

WANGARATTA RURAL CITY COUNCIL



MINUTES OF THE ORDINARY MEETING
OF THE WANGARATTA RURAL CITY COUNCIL, HELD
IN THE COUNCIL CHAMBERS, MUNICIPAL OFFICES,
62-68 OVENS STREET, WANGARATTA
ON **TUESDAY, 18 SEPTEMBER 2012** AT 7.00PM

Doug Sharp
CHIEF EXECUTIVE OFFICER

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1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

2. **OPENING PRAYER**

3. **PRESENT**

Chairman: Councillor R Paino, Mayor
Councillor A Griffiths, Councillor L McCully, Councillor R Webb, Councillor R Parisotto, Councillor D McPhie.

Officers: Mr Doug Sharp (Chief Executive Officer), Mr Ray Park (Director Sustainability), Mr Andrew Close (Director Infrastructure), Ms Alexis Young (Acting Director Sustainability), Ms Ruth Tai (Director Community Wellbeing).

4. **ABSENT**

Councillor L. McInerney having previously been granted leave of absence for the period Friday 14 September 2012 to Wednesday 19 September 2012.

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**

(Moved: Councillor R Webb/Councillor L McCully)

Recommendation:

That the Minutes of the Ordinary Meeting of 21 August 2012 be taken as read and confirmed as a true and accurate record of the proceedings of the meeting.

Carried

8. **CONFLICT OF INTEREST DISCLOSURE**

Councillor R Webb declared a conflict of interest in item 11.2.3.2 being a member of the Wangaratta Festival of Jazz Board.

9. RECEPTION OF PETITIONS

A petition was presented by Mr David Evans to the Chief Executive Officer in regard to the Wangaratta Livestock Exchange.

10. HEARING OF DEPUTATIONS

11. PRESENTATION OF REPORTS

11.1 COUNCILLOR'S REPORTS

11.1.1.1 ASSOCIATED VICTORIA REGIONAL WASTE MANAGEMENT GROUP

NevRWaste

72.010.050

Introduction

As the portfolio holder for Environment and Sustainability and in the capacity of Chairperson of North East Victoria Regional Waste Management Group, Cr Ron Webb attended the Associated Victoria Regional Waste Management Groups Information Session, AGM and Ordinary meeting in Melbourne on 16th and 17th August, 2012. In attendance were Executive Officers and Councillors / Directors from the 12 Regional and 1 Metropolitan Waste Groups

Issues

The Information Session included presentations from Sustainability Victoria, Department of Sustainability / Environment and Environmental Protection Authority on policy, future directions and funding opportunities. The presentation from Sustainability Victoria also included information on:

- The new Statewide Engagement Team – Regional Facilitators (Seymour appointment to service NEVRWVG);
- Container Deposit Legislation;
- Roadside Litter Program; and
- Packaging Stewardship.

The Annual General Meeting was chaired by Director Ron Webb in the absence of the Chairperson. The Statement of Financial Accounts for 2011/12 was adopted and the following Executive Officers elected for 2012/13:

- Chairperson - Neville Golding (Central Murray);
- Deputy Chairperson - Ron Webb (NevRWaste); and
- Secretary / Treasurer – Phillip Clingin (Highlands).

The General Meeting was chaired by Director Ron Webb in the absence of the Chairperson. The agenda included for discussion and action as applicable:

- 2012 / 13 Draft Budget – Adopted;
- Nominations (2) to Keep Australia Beautiful Advisory Committee – 2 Directors appointed;
- Non Return of Industrial Bulk Containers;
- “Garage Sale Trail” presentation by Owner and Partner, Andrew Valder;
- Technical reports from Regional Directors; and

- Presentation on the 2012 World Bioenergy Conference held in Jonkoping, Sweden – Ian Rossitter, City of Ballarat.

Next meeting will be at Central Murray (Swan Hill) on 15th and 16th November, 2012.

(Moved: Councillor R Webb/Councillor R Parisotto)

Recommendation:

That the report be noted.

Carried

11.2 OFFICER'S REPORTS

11.2.1 EXECUTIVE SERVICES

11.2.1.1 MUNICIPAL ASSOCIATION OF VICTORIA (MAV) STATE COUNCIL MOTIONS

Municipal Association of Victoria (MAV)

File No.42.070.010

Introduction

An opportunity has been taken by the Rural City of Wangaratta to submit motions to the Municipal Association of Victoria State Council. Motions should be matters of a state-wide significance to Local Government and must have been submitted by Friday 23 August 2012.

Background

The Municipal Association of Victoria State Council provides an opportunity for Councils to submit motions of concern/issue that, if passed, empowers the Municipal Association of Victoria to act. As such it is a valuable lobby tool. The State Council is scheduled for 20 September 2012.

Issues

Over the course of the past 12 months Council has considered a number of matters that fit the criteria for elevating to the Municipal Association of Victoria State Council. These are:

1. Concern over the collection of a Fire Services Levy by local government.
2. The inequitable allocation of flood recovery clean up grants based on municipal boundaries rather than affected landholders.
3. Concern over State Government budget cuts to essential community services.

The rationale for seeking and submitting support for each of these matters is given in attachments (*refer attachment*).

In order for these motions to be advanced it requires a lead Council. Accordingly, the motions as submitted now require Council endorsement so that they can be advanced at the Municipal Association of Victoria State Council with the Rural City of Wangaratta acting as the lead Council.

(Moved: Councillor L McCully/Councillor R Webb)

Recommendation:

That Council endorse the following motions to the Municipal Association of Victoria State Council:

- 1. That the MAV continue to oppose the collection of a Fire Service Levy by local government.***
- 2. That the MAV seek to correct a decision of the Federal Government whereby flood recovery and clean up grants are awarded to affected landholders based on municipal boundaries thereby excluding similar flood affected communities in neighbouring “non eligible” councils.***
- 3. The MAV voice its concern to the Victorian State Government over budget cuts to essential community services and lobby for the funding to be reinstated.***

Carried

11.2.1.2 COUNCIL MEETING DATES AND VENUES 2013

Council Meetings

10.020.002

Background

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

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

The program of meeting in rural townships since 2000 has been as follows:

15 February 2000	Whorouly Multi-purpose Centre
16 May 2000	Bowmans/Murmungee Hall
15 August 2000	Springhurst Hall
21 November 2000	Milawa Hall
20 February 2001	Glenrowan Multi-Purpose Centre
15 May 2001	Peechelba Community Facility
21 August 2001	Markwood Hall
20 November 2001	Myrree Hall
19 February 2002	Greta/Hansonville Hall, Greta
21 May 2002	Carboor Hall
20 August 2002	Boorhaman Hall
19 November 2002	Cheshunt Hall
18 February 2003	Bobinawarra Hall
20 May 2003	Edi Upper Hall
19 August 2003	Glenrowan Multi-Purpose Centre

18 November 2003	Everton Hall
17 February 2004	Oxley Hall
18 May 2004	Moyhu Memorial Hall
17 August 2004	Peechelba Community Facility
23 November 2004	Tarrawingee Hall
15 February 2005	Whitfield Swinburne Pavilion
17 May 2005	Milawa Hall
16 August 2005	Glenrowan Multi-Purpose Centre
15 November 2005	Eldorado Hall
21 February 2006	Springhurst Hall
16 May 2006	Myrree Hall
15 August 2006	Boorhaman Hall
21 November 2006	Whorouly Multi-purpose Centre
20 February 2007	Bowmans/Murmungee Hall
15 May 2007	Cheshunt Hall
21 August 2007	Greta/Hansonville Hall
20 November 2007	Carboor Hall
19 February 2008	Everton
20 May 2008	Peechelba Community Facility
19 August 2008	Moyhu Hall
21 October 2008	Tarrawingee Hall
17 February 2009	Edi Upper Hall
19 May 2009	Oxley Recreation Reserve
18 August 2009	South Wangaratta CFA
17 November 2009	Eldorado Hall
16 February 2010	Springhurst Hall
18 May 2010	Glenrowan Recreation Reserve Hall
17 August 2010	Myrree Hall
16 November 2010	Markwood Hall
15 February 2011	Milawa Hall
17 May 2011	Bowmans/Murmungee Hall
16 August 2011	Boorhaman Hall
15 November 2011	Whitfield Swinburne Pavilion
21 February 2012	Peechelba Community Facility
15 May 2012	Greta/Hansonville Hall
21 August 2012	Carboor Hall
13 November 2012	Everton Hall

Issues

Council needs to establish its schedule of Ordinary Council Meeting dates and venues for 2013 to allow for notice to be given and advance planning.

A draft schedule of the 2013 Ordinary Council Meeting dates and venues has been developed. The draft schedule has been developed to achieve a geographical spread of rural meetings throughout the year. The draft schedule for rural townships is as follows:

Tuesday 22 January	7.00 pm Wangaratta
Tuesday 19 February	7.00 pm Cheshunt Hall
Tuesday 19 March	7.00 pm Wangaratta

Tuesday 16 April	7.00 pm Wangaratta
Tuesday 21 May	7.00 pm Whorouly Hall
Tuesday 18 June	7.00 pm Wangaratta
Tuesday 16 July	7.00 pm Wangaratta
Tuesday 20 August	7.00 pm South Wangaratta CFA
Tuesday 17 September	7.00 pm Wangaratta
Tuesday 15 October	7.00 pm Wangaratta
Tuesday 19 November	7.00 pm Eldorado Hall
Tuesday 10 December	7.00 pm Wangaratta

Implications

Council Plan Outcomes

The proposed 2013 Ordinary Meeting dates and venues schedule meets our objective of community leadership through the provision of accessible, open and consultative government which is further specified under ongoing responsibilities to continue rotation of Council meetings.

Community Engagement

Conducting Ordinary Council Meetings in rural townships promotes closer interaction with all areas of the municipality.

(Moved: Councillor R Parisotto/Councillor A Griffiths)

Recommendation:

That the schedule of Ordinary Council Meeting dates and venues for 2013 as follows be endorsed by Council:

<i>Tuesday 22 January</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 19 February</i>	<i>7.00 pm Cheshunt Hall</i>
<i>Tuesday 19 March</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 16 April</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 21 May</i>	<i>7.00 pm Whorouly Hall</i>
<i>Tuesday 18 June</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 16 July</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 20 August</i>	<i>7.00 pm South Wangaratta CFA</i>
<i>Tuesday 17 September</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 15 October</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 19 November</i>	<i>7.00 pm Eldorado Hall</i>
<i>Tuesday 10 December</i>	<i>7.00 pm Wangaratta</i>

Carried

Communication

Public notification will be provided of Council's 2013 Ordinary Meeting dates and venues.

11.2.2 SUSTAINABILITY

11.2.2.1 EXCHANGE OF LAND NORTH WANGARATTA

North Wangaratta Industrial Estate

25.020.019

Introduction

Council and North East Region Water Corporation (NEW) have reached agreement regarding an exchange of land at North Wangaratta to enable a future expansion of Council's industrial estate.

Background

Agreement was reached with NEW in 2007 regarding exchanging land to assist each organisation to achieve longer term development objectives.

As a result Council acquired 92ha of land fronting Broster Road. This land abuts NEW land.

Agreement has now been reached to exchange the Broster Road parcel for a parcel immediately abutting Buckler Road, and Council's existing industrial estate, between Detour Road and Croshers Lane.

The Deed of Exchange of Lands details the exchange of land by NEW to Council, of five parcels of land situated on Detour Road, Wangaratta to Council and the exchange of land by Council to NEW of Lot 1 TP175025R situated at Broster Road, Wangaratta.

Issues

The exchange process involved independent valuations of each parcel by the State Public Land Monitor. In addition, compensation is to be paid to NEW for assets that will be abandoned by NEW as a result of the exchange.

Implications

The agreement process has been extended due to the need for NEW to comply with requirements of the State Government Land Monitor. These requirements have now been fulfilled and solicitors acting for both parties have prepared an Agreement for signing by the parties.

Valuations of the parcels proposed for exchange have been undertaken by the Valuer General on behalf of NEW and by Council's contract valuers for RCOW. These valuations provide the net figure payable by Council to NEW having regard to the value of, and the replacement of infrastructure situated on NEW land.

The resulting net balance of \$225,000 payable by Council formalises the contract between the parties.

The final arrangement is advantageous to both parties as the parcel obtained by Council will enable the orderly expansion of the Buckler Road estate and take advantage of existing water infrastructure. The agreement also provides for Council to be offered any further NEW land that should become surplus.

The exchange allows NEW to redevelop their North Wangaratta installation and introduce improved wastewater management systems.

Council Plan Outcomes

Council's objective in creating an environment which encourages new and existing business to achieve their aspirations for growth, is relevant to this report.

Financial Outcomes

Council's contribution for the land will be met from the Industrial Land reserve.

Conclusion

The finalisation of this land exchange will secure land for additional development in the North Wangaratta Industrial Estate, taking advantage of existing infrastructure and providing a land bank of appropriately zoned industrial land into the future.

(Moved: Councillor R Webb/Councillor D McPhie)

Recommendation:

That the signing of the Deed of Exchange be authorised and that the Transfer of Land documents between the Rural City of Wangaratta Council and North East Water Corporation be signed and sealed by Council when available.

Carried

11.2.2.2 2011/2012 REVALUATION OF NON-CURRENT ASSETS, FINANCIAL REPORT, STANDARD STATEMENTS AND PERFORMANCE STATEMENT

Annual Audit

51.020.001

Introduction

A Council must, in respect of each financial year, prepare an Annual Report containing:

- a report of its operations during the financial year;
- an audited Performance Statement;
- an audited Financial Report; and
- audited Standard Statements.

Background

The Financial Report and Standard Statements in the Annual Report must:

- be prepared in the prescribed manner and form;
- be submitted in their finalised form to the Auditor for auditing as soon as possible after the end of the financial year; and
- be certified in the manner prescribed.

The Standard Statements in the Annual Report must show any variations from the Standard Statements in Council's original budget and, if the variation is material, explain the reason for the variation.

In accordance with section 131 of the Local Government Act 1989, Council must include in its Annual Report details on the achievement of the performance targets and measures (key performance indicators) as outlined in Council's annual budget.

The Performance Statement (*refer attachment*) is required to be audited and must:

- outline the performance targets and measures set out in relation to the achievement of the business plan in respect of the year described in the Council Plan;
- describe the extent to which the business plan was met in that year having regard to those targets and measures; and
- if the statement shows that Council has failed to substantially achieve the targets set out in the business plan, Council must ensure that a copy of the statement submitted to the Minister is accompanied by a written explanation of why Council failed to achieve those targets.

The Annual Report must be submitted to the Minister within three (3) months of the end of each financial year (by 30 September) or such longer period as the Minister may permit in a particular case.

After the Annual Report has been submitted to the Minister, the Council must give public notice that the Annual Report has been prepared and can be inspected at the Council office.

After it has received a copy of the report of the Auditor under section 9A of the Audit Act 1994, a Council must:

- give public notice that it has received the copy and that the copy can be inspected at the Council office; and
- ensure that the copy is available for public inspection at any time that the Council office is open to the public.

A Council must hold a meeting to discuss its Annual Report once each year. The meeting:

- must be held as soon as practicable (but within the time required by the Regulations) after the Council has sent the reports to the Minister;
- must be advertised at least 14 days before it is held stating the purpose of the meeting and the place from which copies of the annual report can be obtained before the meeting; and
- must be kept open to the public while the Annual Report is discussed.

The following table summarises the 2012 annual report timetable:

Date	Who	Activity
22-23 August	Richmond, Sinnott Delahunty (external auditor)	External audit conducted
30 August	Audit Advisory Committee	Endorse financial and performance statements in consultation with external auditor
18 September	Council	<ul style="list-style-type: none"> • Approve financial and performance statements in principle pending sanction by the Victorian Auditor General • Authorise two councillors to sign certification of financial and performance statements
24 September	Victorian Auditor General	Expresses opinion on financial and performance statements
25 September	Appointed signatories	Certify statements
30 September	Responsible officer	Annual report submitted to Minister
October	Council	Annual report available for public inspection

Issues

The draft consolidated Standard Statements and Financial Report of the Rural City of Wangaratta for the period 1 July 2011 to 30 June 2012 have now been prepared in accordance with the Australian Accounting Standards (*refer attachments*).

Revaluation of Non-Current Assets:

Transition to the Fair Value Basis

AASB 116 - 'Property, Plant and Equipment', Clause 29 requires that an entity shall choose either the cost model or the revaluation model as its accounting policy and shall apply that policy to an entire class of property, plant and equipment.

Further, Clause 31 provides that "After recognition as an asset, an item of property, plant and equipment whose fair value can be measured reliably shall be carried at a re-valued amount, being its fair value at the date of the revaluation less any subsequent accumulated depreciation and subsequent accumulated impairment losses. Revaluations shall be made with sufficient regularity to ensure that the carrying amount does not differ materially from that which would be determined using fair value at the reporting date".

Council officers have given consideration to the values of all non-current assets carried at fair value and determined that the carrying amount of Land, Land Improvements, Sealed Roads, Gravel Roads, Kerbing, Footpaths, Bike paths, Bridges and Buildings, be re-valued in order to reflect market movements since the last revaluation at 30 June 2011.

