

WANGARATTA RURAL CITY COUNCIL



BUSINESS PAPER FOR THE ORDINARY MEETING
OF THE WANGARATTA RURAL CITY COUNCIL, TO BE HELD
IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES,
62-68 OVENS STREET, WANGARATTA
ON **TUESDAY, 16 JULY 2013** COMMENCING AT 7.00PM

Kelvin Spiller
ACTING CHIEF EXECUTIVE OFFICER

As at 12/07/13 11:02 AM

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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**

4. **ABSENT**

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

ORDER OF BUSINESS

6. **CITIZENSHIP CEREMONY**

The Australian Citizenship ceremony will be held.

7. **CONFIRMATION OF MINUTES**

Recommendation:

That the Minutes of the Ordinary Meeting of 18 June 2013 and the Minutes of the Special Meetings of 21 June 2013 and 9 July 2013 be taken as read and confirmed as a true and accurate record of the proceedings of the meetings.

8. **CONFLICT OF INTEREST DISCLOSURE**

9. **RECEPTION OF PETITIONS**

10. HEARING OF DEPUTATIONS

11. PRESENTATION OF REPORTS

11.1 COUNCILLOR'S REPORTS

11.2 OFFICER'S REPORTS

11.2.1 EXECUTIVE SERVICES

11.2.1.1 DRAFT HUME REGIONAL GROWTH PLAN JUNE 2013 – PUBLIC EXHIBITION AND CALLING FOR SUBMISSIONS

Hume Regional Management Forum

42.020.007

Introduction

The Draft Hume Regional Growth Plan has been placed on public exhibition and this report seeks Council's approval to prepare a submission on the Draft Plan.

Background

The Draft Hume Regional Growth Plan is one of eight regional growth plans being developed across Victoria. Together with the Metropolitan Planning Strategy (MPS) for Melbourne, the plans will form the basis of the State Government's *Vision for Victoria*.

The Hume RGP project is being overseen by the Hume RGP Project Steering Committee (PSC), a partnership between the 12 Councils in the Hume Region, the Department of Transport, Planning and Local Infrastructure (DTPLI) and other State Departments and Agencies. All 12 Councils in the Hume Region are represented on the Project Steering Committee. A project management team, led by DTPLI, ensures the project is delivered to agreed timelines.

The Draft Hume Regional Growth Plan responds to directions established in the regional strategic plan for the Hume Region (the *Hume Strategy for Sustainable Communities 2010 – 2020*) which represents regional aspirations and sets an agenda for regional development and long term strategic planning. The Draft Hume Regional Growth Plan provides an opportunity to refine and implement the directions of the *Hume Strategy for Sustainable Communities*.

The process of developing the Draft Hume Regional Growth Plan commenced in 2011 and included extensive stakeholder consultation and targeted community consultation.

Councils were briefed regarding the project process in November / December 2012 and subsequently Council CEO's and Mayors were briefed on the content of the Draft Hume Regional Growth Plan at a Hume Region Local Government Network meeting in March 2013. Councillors were briefed at the 23 April 2013 Forum and noted at its 21 May 2013 Council meeting, the preparation of a Draft Hume Regional Growth Plan. The Council also noted the process allows for public consultation prior to the final document being submitted to Council for endorsement.

The Draft Hume Regional Growth Plan was formally placed on public exhibition on 3 June 2013. The exhibition period closes on 12 July 2013.

Council has requested, in its contact with the Department of Transport, Planning and Local Infrastructure, that any submission arising from consideration of the Draft Hume Regional Growth Plan at this meeting be accepted despite the closing date for written submissions.

Following closure of the consultation period, submissions will be assessed and a revised Draft Hume Regional Growth Plan will be prepared. Councils will then be asked to consider a final Draft Hume Regional Growth Plan for adoption. It is anticipated the final Draft Hume Regional Growth Plan will be presented to Council for consideration in September 2013.

Issues

Regional growth plans are intended to translate and integrate emerging state-wide regional land use planning policy.

The Draft Hume Regional Growth Plan aims to:

- establish a framework for strategic land use and settlement planning that can sustainably accommodate growth;
- identify important economic, environmental, social and cultural resources to be preserved, maintained or developed;
- provide direction for accommodating growth and change including: residential, employment, industrial, commercial, agriculture and other rural activities;
- show which areas of land can accommodate growth and which are to be maintained; and
- identify opportunities for supporting regional level infrastructure, providing an essential contribution to the long-term sustainability of the region.

The Draft Hume Regional Growth Plan comprises the following five main parts:

- *Part A: Introduction* - Provides an overview of the context of the Plan and how it is being prepared.
- *Part B: Regional overview* - Provides a snapshot of the region, a vision for the region and land use principles to achieve the vision
- *Part C: Towards the regional growth plan* - Draft regional land use framework, which outlines land use directions in relation to the economy, environment and heritage, urban and rural settlement and infrastructure.
- *Part D: Draft regional growth plan* - Provides an integrated strategic plan for growth and change, bringing together the key directions outlined in Part C.
- *Part E: Delivering regional growth* - Identifies actions and outlines how the Plan will be implemented.

The key themes considered in the Draft Hume Regional Growth Plan include:

- supporting the development of a more diverse regional economy while managing and enhancing key regional economic assets;

- protecting environmental and heritage assets and maximising the regional benefit from them, whilst managing exposure to natural hazards and planning for the potential impacts of climate change;
- focusing growth and development to maximise the strengths of existing settlements; and
- supporting the improvement of people and freight movement and planning strategically for future infrastructure needs.

