

WANGARATTA RURAL CITY COUNCIL



BUSINESS PAPER FOR THE ORDINARY MEETING
OF THE WANGARATTA RURAL CITY COUNCIL, TO BE HELD
IN THE GRETA/HANSONVILLE HALL, GRETA
ON **TUESDAY, 15 MAY 2012** COMMENCING AT 7.00PM

Doug Sharp
CHIEF EXECUTIVE OFFICER

As at 11/05/12 10:19 AM

TABLE OF CONTENTS

		Page No.
1.	ACKNOWLEDGEMENT OF TRADITIONAL OWNERS	5
2.	OPENING PRAYER	5
3.	PRESENT	5
4.	ABSENT	5
5.	ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE	5
6.	CITIZENSHIP CEREMONY	5
7.	CONFIRMATION OF MINUTES.....	5
8.	CONFLICT OF INTEREST DISCLOSURE.....	5
9.	RECEPTION OF PETITIONS	5
10.	HEARING OF DEPUTATIONS.....	5
11.	PRESENTATION OF REPORTS	6
11.1	COUNCILLOR’S REPORTS	6
11.1.1.1	MINISTERIAL ADVISORY COMMITTEE ON PUBLIC LIBRARIES (MAC REVIEW)	6
11.1.1.2	MAV ENVIRONMENT COMMITTEE.....	7
11.2	OFFICER’S REPORTS	9
11.2.1	EXECUTIVE SERVICES	9
11.2.1.1	COUNCIL PLAN – PROGRESS REPORT.....	9
11.2.1.2	DIRECTORATE ACTIVITY REPORTS	10
11.2.1.3	ADOPTION OF 2009 - 2013 COUNCIL PLAN ADJUSTED 2012.....	11
11.2.1.4	WANGARATTA CENTRE FOR MEDICAL EXCELLENCE.....	15
11.2.1.5	NEW LOAN.....	18
11.2.2	SUSTAINABILITY	20
11.2.2.1	SALE OF LAND – THOMAS WEDGE DRIVE AND DONOVAN DRIVE, WANGARATTA	20
11.2.2.2	LOWER OVENS GROUNDWATER MANAGEMENT AREA – LOCAL MANAGEMENT PLAN.....	24
11.2.2.3	DELIBERATIVE DEMOCRACY	26
11.2.2.4	FINANCE REPORTS.....	29
11.2.3	COMMUNITY WELLBEING	31
11.2.3.1	PUBLIC ART STRATEGIC PLAN REVIEW 2012	31
11.2.4	INFRASTRUCTURE SERVICES	33
11.2.4.1	BOURKE ROAD RAILWAY CROSSING.....	33
11.2.4.2	MERRIWA AND KALUNA PARKS MASTERPLAN REVIEW- NEXT STEPS	36
11.2.4.3	REVISED WASTE CHARGE POLICY	39
11.3	SPECIAL COMMITTEE REPORTS	43
11.3.1.1	WANGARATTA SHOWGROUNDS SPECIAL COMMITTEE.....	43
11.4	ADVISORY COMMITTEE REPORTS.....	45
11.4.1.1	WANGARATTA UNLIMITED (BOARD) ADVISORY COMMITTEE MEETING REPORT	45
11.4.1.2	YOUTH COUNCIL ADVISORY COMMITTEE MEETING REPORT.....	46

12.	RECORDS OF ASSEMBLIES OF COUNCILLORS	47
13.	NOTICE OF MOTION	48
14.	URGENT BUSINESS	48
15.	AUTHORISATION OF SIGNING AND SEALING OF DOCUMENTS	48
16.	PUBLIC QUESTION TIME	48
17.	CONFIDENTIAL BUSINESS.....	48
18.	CLOSURE OF MEETING	48

1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

2. **OPENING PRAYER**

3. **PRESENT**

4. **ABSENT**

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

ORDER OF BUSINESS

6. **CITIZENSHIP CEREMONY**

No Australian Citizenship ceremony will be held.

7. **CONFIRMATION OF MINUTES**

Recommendation:

That the Minutes of the Ordinary Meeting of Council held on 17 April 2012 and the Special Meeting held on 3 May 2012 be taken as read and confirmed as a true and accurate record of the proceedings of the meeting.

8. **CONFLICT OF INTEREST DISCLOSURE**

9. **RECEPTION OF PETITIONS**

10. **HEARING OF DEPUTATIONS**

11. PRESENTATION OF REPORTS

11.1 COUNCILLOR'S REPORTS

11.1.1.1 MINISTERIAL ADVISORY COMMITTEE ON PUBLIC LIBRARIES (MAC REVIEW)

25.010.020

Introduction

On Wednesday 11 April, Cr Parisotto attended a bi-partisan Ministerial Advisory Committee on Public Libraries (MAC Review) at the Wangaratta Library. The 'Tomorrow's Library' is a two-year review of public libraries looking at the way libraries operate, what communities want from their libraries and the future directions of public libraries.

Background

The reviewed was Chaired by David Morris MP and Deputy Chair Joanne Duncan MP, representatives from the Department of Planning and Community Development, Alpine Shire, Rural City of Wangaratta and Mayor Roberto Paino, Benalla Rural City and Mansfield Shire and High Country Library Corporation Board and CEO.

Discussions on the many challenges that libraries face in maintaining existing collections while embracing new formats and technologies. Also, the increasing needs to provide resources and services to culturally diverse communities. Programming continues to be a challenge for libraries in terms of staff time and expertise as Libraries have a role to play in both children and adults literacy. Libraries are one of the few facilities available free of charge to the whole community. Smaller libraries such as High Country Library Corporation are expected to deliver the same services as larger urban libraries, but face additional challenges due to a large geographic area.

Issues

Items discussed included collections, resources and programs, library buildings, technology and service delivery.

- Collections – trying to maintain existing collections while introducing new formats/options
- RFID –self check machines will free up staff time – more mobility in branch for customer service.
- Buildings need to allow for more flexibility – need more casual spaces
- Service centres critical to allow greater access for public to council services
- Roll out of the National Broadband Network – delivery of online services
- The need for the provision of appropriate Outreach services to communities where the older residents may be isolated
- Libraries are content creators e.g. digital assets – limitations based on lack of staff skills and equipment

- Libraries compete with other council services for funding. It is a challenge for councils to continue to meet required service levels.

Recommendation:

That the report be noted.

11.1.1.2 MAV ENVIRONMENT COMMITTEE

Environmental Management Information

71.010.003

Introduction

Cr Ron Webb attended the MAV Environment Committee meeting at MAV Melbourne on 12 April 2012 along with 16 Councillors and Council Officers from metropolitan, regional and rural councils.

Issues

The agenda items and key discussion points arising from the presentation were as follows:

- **Reflections from the Carbon Emissions Management Forums conducted by MAV statewide**
 - General lack of understanding about Carbon Tax application and implications on local government
- **Findings from the MAV Carbon Pricing Analysis Survey** (Owen Harvey-Beavis – MAV)
 - 38 councils surveyed including Wangaratta
 - Average increase of 0.8% of total expenses aligned to Carbon Tax across the four sectors of Waste, Fuels, Static Energy and Construction
 - The 0.8% will equate to rises of 1.2% to 3.3% in general rates excluding CPI
- **Review of Victoria Native Vegetation Framework** (Peter Graham, Director - DSE)
 - 2012 will involve Policy development and preliminary consultation with all impacted organisations
 - Recommendations from Victorian Bushfire Royal Commission will be included in the study
 - In 2013 a draft Victorian Native Vegetation Framework will be developed for comment
 - Review will focus on the **High** impact applications and the issues arising therein
 - Review will develop levels of self-assessment for **Low** impact applications
 - Review will identify levels of decision-making delegation to Regional levels

- **EPA and Local Government Liaison** (Gavin Mathieson, Senior Advisor – EPA)
 - Developing guidelines for Residential planning adjacent to closed landfill sites
 - Contaminated land is the number one focus of EPA over the next five years which will include refurbishment where possible
 - Looking to develop strategic partnerships with water authorities to address small town sewage systems and septic tank installations
 - Funding from landfill levies is being freed up to assist councils with closed landfill management and associated issues.

Meeting closed at 1:20pm

Next Meeting: Thursday 31 May at 10:00am

Recommendation

That the report be noted.

11.2 OFFICER'S REPORTS

11.2.1 EXECUTIVE SERVICES

11.2.1.1 COUNCIL PLAN – PROGRESS REPORT

Council Plan

20.030.001

Introduction

A report is provided on Council's performance against the Council Plan for the period 1 January 2012 – 31 March 2012 (*refer attachment*).

Background

Part of Council's mission is to provide the leadership necessary to maintain open communication and consultation. Providing regular reports to the community on Council's progress in achieving the objectives and strategies of the Council Plan contributes to this.

Highlights:

- re-appointment of Rural City of Wangaratta as Chair of the Hume Region Local Government Network (formally North East Local Government Network);
- completion of the Wangaratta Sports Development Centre, including preparation for an AFL standard football match;
- engaging with the community to resolve future development of Merriwa and Kaluna Park;
- highly successful and well attended Summer in the Parks program;
- successful launch of the Silver Jubilee exhibition and celebration for the Wangaratta Art Gallery;
- completion and submission of Federal funding application for Ovens Riverside Precinct;
- completion and submission of state funding application for the final stage of the Wangaratta Children's Services Centre;
- Community Support North East (CSNE) has successfully completed Stage One of the Disability Services Audit process;
- successful Harmony Day celebrations were undertaken with significant attendance from schools;
- completion of Stage 2 of the Wangaratta Children's Services Centre; and
- continuing restoration works for the 2010 floods.