Council engages an independent contractor to undertake a condition survey of its entire road network on a three year cyclic program. These surveys provide an accurate assessment of asset lives and condition.

Advice has also been sought and received from Richmond, Sinott & Delahunty, Council's external audit contractor and reliance placed on AASB 116 'Property, Plant and Equipment'

The revaluation of property and infrastructure assets resulted in increases (decreases) to the following Asset Revaluation Reserves:

	2012	2011
	\$	\$
Land	-	4,119,353
Land Improvements	-	(649,248)
Buildings	-	(1,257,298)
Sealed Roads & Substructure	6,859,745	10,989,393
Gravel Roads and Substructure	4,103,122	3,456,228
Bridges	1,484,797	(158,914)
Kerbing	281,129	244,310
Footpaths	168,303	400,676
Bike paths	414,282	(820,497)
Total increase in revaluation reserve	<u>13,311,378</u>	<u>16,324,003</u>

Financial Summary

A summary of financial comparisons between 2011 and 2012 follows:

Financial item	Note	2012	2011	Increase/ (decrease)
Cash and cash equivalents	19	\$16,412,801	\$14,949,553	1,463,248
Working Capital Ratio	44	172.73%	208.66%	(35.93%)
Total Receivables	20	\$5,729,030	\$4,966,131	762,899
Borrowings	29	\$8,603,082	\$9,138,855	(535,773)
Depreciation	14	\$10,750,039	\$9,437,687	1,312,352
Grant Income	7	\$20,562,384	\$16,287,921	4,274,463
Trade and other payables	26	\$5,955,401	\$3,625,141	2,330,260

Standard Statements

The standard statements compare actual results to the adopted budget for the 2011/2012 financial year. Variances greater than 10% and \$200,000 are explained in notes to the standard statements.

The Operating Surplus was \$950K compared to the budgeted surplus of \$3.1M. This is due to the requirement to bring to account the Vision Super Defined Benefit fund superannuation call of \$3.22M in the 2011/2012 financial year. On advice from Local Government Victoria the expense was brought to account in the year it was incurred (2011/12) following actuarial assessment but is not due and payable until 1 July 2013 and has therefore been recorded as a non-current liability.

Elsewhere in this agenda is a report from Council's Audit Advisory Committee that details the Committee's consideration of the Vision Super Defined Benefits funding call. Members of the Committee questioned the representative of the Victorian Auditor General's office about the Audit and the Financial Statements, particularly in regard to the accounting for the Vision Super Defined Benefits funding call. The Auditor advised that he was satisfied with the accounting treatment and that he expected the Audit opinion to be issued without qualification.

Approval In-Principle

In accordance with Sections 131(7) and 132(6) of the Local Government Act 1989, the Council must not submit the Standard Statements, the Financial Report or the Performance Statement to its Auditor or the Minister unless it has passed a resolution giving its approval "in-principle" to the Standard Statements and the Financial Report.

Certification

In accordance with Sections 131(8) and 132(7) of the Local Government Act 1989, the Council must authorise two (2) Councillors to certify the Standard Statements, the Financial Report and the Performance Statement in their final form after any changes recommended, or agreed to, by the auditor have been made.

For the purposes of Section 131(3) of the Local Government act 1989, the Chief Executive Officer, Principal Accounting Officer and two (2) Councillors must certify the Standard Statements and Financial Report contained in the annual report in the required form.

Ms Ruth Kneebone, (Manager – Finance) is the Council's duly appointed Principal Accounting Officer.

It will be necessary for the Council to designate two (2) Councillors to certify the Financial Report and Performance Statement.

Consultation

Extensive consultation has been undertaken with Richmond, Sinnott & Delahunty, Agent of the Auditor-General, during the preparation of the Standard Statements and Financial Statements.

In addition, the draft Financial Reports and Performance Statement have been considered and endorsed by the Audit Advisory Committee at its meeting on 30 August 2012.

Implications

Council Plan Outcomes

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

The Performance Statement details the achievement of Council against specific criteria and objectives for the 2011/2012 financial year.

Community Outcomes

The production of the Financial Report and Performance Statement is a critical component in the management of Council's operations to ensure accountability and public disclosure in the delivery of services and programs to residents of the municipality.

Sustainability

Council's financial position

The Financial Report details the consolidated financial results of Council's operations, balance sheet and cashflows for the 2011/2012 financial year.

Council's Workplace

The Financial Report and Standard Statements detail the financial resources necessary for the organisational arrangements of Council.

(Moved: Councillor A Griffiths/Councillor R Webb)

Recommendation:

That:

- 1. The draft Standard Statements, Financial Report and Performance Statement of the Rural City of Wangaratta for the 2011/2012 financial year as endorsed by the Audit Advisory Committee on 30 August 2012, be approved "in-principle"; and***
- 2. Council notes officers' action to review values of assets held at fair value as at 30 June 2012 is in accordance with AASB 116 Property, Plant and Equipment. This action has resulted in an increase in infrastructure asset valuations of \$13,311,378 at 30 June 2012; and***
- 3. The Councillor representatives on the Audit Advisory Committee, being Cr Paino and Cr Griffiths, be authorised to certify the 2011/12 Standard Statements, Financial Report and Performance Statement of the Rural City of Wangaratta.***

Carried

Communication

Public notification on the availability of the audited Standard Statements, Financial Report and Performance Statement will be given in the local media.

11.2.2.3 GRANTS COMMISSION FUNDING REDUCTION

Management and Finance – finance – Victorian Grants Commission

MF/FM/215

Introduction

Commonwealth Government grant allocations to Victoria for 2011-12 and 2012-13 have recently been revised down. Preliminary allocations were provided in May 2012 and in accordance with past practice, these amounts were included in Council's 2012-13 Budget.

Background

The Commonwealth Grants to Victoria, for Local Government, are based on a funding formula that considers inflation and population figures. Initial allocations are made in May after the Federal budget is released and are revised in July or August when actual inflation figures and other variables are known for the preceding year.

Issues

In most years any adjustments are minor. However, in the current year the inflation result for the year was lower than expected and there was also a significant downward revision of the national population estimate.

As a result, Council's General Purpose and Local Roads allocations have been revised down from \$6,406,512 to \$6,107,085 inclusive of the adjustment for 2011-12. Council's Budget for 2012-13 anticipated \$6,364,842.

As a consequence, a shortfall of \$257,757 will result. Council's Budget was framed on achieving a surplus of \$180,000 and measures are necessary to deal with a shortfall.

A preliminary review of the Budget position has identified savings in Workcover premiums, Insurance Premiums and better than forecast returns from Supplementary rates income amounting to approximately \$160,000.

Conclusion

A further report will be provided at a later date detailing potential actions and possible savings to reinstate the 2012/2013 budgeted surplus of \$180,000

(Moved: Councillor Parisotto/Councillor R Webb)

Recommendation

That the report be noted

Carried

11.2.2.4 LOCAL AUTHORITIES SUPERANNUATION FUND DEFINED BENEFIT PLAN

Employee Superannuation

59.020.002

Introduction

Vision Super is the trustee of the Local Authorities Superannuation Fund Defined Benefit Plan. Under the terms of a Deed entered in 1998 Council is required to continue to contribute to the Fund as required by the Trustees. The Trustees have now advised that the scheme has an unfunded liability of \$453 million and has called on Authorities to contribute to that liability. Council's share of the shortfall is \$2,735,424 plus 15% contributions tax.

Background

The Local Authorities Defined Benefits Plan was established and operated under Victorian legislation until 1998. During 1998 the *Local Authorities Superannuation Act* was repealed and replaced by legislation that required all Authorities who had been contributing to the Defined Benefits plan, to continue to maintain their contributory obligations to the fund.

This Council resolved to sign and seal the Trust Deed at its meeting on 17 November 1998 on the basis that it was required to do so by the provisions of the *Public Sector Superannuation (Administration) Act 1993*.

From 1 July 1998 the fund became a "regulated fund" under Commonwealth legislation. Under that legislation, actuarial investigations are required at least every three years.

Attached is a background briefing paper provided by Vision Super (***refer attachment***).

Issues

The Defined Benefit Plan fund has been closed to new members since 31 December 1993. The last actuarial review was carried out as at 31 December 2011. In the three years prior to that review active members reduced from 6,212 to 4,971 and the number of life time pensioners reduced from 5,556 to 5,132. The rate of return earned by the fund for the three years was 3.0% which was lower than the expected return of 8.5%.

Vision Super also commissioned Pricewaterhouse Coopers to review the apportionment methodology used to calculate the liability of each member Authority.

Vision Super has advised that Council's share of the call is \$3.22 million inclusive of the contributions tax.

The payment of the call is due on 1 July 2013. Vision Super has now proposed the option of early payment of the liability with the final date for payment of 1 October 2012. However, this option is not recommended to Council because:

1. a payment of \$3.2million dollars would be a material transaction and would require a Revised Budget which is not achievable in the timeframe;
2. a payment of this magnitude would necessitate borrowing and the approval by Treasury, and this is also not achievable in the timeframe;
3. the debt is recorded in the financial statements as a non-current liability and is not due and payable until 1 July 2013; and
4. any early payment will undermine this Council's position in supporting attempts by the Local Government industry to negotiate more favourable outcomes.

The Municipal Association of Victoria (MAV) has been negotiating an overall debt facility for councils or a universal approval for increased borrowings. It has also been investigating ways in which the liability of the fund may be resolved over a longer time frame, including removing the requirement to fully fund the scheme and thereby bringing it in to line with the State and Federal Defined Benefit Schemes.

The Shire of Glenelg has recently written to all Councils expressing concern regarding the quantum and unpredictability of the current financial burden created by this matter.

The Shire of Glenelg is seeking support to:

- pursue exemptions in respect of the Federal contributions tax and State Workcover liability;
- contribute to a fund to seek independent legal advice to identify possible options to limit the likelihood of a future call to fund the Defined Benefits Scheme; and
- request Rural Councils Victoria, Regional Cities Victoria and/or Victorian Local Governance Association to pursue the exemptions on scheme contributions and to facilitate the legal fund and seek legal advice on behalf of contributing councils.

State Government Involvement

The Background briefing provided by Vision Super makes it clear that the current situation, while impacted by recent poor investment returns, is also an outcome of decisions made by the State Government during the period from 1993 to 1998. These decisions were:

1. To close the scheme to new members;
2. Re-establish the scheme under Commonwealth legislation; and
3. To require Councils to continue to maintain their contributory obligations.

As a consequence Council must raise this matter with local members of parliament as a matter of urgency.

Implications

Council Plan Outcomes

To provide responsible financial practices ensuring Council's on-going financial viability.

Sustainability

Funding the shortfall will require the amount to be borrowed impacting on the Council's financial position over the long term.

Conflict of Interest:

The Chief Executive Officer and Director Sustainability have a conflict of interest in this matter.

Conclusion

As a consequence of the financial impost this payment will place on the Rural City of Wangaratta's long term financial sustainability, every effort needs to be made to find a way to reduce or remove the requirement to meet the Defined Benefit Fund short fall now and into the future.

Recommendation:

That Council:

- 1. Express, in the strongest possible terms, its concerns to the Municipal Association of Victoria about the consequences of this matter on the long term financial sustainability of Victorian Local Government generally and the Rural City of Wangaratta in particular, and urge the MAV to pursue a resolution as a matter of urgency;*
- 2. Support, and take any action necessary in regard to the proposals put forward by the Shire of Glenelg; and*
- 3. Advise local Members of Parliament of the implications of this matter and request their support for the State Government to participate in resolving the matter.*

(Moved: Councillor R Webb/Councillor R Parisotto)

That Council:

- 1. express, in the strongest possible terms, its concerns to the Municipal Association of Victoria about the consequences of this matter on the long term financial sustainability of Victorian Local Government generally and the Rural City of Wangaratta in particular, and urge the MAV to pursue a resolution as a matter of urgency;***
- 2. support, and take any action necessary in regard to the proposals put forward by the Shire of Glenelg;***
- 3. advise Local, State and Federal Members of Parliament, the State Premier and Victorian Senators of the implications of this matter and request their support for the State Government to participate in resolving the matter.***

- 4. support a delegation to the Federal Government Minister to seek the necessary legislative change to remove the requirement for full funding of the Defined Benefit Superannuation Fund.**

Carried

11.2.2.5 WANGARATTA SALEYARDS ECONOMIC IMPACT STUDY

Saleyards Operation & Maintenance

85.020.001

Introduction

The Rural City of Wangaratta engaged consultants AEC Group Ltd to undertake an economic impact and cost benefit analysis of the Wangaratta Saleyards (**refer attachment**).

The objective of the study was to identify the economic and employment contribution that the Saleyards make to the Wangaratta regional economy and the costs and benefits accruing to the community from operating the business with a view to informing a refinement of the Saleyards Business Plan.

Background

A Best Value Review of the Wangaratta Saleyards was undertaken in 2003 to identify key issues and to articulate areas for improvement or change.

As a consequence of that Best Value review, the Saleyards has continued to be operated by Council on a business basis with sufficient funding to meet agreed community benefit. The management objective has been to operate the business within a self-contained business unit budget.

However, since 2003, there have been major changes in the Saleyards' operating environment with the entry of private saleyards operators and other saleyards being upgraded through the addition of roofing to improve efficiency, return on investment, selling conditions, environmental outcomes and animal welfare standards. As a consequence of these changes there is a need to update the Saleyards Business Plan.

Issues

In undertaking the study, the consultants engaged with a number of key stakeholders including livestock agents, producers, buyers, agri-businesses and rural supplies retailers, local transport companies and employees.

Stakeholders generally indicated that the Saleyards is an important asset to the regional cattle production supply chain. It provides a very effective sale mechanism for vendors as well as an aggregating function for cattle buyers. It provides producers with a local livestock selling option, rather than being required to travel to Wodonga or Shepparton saleyards.

It also generates significant flow-on benefits to the Rural City of Wangaratta economy, including spending of producers and transporters.

The existing Saleyards is considered to be a very good facility, with stakeholders identifying that the saleyard is "a good set-up, well maintained and professionally run". Stakeholders are currently satisfied with the level of service offering; however, improvements into the future would be required to stay competitive against newer saleyards.

The major finding of the study was that the Saleyards make a very significant economic and employment contribution to the local Wangaratta regional economy. The current economic activity generated by the Saleyards in the Rural City of Wangaratta is approximately:

- **\$14.5 million in output** (the gross value of goods and services transacted, including the costs of goods and services used in the development and provision of the final product), including:
 - \$9.9 million in direct activity from Saleyards operations (the first round of effects from direct operational expenditure on goods and services);
 - \$4.6 million in flow on activity (production induced support activity as a result of demand for goods and services to support operational activities).
- **\$7.3 million in gross value added** (the value of output after deducting the cost of goods and services inputs in the production process thereby defining the true net contribution), including:
 - \$5.3 million in direct activity;
 - \$2.0 million in flow on activity.
- **\$4.7 million in wages and salaries paid to households** (the level of wages and salaries paid to employees benefiting from the economic activity), including:
 - \$3.6 million in direct activity;
 - \$1.2 million in flow on activity.
- **95 full time equivalent (FTE) jobs** (the part-time and full-time employment positions generated by the economic activity expressed in terms of full time equivalent positions), including:
 - 77 FTE jobs through direct activity;
 - 18 FTE jobs through flow on activity.

In the context of the broader Wangaratta economy, the Saleyards currently contributes \$7.3 million in value add which is 0.5% of the region's Gross Regional Product. This is equivalent to 6.0% of agriculture or 3.5% of manufacturing industry value add in the Rural City of Wangaratta.

Without the Saleyards this economic activity and employment would be lost from the Wangaratta region. Conversely, there may be potential to increase the economic and employment benefits to Wangaratta through growth of the Saleyards business.

The cost benefit analysis compared three strategic options of:

1. withdrawing from the Saleyards business; or
2. continuing the Saleyards on a 'business as usual' approach with minimal capital investment; or
3. upgrading the infrastructure to provide modern selling conditions with roofing and soft flooring.

The net present value of withdrawing from the Saleyards business was substantially negative. In contrast, it was found that capital investment in roofing and soft flooring produced a strong financial and economic case when compared with 'business as usual'.

Potential Wangaratta region outcomes from an upgrade include growing economic output by between \$3.1 million and \$5.5 million and generating 20 to 36 additional full time jobs. This is in addition to the current Saleyards economic contribution. An updated Saleyards Business Plan will need to confirm the financial feasibility of an upgrade within the requirement to operate on a self-contained business unit budget.

The study also reviewed Council's compliance with competitive neutrality law regarding the Saleyards. From a purely commercial viewpoint, to achieve a competitively neutral position, the analysis found that current pricing structures will not be sufficient to recoup operational and capital costs without subsidisation from Council.

Consequently, in order to remain competitively neutral this means that Council may need to consider future changes to facility pricing unless it can demonstrate a subsidy is warranted on the basis of a robust public interest test related, for example, to economic and business development and/or employment growth policy. A review of the Saleyards Business Plan will need to address competitive neutrality in light of these findings.

