

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, 20 AUGUST 2013** COMMENCING AT 7.00PM

Kelvin Spiller
ACTING CHIEF EXECUTIVE OFFICER

As at 22/08/13 3:10 PM

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1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

2. **OPENING PRAYER**

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

3. **PRESENT**

Chairperson: Councillor R Parisotto, Mayor
Councillor N Amery; Councillor T Atkins; Councillor J Fidge; Councillor D Joyce;
Councillor C McClounan; Councillor P O'Brien.

Officers Present:

Mr Peter Mangan, (Acting Director Sustainability); Mr Peter Godfrey (Acting Director Infrastructure Services); and Ms Patti Wenn (Acting Director Community Wellbeing)

4. **ABSENT**

Mr Kelvin Spiller, Acting Chief Executive Officer

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

ORDER OF BUSINESS

6. **CITIZENSHIP CEREMONY**

Nil.

7. **CONFIRMATION OF MINUTES**

(Moved: Councillor J Fidge/Councillor N Amery)

Recommendation

That the Minutes of the Ordinary Meeting of 16 July 2013 be taken as read and confirmed as a true and accurate record of the proceedings of the meeting.

Carried

8. CONFLICT OF INTEREST DISCLOSURE

Nil

9. RECEPTION OF PETITIONS

Nil

10. HEARING OF DEPUTATIONS

Nil

11. PRESENTATION OF REPORTS

11.1 COUNCILLOR'S REPORTS

The Dirrawarra Indigenous Network

The Dirrawarra Indigenous Network held the inaugural Proud and Deadly Awards on 24 June 2013 at the Wangaratta High School Performing Arts Centre.

The Awards recognised the achievements of indigenous young people within their school and their community and it is envisaged that the Awards will continue annually.

The various Award categories were: academic, creative arts, sport, leadership, community, work ethic and encouragement.

The Awards were supported by the following organisations:

- The Centre Workplace Learning;
- Wangaratta High School;
- Business Wangaratta;
- The Rural City of Wangaratta;
- Act, Belong, Commit;
- Youthways Wangaratta;
- Ovens and King Community Health Service; and
- The Department of Education and Early Childhood Development

Presentation by Councillor Parisotto, Mayor, to the Rural City of Wangaratta from the Dirrawarra Indigenous Network in appreciation for the support received on NAIDOC Week Celebration Day, held on Saturday 13 July 2013.

The National Dinosaur Museum

In celebration of National Science Week, Wangaratta played host to the touring exhibition of life size dinosaurs from the National Dinosaur Museum, from Canberra, for one day only.

On Monday 12 August 2013, more than 1000 people came to visit the moving Dinosaurs at the Wangaratta Performing Arts Centre.

International palaeontologist Marton Rabi, local scientist Dr Eva Papp, and paleo-author Phil Hore travelled approximately 2000km in two weeks, with their truck carrying life-size dinosaur replicas and hundreds of smaller fossils and items of their exhibition. The road show displayed moving, life-like dinosaur models and hands-on fossil experiences.

That National Dinosaur Museum presented the Rural City of Wangaratta with a Wollemi Pine and a plaque which will be planted in HP Barr Reserve. The Wollemi Pine is the 'living dinosaur' of the plant world, one of the world's oldest trees living alongside the dinosaurs in the Jurassic period.

11.2 OFFICER'S REPORTS

11.2.1 EXECUTIVE SERVICES

11.2.1.1 2013 COMMUNITY SATISFACTION SURVEY

Customer Surveys/Community Satisfaction Survey

20.030.005

Introduction

A report on Council's performance in this year's annual Local Government Community Satisfaction Survey (**refer attachment**) has been released. The report, prepared by JWS Research, follows an independent survey conducted by them on behalf of the Department of Planning and Community Development.

Background

For over a decade the Rural City of Wangaratta has participated in an independently conducted annual Local Government Community Satisfaction Survey. The survey provides an opportunity to benchmark the Rural City of Wangaratta's performance against other Regional Centres, as well as State-wide results.

As a result of feedback from extensive consultations with Councils, in 2012 there were necessary and significant changes to the methodology and content of the survey, including:

- the survey is now conducted as a representative random probability survey of residents aged 18 years or over in local Municipalities, whereas previously it was conducted as a 'head of household' survey;
- as part of the change to a representative resident survey, results are now weighted post survey to the known population distribution of Wangaratta Rural City Council according to the most recently available Australian Bureau of Statistics population estimates, whereas the results were previously not weighted;
- the service responsibility area performance measures have changed significantly and the rating scale used to assess performance has also changed;
- the results of the 2012 Community Satisfaction Survey should be considered as a benchmark. Comparisons should not be made with 2011 Community Satisfaction Survey results and prior due to the methodological and sampling changes; and
- the 2013 Community Satisfaction Survey results have been compared to the 2012 Community Satisfaction Survey results in *Table 1*.

Issues

Core Performance Areas (refer Table 1)

In the core performance areas, Council's performance rating, when compared with the State-wide and Regional Centre's results are generally good.

- Council recorded an Overall Performance Index Score of 64. This is higher than the average of 60 recorded by the State and Regional Centres;
- With regard to Overall Council Direction (in the last 12 months), Council recorded an Index Score of 54. This is on par with the State-wide and Regional averages, but a decrease of 3 points from 2012;
- 58 for Advocacy (Lobbying on Behalf of the Community) is above the State average of 55, and above the Regional average of 56;
- An Index Score of 72 for Customer Service is above the State-wide average of 71, but below the Regional Centres average of 73. It is based on the 57% of Council residents who have had contact with Council in the last 12 months; and
- 56 for Community Consultation and Engagement is below the State-wide and Regional Centres averages.

Table 1

| Measure | 2012 RCoW | 2013 RCoW | State Average | Regional Average |
|---|------------------|------------------|----------------------|-------------------------|
| Overall Performance | 66 | i 64 | 60 | 60 |
| Community Consultation (Community Consultation and Engagement) | 58 | i 56 | 57 | 57 |
| Advocacy (Lobbying on Behalf of the Community) | 56 | h58 | 55 | 56 |
| Customer Service | 72 | 72 | 71 | 73 |
| Overall Council Direction | 57 | i 54 | 53 | 54 |

*note: results are index scores, not percentages.

Service Areas (refer Table 2)

In summary, across all service area measures of performance the Rural City of Wangaratta is higher than or on par with results for the Regional Centres group.

Of particular note are the results for:

- Traffic Management has improved markedly by 4 points to 65. This is higher than the averages recorded by State and Regional;
- Parking Facilities has improved by 2 points. It is expected that this result will continue to improve with the provision of a multi-deck carpark in Wangaratta's CBD as part of the Co-Store redevelopment;
- Art Centres and Libraries where Council recorded an Overall Performance Index Score of 83. This is significantly higher than the average of 73 recorded State-wide and 75 by Regional Centres;
- Appearance of public areas where Council recorded an Overall Performance Index Score of 78. This is higher than the average of 71 recorded State-wide and 72 recorded by Regional Centres;
- Recreational Facilities where Council recorded an Overall Performance Index Score of 76. This is significantly higher than the average of 70 recorded State and 71 recorded by Regional Centres;
- Community and Cultural Activities where Council recorded an Overall Performance Index Score of 74. This is higher than the average of 69 recorded State-wide and 71 recorded by Regional Centres; and
- Environmental Sustainability where Council recorded an Overall Performance Index Score of 67. This is higher than the State and Regional averages.

Table 2

| Measure | 2012 RCoW | 2013 RCoW | State Average | Regional Average |
|--|-----------|-----------|---------------|------------------|
| Condition of local streets and footpaths | 61 | i 59 | 58 | 58 |
| Traffic Management | 61 | h65 | 60 | 61 |
| Parking Facilities | 51 | h53 | 57 | 52 |
| Enforcement of local laws | 73 | i 71 | 65 | 68 |
| Recreational Facilities | 76 | 76 | 70 | 71 |
| Appearance of public areas | 78 | i 77 | 71 | 72 |
| Art Centres and Libraries | 84 | i 83 | 73 | 75 |
| Community and Cultural Activities | 73 | h74 | 69 | 71 |
| Business & community development & tourism | 69 | i 68 | 62 | 66 |
| Environmental Sustainability | 66 | h67 | 64 | 64 |

*note: results are index scores, not percentages.

Implications

Council Plan Outcomes

The annual Local Government Community Satisfaction Survey is used as a Performance Measure for a number of Council Plan Actions.

Sustainability

The results of the survey are very positive for the sustainability of the local environment, the community and Council, as they provide a clear benchmark for current and future performance and service delivery.

Conclusion

Council has reviewed the Community Satisfaction Survey results and acknowledged the need to focus on community consultation and engagement, and parking facilities.

A strategic objective in the Council Plan 2013-2017 is "to provide accessible, open and consultative government". In order to achieve this, Council will review the Community Engagement Strategy and Communication Strategy, including social media opportunities, by June 2014 (Key Strategic Action 1.1.1.2).

The result for the 'Parking Facilities' performance score is expected to improve with the opening of the multi-deck carpark in Wangaratta's CBD, which is part of the Co-store redevelopment scheduled for completion in 2014.

(Moved: Councillor P O'Brien/Councillor C McClounan)

Recommendation

That Council resolves to:

- 1. receive and note the report;***
- 2. closely monitor and review Service Area and Core Performance Area results trending downwards in the 2013 Community Satisfaction Survey, to inform Council's Strategic Planning Forum in early 2014; and***
- 3. utilise Service Area and Core Performance Area results in the annual review of the Council Plan 2013-2017 and Annual Report.***

Carried

11.2.1.2 ADVISORY COMMITTEE APPOINTMENTS

Council's Committees

10.020.008

Introduction

This report informs Council of the outcome of the process to invite Expressions of Interest for members of Council's Advisory Committees.