Challenges:

- managing the consequences of the cancelled NAB Cup football game;
- resolving the transfer of Max Parkinson Lodge - although a response has been received agreeing to proceed with the transfer this matter has been delayed waiting for a response to a submission to reimburse Council for some of the capital works cost expended on this facility;

- ineligibility of Rural City of Wangaratta residents for the Flood Recovery funds. Media coverage and correspondence to relevant Ministers has been undertaken to lobby the State Government to change this decision;
- there has been a reduction in attendances in the performing arts industry in Victoria and Wangaratta is not exempt from this impact;
- the demand for the Family Day Care service is unable to be met due to the lack of Educators available or able to be recruited;
- new regulations in Children's Services are placing more demand for suitably qualified staff which is becoming difficult to recruit;
- managing the impacts of the February - March rain event with nearly 300mm in a week over the northern part of the municipality; and
- wet weather impact and auditor requirements with the construction of Cell 8 at Bowser Landfill.

Recommendation:

That Council receive the Council Plan Progress Report for the reporting period 1 January 2012 to 31 March 2012.

11.2.1.2 **DIRECTORATE ACTIVITY REPORTS**

Council Plan

20.030.001

Introduction

Part of Council's mission is to provide the leadership necessary to maintain open communication and consultation. Providing regular reports to the community on the organisation's activities contributes to this.

Background

A report is provided on the organisation's activities for the period 1 January 2012 – 31 March 2012.

Issues

This report describes those activities of Council which were undertaken during the reporting period and which are neither subject to an individual Council Report nor detailed in the Council Plan Program Report.

Directorate Activity Report for 1 January 2012 – 31 March 2012 attached (***refer attachment***).

Recommendation:

That Council receive the Directorate Activity Report for the reporting period 1 January 2012 – 31 March 2012.

11.2.1.3 ADOPTION OF 2009 - 2013 COUNCIL PLAN ADJUSTED 2012

Council Plan

20.030.009

Introduction

At its meeting on 20 March 2012, Council resolved to prepare a Council Plan for the period 2009 – 2013 adjusted 2012 (the Plan).

Background

Council resolved to give notice of the preparation of the Plan, make the Plan available for public inspection and to consider any submissions on any proposal or proposals contained in the Plan, at a meeting of a Committee of Council to be held on 8 May 2012 at 5:30 pm at the Wangaratta Government Centre.

Two public submissions, one from Mrs Alison Walpole and one from Mr Jim Lewis, were received in response to the public notice.

Issues

There are two actions within the exhibited Plan where Councillors are involved at a community group board level and potentially represent a conflict of interest. These actions are:

- 2.1.3.3 – In collaboration with the Wangaratta Festival of Jazz Board, develop a plan to enhance Wangaratta's status as the Jazz Capital of Australia.
- 5.2.4.1 (dot point 4) – Build on the key brand strengths of Food and Wine, Cycling, Ned Kelly and Jazz by collaborating with the Jazz Festival Board to ensure longevity and continued success of the event

At the Council meeting held on Tuesday 20 March 2012, Council resolved that The Merriwa and Kaluna Parks Master Plan review be incorporated into the draft Council Plan.

Council must take into consideration all submissions made and after it has made a decision must notify in writing every person who has made a submission and the reasons for that decision, in accordance with the responses set out in the report.

A summary of the submissions follows:-

Submission by Mrs Alison Walpole:

SUMMARY OF SUBMISSION	SUGGESTED RESPONSE
Document lacks explanation of the current financial and legal debate concerning the future of Local Government in the State of Victoria, in the Commonwealth of Australia, which	Providing an explanation of the current financial and legal debate concerning the future of Local Government in the State of Victoria, in the Commonwealth of Australia is

SUMMARY OF SUBMISSION	SUGGESTED RESPONSE
affects its implementation.	not the purpose of the document. - No change.

A copy of the full submission is attached (*refer attachment*).

Submission by Mr Jim Lewis:

SUMMARY OF SUBMISSION	SUGGESTED RESPONSE
<p>Water 1.2.1.3 “Continue facilitatory role in water security and re-use projects, provision of community health, youth, ethnic and education services, river management and the like as listed in Schedule 1 - other functions.” Given that Council has identified a facilitatory role in river management, why are there council actions apparently related to river management?</p>	<p>1.2.1.3 The effects of activities which occur away from rivers can have a direct impact on said rivers. No change.</p>
<p>Are timeframes realistic?</p>	<p>Target dates are considered appropriate. - No change.</p>
<p>Can related items from different sections be brought together?</p>	<p>Whilst some actions may appear to be related at an operational level, all actions relate directly to a relevant Key Strategic Activity and Objective and need not be cross referenced because they have an apparent operational connection. - No change.</p>
<p>6.1.1.4 “Reduce stormwater and waste water pollution impact from urban areas on waterways.” and 6.1.1.7. “Develop local wastewater solutions that control pollution in small towns.” Can these two actions be combined?</p>	<p>6.1.1.4 This action relates to urban areas whilst 6.1.1.7. relates to the rural small towns. The issues affecting the two distinct geographical areas of the municipality are quite different and therefore merit separate actions. - No change.</p>
<p>Community 3.2.3.4. “Explore the creation of more community gardens in the Rural City of Wangaratta” – should also include encouragement for people to use their own backyards to great effect</p>	<p>3.2.3.4. – This action relates to supporting people to actively engage and participate in their community. – No change.</p>
<p>4.3.1.2. “Develop an overall housing/population strategy to include appropriate zoning, density and service provision to accommodate population growth within Wangaratta and surrounding townships” is too general, single areas would be better listed.</p>	<p>4.3.1.2 – The purpose of this action is to develop an overall housing/population strategy, not to list and measure elements of housing/population. - No change.</p>
<p>Transport</p>	<p>4.2.1.1 - NTCP is managed by DPCD.</p>

SUMMARY OF SUBMISSION	SUGGESTED RESPONSE
<p>4.2.1.1 “Continue to work with the Transport Connections Project to develop a Transport Action Plan and address identified public and community transport gaps” – should also cover off on 4.2.1.2, 4.2.1.3, 4.2.1.4, 4.2.1.6 and 7.2.1.4</p>	<p>The project covers a large geographical area of 17,536 square Ks and includes the Local Government areas of Alpine, Indigo, Towong, Wangaratta and Wodonga The aim of the project is limited - to address the needs of communities and individuals who have limited access to transport. The other actions referred to are unrelated to this. - No change.</p>
<p>4.2.1.2 – “Advocate for an ultra-fast train service between Melbourne and Sydney with a stop in Wangaratta.” Is the service wasted at this time?</p>	<p>4.2.1.2 – This is an aspiration of the 2030 Vision which council undertook to pursue at this time. - No change.</p>
<p>4.2.1.4 “Plan a network of shared paths designed to provide walking and cycling access between townships and community facilities.” and 7.2.1.4 “Develop an action plan to promote cycling and walking as an alternative to vehicle use, including: bike stations; bike racks; and signage. “ Why have 4.2.1.4 and 7.2.1.4 as separate items when both cover in principle the same idea?</p>	<p>4.2.1.4 relates to access, 7.2.1.4 relates to encouraging the greater use of recreation facilities. - No change.</p>
<p>Energy and Resources 5.2.5.1. “Identify and evaluate options for renewable energy generation within the Rural City of Wangaratta.” 5.2.5.2. “Advocate for and identify financial incentives to allow businesses to develop renewable energy capacity.” and 5.2.5.3. “Investigate, in collaboration with other agencies, impacts and alternative options for achieving carbon neutral agriculture.” Are the target dates appropriate?</p>	<p>Target dates are considered appropriate. - No change.</p>
<p>Changing 6.2.1.3. “Promote sustainability and conservation through Council education and public events such as Clean Up Australia Day and the like.” And 6.3.1.2. “Assist the community to adapt to challenges such as, climate change and resource constraints, including peak oil.” – Are these actions and the approach to them too general?</p>	<p>These actions and the approach to them are not considered too general. - No change.</p>
<p>Buildings 6.4.2.4. “Investigate options to maximise environmentally sustainable</p>	<p>Target date considered appropriate. When the options are determined further actions will be developed. - No</p>

SUMMARY OF SUBMISSION	SUGGESTED RESPONSE
design for new and retro fitted residential, industrial and commercial developments.” Can the target date be met and once the options are determined what is the next step?	change.

A copy of the full submission is attached (*refer attachment*).

Mr Jim Lewis presented in person and elaborated on his submission as outlined above.

A copy of the draft Council Plan is attached (*refer attachment*).

Recommendation:

1. ***That the draft adjusted Council Plan for the period 2009-2013 annexed to this resolution and initialled by the Chairperson for identification amended to delete actions 2.1.3.3 and 5.2.4.1 dot point 4; be the adjusted Council Plan prepared by Council for the purposes of Section 125 of the Local Government Act 1989.***
2. ***That a new action 6.1.1.10 be included in the adopted Council Plan: “Undertake a review of the Merriwa and Kaluna Parks Masterplan”***
3. ***That a new action 2.1.3.3 be included in the adopted Council Plan: “In collaboration with the Wangaratta Festival of Jazz Board, develop a plan to enhance Wangaratta’s status as the Jazz Capital of Australia”.***
4. ***That a new action 5.2.4.1 dot point 4 be included in the adopted Council Plan: “collaborating with the Wangaratta Festival of Jazz Board to ensure longevity and continued success of the Event”.***
5. ***Having regard to the submissions received and the responses tabulated in the report, no further amendments be made to the adopted Council Plan; and***
6. ***Each person who made a submission be notified in writing of the decision and of the reasons for that decision, in accordance with the responses set out in this report.***

Communication

Copies of the Council Plan for 2009 - 2013 adjusted 2012 will be available through Council’s Customer Service Centre and electronically on Council’s website at www.wangaratta.vic.gov.au.