Implications

Council Plan Outcomes

The 2009-13 Council Plan states:

Key Strategic Activity	To operate the Saleyards on a business basis with sufficient funding to meet agreed community benefit.
Performance Measure	Operate the Saleyards within a self-contained business unit budget
Action	Establish and maintain the Saleyards as a self-contained unit and clearly identify Council's required contributions for the next 5 years.
Target	Ongoing.

The economic impact and cost benefit analysis will provide critical data for a review of the Saleyards Business Plan. Such a review will clearly establish Council's required contributions for the next five years.

Sustainability

The continued operation of the Wangaratta Saleyards as a viable business will keep producing very positive outcomes for the sustainability of the local economy.

Community Engagement

The consultants have engaged on a one-to-one basis with identified key stakeholders including livestock agents, producers, buyers, agri-businesses and rural supplies retailers, local transport companies and employees.

The consultants also worked with the Agriculture and Agribusiness Advisory Committee (AAAC) in producing the report. The consultant's report was tabled with the Committee for input and critical assessment.

At a meeting on 3 September 2012 the AAAC recommended to Council:

“That Council adopt the Saleyards Strategic Plan Economic Impact Study and further progress the business case by establishing financing options for infrastructure investment at the Wangaratta Livestock Exchange”.

Conclusion

The study has confirmed the importance of the Saleyards to the Wangaratta economy and provides the basis for the development of a Business Plan.

The Saleyards Business Plan should now be completed with the assistance of the Agriculture and Agribusiness Advisory Committee.

(Moved: Councillor Griffiths/Councillor D McPhie)

Recommendation

That:

- 1. The recommendation of the Agricultural and Agribusiness Advisory Committee be endorsed, namely -
“That Council adopt the Saleyards Strategic Plan Economic Impact Study and further progress the business case by establishing financing options for infrastructure investment at the Wangaratta Livestock Exchange”.***
- 2. Council acknowledges the very significant economic and employment benefits accruing to the Wangaratta regional economy from the Wangaratta Saleyards.***
- 3. The Economic Impact and Cost Benefit Analysis of the Wangaratta Saleyards be received and Council support the development of a Wangaratta Saleyards Business Plan.***

Carried

11.2.2.6 NORTH EAST REGIONAL CATCHMENT STRATEGY

North East Catchment Management Authority

File No 42.110.012

Introduction

The North East Catchment Management Authority (NECMA) is renewing the Regional Catchment Strategy (RCS). A draft RCS has been released for consultation and comment.

Submissions concerning the draft RCS were required by NECMA by 31 August 2012. The submission developed and submitted by Council officers is attached (*refer attachment*).

Background

Under the Catchment and Land Protection Act, each Victorian CMA is responsible for preparing a RCS for its region and coordinating and monitoring its implementation. Each CMA produces a RCS on behalf of the region, and the task of implementation rests with relevant agencies, peak bodies, land managers, community groups, education providers and the broader community.

The RCS is a key strategic plan for natural resource management in the region, setting a framework of actions to conserve, maintain and enhance the health of the catchment and the resources it provides. The first north east RCS was produced in 1997 and the current RCS was released in 2004. The findings of a 2009 review of the RCS have guided the development of the 2012 draft RCS.

Issues

There are a small number of issues of particular importance to Council. These are:

1. Relationship with Other Regional Planning
The RCS needs to refer to and coordinate with other regional plans such as the Hume Strategy for Sustainable Communities, the Regional Growth Plan, and emergency planning. There are insufficient links to these key plans.
2. Relevance to Council Planning Schemes
The format of the Draft RCS does not allow for relevant sections to be considered for incorporation in the Planning Scheme. In its current format it may be too general to be suitable as a referral document.
3. Strategic Liaison with local Government
Liaison with partners will be key to possible alignment of actions to serve both partner and RCS purposes. Regular liaison between NECMA Board and Council at executive level is needed to realise synergies between the strategic and operational plans of partners
4. Accessibility of the RCS
The document is complex and difficult to read and needs to be clearer to be suitable and accessible to all readers.

A number of other more local issues have also been outlined in the submission which is attached (*refer attachment*).

Implications

Council Plan Outcomes

The Regional Catchment Strategy can be an important document informing Council's approach to 'responsibly manage the local environment'. The draft RCS will be more relevant to Council when the component plans are developed.

Community Engagement

NECMA conducted a community survey and specific meetings of industry and community representatives to inform development of the RCS. Once the draft RCS was released, NECMA held thirteen open 'community conversations' across the catchment. A conversation meeting was held at Wangaratta on 17 August.

Conclusion

Submissions concerning the draft North East Regional Catchment Strategy were required by NECMA on 31 August 2012. These submissions will be considered in development of the final North East Regional Catchment Strategy in September. This will then be submitted for Ministerial approval.

To meet the timetable of the North East Catchment Management Authority, the attached report was submitted as Council's response to the draft Regional Catchment Strategy.

(Moved: Councillor R Webb/Councillor A Griffiths)

Recommendation:

That Council ratify this submission to the draft Regional Catchment Strategy.

Carried

11.2.2.7 **PROPOSED NEW PLANNING ZONES**

Planning Reform/Planning Scheme Review

73.010.009

Introduction

This report provides a summary of changes proposed by the State Government to the planning zones contained within the Victorian planning system. The report identifies changes that may be of significance to the Rural City of Wangaratta and suggests a number of matters that could be included in a submission to government regarding the proposed changes.

Background

The State Government established the Underwood Review – Victorian Planning System Ministerial Advisory Committee to review Victoria’s planning system. Two findings of the review were that:

- the structure of zones that warrant further consideration, including the possibility of allowing more local variations; and
- given the wide spread impact, some early consideration should be given to the Farming Zone.

The current proposed zone reforms are a response to these findings.

Council staff have participated in briefings by the Department of Planning and Community Development and the Municipal Association of Victoria (MAV) and held an internal workshop to examine in detail the proposed reforms.

Submissions

Details of the zone and planning reforms are available on the Department of Planning and Community Development (DPCD) website. This includes a range of information including a discussion paper on the reforms. Submissions to the planning reforms close on 21 September 2012.

Issues

The proposed reforms consist of:

- deletion, creation and amendment to zones; and
- Changes to the restrictions on many land uses within the zones.

Zone changes proposed are the deletion of nine existing zones, the creation of five new zones and the amendment of twelve existing zones. The extent of the zone changes are listed below:

Delete nine existing zones	Create five new zones	Amend 12 existing zones
Rural zones		Rural Living Green Wedge Green Wedge A Rural Conservation Farming Rural Activity
Residential zones Residential 1 Residential 2 Residential 3	Residential Growth General Residential Neighbourhood Residential	Low Density Residential Mixed Use Township

Delete nine existing zones	Create five new zones	Amend 12 existing zones
Commercial zones Business 1 Business 2 Business 3 Business 4 Business 5	Commercial 1 Zone Commercial 2 Zone	
Industry zones Priority Development Zone		Industrial 1 Industrial 2 Industrial 3

<http://www.dpcd.vic.gov.au/planning/theplanningsystem/improving-the-system/new-zones-for-victoria>

A number of changes have been made to permitted uses and these are particularly relevant in rural zones. The proposed reforms also include a number of changes to subdivision entitlements.

Residential Zones

The Residential Growth Zone is to provide medium-density housing at increased densities. It is intended to apply to areas for urban renewal and future development. The General Residential Zone and Neighbourhood Residential Zone are intended to respect and preserve urban character and areas of urban preservation.

By establishing zones with clearly different purposes it seems that it is intended that areas zoned General Residential or Neighbourhood Residential are not suitable for increased densities. Alternatively, neighbourhood character is not considered a necessary outcome in areas intended for increased densities.

These zones appear to be intended more for metropolitan Melbourne than a regional city such as Wangaratta.

Increased density and preservation of neighbourhood character should not be mutually exclusive objectives.

The Low Density Residential Zone is to provide for development of lots which, in the absence of reticulated sewerage, can treat and retain all wastewater. Minimum lot sizes are 0.4 hectare without sewerage and 0.2 with sewerage. Until the arrangements for development in Declared Potable Water Supply Catchments are resolved, this Zone will have little application in rural areas.

Each of the residential zones, together with Mixed use and Township Zones, propose that Medical centre will now be an “as of right” use. This is likely to result in significant traffic and parking issues around these developments because of the traffic volumes that are normally generated.

Commercial Zones

Two Commercial Zones are to replace the current five Business Zones. The DPCD documents foreshadow existing Business 1, 2 and 5 Zones being replaced by the Commercial 1 Zone and the existing Business 3 and 4 Zones being replaced by the new Commercial 2 Zone.

The Commercial 1 Zone is intended to provide "...mixed use commercial centre for retail, office, business, entertainment and high density residential uses." A dwelling is an as of right use in this zone.

The Commercial 2 Zone is "to develop commercial areas for offices and appropriate manufacturing and industrial uses that do not affect the safety and amenity of adjacent sensitive uses". A Supermarket with a leasable area of less than 2,000m² is an 'as of right' in this zone. In addition, a shop that adjoins or is on the same land as a supermarket is also 'as of right'. These 'as of right' uses are a concern given Council's desire to maintain the compact nature and viability of Wangaratta's central business area. These proposals promote the development of shopping centres in commercial precincts that may undermine the Central Business Area as well as conflict with existing industrial and manufacturing uses.

Industrial Zones

Three existing Industrial Zones are to be replaced by three new Industrial Zones.

The Industrial 1 Zone is to provide for manufacturing industry, and the storage and distribution of goods and associated uses.

The Industrial 2 Zone has a similar purpose but also intends to provide for industries and facilities that require substantial threshold distances.

Industrial 3 Zone is to provide a buffer between Industrial 1 zone, Industrial 2 zone and local communities.

The Industrial 3 Zone allows Supermarket and Shops on the same basis as Commercial 2 Zone above and the same concerns regarding local shopping centres are relevant.

Rural Zones:

The government's intention, as set out in the explanatory material, is to:

- support agricultural activity, allow more tourism related uses and support population retention; and
- remove unnecessary conditions and prohibition of some land uses and create more exemptions from permits.

The purpose of the Farming Zone has been amended by:

- including "To retain population to support rural communities" and
- deleting "To protect and enhance natural resources and the biodiversity of the area".

The changes to the rural zones (Farming, Rural Activity, Rural Conservation and Rural Living) can generally be summarised as:

- If a use was prohibited it will now be permitted; and
- If a use was permitted it will now be ‘as of right’.

These changes propose that uses such as Primary produce sales and Rural Industry, that previously required a permit to operate in the Farming Zone, are now ‘as of right’.

Similarly, uses such as Industries (other than Rural Industry) Landscape gardening supplies and Trade supplies that were previously prohibited are now possible with a permit required.

However, the most significant change is that any use that is not ‘as of right’, or prohibited, can be approved subject to a permit. This is a major change from the previous Farming Zone arrangements where any use not specified as ‘as of right’ or subject to permit, was prohibited.

Several of the uses that are now proposed to be ‘as of right’, such as primary produce sales and Rural Industry could generate increased traffic volumes. In addition, these uses would tend to locate on high profile sites on more heavily trafficked roads, and by removing the requirement for a permit, there is no opportunity for Council or other authorities to regulate access and car parking.

Rural Land Strategy

The following table sets out the various proposals included in Council’s Draft Rural Land Strategy and how these proposals relate to the proposed new planning zones.

Rural Land Strategy	Proposed new zones
Retain 40ha as the minimum lot size for an as of right dwelling.	40ha minimum default lot size retained
Discourage dwellings in the Farming Zone unless the dwelling is reasonably required for the operation of the agricultural activity.	Decision Guidelines continue to require consideration of “dwelling reasonably required...”
Dwellings on small lots where: <ul style="list-style-type: none"> • small lot less than 4ha; • be of minimal agricultural value e.g. low agricultural versatility; • not be able to be physically consolidated with other agricultural land; • accessed via a road in Council’s Register of Public Roads; • no access to irrigation water; • not totally covered by an overlay; • adequate waste water disposal; and • adequate water supply 	No provision for dwellings on small lots.

Rural Land Strategy	Proposed new zones
New lots must be 40ha or more and will not have an automatic right to a dwelling but may apply for a permit for a dwelling.	New zones do not affect this proposal; 40ha default subdivision size retained; restriction on dwellings to be incorporated into local policy
Excisions to be strongly discouraged and where approved, that it be on the proviso that the balance of the lot must be 40ha or more and further subdivision or construction of a new dwelling on the balance of the lot, will be removed by an agreement registered on the title for each lot created.	Remove requirement for S 173 to prevent further subdivisions. However, does not prevent Council applying limit on further subdivisions by local policy. New policy does not clarify status of existing S173's.
That Council policy support second and subsequent dwellings on the same title as existing farm dwellings and/or infrastructure. Approval for the dwelling would be conditional on entering an agreement that would carry over with any change of ownership, that the dwellings could not be subdivided or excised from the original title.	New arrangements do not provide for additional flexibility by enabling more than one house per lot.
That Council continue to apply the Farming Zone to areas with tourism potential (except as further specified below) but to seek approval from the Minister to relax the limits on Bed and Breakfast and Group Accommodation.	New proposals provide for increasing limits from 6 to 10.
Revision of boundaries and removal of anomalies around villages.	Not affected by new zones
Significant landscape protection	Not affected by new zones
Rural Activity Zone along Snow road and west of Wangaratta to Warby Ranges	Consistent with new zones

In summary, most proposals of the rural land strategy are consistent with or not affected by the proposed new zones. However, proposed changes to excisions rules are less restrictive than those contained in the rural land strategy whereas allowing more than one dwelling on a lot and allowing dwellings on small lots of no agricultural value, are not considered by the new zones.

Introduction of Zones

The timing and method of introduction of the proposed new zones could be a significant issue for this Council. At the present time planning projects are commencing to develop a population and housing strategy and to review the function and zoning of the Central Business Area of Wangaratta. These projects could be seriously disrupted by an early introduction of the proposed zones. Alternatively, application of the proposed zones could be an outcome of these projects.

Implications

This report has identified a number of areas where the proposed new zones conflict with either Council objectives, or policies. These are:

1. new residential zones are more suited to metropolitan Melbourne than a provincial city or small town;
2. increased density and preservation of neighbourhood character should not be mutually exclusive objectives;
3. low Density Residential Zone, without sewerage, will have no application until the development in Declared Potable Water Supply Catchments is resolved;
4. medical centres should not be “as of right” in any zone because of potential parking and traffic issues;
5. dwellings should not be “as of right” in a Commercial zone;
6. supermarkets and shops should not be “as of right” in Commercial zones because of traffic and parking. But, specifically to Wangaratta, this may undermine the current compact and viable Central Business Area;
7. supermarkets and shops in Industrial 3 zone have similar issues;
8. movement of permitted uses to “as of right” and prohibited to permitted, is too much of a movement away from the existing arrangements and will undermine agricultural uses;
9. proposed new “as of right” uses in farming zone may generate traffic and parking issues;
10. no provision for development of small lots where land has no agricultural value;
11. removing S173 requirement for excisions reopens opportunities for serial excisions. This is a particular issue in areas previously used for tobacco where there are many dwellings;
12. no provision for more than one dwelling on a lot; and
13. Timing and method of introduction has not been foreshadowed.

The Municipal Association of Victoria (MAV) has also developed a submission on the new zones. A copy of the submission is attached (***refer attachment***).

Many of the matters identified in the report above are also noted by the MAV submission. Council should support the proposed MAV submission.

Conclusion

As a consequence of all the above, these matters should form the basis of a submission to the Department of Planning and Community Development.

(Moved: Councillor R Webb/Councillor A Griffiths)

Recommendation:

That Council:

- 1. Make a submission to the Department of Planning and Community Development expressing concern about the matters raised in the Implications Section of this report, and***
- 2. Endorse the Draft Submission – New Zones prepared by the Municipal Association of Victoria.***

Carried

11.2.2.8 PLANNING PERMIT APPLICATION PLNAPP12/115 – CHANGE OF USE TO A LICENSED PREMISES AT 82A CRIBBES ROAD WANGARATTA VIC 3677

Planning Application

12/115

Background

Applicant: Patricia Pratt
Owner: W Parnall Constructions P/L
Subject Land: Lot 7 PS 328338
82a Cribbes Road, Wangaratta VIC 3677

Zone: Residential One (R1Z)
Overlay: N/A
Permit Trigger: Clause 52.27 Licensed Premises

Introduction

This report deals with a planning permit application for the use of the land as a Licensed Premises.

The application has received three (3) letters of objection and is therefore referred to Council for decision. A recommendation is made to support the application and that a Notice of Decision (NOD) to grant a permit be issued.

Discussion and assessment of the application against the relevant requirements of the Wangaratta Planning Scheme follows within this report.

Proposal

The application proposes the use of the land for a Licensed Premises.

The land currently contains a local convenience store servicing the surrounding residential area. The land is located on the southern side of Cribbes Road and contains an indented car parking bay at the front.

The application proposes the conversion of the western end of the store into a licensed area offering the sale of packaged liquor for consumption off the premises.

The licensed area is to be separated from the main convenience store operation, through the construction of an internal wall and an additional pedestrian entrance at the front of the store. The licensed area is to be 2 metres wide at the entrance and taper to 1 metre at the rear.