Background

The Wangaratta Rural City Council has seven Advisory Committees providing advice and feedback in areas of particular interest.

In accordance with each of the committee's charters, terms of appointment to the committees are for three years and are made on a staggered basis.

The Advisory Committees are the:

- Agriculture & Agribusiness Advisory Committee - provides strategic advice and guidance to Council on matters pertaining to agriculture and/or agribusiness within the Rural City of Wangaratta;
- Arts, Culture and Heritage Advisory Committee - provides advice to Council on arts, cultural and heritage issues;
- Audit Advisory Committee - assists Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development;
- Place Naming Committee - provides advice and recommendations relating to the implementation of Council's policies for naming places, roads, streets and other accessways and related work associated with commemorative plaques and other markers;
- Sport & Recreation Advisory Committee – provides advice to Council on the effective conduct of its responsibilities for strategic planning and management of Sport and Recreation opportunities in the Rural City of Wangaratta;
- Wangaratta Unlimited Board (Advisory Committee) - advises Council on the promotion, enhancement and generation of sustainable economic development and tourism within the Rural City of Wangaratta; and
- Youth Council* - provides quality and timely advice to Council on issues related to or of concern to young people.

*The Youth Council appointments are dealt with separately, outside of this process.

Expressions of Interest were publicly called to fill these positions.

The resulting Expressions of Interest for appointments to six of Council's seven Advisory Committees have been received and assessed.

Issues

Candidates were assessed against each committee's skills matrix. In doing so, the existing skills set of the incumbent committee members were taken into consideration.

The available positions are made up of voluntary vacancies and membership expirations. The membership expirations are as stipulated in individual committee charters - at staggered intervals, and on different dates.

A copy of the skills matrix completed for each committee's candidates is attached (***refer confidential attachment***).

Table 1

| Committee Name | Available Positions | Recommended candidates | Appointment expiry |
|---|---------------------|--|--|
| Agriculture & Agribusiness Advisory Committee | 3 | Vin McKenzie | 20 August 2016 |
| Arts, Culture and Heritage Advisory Committee | 2 | David Godkin Tina Thompson | 20 August 2016 20 August 2016 |
| Audit Advisory Committee | 1 | Anthony Grieves | 20 August 2016 |
| Place Naming Committee | 4 | Julie Allen Kenneth Jenvey Ivan Tippet | 20 August 2016 20 August 2016 20 August 2016 |
| Sport & Recreation Advisory Committee | 2 | Wayne Tennant Leon Newton | 20 August 2016 20 August 2016 |
| Wangaratta Unlimited Board (Advisory Committee) | 4 | Helen Haines | 20 August 2016 |

Implications

The Audit Advisory Committee is a statutory committee established under S139 of the *Local Government Act 1989*. The Audit Advisory Committee requires an interview process, which was conducted on the 8 August 2013. Confirmation of the appointment is yet to be finalised.

Council Plan Outcomes

Council has an objective to provide community leadership through the provision of an accessible, open and consultative government.

Policies

Advisory Committee Charters set out the terms and key dates for appointment on an annual basis.

Sustainability

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

Community Engagement

Advisory committees provide the opportunity for 2-way engagement between Council and Community members.

Conclusion

Following consideration of the Expressions of Interest applications for Council's Advisory Committees, the new appointments will assist the committees in continuing to provide Council with advice, feedback and guidance.

(Moved: Councillor J Fidge/Councillor T Atkins)

Recommendation

That Council resolves to:

- 1. appoint the candidates listed in Table 1 as representatives on the Rural City of Wangaratta Advisory Committees, for appointment terms as specified; and***
- 2. re-advertise the unfilled vacancies.***

Carried

Communication

All applicants will be notified of Council's decision and thanked for their interest.

11.2.1.3 COUNCILLOR AND MAYORAL ALLOWANCES

Councillor Issues & Information

10.010.005

Introduction

This report seeks Council's confirmation of the annual Mayoral and Councillor allowances for 2012 to 2016.

Background

The Local Government Act 1989 enables the Minister for Local Government to set limits and ranges for Councillors and Mayoral Allowances.

Council must review and determine the level of Councillor and Mayoral allowance within the statutory period following an election. *The Local Government Act 1989* provides for the public to make a submission in respect of a review of allowances.

At its meeting on 18 June 2013, Council determined that:

'in accordance with the provisions of Section 74 of the Local Government Act the Council determines the Mayoral and Councillors allowances applicable for the period 2013 – 2016;

Mayoral allowance \$63,402

Councillor allowance \$23,775'

Issues

Notice of Council's determination and advice of the opportunity for submissions was given on Council's website and in the Wangaratta Chronicle on Friday 21 June 2013, in accordance with the requirements of Section 223 of *The Local Government Act 1989*.

Submissions closed on Friday 19 July 2013.

No submissions were received.

Implications

Financial Impact

Provision has been made for these allowances in the advertised Budget for 2013/2014.

Conclusion

The statutory process regarding exhibition of proposed Mayoral and Councillor allowances and consideration of submissions has been completed.

(Moved: Councillor J Fidge/Councillor C McClounan)

Recommendation

That Council resolves to maintain the Mayoral and Councillors allowances at current levels for the period 2012 to 2016 as follows:

- 1. the Mayoral annual allowance at \$63,402; and***
- 2. the Councillor annual allowance at \$23,775.***

Carried

11.2.1.4 COUNCILLOR CONDUCT PANEL DECISION

Councillor Conduct Panel

96.005.004

Introduction

This report is presented to Council to table the Determinations, Findings and Reasons of the Councillor Conduct Panel of 19 March 2013 to 28 May 2013.

Background

The *Local Government Act 1989* Section 81M (Notice of Determination and Tabling of Decisions) states:

- (1) *After a Councillor Conduct Panel has made a determination under section 81J, the Panel must give a copy of the decision to—*
 - (a) *the Council; and*
 - (b) *the parties to the matter; and*
 - (c) *the Minister.*
- (2) *A copy of the decision given to the Council under subsection (1)(a) must be tabled at the next ordinary meeting of the Council and recorded in the minutes for that meeting.*
- (3) *A Councillor Conduct Panel must give a written statement of reasons for the decision, within 28 days of making a determination, to—*
 - (a) *the Council; and*
 - (b) *the parties to the matter; and*
 - (c) *the Minister.*
- (4) *A statement of reasons provided in accordance with subsection (3) is taken to be a statement of reasons provided in accordance with section 46(1) of the Victorian Civil and Administrative Tribunal Act 1998.*
- (5) *A record of the decision of VCAT, made in respect of an application or review under this Division in relation to a Councillor of a Council, must be tabled at the next ordinary meeting of the Council and recorded in the minutes of that meeting.*

Issues

The complete report of the Panel's Determinations, Findings and Reasons is available for public viewing on Council's website, at the Wangaratta Library and reception at the Council offices.

(Moved: Councillor D Joyce/Councillor t Atkins)

Recommendation

That Council resolves to:

- 1. table a copy of the decision of the “Councillor Conduct Panel of 19 March 2013 to 28 May 2013” and record this action in the minutes in accordance with Section 81M(2) of the Local Government Act 1989; and***
- 2. acknowledge the requirement of the Panel’s determination detailed in 1.8 on page 31 and commits to complete the required review as soon as possible.***

Carried

11.2.2 SUSTAINABILITY

11.2.2.1 ADOPTION OF 2013/14 BUDGET

Council Budget 2013/2014

51.060.021

Introduction

This report presents to Council the Draft 2013/14 Budget for adoption.

Background

At the Special Council Meeting held on 9 July 2013, Council resolved to give public notice of the preparation of the Budget for the 2013/2014 financial year.

In accordance with Section 129 of the *Local Government Act 1989* (the Act) the Draft Budget was placed on public display on Council's website, Wangaratta Government Centre and the Wangaratta Library.

Public submissions on the Draft 2013/2014 Budget were invited via Council's website and in the local media.

Issues

The presentation of the Draft Budget was in a format recommended by the Institute of Chartered Accountants as a model of best practice and contained a comprehensive assessment of Council's financial position and proposed expenditures and revenues. The Draft 2013/2014 Budget contained the following mandatory disclosures:

- the estimated total amount to be raised by general rates is \$20,441,146;
- the estimated total amount to be raised by municipal charges is nil;
- the estimated total amount to be raised by garbage collection charges is \$2,861,562;
- the estimated total amount to be raised by recycling charges is \$1,029,672;
- that an amount of \$3,724,147 be borrowed to support energy efficient street lighting, the livestock selling complex roofing project, purchase of former Ovens College site and part repayment of Council's Defined Benefits Superannuation Fund obligation;
- the cost of servicing the borrowings during the financial year will be \$494,401;
- the total amount of loans proposed to be redeemed during the financial year will be \$1,564,274;

- the total amount of borrowings at 30 June 2014 will be \$9,969,784; and
- the proposed 2013/2014 Fees and Charges are listed in Appendix E to the Budget Report.

Detailed information on relevant aspects of the Draft 2013/2014 Budget are contained in the Draft 2013/2014 Budget Report annexed to this report (**refer attachment**).

Seven written submission were received (**refer attachment**). Mr Jim Lewis and Ms Diane Farmer requested to appear in person to be heard in support of their submissions.

A committee of the Council considered submissions from Mr Lewis and Ms Farmer on Thursday 15 August 2013.

Implications

Council Plan Objectives

Council's 2013-2017 Council Plan has an objective to provide accessible, open and consultative government. Council encourages community involvement in its governance processes and will aim to produce accurate, concise and easy to read reports and publications for members of our public. Further, Council aims to ensure that its plans and budgets are both responsible and sustainable.