11.2.1.4 WANGARATTA CENTRE FOR MEDICAL EXCELLENCE

Wangaratta Centre for Excellence (WC4E)

42.090.007

Introduction

This report outlines the next steps for the Wangaratta Centre for Medical Excellence Project as agreed by the Project Steering Committee and Stakeholder Group at the meeting held Wednesday 28 March 2012.

Background

The Wangaratta Centre for Medical Excellence Feasibility Study (WC4ME) was undertaken in 2009-2010 by the Rural City of Wangaratta. The study reports that the number of domestic medical graduates joining Australia's workforce is projected to rise from 1820 in 2008 to 2920 in 2012.

The WC4ME proposed a new 'reversed' model of training that would see interns based in a regional setting; rotating through the hospitals, skills labs and lecture facilities of the region and only into a metropolitan area for what is deficient.

Issues

Since the release of the study, a number of activities and initiatives have been undertaken within the region. These include:

- A partnership between Northeast Health Wangaratta (NHW) and the University of Melbourne which has seen the opening of the Learning and Teaching Centre (LTC) on site at NHW. The LTC includes an auditorium, tutorial room and a state of the art simulated learning laboratory.
- The Department of Health commissioned, and have subsequently released, the Best Practice in Clinical Learning Environment Framework to "underpin consistency and excellence in clinical education and training across the state. (The framework is) a comprehensive strategy....aimed at enhancing the capacity and quality of clinical education in medicine, nursing and allied health in Victoria."
- Health Workforce Australia and Department of Health have made significant investments in the development of a state wide Clinical Placement Network to govern and facilitate an increase in student placement capacity.
- The establishment of an advanced rural skills position in Anaesthetics at NHW facilitating training of GP Anaesthetists under the auspice of the Bogong Regional Training Provider.
- Accreditation of the Emergency Department at NHW as a core term for intern training is progressing. This will allow NHW to provide all requirements for intern training on site.
- The establishment of the Murray to Mountain (M2M) Medical Internship program to facilitate and support an increase in regional intern position. Administered by Numurkah Hospital, interns are now placed across a number of GP clinics as well as local health services including NHW.

- The University of Melbourne in partnership with regional and district health services have established and sustained the Rural Health Academic Network (RHAN) to facilitate and support rural research.
- GOTAFE and Charles Sturt University have established a partnership to share local campus facilities to provide and facilitate gap training for EN to RN.
- The University of Melbourne in partnership with NHW to support and facilitate an increase in medical student placements.
- The successful endorsement of 2 Nurse Practitioners in Gerontology, 1 in Mental Health, 1 in Palliative Care, 1 in Emergency Care and 1 in Critical Care; and a subsequent review of NHW strategic workforce plan and realignment of our capacity to support local Nurse Practitioner Training.
- The establishment of a Nurse Practitioner Candidate – Aged Care & the appointment of Nurse Practitioner – Urgent Care Centre at Benalla Health.
- Development of Central Hume Graduate Nurse Program Collaborative: a partnership between NHW, Benalla Health, Mansfield district Hospital, Yarrawonga Health and Alpine Health to provide a joint professional development program and facilitate inter hospital rotations for new graduate nurses.
- MOU signed between NHW & Alpine Health to facilitate maintenance of midwifery skills across Alpine Health; and MOU signed between NHW & Benalla Health to facilitate maintenance of emergency nursing skills for Urgent Care Centre staff.
- A partnership has been established between NHW, GOTAFE and Wangaratta High School to develop entry level pathway into health careers for local high school students.
- Innovations in e-health and the establishment of a regional health service video conferencing network.

(Taken from “NHW Summary Paper: Sustainable Health Workforce Development through Interagency collaboration March 2012”)

Implications

Given the above listed developments that have evolved in the health industry, the objective sought from a WC4ME concept has now largely been achieved, even if there is no physical single entity as first envisaged. However, there are still a number of key requirements to ensure the progress made in this area is not lost and this includes:

Activity coordination

One of the key drivers for the initial WC4ME was to eliminate the duplication of services and/or facilities within the health training sector in the region. This has now been highlighted as an imperative component of regional training going forward. Northeast Health have committed to facilitating a broad stakeholder group forum for the region, in an ongoing capacity to ensure the best use of existing and planned facilities for the region. The forum will report back to the WC4ME steering committee in one year.

Continued settlement support for partners of participants

Stakeholders have recognised that where regions have actively pursued pathways to practise in a regional or rural context, there is a need to ensure partners of the participants are actively engaged in the community. Continued focus for Local Government in settlement assistance for families moving to the region is recommended. The Rural City of Wangaratta participates in these activities, in particular with the Regional Skilled Migration Program.

Investment in accommodation requirements of training programs

This is the main area for future work for the Rural City of Wangaratta, as there is existing need for student accommodation, not only Northeast Health, but also GOTAFE and now Charles Sturt University.

Council Plan Outcomes

The Council Plan has an action “Capitalise on the findings of the feasibility study to develop a Centre for Medical Excellence”.

Financial

Council made an allocation in its 2011-12 revised budget of \$25,000 as a contribution towards the development of a business plan for the Medical Centre of Excellence. This should now be re-allocated to preparing a business model and plan for the development of the former Ovens College site, including the provision of student accommodation.

Conclusion

The steering committee and the stakeholder group highlighted the work carried out as part of the WC4ME project as the catalyst for many of the developments listed above.

The role of Council in moving forward is now seen to be in the area of facilitating a joint move toward ascertaining and establishing a solution to the student accommodation needs within Wangaratta.

Recommendation:

That Council:

- 1. note the report;***
- 2. acknowledge the outcomes listed towards realising the Medical Centre for Medical Excellence concept;***
- 3. endorse the future role of Council in the process; and***
- 4. re-allocate \$25,000, previously set aside for the Medical Centre of Excellence, to preparing a business model and plan for the development of the Ovens College site, including the provision of short-term and student accommodation.***

Communication

That a letter be sent to members of the Medical Centre of Excellence Steering Committee for their contribution to this project.

11.2.1.5 NEW LOAN

Loans

51.050.001

Introduction

This report deals with the borrowings for the 2011/2012 Budget adopted by Council on the 19 July 2011.

Background

At its meeting held on Tuesday, 17 April, 2012, Council authorised the Chief Executive Officer to conduct a tender process, accept a tender and execute any necessary documentation to take up a loan of \$1,070,862.

Issues

Competitive bids for the financing of a \$1,070,862 loan were invited in local and metropolitan press. Tenders for this loan closed on 10 May 2012.

In response, the following tenders were received:

	Rate
Australia and New Zealand Banking Group	5.70%
National Australia Bank Limited	5.96%
Commonwealth Banking Group	6.91%
Westpac Banking Corporation	7.04%

The Commonwealth Bank and Westpac submitted additional non-conforming tenders that were not considered as part of the tender evaluation.

Implications

Council Plan Objectives

Council's objective is to ensure that its plans and budgets are both responsible and sustainable.

Local Community

The loan will provide for the following in accordance with the 2011/2012 budget.

Showgrounds Redevelopment	\$ 470,000
Defined Benefits superannuation call	<u>\$ 600,862</u>
	\$1,070.862

Council's Financial Position

Provision has been made for the repayment of the loan in Council's budget and long term financial plan.

The loan will be secured against the general rates of the municipality by execution of a Deed of Charge with the Australia and New Zealand Banking Group.

Conclusion

The Australia and New Zealand Banking Group loan bid for a ten year term has been assessed as the most beneficial for the Council.

The loan details are as follows:

Amount:	\$1,070,862
Term:	Ten (10) years
Interest Rate:	5.70%
Settlement:	14 May 2012

The loan offer of the Australia and New Zealand Banking Group has been accepted under delegated authority in accordance with Council's previous determination.

Recommendation:

That Council sign and seal the loan contract with the Australian and New Zealand Banking Group for the amount of \$1,070,862 when documentation becomes available.

Communication

All tenderers have been advised of the outcome of the tender process.