The application proposes the following hours of operation:

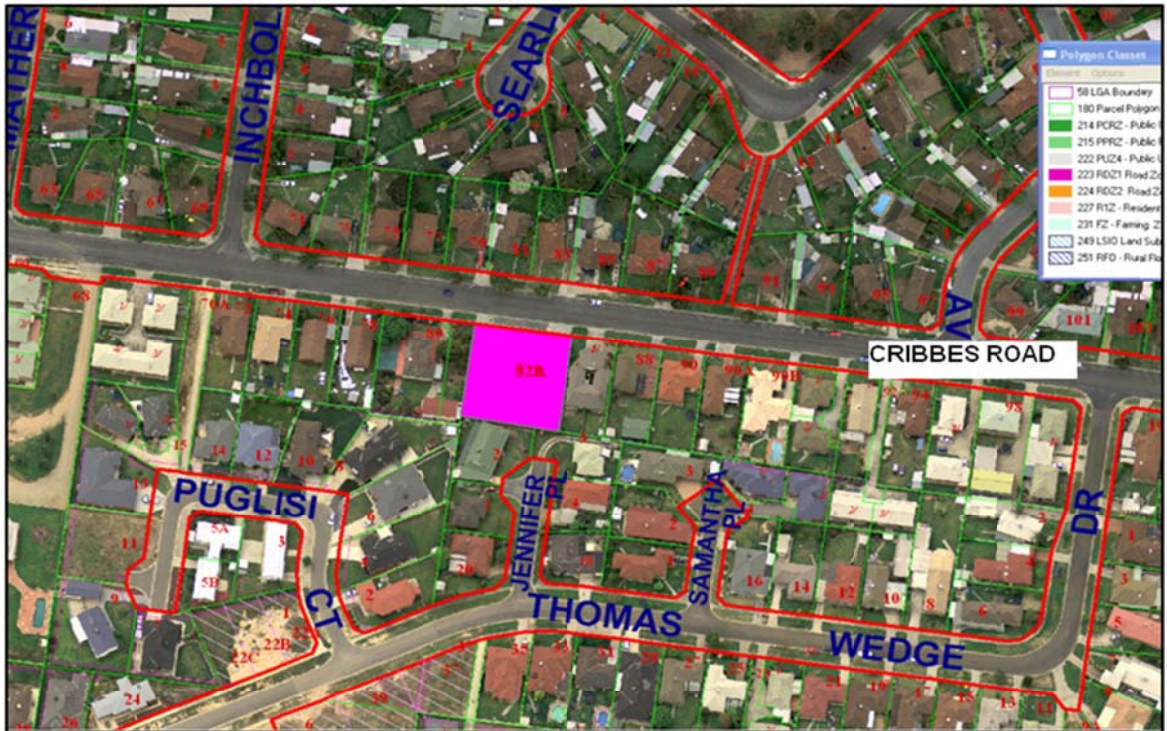
Day	Hours of Operation
Sunday	10am – 11pm
Anzac Day	12 noon – 11pm
Any other day other than Christmas Day and Good Friday	9am – 11pm


Subject Site & Locality

The subject land is located on the southern side of Cribbes Road, approximately 350 metres west of the intersection of Cribbes and Murdoch Roads.

The site contains an existing convenience store with an associated dwelling at the rear. Car Parking facilities are provided at the front of the site with an indented car parking area for patrons.

Surrounding land uses consist of residential dwellings with recent residential subdivision and development further south of the subject site.



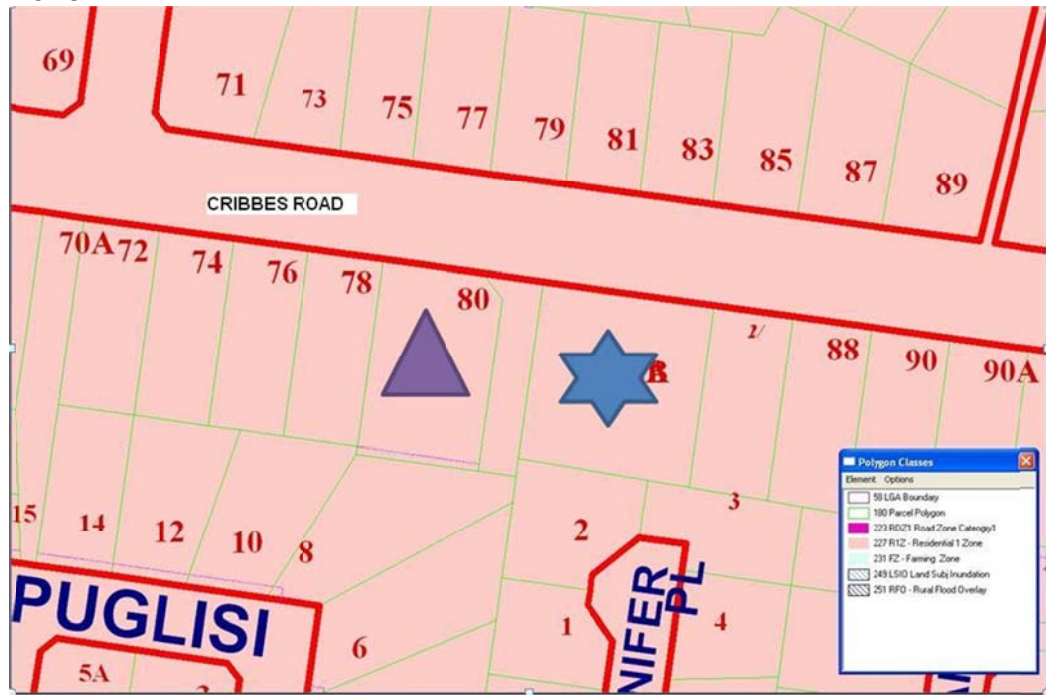
 = Subject Site

Planning Considerations

The subject land is zoned Residential 1 Zone. A planning permit is required for the use of the land as licensed premises pursuant to Clause 52.27 of the Wangaratta Planning Scheme.

Zone

Map



= Subject Site



= Location of Objections (Please note two objectors are located off the area of the above map)

The following summarises the Planning Scheme requirements and decision guidelines applying to this proposal (commentary & assessment against these guidelines follows under *Assessment*):

Clause 32.01 RESIDENTIAL 1 ZONE

Purpose

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households;
- To encourage residential development that respects the neighbourhood character; and
- In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.

Clause 52.27 LICENSED PREMISES

Purpose

To ensure that licensed premises are situated in appropriate locations.
To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

Permit required

A permit is required to use land to sell or consume liquor if any of the following apply:

- a licence is required under the Liquor Control Reform Act 1998;
- a different licence or category of licence is required from that which is in force;
- the hours of trading allowed under a licence are to be extended;
- the number of patrons allowed under a licence is to be increased; and
- the area that liquor is allowed to be consumed or supplied under a licence is to be increased.

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- the impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area;
- the impact of the hours of operation on the amenity of the surrounding area;
- the impact of the number of patrons on the amenity of the surrounding area; and
- the cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

Local Planning Policy Framework (LPPF) and Municipal Strategic Statement (MSS)

Clause 21.08 Economic Development and Tourism

Strategic Directions:

Support sustainable growth and development of existing enterprises.

Clause 22.04-1 Licensed Premises

This policy applies to permit applications for a new liquor licence or the amendment of an existing liquor licence pursuant to Clause 52.27 of the *Victoria Planning Provisions*.

Policy Basis

Many licensed premises in urban areas of the municipality are situated in or in the vicinity of residential areas. Conflict can arise between licensed premises and residents if on-site and off-site amenity effects are not appropriately managed. This policy articulates that matters Council will consider when evaluating the merits of permit applications and what permit conditions will apply.

Objectives

Manage the interface between licensed premises and surrounding or adjoining residential areas.

Minimise negative on-site and off-site amenity effects of licensed premises on adjoining land uses and neighbourhood amenity and character, principally entertainment noise and unsocial human behaviour.

Manage the location, operation and opening hours of licensed premises in order to protect the amenity of nearby residential areas.

Protect residential properties from adverse noise, traffic and parking associated with night-time activities of licensed premises.

Provide certainty for liquor license holders and residents with regards to how Council will handle liquor license permit applications.

Ensure that appropriate and consistent conditions are applied to permits in order to facilitate the effective implementation of this policy.

Policy

Exercising discretion

It is policy to:

Amenity – Minimise disruption to any surrounding residential area resulting from the operations of the licensed premises.

Noise – Operate licensed premises in a manner that ensures noise emissions will not detrimentally affect the amenity of persons living in proximity to the site, and noise emissions will not exceed the noise standards specified by the *Environment Protection Authority*.

Hours of operation – Ensure hours of operation of licensed premises reflect the location of the premises, the nature of its use, and the land use zoning of the site and adjoining land.

Numbers of patrons – Limit the maximum number of patrons permitted on the licensed premises at any one time to the safe and amenable operating capacity of the premises in accordance with the *Building Code of Australia* and *Liquor Licensing Victoria*.

CONSULTATION

Notification of the application for the proposal was given to adjoining neighbours and advertised in the Wangaratta Chronicle. Three (3) written objections were received.

The objections received cited concern over the following issues:

- proposed hours of operation (till 11pm);
- staff requirement to hold RSA (Responsible Service of Alcohol) Certificates;
- problem with litter surrounding the store;
- liquor outlets already service the area;
- public Notification process did not involve any sign on site;
- potential for detriment on amenity of a residential area;
- alcohol sales in sight of children; and
- prohibited against Section 22(c) of the *Liquor Control Reform Act 1998*, sale of liquor at a convenience / mixed use business

A conciliation meeting was held on the 15th August, 2012 and was attended by the permit applicant, owners, two objectors (joint on one letter of objection), the Mayor and a Council Planner.

Discussion at the meeting covered the concerns raised within the letter of objection. An outcome of the meeting was the applicant's willingness to consider a reduction in the hours of operation until 9pm on any given night, considering that the general store hours conclude at approximately 8pm. It was requested that a closing time of 9pm would allow a level of flexibility to the operation of the store after 8pm.

The objections are summarised below: (Grounds of objection are underlined. Council Officer's responses to the objections are provided below to each ground of objection.)

Staff requirement to hold RSA (Responsible Service of Alcohol) Certificates

Concern has been raised over staff having appropriate qualifications for the sale and service of alcohol (RSA certificate).

Officer Comment: This concern, although valid, does not form consideration under the planning process which addresses the land use issues associated with licensed premises. Staff qualifications is controlled by Liquor Licensing Commission of Victoria and forms part of the application and operating conditions of a liquor license, which can only be granted following the issue of a planning permit.

Hours of Operation

Concern has been raised over the proposed hours of operation till 11pm. Discussion of this issue occurred at the conciliation meeting between all the parties present and the permit applicant agreed to reduce the hours of operation to 9pm on any given day.

Given the nature of the surrounding area being residential and the current operation of the convenience store till 8pm, it is considered reasonable from an amenity perspective that the operation of the licensed area should cease at 9pm.

Officer Comment: Objection supported. A condition should be included on any permit should one be issued which restricts the hours of operation till 9pm.

Problem with litter surrounding the store

Concern has been raised over the issue of litter surrounding the store. A bin is provided for use by the public at the front of the site. The proposal is for package liquor sales which does not include consumption on the land. Therefore it is not anticipated that the proposal will adversely contribute to any existing litter problem association with the convenience store. Appropriate conditions can be included on approval, which require that the use of the land does not affect the amenity of the surrounding area through litter / rubbish.

Officer Comment: It is considered that conditions of permit can control rubbish with respect to its impact on the surrounding area. Objection partially supported.

Liquor outlets already service the area

Concern has been raised over the extent of liquor outlets within the surrounding area with three outlets stated within 1.5 to 3.5kms away from the subject site. Clause 52.27 of the Scheme requires Council to consider the cumulative impact of licensed premises, however Practice Notes for assessing cumulative impact advise of an assessment area of 500 metres from the site. These guidelines are generally applied for licenses after 11pm and where there is a defined cluster of licensed premises.

It is not considered that there is a cluster of licensed premises in this instance and this application should be judged alone on its merits and its context within the surrounding residential area.

Officer Comment: Objection not supported.

Public Notification process did not involve any sign on site

Concern has been raised over the level of notification undertaken with the application, including the lack of a public notice on the land. Council under its obligations in Section 52 of the *Planning and Environment Act 1987* (the Act), has undertaken notification to adjoining land owners via direct notification (letter) and also an advertisement within the Wangaratta Chronicle newspaper.

Council's obligations under Section 52 of the Act with respect to notification can be undertaken in the following formats:

A notice under subsection (1)(d) may be given-

(a) in all or any of the following ways-

(i) by placing a sign on the land concerned;

(ii) by publishing a notice in newspapers generally circulating in the area

in which the land is situated;

(iii) by giving the notice personally or sending it by post; or

(b) in any other way that the responsible authority considers appropriate.

As part of the Liquor License requirements, the applicants must display a notice of application on the premises for 28 days prior to the license being issued.

Officer Comment: Pursuant to Clause 52 of the Act, it is considered that the notification requirements have been undertaken in accordance with the requirements of the Act. Objection not supported.

Potential for detriment on a quiet residential area.

Concern has been raised within the letter of objection about the selling of alcohol in a residential area. The current application only provides for the sale of packaged liquor to be consumed off-site, and therefore does not allow consumption on the premises or within the public realm.

The proposal is clearly aligned with the existing convenience store and it is anticipated that a number of the patrons will be visiting both stores at once. Further discussion over operating hours will be contained within this report.

Officer Comment: Objection partially supported refer to further discussion within the report.

Alcohol sales in sight of children

Concern has been raised over the potential for alcohol sales to occur within the sight of minors. The application proposes the separation of the licensed area from the existing operation of the convenience store with the construction of an internal wall and separate entrance area, therefore sales of alcohol will not occur in the same area as the convenience shop sales.

Officer Comment: It is considered that this concern is alleviated by the design of the proposal. Therefore the objection is not supported.

Prohibited against Section 22 of the Liquor Control Reform Act, sale of liquor at a convenience / mixed use business

Concern has been raised within the letters of objection over compliance with Section 22 of the *Liquor Control Reform Act*, relating to the sale of liquor from a convenience / mixed use business.

Assessment of the application against the *Liquor Control Reform Act 1998* will be undertaken by Liquor Licencing Commission Victoria and is separate to the planning permit process, which assesses the application on land use issues and the provisions of the Act and Planning Scheme.

Approval of a licensed premise on Residential 1 zoned land is not specifically prohibited under the provisions of the scheme, however, any application must be

assessed against the requirements and decision guidelines of Clause 22.04-1 and 52.27.

Officer Comment: Not supported. This issue cannot be assessed under the *Planning and Environment Act 1987*.

Referrals

Authority	Response
Sec 52 the Act (non-statutory – for information)	
Victorian Police	Objection – refer above to discussion over <i>Liquor Control Reform Act</i>
Internal	
Environmental Health	No objection

Assessment

The use of the land for a Licensed Premises

In addition to the comments provided in response to the concerns raised within the letters of objection, consideration must be given to the following requirements:

- the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- the impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area;
- the impact of the hours of operation on the amenity of the surrounding area;
- the impact of the number of patrons on the amenity of the surrounding area; and
- the cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

As previously discussed, the applicant has indicated a willingness to reduce the hours of operation to 9pm. It is considered that this is a good outcome and one that would have been likely imposed through a condition irrespective of the discussion at the conciliation meeting.

The current convenience shop provides a service to the surrounding area and the application for a license is to further provide a service through the sale of packaged liquor to the surrounding community. Given the predominantly residential nature of the surrounding area, it is appropriate that hours of operation are controlled to ensure the continuation of the residential amenity of the surrounding area.

Implications

Council Plan Outcomes

The Council Plan has an Objective to ‘*Create an environment which encourages new and existing businesses to achieve their aspirations for growth.*’

It is considered that the proposal contributes to the achievement of these objectives; however it must be controlled through appropriate conditions to ensure the amenity of the surrounding area is not adversely affected.

Conclusion

On the basis of the discussion within this report, it is considered that the application for a licensed premise (packaged liquor) is appropriate for the site and conditions of permit can ensure that any amenity impacts are acceptable and controlled within the bounds of the permit.

Therefore, it is recommended that a planning permit be granted, subject to appropriate conditions.

(Moved: Councillor D McPhie/Councillor R Parisotto)

Recommendation:

That Council resolve to issue a Notice of Decision to Grant a Planning Permit with respect to Planning Permit Application No. PlnApp12/115 for a Change of Use for a Licensed Premises (Packaged Liquor) subject to the following conditions:

- 1. The layout of the uses on the endorsed plans must not be altered without the written consent of the responsible authority.***
- 2. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:***
 - (a) transport of materials, goods or commodities to or from the land***
 - (b) appearance of any building, works or materials***
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil***
 - (d) presence of vermin; and***
 - (e) others as appropriate.***
- 3. Except with the prior written consent of the Responsible Authority, the use may operate only between the hours of:***

Day	Hours of Operation
Sunday	10am – 9pm
Anzac Day	12 noon – 9pm
Any other day other than Christmas Day and Good Friday	9am – 9pm

4. ***Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.***
5. ***All waste material not required for further on-site processing must be regularly removed from the site. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the Responsible Authority.***
6. ***This permit will expire if one of the following circumstances applies:***
 - a) ***the use of the land is not started within two years of the date of this permit;***
and;
 - b) ***If commenced within two years, the use is then discontinued for a period of two years of the date this permit was issued.***

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

Notes

This permit is subject to the issue of an appropriate Liquor Licence by Liquor Licencing Commission of Victoria and compliance with any conditions imposed by the Commission.

