategic support; and
- the reality of setting up of Section 173 agreements, and enforcing them.

Strategic Assessment of Industrial Land

The current request identifies a range of key broader strategic issues associated with industrial land in the City.

There is no current Industrial Lands Planning Strategy that provides guidance to the future options for industrial development and land uses within the City.

Issues that this request raises include:

- the potential for, and current industry restructuring;
- the economics of existing industries; and
- the preferred location of industrial uses.

Council maintains a strategic overview on availability of land supply within Wangaratta and North Wangaratta however no future planning for industrial land supply and an assessment of industrial land needs has been completed.

Changes to the *Planning and Environment Act 1987*

The recent changes to the *Planning and Environment Act 1987* now require full consideration of environmental, social and economic issues associated with the strategic assessment of a planning scheme amendment.

Practice Note 46 Strategic Assessment Guidelines highlights the types of environmental, social and economic issues that need to be considered.

These issues include:

- *the likely effect on air, land and water quality of the area;*
- *potential impact on buffers and threshold distances, and the likely effect on community amenity;*
- *the likely effect on the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity);*
- *the likely effect on sites with significant historic, architectural, aesthetic, scientific and cultural values;*
- *the likely effect on natural resources including energy, water, land, flora and minerals;*
- *the likely effect on the economic well-being of the community;*
- *potential changes to the economic and social life of the existing community;*
- *the vitality and viability of existing agriculture, industry, tourism and commercial or retail activity in surrounding areas;*
- *the likely effect on future public and private sector investment in the immediate and surrounding areas;*
- *the likely effect on the range of goods and services in the immediate and surrounding areas;*
- *the likely effect on potential capacity for growth of the immediate and surrounding areas, including the likely effect on the opportunities for expansion, improvement or redevelopment;*
- *the impact on employment in the area;*

- *the impact of likely changes in travel patterns for shopping, employment and social and leisure activities;*
- *the impact on transport movement, services and infrastructure, including public transport;*
- *the likely effect on community infrastructure in the immediate and surrounding areas;*
- *the likely effect on public infrastructure in the immediate and surrounding areas;*
- *potential changes to the attractiveness and physical condition of the immediate and surrounding areas;*
- *the likely effect on the attractiveness, amenity and safety of the public realm; and*
- *the achievement of high quality urban design and architecture.*

While some of these social, economic and environmental considerations may not be relevant to the current proposal, the changes to the *Planning and Environment Act 1987* and *Ministers Direction No 11 Strategic Assessment Guidelines* now requires a planning authority to evaluate and determine how an amendment addresses these strategic considerations. It is noted that authorisation is sought at this stage and the amendment process, including full assessment, would then follow.

Planning Practice Note 46 for the Strategic Assessment Guidelines specifically identifies that those amendments that require a full assessment against the strategic considerations include:

- major changes in policy;
- introduction or extension of a zone or overlay that would produce a different or new land use or development outcome; and
- major changes to the ordinance or mapping that involve a large number of lots.

The issues will be addressed once authorization has been achieved as will recent changes to the *Ministers Direction No 11 Strategic Assessment Guidelines* and specific considerations for social, economic and environmental effects of the proposed amendment listed within *Planning Practice Note 46 – Strategic Assessment Guidelines*.

Implications

Council Resources

The proposed rezoning of the Bruck Textiles site requires authorisation then formal amendment to the Wangaratta Planning Scheme.

If Council seeks to proceed with an amendment the process involves a number of key steps which require a substantial commitment of Council's administration and resources.

Council Plan Outcomes

The proposed rezoning of the Bruck Textile site is not specifically identified within the Council Plan as it was not envisaged as a possibility.

Sustainability

The outcomes of Council's decision will affect the sustainability of:

- Local Economy;
- Local Environment; and
- Local Community.

Community Engagement

The engagement of the local community is an integral part of the statutory processes associated with an amendment to the Wangaratta Planning Scheme.