Strategic Resource Plan

Section 126 of the *Local Government Act 1989* requires Council to review its Strategic Resource Plan (SRP) during the preparation of its Council Plan. The Standard Statements, contained in the Draft 2013/14 Budget, form part of the SRP and will be informed by the budget process. The Standard Statements are included at Appendix A of the Draft 2013/14 Budget. It is now appropriate to adopt the SRP, along with the Draft 2013/14 Budget.

Local Economy

The establishment of the Draft 2013/14 Budget is a critical component in the financial management of Council's operations to ensure the delivery of appropriate services, programs and infrastructure to residents and ratepayers.

Local Environment

The Draft 2013/14 Budget contains financial provision for Council to achieve significant environmental outcomes for the community.

Local Community Outcomes

The Draft 2013/14 Budget contains financial provision for Council to achieve significant social and community programs which will improve the social sustainability of our population.

Council's Financial Position

The Draft 2013/2014 Budget establishes the financial framework of Council including income and expenditure, rating strategy, borrowings and asset management programs necessary for Council operations.

The statutory process regarding exhibition of the Draft 2013/14 Budget and consideration of submissions has been completed.

Conclusion

Following consideration of the written submissions, presentation and the circumstances mentioned above, it is proposed that the budget be adopted without amendment.

(Moved: Councillor P O'Brien/Councillor J Fidge)

Recommendation

That Council resolves to:

- 1. adopt the Draft Budget 2013/2014 annexed to this resolution;***
- 2. authorise the Chief Executive Officer to give public notice of Council's decision to adopt the 2013/2014 Budget in accordance with section 130(2) of the Local Government Act 1989;***
- 3. advise budget submitters of this decision and that the reasons for the decision are that Council considers that the Budget ensures that the services and facilities provided by the Council are accessible and equitable, that the rates and charges are reasonably imposed and that the Budget contributes to Council's financial sustainability; and***
- 4. adopt the Strategic Resource Plan contained at Appendix A of the Draft 2013/14 Budget.***

Carried

Communication

Public notification on the adoption of the 2013/2014 Budget will be given in the local media and on Council's website.

Advice will be forwarded to budget submitters of the outcome of their submissions to Council in relation to the Draft 2013/2014 Budget.

A copy of the Adopted 2013/14 Budget and the Strategic Resource Plan will be forwarded to the Minister for Local Government as required by the Act.

11.2.2.2 FINANCE REPORTS

Council Budget 2012/2013

51.060.018

BUDGET COMPARISON REPORTSIntroduction

The following report provides an update of Council's reforecast financial position compared to the December Forecast for 2012/13. Details of variations to the December Forecast are provided where the full year impact of the variance is greater than \$20,000.

Rates Budget Comparison Report 2012/2013 as at June

| Program | YTD Actuals | December Forecast | Reforecast Budget | Variance | |
|--|---------------------|--------------------------|--------------------------|--------------------|----------------------|
| Operating | | | | | |
| Income | 51,799,774 | 48,955,395 | 52,168,837 | 3,213,442 | |
| Project Income | 5,171,461 | 6,148,588 | 7,336,632 | 1,188,044 | |
| | 56,971,235 | 55,103,983 | 59,505,469 | 4,401,486 | (A) |
| Expenditure | (31,591,755) | (32,129,181) | (32,351,532) | (222,351) | |
| Project Expenditure | (18,658,778) | (18,354,065) | (19,602,894) | (1,248,829) | |
| | (50,250,533) | (50,483,246) | (51,954,426) | (1,471,180) | (B) |
| Net Operating Result | 6,720,702 | 4,620,737 | 7,551,043 | 2,930,306 | (C)=(A-B) |
| Capital | | | | | |
| Grants & Contributions | 3,935,148 | 5,926,115 | 4,984,671 | (941,444) | |
| Proceeds from Sale of Assets | 1,022,122 | 1,247,504 | 1,599,449 | 351,945 | |
| Borrowings | 817,801 | 937,801 | 817,801 | (120,000) | |
| Transfers from Reserves | 3,649,393 | 4,509,686 | 3,649,393 | (860,293) | |
| | 9,424,464 | 12,621,106 | 11,051,314 | (1,569,792) | (D) |
| Expenditure - Capital Project | (9,523,780) | (16,001,384) | (10,306,509) | 5,694,875 | |
| Expenditure - Capital other | (3,589,294) | (3,576,130) | (4,127,014) | (550,884) | |
| | (13,113,074) | (19,577,514) | (14,433,523) | 5,143,991 | |
| Loan Redemption | (872,306) | (1,598,972) | (1,598,972) | 0 | |
| Transfers to Reserves | (2,638,892) | (3,312,862) | (2,638,892) | 673,970 | |
| | (16,624,272) | (24,489,348) | (18,671,387) | 5,817,961 | (E) |
| | (7,199,807) | (11,868,242) | (7,620,073) | 4,248,169 | (F)=(D-E) |
| Rate Surplus (Deficit) B/Fwd | 8,089,482 | 7,461,995 | 8,089,482 | 627,487 | (G) |
| Projects carried forward to 13/14 | (8,238,782) | 0 | (8,238,782) | (8,238,782) | (H) |
| Net Rate Budget Surplus (Deficit) | (628,405) | 214,490 | (218,330) | (432,820) | (I)=(C+F+G+H) |

Summary

As at 30 June 2013, Council's end-of-year net rates budget surplus is forecast to decrease by \$432,820 from its December Forecast surplus of \$214,490 to a deficit of \$218,330.

Variations from Previous Month's Report (May)

The forecast deficit of \$218,330 as at 30 June 2013 varies by \$159,096 from the forecast deficit of \$59,243 as at 30 May 2013.

This June forecast varies from the May Forecast mainly due to:

Favourable

- \$51K - Savings in Facilities employee costs due to long service leave and recruitment;
- \$17K - Increase in WPAC user fees;
- \$24K - Reduction in Works and Operations oncost expense;
- \$20K - Savings in Vegetation Management projects; and
- \$28K - Savings in Works and Operations periodic maintenance.

Unfavourable

- \$37K - Parks and gardens employee costs;
- \$34K - Increase in oncost annual leave;
- \$43K - Increase in director relief;
- \$47K - Increase in legal expenses;
- \$48K - Increased plant contribution and water charges for park operations;
- \$27K - Increased plant contribution and water charges for sports ground operations; and
- \$72K - Works and ops plant contribution

Operating

The forecast for the Net Operating Result is now expected to be a surplus of \$7.55M an increase of \$2.93M from the December Forecast of \$4.62M.

This June forecast varies from the December Forecast mainly due to:

Favourable

- \$3.25M – 50% of Victorian Grants Commission 2013/14 allocations received in 2012/13;
- \$75K – Infrastructure department salary savings due to recruitment freeze;
- \$979K – Operational projects carried forward to the 2013/14 financial year;
- \$50K – Community grants program transferred to capital projects;
- \$87K – Workforce Sustainability officer wage allocated to the Regional Certifying Body project which is fully funded by grant income.
- \$134K – State Revenue Office reimbursement received for 2011/12 property revaluations;
- \$40K – Performing Arts Centre additional ticket sales;

- \$40K – Regional Sponsored Skilled Migration project now completed;
- \$80K – Wangaratta drainage study to be completed internally;
- \$38K – Intake and assessment employee costs reduced due to vacancies.

Unfavourable

- \$90K – Increase in livestock exchange water charges due to incorrect meter readings;
- \$110K – 2012 property revaluations contract payments made in 2012/13 financial year;
- \$338K – Council Conduct Panel, Director Relief, Legal expenses and Probity Audit forecast expenditure;
- \$129K – Adjusted prediction for plant replacement contribution – offset by reduced transfer to plant replacement reserve;
- \$1.17M – Floods reimbursements received in advance in 2011/12 financial year;
- \$60K – reduction in building fees - Number of permits comparable to 2011/12 but value of permits reduced substantially; and
- \$25K – 50% of profit on NAB cup game to be transferred to AFL Victoria.

Capital

Decreased Capital Grants and Contributions

The forecast for Capital Grants and Contributions of \$4.98M is a decrease of \$941K from the December Forecast of \$5.93M.

This June forecast varies from the December Forecast mainly due to:

Favourable

- \$20K – Reimbursement received in addition to funding for Ovens Riverside project; and
- \$78K – Grant received for Mitchell Ave Reserve to be expended in 2013/14.

Unfavourable

- \$1.09M – Capital grants and contributions not expected to be received until the 2013/14 financial year.
- Predominantly:
 - \$130K – Shared pathway – Warby Range Rd Extension;
 - \$246K – Ovens River/Faithful Street precinct;
 - \$40K – Wangaratta Children's Services Centre final stage;
 - \$65K – Contribution from Murray Bushrangers for Showgrounds – Buildings;
 - \$285K – WISAC - Cogeneration; and
 - \$275K – Whorouly Football/Netball Club change rooms.

Decreased Capital Expenditure

The forecast for Capital Expenditure of \$14.43M is a decrease of \$5.14M from the December Forecast of \$19.58M.

This June forecast varies from the December Forecast mainly due to:

Favourable

\$6.51M – Projects carried forward to the 2013/14 financial year.