Council has been engaged throughout the development of the Draft Hume Regional Growth Plan through the Hume Strategy Land Use Planning Group. This has ensured that a clear framework is in place for the continued growth and development of the City consistent with the 2030 Community Vision and Council's Plan. Specifically, the Plan identifies Wangaratta as one of the three cities (Shepparton and Wodonga being other two) in the region where future development will be targeted. Wangaratta is proposed to have medium to high population growth.

While the Draft Hume Regional Growth Plan provides a clear framework for land use changes and allows land use decisions to be made within a consistent framework in the region, there are some concerns with the Draft Hume Regional Growth Plan including:

- priorities within this Draft Hume Regional Growth Plan have not been clearly identified and the Draft Hume Regional Growth Plan relies on the Hume Strategy to deliver priority actions and outcomes;
- no timeframes have been included in the Draft Hume Regional Growth Plan for Councils and State Government Agencies to ensure delivery of, and responsibility for, strategies and actions; and
- no financial implementation strategy has been presented at this stage to support actions that require further detailed investigation, study or Council and agency collaboration.

While it is recommended that Council provide support to the Draft Hume Regional Growth Plan, the absence of agreed timeframes and a financial plan has implications for the successful implementation of the Draft Hume Regional Growth Plan. This directly affects Council's ability to set strategic planning priorities impacting on its participation in the delivery of the Draft Hume Regional Growth Plan.

Implications

Council Plan Outcomes

The continued participation in the development of the Draft Hume Regional Growth Plan is consistent with the Strategic Activity in Section 4 of Council's Plan:

'To undertake a strategic approach to land use planning to provide balanced outcomes for growth, existing land use, environment, heritage and community aspirations.'

Sustainability

The outcomes of the Draft Hume Regional Growth Plan are very positive for the sustainability of:

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

Recommendation

That Council:

- 1. endorses the submission containing the following points on the Draft Hume Regional Growth Plan which was circulated to Councillors and advises that Council:***

- ***will consider the land use planning framework within the Draft Hume Regional Growth Plan to guide future land use decisions for the Rural City of Wangaratta;***
- ***supports the ongoing development of the Draft Hume Regional Growth Plan to establish consistency in land use decisions;***
- ***raises concerns with the Department of Transport, Planning and Local Infrastructure that the Draft Hume Regional Growth Plan as exhibited does not identify priority actions, does not include timeframes and responsibilities for actions and does not identify a financial implementation strategy to support the Draft Hume Regional Growth Plan actions.***

Communication

The submission to the Department of Transport, Planning and Local Infrastructure in response to the Draft Hume Regional Growth Plan was submitted by the closing date of 12 July 2013.

11.2.2 SUSTAINABILITY

11.2.2.1 REVISED COMBINED PLANNING SCHEME AMENDMENT AND PERMIT C41

Amendment C41 – North East Survey Design – 68 Waldara Drive, Waldara

12/090

Introduction

This report seeks Council's approval to revise and exhibit the combined planning scheme amendment and planning permit proposed to allow residential development of land at 68 Waldara Drive, Waldara.

Background

Council resolved at its meeting on 16 April 2013 to seek authorisation from the Minister for Planning to prepare a combined amendment and planning permit to the Wangaratta Planning Scheme to facilitate the residential development of a parcel of land at the Wangaratta Golf Course, Waldara (*refer attachment*).

Current Situation

Council submitted a formal request for authorisation to the Minister for Planning on 20 May 2013. Officers from the Department of Transport, Planning and Local Infrastructure responded to this request on 28 May 2013.

The Department of Transport, Planning and Local Infrastructure recommended that the request for authorisation be withdrawn and the following changes be made to the proposal, as follows:

- Mandatory use of a new residential zone from the suite of new residential zones to be approved by the Minister for Planning on 1 July 2013 (instead of the currently proposed Residential 1 Zone);
- Increased strategic justification for the rezoning of the land to a general residential zone (as opposed a low density residential zone);
- Additional information to be provided in relation to fire risk, environmental management and the Transport Integration Act 2010; and
- Minor changes to conditions of the draft subdivision permit to promote a low density, open style development in keeping with the surrounding development pattern.

Outcome of Department of Transport, Planning and Local Infrastructure Review

In consultation with Department of Transport, Planning and Local Infrastructure the proposed amendment has been reviewed and changes made accordingly. In particular, the General Residential Zone has been chosen as the most appropriate new residential zone as a replacement for the current Residential 1 Zone.

A copy of the revised amendment, draft planning permit (***refer attachment***) and new General Residential Zone provisions (***refer attachment***) are attached for Councillors' information.

Recommendation:

That Council:

- 1. approve the revisions to the combined planning scheme amendment and planning permit;***
- 2. seek authorisation from the Minister for Planning to prepare and exhibit the revised combined amendment and permit to the Wangaratta Planning Scheme pursuant to section 8A(3) of the Planning and Environment Act 1987; and***
- 3. authorise the Chief Executive Officer to make any minor amendments or changes to the Draft Amendment with the Minister as may be required.***

Communication

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

11.2.2.2 DRAFT AMENDMENT NO 48 – KING RIVER AND TRIBUTARIES FLOOD PLAIN STUDY AND MAPPING

Amendment C48 - Revised LSIO for the King River and Tributaries

73.030.061

Introduction

This report seeks Council's approval to ask for the Planning Minister's authorisation to place on public exhibition, a draft amendment to the Wangaratta Planning Scheme to implement the outcomes of the King River and Tributaries Floodplain Study and Mapping.

Background

The King River Rural Floodplain Study (September 2004) and the King River Tributaries Flood Mapping Study (December 2004) were undertaken as a joint project between Council and the North East Catchment Management Authority (NECMA) in 2004.

For the King River, this work was undertaken to replace the current Planning Scheme overlays (adopted in 2003). These current overlays reflect earlier mapping of historic flood events. The 2004 Study for the King River re-worked the existing mapping and, combined with community consultation undertaken by the NECMA, includes modifications to the existing Planning Scheme overlays.