Conclusion

As outlined in this report to Council:

- the proposed amendment is not consistent with the direction of the Municipal Strategic Statement (MSS) and the Draft Population and Housing Strategy;
- the full environmental effects will be assessed after authorisation;
- there is a planning precedent through Planning Panels Advisory Committee that does not support the rezoning of industrial land for residential purposes even with measures to mitigate impacts including planning controls and agreements. As this proposal has its own context it needs to be further explored; and
- economic benefits may flow to Wangaratta if the proposal delivers the outcome as outlined by the proponent and adequate planning controls are included to minimise any negative impact.

Council may consider, in light of the current request, the following:

- not proceed with the Amendment request based on the reasons outlined in this report and reiterate the previous position not to support the rezoning of this land; or
- undertake further detailed assessment of the amendment request, consult with relevant agencies and stakeholders and require the proponent to complete the necessary environmental and other relevant investigations including the assessment to meet the principles of the EPA Publication 1518 – Recommended separation distances for industrial residual air emissions (2013). Council will need to be satisfied that the outcomes of all these investigations are sufficient to adequately support the proposal prior to seeking the Minister's authorisation; or

- seek authorisation from the Minister for Planning to prepare this amendment as requested by the proponent and undertake further detailed assessment of the amendment request following approval from the Minister for Planning; or
- if Council decides based on this report not to support the proposal, advise the proponent to seek the Minister's intervention for this rezoning.

Management Comments

This proposal may result in economic, social and environmental benefits for the surrounding locality and the wider urban community. These benefits include:

- adopting a collaborative approach to Council and Environment Protection Authority concerns;
- a site specific environmental audit to meet Environment Protection Authority requirements;
- the preparation of a detailed master plan for the site;
- consolidating functions in the centre of the building area, thus reducing the manufacturing footprint;
- the opportunity to utilise vacant buildings for affordable and fully serviced factories including the possibility of new incubator projects; and
- exploring the possible neutralisation of the former Nuplex site.

Bruck Textiles Pty Ltd in Wangaratta currently employs 210 equivalent full time staff, comprising 16% of the total manufacturing workforce for Wangaratta and contributes approximately \$230M to the local economy. Wilson Fabrics, a subsidiary of Bruck, provides a level of value-add and employs an additional 46 staff and generates \$26M turnover. This proposal is a significant one for Wangaratta and has the potential to deliver significant economic benefit to the region.

Recommendation

That Council resolves to seek authorisation from the Minister for Planning to prepare this amendment as requested by the proponent and undertake further detailed assessment of the amendment request following approval from the Minister for Planning.

The motion was declared agreed by the Chair.

Communication

A formal written request will be forwarded to the Department of Transport, Planning and Local Infrastructure seeking authorisation to prepare the amendment.

11.2.3 COMMUNITY WELLBEING

11.2.3.1 2013/2014 COMMUNITY GRANTS - MINOR

Community Grants

68.040.001

Introduction

Each year Council's Community Grants Program provides financial assistance to local not-for-profit community groups and organisations for the development of programs; and for activities and projects that will enhance the social, cultural and environmental experience for residents of the Rural City of Wangaratta.

An assessment of applications received under the 2013/2014 Minor Category has been completed; and recommended projects for funding have been listed in this report for Administrators' consideration.

Background

The Community Grants Program supports local community initiatives that add to the overall quality of life for the residents of the Rural City of Wangaratta. The Community Grants Program is aimed at supporting groups that have no other source or opportunity of funding, and is aligned with Council's community planning and engagement programs for rural and urban areas. Community grants provide a means of realising priority projects identified in community plans.

The process of awarding grants includes an Expression of Interest submission step, followed by an initial assessment against set criteria. Those meeting the criteria are then invited to submit a formal application, which undergoes a detailed assessment by Council Officers from the following Units:

- Art Gallery;
- Children's Services;
- Community and Recreation;
- Community Health and Amenity;
- Environment;
- Facilities;
- Technical Services;
- Tourism; and
- Acting Community Wellbeing Director.

This two-step assessment approach helps to:

- Identify projects that could be funded through other means;
- Identify opportunities where resources can be shared;
- Ensure there is a community approach; and
- Draw on disciplines and input from across the organisation to enhance Council decision making.