Carried

Communication

That the applicant, referral authorities and objectors be advised of Council's decision.

11.2.2.9 REMOVAL OF RESERVE STATUS FROM A PORTION OF LAND SET ASIDE AS A RESERVE – RESERVE NO. 1 PS 312122, HARVARD PLACE, WANGARATTA

Harvard Place Reserve

11156

Background

Planning Permit 05-232 was granted on 13 February 2007 for the Staged Subdivision now known as Waldara Park Estate. The endorsed plan showed a small North West portion of the Harvard Place Reserve to be used as part of a road (Nambrook Crescent). The use of part of the reserve for road purposes was

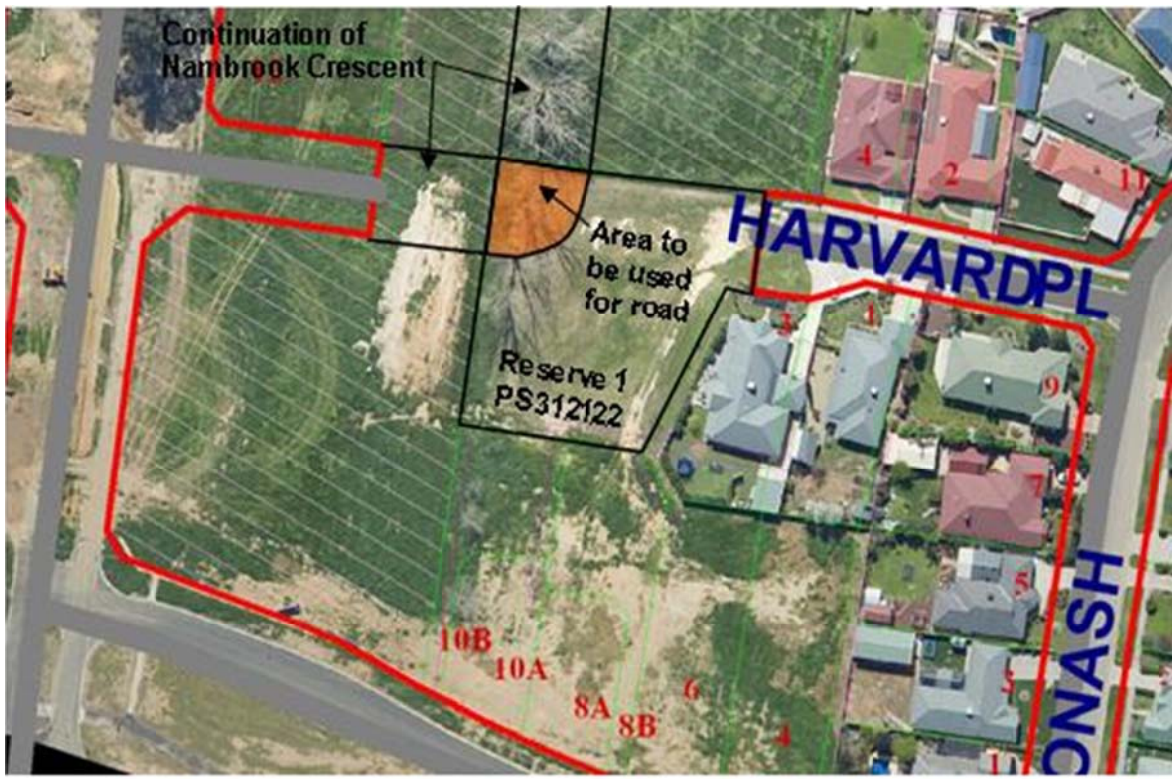
assessed and deemed to be appropriate given the amount of open space provided for the subdivision.

Condition Three (3) of the planning permit stated;

“The applicant must pursue the changing of the status of the Council reserve adjoining Harvard Place to Road Reserve status. This work must be completed prior to the Certification of Plan of Subdivision for the stage affected by the proposed change. Should this not be achievable, then Council will consider an amended Outline Development Plan for this stage”.

As the developer is now preparing for this stage of the subdivision, this condition needs to be satisfied. No change to the layout of the subdivision has been proposed and the existing development has been undertaken with this stage in the approved layout.

Location Map and Layout:



Issues & Consultation

The original permit 05-232 was advertised to adjoining landowners and occupiers and a notice was placed in the Rural City Connection page of the Wangaratta Chronicle. No submission against the removal of part of the reserve was received.

The approval of the Waldara Park Estate included a large 1.77ha portion of Reserve along the Three Mile Creek as Open Space. Included in the reserve is provision for a pedestrian/bike path and additional native vegetation planting.

Section 189 of the *Local Government Act 1989* covers the restrictions on power to sell or exchange land. In effect part of this reserve is being temporarily transferred to the subdivider to develop and provide access within the subdivision. In order to meet Council's legislative responsibilities notice of the exchange must be given at least 4 weeks prior to selling or exchanging the land and a recent valuation must also be prepared.

On completion of the subdivision the road will be vested in Council.

Implications

Council Plan Objectives

In terms of 'Sport & Recreation', the *Council Plan 2009-2013* Key Strategic Activities are:

1. *To undertake a planned approach to maintaining and improving quality and accessible recreation and sporting facilities and programs.*
2. *To encourage the greater use of recreation facilities including formal sports facilities, open spaces, shared paths and aquatic centres.*

Community Outcomes

The *Public Playground Facilities Consolidation Strategy* aims, amongst other matters, to coordinate the provision of reserves and reserve infrastructure by identifying well placed accessible land and pooling finances for the effective development of the reserves for the betterment of the greater community.

Notice of the application will address any community concerns.

Financial Impact

A valuation and the costs associated with giving of notice will be costs associated with this process.

Environmental Impact

No environmental impacts were identified.

Organisational Impact

There are no organisational impacts associated with this matter.

Conclusion

The reserve land is an undeveloped grassed area with no playground or recreational equipment.

The Waldara Park Estate has provided adequate open space with pedestrian/bike paths that will more than compensate for the small portion of reserve land to be used as part of the road.

The removal of a small portion in the north west corner of the reserve would not impact on the use of the remainder of the reserve.

Due process must be followed to ensure legislative compliance with the *Local Government Act 1989*.

(Moved: Councillor R Webb/Councillor D McPhie)

Recommendation:

That Council:

- 1. consent to the removal of part of Reserve 1 PS312122 to allow for the use as a road and exchange this portion of land to the developer of Waldara Estate on a temporary basis for construction of a road which will be vested in Council; and***
- 2. determine that this land is surplus to requirements and the Local Government Act 1989 procedures for disposal of land be implemented.***

Carried

Communication

The developer be advised of Council's resolution and notice of the exchange given in the Wangaratta Chronicle.

11.2.3 COMMUNITY WELLBEING

11.2.3.1 WANGARATTA ART GALLERY COLLECTION POLICY

Wangaratta Art Gallery Administration

67.030.005

Introduction

Wangaratta Art Gallery is perceived as having a distinct role within the region as a public gallery. The continuation of the Gallery's permanent art collection through the proposed draft Collection Policy ensures that the Gallery will continue to be positioned as a centre of excellence with regard to its collections, within and beyond, the Rural City of Wangaratta.

Background

The Wangaratta Art Gallery (the Gallery) permanent collection of artworks began to be assembled on a casual, unrecorded basis, after the establishment of the Gallery in 1987.

A small number of works were acquired mainly through donation and/or through acquisition. Council adopted the initial formal Collection and Acquisitions Policies in 2004. The Gallery now has over 100 items in its developing and exciting collection and requires the policy to be updated and refined to meet industry standards and to refine the policy for the collection of art.

The draft Wangaratta Art Gallery Collection Policy (*refer attachment*) reflects the collection rationales and industry standards of other similar institutions and operates to enhance and build the role of the Gallery locally, within the region, state-wide and nationally.

The collection policy provides specific collection content and guidelines that facilitate the opportunity for acquiring bequests, donations and gifted items benefiting from the Federal Government's Tax Incentive Scheme over recent years whilst also aligning with the future strategic direction of the Gallery.

Collecting art institutions (i.e. art galleries and art museums) are considered to be meaningful and of great value as they hold visual art objects and works of art in perpetuity, not only for current members of the community but importantly also for future generations.

The collection provides a base from which to develop and realise curatorial projects and exhibitions, extending the unique and inspiring service the Gallery provides to all stakeholders and demographic groups.

Issues

The establishment of a public gallery permanent art collection has boosted the profile of the Gallery significantly, whilst also improving the cultural facilities and assets of the Rural City of Wangaratta. Now recognised as a consolidated and

significant art collection it has increased public awareness of the visual arts, improving community engagement, interaction and a consequent sense of wellbeing.

The adoption of the draft Collection Policy is vital to the Gallery receiving support through State and Federal government funding agencies, such as Arts Victoria's Regional Partnerships funding program and the Federal Government's Cultural Gifts Program.

Implications

Council Plan Objectives

Make a significant contribution to the cultural, social and economic wellbeing of the community.

Sustainability

An annual acquisitions budget has been allocated within Council's annual operational budget for the purchase of works of art for the Gallery Art Collection.

Grants are also sought and have been received for acquisitions through the Robert Salzer Foundation, with donations of works of art to the value of over \$20,000 received in the 2011-12 financial year through the Federal Government's Cultural Gifts Program.

Consultation has taken place within council, through the Friends of the Gallery Committee, and the Arts, Culture and Heritage Advisory Committee, who have reviewed the contents of the policy.

Conclusion

The Gallery will seek to develop the collection working towards forming a Foundation or Trust in order to support the collection of art. The Gallery is also able to access the benefits of its ATO Tax Deductible Gift Recipient Status and the Federal Government's Tax Incentive Scheme for this purpose.

The community will continue to benefit from the opportunity to be exposed to significant, inspiring and diverse works of art that form an asset for current and future generations.

(Moved: Councillor R Parisotto/Councillor L McCully)

Recommendation

That Council adopt the Wangaratta Art Gallery Collection Policy.

Carried

Communication

Councillor Parisotto requested a letter of thanks/acknowledgement from Council be forwarded to the Friends of the Gallery and Arts Culture and Heritage Advisory Committee.

11.2.3.2 RURAL CITY OF WANGARATTA YOUTH COUNCIL ACTION PLAN 2012/2013

Youth Council

10.020.010

Councillor Webb left the room prior to discussion and consideration of this matter, having previously declared a conflict of interest.

Introduction

The Rural City of Wangaratta Youth Council Action Plan (*refer attachment*) provides information regarding membership, vision and mission statements for the 2012/2013 Rural City of Wangaratta Youth Council and outlines its proposed events, activities and anticipated budgets.

Background

The Rural City of Wangaratta Youth Council Action Plan separates the Youth Council activities into five key areas, these being:

- Communication;
- Leadership Development;
- Community & Environment;
- Entertainment; and
- National Youth Week.

The many positive youth and community focused initiatives identified in the Rural City of Wangaratta Youth Council Action Plan will have positive outcomes for the community and will connect young people.

Issues

In developing the Rural City of Wangaratta Action Plan the Youth Councillors have taken into consideration a number of pre-determined activities and have also developed some new initiatives.

Implications

Council Plan Outcomes

The Rural City of Wangaratta Youth Council Action Plan meets Council's objective of involving young people in the planning of their environment and activities within the community.

Sustainability

The costs related to activities identified within the Rural City of Wangaratta Youth Council Action Plan will be met within Council's existing budgetary allocation.

Conclusion

As a consequence of all of the above, the many positive youth and community focused initiatives identified in the Rural City of Wangaratta Youth Council Action Plan will have positive outcomes for the community.

(Moved: Councillor L McCully/Councillor R Parisotto)

Recommendation

That the Rural City of Wangaratta Youth Council Action Plan 2012-2013 be endorsed.

Carried

Communication

The Rural City of Wangaratta Youth Council will be informed of Council's decision.

Councillor Webb returned to the Chamber after discussion had been concluded on this matter.

11.2.3.3 2013/14 COMMUNITY FACILITY FUNDING PROGRAM

Sport and Recreation Funding Information

61.010.002

Introduction

The Department of Planning and Community Development's (DPCD) 2013/14 Community Facility Funding Program - Minor Facilities category is open for applications to be submitted.

The purpose of this report is to provide Council with information to recommend a project for funding under this program.

Background

The DPCD Community Facility Funding Program provides support for facility development and capital improvements that will have a positive effect on active sport and recreation participation.

Each Council works with community groups to identify projects and then determine priorities to be submitted.

Funding applications for the 2013/14 Minor Facilities category are due to DPCD by 26 September 2012. Councils can apply for total maximum funding of \$200,000 under this category for up to 3 applications.

The Community Facility Funding Program - Minor Facilities category include projects that are:

- a maximum of \$500,000 total cost with a maximum grant of \$100,000;
- projects receiving the maximum \$100,000 are determined as being “exceptional” projects;
- applying a funding ratio of DPCD \$2:\$1Local; and
- up to 25% of the total project cost is allowed as in-kind materials/labour if required.

DPCD have indicated that projects need to demonstrate a strong compliance with the funding guidelines as the Community Facility Funding Program – Minor category has become a very competitive grants program (a primary aim of the program being to increase active participation).

DPCD also indicated they would be looking for projects that are ready for immediate implementation once funding announcements are made, for example, not waiting for building permit approvals or large amounts of fundraising to be achieved. A significant amount of supportive documentation is required to provide evidence and justification for requests and claims being made in the application.

Council has provided an allocation of \$30,000 on an annual basis to contribute to Community Facility applications which has now been increased to \$35,000 in Council’s 2012/2013 budget.

Prior to the submission of an application an expression of interest process is undertaken to identify suitable projects.

The expressions of interest were considered and rated by two panels:

- Representatives of DPCD; and
- Representatives of Council’s Technical Services and Community and Recreation Units.

Three Expressions of Interest (EOI) have been received by Council:

- The Moyhu Tennis Club;
- The Small Bore Rifle Club; and
- A clustered netball project including Tarrawingee, Milawa and Greta Football Netball Clubs.

The Expressions of Interest details are as follows:

Organisation	Project	Total Project Cost	Community Contribution	Contribution sought from Council	Contribution sought from DPCD
Moyhu Tennis Club	Redevelop two existing tennis courts and construct lighting.	\$90,400	\$9,610 cash \$9,790 in-kind	\$20,000 2013/2014 CFFP recurring budget	\$51,000
Small Bore Rifle Club	Building fit out- upgrade kitchen, floor coverings, heating, furniture etc and	\$53,400	\$7,000 cash \$3,700 in-	\$0	\$42,700

Organisation	Project	Total Project Cost	Community Contribution	Contribution sought from Council	Contribution sought from DPCD
	establishment of multi-purpose meeting room.		kind		
Clustering Netball Project	Redevelopment/construction of three (3) netball courts at Tarrawingee, Milawa and Greta Recreation Reserves. Installation of court lighting to the Tarrawingee netball court. Construction of female change rooms at Tarrawingee Recreation Reserve	\$292,516	\$72,000 cash \$44,405 in-kind	\$25,000 2012/2013 Community Major Grants \$25,000 2012/2013 CFFP recurring budget \$35,000 2013/2014 CFFP recurring budget \$85,000 total	\$91,111

The following provides a brief explanation of the contributing factors considered when ranking the projects:

Moyhu Tennis Club

- EOI received for 2011/12, 2012/13 and 2013/14 funding programs;
- The project was not supported by Council in 2011/12;
- This project was then supported by Council in 2012/2013 and an application was submitted to DPCD. The application was unsuccessful;
- Council has received an EOI in 2013/14 (current round), however, as the scope of the project changed Council officers feel that they need to work with the Moyhu Tennis Club and Moyhu Recreation Reserve to further plan this project before it is re-submitted;
- It was felt that as the Moyhu Community Hub Feasibility Study and the Moyhu Recreation Reserve Masterplan is in progress that it would be better to wait for the outcome of these studies prior to re-submission;
- Work has been undertaken with the Recreation Reserve Committee of Management and the Tennis Club to look at the possibility of shared facilities. This may require the repositioning of the tennis courts and therefore the scope and budget will change.

Small Bore Rifle Club

- EOI received for 2013/14 only;
- Grant received under the CFFP funding program in 2008/2009 for the construction of an indoor rifle range and club facilities;
- The project aims to provide multipurpose use by providing community facilities. Council officers felt that there are already two community facilities

at the HP Barr Reserve that are not utilised to full capacity and any support for a third needs additional justification;

- Work will continue with this club to determine how a smaller scoped project might be achieved to address their immediate needs, for example under Council's Major Community Grant Program.