There are no flood overlays for the King River Tributaries in the planning scheme. The work completed in December 2004 represents the most current mapping utilising available data. NECMA also conducted a community questionnaire at that time to assist in validating flood data.

Both these reports have been endorsed by the NECMA however, despite being a joint project with Council, it appears that they were not presented to, or endorsed by Council, at that time.

The shortcomings of the flood overlays had been drawn to Council's attention in December 2012 by the owners of 156 Wards Lane, Meadow Creek. This issue was highlighted to Council by the NECMA in January 2013 and was considered at the 19 February 2013 Council meeting whilst determining Planning permit application Pln11-227 – Use of Land for a Feedlot at 1041 Carboor – Everton Road, Bobinawarrah.

Current Situation

Council is being assisted through the Rural Flying Squad to prepare the necessary draft amendment to the Wangaratta Planning Scheme to incorporate the findings of the Study and updated mapping

This draft amendment (***refer attachment***) proposes to:

- implement the King River Rural Floodplain Study, September 2004 and King River Tributaries Flood Mapping Study, December 2004;
- amend and apply the Land Subject to Inundation and Floodway Overlays to flood affected land provided by both studies;
- list the studies as reference documents to the planning scheme;
- amend the schedules to both overlays to apply relevant flood controls and exemptions; and
- include the King River Rural Floodplain Management Plan 2013, as an incorporated document to the planning scheme to guide applications under both overlays.

The draft amendment and supporting documents, including clarification of mapping, are being finalised with NECMA input. Once finalised, Council can then forward the draft amendment to the Planning Minister for authorisation to proceed with public exhibition of the draft amendment.

Implications

Council Plan Outcomes

Schedule 1 of The Council Plan identifies flood protection as core business Council. This work is consistent with Council Plan objectives for

Sustainability

This amendment will positively benefit the sustainability of the Local Environment; and wellbeing of the community.

Community Engagement

The NECMA have consulted with the local community in developing the Study and mapping.

Given it has been some time since this engagement took place, it is proposed that public exhibition of the draft Amendment is undertaken to ensure that current views of the local community are sought and considered.

Recommendation

That Council:

1. ***resolve to seek the Minister for Planning's authorisation to prepare and exhibit Draft Amendment C48 (and supporting documents, King River Rural Floodplain Study September 2004 and King River Tributaries Flood Mapping Study December 2004) to the Wangaratta Planning Scheme.***

2. authorise the Chief Executive Officer to:

- a) finalise, in conjunction with North East Catchment Management Authority, the mapping to support the Draft Amendment; and**
- b) make any minor amendments or changes to the Draft Amendment with the Planning Minister as may be required.**

Communication

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

11.2.3 COMMUNITY WELLBEING

11.2.3.1 SPECIAL COMMITTEES OF COUNCIL – COMMITTEE MEMBERSHIP APPOINTMENTS

Council Committees

10.020.008

Introduction

This report is to seek Council's endorsement of nominations for the Rural City of Wangaratta Section 86 Special Committees.

Background

The *Local Government Act 1989* requires councils to review any delegations to special committees within the period of 12 months after a general election; and to also review any exemptions in force under subsection (2A) within this period.

Council adopted a new policy and procedure for the 'Appointment to Council Committees' at its meeting on 19 February 2013. This enabled the existing Instruments of Delegations and Charters for Council's Special Committees to be reviewed and then signed and sealed by Council at the Ordinary Meeting on 16 April 2013.

All Special Committee Charters were amended to reflect the new appointment procedure and better align with the requirements of the *Local Government Act 1989*. In order to implement the new appointment process, all Special Committees have had their current terms reduced or extended to terminate on 31 July 2013.

All Special Committee members will be newly appointed on 1 August 2013 using the new procedure for appointment to Committees of Council.

Due to the large number of Special Committees, a staggered process has been introduced with a third of Committees appointed for an initial period of 1 year; a third for two years; and the remaining third for the full three year term. Following the initial shorter periods, all Special Committees will be appointed for a period of three years thereafter.

Issues

Council called on interested individuals in the community to nominate as a representative of a Special Committee. The nominations for Special Committee membership opened on 17 April 2013 and closed on 17 May 2013.

Nomination kits were provided to all existing Committee members, and available from Council's Customer Service and website. A Council Officer was also available to speak with current and potential Committee members, and to attend Committee meetings to answer questions arising from the changes and nomination process.

The following nominations were received:

Section 86 Committee	Membership <i>The Council has resolved that the Special Committee shall be comprised of the following members:</i>	Total Membership	Nominations Received
Bowmans-Murmungee Memorial Hall and Tennis Reserve Special Committee	Up to ten representatives of the Bowmans-Murmungee regional community and;	10	9
	Two representatives from the Bowmans-Murmungee Tennis Club	2	1
Carboor Soldiers Memorial Hall and Recreation Reserve Special Committee	Up to nine representatives of the Carboor regional community	9	9
Edi Hall and Recreation Reserve Special Committee	Up to twelve representatives of the Edi and Edi Upper regional community	12	7
Eldorado Public Hall Special Committee	Up to twelve representatives of the Eldorado regional community	12	4
Everton Hall and Sporting Complex Special Committee	Up to nine representatives of the Everton regional community	9	9
Friends of Lacluta Special Committee	Up to ten (10) appropriately dedicated representatives of the community. The Friends of Lacluta Special Committee may co-opt as many persons as it sees fit in order to undertake specific tasks identified by the Committee or Council. Co-opted members have no voting rights.	10	11
Milawa Hall and Park Special Committee	Up to fifteen representatives of the Milawa regional community	15	8
Moyhu Soldiers Memorial Hall Special Committee	Up to twenty representatives of the Moyhu regional community	20	13