In 2013/2014 community groups were required to discuss their program, project or activity with an Officer from Council's Community Planning and Engagement Team to ensure eligibility prior to submitting an Expression of Interest. The Minor Category Expression of Interest process was publicly advertised and closed on 5 July 2013. Fifty-four (54) Minor Category Grant Expression of Interest's were received. Project requests totalled \$207,496.79.

Each Expression of Interest was assessed for eligibility using the predetermined assessment criteria and guidelines. At the completion of this process, thirty-nine (39) community groups were invited to proceed to the full application process. The Community Grants Program Guidelines are an attachment to this report (*refer attachment*).

Thirty-eight (38) applications were received by the closing date of 27 September 2013, requesting a total of \$132,447 grants. This exceeded available funds by \$80,070. The total value of the proposed projects was \$241,259, including \$38,875 cash contributions by the club/organisation or from another source, and \$69,937 as 'in-kind' goods and labour from community groups.

The applications were assessed and scored by the Assessment Panel according to the following criteria:

Criteria	Weighting
Benefits to the community - how will the project benefit the group and the community?	30%
Demonstrated connection to the 2030 Community Vision, Council Plan and / or community plan where relevant – Identify links to the project.	20%
The group's capacity to make a contribution – this contribution can be 'in kind' and cash, and needs to be achievable and substantiated.	20%
Contribution from other sources – There is an expectation that projects will require funding from other sources and that the Council funds requested will be used to leverage other funding opportunities particularly for Major Grants. Contact made with potential funding bodies must be demonstrated.	10%
Capacity to deliver project – It must be demonstrated that your group can deliver the project on time and within budget by providing a project plan and detail of resources and skills available.	10%
Clearly defined aims & goals of the project – demonstrate that the project has been well planned, resourced and provides sufficient detail about the implementation.	10%
Total	100%

The scoring matrix used to assess the minor grant applications is an attachment to this report (*refer attachment*).

Issues

Fifteen Expressions of Interest, that did not fully meet Community Grants Program assessment criteria and guidelines, did not proceed to formal application. Projects were deemed ineligible when:

- Requested funds were for works on private land and property;
- Other opportunities for funding such as volunteer grants had not been investigated;
- some groups offered limited contribution, both 'in-kind' or cash; and
- Funding requests were for consumables or expenses considered to be salaries.

Feedback has been provided to all unsuccessful groups including how to access alternative funding opportunities.

As the total number of grant requests exceeded available funds by \$80,069.79, the highest scoring applications were listed for funding until the available funds were exhausted. A table showing the applications received with a brief description of the project, scoring matrix and recommendations is a *confidential attachment* to this report for Administrator's information.

Implications

Council Plan Outcomes

The Community Grants – Minor process supports the key strategic activity '*To support our community to be resilient*'.

Sustainability

The total budget allocation for 2013/2014 for the Minor Category is \$52,377.00 (GST exclusive). Community Groups can apply for funds up to \$5,000. Out of the thirty-eight (38) applications, sixteen (16) applications are proposed to receive the full funding request. A total amount of \$52,377 is recommended for allocation.

Community Engagement

A rigorous community engagement process involving preliminary discussions with potential applicants, public advertisements and provision of feedback to unsuccessful applicants has been undertaken.

Conclusion

Following a robust selection regime for successful applications, this report seeks Council's approval of the recommended funding allocations for the 2013/2014 Community Grants Program Minor Category.

Recommendation

That Council resolve to endorse the allocation of the 2013/2014 Community Grants Program as follows:

	NAME	PROJECT	\$ AMOUNT
1.	<i>Upper Murray Family Care -Interchange</i>	<i>Community event to recognise International Day of recognising families with a focus on people with disabilities</i>	<i>5,000</i>
2.	<i>Wangaratta Aero modellers</i>	<i>Installation of septic tank to connect toilet system</i>	<i>5,000</i>
3.	<i>Italian Pensioners Club of Wangaratta</i>	<i>Purchase of computer data storage equipment</i>	<i>740</i>
4.	<i>Wangaratta Archers Club</i>	<i>Purchase a shipping container for storage and use as a club room</i>	<i>5,000</i>
5.	<i>Wangaratta Family History Society</i>	<i>Replacement of network file server</i>	<i>2,376</i>
6.	<i>South Wangaratta Community & Planning Group</i>	<i>Historical/tourism/interpretation signage at the South Wangaratta CFA community complex</i>	<i>4,720</i>
7.	<i>Wangaratta Arts Society</i>	<i>Upgrade of kitchen in the building known as the 'studio'</i>	<i>5,000</i>
8.	<i>Milawa Cricket Club</i>	<i>Resurface the playing wicket</i>	<i>1,825</i>
9.	<i>Open Door Neighbourhood House</i>	<i>"Eat Chat Dance" - Provide 4 social events to bring the community together through music and dance</i>	<i>2,050</i>
10.	<i>Pangerang Community House</i>	<i>Expanding Children's Courses - purchase equipment, easels, cooking equipment, African drums, tables and chairs</i>	<i>2,546</i>
11.	<i>Burgoigee Creek Landcare Group</i>	<i>Hosting of 6 workshops providing capacity building and community resilience at the 2014 Giant Pumpkin and Harvest Festival in Bowmans-Murmungee</i>	<i>3,620</i>
12.	<i>Wangaratta Community Garden</i>	<i>Community Garden Upgrade - Replace garden beds and install irrigation to better manage water and meet a 5 year target reduction</i>	<i>4,700</i>
13.	<i>Warby Range Landcare Group</i>	<i>Minimising Mynas - Constructing and locating traps to reduce Myna numbers in locality of the Warby Ranges</i>	<i>1,000</i>
14.	<i>Warby Range Bush Walkers Inc</i>	<i>Membership Action Project - Increase membership and participation by providing bush first aid training, club pamphlet and updating website. Provide support for Mind Trinity Support clients</i>	<i>3,000</i>

NAME		PROJECT	\$ AMOUNT
16.	<i>Eldorado Centennial Park</i>	<i>Eldorado Centennial Park Improvements - Renovation and extension current shade cloth verandah structure attached to the kiosk. Installation of hot water system in club room kitchen. Repair cracking in kiosk structure and paint club room</i>	5,000
17.	<i>Whorouly Senior Citizens</i>	<i>Purchase of Bridge chairs for seniors comfort and to encourage participation</i>	800
	TOTAL		52,377

The motion was declared agreed by the Chair.

Communication

The applicants will be advised of Council's decision.

11.2.3.2 PROPOSED NEIGHBOURHOOD SAFER PLACES – WHITFIELD AND GLENROWAN

Fire Prevention and Control

77.020.001

Introduction

The Victorian Black Saturday Bushfires Royal Commission in 2009 issued a number of recommendations including the requirement “that places for shelter from fire be established”. This recommendation led to the development of policy and guidelines for the establishment of ‘Neighbourhood Safer Places’ throughout Victoria.

To date ‘Neighbourhood Safer Places’ have been designated and established in memorial halls at Eldorado and Cheshunt. This paper proposes the designation of two additional Neighbourhood Safer Places in the localities of Glenrowan and Whitfield.

Background

The Victorian Government introduced legislation that addressed the recommendation from the Victorian Black Saturday Bushfires Royal Commission which conferred responsibility for the certification of ‘Neighbourhood Safer Places’ with the Country Fire Authority. Local government was given responsibility for a range of aspects in relation to ‘Neighbourhood Safer Places’ including the designation of ‘Neighbourhood Safer Places’, installation of signage and generally the management and maintenance of such facilities.

In 2010, an extensive program of identification and assessment of potential Neighbourhood Safer Places was undertaken by the Rural City of Wangaratta and the Country Fire Authority. The Municipal Emergency Management Planning Committee (MEMPC) had determined, in line with the ‘Neighbourhood Safer Places’ plan, that on the basis of risk to a community (as determined by the Country Fire Authority) those townships at highest risk would ideally have ‘Neighbourhood Safer Places’ established within them.

Council, at its meeting of 19 January 2010 adopted the Rural City of Wangaratta ‘*Neighbourhood Safer Places Plan*’. This plan set out in detail the process and criteria to be followed by the municipality in the designation and on-going management of ‘Neighbourhood Safer Places’.