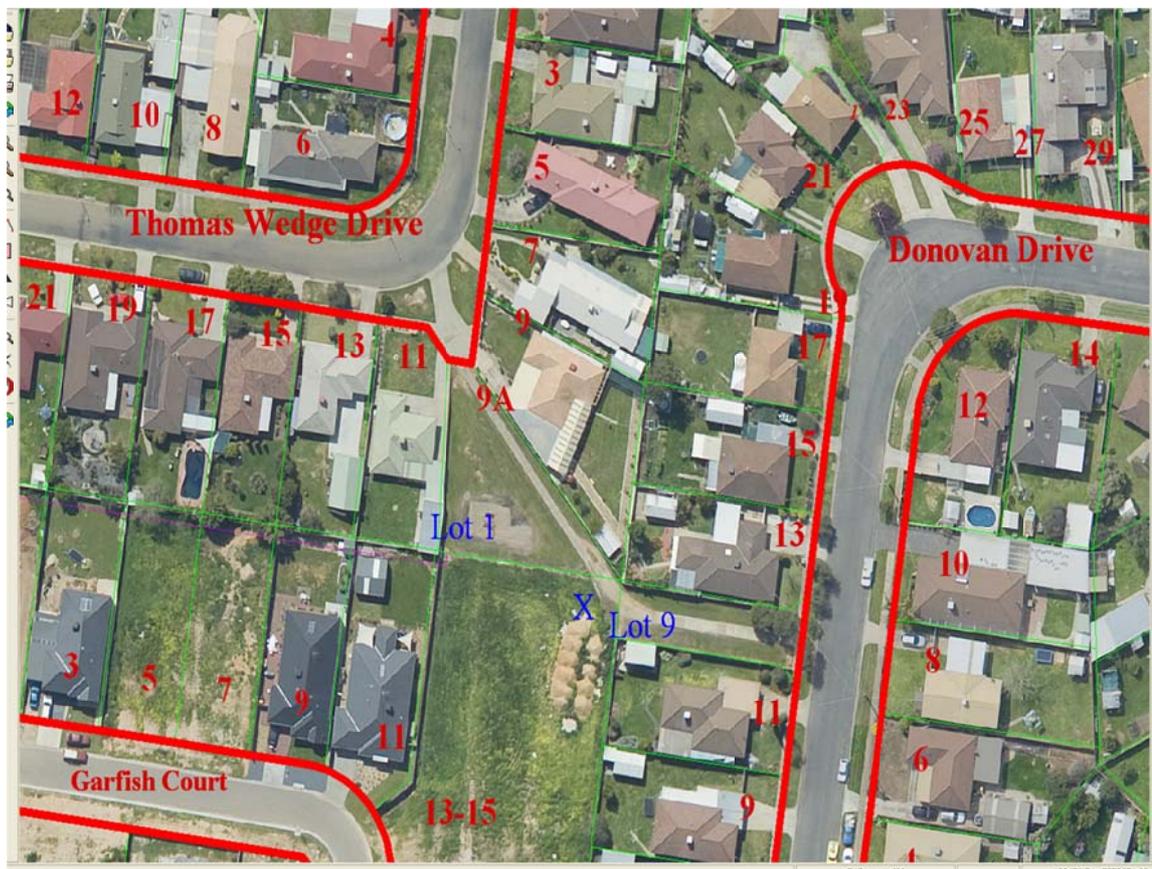
11.2.2 SUSTAINABILITY

11.2.2.1 SALE OF LAND – THOMAS WEDGE DRIVE AND DONOVAN DRIVE, WANGARATTA

Lot 9 LP 116397 Donovan Drive	14360
Lot 1 608666 9A Thomas Wedge Drive	4382
Council Property Dealings	52.015.002

Introduction

Lot 9 PS 116397 situated between 11 and 13 Donovan Drive, Wangaratta containing 387.28 m² was created by subdivision in 1977. This small parcel was originally constructed by the subdivider as a link to land at the rear of Donovan Drive, proposed for future subdivision.



For the last twenty or more years, Lot 9 has been utilised by pedestrians & cyclists for access between Donovan Drive and Thomas Wedge Drive and also to access the Thomas Wedge Drive, Playground.

The playground being Lot 1 PS 608666 situated at 9A Thomas Wedge Drive was identified in Council's Playground Consolidation Strategy as being unsuitable for further development and it was advertised for public submission on its proposed sale in December 2005. No submissions were received and following planning

approval for the removal of the reservation status, a new title was issued in September 2007.

Access between Donovan Drive and Thomas Wedge Drive via Lot 9 whilst being convenient, is not essential and has never been fully authorised as the Council land (Lot 1) is not contiguous with this parcel and access to Thomas Wedge Drive (and to the playground) has always required intrusion over private land (see X on plan).

Ownership of Lot 9 during this time has remained in the name of the original subdivider's company

Land to the rear of this parcel has now been developed by subdivision with road access provided via Garfish Court. Utilisation of this access way as a link has not been configured as part of the subdivision.

Background

Several times over the past 15-20 years, the owners of 13 Donovan Drive have contacted Council, seeking to purchase the connecting parcel of land (Lot 9), with the intent of increasing the amenity of their existing residential holding.

On each of these occasions, Council has advised that it could not consider their request as the land was not Council land.

Title searches revealed that this land stood in the previous company name (Petman Nominees), now deregistered and under the control of the Australian Securities and Investments Commission (ASIC).

In 2010, ASIC advised of the conduct of a state-wide audit of property held in the name of deregistered companies. This audit identified 2 Reserves and 2 Roads (Donovan Drive & Harvey Court) also contained on PS 116196 which would have normally passed to Council in accordance with the Subdivision of Land Act.

Under the Corporations Act 2001, all assets held in trust as at the date of deregistration vest in the Commonwealth and ASIC has delegated power to deal with vested trust property. Accordingly, ASIC advised of an offer to transfer this land to Council at no consideration, with Council responsible only for the lodgement fee to the Land Titles Office.

The Municipal Association of Victoria in correspondence received in December 2010 acknowledged their discussions with ASIC in relation to this matter and encouraged Council(s) to take up the offer of transfer as proposed by ASIC.

Council agreed to participate in this process and at the conclusion of arrangements and with the assistance of Councils Solicitor, Certificates of Titles to Roads 1 & 2, Reserves 1 & 2 and also to Lot 9 Donovan Drive have been transferred into Council's name.

Issues

The subdivision of land immediately to the rear of this land includes a large allotment of approximately 2,207 m² situated at 13-15 Garfish Court. Agents acting for the owners of this allotment have recently enquired about the availability of Lot 9 for purchase, with the intention of including this parcel for use as access to a proposed six unit development.

The owners of 11 & 13 Donovan Drive together with other signatories in Donovan Drive have previously written to Council expressing their opposition to such a proposal. The basis of their objections is the disruption that vehicular traffic along this land will have on their amenity.

There are three potential parties, all adjoining owners, who have a beneficial interest in purchasing this parcel of land. In accordance with Council's Sale of Council Land Policy, the sale of this property will be undertaken via a public process.

Legal advice has been obtained that confirms that there are no impediments in selling this parcel of land. Public use of this parcel will cease immediately if the owner of 13-15 Garfish chooses to place a physical restriction on access at the rear boundary of 9 and 11 Donovan Drive and 9A Thomas Wedge Drive.

The owners of 13-15 Garfish court have also indicated an interest in purchasing the Thomas Wedge Drive playground site as have several other interested parties.

Council Plan Outcomes

Council's Council Plan Objective to ensure the long term financial security of the Council.

Implications

Section 189 of the Local Government Act 1989 provides that before a Council sells land, it must:

- give public notice at least four (4) weeks prior to selling the land; and
- obtain from a registered Valuer, a valuation of the land which is not made more than six (6) months prior to the sale.

The public has the right to make a submission on the proposed sale in accordance with Section 223 of the Local Government Act 1989.

It is proposed that the sale of these properties be negotiated at a price no less than the market valuation. The purchase price will be GST inclusive and each party will bear its own costs.

Any subdivision or consolidation proposed as part of this transaction will be borne by the purchaser(s).

In accordance with Section 20 of the subdivision Act, the Council must use the proceeds of the sale of public open space to buy or improve land already set aside, zoned or reserved (by the Council, the Crown, a planning scheme or otherwise) for use for public recreation or public resort, as parklands or for similar purposes.

Policies

Arrangements for the disposal of this land will be undertaken in accordance with Council's Sale of Council Land Policy.

Community Engagement

Community engagement will be achieved through the advertisement of Council's proposal and also by correspondence to affected property owners.

Conclusion

Lot 9 Donovan Drive is not required for municipal purposes and does not provide legal access to Council land situated at Lot 1 Thomas Wedge Drive. Accordingly it is considered appropriate that it be offered for sale by public process.

Lot 1 Thomas Wedge Drive has previously been identified as being surplus to Council's requirements and was advertised for sale in 2007. No public submissions were received in relation to its sale and it is proposed that arrangements to offer this land for sale by public process now be initiated.

Recommendation:

That:

- 1. notice of Council's intention to sell land contained in Certificate of Title Volume 11290 Folio 664 being Lot 9 PS 116197 situated between 11 & 13 Donovan Drive, Wangaratta be advertised and public comment be sought on the proposal in accordance with the requirements of Section 223 of the Local Government Act 1989;***
- 2. Council receive and consider any submissions made on the proposed sale of this land;***
- 3. subject to and contingent upon no submissions being received on the proposed sale, then Council determine to sell by public process, land shown as Lot 9 PS 116197 and that the Transfer of Land Instrument be signed and sealed by the Council when available; and***
- 4. the Director – Sustainability be authorised to undertake the necessary arrangements for the sale of the land.***

Communication

Consultation and communication with relevant Council officers and Council's Solicitors will be undertaken. Consultation with adjoining land owners, their solicitors and or surveyors will also be undertaken.

Public notification on the proposed sale of the land by public process will be undertaken.

11.2.2.2 LOWER OVENS GROUNDWATER MANAGEMENT AREA – LOCAL MANAGEMENT PLAN

Water Supplies Issues

82.090.002

Introduction

Over the last two years Council has participated in a project, auspiced by Goulburn-Murray Water (GMW) that investigated the extent and scale of the groundwater resource of the Ovens catchment. Using the information provided by that project GMW has now developed a Local Management Plan for the sustainable management of that resource.

A copy of the Plan is attached (*refer attachment*).