Clustered Netball Project

- All three projects have previously been submitted to Council:
 - Greta – EOI received for Country Football Netball Program (CFNP) 2009/2010 not supported by Council. Application to Council Major Community Grant 2011/2012 recommendation was made to include in the clustered project with Milawa;
 - Tarrawingee – EOI received for CFNP 2010/2011 not supported by Council; and
 - Milawa – CFNP 2011/2012 was supported by Council and submitted to DPCD as project but was unsuccessful and Council Major Community Grant 2011/2012 successful on condition that a planned clustered project be pursued.
- Three rural communities will benefit from the one project;
- The clustered project approach will increase the chances of a successful funding application in preference to individual applications from communities that will inevitably compete for funding;
- An application was submitted to DPCD's Putting Locals First funding program however was unsuccessful on the basis that the full application had not previously been considered for sport and recreation funding;
- The provision of female change rooms at the Tarrawingee Recreation Reserve is a real strength given the current State Government stance for the provision of facilities for women in sport;
- The provision of player and spectator shelter (at Tarrawingee) is a positive facet of the project;
- The Milawa project is well planned considering future expected increases in participation;
- The existing Greta court does not currently comply with Netball Victoria's standards;
- Council officers have worked with all three clubs and a substantial amount of planning has taken place to determine the best location and best use of facilities that allow for the future expansion of the clubs and other users of the Recreation Reserves;
- Contingency of 10% has been allowed for the project costs; and

- Significant club cash and in-kind contributions which contribute to achieving a \$292,516 project for an investment by Council of \$85,000.

Issues

The 'Clustered Netball Project' was ranked number one by both panels.

The project is supported by:

- detailed planning and Council involvement;
- recreation reserve stakeholder consultation;
- detailed quotes;
- evidence of in-kind and cash contributions;
- letters of support;
- satisfies the criteria for a project that will support an increase in participation; and
- considers female participation and multi-use concepts.

The funding allocated from the State Government for Sport and Recreation programs has not kept pace with the increased costs of projects and as a consequence these programs have become more competitive to the extent of being almost impossible to succeed in funding. It is envisaged that the clustering of projects under the one funding program will increase the likelihood of a successful application.

If this project is unsuccessful for Community Facilities funding DPCD has advised that an application can then be made to another State Government funding program called Putting Locals First.

Implications

In a recent meeting with DPCD regional officers, advice was provided of the State Government's expectation that projects with stronger Council financial contribution will be considered favourably.

Over the past 3-4 years opportunities for funding sport and recreation projects through the State Government have not increased at the same rate as rising project costs, this is at a stage where the emphasis is now on Council to fund the majority of these projects.

As projects are unsuccessful, Council's annual allocation of funds for the Community Facility Program become available again. It would be prudent of Council to amass these funds to enable a higher contribution thus providing the best opportunity for projects to be successful.

Council Plan Outcomes

Improve access to both local and regional sport and recreation opportunities to improve health and wellbeing.

Provide high quality passive and active recreational opportunities, together with significant sporting events.

Policies

Council's Recreation Plan supports working in partnership with organisations and communities to ensure access to a wide variety of recreation participation opportunities.

Sustainability

The proposed \$85,000 Council contribution to the 'Clustered Netball Project' is made up as follows:

- \$25,000 unexpended Community Facilities Funding Program recurring budget allocation for 2012/2013 (unsuccessful Moyhu Tennis Club application)
- \$35,000 Community Facilities Funding Program recurring budget allocation for 2013/2014
- \$25,000 Major Community Grant Program 2011/2012 (refer Council Meeting Minutes Tuesday 17th April 2012 11.2.3.1):
"that Council endorse the clustered approach to pursue funding from the State Government Putting Locals First funding program to contribute to the Greta, Milawa and Tarrawingee Netball Court developments and allocate \$25,000 for this purpose."

To overcome potential issues of any of the three clubs not contributing the pre-committed cash and in-kind contribution as stated in the proposed project, due to unforeseen circumstances, the following is planned to occur should the application be supported by Council and is successful in obtaining State Government funding:

- Council enter into a binding agreement such as a memorandum of understanding or cash guarantee with each club before the commencement of any works.

Conclusion

Should the 'Clustered Netball Project' be given Council's support, officers will develop an application addressing the funding category criteria and submit to DPCD by the due date of 26 September 2012.

(Moved: Councillor D McPhie/Councillor R Parisotto)

Recommendation:

That Council:

- 1. Support the development of an application under the Victorian Government's Community Facilities Funding Program for the 'Clustered Netball Project' by the due date of 26 September 2012;***
- 2. Allocate \$85,000 towards the project from the following sources:***
 - ***\$25,000 unexpended Community Facilities Funding Program recurring budget allocation for 2012/2013***
 - ***\$35,000 Community Facilities Funding Program recurring budget allocation for 2013/2014***

- **\$25,000 Major Community Grant Program 2011/2012; and**
- 3. Enter into a binding agreement with each club to guarantee cash and inkind commitments should the application for funding be successful.**
- Carried**

Communication

Advice will be provided to Milawa Football Club, Greta Sporting Complex Inc and Tarrawingee Football Netball Club included in the “Clustered Netball Project”, of Council’s decision and the requirements of the grant application.

11.2.3.4 **OPEN SPACE AND RECREATION STRATEGIES**

Open Space Strategy

61.040.013

Introduction

The purpose of this report is to seek Council’s endorsement to adopt the Draft Open Space and Recreation Strategies (**refer attachment**).

The draft Open Space and Recreation Strategies provide a strategic framework for the provision of open space and recreational facilities and opportunities within the Rural City of Wangaratta.

At the Special Council Meeting held on 14 August 2012, Council resolved to have the draft strategies placed on public exhibition for 28 days. During this period a detailed community engagement plan was undertaken.

Background

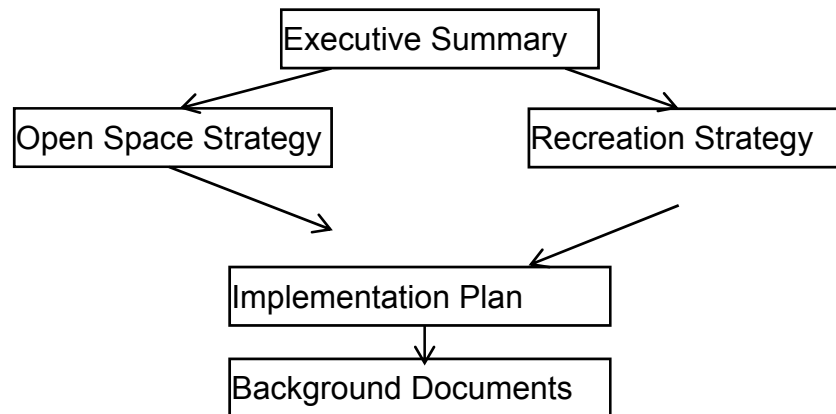
A Recreation Strategy was previously developed for Council in 2005. A need to review this strategy was identified to update research, undertake consultation, determine strategic directions and provide recommendations to guide recreation provision in the Rural City of Wangaratta.

Not having had an Open Space Strategy previously, the strategy has been prepared to provide a strategic framework for the planning, provision, development and protection of open space in the Rural City of Wangaratta.

The documents provided should be read in the following order:

1. Global Document Index;
2. Executive Summary;
3. Draft Recreation Strategy;
4. Draft Open Space Strategy;
5. Implementation Plan; and
6. Background Report.

The draft Open Space and Recreation Strategies, although maintaining a different focus, are designed in parallel. Accordingly, the Executive Summary, Implementation Plan and Background Documentation are combined providing content for both strategies. Detail of this structure is listed below.



The Executive Summary provides an overview of:

- the purpose of the strategies;
- a vision for Recreation and Open Space provision;
- principles for recreation and open space to guide the achievement of the Vision;
- an overview of the range of recreation facilities within the Rural City of Wangaratta;
- trends and influences for consideration; and
- a summary of the proposed objectives and actions for the strategies.

Some of the findings include:

- informal and passive recreational activities are increasing in popularity while traditional field sports such as football, netball and cricket remain popular in the municipality, presenting a challenge for Council in the provision of new infrastructure whilst maintaining existing facilities;
- Wangaratta's community is projected to age over the next 20 years with those residents over the age of 65 projected to rise from 15% of the total population to over 25%. These trends will impact on infrastructure and open space established for recreational pursuits commonly popular with this particular demographic; and
- while the provision of open space in urban Wangaratta overall is seen as being of good quality, some deficiencies exist in particular urban areas. The management of open space will continue to be a challenge with different standards applied because of the shared responsibility for Council, State Government and various Committees of Management.

Public Exhibition Period Engagement and Response:

During the public exhibition period the following public engagement was undertaken:

- six public meetings in the following locations – two in urban Wangaratta and one each in the rural towns of Whitfield, Eldorado, Whorouly and Glenrowan;
- notification to key stakeholders, providing copies of the draft strategies, informing them of the public exhibition period and the opportunity for comment;
- council's Sport and Recreation Advisory Committee received the Open Space and Recreation Strategies at their meeting held on 22 August 2012;
- respondents to the community survey undertaken as part of the consultation for the strategies were informed of the public exhibition period, the availability of the strategies and the opportunity for comment;
- promotion of the public exhibition period on Councils' website and by means of a flyer placed at public locations throughout the municipality;
- hard copies of the draft strategies were placed at Customer Service in the Government Centre for public review;
- a media release was produced and advertisements were placed in 'Rural Connections' in the Wangaratta Chronicle; and
- a series of Frequently Asked Questions were developed to accompany all public engagement.

Attendance at each community information session ranged from 6 persons to 20.

Issues

Public response to the strategies resulted in five written submissions being received at close of business 11 September 2012 which focused on the future planning of the Wangaratta Indoor Sports and Aquatic Centre and other recreation facilities throughout the municipality.

Summary of submissions

Submission 1 – four students from Cathedral College:

- affirmed the importance of open space, particularly sporting reserves and parklands, to the community;
- supported recommendations for stronger government guidance for future development of open space; and
- affirmed the importance of Environmental benefits – cleaner air, bushfire prevention & land stewardship.

This submission is determined to have no impact to necessitate any changes to the draft Open Space & Recreation Strategies.

Submission 2 – member of the public:

- the need for redevelopment of the courts space at the Wangaratta Indoor Sports and Aquatic Centre was highlighted, including heating, cooling and extensions to achieve proper runoff space;

- existing challenges with links and shared pathways should be resolved before any new link or pathways are created; and
- signage issues at Apex Park should be resolved.

This submission is determined to have no impact to necessitate any changes to the draft Open Space & Recreation Strategies.

Submission 3 – representative of the Wangaratta Bowls Club:

- the number of bowling greens listed in the draft Recreation Strategy and the Executive Summary is incorrect being 5 facilities with 14 bowling greens, the correct number being 5 facilities with 9 bowling greens.

This submission is determined to necessitate an amendment to:

- Section 5.1 page 18 of the Recreation Strategy;
- Section 5.2 page 21 of the Recreation Strategy;
- Action 8.1.2 page 41 of the Recreation Strategy and Implementation Plan;
- Appendix 1 page 49 of the Recreation Strategy; and
- Appendix 1 page 60-61 of the Recreation Strategy.

Submission 4 – Oxley Recreation Reserve Committee of Management:

- supportive of strategy actions specific to the Oxley Recreation Reserve, particularly pertaining to road improvements; and
- an appeal for assistance with reserve maintenance and future projects, particularly the provision of sand for equestrian facilities.

This submission is determined to have no impact to necessitate any changes to the draft Open Space & Recreation Strategies.

Submission 5 – member of the public:

- supportive of overall goals of strategies regarding benefits of recreation and open space;
- affirming the importance of strong community consultation in the development of sport and recreation projects;
- suggesting the inclusion of the turf club in the strategies; and
- guidance on the planting of trees other than native species should be included.

The content of this submission is embedded within the recommendations of these strategies and therefore does not necessitate any changes to the draft Open Space & Recreation Strategies.

Implications

Council Plan Outcomes

Objectives:

1. Improve access to both local and regional sport and recreation opportunities to improve health and wellbeing; and
2. Provide high quality passive and active recreational opportunities, together with significant sporting events.

Key Strategic Activities:

1. To undertake a planned approach to maintaining and improving quality and accessible recreation and sporting facilities and programs; and
2. To encourage greater use of recreation facilities including formal sports facilities, open spaces, shared paths and aquatic centres.

Sustainability

The Open Space and Recreation Strategies provide recommendations for a range of developments to occur over the next ten years. These will need to be considered progressively as part of future Council budgets.

A Community Engagement Plan was implemented to facilitate input and comment from key stakeholders and the general community.

Conclusion

The draft Open Space and Recreation Strategies provide a detailed framework for the future planning and development of municipal open space and recreational opportunities over the next ten years.

Public submissions received during the exhibition period did not identify any issues to necessitate amendment to the recommendations contained within the strategies.

If Council determine to adopt the draft strategies, further work will then be undertaken to refine the implementation plan and provide a 10 year budget proposal for Council's consideration and deliberation.

Recommendation:

That Council adopt the draft Open Space and Recreation Strategies providing a strategic framework for the provision of open space and recreational facilities and opportunities over the next ten years including the amendments as outlined in response to submission three.

(Moved: Councillor D McPhie/Councillor R Webb)

That Council:

1. ***adopt the draft Open Space and Recreation Strategies providing a strategic framework for the provision of open space and recreational facilities and opportunities over the next ten years including the amendments as outlined in response to submission three; and***
2. ***a letter of acknowledgment be sent to the five submitters.***

Carried

Communication

The Sport and Recreation Advisory Committee, the community, participants at the community engagement sessions and other key stakeholders will be advised of Council's decision. Documents will be made available on Council's website.

11.2.4 INFRASTRUCTURE SERVICES

11.2.4.1 ROAD NAMING PROPOSALS

Place/ Road Naming

73.020.014

At the ordinary Council meeting held on 20 March 2012 a report was considered following a letter received from the Milawa Markwood Development Association Inc. seeking Council endorsement for the official renaming of the Glenrowan-Myrtleford Road to Snow Road (commencing at Wangaratta South at the intersection of Glenrowan Road and finishing at Gapsted at the intersection with the Great Alpine Road).

This report details road naming proposals that were considered at the Place Naming Committee meeting held on 8 February 2012 and 9 May 2012 and subsequently at the 20 March, 26 June 2012 and 17 July 2012 Council meetings.

Background

Proposal to rename the Glenrowan-Myrtleford Road the Snow Road

At the ordinary Council meeting held on 20 March 2012 a report was considered following a letter received from the Milawa Markwood Development Association Inc. seeking Council endorsement for the official renaming of the Glenrowan-Myrtleford Road to Snow Road (commencing at Laceby at the intersection of the Hume Highway and finishing at Gapsted at the intersection with the Great Alpine Road).

Council resolved as follows:

“Council to further explore the proposal to rename the Glenrowan-Myrtleford Road to the “Snow Road” by consulting with stakeholders including; VicRoads, Alpine Shire and the Oxley Residents Association.”

As a consequence feedback was sought from VicRoads, Alpine Shire and the Oxley Residents Association. The response received from the Alpine Shire was supportive of the proposal. The Oxley Residents Association are supportive of the proposal provided that Green Street is retained. VicRoads advised that they have no objections to the proposal.

At the ordinary Council meeting held on 17 July, Council resolved as follows:

“That Council formally advertise its intention to rename the Glenrowan-Myrtleford Road to the “Snow Road” and seek feedback from affected property owners along the road and referral authorities.”

Advertisements were placed in the Wangaratta Chronicle and residents and referral authorities contacted seeking feedback on the proposal. Submissions closed on 31 August 2012.

Issues

157 letters were sent to landowners addressed to Glenrowan-Myrtleford Road in the Rural City of Wangaratta and 11 letters were sent to landowners addressed to Green Street, Oxley. Feedback was also sought from referral authorities, including Australia Post, Emergency Services etc.

A total of 25 submissions were received from landowners by close of business on 31 August. 2 of the 25 submissions were received from Green Street, Oxley business and landowners. It is assumed that if no submission was made that there is no objection to the proposal.

There were no objections received. Some life-long landowners advised they had always referred to the road as the Snow Road and they felt it was common sense to formally rename it. Business owners were in favour for the reason of marketing and directional purposes to their businesses.

Both the submissions from Green Street, Oxley landowners supported the name change for the whole of the road including Green Street, Oxley. However 2 submissions out of 11 properties addressed to Green Street are not seen to have total support. The Oxley Residents Association supported the proposal but wanted Green Street, Oxley retained.

Feedback was also sought by Alpine Shire from the landowners along Glenrowan-Myrtleford Road within their municipality. No objections were received.

There were no objections received from referral authorities.

Naming of Private Access Road off Diffey Road, Everton Upper

At the ordinary Council meeting held on 26 June 2012, Council considered a report on a proposal to name the private access road off Diffey Road, Everton Upper on Plan of subdivision PS633375 as “Eagle Rise”. Council resolved as follows:

“advertise its intention to name the private access road on Common property No.1 PS63375 “Eagle Rise” and assign rural address numbers to each property”

Advertisements were placed in the Wangaratta Chronicle and feedback was sought from adjoining landowners and referral authorities.

There were no objections to proposal received from adjoining landowners or referral authorities.

Naming of the Entrance Road at the Wangaratta Cemetery, off Mason Road

The Place Naming Committee has been investigating the naming of the roads within the Wangaratta Cemetery for directional purposes. A sub-committee has been formed and have been researching proposed names using appropriate themes and significant features at the cemetery.