Issues

‘Neighbourhood Safer Places’ are communicated to communities through the Country Fire Authority website, Country Fire Authority Community Information Guides (formerly Township Protection Plans) and in other publications and websites. ‘Neighbourhood Safer Places’ are places of last resort; that is they may be used in cases where a personal bushfire plan has failed or cannot be implemented. They are generally located in such a way as to offer limited protection from radiant heat only and they generally don’t have any provision for

pets and only limited parking available. They don't offer facilities for people with special needs nor amenities such as food or drink.

Liability in relation to the management and operation of Neighbourhood Safer Places has been addressed since their introduction in 2010. Council received advice in 2010 to the effect that operation and management of 'Neighbourhood Safer Places' was "Council business" and that indemnity and insurance coverage is generally afforded to Council with regard to the operation of 'Neighbourhood Safer Places'. Any issues with respect to specific sites are addressed below:

Glenrowan Recreation Reserve

The Glenrowan Recreation Reserve is on land that isn't owned or controlled by Council, therefore particular provisions apply. The owner's consent (in this case Department of Environment and Primary Industries) is required, as is the agreement of the Committee of Management and the individual tenants using the facility. The Department of Environment and Primary Industries, the Committee of Management and the tenants all support the site being designated as a 'Neighbourhood Safer Place' and a Deed of Consent with the Committee of Management and each of the principle tenants has been completed for this site to reflect this.

Whitfield Sports Pavilion (now the King Valley Community Centre)

The Pavilion structure, including the refurbished AC Swinburne building, has been assessed as being compliant provided certain prescriptions are met. The prescription relates to management of adjacent grassland on private property and Council has entered into a written agreement with the landholder that during the fire danger period grassland is managed by way of slashing of grass at Council expense.

Implications

Council Plan Outcomes

Adoption of two further Neighbourhood Safer Places will support the following Council Plan strategic objectives:

1.2.3 'Minimise risk as a way of providing a safer public and work place environment'; and

2.1.1.1 'Work with other agencies to develop and implement approaches to enhance and strengthen community resilience and safety'.

Designation of the Neighbourhood Safer Places for Glenrowan Recreation Reserve and King Valley Community Centre complies with the Council's *Neighbourhood Safer Places Plan*.

Sustainability

The costs, in relation to the management and maintenance of 'Neighbourhood Safer Places', are largely borne by Council and consist of slashing and minor maintenance. Currently these costs are minimal and once the 'Neighbourhood Safer Places' at Whitfield and Glenrowan are designated it isn't anticipated that any further 'Neighbourhood Safer Places' will be introduced in Rural City of Wangaratta for some time.

Community Engagement

Glenrowan Recreation Reserve. The Committee of Management has been extensively consulted and has given written agreement to the use of the Recreation Reserve Hall as a Neighbourhood Safer Place. The tenants have been consulted and have provided written consent to the use of the hall as a Neighbourhood Safer Place.

King Valley Community Centre (formerly Whitfield Sports Pavilion). The Committee of Management has been informed and is supportive of designating the Pavilion as a 'Neighbourhood Safer Place'. Agreement from the Country Fire Authority has also been obtained as the area is often used as a Country Fire Authority Staging Area during fire events. Formal permission from the Committee of Management isn't required in this case as the facility is a Council asset; however, the Committee will be consulted on issues such as location of signage and appropriate communication to the wider community.

Conclusion

Designation of two additional 'Neighbourhood Safer Places' at Whitfield and Glenrowan will enhance community safety options during bushfire.

Recommendation

That Council resolves to:

- 1. designate the Glenrowan Recreation Reserve as a Neighbourhood Safer Place pursuant to s.50G of the Country Fire Authority Act 1958; and*
- 2. designate the King Valley Community Centre (formerly known as the Whitfield Sports Pavilion) as a Neighbourhood Safer Place pursuant to s.50G of the Country Fire Authority Act 1958.*

The motion was declared agreed by the Chair.

Communication

Designation of current and additional 'Neighbourhood Safer Places' will be communicated via a range of channels leading up to and during the fire season including on both the Country Fire Authority and Council's web site and via various media.

11.2.3.3 WANGARATTA ART GALLERY ACQUISITION PANEL

Acquisition Panel Nominations

37.030.001

Introduction

This report seeks Council's approval to appoint five community representatives to the Wangaratta Art Gallery Acquisition Panel.