Section 86 Committee	Membership <i>The Council has resolved that the Special Committee shall be comprised of the following members:</i>	Total Membership	Nominations Received
Old Murrumgee Hall Special Committee	Up to twelve representatives of the Murrumgee regional community	12	3
Myrree Recreation Reserve Committee Special Committee	Up to fourteen representatives of the Myrree regional community	14	9
Section 86 Committee	Membership <i>The Council has resolved that the Special Committee shall be comprised of the following members:</i>	Total Membership	Nominations Received
North Wangaratta Sports Reserve Committee	Two representatives of the North Wangaratta regional community and two (2) representatives of each of the following user groups: North Wangaratta Football Club North Wangaratta Netball Club Wangaratta Clay Target Club	2 2 2 2	1 1 2 2
Oxley Shire Hall Committee Special Committee	Up to fifteen representatives of the Oxley regional community	15	17
Whitfield Recreation Reserve Special Committee	Up to five representatives of the Whitfield regional community and one (1) representative from each of the following user groups: King Valley United Football Club King Valley Action Association Whitfield Tennis Club King Valley Grape Growers Association Whitfield District Primary School Whitfield Tennis Club Country Fire Authority King Valley Tourist Association	5 1 1 1 1 1 1 1 1	4 0 0 1 0 1 0 1 0

Section 86 Committee	Membership <i>The Council has resolved that the Special Committee shall be comprised of the following members:</i>	Total Membership	Nominations Received
Whorouly Hall Special Committee	Up to ten representatives of the Whorouly regional community and one (1) representative from each of the following user groups: Australian Red Cross Country Womens Association – Whorouly Branch Whorouly and District Pre School Committee Whorouly Primary School	10 1 1 1 1	8 0 1 1 1
Whorouly Memorial Park Special Committee	Up to five representatives of the Whorouly regional community and two (2) representative of each of the following user groups: Whorouly Football Club Inc. Whorouly Netball Club Inc. Whorouly Lawn Tennis Club Inc. Whorouly Cricket Club Inc. Whorouly Junior Football Club	5 2 2 2 2 2	11 2 2 0 1 0
Whorouly South Community Centre Special Committee	Up to 13 representatives from the Whorouly South and District community	13	0 Committee ceased effective 1/7/2012
Section 86 Committee	Membership <i>The Council has resolved that the Special Committee shall be comprised of the following members:</i>	Total Membership	Nominations Received

Section 86 Committee	Membership <i>The Council has resolved that the Special Committee shall be comprised of the following members:</i>	Total Membership	Nominations Received
Wangaratta Showgrounds Special Committee	Two representatives of the Wangaratta and regional community and one (1) representative from each of the following user groups: Wangaratta Kennel and Obedience Dog Club Inc. Wangaratta Football and Netball Club Inc. Wangaratta Sports Club Inc. Wangaratta and District Cricket Association Inc. Wangaratta Agricultural & Industrial Society Inc. Wangaratta Junior Football League Inc. Wangaratta Umpires Board Inc. Wangaratta Cycling Club Inc. Wangaratta Players Inc. Ovens & Murray Bridge Club Inc. Lions Club of Wangaratta Inc. Murray Bushrangers Football Club	2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	2 1 1 1 1 1 1 1 0 0 1 1 0 1

Where there are more nominations than vacancies, and the nominees address the requirements of the relevant Committee, the Appointment to Council Committees Policy states that Council may, at its discretion, appoint a number of members to the committee greater than that specified in the Charter.

Some Committees have received fewer than the stipulated number of nominations for community representatives and user groups. Council officers has been working with these groups to determine whether further recruitment is required. Although each Special Committee Charter indicates an ideal number of members, historically these numbers have fluctuated and some Committees have been successfully operating with a small number of members.

As further Special Committee nominations are received, these will be provided to Council for endorsement in a future report (s).

Implications

Council Plan Outcomes

The Special Committees of Council are responsible for the management, promotion and maintenance of the facilities under their control.

These responsibilities are consistent with the *Rural City of Wangaratta Council Plan 2013-2017* Objective 4.1 'To plan for and provide infrastructure appropriate to the community's needs'.

Policies

The *Appointment to Council Committees Policy (refer attachment)* directly relates to this matter.

Sustainability

The responsibilities delegated to the Special Committees promote the exchange of information between the Committee and Council. Closer links between Council and Section 86 Committees of Council create greater awareness of the needs of the community and of the facilities managed on Council's behalf. Promotion of the facility by the Committee facilitates increased community use.

Committees of Management are responsible for the day-to-day management of any environmental issues relating to the land upon which their facilities are situated.

Community Engagement

Advertisements calling for nominations for the various Special Committees were placed on Council's website, in the Wangaratta Chronicle, and other local rural newsletters.

"Expression of Interest" nomination kits comprising information related to each Special Committee, a copy of the charter, and a nomination form, were developed. These kits were available from Council offices and Council's website. Kits were also provided to all retiring Committee members and to the Chair or President of each Committee for distribution to the local community.

A Council Officer was also available to speak with current and potential members, and attend Special Committee meetings to further explain and answer any questions arising from the changes and nomination process.

Conclusion

A total of 150 nominations were received to fill the 205 positions vacant on the Section 86 Special Committees. As volunteers, Committee members contribute a great deal to their community and are a valued resource.