Predominantly:

- \$78K – Mitchell Ave Reserve improvements;
- \$27K – Mitchell Ave Reserve lighting;
- \$1.52M – Ovens River/Faithful Street precinct;
- \$191K – Swinburne Pavilion redevelopment;
- \$29K – Footpath High Priority Program;
- \$41K – Bicycle path renewal;
- \$65K – Budgeting software;
- \$21K – Glenrowan Recreation Reserve Hall upgrade;
- \$40K – Renewal Application - Culvert Renewal program;
- \$20K – Seal Approaches to railway crossings;
- \$150K – Apex Park Car Park;
- \$72K – Compulsory acquisition - Ovens riverside promenade;
- \$116K – Wangaratta Transport Study Implementation;
- \$289K – Comfort Station Redevelopment;
- \$425K – Eldorado shared path and toilet block;
- \$20K – Glenrowan Public Toilet Access;
- \$23K – Buildings Renewals – Glenrowan Preschool;
- \$816K – Wangaratta Children’s Services Centre final stage;
- \$40K – Phillipson St/Williams Rd intersection;
- \$50K – Netball Cluster Project;
- \$524K – WISAC – Cogeneration;
- \$758K – Plant Replacement;
- \$53K – Information Services infrastructure;
- \$20K – Bowser East leachate management;
- \$20K – Bowser West leachate management;
- \$26K – Bowser Landfill Cell 8 - Design & Construction;
- \$100K – Merriwa Park infrastructure renewals;
- \$47K – Bowser East landfill rehabilitation;
- \$35K – Whorouly South Scout Hall demolition;
- \$175K – Shared pathway – Warby Range Rd Extension;
- \$320K – Whorouly Football/Netball Club change rooms; and
- \$400K – Other smaller projects.
- \$74K – Reduced acquisition obligations for the Ovens riverside promenade due to fewer properties acquired. This is offset by reduced transfer from reserve;
- \$80K – cancellation of contribution towards Bunnings entrance works.

Unfavourable

- \$400K – Deposit for the Ovens College Site. This has been offset by transfers from reserves;
- \$955K – North Wangaratta Land Swap. This has been offset by increased land sales; and
- \$48K – Project transferred from Community Grants Project to Edi Hall Upgrade.

Detailed explanations are provided for individual items where the predicted year-end outcome varies from the adopted Budget by more than \$20,000.

Conclusion

Reforecasts for the 2012/13 financial year confirm that Council's rates surplus is predicted to decrease by a margin of \$432,820 to a deficit of \$218,330. The Reforecast Budget figures are the outcome of a thorough review of all Budget items and take into account grants received in advance and projects to be completed during the 2013/14 financial year.

(Moved: Councillor J Fidge/Councillor P O'Brien)

Recommendation

That Council resolves to receive and note the report.

Carried

11.2.2.3 REVIEW OF BORROWING ARRANGEMENTS – AUSTRALIAN AND NEW ZEALAND BANKING GROUP LIMITED

Loans

51.050.001

Introduction

This report requests Council to approve the affixation of the Council Seal to a 'Borrower Acceptance' and 'Authorised Representative Certificate' as requested by the Australia and New Zealand Banking Group Limited (the ANZ Bank).

Background

Council has a loan from the ANZ bank drawn down in the 2011/12 financial year. This loan was originally for \$1,070,862 and was undertaken for the purposes of funding the Wangaratta Showgrounds Redevelopment - \$470,000 and the previous Defined Benefits Superannuation call of \$600,862. The balance of this loan as at 30 June 2013 is \$988,940.10.

Issues

The ANZ Bank have conducted an annual review of Facilities in accordance with clause 15 (*Facility Review*) of the Standard Terms. As a consequence of this review, a number of changes have been made to the Standard Terms (***refer attachment***). These changes will not make any fundamental changes to the financial terms and conditions of this loan but will satisfy the administrative requirements of the ANZ Bank.

Implications

Council Plan Outcomes

Council's 2013-2017 Plan contains an objective to ensure that Council's plans and budgets are responsible and sustainable.

Sustainability

This servicing of this loan is accommodated in Council's annual Budget and long term financial plan.

Conclusion

The annual review of standard terms conducted by the ANZ Bank confirms Council's borrowing arrangements with the Bank and requires Council to accept minor alterations to the facility terms by the affixation of the Council seal to the 'Borrower Acceptance' and 'Authorised Representative Certificate'.

(Moved: Councillor D Joyce/Councillor C McClounan)

Recommendation

That Council resolves to:

- 1. accept the amended facility terms proposed by the Australian and New Zealand Banking Group Limited; and***
- 2. instruct the Chief Executive Officer to sign and seal all relevant documents when available.***

Carried

Communication

Signed and sealed documents will be forwarded to the ANZ Bank when completed.

11.2.2.4 PROPOSED PLANNING SCHEME AMENDMENT C49 – CORRECTIONS AND ANOMALIES

Planning Scheme Amendment C49

– Corrections and Anomalies

Introduction

This report is presented to Council to enable the development of an amendment which will correct a number of errors and anomalies in the Wangaratta Planning Scheme.

Background

The Wangaratta Planning Scheme was gazetted 25 February 1999. Daily use of the planning scheme has highlighted a number of errors and anomalies in the scheme. These errors have been identified by Council's Planning staff, land owners and purchasers of land, and the Department of Transport, Planning and Local Infrastructure.

Proposed Corrections

Council has been negotiating with Department of Transport, Planning and Local Infrastructure (DTPLI) since late 2012 to undertake a number of corrections and anomalies to the Wangaratta Planning Scheme. Agreement has been reached regarding which of these corrections and anomalies can now be dealt with under a Planning Scheme Amendment. These agreed corrections and anomalies are included for Councillor's information (*refer attachment*).

Funding Assistance from Rural Flying Squad

DTPLI established a Rural Flying Squad to provide resources to assist Council's to complete planning scheme amendments. The Rural Flying Squad is fully funded by DTPLI. Council successfully received funding for the planning scheme amendment to make these necessary corrections under the Flying Squad resources. Mesh Planning have been engaged by DTPLI and have prepared documentation for Draft Amendment C49. A copy of the Explanatory Report attached (*refer attachment*).

Implications

Council Plan Outcomes

This exercise is relevant to the Council plan in terms of undertaking a strategic approach to land use planning. A key value of aiming to provide the highest standard in everything we do is also being achieved.

Community Outcomes

While the benefits will be largely hidden to the majority of the community, having land in the correct zoning with appropriate overlays will benefit the individual land owners.

Financial Impact

Undertaking a Planning Scheme amendment for the purpose of corrections has a negligible financial impact as there are no fees payable for the process and Council has access to resources through the Rural Flying Squad.

(Moved: Councillor J Fidge/Councillor N Amery)

Recommendation

That Council resolve to:

- 1. prepare amendment (Draft Amendment C49) to the Wangaratta Planning Scheme to undertake to correct the anomalies identified in this report.***
- 2. authorise the Chief Executive Officer to seek the Minister's authorisation to prepare and exhibit Draft Amendment C49 to the Wangaratta Planning Scheme and make any necessary minor amendments as may be required arising from the amendment process.***

Carried

Communication

A formal written request for authorisation be forwarded to the Department of Transport, Planning and Local Infrastructure to initiate the amendment process.

The applicants will be advised of the decision.

11.2.2.5 PLANNING PERMIT APPLICATION PInApp13/077 – BUILDINGS AND WORKS FOR A TELECOMMUNICATIONS FACILITY AND ANCILLARY INFRASTRUCTURE AT VISITOR CENTRE, 244 MILAWA-BOBINAWARRAH ROAD MILAWA VIC 3678,

Planning Application

13/077

Summary

Applicant: Aurecon Australia Pty Ltd
Owner: John G Brown, Ross M Brown & Estate of Peter R Brown
Subject Land: Lot 1 PS 520709 Vol 11027 Fol 510, Visitor Centre, 244 Milawa-Bobinawarra Road MILAWA VIC 3678
Zone: Farming Zone
Overlay: Nil
Permit Trigger: Clause 52.19 Telecommunications Facility
Recommendation: Approval

Site and Context

The subject site is within the Brown Brothers winery's land south of the township of Milawa (***refer attachment***). Its location is reasonably central within the block. It is approximately 700 metres south of the Snow Road and the township of Milawa, 250 metres from the nearest dwelling, 500 metres north of the Objectors' land, and 320 metres from the nearest road.

The site already accommodates a reasonably large winery, and as a result features areas of vines to the north, south and west of the proposed facility, as well as considerable shedding, tanks and processing areas to the north east. There is also a large dam located immediately east of the proposed facility.

The applicant has advised that the site was selected with the regard to the prevalence of other manmade vertical structures, including telecommunications facilities, within immediate vicinity. The site is also considered a suitable location in relation to other facilities in the networks as well as the dwellings and businesses that will benefit from the service.

Proposal

The proposal is for a monopole structure 30 metres in height (***refer attachment***). The facility includes ancillary components both on the monopole itself as well as at ground level below. These components include three panel antennas and three remote radio units atop the monopole, one transmission dish antenna 28 metres above the ground, and two outdoor equipment cabinets at ground level. The compound will be enclosed within a fenced compound approximately 60 square metres in area. Access to the facility is via an existing access track from the Milawa-Bobinawarra Road.

Permit Trigger

The subject site is within the Farming Zone with no applicable Overlays. A Permit is not required for Telecommunications Facilities under the Farming Zone provisions; however the Permit is instead triggered under Clause 52.19 of the Planning Scheme.

Relevant Planning Provisions

The following provisions of the Wangaratta Planning Scheme are relevant to this proposal:

| Section | Clause | Provision |
|--|-------------------------------|---|
| State Planning Policy Framework | 12.04-2 14.01-1 19.03-4 | Landscapes Protection of agricultural land Telecommunications |
| Local Planning Policy Framework - MSS | 21.05 21.07 21.11 | Rural Land Use and Agriculture Rural Townships and Settlements Infrastructure and Community |
| Local Planning Policy Framework - Local Planning Policy | 22.04-3 | Public Places, Thoroughfares and Tourist Routes |
| Zones | 35.07 | Farming Zone |
| Overlays | | Nil |
| Particular Provisions | 52.19 | Telecommunications Facility |
| Other Relevant Documents | | |
| Code of Practice for Telecommunications Facilities in Victoria | | |

Referrals

The Application was referred to the following Referral Authorities:

| Authority | Response |
|-------------------------------------|-----------------|
| External Section 52 Referral | |
| Nil | - |
| External Section 55 Notice | |
| Nil | - |

Internal Departmental Advice

| Authority | Response |
|--------------------|----------------------------|
| Technical Services | No Objection or Conditions |

Advertising

The application was advertised to adjoining land owners and an advertisement was placed in the Wangaratta Chronicle. One objection was received and a conciliation meeting was held on the 24 July 2013. The issues were discussed and some resolutions reached. The objection was however not withdrawn.