The 2/24 Battalion has a Memorial Wall along the main entrance to the cemetery. The 2/24 Battalion is known as “Wangaratta’s Own” and holds a reunion in Wangaratta every November around Remembrance Day.

A proposal raised by the sub-committee is to name the main entrance that passes the Memorial Wall the “2/24 Battalion Drive” in recognition of the Battalion. Alistair Davison, Honorary Secretary of the 2/24 AIF Battalion Association Inc. has been contacted and has done some research through the Department of Veterans Affairs and the Army and they had no objection to the name being used in this context. The Geographic Names Registrar was also contacted and as the road will not be used for addressing purposes had no objection to the proposal.

Other road names for the cemetery have not yet been finalised but it is thought that this proposal should proceed in the hope that it can be approved prior to the reunion in November 2012 and form part of this year’s celebrations.

Implications

By renaming the road to Snow Road, addressing details for properties along the road would change, however VicRoads advised that it will retain the road’s current declared administrative name (Glenrowan-Myrtleford Road) for its purposes.

The private access road from Diffey Road is common property benefiting 3 lots in the subdivision and is not maintained by Council. New distance bases rural addresses are required for the 3 lots for addressing and emergency services purposes. The naming of the road does not imply any additional responsibilities on the Rural City of Wangaratta than those that already exist.

The naming of the main access road into the Wangaratta Cemetery in recognition of the 2/24 Battalion would be welcomed by the remaining members and may be able to be formalised for this year’s anniversary of the forming of the battalion.

Conclusion

It is recommended that as no objections have been received to the two proposals that Council now proceed to formally rename the Glenrowan-Myrtleford Road the “Snow Road” and retain Green Street, Oxley and to name the access road off Diffey Road, Everton Upper as “Eagle Rise”.

Also the process to name the main access road into the Wangaratta Cemetery as “2/24 Battalion Drive” be commenced which is for the proposal to be advertised.

(Moved: Councillor A Griffiths/Councillor L McCully)

Recommendation:

- 1. That Council rename the Glenrowan-Myrtleford Road (commencing at Wangaratta South at the intersection of Glenrowan Road and finishing at Gapsted at the intersection with the Great Alpine Road) the “Snow***

- Road” with the numbering and the road name Green Street, Oxley being retained in the Oxley township.***
- 2. That Council name the access road off Diffey Road, Everton Upper “Eagle Rise”.***
 - 3. That Council advertise its intention to name the main access road into the Wangaratta Cemetery as “2/24 Battalion Drive”.***

Carried

Communication

That the Registrar of Geographic Names be advised of Council’s decisions.

That advertisements be placed in the Wangaratta Chronicle and the Department of Veterans Affairs be notified.

11.2.4.2 CONTRACT NO C1213/002 – RESEAL OF VARIOUS ROADS WITHIN THE MUNICIPALITY

Resealing of Various Roads within the Municipality

30.074.002

Contract Details

Tenders for the resealing of various roads with in the municipality were invited through advertisements as follows:

<u>Newspaper</u>	<u>Date</u>
Chronicle	27 July 2012
Also electronically Tenderlink	27 July 2012

The tender closed at 2.00pm on Tuesday 21 August 2012. There was a no pre-tender meeting for this contract.

Evaluation Panel

The evaluation panel for this tender comprised Council’s Manager – Projects & Contracts, Senior Engineer – Contracts and Manager – Works & Operations.

Tenders Received

Four tenders were received as follows:

Tenderer
Sprayline Pty Ltd
Boral Asphalt
Downer EDI Works Pty Ltd
CW &BR Crameri

Pricing schedules submitted by the tenderers were tabulated to permit direct comparisons of scheduled items.

To ensure this direct and fair comparison of tendered prices, the bitumen application rates were standardised and the tendered prices were adjusted to reflect this standardisation.

All four tenders were deemed by the evaluation panel to be conforming in accordance with the Conditions of Tendering.

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	Description	Weighting
Tender Price	Total price of the work	50%
Capacity to carry out contract works	Contractors capacity to perform contract works and experience and past performance in previous similar works	40%
Materials	Selection of suitable materials and binder/aggregate rates	5%
OHS systems	Contractor's commitment to OHS	5%
	Total	100%

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

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

Evaluation Scores

The summary of the scores obtained by the Weighted Attribution Method are as follows:

Tenderer	Score
Sprayline Pty Ltd	63
Boral Asphalt	64
Downer EDI Works Pty Ltd	54
CW & BR Crameri	56

The higher value reflects the more favourable assessment. From this method of assessment, Boral Asphalt was deemed to be the preferred tenderer.

Budget Considerations

The available budget for the contract is as below:

Funding Program	Available Funds ¹
	Budget
R2R Allocation	\$ 879,800
Council Reseal Allocation	\$ 298,200
Aerodrome Resurfacing	\$ 225,000
Bikepath Renewal	\$ 35,000
Rail Trail Renewal	\$ 23,000
Contributions from Benalla Council	\$ 12,000
Major Patching – Joint Benalla - final seals	\$ 24,500
Total	\$1,497,500
Less budget commitment for asphalt tender (already approved)	\$ 95,405
Total available for reseal contract	\$1,402,095

¹ All figures quoted are exclusive of GST

This tender is based on schedules of rates and quantities and the scope of works will be adjusted to meet the available budget.

Each item in the program is subject to contractor claims based on field measurement and final application rates.

Conclusion

The tender of Boral Asphalt is the lowest priced of all tenders and scored highest under the Weighted Attribution Method.

The adjusted tender price from Boral Asphalt is \$1,758,465.67 (ex GST), \$1,934,312.25 (incl GST). This also includes linemarking.

The tender of quantities and rates submitted by Boral Asphalt is therefore considered to offer the best value of all bids submitted.

It is recommended that the tender be accepted and the works program limited to the available budget of \$1,402,095 (ex GST), \$1,542,305 (inc GST).

(Moved: Councillor R Parisotto/Councillor D McPhie)

Recommendation:

- 1. That Contract C1213/002 for the Resealing of Various Roads within the Municipality be awarded to Boral Asphalt, based on their schedule of***

quantities of rates for the amount of \$1,542,305 incl GST (subject to adjustment).

- 2. That Contract C1213/002 for the Resealing of Various Roads within the Municipality be signed and sealed when available.**

Carried

11.2.4.3 CONTRACT C1213-007 FOR ELECTRICAL SERVICES FOR THE OVENS RIVERSIDE PROJECT

C1213-007 Electrical Services for the Ovens Riverside Project

30.072.007

Contract Details

Contract C1213-007 is for the supply electrical services for the Ovens Riverside Project. The electrical services include the provision of cabling, supply and installation of lights and power outlets, and other associated electrical works.

Advertised Contract Dates

Tenders for this contract were invited through advertisements as follows:

The Chronicle	10 August 2012
Tenderlink.	10 August 2012

Tenders closed at 2.00pm on Thursday 6 September 2012

There was no pre tender meeting for this contract.

Tender Evaluation Panel

The tender evaluation panel comprised Council's Manager – Projects & Contracts, Project Engineer and Manager – Technical Services.

Tenders Received

The following quotations were received by the due date:

Tender
Billett Electrical Pty Ltd
Websters Electrical & Lighting

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
Price	50%
Capacity to carry out contract works	30%
Environmental Management Plan	10%
OH&S	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.

P	Evaluation Result	Criteria
100	Exceptional	Demonstrated capacity exceeds all required standards and innovations proposed.
90	Excellent	Demonstrated capacity exceeds all required standards.
70	Good	Complies with all required standards and capacity demonstrated.
50	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
Billett Electrical Pty Ltd	57
Websters Electrical & Lighting	69

The highest value reflects the most favourable tender assessment.

Budget Comparison

The tendered price is favourable compared with the quantity Surveyor estimate for this portion of the project.

Conclusion

The tender submitted by Websters Electrical & Lighting was the lowest tender and was ranked highest under the weighted attribution method.

(Moved: Councillor R Parisotto/Councillor L McCully)

Recommendation

- 1. That Contract C1213-007 for the supply of Electrical Services for the Ovens Riverside Project be awarded to Websters Electrical & Lighting for a sum of \$279,088 (incl GST).**
- 2. That Contract C1213-007 be signed and sealed when available.**

Carried

11.2.4.4 C1213-010 IMPROVEMENTS TO THE WHITFIELD RECREATION RESERVE (AC SWINBURNE) PAVILION, WHITFIELD

C1213-010 Improvements to the Whitfield Recreation Reserve Pavilion, Whitfield

30.072.010

Contract Details

Contract C1213-010 is for improvements to the Whitfield Recreation Reserve (AC Swinburne) pavilion to provide a community centre for a range of community and business activities. The works include additional storage, community meeting space, and refurbishment of the main hall, kitchen and amenities.

Advertised Contract Dates

Tenders for this contract were invited through advertisements as follows:

The Chronicle	17 August 2012
Tenderlink.	17 August 2012

Tenders closed at 2.00pm on Thursday 6 September 2012

There was no pre tender meeting for this contract.

Tender Evaluation Panel

The tender evaluation panel comprised Council's Manager – Projects & Contracts, Buildings Management Officer and Manager – Technical Services.

Tenders Received

The following tenders were received by the due date:

Tender
Contract Control
Progressive Carpentry
Q1 Constructions
Compact Group

The evaluation panel deemed that the tender submitted by Compact Group was non-conforming to the tender specification.

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	Description	Weighting
Tender Price	Total price of the work	50%
Capacity to carry out contract works	Contractors capability to perform contract works and experience and past performance in previous similar works	25%
Timeliness	Ability to start and complete project within the timeframe nominated.	10%
OHS systems	Contractor's commitment to OHS	10%
Environment	Commitment to environmental management	5%
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.

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

Summary of the Weighted Attribution Method Score is as follows:

Tenderer	Score
Contract Control	56
Progressive Carpentry	61
Q1 Constructions	59

The highest value reflects the most favourable tender assessment.

Budget Comparison

Budget summary

Budget	\$600,000
Less architect and building consultant costs	<u>\$ 55,000</u>
Available Budget	\$545,000

The lowest tendered price is \$132,140 over the available budget. It is proposed to negotiate the scope of the building works with the lowest tenderer so that an acceptable building improvement project can be delivered within the available budget.

Potential areas of savings are listed below:

- Reduced storage area footprint;
- Revise the structural design to a lighter/alternative construction method;
- Revise the internal fittings for a substituted brand;
- Revise the "Waffle concrete slab" design for a conventional slab;
- Remove the large bi-fold dividing doors, but install the supporting track and cupboard space for future installation;
- Review the extent of external road access and unloading bay; and
- Review the extent of external civil works.

Conclusion

The tender submitted by Progressive Carpentry Pty Ltd was the lowest tender and was ranked highest under the weighted attribution method making it the preferred tenderer. However, the tendered price is \$132,140 over the available budget. It is proposed that Council negotiate an acceptable scope of works to fit within the available budget of \$545,000 (excl. GST).

(Moved: Councillor R Parisotto/Councillor A Griffiths)

Recommendation

- 1. That Council appoint Progressive Carpentry Pty Ltd as the preferred tenderer for Contract C1213/010 for the Improvements to the Whitfield Recreation Reserve (AC Swinburne) Pavilion, Whitfield and authorise the Chief Executive Officer to negotiate the preferred tenderer to deliver an acceptable scope of works within the allocated budget of \$545,000 (excl. GST).**
- 2. That Contract C1213/010 for the Improvements to the Whitfield Recreation Reserve (AC Swinburne) Pavilion, Whitfield be signed and sealed when available.**

Carried

11.2.4.5 CONTRACT C1213/001 FOR 2012 FLOOD REINSTATEMENT – SOUTH & EAST ZONES

C1213-001 2012 Flood Reinstatement – South & East Zones

30.072.001

Contract Details

Contract is for flood restoration works involving the repair of roads, drains and culverts damaged during the flood event of March 2012 in the Eastern and Southern area of the Rural City of Wangaratta.

Advertised Contract Dates

Tenders for this contract were invited through advertisements in The Chronicle (27/7/12) and Tenderlink (20/7/12).

Tenders closed at 2.00pm on Wednesday 15 August 2012

There was no pre tender meeting for this contract.

Tender Evaluation Panel

The tender evaluation panel comprised Council's Manager – Projects & Contracts, Senior Design Engineer, Technical Services Consultant and Project Manager – Flood Reinstatement.

Tenders Received

The following tenders were received by the due date:

TENDERER
Citywide Service Solutions Pty Ltd
Extons Pty Ltd
GW & BR Cramer Pty Ltd
TA Lindsay Pty Ltd
Southern Civil Constructions Pty Ltd

All prices include GST.

Tender Evaluation

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

Criteria	Description	Weighting
Tender price	Lowest conforming price is ranked highest.	60%
Capacity of tenderer	Evidence of experience in similar work & of adequate financial resources to undertake project.	10%

Criteria	Description	Weighting
Timeliness	Reputation for starting and finishing on time.	10%
Method	Consideration given to proposed method, equipment and workforce to be used.	10%
Safety & risk	Evidence of suitable safety & risk management systems.	10%
Total		100%

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

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

Summary of the Weighted Attribution Method Score is as follows:

TENDERER	TOTAL SCORE
Citywide Service Solutions Pty Ltd	75
Extons Pty Ltd	72
GW & BR Cramer Pty Ltd	60
TA Lindsay Pty Ltd	45
Southern Civil Constructions Pty Ltd	21

The highest value reflects the most favourable tender assessment.

Budget Comparison

This work is funded through the 2012 Natural Disaster Relief and Recovery Arrangements (NDRRA). The VicRoads assessor has been kept informed of the proposed works and has been advised of the tendered cost for remediation. VicRoads preference is to select the lowest tenderer and the recommendation below satisfies its requirements.

Conclusion

Five submissions were received for this tender, with the prices received ranging considerably. The lowest tender was received from Citywide Service Solutions Pty Ltd who has a proven track record on numerous projects for Council. The tendered price is comparable with Council's expectations of the cost for these works.

The tender evaluation panel is of the opinion that there is minimal risk in awarding the tender to a contractor that has such a proven track record and understanding of Council's requirements.

(Moved: Councillor R Webb/Councillor D Mchie)

Recommendation

- 1. That Contract C1213/001 for 2012 Flood Reinstatement works –South & East Zones be awarded to Citywide Service Solutions Pty Ltd for \$1,414,696.53 (incl GST).**
- 2. That Contract C1213/001 for 2012 Flood Reinstatement works –South & East Zones be signed and sealed when available.**

Carried

11.2.4.6 PETITION: FOOTPATH FROM RANGEVIEW NURSING HOME TO GRETA ROAD & PETITION: STREETSCAPING, LIGHTING AND FOOTPATHS

Footpath Development Program

80.010.014

Introduction

This report details the action proposed to be undertaken in response to the two petitions received regarding the provision of a bus shelter at the front of Rangeview Nursing Home and a footpath from Tavern Terrace, along Mason Street past Rangeview Nursing Home to Greta Road, and along Greta Road through to Clarkes Lane. This report will also respond to the request for streetscaping and lighting along the proposed footpath alignment.

Background

A covering letter from the Rangeview Private Nursing Home together with a petition containing some 188 signatures from members of the community was received seeking the provision of a bus shelter fronting the nursing home and the construction of a footpath from the nursing home through to Greta Road.

The petition was tabled at the 21 August 2012 Council meeting and Council resolved as follows:

That:

- 1. the petition regarding the provision of a bus shelter at the front of Rangeview Nursing Home and a footpath from Rangeview Nursing Home to the Greta Road be received; and**
- 2. a report into investigations into the request within the petition be considered at the September Ordinary Council meeting.**

A further petition was also received from the South Wangaratta Action Group (SWAG) containing 1,307 signatures requesting the provision of streetscaping,

lighting and footpaths from Tavern Terrace, along Mason Street past Rangeview Nursing Home to the Show Boat Tavern, and along Greta Road to Clarkes Lane. The petition was tabled at the 21 August 2012 Council meeting and Council resolved as follows:

That:

- 1. the petitions regarding the provision of streetscaping, lighting and footpaths from Tavern Terrace, along Mason Street past Rangeview Nursing Home to the Show Boat Tavern, and along Greta Road to Clarkes Lane be received, and***
- 2. a report into investigations into the request within the petition be considered at the September Ordinary Council meeting.***

Issues

A new Bus Shelter donated by the Rotary Club of Wangaratta was erected on the Mason Street road reserve fronting the nursing home in May 2012. The installation of the bus shelter including the concrete pad was undertaken and paid for by the Rural City of Wangaratta.

Council has been requested to provide all weather pedestrian access from the Rangeview Nursing Home to the intersection of Mason Road and Greta Road in the past. The complicating factor has been the location of the title boundary, table drain and the edge of the road and whether there is sufficient space to provide a footpath without having to undertake major civil works on Mason Street or land acquisitions.

Council has engaged a surveyor to locate the title boundary to provide Council officers with the means to determine the most appropriate option for providing a footpath between the Nursing home and the Greta Road intersection.

Once a preferred solution is determined and designed, an estimate to complete the works will be prepared and a project to construct the footpath submitted into Council's budget process at either the December budget review or to the 2013-14 budget process.