Recommendation

That Council:

- 1. use its discretion to appoint additional members to the following committees:***

- Friends of Lacluta;***
- Oxley Shire Hall; and***
- Whorouly Memorial Park***

- 2. appoint the following persons as members of the Bowmans-Murmungee Memorial Hall and Tennis Reserve Special Committee for a period of one (1) year from 1 August 2013 to the 31 July 2014:***

Community Representatives:

K. Dobson;
D. Ferguson;
M. Ferguson;
R. Ferguson;
J. Griffiths;
J. Neary;
L. Neary;
J. Rouch;and
J. Witherow.

Bowmans/Murmungee Tennis Club - R. Henderson;

- 3. appoint the following persons as members of the Carboor Soldiers Memorial Hall and Recreation Reserve Special Committee for a period of one (1) year from 1 August 2013 to the 31 July 2014:***

Community Representatives:

G. Barrow;
R. Box;
V. Box;
R. Fisher;
M. Hedderman;
P. Manfield;
J. Mitchell;
R. Mitchell; and
A. Roman;

- 4. Appoint the following persons as members of the Edi Upper Hall and Recreation Reserve Special Committee for a period of one (1) year from 1 August 2013 to the 31 July 2014:**

Community Representatives:

**M. Bray;
J. Kiely;
S. Lowe;
H. O'Donoghue;
G. Whitaker;
D. White; and
J. Uebergang;**

- 5. Appoint the following persons as members of the Eldorado Memorial Hall Special Committee for a period of one (1) year from 1 August 2013 to the 31 July 2014:**

Community Representatives:

**C. Bell;
J. Bell;
M. Carey; and
S. Farrugia;**

- 6. Appoint the following persons as members of the Everton Hall and Sports Complex Special Committee for a period of one (1) year from 1 August 2013 to the 31 July 2014:**

Community Representatives:

**J. Allen;
S. Briggs;
C. Brown;
C. Cole;
T. Cole;
G. Heywood;
R. Kneebone;
A. Schulte; and
R. Schulte;**

- 7. Appoint the following persons as members of the Friends of Lacluta Special Committee for a period of one (1) year from 1 August 2013 to the 31 July 2014:**

Community Representatives:

**J. Ambrosio;
L. Brien;
B. Broz;
B. Fraser;
A. Kimba;
J. Ramsey;
H. Redmond;
D. Taylor;**

**K. Taylor;
B. Walpole; and
E. Walpole;**

- 8. Appoint the following persons as members of the Milawa Public Hall and Park Special Committee for a period of two (2) years from 1 August 2013 to the 31 July 2015:**

Community Representatives:

**G. Amor;
J. Hourigan;
J. McGillivray;
K. Neate;
C. Reid;
A. Semmens;
J. White; and
G. Wilson;**

- 9. Appoint the following persons as members of the Moyhu Soldiers Memorial Hall Special Committee for a period of two (2) years from 1 August 2013 to the 31 July 2015:**

Community Representatives:

**F. Baker;
H. Baker;
M. Balfour;
G. Batten;
L. Batten;
B. Cane;
G. Fisk;
N. Jarrott;
J. Mason;
A. Sampson;
J. Sampson;
P. Shanley; and
T. Wright;**

- 10. Appoint the following persons as members of the Myrree Soldiers Memorial Hall Special Committee for a period of two (2) years from 1 August 2013 to the 31 July 2015:**

Community Representatives:

**S. Colliver;
D. Handcock;
N. Handcock;
S. Jarrott;
R. Kilgour;
G. Lacey;
C. Lindsay;
J. Lindsay; and
C. OBeirne;**

11. Appoint the following persons as members of the North Wangaratta Sports Reserve Special Committee for a period of two (2) years from 1 August 2013 to the 31 July 2015:

Community Representative-	M. Pullen
North Wangaratta Football Club -	K. Hogan
North Wangaratta Netball Club -	J. Grady
	P. Hogan
Wangaratta Clay Target Club -	B. Sparling
	R. Steel;

12. Appoint the following persons as members of the Old Murrumbidgee Hall Special Committee for a period of two (2) years from 1 August 2013 to the 31 July 2015:

Community Representatives:
J. Griffiths;
J. Neary; and
L. Neary;

13. Update the Oxley Shire Hall Charter to read, “That the Oxley Shire Hall Special Committee shall be comprised of the following members: Up to twenty-five representatives of the Oxley regional community”; and appoint the following persons as members of the Oxley Shire Hall Special Committee for a period of two (2) years from 1 August 2013 to the 31 July 2015:

Community Representatives:
S. Abotomey;
W. Bowers;
N. Brock;
T. Ciavarella;
C. Cowdery;
H. Cummins;
L. Cummins;
S. Day;
B. Godde;
D. Heath;
J. Heath;
M. Inglersen;
P. McGavin;
S. McGregor;
E. Pike;
B. Uebergang; and
N. Van Der Heyden;

14. Appoint the following persons as members of the Wangaratta Showgrounds Special Committee for a period of three years from 1 August 2013 to the 31 July 2016:

Community Representatives:

B. Hargreaves; and

G. Kerr;

Wangaratta Kennel and Obedience Dog Club Inc – J. Witte;
Wangaratta Football and Netball Club Inc - D. Backas;
Wangaratta Sports Club Inc – G. Taylor;
Wangaratta and District Cricket Association Inc – D. Grant;
Wangaratta Agricultural and Industrial Society Inc –B. Kensington;
Wangaratta Junior Football League Inc – K. Farrell;
Wangaratta Umpires Board Inc - TBA;
Wangaratta Cycling Club Inc – D. McDonald;
Wangaratta Players Inc – B. Head;
Ovens and Murray Bridge Club Inc - J. Witte;
Lions Club of Wangaratta Inc - TBA; and
Murray Bushrangers Football Club – A. Carson;

15. Appoint the following persons as members of the Whitfield Recreation Reserve Special Committee for a period of three years from 1 August 2013 to the 31 July 2016:

Community Representatives:

H. Bussell;

P. Deeker;

D. Jackson; and

D. Steer;

King Valley United Football Club - TBA;
King Valley Action Association - TBA;
Whitfield Tennis Club - TBA;
King Valley Grape Growers Association - TBA;
Whitfield District Primary School - S. Allsop;
Whitfield Tennis Club – R. Sheppard;
Country Fire Authority – W. Proft; and
King Valley Tourist Association - TBA;

16. Appoint the following persons as members of the Whorouly Public Hall Special Committee for a period of three years from 1 August 2013 to the 31 July 2016:

Community Representatives:

**P. Webb;
J. Kneebone;
S. Nicoll;
T. McNally;
P. Matheson;
S. Bromilow;
C. Chalmers; and
M. Kinderis;**

Australian Red Cross -	TBA
Country Womens Association -	TBA
Whorouly Branch -	J. Taylor
Whorouly and District Pre School Committee –	J. Ivone
Whorouly Primary School -	M. McKinnon; and

17. Appoint the following persons as members of the Whorouly Memorial Park Special Committee for a period of three years from 1 August 2013 to the 31 July 2016:

Community Representatives:

**S. Bromilow;
L. Cappellari;
L. Chalmers;
K. Chetcuti;
R. Costenaro;
J. Elkington;
J. Harrington;
J. Matheson;
P. Matheson;
P. McPherson; and
J. Neary;**

Whorouly Football and Netball Club Inc -	R. Costenaro; C. Pianegonda;
Whorouly Lawn Tennis Club Inc –	K. Kneebone;
Whorouly Cricket Club Inc -	TBA; and
Whorouly Junior Football -	TBA;

18. Note the Whorouly South Community Centre Special Committee officially ceased on 1 July 2012.

Communication

All nominees will be notified of the outcome of the appointment process by letter.

Each Section 86 Special Committee will receive a letter advising of Council's decision.

Newly appointed members will receive information regarding the responsibilities related to being a Section 86 Special Committee Member.

11.2.4 INFRASTRUCTURE SERVICES

11.2.4.1 PLANE TREE ISSUES IN MELDRUM STREET, WANGARATTA

Meldrum Street

14880*

Introduction

This report is to update Council on investigations being carried out into the matter of Plane Tree issues in Meldrum Street, which was the subject of a petition received at the May 2013 Council meeting.

Background

A petition was received at the May 2013 Council meeting containing some 8 signatures requesting “an onsite meeting with Council’s Arborist to consult with petitioners concerning the pruning/lopping of the extreme height of the trees, and to consider the position of electricity and telephone lines”.

A meeting with residents took place on Monday 17 June 2013.

Issues

The issues identified by the residents at the meeting were:

- leaves require constant clean up, they do not break down and they accumulate in properties and guttering;
- allergy issues; and
- would pruning or lopping of the trees reduce the amount of leaf fall?

The Plane trees had been lopped 30-40 years ago with additional annual pruning undertaken on the trees (i.e. on the south side of Meldrum Street) to meet power line clearances. This pruning has not affected the height of the Plane trees.

Council’s Arborist has undertaken a visual inspection of the trees from the ground of the trees and believes they are structurally sound.

Implications

Canopy reduction “lopping” to reduce the height of the plane trees would only be a temporary measure in reducing the problems that have been identified. Australian Standard AS 4373 does not recognise lopping as an acceptable pruning method.

Normally a tree will “wall off,” or compartmentalize the decaying tissues, but few trees can defend the multiple severe large exposed wounds caused by lopping. The decay organisms are given an entry point to move down through the branches or stems.

These works would also stimulate vigorous new growth, which provides weak points that may be prone to breakage; ruin the tree’s structure; disrupt the tree’s

energy storage; increases sunlight on the interior of the tree that can cause sunscald and destroy the amenity value of the trees.

Considering the impact lopping might have on the health of the trees, it is not recommended that lopping of the plane trees is undertaken. Other measures have been identified to address some of the issues raised by the residents present at the meeting. One such measure would be to assist the residents in picking up and disposing of leaves that have been raked into piles on the nature strip during the autumn months.

Council Plan Outcomes

Ensure the amenity of public and built environments is attractive, safe and practical.

Community Engagement

Meldrum Street forms an integral part of the residential area immediately south of Wangaratta Central Activity Area. Plane tree lined avenues are features of this local area that local residents value.

If Council were to further investigate the lopping of the trees in this section of Meldrum Street, then a broader consultation process would be required to obtain the views of the wider community who travel along and through this area.

It was unanimously agreed at a meeting between Council officers and residents, that lopping or pruning of the trees was not desirable; and that the nuisance issue relating to the leaves and seed pods could be dealt with via Council's current leaf suction program and further pick-ups as organised and as reasonably required.

Conclusion

Investigation into Plane Tree issues in Meldrum Street has found that some of the petitioners would like to see the subject trees lopped or pollarded as a means to address leaf litter issues. However, there was a strong contingent of residents at the meeting who preferred the trees to remain as they are and under the current maintenance regime.

It is recommended that the trees are not lopped or pollarded. The preferred measure is to manage the leaf fall by more frequent pickup and disposal of leaf litter during the Autumn months.

Recommendation

That Council:

- 1. resolve not to pollard nor lop the Plane trees in Meldrum Street, Wangaratta; and***
- 2. write to the first person listed on the petition to advise of Council's decision.***

Communication

The petition contact person be advised of Council's decision and of the measures being put in place to address concerns around leaf fall in autumn.