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

| Issue | Comment |
|--|--|
| Health effects of radiation upon residents and livestock. | This Permit will be conditioned to ensure compliance with relevant standards set by the Australian Communications Authority. |
| Devaluation of property values. | Not a relevant Decision Guideline under the Planning Scheme. |
| Aesthetics. | The facility reaches a notable height, however will be at least 500 metres from the Objectors' land and further still from their dwelling once constructed. It will also be set against a backdrop of many other structures already existing at the Brown Brothers site. Vegetation screens required by Condition on this Permit will further reduce the impact. |
| Preference for the secondary site noted in the associated documents as fewer dwellings would have a direct line-of-sight. | The application can only be assessed against the proposed facility in its proposed location. Applicant also advised in Conciliation Meeting that the secondary site was not suitable specifically because fewer dwelling had a direct line-of-sight and therefore fewer dwellings would benefit from the service. |

Planning Assessment

State Planning Policy Framework (SPPF):

It is considered that Clauses 12.04-2 and 14.01-1 relating to landscape values and protection of agriculture respectively are adhered to as the facility is proposed to be located on an underutilised strip of land between the winery infrastructure and the vines themselves. The existing adjacent sheds and tanks are considered to limit the proposed facility's impact on the landscape.

Clause 19.03 is the State Policy for telecommunications and generally supports the provision of telecommunications infrastructure and recognises there is a balance to be achieved between need and environmental impacts. The policy references the *Code of Practice for Telecommunications Facilities in Victoria* July 2004 ("the Code of Practice"). Compliance with the Code of Practice is considered under subsequent sections below.

Local Planning Policy Framework (MSS & LPPF):

Clauses 21.05 and 21.07 identify the need to preserve the appearance and functionality of agricultural areas. However, they also note the importance of agricultural industries and employment generators. In this regard, the enhanced internet connection for the region is considered to outweigh any detriment to agricultural potential or appearance of the site. The benefits of the provision of enhanced internet are also considered relevant to Clause 21.11 regarding Infrastructure and Community.

Clause 22.04-3 is a Local Policy for public places, thoroughfares and tourist routes applicable to land adjoining or visible from a road zoned RDZ1 such as the Snow Road. The proposed facility is over 700 metres from the Snow Road and it is considered to have minimal impact on views from this popular tourist route.

Zone:

There is no specific Permit Trigger under the Farming Zone, although the proposal is nevertheless consistent with the Zone as it provides investment and enhanced services to productive industries without consuming any productive land or significantly impacting the agricultural landscape.

Particular Provision(s):

Clause 52.19 is for telecommunications facilities. The purpose of this clause is to provide for telecommunications infrastructure to meet community needs in a cost efficient manner with minimal environmental impact. The proposal is consistent with this.

Clause 52.19-6 specifies a number of decision guidelines to be applied in assessing the application. Most relevant to this proposal is minimising the effect of the proposal on adjoining land. It is considered that the effects have been minimised for the reasons previously outlined.

Code of Practice for Telecommunications Facilities in Victoria:

The Code of Practice is an incorporated document in all Planning Schemes in Victoria. It sets out guidelines for the design, siting, construction and operation of a telecommunications facility that a Responsible Authority must consider when deciding on an Application for a Planning Permit. It also sets out four principles for the design, siting, construction and operation of telecommunication facilities. These are:

Principle 1 – A facility should be sited to minimise visual impact:

It is the aim of the Code of Practice to ensure that telecommunication facilities balance the visual impact of the facility against the wider community benefit of providing important telecommunication infrastructure. It is relevant to note that a tower of this nature providing broadband services requires 'line-of-sight' to other monopoles within the network as well as the dwellings and businesses themselves. Therefore excessive screening will hinder the coverage of the facility.

Condition 2 on this Permit will ensure that a reasonable level of screening is provided surrounding the compound.

Principle 2 – Facilities should be co-located wherever practical.

The Applicant advises that the existing telecommunication facilities within the surrounding area are unsuitable for co-location.

Principle 3 – Health standards for exposure to radio emissions will be met.

The Code of Practice requires that telecommunications facilities be designed and installed so that the maximum human exposure levels to radio frequency emissions comply with the Australian Standard determined by ARPANSA (Australian Radiation Protection and Nuclear Safety Agency). The Permit will be conditioned to ensure ongoing adherence to this and any subsequent standards.

Principle 4 – Disturbance and risk relating to siting and construction should be minimised.

Construction of the facility is unlikely to cause any disruption to adjoining properties or public land. The site is located relatively close to an access road and no vegetation is proposed to be removed.

Overall the proposal is considered to satisfy the Code of Practice.

Conclusion

As can be seen from the various policies and guidelines relating to telecommunication facilities, there is a need to balance objectives of minimising the visual impact of such facilities and the need for them to be exposed to provide effective service coverage. These objectives are somewhat conflicting with this kind of tower as it specifically requires line-of-site with dwellings and businesses.

Council is obliged to consider the impact of a proposal on the surrounding area, but also must be mindful of considering the benefits of the proposal to the broader community (i.e. the public interest). The tower component of the facility will be visible from some angles within the locality, but this is considered necessary for the NBN network to work effectively.

On balance and having regard for all the criteria that influence the assessment of this proposal, it is considered the application should be supported.

(Moved: Councillor P O'Brien/Councillor T Atkins)

Recommendation

That Planning Application No. PlnApp13/077 for a Telecommunications Facility and Ancillary Infrastructure be approved and that a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1) *Before the use and development commences, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with those lodged with the application, but modified to show:*

(a) *The landscape buffer as required by Condition 2 of this permit.*

2) *Prior to the development commencing, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:*

(a) *A planting schedule of all proposed trees, shrubs and ground covers including botanical names, pot sizes, sizes at maturity and quantities of each plant;*

(b) *All species selected (must be locally indigenous);*

(c) *A landscaping buffer surrounding the compound on all frontages including the southern side of the proposed access track however excluding the three metres of the compound's western boundary that is reserved for access; and*

(d) *Details of an establishment and maintenance schedule.*

All species selected must be to the satisfaction of the Responsible Authority.

3) *The development as shown on the endorsed plans and described in the endorsed documents must not be altered without the written consent of the Responsible Authority.*

4) *Before the use commences, or at a later date as approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.*

- 5) ***The landscaping shown on the endorsed plan must be maintained to the satisfaction of the Responsible Authority, including any dead, diseased or damaged plants are to be replaced.***
- 6) ***Care must be taken to preserve the condition of existing infrastructure adjacent to the site. If any damage to existing infrastructure occurs as a result of this development, the affected infrastructure must be replaced by the applicant, at the applicant's cost to the specification and satisfaction of the Responsible Authority.***
- 7) ***The permit hereby granted does not approve the removal of any trees (that otherwise would require a permit for removal) from the lot upon which the facility is proposed.***
- 8) ***Access to the site must be constructed to a standard suitable for all-weather use by construction vehicles and machinery maintained for use by maintenance vehicles.***
- 9) ***The telecommunications facility must comply with Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz, ARPANSA, May 2002, or such other standard as is adopted from time to time by the Australian Communications Authority, to the satisfaction of the Responsible Authority.***
- 10) ***This permit will expire if one of the following circumstances applies:***
 - (a) ***the development is not started within five years of the date of this permit; or***
 - (b) ***the development is not completed within seven years of the date of this permit.***

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.

Carried

Communication

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

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

Planning App/C47

11566

Introduction

This report seeks Council's agreement to seek Minister's authorisation and place on public exhibition a Draft Amendment to rezone 2-6 Green Street, Wangaratta from Residential 1 Zone to Commercial 1 Zone and to apply an Environmental Audit Overlay over the site.

Background

The site is an irregular shape, comprises approximately and area of 3200 square metres and is currently in the Residential 1 Zone.

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

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

Current Situation

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

Under the current Residential 1 Zone; a stand-alone car park is prohibited, however, the location of the site is appropriate for this type of use and is not suitable to be developed for residential purposes.

Any improvement and remediation to this site would be welcome given that it is a large parcel of land in a prime location and has been vacant and unsightly for many years. However, in order for this to happen, the site must be rezoned to a more appropriate zone.

The amendment would ensure appropriate planning controls are in place to restrict the site's future use to non-sensitive uses and to recognise its former use as a fuel depot.

The Commercial 1 Zone would allow for the use and development of the land for a range of uses as permit required uses, however, as some sensitive uses are also permitted, an Environmental Audit Overlay would also be applied to the site which would require a Certificate of Environmental Audit to be issued before any sensitive use is permitted.

URS have undertaken an Environmental Site Assessment (ESA) which has shown some residual contamination which, given the historical use, would be expected.

It is therefore proposed to enter into a Section 173 Agreement with the land owner and register the Agreement on title. The Agreement would restrict the use of the site to non-sensitive uses, restrict certain activities such as soil and ground water extraction and require the notification to subsequent land owners of the past use of the site.

This Draft Amendment (*refer attachment*) proposes:

Zoning Maps

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

Overlay Maps

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

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

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

The Draft Amendment and supporting documents is being finalised in conjunction with URS and EPA. Once finalised, Council can then forward the Draft Amendment to the Minister for authorisation to proceed with public exhibition of the Draft Amendment.