Background

The Lower Ovens Groundwater Management Area covers the Ovens catchment downstream of Myrtleford. This includes the upper reaches of the King and Buffalo Rivers and extends north along the floodplain toward the Murray river.

The Local Management Plan is intended to:

- provide a clear and proactive framework which enables the benefits of groundwater to be maximized in an equitable and sustainable manner;
- using improved knowledge, manage the impact of groundwater extraction on high value environmental assets; such as river flow and groundwater dependent ecosystems; and
- where necessary, provide clear sharing arrangements for times of groundwater shortage and decline.

The Plan was developed by GMW with a Reference group made up of:

- Department of Sustainability and Environment;
- North East Catchment Management Authority;
- The local irrigation community;
- Regional Water Services Committees;
- North East Water;
- Rural City of Wangaratta; and
- Alpine Shire.

GMW carried out technical work including:

- development of a conceptual and hybrid model for the Ovens valley;
- an assessment of different extraction and climate change scenarios; and
- testing and validation of the numerical model using additional investigations from field investigations.

The technical work completed by GMW shows that:

- there is more recharge to the aquifers between Bright and Tarrawingee (due to higher rainfall) than to the north near Boorhaman and the Murray River;
- there is higher connectivity between groundwater and surface water in the mid Ovens; and

- connectivity between surface water and groundwater occurs over a much longer timeframe north of Wangaratta.

The total licensed groundwater extraction is 20,066ML which makes up 4.5% of average annual groundwater recharge. It is believed that actual groundwater use accounts for 20-30% of total licenced entitlement volume.

The Permissible Consumptive Volume, which is the total amount of entitlement that can be licenced, is 25,200ML.

The Local Management Rules anticipate transfers of groundwater within the catchment generally from east to west and south to north.

Issues

In order to sustainably manage the resource three zones and several rules have been established.

The zones are:

- highlands and mid-Ovens - Ovens and King catchments south and east of Wangaratta (east of the Hume Freeway);
- lower Ovens - floodplain north of Wangaratta to north of Peechelba; and
- Murray Zone - floodplain areas north of Peechelba to Murray River.

The rules provide for:

- the basis for determining a cap on total licenced entitlement;
- the conditions necessary in order for a transfer of ground water entitlement to be approved;
- the triggers and allocations of the Deep Lead aquifer of the Lower Ovens and Murray Rivers;
- describes how GMW will monitor groundwater levels;
- recording consumption;
- annual reporting;
- communication methods; and
- a review of the Plan.

Implications

Council Plan Outcomes

There are several Council Plan actions relevant to this matter:

- continue to advocate for a long term secure water supply for Wangaratta and district;
- advocate to preserve the current protection of the Ovens and King River systems with respect to the trading of water; and
- utilise the findings of the Ovens Aquifer Water Security project to develop and promote a business case for the establishment of a sustainable agriculture industry in the Ovens and King Valleys.

The outcomes of the Ovens Aquifer Water Security project and proposed Local Management Plan for the Lower Ovens Groundwater Management Area are in keeping with these Council Plan actions. As reported at the August 2011 Council Meeting, the Ovens Deep Lead Aquifer provides a separate and district water supply for the Wangaratta area resolving its immediate and future water security needs. The proposed Local Management Plan offers capacity, flexibility and security to support agriculture within the Ovens system.

Sustainability

This Plan supports very positive sustainability outcomes for agriculture, water resources and the environment.

Community Engagement

The Draft Plan was released to license holders and the general public on 4 May 2012. A Public Information Session is to be held in Wangaratta 14 May. The closing date for comments is 1 June 2012 and the Final Plan is expected to be released in mid-June.

Conclusion

Groundwater extraction in the Ovens system is to be capped at current Permissible Consumptive Volume which is greater than current licensed volumes and four times the current level of use. Three Management zones will be created and permanent trade of water within those zones will be enabled.

The Rules promote development of the Deep Lead area of the Ovens Aquifer in the Lower Ovens Management Zone. However, allocation triggers provide a precautionary approach to future management.

Because of the close alignment of this Local Management Plan, with the Council Plan, Council should endorse the proposed rules.

Recommendation

That Council

- 1. support the proposed Local Management Plan for the Lower Ovens Groundwater Management Area, and***
- 2. Advise Goulburn-Murray Water accordingly.***

11.2.2.3 DELIBERATIVE DEMOCRACY

Hume Community Climate Project – Deliberative Democracy

68.070.006

Introduction

The Deliberative Democracy approach was used for a Citizens Jury in July 2010. A Jury drawn from a broad cross section of residents in the municipality, with varying age, location and experience, deliberated on the topic “*How can we work together to respond to a varying climate?*” The Jury had access to expert information and were assisted by a facilitator with experience in deliberative

democracy processes. This work provided Council with a more detailed response to environment themes raised by the community in the 2030 Community Vision.

Background

The Citizens Jury recommendations were received by Council in August 2010 and actions for each recommendation were adopted by Council in October 2010. Council had three approaches:

- (a) refer to the Council Plan process (leading to modification of some existing Council Plan actions)
- (b) implement
- (c) make further consideration

Also in October 2010, Council adopted a definition of Sustainability and guiding principles for Council's approach to sustainability. This set a framework for the sustainable approach advocated by the Citizens Jury.

Issues

In the 18 months since Council adopted actions at its October 2010 meeting, there has been significant progress in a number of areas. The Jury recommendations were grouped into 9 areas. A brief summary for each area is shown below, with a detailed update for every recommendation shown in the attached report (*refer attachment*).

Key Area	Overall action since October 2010
Leadership on sustainability	Council initiated a regional bulk buy for solar energy cells and in 2012 a Solar Ambassador is assisting householders to consider these systems. See also Issues below
Education	The Eco Living project (with assistance from Sustainability Victoria) responds to a number of the recommendations. The project implemented a demonstration centre and a Sustainability Education Officer in 2011, with a roadshow to extend the work of the education officer in 2012.
Community Engagement	Detailed sustainability information has been included in Council's new website. Small scale consultation continues with local communities, as each develops a Community Plan. As the focus of these Plans is driven by local community issues, sustainability appears as a priority in only some communities.
Water	Council has successfully lobbied for the security of natural water flows in the Ovens and King river systems. Other recommendations around stormwater and wastewater reuse are relevant to a current regional study. The financial business case for water savings projects is not as strong as for energy reduction, with fewer grant opportunities. However there is a strong social case for water saving as an essential resource and maintenance of key community

Key Area	Overall action since October 2010
	facilities during low water periods
Energy	Consideration of renewable energy options and related business opportunities are in early stages. Council is actively seeking funding to enable renewable street lighting to be installed.
Waste	Most of the recommendations will be considered in a Waste Management Strategy for development in 2012/13.
Transport	Council has made an ongoing liaison with the 'Transport Connections' project to consider the issues raised by the jury and improve public transport access in this region.
Food	Council actions in regard to the Murray Darling Basin Plan, Agrifood Project, use of water at source and the Rural Land Strategy. An active role in supporting new community gardens.
Sustainable building	The recommendations are in early stages of investigation.

Implications

The most challenging recommendations made by the Jury concerned greenhouse gas reduction. The Jury recommended a 30% carbon reduction by 2012 and 75% by 2020, with consideration of a program to be carbon neutral by 2050. These recommendations arose from the Jury's consideration of the likely impacts of climate change on the community and a desire to contain negative effects.

Council has a current target of a 20% reduction in carbon emissions by 2016 and will continue to work to achieve this target. Decisions regarding further reductions need more detailed energy information than is currently held. An adequate inventory of energy use with reliable data has been difficult to develop but will be achieved in 2012/13 as part of implementation of Technology One. Along with energy audits of key buildings, this will allow further energy reduction targets to be assessed.

The attached report shows the progress with each Jury recommendation and recommends continuing actions.

Council Plan

The Council Plan has an action to review the program towards achieving the outcomes of the Deliberative Democracy progress with results reported to the Citizens Jury.

Recommendation:

- 1. that Council note the report and endorse these actions as progress of the Citizens Jury; and**
- 2. advise members of the Citizens Jury accordingly.**

11.2.2.4 FINANCE REPORTS

BUDGET COMPARISON REPORTS

Summary

As at 31 March 2012, council's end-of year net rates budget surplus is forecast to decrease from its revised budget position of \$160,000 surplus to \$152,666 surplus.

The year-end forecast indicates that the net operating result will be \$198K greater than the revised budget.

Capital expenditure is forecast to decrease by \$2.6M to \$18.5M due mainly to capital projects to be carried forward to the 2012/13 financial year.

Detailed analysis

1. Increased Operating Budget Surplus

The forecast for Operating Budget Surplus of \$7.33M is an increase of \$198K from the Revised Budget of \$7.13M. This is largely due to:

- Operational projects carried forward to 2012/13 financial year totalling \$405K.
- A review of Department of Treasury guidelines for natural disaster relief, in relation to the 2010 floods indicates that ordinary labour hours for emergency works are not eligible for reimbursement. The non-reimbursable expenditure is estimated to be approximately \$150K. This expenditure is expected to be recovered by reduced road maintenance works.
- \$35K has been transferred from street lighting improvements to street lighting operations to cover increased utilities costs (refer below)

2. Decreased Capital Expenditure

The forecast for Capital Expenditure of \$18.5M is a decrease of \$2.6M from the Revised Budget of \$21.1M. This is largely due to:

- \$1.2M of the plant replacement program being carried forward 2012/13,
- \$1M of capital projects have been identified as carried forward to 2012/13.
- \$150K of the Country football/netball program has been allocated to the Whorouly Football/Netball Club change rooms which will be undertaken in 2012/13. This is a net contribution of \$20,000 from this program, as \$130K of grant income, also deferred, (refer below) brings Council's contribution to \$20K.
- \$100K of savings on the Showground Redevelopment has resulted in contingency funds not being required. This has been offset by an unsuccessful grant application (refer below).
- \$35K has been transferred from street lighting improvements to street lighting operations to cover increased utilities costs (refer above).