11.2.4.2 CONTRACT C1213-059 FOR THE CONSTRUCTION OF STAGE 3 OF THE WANGARATTA CHILDREN'S SERVICES CENTRE

C1213-059 Construction of the Wangaratta Children's and Family Services Centre, Final Stage

30.072.059

Contract Details

The purpose of this tender is to construct stage 3 of the Wangaratta Children and Family Services Centre which included the following scope of work:

This building extension of 232 square metres includes an additional Kindergarten room for 11 children and offices and therapy rooms for Consulting Services as Scope, Noah's Ark and Maternal Child Health.

Advertised Contract Dates

Tenders were invited through advertisements as follows:

<u>Newspaper</u>	<u>Date</u>
Chronicle	7 June 2013
<u>Electronically</u>	
Tenderlink	29 May 2013

Tenders closed at 2.00pm on Thursday 27th June 2013.

There was no pre tender meeting for this contract. Tenderers had the opportunity to inspect the existing building under the supervision of Council staff.

Tender Evaluation Panel

The tenders were evaluated by Council's Building Management Officer, Senior Engineer – Projects & Contracts and Project Coordinator, Projects and Contracts.

Tenders Received

The following tenders were received by the due date:

Tenderer
Tailor Made Kitchens
Stamps Electrical
Progressive Carpentry
Parnall
Moretto Building Pty Ltd
MMAP Constructions
Magi-Build Building Contractors

Tenderer
Fairbrother
Envirosafe Constructions
Crow Constructions
Contract Control Services
Cleal Constructions
ADM Structures

Tender Evaluation

The tender was evaluated in accordance with evaluation criteria set out in the Conditions of Tendering. The evaluation criteria are based upon a Weighted Attribution Method as follows:

Criteria	Weighting %
Tender Price	45
Capability to carry out contract works	35
Timeliness	10
OH&S systems	10
Total	100

Panel members assigned a score (maximum 100) to each criterion (as shown below) and then weighted the average score to produce a final Weighted Attribution Method Score.

Evaluation Result	Criteria
Exceptional	Demonstrated capacity exceeds all required standards and innovations proposed.
Excellent	Demonstrated capacity exceeds all required standards.
Good	Complies with all required standards and capacity demonstrated.
Satisfactory	Complies with relevant standards without qualifications.
Marginal	Complies with relevant standards with qualifications.
Unsatisfactory	Fails to satisfy required standards.

Summary of the Weighted Attribution Method Score is as follows:

	Tenderer	Score
A	Progressive Carpentry	58
B	Parnall	72
C	Moretto Building Pty Ltd	70
D	MMAP Constructions	54
E	Magi-Build Building Contractors	63
F	Fairbrother	44
G	Envirosafe Constructions	69
H	Crow Constructions	68
I	Contract Control Services	63
J	Cleal Constructions	56
K	ADM Structures	69

The highest value reflects the more favourable assessment.

Recommendation

That Council:

- 1. award Contract C1213-059 for the Construction of Stage 3 of the Wangaratta Children's Services Centre to Parnall Pty Ltd;***
- 2. instruct the Chief Executive Officer to sign and seal all relevant Contract C1213-059 documents when available; and***
- 3. disclose the contract price inclusive of GST, for Contract C1213/059 for the Construction of Stage 3 of the Wangaratta Children's Service Centre.***

11.3 SPECIAL COMMITTEE REPORTS

11.4 ADVISORY COMMITTEE REPORTS

11.4.1.1 AGRICULTURE AND AGRIBUSINESS ADVISORY COMMITTEE

Agriculture and Agribusiness Advisory Committee

25.070.006

Background

Council's Agriculture and Agribusiness Advisory Committee (AAAC) held a meeting on Monday 24 June 2013.

Attendees: Cr Noel Amery (Chairman); Shivaun Brown, Acting Executive Manager–Economic Development; Rosey Bennett; Harvey Benton; Graeme Norman and Vin McKenzie.

There were no declarations of conflict of interest.

The following items were discussed at the meeting:

- Rural Land Strategy Update;
- Raw Water Access for Fire Fighting Springhurst;
- Fire Services Levy;
- Saleyards Business Plan Update – assembly of Working group to assist with the upgrade;
- Trees restricting size of vehicles travelling on rural roads;
- Rural road upgrades;
- Rural finance; and
- Fire Management Plan

The next meeting of the Agriculture and Agribusiness Advisory Committee is scheduled for Monday 5 August 2013.

Recommendation

That Council receive and note the report.

11.4.1.2 WANGARATTA UNLIMITED ADVISORY BOARD (COMMITTEE) MEETING REPORT

Wangaratta Unlimited Board

25.007.002

Background

The Wangaratta Unlimited Advisory Board (Committee) held their monthly meeting on Wednesday 5 June 2013 with the following members in attendance: Barry Sullivan (Chair), Cr Tammy Atkins, Cr Rozi Parisotto, Stephen Oxley, Wendy Lester, Helen Haines, Grant Jones, Guy Wilkinson and Dale McPhan. Also in attendance were Councillor Paul O'Brien and the following Council officers: Emma Keith and Shivaun Brown.

The meeting scheduled for 1 May 2013 was cancelled.

There were no declarations of conflicts of interest.

The following items were discussed at the meeting:

- Draft Manufacturing Sector Support Strategy;
- Tourism Events Funding Program;
- Feedback from LTA's re branding of the key strengths of tourism for the Rural City of Wangaratta;
- Regional Digital Platform information sessions;
- CBD retail attraction;
- CSU community engagement committee;
- Small Business Festival and Mobile Business Centre; and
- Board review and vacancies.

The following key items from the meeting are provided for information:

Tourism Funding Program

A review of the Tourism Special Events Funding Program has been undertaken and Wangaratta Unlimited Board recommends:

That Council amend the Tourism Event Funding Program to ensure that:

- event organisers applying for funding from Council for both the Visitor Attraction and Special Events Funding Programs must be members of their Local Tourism Association; and
- funding provided to the private sector to support events is tagged specifically to market the event.