Of the footpaths identified within the two petitions, the section along Mason Street between the Rangeview Nursing home and the Greta Road intersection is considered to have the highest priority.

The extension of the footpath along Mason Street beyond the nursing home to Tavern Terrace (≈400m) and along Greta Road to Clarkes Lane (≈1250m) is seen as a project that would provide some benefit to the community. However, due to the low number of residents along this alignment there are quite a number of other projects that are considered to provide a better cost/benefit to the community so the priority of this project is not high at the current time.

The streetscapes and public lighting within the Mason Street and Greta Road area will be looked at as part of the design for the footpath between the nursing home and the Mason Street/Greta Road intersection.

Implications

Council Plan Outcomes

Plan for and provide infrastructure appropriate to the community's needs.

With the expected high level of utilisation of the proposed path by the elderly residents from the nursing home, the project to construct a path linking the nursing home to community facilities will provide Council with an effective, functional and integrated path network.

Conclusion

The construction of the proposed path will provide a safe and practical path from the Rangeview Nursing Home connecting via existing path networks to community facilities in Greta Road and beyond for the local elderly residents.

Therefore, it is recommended that a project submission to undertake the works necessary to provide a footpath from the Rangeview Nursing Home to the Mason Street/ Greta Road intersection be submitted for consideration in the budget process for the 2013-14 financial year.

(Moved: Councillor R Parisotto/Councillor R Webb)

Recommendation:

That Council:

- 1. Endorse the submission of a project for the construction of a path linking the Rangeview Nursing Home through to Greta Road to the 2012/13 budget review process for further consideration; and***
- 2. Continue to monitor and review the development intensity along Mason Street from Tavern Terrace to Greta Road extending further south through to Clarkes Lane to ensure community infrastructure needs are complimented.***

Carried

Communication

The first named signatories of the petitions will be advised of Council's determination on this matter.

11.3 SPECIAL COMMITTEE REPORTS

11.3.1.1 WANGARATTA SHOWGROUNDS SPECIAL COMMITTEE

Wangaratta Showgrounds Special Committee

10.025.003

Introduction

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

As a Section 86 Special Committee members of the Committee of Management require Council endorsement.

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;
- Murray Bushrangers Football Club; and
- two representatives of the Wangaratta and regional community.

The Wangaratta Showgrounds Special Committee held its 2012 Annual General meeting on 26th July 2012 and has now forwarded the following documents for Council to receive:

- copy of Minutes of Annual General Meeting (***refer attachment***), and
- copy of Annual Report for the period 1 July 2011 to 30 June 2012 (***refer attachment***).

At the Annual General Meeting nominations were received for positions on the Committee for the next three years. The following members are recommended for appointment by Council:

- Greg Hayes, Wangaratta Agricultural & Industrial Society Inc;
- Darren Grant, Wangaratta & District Cricket Association Inc;
- Jean Witte, Wangaratta Kennel & Obedience Dog Club Inc;
- Ken Farrell, Wangaratta Junior Football League Inc;

- Dean McDonald, Wangaratta Cycling Club Inc;
- Bob Head, Wangaratta Players Inc;
- Dennis Backas, Wangaratta Football Club Inc;
- John Witte, Ovens & Murray Bridge Club Inc;
- Graeme Taylor, Wangaratta Sports Club Inc;
- Rod Miller, Wangaratta Umpires Board Inc;
- Noel Gilbert, Lions Club of Wangaratta Inc;
- Andrew Carson, Murray Bushrangers Football Club; and
- Brian Hargreaves and Graham Kerr two (2) representatives of the Wangaratta and regional community.

Implications

Council Plan Outcomes

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 Special Committee assists Council by assuming responsibilities for the management and day to day operations of this facility. There are no significant financial or environmental impacts associated with this matter

Community Engagement

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

It is proposed that Council formally appoint the listed nominees to the Committee as required by the Local Government Act 1989.

(Moved: Councillor R Webb/Councillor D McPhie)

Recommendation:

That Council:

- 1. Receive the Minutes of the Annual General Meeting held 26 July 2012***

2. Endorse the appointment of the following persons as members of the Wangaratta Showgrounds Special Committee for a period of three (3) years:

Greg Hayes; Darren Grant; Jean Witte; Ken Farrell; Dean McDonald; Bob Head; Dennis Backas; John Witte; Graeme Taylor; Rod Miller; Noel Gilbert; Andrew Carson; Brian Hargreaves; and Graham Kerr.

Carried

Communication

A letter will be provided to the Committee advising of Council's approval of the appointments, and thanking the Committee for their commitment during the previous year.

11.4 ADVISORY COMMITTEE REPORTS

(Moved: Councillor L McCully/Councillor A Griffiths)

That reports 11.4.1.1, 11.4.1.2, 11.4.1.3 and 11.4.1.4 be noted.

11.4.1.1 PLACE NAMING COMMITTEE – MEETING REPORT

Place Naming Committee

73.020.014

Background

The Place Naming Committee (PNC) held their quarterly meeting on Wednesday 8 August 2012 with the following members in attendance: Cr Anthony Griffiths (Chair), Andrew Close, Sandra Dalton, Ken Jenvey, Neil Ottaway, Julie Allen, Marg Pullen, Ken Miller, Beryl Bellis, Jane Kaye, Ivan Tippet, Val Gleeson,

No conflicts of interest were declared.

The following items were discussed at the meeting:

- proposal to rename Glenrowan-Myrtleford Road to Snow Road;
- Anzac Commemorative Naming Pilot Project;
- naming of Cemetery Roads;
- review of Policy for Naming Roads, Streets and other accessways;
- road naming history to be researched by PNC (ongoing);
- proposal to name the area at the rear of NAB (Reid Street);
- street address request for RSL Clubrooms at the Sydney Hotel; and
- street naming for subdivision off Christensens Lane (old TAFE equine site).

The following items are reported for Council's information:

Proposal to rename Glenrowan-Myrtleford Road to Snow Road

Feedback has been sought from all affected landowners along Glenrowan-Myrtleford Road and referral authorities.

Naming of Cemetery Roads

Naming proposals for the Wangaratta Cemetery roads using the themes of grass and tree names are being prepared for Council consideration at a future Council meeting.

Proposal to name the area at the rear of the NAB (Reid Street)

A request has been received for the area above to be named. More information requested to be further considered by the Committee at its next meeting.

Street naming for subdivision off Christensens Lane

Names with an equine theme are to be brought back for consideration by the Committee at its next meeting.

Recommendation:

That the report be noted.

Carried

11.4.1.2 AUDIT ADVISORY COMMITTEE REPORT

Audit Advisory Committee

10.020.010

Background

The Audit Advisory Committee met on 30 August 2012. This report set out the matters considered.

Issues

Present were: Ms Joanne Ryan; (Chair), Mr Peter McNeil (Independent member); Mr Warren Sinnott (Richmond Sinnott and Delahunty, Victorian Auditor General's Office Agent); Cr Roberto Paino (Mayor); Cr Anthony Griffiths; Mr Paul Goonan (Internal Auditor); Mr Doug Sharp (Chief Executive Officer); Mr Ray Park (Director Sustainability); and Ms Ailsa Box (Finance Manager).

Apologies: Mr David Whitehouse (Independent member) and Mr Stephen Clarke (Internal Auditor)

No conflicts of interest were declared.

Matters discussed were:

- 2011/2012 Revaluation of Non-Current Assets, Financial Report, Standard Statements and Performance Statement. Members of the Committee questioned Mr Sinnott about the audit and the financial statements, particularly in regard to the accounting for the Vision Super Defined Benefits funding call. Mr Sinnott advised that he was satisfied with the accounting treatment and that he expected the Auditor's opinion to be issued without qualification;
- the Committee made two recommendations in regard to the Financial Statements and asset valuations and a report on those matters appears elsewhere in this agenda;
- Key Performance Indicators;
- Internal Audit Report on Contract Management;
- Internal Audit Plan: It was agreed that future projects would include Information technology Security, Credit cards, Accounts payable and further consideration be given to Human Resource compliance;
- compliance matters: The Chief Executive Officer advised of one matter concerning an external payment;
- new Council Policies and Amendments: The Committee was provided with Council's new Election Caretaker Period Arrangements policy;
- Audit Committee Biennial Agenda;
- Superannuation Defined Benefit Plan Funding Shortfall;
- Fighting Fraud in the Public Sector: copy of PriceWaterhouse survey discussed;
- Risk Register; and
- Elections of Chairman: decision deferred.

Recommendation:

That the report be noted.

Carried

11.4.1.3 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 3 September 2012.

Attendees: Councillor L McInerney, Graham Nickless, Executive Manager – Economic Development; Ray Park, Director – Sustainability; Tony Raven, Manager - Business Manager & Systems; Rosey Bennett; Harry Bussell; David Maples; Vincent McKenzie; Joe La Spina; Harvey Benton; Geoff Bussell; Lachlan Campbell and Graeme Norman.

A conflict of interest was declared by Harvey Benton as an employee of the Wangaratta Livestock Exchange.

A presentation by Tony Raven on the Saleyards Strategic Plan Economic Impact Study was undertaken and considered.

The Committee endorsed the Saleyards Strategic Plan Economic Impact Study, noting the economic and employment benefits of the Saleyards.

The Committee recommended -

That Council adopt the Saleyards Strategic Plan Economic Impact Study and further progress the business case by establishing financing options for infrastructure at the Wangaratta Livestock Exchange. (***Refer to Item 11.2.2.5.***)

The following items were also discussed:

- Lower Ovens Groundwater Management Area – Management Plan;
- “Year of the Farmer” Forum;
- revised Alpine Valleys Agrifood Strategy; and
- recent planning recommendations released by State Minister for Planning.

Matters raised by members were:

- non-reading eartags;
- concerns with the planned abandonment of fruit fly control activity throughout the region with a request to Council to raise the issue with the Department of Primary Industries which was subject of a specific recommendation (subject to a separate report when available); and
- current status of Johnstone Quarry at Edi Upper.

The next meeting of the Agriculture and Agribusiness Advisory Committee is scheduled for Monday 12 November 2012.

Recommendation

That the report be noted.

Carried

11.4.1.4 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 Tuesday 4 September 2012 with the following members in attendance: Grant Jones (Chair), Wendy Lester, Graham Nickless, Hayley Cail, Cr Lisa McInerney, Ken Butterworth, Dale McPhan, Cr Roberto Paino, Helen Haines, Doug Sharp, Graham Nickless and Shivaun Brown.

Apologies were received from Barry Sullivan, Stephen Oxley, Guy Wilkinson.

As Barry Sullivan was an apology Grant Jones was nominated to Chair the meeting.

There were no conflicts of interest declared.

The following items were discussed at the meeting:

- RDA committee;
- reviewed regional priorities for the Hume Strategy for Sustainable Communities Briefing Paper;
- Tourism and Economic Development Strategy Implementation Plan; and
- attracting new Industry

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

Attracting Major Industry

A broad discussion was held in regards to the Tourism and Economic Development Strategy action "Investigate opportunities to attract major investment into a large scale enterprise". It was resolved to further investigate the strategic direction in relation to this action at next month's meeting via a workshop which explores these key areas:

- SWOT analysis;
- risk analysis;
- cluster type attraction – ie assess gaps and address needs of existing businesses, or add on opportunities for existing businesses;
- assessment of attraction criteria within a broader economic context; high Australian dollar in overseas markets and a credit constrained environment; and
- time and resourcing versus outcome analysis.

Recommendation:

That the Report be noted.

Carried

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
11-09-2012	Draft Council Agenda and Deputations Meeting.	Attachment
4-09-2012	Wangaratta Unlimited (Board) Advisory Committee	Item 11.4.1.4
4-09-2012	Meeting with MAV Regional Representative	Attachment
3-09-2012	Agribusiness & Agricultural Advisory Committee	Item 11.4.1.3
28-08-2012	Councillors’ Briefing Forum	Attachment
8-08-2012	Place Naming Committee	Item 11.4.1.1

(Moved: Councillor A Griffiths/Councillor L McCully)

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 28 August 2012:

- 4.2.3.1 Hume Regional Growth Plan;**
- 4.2.3.2 Council Term In Review;**
- 4.2.3.3 Year Of The Farmer;**
- 4.2.3.4 Draft King Valley Masterplan;**
- 4.2.3.5 Hume Strategy For Sustainable Communities Review;**
- 4.2.4.1 2012/2013 Insurance Renewal;**
- 4.2.4.2 Work Cover Insurance Premium Projection 2011/12 VS 2012/13;**
- 4.2.5.2 Significant Tracks And Trails Project;**
- 4.2.5.5 Wangaratta Liquor Accord;**
- 4.2.6.1 Presentation Of Draft Waste Management Strategy; and**
- 4.2.6.2 Glenrowan Hall Extension.**

Carried

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

Authorisation of Signing & Sealing of Documents

50.010.004

(Moved: Councillor L McCully/Councillor R Webb)

Recommendation:

That Council sign and seal the following documents:

The Deed of Exchange and Transfer of Land between the Rural City of Wangaratta Council and North East Water Corporation.

Contract C1213/002 for the Resealing of Various Roads within the Municipality.

Contract C1213-007 for the supply of Electrical Services for the Ovens Riverside Project.

Contract C1213/010 for the Improvements to the Whitfield Recreation Reserve (AC Swinburne) Pavilion.

Contract C1213/001 for 2012 Flood Reinstatement works –South & East Zones.

Carried

16. PUBLIC QUESTION TIME

Public Question Time

10.020.004

Dr Julian Fidge – Docker

Dr Fidge referred to the Auditor General's Report dated 18 April 2012 in regard to criticism of the Rural City of Wangaratta's Performance Report and asked how Council intended to improve this.

Mr Ray Park responded that the Performance Report is based on the Community Satisfaction Survey which is run by an independent agency which enables reliable benchmarking but doesn't always align with Council Plan priorities.

Mr Paul O'Brien – Hansonville

Mr O'Brien referred to the changed planning zones and the Superannuation Defined Benefit Scheme and questioned what Council was expecting of the Municipal Association of Victoria (MAV).

Mr Doug Sharp responded that in regard to the Rural Land Strategy, Council agrees with MAV and in regard to the Defined Benefits Superannuation Fund, Council is urging MAV to take stronger action.

Mr Matt Brennan – Laceby West

Mr Brennan expressed concern regarding the accuracy of the minutes of the Planning Conciliation meeting to discuss the Glenrowan Sewerage system.

Mr Brennan also enquired as to what stage local residents were informed that meetings were being held.

Councillor Roberto Paino, Mayor, responded that he would discuss this matter with Mr Brennan at the conclusion of the meeting.

Judy Finlay – 91 Greta Road, Wangaratta

Ms Finlay referred to item 11.2.4.6 and expressed grave concerns for the safety of children with the traffic on Mason Street and particularly the speed of trucks.

Councillor Roberto Paino, Mayor, responded that Council would take Ms Finlay's concerns into consideration when discussing the priority of the Mason Street Footpath.

Leanne McMonigle – Wangaratta

Ms McMonigle endorsed Ms Finlay's concerns.

Tammy Atkins – Wangaratta

Ms Atkins asked what progress has been made with the Ovens College site and the South Wangaratta Urban Renewal Plan.

Mr Doug Sharp responded that there would be no greyhound racing at Avian Park and plans for two soccer fields and a junior cricket oval, were progressing

In response to the question regarding the South Wangaratta Urban Renewal, Mr Sharp stated Council is negotiating with the Department of Education and have approached the State Government for funding to proceed with the business planning for the site.

Paul O'Brien – Hansonville

Mr O'Brien referred to the Hume Strategy for Sustainable Communities 2010-2020 and asked a three part question:

- How is the Hume Strategy linked to the Rural City of Wangaratta 2030 vision;
- Is the Chief Executive Officer's (CEO) role a conflict of interest and does he have council endorsement; and
- Who is funding the Strategy?

Mr Doug Sharp replied that the Strategy is a regional plan involving twelve councils of which the Rural City of Wangaratta is central. Much of the content of the strategy is contained in the 2030 Vision.

Mr Sharp explained Wangaratta is the chair of NELGN with the CEO and the Mayor representing Wangaratta. The CEO and Mayor of Wodonga Council are also members. Mr Sharp also stated The Rural City of Wangaratta "hold the bank account" for the strategy but it is not funded by Council. He confirmed he has Council endorsement for the role.

Mr Jim Lewis – Wangaratta

Mr Lewis enquired how the Annual Report would be dealt with in light of the fact there would be no Councillors or Mayor.

Mr Doug Sharp responded that some business would be curtailed due to the caretaker period but the current Councillors continue until the date of the election. The Chief Executive Officer is responsible for decisions made in the interim period until a new council and Mayor are elected. The new Council are to be sworn in on the Thursday following the election and will deal with the Annual Report.

Dr Julian Fidge – Docker

Dr Fidge referred to item 11.2.2.4 and asked if rates would be increased to cover the superannuation liability.

Mr Doug Sharp responded it is difficult to answer at this time as there are other budget issues and processes to be taken into account.

17. CONFIDENTIAL BUSINESS

Nil.

18. CLOSURE OF MEETING

Meeting closed at 9:10pm.