3. Decreased Capital Grants and Contributions

The forecast for Capital Grants and Contributions of \$4.73M is a decrease of \$386K from the Revised Budget of \$5.1M. This is largely due to:

- \$520K reduction in funding for the Ovens River/Faithful St precinct for the 2011/12 financial year as per the Putting Local First grant worksheet.
- \$130K of the Country football/netball program utilised for the Whorouly Football/Netball Club change rooms in 2012/13 (refer above).
- A grant application of \$95K for the Showground Redevelopment was unsuccessful. This has been offset by savings (refer above).
- This is offset by \$200K grant received for the Merriwa Park Comfort Station Redevelopment in 2011/12 from the Local Government Infrastructure Fund. These works will conclude during 2012/13.
- Also \$150K funding has also been applied to the Recreation Parklands Masterplan Traffic Management project.

Detailed explanations are provided for individual items where the predicted year-end outcome varies from the revised budget by more than \$20,000 (**refer attachment**).

Conclusion

Re-forecasts for the 2011/2012 financial year confirm that Council's rates surplus is predicted to decrease by a margin of \$7,334 to a surplus of \$152,666. The revision has accommodated a reduction of the 2010 flood reimbursements.

Recommendation:

That the report be noted.

11.2.3 COMMUNITY WELLBEING

11.2.3.1 PUBLIC ART STRATEGIC PLAN REVIEW 2012

Public Art Programs

67.070.002

Introduction

The 2009 – 2013 Council Plan objectives require that Council's Public Art Strategic Plan be reviewed to meet current needs and directions for public art within the Rural City of Wangaratta.

The Public Art Strategic Plan review has been completed and includes a section of revisions based on the results of the Current Sculpture Award review (refer Objective 3, page 5 of the Public Art Strategic Plan 2012 – 2015 in the attached) ***refer attachment.***

Background

Council's Public Art Strategic Plan and Policy were adopted by Council in 2005. A review of the current Public Art Strategic Plan was delayed to accommodate the outcome of the Current Sculpture Event review.

The Public Art Strategic Plan encapsulates directions for the inclusion of public art and design features into capital works projects and other identified projects. It includes objectives, strategies, responsibilities, timeframes, resources, indicators and relevant 2030 Community Vision actions. It is a comprehensive plan that covers all issues pertaining to public art planning and inclusion in the Rural City of Wangaratta.

Issues

There are budgetary implications associated with the plan which focuses on identifying appropriate capital works projects in a 'ten year plan' for public art that matches Council's Ten Year Capital Works Plan. The plan outlines possible funding sources including the Current Sculpture Award budget.

The criteria for determining when public art is developed in conjunction with a capital project is yet to be established though it is proposed that 'significant projects' are the primary focus. It is also proposed that the Project Submission system includes criteria for response for each project to generate consideration of public art as part of a project.

Examples of projects which would be considered for public art include:

- the Wangaratta Library;
- the Wangaratta Indoor Sports and Aquatic Centre;
- the Showgrounds Redevelopment;
- the Wangaratta Performing Arts Centre; and
- the Riverside Precinct.

Implications

Council Plan Outcomes

- review Council's Public Art Strategic Plan; and
- to integrate public art, design and cultural features into the planning of capital works projects and public space developments throughout the Rural City of Wangaratta.

Sustainability

Although funds for the Sculpture Event will be amassed over a number of years to fund some public art, there may be occasions when it is determined necessary by Council to make a specific allocation for a particular project.

Community Engagement

Council's Arts, Culture and Heritage Advisory Committee has had input into the development of the Public Art Strategic Plan.

Conclusion

The Public Art Strategy provides Council with direction and guidance for the implementation of a public art program. If Council support this approach, a project submission will be submitted each year for consideration during budget deliberations where additional funding may be proposed. A list of proposed projects over a ten year period has been developed and will be the subject of a separate report.

Recommendation:

That Council place the Rural City of Wangaratta Public Art Strategy on public exhibition for a period of 28 days for public comment prior to final adoption.

Communication

Members of the Art, Culture and Heritage Advisory Committee will be advised of Council's decision, and the Public Art Strategic Plan will be made available for public comment via Council's website, offices and distributed to a Council data base of contacts.

11.2.4 INFRASTRUCTURE SERVICES

11.2.4.1 BOURKE ROAD RAILWAY CROSSING

Railway / Railway Crossing Issues

83.045.001

Introduction

This report details the interface between the railway crossing and Bourke Road in North Wangaratta. The report highlights the identified risks associated with the crossing and recommended mitigation actions.

Background

The responsibility of the interface between a railway line crossing and a road reserve belongs to the Railway Authority and the Road Authority.

To assist in managing these conflict sites, it is recommended that Safety Interface Agreements (SIA) is developed between the responsible authorities. Prior to developing the agreements, each site would need to be surveyed and assessed to determine the level of risk.

Commencing in 2007, the Municipal Association of Victoria in conjunction with the Railway and Road Authorities began to undertake audits on these sites to assess the level of safety risks associated with the individual sites. The audits were undertaken using pre-determined criteria known as the Australian Level Crossing Assessment Model (ALCAM). The model analyses the characteristics of the individual sites, with the characteristics given an individual score or rating, which upon completion of the audit are totalled to give an overall ALCAM score.

The score reflects the likelihood or risk safety score for the site. These scores are then compared with other sites and prioritised (for upgrade, as funding is made available) in accordance with their level of risk.

The Rural City of Wangaratta has thirteen crossing sites. Two ALCAM Audits have been undertaken on each of the crossings. The first occurred back in 2007 and the second was undertaken in November 2011.

The audits and associated ALCAM scores have been provided to Council for consideration.

A Report has been presented to Council highlighting the fact that the Bourke Road crossing was ranked in the top 3% risk safety scores of crossings across the state. Therefore, it was highly recommended that, if it is reasonably practicable to eradicate or modify the crossing to reduce the risk that should occur.

There is no history of any accidents involving trains and vehicles at the Bourke Road crossing that Council is aware of.

To manage the risk, two options are available to Council:

1. close the crossing; and
2. undertake mitigating works that will reduce the risk.

As a result of ALCAM and SIAs and the necessity to reduce risk, there is now a significant increase in the number of councils closing crossings.

Issues

Between the two audits some of the characteristic scoring was altered to reflect the perceived level of risk as well as having some of the issues highlighted in the 2007 audits addressed, hence the scores in most cases have changed. Out of the 13 crossings assessed within the municipality, eleven sites had their ALCAM score reduced, one was unchanged while one received a higher score.

The ALCAM scores for the associated crossings are provided in the table below.

Crossing	2007/08 ALCAM Likelihood Factor	2011 ALCAM Likelihood Factor
Taminick Gap Road	78	78
Delloro Road	101	86
Gravel Pit Road	77	76
Shanley Street	132	63
Sandford Road	109	71
Sisely Ave	138	54
Burrows Street	84	49
Boorhaman Road	89	83
Bourke Road	367	469
Federation Way**	158	72
Carragarmungee Road	93	81
McMahons Road	99	84
Rutherglen – Springhurst Road**	110	84

As highlighted in the table, the majority of the crossing sites within the municipality have consistently received a low ALCAM (i.e. likelihood or risk) score. However in contrast, one site being the Bourke Road crossing site has presented a significantly high ALCAM score on both occasions.

Other than removing the conflict between the railway line and road, the most effective management response for the site is to try and reduce the risks with the introduction of mitigation measures.

These mitigating works would include:

- the introduction of 'Stop' sign intersection treatment;
- sealing of the approach to the railway crossing along Bourke Road; and
- the removal of vegetation along the railway corridor to improve visibility for vehicles approaching the crossing.

Although the stacking distance at the intersection between the crossing and the highway is certainly not desirable, it does need to be highlighted that even with a semi-trailer turning from the highway into Bourke, the area still provides for the vehicle to be positioned completely off the highway vehicle travel path and not providing a hazard (as shown below).



The introduction of these mitigation works would certainly reduce the risk score. It is envisaged that the score could be reduced by as much as 150 ALCAM points. This will need to be confirmed via another ALCAM Audit following the completion of the works.

Further mitigating works could include the introduction of a signalised crossing which would then reduce the risk even further, and although this will not remove the risk entirely it would provide Council with a reduced risk until the crossing is removed or a more suitable alternative is determined.

Discussions with VicTrack (Railway Authority) have indicated that the Bourke Road Railway Crossing site has been identified for a crossing upgrade with the introduction of signals, however no confirmation of timing has been provided and indications are that other sites across the nation have been given a higher priority.

Implications

Council Plan Outcomes

Plan for and provide infrastructure appropriate to the community's needs; and
Ensure the amenity of public and built environments is attractive, safe and practical.

Conclusion

To achieve a lower ALCAM score and effectively reduce the risk at the Bourke Road Railway Crossing site without removing the crossing, it is recommended that the following two mitigating stages are considered.

The costs associated with Stage 1 works will currently be managed under the 2011/2012 Capital Works Budget for the Bourke Road site. While Stage 2 works is envisaged to be undertaken through the Government's funding for Railway Crossing Upgrades at a time yet to be confirmed.