Implications

Sustainability

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

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

Community Engagement

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

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

Once authorisation is obtained by the Minister it will be placed on public exhibition and submissions can be made.

Financial Impact

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

(Moved: Councillor T Atkins/Councillor N Amery)

Recommendation

That Council resolves to:

- 1. seek the Minister's authorisation to prepare and exhibit Draft Amendment C47 to the Wangaratta Planning Scheme; and***
- 2. authorise the Chief Executive Officer to make any minor amendments or changes to the Draft Amendment with the Minister as may be required.***

Carried

Communication

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

11.2.2.7 PLANNING PERMIT APPLICATION PLNAPP13/078 - DEMOLITION OF A BUILDING AND CONSTRUCTION OF A SHED AT 2-12 EVANS STREET WANGARATTA VIC 3677.

Planning Application

13/078

Summary

Applicant: North East Planning Plus
Owner: Rural City Of Wangaratta
Subject Land: CA C Sec NO Par Wangaratta
2-12 Evans Street WANGARATTA VIC 3677

Zone: Special Use Zone – Schedule 1
Overlay: Heritage Overlay – Schedule 12
Flood Overlay (FO)
Land Subject to Inundation (LSIO)
Permit Trigger: Demolition of a Heritage Building and construction of a Shed (Buildings and Works)

Recommendation: Issue a Notice of Refusal

Site & Context

The subject site is known as the Wangaratta Showgrounds and the building which is the subject of this application is known as the Scarecrow Pavilion and is located on the on the sites western boundary, immediately south of the sites Western property entrance.

A row of Heritage listed trees adjoin the site to the west and overhang the building. The location of the building is indicated in the Aerial Photograph attached to this report (*refer attachment*).

The surrounding area is characterised by a mix of buildings relating to the mixed use of the land as a Rural Showground and Outdoor Sporting Centre.

Proposal

The applicant proposes the demolition of an existing heritage listed building known as the Scarecrow Building and its replacement with a shed finished with metal cladding.

The applicant proposes to replace the Pavilion with a Shed, which will have an overall length of 38 metres, a width of 7.6 metres, a wall height of 3.3 metres and an overall height of 4.1 metres. The shed is designed to have four 2.5 metre wide roller doors along its front elevation. A copy of the plans are attached to this report (*refer attachment*).

Planning Permit Trigger

- Clause 37.01- (Schedule 1) -3 Buildings and Works – Special Use Zone
- Clause 43.01-1 (Heritage Overlay) Demolition of a Building
- Clause 43.01-1 Buildings and Works

Relevant planning provisions

The following provisions of the Wangaratta Planning Scheme are relevant to this proposal:

| Section | Clause | Provision |
|---|---------|----------------------------------|
| State Planning Policy Framework | 15.03 | Heritage & Heritage Conservation |
| Local Planning Policy Framework -MSS | 22.06-3 | Heritage Places and Precincts |
| Local Planning Policy Framework - Local Planning Policy | 22.06-3 | Heritage Places and Precincts |
| Zones | 37.01 | Special Use Zone – Schedule 1 |
| Overlays | 43.01 | Heritage Overlay – Schedule 12 |

Referrals:

The application was referred to the following referral authorities:

| Authority | Response |
|------------------------------|----------|
| External Section 52 Referral | N/A |
| External Section 55 Notice | N/A |

Internal Departmental Advice:

| Department | Response |
|------------------|--|
| Heritage Advisor | <p>Objection – see comments below:</p> <p><i>‘It is recommended that demolition not be supported, as the pavilion is integral to the group of historic agricultural buildings. These buildings have the capacity to demonstrate a number of historic themes and this includes the unusual architecture, which is distinguished by its rareness both regionally and state wide.’</i></p> |

Advertising

Notice of the application was not given, as it was considered that the proposal will not have any detrimental impact on the adjoining properties due to the location of the building.

Planning Assessment

State Planning Policy Framework (SPPF)

Clause 15.03-1 (Heritage conservation) seeks to *'ensure the conservation of places of heritage significance'*. The Scarecrow Pavilion is an identified place of heritage significance through the application of a heritage overlay.

Local Planning Policy Framework (LPPF)

Clause 22.06-3 (Heritage Places and Precincts), provides guidance and applies to properties or precincts identified by a heritage overlay within the planning scheme.

This policy seeks to *'encourage the conservation, and discourage the demolition, of all significant and contributory heritage places in the Heritage Overlay'*. Heritage advice cites that the Pavilion is of Cultural Significance and contributes to the group of unique buildings which are considered to be of local and state wide significance.

The proposal to demolish this building and construct a typical shed is at odds with and not supported by the objectives of this Local Policy, which seek to *'Encourage the retention, reuse and recycling of significant and contributory heritage places in the Heritage Overlay in a manner which conserves and does not detract from the significance of the heritage place and/or precinct'*, and to *'discourage the demolition of a significant or contributory building unless and only to the extent that:'*

- *The building is structurally unsound or cannot be feasibly reused.*
- *The replacement building and/or work displays design excellence which clearly and positively supports the ongoing heritage significance of the area.*

The application is not supported by this section of the policy. It is noted that the condition of the building has been described as poor, however as advised by Council's Heritage Advisor there is currently the ability to undertake restoration works re-using a lot of the existing building fabric.

Council's Heritage Advisor has provided a history of the Scarecrow Building and a description of its architectural characteristics as outline below:

'The Scarecrow Building has had a number of uses and this includes the former Animal Nursery and a small animal or bird pavilion. It is a timber-framed building with squared sections of earth-fast timber sections with timber rails. The walling is corrugated galvanised metal as is the roof. The design of the roof is atypical and its semi-circular curved profile has a distinctive architectural character and it contributes to the complex of quaint architectural buildings.'

'As with most of the other representative buildings the emphasis of the structure is to provide an appropriate place for the display and care of animals or birds. This has been achieved in this instance by creating a central space [with generous ceiling height] and with a division of corral like stalls. The design is functional but has pleasing proportions and its use of large sections of timber

[both horizontal and vertical] complement the rural aesthetic. The circular pitch to the roof contributes to the vernacular charm and provides a pleasing counterpoint to the other buildings – all which display and idiosyncratic charm.'

Zone – Special Use Zone 1 (Showgrounds)

The purpose of the zone is to:

'To provide for the use of the Wangaratta Showgrounds for the Wangaratta Show and in the non-show period for a range of entertainment, recreational, commercial and community activities.' And;

'To encourage the multiple use of land and buildings within the showgrounds to facilitate its usage throughout the year.'

There is no permit trigger for demolition of the Pavilion under the provisions of this zone. A permit however is required for the construction of any Buildings and Works on the land. Council must have consideration to the decision guidelines of this zone, which includes to consider *'The streetscape, including the conservation of buildings, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road'*.

It is considered that the demolition of the heritage building and the replacement with a standard shed in a heritage precinct is not an appropriate response to these decision criteria.

Heritage Overlay – Schedule 12

The subject land is identified as a Heritage Place of Significance (Item 12), Wangaratta Show Grounds. The Rural City of Wangaratta – Heritage Study (Doring, May 2004) identified and reviewed all of the buildings on the Showgrounds. The Scarecrow Pavilion is an individually listed building under this precinct overlay.

The purpose of the Heritage Overlay (Clause 43.01), includes *'to conserve and enhance heritage places of natural or cultural significance'* and *'to ensure that development does not adversely affect the significance of heritage places'*.

It is considered that the proposal to demolish the listed building is at odds with the objectives of the heritage overlay. The purpose of which is to protect and enhance heritage places.

As previously discussed the application was referred to Councils Heritage Advisor who has raised significant concerns with the proposal to demolish the Heritage listed building, and provided the following advice:

'It is recommended that demolition not be supported, as this pavilion is integral to the group of historic agricultural buildings. These buildings have the capacity to demonstrate a number of historic themes and this includes the unusual

architecture, which is distinguished by its rareness both regionally and state wide’.

Historic Significance

‘The Wangaratta Show was one of the earliest show groups to become established within the Colony of Victoria and its importance to the development of the region should not be underestimated. The sustained quality of exhibits, the range of classes all contribute to an understanding of the premier agricultural enterprises that were established during the early 19th century and this same quality of enterprise.’

Cultural Heritage Significance

‘The Wangaratta Showgrounds are included in the Schedule to the Heritage Overlay as HO12. The extent of registration includes the whole of the showgrounds but not all the structures and landscape features are of significance.’

‘Of particular significance are the group of late 19th and 20th century agricultural animal [and poultry and avian] pavilions. This particular group contributes to an understanding of the historic importance of the Showgrounds. They also have a high aesthetic significance for their particular design and unlike many of the later buildings [mid to late 20th Century] they exhibit particular and architectural and decorative features. As a group of representative buildings they are unparalleled in Victoria and are identified as having state significance.’

Physical Condition

‘The condition of the pavilion is poor as the current structural system of earth fast posts has failed due to rot. In addition to this the braches and the needles from the cedar trees [west boundary] have accelerated the natural ageing of the metal roof. However, while being in poor condition there is scope for the restoration as the majority of the fabric is re-usable.’

The permit applicant was made aware of heritage concerns initially within Council request for further information letter (15 May, 2013). This letter also advised that support would be given only to the restoration of the building and it was suggested that an on-site meeting be called to discuss this option.

The permit applicant advised Council that their client was not interested in restoring the building and sought the demolition of the existing structure and the construction of a new shed.

However, following further advice that the matter would not be supported, the permit applicant requested an onsite meeting. This meeting took place on the 5 July, 2013 with the permit applicant, representatives of the Show Society, Councils Planning Department Staff, Heritage Advisor and Recreation Planner.