A separate report detailing the recommendation was tabled at the June 2013 Council meeting.

Strategic Tourism Workshop

Wangaratta Unlimited Board has undertaken a review of the key brand strengths for Tourism. The outcome of the review was presented to the Local Tourism Association's (LTA's) for feedback and input. A briefing paper was prepared from the feedback/input and considered at this meeting.

Wangaratta Unlimited recommends:

That Council adopt the following brand strengths and structure:

- Key brand strengths:
 - § Cycling;
 - § Food/Wine/Beer;
 - § Nature; and
 - § Culture and Heritage:
 - Ned Kelly (Specific brand strengths); and
 - Jazz (Specific brand strengths).
- Rural City of Wangaratta strengths:
 - § Events

A separate report detailing the recommendation was tabled at the June 2013 Council meeting.

Recommendation:

That Council receive and note the report.

11.4.1.3 ARTS CULTURE AND HERITAGE ADVISORY COMMITTEE REPORT

Cultural/Arts Issues

67.010.006

Background

The Arts, Culture and Heritage Advisory Committee (ACHAC) held their bi-monthly meeting on 3 June 2013.

Attendees: David Godkin, Rhonda Diffey, Kim Westcott, Tina Thompson, Valerie Brennan, Loueen Twyford, Penny Hargrave, Dianne Mangan, Justine Ambrosio, Patti Wenn, Lorraine Monshing.

There were no declarations of conflict of interest.

The following items were discussed at the meeting:

1. Introduction of Ms Patti Wenn the Acting Director Community Wellbeing;
2. The Draft ACHAC Strategic Plan, Vision and Themes;
3. The Sculpture Commission at the Sports Development Centre;
4. The State-wide MAC Library Review process and outline of the proposed Victorian Library - ONE Library model;
5. MAV Library Forum held on 8 May 2013 in Melbourne;
6. The Local Government Aboriginal Partnership Project; and
7. The Bi Monthly Report for Arts, Culture and Heritage services.

Recommendation

That Council receive and note the report.

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
9-07-2013	Draft Council Meeting & Deputations	Attachment
25-06-2013	Councillors Briefing Forum	Attachment
24-06-2013	Agriculture and Agribusiness Advisory Committee	Item 11.4.1.1
19-06-2013	Special Briefing Forum – Council Plan & 2013-2017 Budget	Attachment
18-06-2013	Prior to Ordinary Council Meeting	Attachment
5-06-2013	Wangaratta Unlimited Advisory Board (Committee)	Item 11.4.1.2

Recommendation

That Council resolves to:

- 1. receive the reports of Assemblies of Councillors, and***
- 2. determine to keep the items listed below 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 25 June 2013:**
- 4.2.5.1 - Wangaratta Performing Arts Centre – Operations Report**
 - 4.2.5.2 - Sponsorship – Wangaratta Performing Arts Centre**
 - 4.2.5.3 - Township Blitz Report**
 - 4.2.5.4 - Draft Moyhu Community Hub Feasibility Report**
 - 4.2.6.1 - Rowan Street Underpass Safety**

13. NOTICE OF MOTION

13.1.1.1 COUNCILLOR FIDGE - NOTICE OF MOTION NO.53

Notice of Motion

10.010.010

Councillor Julian Fidge has given notice of his intention to move the following motion:

That Council amend its Meeting Procedures Local Law No. 2 of 2009 to insert the following after section 7:

7A. Election of Deputy Mayor

- (1) Council may elect a Deputy Mayor for a period not to exceed the Mayor's term.*
- (2) The election of the Deputy Mayor will follow the same procedure as that for an election of Mayor, except that the meeting will be chaired by the Mayor.*

13.1.1.2 COUNCILLOR FIDGE - NOTICE OF MOTION NO.54

Notice of Motion

10.010.010

Councillor Julian Fidge has given notice of his intention to move the following motion:

That Council censure Cr Tammy Atkins for repeatedly breaching the Councillor Code of Conduct by making complaints directly to the Minister for Local Government and Councillor Conduct Panels instead of following the procedure provided for Dispute Resolution.

Background

Cr Tammy Atkins requested another Councillor Conduct Panel on the 12th of June 2013. Council's Code of Conduct has a fairly standard Dispute Resolution clause which I have attached (**refer attachment**). It is not onerous, complex or expensive. It encourages Councillors to resolve disputes at the lowest level possible, not the highest.

Cr Tammy Atkins has never complied with Council's Dispute Resolution procedures.

Cr Tammy Atkins has taken in excess of 50 complaints to Councillor Conduct Panels without attempting to resolve her dispute internally. Cr Atkins has never written to me about her concerns or made any attempt to resolve her concerns with me directly or via the Mayor. These Councillor Conduct Panels are extremely expensive in comparison to the Dispute Resolution Procedure, adding tens of thousands of dollars to the cost of a dispute. VCAT hearings may add many more tens of thousands of dollars to these proceedings.

All of these complaints should have been resolved internally at little or no cost.

14. URGENT BUSINESS**15. AUTHORISATION OF SIGNING AND SEALING OF DOCUMENTS**

Authorisation of Signing and Sealing of Documents

50.010.004

Recommendation:

That Council sign and seal the documents for Contract C1213/059 for the Construction of Stage 3 of the Wangaratta Children's Service Centre.

16. PUBLIC QUESTION TIME

Public Question Time

10.020.004

17. CONFIDENTIAL BUSINESS**Recommendation**

That Council close the meeting to members of the public in accordance with section 89(2) of the Local Government Act 1989.

18. CLOSURE OF MEETING