Background

The *Wangaratta Art Gallery Collection Policy (refer attachment)* was adopted by Council on 28 August 2012. The Policy defines the parameters of collecting artwork for the Gallery art collection (as separate and distinct from Council's Art Collection). The Policy states that five community representatives are to be appointed to an Art Gallery Acquisition Panel – referred to as 'the Panel'. It also states that a representative from the Arts, Culture and Heritage Advisory Committee, and a member of the Friends of the Wangaratta Art Gallery Association be appointed. These two nominations are yet to be received.

Five art experts responded to advertisements calling for nominations for the five community positions required on the Panel: Anita Laurence, Pauline Fraser, Frank Burgers, Rob Hirschmann and Fleur Rendell.

A matrix has been compiled demonstrating the nominee's skills; expertise, qualifications and experience (*refer attachment*).

Issues

The experience, qualifications and skills of the listed nominees should be considered by Council for their acceptance and representation on the acquisitions panel.

All the nominees are known by Gallery Management and are considered to be of the highest calibre in their knowledge and experience. All are professional, exhibiting artists with degree or higher qualifications in fine art.

Implications

Council Plan Outcomes

'2.4.1 Deliver high quality diverse community and professional arts, cultural and heritage projects and programs across a range of locations/sites.'

The Wangaratta Art Gallery collects art as a significant aspect of its Regional Art Gallery operations and services to the community. The collection exists for the local and regional community, and for current and future generations.

Policies

The *Wangaratta Art Gallery Collection Policy* refers to a panel of five arts experts representing the community as outlined in the section titled 'Selection / Nomination of Works of Art for Acquisition' on page 7 of the Policy.

Sustainability

The Wangaratta Art Gallery collection adds to the assets of Council (\$150,000 in donations in 2013 alone). The collection is a community asset, and adds value to the economy by being an 'attractor' to visitors and new residents locating to the area.

Community Engagement

The community, through the Arts Culture and Heritage Advisory Committee and the Friends of the Gallery Committee, had active input into the Art Gallery Collection Policy at the time of its development in 2004 and recommendation to Council.

Conclusion

The listed nominees are considered to be suitable candidates for the Wangaratta Art Gallery Acquisitions Panel.

Recommendation

That Council resolves to appoint the five listed nominees to the Wangaratta Art Gallery Acquisitions Panel:

- ***Anita Laurence;***
- ***Pauline Fraser;***
- ***Frank Burgers;***
- ***Rob Hirschmann; and***
- ***Fleur Rendell.***

The motion was declared agreed by the Chair.

Communication

Nominees will be notified of Council's resolution.

11.2.3.4 WANGARATTA SCULPTURE COMMISSION EXPERT PANEL

Sculpture Panel Nominations

37.030.001

Introduction

This report seeks Council's approval to appoint four nominees to the Sculptor Commission Expert Panel for the duration of the public sculpture project at the Wangaratta Showgrounds/Sports Development Pavilion.

Background

In December 2011 Council adopted an approach to sculpture and public art commissions for the Rural City of Wangaratta. The initial project to be implemented under this scheme will be at the Wangaratta Showgrounds at the recently completed Sports Development Pavilion flanking the Norm Minns Oval.

A key part of this approach is the establishment of a Sculpture Commission Expert Panel for the duration of the project.

Membership of the 'Expert Panel' is to be made up of five professional practicing artists and/or visual arts professionals, one Rural City of Wangaratta Councillor, and three Rural City of Wangaratta staff members.

Advertisements called for nominations for the five community arts professionals positions required for representation on 'the expert panel'. Four art experts responded: Pauline Fraser, Kathryn Martin-Burgers, Annabelle Morosovitch, and Ron Aldridge.

A matrix has been compiled demonstrating the nominee's skills; expertise, qualifications and experience (***refer attachment***).

The staff members of the panel are to be Council's Cultural Development Officer, the Gallery Director and a Facilities/Infrastructure Unit officer.

The Showgrounds Management Committee has been involved in steering the project via a facilitated workshop. This committee is being updated as the project proceeds.

Issues

The experience, qualifications and skills of the listed nominees should be considered by Council for their acceptance and representation on the Sculpture Commission Expert Panel.