Discussion at the meeting centred around two main issues being the restoration of the existing Scarecrow Pavilion and any alternative siting of a new shed.

Four options were discussed for the siting of a new shed, with the most appropriate and practical being the area immediately to the south of the Scarecrow Pavilion.

Council's Heritage Advisor offered to explore funding options for the Show Society through Heritage Grants to facilitate the adaptive re-use and restoration of the building, in addition to the construction of the new shed.

This would enable the construction of a new shed to the south, which ultimately (subject to funding) could be linked to the restored Scarecrow Pavilion, therefore doubling the available storage and show space for use during the year and at show times.

The agreed outcome at the conclusion of the meeting was that the Show Society would consider the options and advise Council's Planning Department how they wished to proceed. Following the meeting, the permit applicant advised Council that their clients wished that the application should be considered as submitted and reported to a meeting of Council.

Therefore, having regard to the policy within the Planning Scheme the advice of Council's Heritage Advisor, support for the proposed demolition cannot be recommended.

Conclusion

The proposed demolition is considered to be inconsistent with the objectives of the Heritage Overlay and therefore cannot be supported. The Scarecrow Pavilion forms part of a cluster of agricultural buildings relating the historic and present use of the land as a Rural Show Grounds. As discussed within this report the buildings are considered to be of regional and state – wide significance and demolition of this building and its replacement with a regular iron clad shed is not considered an appropriate heritage response.

Alternative options for siting have been offered to the applicant and assistance in sourcing funding for the restoration of the Pavilion, however all these options have been rejected by the applicant at this stage. Therefore considering the merits of the application support cannot be recommended for the demolition and replacement building.

Recommendation

That Planning Permit Application No. PInApp13/078 for Demolition of a Building and the Construction of a Shed be refused and that a Notice of Decision to refuse a Permit be issued for the following reasons:

- 1. the proposed demolition is inconsistent with the purpose of Clause 43.01 (Heritage Overlay – Item 12) of the Wangaratta Planning Scheme in that it promotes the demolition of a listed building and a place of cultural significance and does not facilitate the conservation and enhancement of places of cultural significance; and*
- 2. the proposed new building is of a scale and design that is not consistent with the heritage characteristics of the surrounding listed buildings and is inconsistent with the purpose of the Heritage Overlay.*

(Moved: Councillor J Fidge/Councillor P O'Brien)

That the report lay on the table to allow for further consultation.

Carried

Communication

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

11.2.2.8 ENGAGEMENT OF A CONSULTANT TO PROVIDE PEST PLANT AND ANIMAL CONTROL COORDINATION

Consultant Engagement - Approval by Council

20.010.010

Introduction

This report is presented to Council following a review of alternate delivery methods in regard to Council's weed and pest control on roadsides program.

An initial report was presented to Council on 19 March 2013

Background

Council conducts weed and pest control to meet legislated responsibilities and improve natural conservation on Council managed land, often in sensitive environmental areas. The seasonal nature of this work creates peak periods when consultant assistance is needed to fulfil the works program.

Council has adopted a four year program for weed and pest control on rural roadsides, funded jointly with the State government. Other works conducted in rural areas are on the Rail Trail; on Council owned properties and specific weed control funded by VicRoads.

Weed and pest control contractors have been engaged following a tender process. Rather than having several coordinators of these contractors for different projects, it has proven to be efficient and effective to have one point of coordination. A consultant has been delivering this service for 2 years. The work includes communication with Landcare groups and the public.

The consultant provides about 400 hours of work per year, working seasonally and on an hourly basis. The cost of consultant work is around \$26,000 per year. The consultant assists in coordination and monitoring of weed and pest control needed in rural areas with a total budget of about \$200,000 for on ground works. About half of this amount is the roadside weed and pest program, which runs till mid 2015 with an annual grant from the State government of \$43,800.

VicRoads has recognised the value of a coordinated approach and the effectiveness of Council's program. In 2012/13 VicRoads paid \$11,000 to Council to include work for specific weeds on designated roads. The largest part of the coordination work is paid from the funded programs.

Issues

The use of consultants enables the environment unit to deliver the program effectively in the peak program periods. In 2011 a quote process appointed a consultant for a two year term. It is proposed to again call for quotations for this work, to be valid for 2 years. At the end of this period the availability of grant funds will be reviewed, and a consultant may not then be the most effective option.

Implications

The consultant is employed on an hourly basis due to the considerable variance in the hours worked. There is little work from June to August, and a peak from September to December. In the peak spring weed control season, the consultant works up to 4 days a week in some periods. There is then supplementary work to organise blackberry and rabbit control in autumn.

Coordinating such work needs expertise in habitat conservation, native vegetation and weed identification, contract management, weed control techniques and community liaison.

If the Council officer with native vegetation and weed control expertise was to undertake this work, this position would have to be backfilled to ensure the ongoing work continues. Diverting this officer would impact on other Council project management, advice to planning on permits applications involving native vegetation removal, advice for grazing permits, liaison with local groups and other ongoing work. It would be more disruptive to Council work to divert this officer than engage a consultant for this specific work.

Conclusion

Approval is sought to engage a consultant to provide Pest Plant and Animal Control Coordination Services in accordance with Council's purchasing policy, for a period of two years.

The Consultant Request Form is attached (*refer attachment*).

(Moved: Councillor D Joyce/Councillor T Atkins)

Recommendation

That Council resolves to approve the engagement of a consultant to provide Pest Plant and Animal Control Coordination for a period of two years in accordance with Council's Procurement Policy.

Carried

11.2.3 COMMUNITY WELLBEING

11.2.3.1 APPOINTMENT OF COUNCILLOR REPRESENTATIVE TO THE HIGH COUNTRY LIBRARY BOARD

HCLC

69.010.001

Introduction

The High Country Library Corporation is a Regional Library service formed in 1996 in accordance with Section 196 of the *Local Government Act 1989* between Alpine Shire Council, Delatite Shire Council (Benalla Rural City Council) and the Rural City of Wangaratta.

This report seeks Council appointment of a Councillor Representative and a Councillor to act as deputy when the Councillor Representative is unable to attend Board meetings.

Background

Wangaratta Library is part of the High Country Library Corporation, which provides library services to communities in four north-east Victorian municipal areas – Alpine Shire, Benalla Rural City, Mansfield Shire and the Rural City of Wangaratta. High Country Library Corporation serves a total population of 64,000.

The Wangaratta Library is one of the largest joint use libraries in Australian and involves a partnership between the Rural City of Wangaratta, Goulburn Ovens Institute of TAFE and the High Country Library Corporation. Library membership increased from 10,831 in 2011/12 to 11,471 in 2012/13. Use of the wireless internet service increased from 7,670.5 hours to 8,452.5 hours over the past 12 months. This valuable service continues to grow in demand.

Issues

The High Country Library Corporation Board comprises a Councillor, and a Council Officer or Community Representative from each municipality. The High Country Library Corporation Board Chair Person is Cr. Jan Vonarx from Alpine Shire. Board meetings are held bi-monthly.

Mr Michael O'Sullivan is currently the Rural City of Wangaratta's Community Representative on the Board.

Councillor McInerney was previously Wangaratta's Councillor Representative before her resignation from Council. A new Councillor Representative is now required for the High Country Library Corporation Board.

Under Clause 3.2 of the Regional Agreement between member Councils, Council can also appoint a Councillor as deputy, who would have the right to vote in the absence of the nominated Councillor Representative.

Implications

Corporate Plan Objectives

High Country Library Corporation Board membership contributes to the achievement of Council Plan 2013-2017 Objective 2.4: To make a significant contribution to the arts, cultural, social and economic wellbeing of the community. Ensure participation and access for all.

Board membership also assists in the implementation of Action 2.4.2.1: Provide facility based and outreach library services that can be accessed by all residents through the High Country Library Corporation.

Community Outcomes

The High Country Library Corporation Board is focused on providing every member of the communities it serves free access to resources, information and programs that promote reading, learning and social interaction.

The *Wangaratta Library Strategic Plan* builds on the universal priorities adopted by public libraries around the world:

- Social inclusion – libraries play a critical role in reducing disadvantage and barriers to social inclusion. These barriers can influence a person's capacity to access education, employment, health and social services, as well as limiting their ability to be active members of the community. Often the library is the first port of call for a person who is new to a township or city or wishing to make social contact within a community;
- Technology and innovation – the internet has expanded access to a mass of online and electronic information, but the digital divide will widen if people cannot get help to navigate, access and make sense of this information. There are new opportunities for content creation and the establishment of global virtual communities. And, as e-books become commonplace, a library's collection will become increasingly digital;
- Reading and information literacy – Libraries are a haven for those who take pleasure in reading. Public libraries' contribution to reader development precedes, underpins and complements literacy outcomes from school education. Libraries also have a role in supporting adult literacy and building information literacy skills;
- Community engagement – Local councils, and government at all levels, recognise the need to develop and nurture more inclusive integrated and resilient communities. The public library is one of the last remaining freely accessible public services. Libraries provide places and spaces in which local communities can meet, exchange ideas and retain their local history and cultural identity; and
- Lifelong learning – The wellbeing of individuals and their ability to participate in a knowledge-based society and economy depends on a good basic education and constant acquisition of new knowledge and skills. In the 21st

century, learning is not confined to a period of formal education at the beginning of life. It is formal informal, personal, employment-linked, recreational and lifelong.

Financial Impact

There are no financial impacts associated with this matter.

Environmental Impact

There are no environmental impacts associated with this matter.

Organisational Impact

Council is required under the Regional Agreement with member Councils to formally appoint a Councillor Representative, and a Council Officer or Community Representative to the High Country Library Corporation Board.