Stage 1

1. The introduction of 'Stop' sign intersection treatment;
2. Sealing of the approach to the railway crossing along Bourke Road; and
3. The removal of vegetation along the railway corridor to improve visibility for vehicles approaching the crossing.

Stage 2

The introduction of a 'Signalised Crossing'.

Recommendation:

That Council endorse the proposed staged actions to mitigate the risk at the Bourke Road railway crossing.

11.2.4.2 MERRIWA AND KALUNA PARKS MASTERPLAN REVIEW- NEXT STEPS

Merriwa Park

7021

Introduction

This report outlines the next steps following Council's decision at the March meeting to review the Merriwa and Kaluna Parks Masterplan

Background

At the March Ordinary Council meeting, Council considered a report on the outcome of a public submission process regarding proposed works within Merriwa Park. At this meeting Council resolved:

"That:

1. *Notwithstanding the resolution at the February Council Meeting deferring a decision on a compromise plan for Merriwa Park to a Special Council Meeting, this matter be brought forward and dealt with at this meeting in the public interest and the need to act expeditiously.*
2. *Council not proceed with the compromise plan for Merriwa Park and withdraw the existing application to the Minister under Section 17e of the Crown Land (Reserves) Act for the use of reserve land for car parking.*

3. *In the light of submissions received, that a full review of the Merriwa and Kaluna Parks Master Plan be undertaken, including how to address:*
 - *Access for disabled;*
 - *Car parking requirements;*
 - *Access to Soundshell and Kaluna Park;*
 - *Future use of redundant tennis courts; and*
 - *Opportunities for improvement.*
4. *An Expression of Interest process be developed to form a working party based on an appropriate skills/interest group matrix to undertake a review of the Merriwa and Kaluna Parks Master Plan.*
5. *All submitters be advised accordingly.*
6. *The Merriwa and Kaluna Parks Master Plan review be incorporated in the adjusted Council Plan.”*

Correspondence has been forwarded to the submitters advising them of Council's resolution and the intention to commence a process to review the masterplan.

Issues

Work is currently being undertaken to develop the expression of interest process for the Merriwa Park Working Group and this will be subject of a report to the June Ordinary Meeting of Council.

The car park works and other works associated with the current masterplan have been put on hold until the masterplan revision process runs its course. However, the project for which Flood Recovery Community Infrastructure grant monies were sourced to undertake works on the tennis club infrastructure and other works within the park has two components outstanding. These are a contribution to the car park works and the provision of gates to allow the park to be secured if there is a risk of flooding from the King River.

Discussions have been held with the grant authority regarding re-scoping the project to remove the car parking and replace with another project. The grant authority has indicated that they would consider this subject to the projects proposed.

The proposed car park works included a concrete pathway along the edge of the tennis courts that was to double as a drain to take water away from the edge of the tennis court to the underground drainage. This path is now not to be constructed and its future existence will depend upon the outcomes of the masterplan revision. There is now the need to construct a concrete spoon drain in place of the path to drain stormwater away that might compromise the long term performance of the new surface on the tennis courts.

There are two other projects within the confines of Merriwa Park that need to be undertaken and these are:

1. Renewal of the timber retaining walls on the Camelia embankment.
2. Removal of the closed dilapidated footbridge that is a current safety risk.



Photo of footbridge to be removed.

The 2011-12 budget currently has uncommitted funds available for the Merriwa Park Infrastructure renewals of \$125,000 and there is \$45,000 remaining uncommitted in the Flood Recovery Community Infrastructure grant.

The recent rain event in early March has increased the instability of the embankment slopes in some locations along the Meldrum Street side of the park. The retaining wall along the access ramp into the park from Meldrum Street has partially collapsed. There have been some minor slips and discussions are taking place with VicRoads as to whether stabilising works on this embankment can be undertaken as part of the flood restoration works.

The restoration works along the access ramp down into the park to reinstate the retaining wall are considered to have a betterment component requiring a contribution by Council toward the repair of the wall. The estimate of Council's contribution to the works is \$25,000.

A summary of the proposed projects and estimated costs follows:

Project	Cost
Gates and fencing	\$20,000
Concrete spoon drain	\$15,000
Repair and renewal of timber retaining walls	\$70,000
Removal of footbridge	\$10,000
Repair of retaining wall on access ramp	\$25,000
Total	\$140,000

Any outstanding funds in the Merriwa Park Infrastructure renewals budget are proposed to be rolled over into the 2012-13 financial year to cover any costs associated with the revision of the masterplan.

The value of the five projects will exceed the remaining grant funding and the balance will be sourced from funds Council had allocated for Merriwa Park Infrastructure Renewal which were previously to be used for the proposed car park works. The funding of works resulting out of the masterplan review would be subject to new project submissions into a future budget process.

Implications

The funds provided under the Flood Recovery Community Infrastructure grant need to be committed by the end of May. It is anticipated that the projects selected will be acceptable to the grant authority and approval will be obtained to redirect unspent funding from the car park to the retaining wall project.

The projects that arise out of the completed masterplan review will be submitted to the budget process and assessed in light of Council's priorities at that time.

Conclusion

The process for the selection and appointing of members to the working party to review the Merriwa and Kaluna Parks Masterplan will be the subject of a report to the ordinary meeting of Council in June.

Recommendation:

That Council undertake the following works, to a total value of \$140,000, at Merriwa Park:

- ***Gates and fencing;***
- ***Concrete spoon drain;***
- ***Repair and renewal of timber retaining walls;***
- ***Removal of footbridge; and***
- ***Repair of retaining wall on access ramp into Merriwa Park from Murdoch Road***

11.2.4.3 **REVISED WASTE CHARGE POLICY**

Waste Management General

72.020.015

Introduction

The Waste Charge Policy (***refer attachment***) has been reviewed and is presented to Council for adoption.

Background

The Waste Charge Policy sets out how Council will charge for the provision of waste services either through its kerbside collection service, or through the gate fees at its transfer stations and the landfill at Bowser.

The policy also provides direction for Council officers on how variations to the charges are to be considered should ratepayers make application for the removal of a service, provision of a service, or exemption for payment for a service.

Where reference is made within the report to waste collection it includes both the collection of municipal waste and recyclables.

Issues

There are a number of issues that the policy seeks to address being:

- requests for exemption from having to pay the annual garbage charge;
- requests for waste collection in rural areas;
- requests for exemptions from having to pay for waste collection at 'community' events; and
- requests for exemption from, or subsidy for, fees by charity organisations running charity stores within the Rural City of Wangaratta.

Requests for exemption from having to pay the annual garbage charge

Unless a habitable property holder can demonstrate they have arrangements in place with a commercial contractor for the disposal of waste generated at the property in question, all properties on a waste collection route are expected to pay for the service whether they choose to take advantage of it or not.

The policy provides criteria under which an exemption might be granted and the onus is on the property holder to demonstrate that they are able to meet these criteria on an annual basis.

Requests for Waste Collection in Rural Areas

Requests for waste collection in rural areas require either an extension or change to a waste collection route, or the property holder to take their bins to an agreed location on an existing collection route.

In the case where the property holder agrees to take their bins to an agreed location, the rates unit are notified and the waste collection charges are applied to the property concerned.

When a request is received for a route to be extended, whether the road is on Council's Register of Public Roads; is suitable for a waste collection truck to travel along safely; and if required there is a safe place for the truck to turn around needs to be considered. There are one or two existing roads that are not on Council's Register of Public Roads where a waste collection is carried out, but it is understood that these arrangements might have been in place before the introduction of the Road Management Act in 2004.

The cost to provide a waste collection service to a property in the rural areas generally exceeds the charges applied to that property. As a result consideration must be given to any additional costs incurred in changing a collection route before Council agrees to the provision of a waste collection service.

The cost to run Council's waste collection truck is in the order of \$3 to \$4 per kilometre. Given the service is provided on a weekly basis, an extension in the

distance travelled by 1km will result in an additional cost of \$156 - \$208. This additional cost neglects the driver's time and the cost to dispose of the waste at Bowser landfill.

The current charge for a 120 litre general waste bin is \$187/annum. This charge is applied to both rural and urban properties. Obviously, Council will be making a loss on even an extension of the route by only 1 kilometre. It is accepted that the urban area currently subsidises the rural areas in the provision of a waste collection service and it is currently proposed that an extension of 2 kilometres be the criteria to include a new rural property on the waste collection route.

Requests for Exemptions from having to pay for Waste Collection at 'Community' Events

Requests are received for Council to provide waste collection services for many 'community' events. Where these events are being run by an organisation that does not meet the definition of a 'community group' within the policy, the provision of waste collection will be at the cost of the group or organisation running the event. Council does have the discretion to decide to waive those costs as a grant toward the running of the event. The cost to Council to provide the bins and collection service for a small community event can be as much as \$500 for an event requiring 10 rubbish bins within the Wangaratta urban area and more in rural areas.

Events which are run by community groups that meet the definition within the policy would qualify to have the cost of waste collection waived by Council. An example of an event of this nature would be a working bee by the Garden Club.

All community events requiring Council support and or resources are required to submit a "Rural City of Wangaratta Event Application" using the guidelines available under 'Planning an event' on Council's website.

Requests for exemption or subsidy from charity organisations

The current method by which Council provides a subsidy to charities which have materials dumped at their doors that cannot be used within their stores is to not charge for the first 10 tonnes of waste each year.