All the nominees are considered to be of the highest calibre in their field of knowledge and experience.

Three nominees are professional, exhibiting artists with either a degree or other qualification in fine art. One nominee, Mr Ron Aldridge, is a local Wangaratta based art collector and is very familiar with Australian art.

The Panel will exist only for this project and will be disbanded after duties have been completed.

Implications

Council Plan Outcomes

'2.4.1.11 Implement the Public Art Policy for capital works projects and identify further opportunities for key locations.'

Policies

The revised Public Art Strategic Plan was adopted by Council in August 2012.

Sustainability

Benefits of public art (and design) include an enhanced sense of wellbeing for residents, positive flow-on impacts to the local economy, and contribution to the 'Ultimate in Liveability'.

Community Engagement

Practicing sculptors and artists, the Wangaratta Showgrounds Committee, the Arts, Culture and Heritage Advisory Committee, and the Friends of the Gallery Association have all had involvement or input into this process and project. Several staff across Council have also been/are involved.

Conclusion

The listed nominees are considered to be suitable candidates for the Sculptor Commission Expert Panel.

Recommendation

That Council resolves to appoint the four listed nominees to the Sculptor Commission Expert Panel for the duration of the public sculpture project at the Wangaratta Showgrounds/Sports Development Pavilion:

- ***Pauline Fraser;***
- ***Kathryn Martin-Burgers;***
- ***Annabelle Morosovitch; and***
- ***Ron Aldridge.***

The motion was declared agreed by the Chair.

Communication

Nominees will be notified of Council's resolution.

11.2.4 INFRASTRUCTURE SERVICES

Nil

11.3 SPECIAL COMMITTEE REPORTS

Nil

11.4 ADVISORY COMMITTEE REPORTS

11.4.1.1 YOUTH COUNCIL ADVISORY COMMITTEE REPORT

Youth Council

10.020.010

Background

The Youth Council Advisory Committee held a meeting on 12 November 2013.

Attendees included Youth Councillors Chloe Hancock, Ella Thomas, Zoe Matthews, Alex Darbyshire, Nick Lorenz, Meg Walch, Nathan Jeffries; Youth Mayor Zoe Stinson; and Council's Community/Youth Development Officer, Lauren Glass.

There were no declarations of conflict of interest.

The following items were discussed at the meeting:

1. National Young Leaders Day;
2. Christmas Carols by Candle Light;
3. Youth Survey;
4. Youth Contact Card;
5. Unbranded;
6. Ovens Riverside Opening; and
7. Young @ Heart Day.

The following items are provided for Administrators' information:

National Young Leaders Day

Youth Council and three students from Cathedral College will be accompanied by two Rural City of Wangaratta officers to attend the Halogen Foundation National Young Leaders Day on 25 November 2013 in Melbourne. National Young Leaders Day is an annual event to build strong leadership skills amongst young people. Guest speakers include Tim Costello; CEO of World Vision, Daniel Flynn; Founder of Thankyou Water, Lucy Thomas; Founder of Project Rokit / Anti Bullying educator.

Youth Survey

A Youth Survey is currently being conducted by Council's Community/Youth Development Officer with support from Youth Council. A survey of 16 questions is giving young people the opportunity to have a say in their community. Survey results will assist the Rural City of Wangaratta to develop the Youth Strategy and inform future planning. A total of 130 young people had completed the survey up

to 22 November 2013. Youth Council will continue to promote the survey in local schools until the 2 December 2013 deadline.

Recommendation

That Council resolves to receive and note the report.

The motion was declared agreed by the Chair.

12. RECORDS OF ASSEMBLIES OF ADMINISTRATORS

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

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

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

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

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

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

Date	Meeting details	Refer
3-12-2013	Appointment of Chief Executive Officer	Attachment
3-12-2013	Meeting with Proponents of Amendment C45	Attachment
3-12-2013	Amendment C45 Briefing	Attachment
3-12-2013	Reith Road Equine Development	Attachment
2-12-2013	Pre Agenda Briefing	Attachment
2-12-2013	Administrators Tour Wangaratta	Attachment
19-11-2013	Prior to Ordinary Meeting	Attachment
18-11-2013	Bruck Textiles Pty Ltd	Attachment

Recommendation

That Council resolves to receive and note the reports of Assemblies of Councillors.