This does provide for some confusion as these organisations will often deposit this waste at the transfer station where there is no means of weighing the material.

The change to the policy is to provide the organisation with a non-refundable credit equivalent to the cost to deposit 10 tonnes of waste at Bowser which can then be simply debited for waste taken to Bowser or the transfer station. Given the proposed gate fee for commercial waste operators depositing at Bowser is proposed to be increased to \$167/tonne for the next financial year, the non-refundable credit for the 2012-13 financial year would be \$1670.

Implications

The inclusions around exemptions from garbage charges on rates notices and evaluating changes to garbage routes will provide clear guidance for officers in their decision making.

The contribution Council makes in providing waste collection services at community events is something that is often overlooked when considering the support provided by Council to these events. While the cost per event is not significant, over a year it does add up to a reasonable amount. Of course, if Council were not to provide the bins it would be left with the costs of having to clean up the rubbish anyway.

Conclusion

The adoption of the revised Waste Charge Policy will provide guidance to staff in assessing requests from ratepayers and community groups in regards to the provision of waste collection services and the payment for them.

Recommendation:

That Council adopt the revised Waste Charge Policy as attached.

11.3 SPECIAL COMMITTEE REPORTS

11.3.1.1 WANGARATTA SHOWGROUNDS SPECIAL COMMITTEE

Wangaratta Showgrounds Special Committee

10.0025.003

Introduction

The Wangaratta Showgrounds Special Committee was established by Council under Section 86 of the Local Government Act 1989 for the purpose of managing and controlling the activities of the Wangaratta Showgrounds.

Background

The Wangaratta Showgrounds Special Committee comprises representatives of the following user groups:

- Wangaratta Agricultural & Industrial Society Inc.;
- Wangaratta & District Cricket Association Inc.;
- Wangaratta Kennel & Obedience Dog Club Inc.;
- Wangaratta Junior Football League Inc.;
- Wangaratta Cycling Club Inc.;
- Wangaratta Players Inc.;
- Wangaratta Football Club Inc.;
- Ovens & Murray Bridge Club Inc.;
- Wangaratta Sports Club Inc.;
- Wangaratta Umpires Board Inc.;
- Lions Club of Wangaratta Inc.; and
- Two (2) representatives of the Wangaratta and regional community.

The Wangaratta Showgrounds Special Committee held its 2011 Annual General meeting (AGM) on 4 August 2011 and has now forwarded the minutes of the AGM for Council information (*refer attachment*).

Issues

At the AGM Committee nominations for the period 2012 were received and endorsed by the Committee and are recommended for appointment by Council.

Council has also received a request from the Committee for the Murray Bushrangers to be added to the Charter as a user group and be represented on the Committee.

Implications

Council Plan Objectives

The delegation of responsibility to the Wangaratta Showgrounds Special Committee to manage the Wangaratta Showgrounds is consistent with Council's Plan of 'enhancing active and passive recreational opportunities, together with significant sporting events'.

Sustainability

The continued viability and operational capacity of the Wangaratta Showgrounds Special Committee to manage this facility is important to the Wangaratta and regional community.

Conclusion

Council is required to make formal appointment to the Committee as required by the Local Government Act 1989.

Recommendation:

That Council:

- 1. receive the minutes of the Wangaratta Showgrounds Special Committee Annual General Meeting; and***
- 2. appoint the following persons as members of the Wangaratta Showgrounds Special Committee:***

Chairperson: D. Backas

Deputy Chairperson: D. McDonald

Secretary: B. Head

Treasurer: G. Kerr; and

- 3. Endorse the Murray Bushrangers Football Club be added to the Charter as a user group and be represented on the Committee***

Communication

A letter will be provided to the Committee advising them of Council's decision.

11.4 ADVISORY COMMITTEE REPORTS

11.4.1.1 WANGARATTA UNLIMITED (BOARD) ADVISORY COMMITTEE MEETING REPORT

Wangaratta Unlimited Board

25.007.002

Background

The Wangaratta Unlimited Advisory Board (Committee) held their monthly meeting on Tuesday 1 May 2012 with the following members in attendance: Barry Sullivan (Chair), Cr Lisa McInerney, Stephen Oxley, Grant Jones, Greg Larkins, Wendy Lester, Helen Haines, Guy Wilkinson, Hayley Cail, Doug Sharp, Graham Nickless and Charles Halter.

The following items were discussed at the meeting:

- Tourism & Economic Development Strategy;
- Wangaratta Unlimited Membership nomination process; and
- ‘Victorian in the Future’ Report – Wangaratta Population Growth Projections.

Reports were received from the following committees or projects:

- Regional Development Australia update;
- South Wangaratta Urban Renewal Strategy Draft Report;
- Regional Victoria Living Expo; and
- Wangaratta Turf Club Masterplan.

The following items from the meeting are reported to Councillor's for information.

Tourism & Economic Development Strategy

A draft of the 2012-2015 Tourism & Economic Development Strategy was tabled at the meeting. Further feedback will be received from board members by Friday 4 May and a final draft will be tabled at the June board meeting for endorsement and forwarding to Council for determination.

Regional Living Expo

The Regional Living Expo held at the Melbourne Conference and Convention Centre from Friday 27 – Sunday 29 April 2012 was most successful with estimated attendance of 8,000 people.

Findings of a key State Government research study “Attitudes and Target Profiling” of Melbournians and their attitudes or intent of considering relocation identified 11% of interviewees, which equates to in excess of 400,000 people, plan to move to regional Victoria within the next three years.

The marketing strategy implemented by Regional Development Victoria focussed on the Melbourne metropolitan market ensured the majority of attendees exhibited a heightened level of interest to consider a sea/tree change.

A further marketing strategy is to now be rolled out in both metro and regional media under the banner “Good Move” as a follow up.

The Regional Living Expo is scheduled to be hosted annually for 3 years.

Victoria in Future 2012

The accuracy of populations projections released through the Department of Planning and Community Development's "Victoria In Future 2012" report was the issue of significant concern with the Wangaratta Unlimited board members. Population growth projections of .4% through to 2031 in no way mirrors alternate population projections from other acknowledged sources and interpretations of ABS data. The board has urged Council to engage with the authors of the report to gain an insight into their data interpretation process and seek to redress the publicised inaccuracies.

Recommendation:

That the Report be noted.

11.4.1.2 YOUTH COUNCIL ADVISORY COMMITTEE MEETING REPORT**Background**

The Youth Council Advisory Committee held a meeting on 16 April 2012.

Attendees: Youth Councillors Bekk Hoppach, Natasha Young, Tim Van der Leeuw, Elizabeth Hindle, Jack Seymour, Bec Barnewall and Youth Mayor, Erin Ritchie.

Cr Ron Webb, Cr Anthony Griffiths, Katy Hawkins (Youth Development Officer).

There was one declarations of conflict of interest by Youth Mayor, Erin Ritchie for the Little Black Dress Exhibition Report agenda item.

The following items were discussed:

1. BlueScope Steel Youth Orchestra
2. National Youth Week Art Competition
3. Little Black Dress Exhibition Report
4. Build It Self Esteem Workshop
5. High Country Library Consultation

Recommendation:

That the report be noted.

12. RECORDS OF ASSEMBLIES OF COUNCILLORS

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
8 May 2012	Draft Council Meeting Agenda and Deputations	Attachment
1 May 2012	Wangaratta Unlimited (Board) Advisory Committee	11.4.1.1
24 April 2012	Councillors Briefing Forum	Attachment
17 April 2012	Prior to Ordinary Meeting of Council	Attachment
16 April 2012	Youth Council Advisory Committee	Item 11.4.1.2
4 August 2011	Wangaratta Showgrounds Special Committee AGM	Item 11.3.1.1

Recommendation

That:

1. **Council receive the reports of Assemblies of Councillors, and**
2. **the items listed below remain confidential in accordance with S.77 of the Local Government Act on the grounds that they relate to one or more of the following matters:**
 - a. **Industrial matters;**
 - b. **Contractual matters;**
 - c. **Proposed developments; and**
 - d. **a matter that would prejudice the Council**

(i) Councillor’s Briefing Forum dated 24 April 2012:

1. **Key Performance Indicators**
2. **Finance Reports**
3. **Planning and Subdivision Reports**
4. **Works and Activities Progress Report**
5. **Quarterly Reports**
6. **Council Planning Calendar 2012**

- 4.1.1.1 **MAV Environment Committee**
- 4.2.2.1 **Advisory Committees – New Member Nomination Process**
- 4.2.2.3 **Implementation of Council Decisions**
- 4.2.3.1 **Residential Land Subdivision and Supermarket Development**
- 4.2.3.2 **Remembering Trees Day Signage and Seating**
- 4.2.3.3 **Eco Living Project Update**
- 4.2.3.4 **Development of Sustainable Households Program**
- 4.2.3.6 **Rating Strategy Discussion Paper**
- 4.2.4.1 **Fee Structure for Proprietors that Fail to Renew Food and/or Public Health & Wellbeing Registrations**
- 4.2.5.5 **Trends in Waste and Recycling KPI'S**

13. **NOTICE OF MOTION**

14. **URGENT BUSINESS**

15. **AUTHORISATION OF SIGNING AND SEALING OF DOCUMENTS**

Recommendation:

That Council sign and seal the loan contract with the Australian and New Zealand Banking Group for the amount of \$1,070,862.

16. **PUBLIC QUESTION TIME**

Public Question Time

10.020.004

17. **CONFIDENTIAL BUSINESS**

18. **CLOSURE OF MEETING**