The motion was declared agreed by the Chair.

13. NOTICE OF MOTION

14. URGENT BUSINESS

15. AUTHORISATION OF SIGNING AND SEALING OF DOCUMENTS

Authorisation of Signing & Sealing of Documents

50.010.004

Recommendation

That Council resolves to sign and seal the Contract of Employment for Brendan James McGrath as its Chief Executive Officer

The motion was declared agreed by the Chair.

16. PUBLIC QUESTION TIME

Public Question Time

10.020.004

Lanette Patford - Glenrowan

Ms Patford referred to a newly forged water gully that is impacting badly on her house and surrounding infrastructure and requested Council's investigation into the blocking of a previous gully and assistance with her present problem.

Mrs Ailsa Fox, Administrator Chair, replied that she had read the report and referred the matter to Mr Adrian Gasperoni, Acting Director Infrastructure.

Mr Gasperoni responded that he would take a copy of the Physicist Report that Ms Patford had provided and investigate the matter further.

Brian Jones – Bowser

Mr Jones referred to the grading of several roads at Bowser and expressed his dissatisfaction with the three previous efforts. He produced some samples of the size of the rocks on the road currently causing problems with car tyres.

Mr Adrian Gasperoni, Acting Director Infrastructure, responded that he would investigate the matter and communicate his findings to Mr Jones.

Andy Coatsworth – Wangaratta – A1 Tyrepower

Mr Coatsworth enquired about the weighting applied to purchasing locally in the tender process.

Mr Adrian Gasperoni, Acting Director Infrastructure, responded that he would discuss the matter further with Mr Coatsworth at a mutually acceptable time.

Ron Webb – Wangaratta

Mr Webb proffered his congratulations on winning the Tidy Town of the Year award and enquired as to when the entrance signs to the Municipality might be upgraded to reflect the award.

Mrs Ailsa Fox, Administrator Chair, replied that she agreed that this should happen as soon as possible and Mr Adrian Gasperoni, Acting Director Infrastructure, added that he believed this would happen in early 2014.

Di Farmer – Wangaratta

Ms Farmer referred to previous correspondence in regard to the pollution entering One Mile Creek due to Council's stormwater system and asked about the status of the investigation regarding this issue.

Mr Adrian Gasperoni, Acting Director Infrastructure, responded that there were some works planned for the One Mile Creek which he believed were scheduled before Christmas but, if not, for early 2014. In addition, there are more proposals being considered in the 2014-2015 Budget.

Anthony Griffiths – Greta West

Mr Griffiths referred to item 11.2.1.1 – Council Meeting Dates and Venues 2014, and enquired if there would be an opportunity for the public to comment on the proposed changes regarding quarterly regional meetings, before it was made permanent.

Mrs Ailsa Fox, Administrator Chair, responded that, as she had announced at the Eldorado Council Meeting in November, public comment was welcomed. Mrs Fox further spoke of an alternate offer of community forums to replace the rural Council meetings but the community need to decide what they want and the Administrators would appreciate any feedback through the process.

Ron Webb – Wangaratta

Mr Webb referred to item 11.2.2.2 - Draft Wangaratta Central Activities Area Future Planning Report - and commented on the change to the recommendation to include cycle safety and mobility access and enquired if there had been any consideration of the ongoing issue of pedestrian safety and pedestrian crossings in the Central Activity Area.

Mr Harj Singh, Manager Planning and Customer Service, replied that this matter had been discussed at a community meeting and is noted in this report and the Future Planning Report but the matter would be given further consideration.

Mr Adrian Gasperoni, Acting Director Infrastructure, added that positive discussions were continuing with VicRoads regarding this issue and there had been formal applications submitted to VicRoads for Pedestrian crossings in the Central Activity Area. Council is waiting on the results of these applications at the moment. There are also plans for formal crossing points on all Central Activities Area roads which are not VicRoads roads.

17. CONFIDENTIAL BUSINESS

18. CLOSURE OF MEETING

The meeting closed at 8:17pm.