(Moved: Councillor T Atkins/Councillor D Joyce)

Recommendation

That Council resolves to:

- 1. appoint Councillor Colin McClounan as Councillor Representative to the High Country Library Corporation Board; and***
- 2. appoint Councillor Paul O'Brien to act as Deputy in place of the Councillor Representative named in part 1 of the recommendation.***

Carried

Communication

The High Country Library Corporation will be advised of Council's resolution.

11.2.3.2 2014/15 COMMUNITY FACILITY FUNDING PROGRAM

Sport and Recreation Funding Information

61.010.002

Introduction

The purpose of this report is to inform Council of the results of the Community Facility Funding Program Stage One; and secure Council endorsement for full applications to be submitted for the approved project proposals.

Applications for the Department of Transport, Planning and Local Infrastructure's 2014/15 Community Facility Funding Program are due on Wednesday, 21 August 2013.

Changes to the Community Facility Funding Program have resulted in a two stage application process. Stage One required the submission of project proposals by 5 June 2013.

Background

The Community Facility Funding Program assists in providing high-quality, accessible community sport and recreation facilities across Victoria by encouraging:

- increased sport and recreation participation;
- increased access to sport and recreation opportunities;
- better planning of sport and recreation facilities;
- innovative sport and recreation facilities;
- environmentally sustainable facilities; and
- universally designed facilities.

The Community Facility Funding Program provides grants for:

- planning;
- building new facilities; and
- improving existing facilities.

The Department of Transport, Planning and Local Infrastructure has indicated the following timelines for the 2014-15 Community Facility Funding Program:

| | |
|---|-----------------|
| CFFP open | 6 May 2013 |
| Council meeting – CFFP Project Proposals Approval (this report) | 21 May 2013 |
| Project proposals due | 5 June 2013 |
| DPCD advises project proposal outcome | Early July 2013 |
| Council Meeting to approve submission of applications | 20 August 2013 |
| Grant application due to DPCD | 21 August 2013 |
| Funding announcements | December 2013 |

At the Ordinary Council Meeting held on 21 May 2013, Council approved the submission of project proposals for the following three projects by 5 June 2013:

- Walking and Cycling Strategy (Planning Category);
- Moyhu Tennis Court Redevelopment (Minor Category); and
- City Oval/Tennis Precinct Multipurpose Sporting Development Project - Stage One (Major Category).

Walking and Cycling Strategy

Council's existing Strategy, *Cycling to the Future*, was adopted by Council in 1999. The Strategy focused on cycling paths throughout Wangaratta as well as the development of the rail trail network throughout the municipality.

The Hume Region is currently undertaking a regional strategic plan focusing on significant tracks and trails, and this is informing the review of the existing strategy and development of a new municipal-wide strategic document.

Population increase in the Rural City of Wangaratta has been matched by increased interest in cycling as a leisure and recreation pastime. The focus of the new strategy will be on catering for this growth in cycling and walking by identifying required infrastructure throughout the Rural City of Wangaratta.

Moyhu Tennis/Multiuse Facility

The Moyhu Recreation Reserve Masterplan is complete and the priority project is the development of a multi- use tennis facility. The facility includes:

- Re-development of the two tennis courts with one designated as a multi-use court (tennis/basketball);
- Connection of electricity to the site; and
- Provision of toilet facilities.

The project will also benefit the Moyhu Football/Netball Club by providing added amenities for football and netball spectators. The Greta Cricket Club participants and Moyhu Youth Club will also be able to utilise the facilities.

City Oval/Tennis Precinct Multipurpose Sporting Development Project

The project is the result of consultation with the precinct user-groups, and incorporates the following:

- Multipurpose building (272 sq. metres) with public toilets, change rooms, meeting space, kitchen and storage;
- 2 multi-use courts and lighting (including removable tennis netting and netball goal posts);
- Shelters for netball team and scorers;
- Storage for tennis/netball equipment;
- Decommission existing netball court and return to parking;
- Relocation of existing cricket nets; and
- Access paths/roads.

Issues

The Department of Transport, Planning and Local Infrastructure has responded to the project proposal submissions, advising Council that two of the three project proposals have been selected to proceed to the full application stage:

- City Oval/Tennis Precinct Multipurpose Sporting Development Project - Stage One (Major Category); and
- Moyhu Tennis Court Redevelopment (Minor Category).

The Walking and Cycling Strategy (Planning Category) project proposal was not recommended to progress to full application stage. Feedback from the Department of Transport, Planning and Local Infrastructure officers indicate that an application for a Walking and Cycling Strategy would be viewed more favourably once the Hume Region Significant Tracks and Trails regional project has been completed.

Implications

Council Plan Outcomes:

These projects contribute to the achievement of *Council Plan 2013-2017* Objectives:

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

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

Strategies:

The projects are guided by the following Council adopted Strategies and Plans:

Recreation Strategy:

1. Manage the use of playing surfaces to increase overall capacity by encouraging the use of alternative training venues when required.
2. Implement the Wangaratta Recreation Parklands Master Plan that applies to HP Barr Reserve, the Wangaratta Showgrounds and WJ Findlay Reserve.
3. Enhance HP Barr Reserve, Merriwa Park and Apex Park as destinations for residents and tourists in line with the approved or proposed master plans while protecting their landscape and natural values.

Parklands Master Plan:

1. Upgrade two of the existing tennis courts to create two multipurpose courts for use by the Wangaratta Rovers Football Netball Club for netball training purposes and the Wangaratta Hard-court Tennis Association.
2. Pending the creation of two multi-purpose courts for use by the Wangaratta Rovers Football Netball Club and the Wangaratta Hard-court Tennis Association:
 - Decommission and remove the netball court in WJ Findlay Reserve.
 - Explore opportunities to develop clubroom and change room facilities to be used jointly by the two organisations. Issues to be considered and addressed include:
 - The location, size and mix of facilities required to meet the needs of both organisations.
 - The practicalities of joint use of a facility i.e. access times, cleaning, etc.
3. Pending the development of new clubroom and change room facilities as per recommendation above, decommission and remove the existing Hard-court Tennis Association clubrooms (user-groups have determined that, rather than building removal, the existing Hard-court Tennis Association clubrooms will provide valuable storage for tennis and hockey infrastructure upon the completion of stage two of the project).

Community Engagement

The City Oval/Tennis Precinct Multipurpose Sporting Development Project - Stage One is supported by:

- Rovers Football-Netball Club;
- Rovers United Cricket Club;
- Wangaratta Hard-court Tennis Association; and
- Wangaratta Hockey Club.

The Moyhu Tennis/Multiuse Facility is supported by:

- Moyhu Recreation Reserve Committee of Management;
- Moyhu Tennis Club;
- Moyhu Football Netball Club;
- Moyhu Youth Club; and
- Greta Cricket Club.

Program guidelines stipulate that priority will be given to projects that demonstrate collaboration between a range of stakeholders.

Sustainability

The estimated total project costs have been revised following discussions with the Department of Transport, Planning and Local Infrastructure, and community groups on levels of contributions expected.

The following table provides the draft budget for each project:

| Organisation | Project | Estimated Total Project Cost | Estimated Community Contribution | Estimated Contribution sought from Council | Estimated Contribution sought from DTPLI |
|---|--|------------------------------|-----------------------------------|---|--|
| Moyhu Tennis & Recreation Reserve Committee | Tennis/multi use facility: Redevelop two existing tennis courts and add multiuse surface, power upgrade and amenity installation | \$135,700 | \$14,000 (inc \$2,000 in-kind) | \$35,000 Subject to budget approval | \$86,700 |
| City Oval-Tennis Precinct User-Groups | City Oval/Tennis Precinct Multipurpose Sporting Development Project Stage One | \$1,020,000 | \$110,000 | \$375,000 13/14, 14/15 subject to budget approval \$25,000 11/12 Community Grant | \$510,000 |

Council has allocated \$340,000 towards the City Oval/Tennis Precinct Multipurpose Sporting Development - Stage One in the Draft 2013/14 Budget. A total of \$25,000 has been set aside in the 2011/12 Community Grant Program for

the project. A further \$35,000 Council contribution from the 2014/15 budget will be required to complete the project.

Conclusion

Recent changes to the Community Facility Funding Program have resulted in a two stage application process requiring the development of new internal processes for Council. Approval is being sought from Council to progress successful projects from the project proposal stage to full applications as recommended by the Department of Transport, Planning and Local Infrastructure.

Full applications will be developed and submitted for the City Oval/Tennis Precinct Multipurpose Sporting Development - Stage One, (Major Category) and the Moyhu Tennis/Multiuse Facility by the required date of 21 August 2013.

(Moved: Councillor D Joyce/Councillor C McClounan)

Recommendation

That Council resolves to:

- 1. Support the submission of applications under the Victorian Government's Community Facilities Funding Program by the required date of 21 August 2013 for the:***
 - City Oval/Tennis Precinct Multipurpose Sporting Development - Stage One, (Major Category); and***
 - Moyhu Tennis/Multiuse Facility Project (Minor Category);***
- 2. Enter into a binding agreement with each Club to guarantee cash and in-kind commitments should the applications be successful.***

Carried

Communication

Stakeholders involved in these projects and development of the applications will be informed of Council's decision.

11.2.3.3 CONTRACT C1213-051 FOR THE PROVISION OF ANIMAL MANAGEMENT SERVICES

Animal Management Services

30.074.051

Introduction

This tender evaluation report for Contract C1213-051, for the provision of Animal Management Services for the Rural City of Wangaratta located at Connell Street, Wangaratta (the Pound), has been brought to Council for a decision as the costs across the two year contract are anticipated to total \$238,069.

Contract Details

Contract C1213-051 does not include the animal re-homing/adoption service run out of the same facility that is fully managed and funded by the RSPCA.

The duration of the contract is for two years.

Advertised Contract Dates

Tenders for this contract were invited through advertisements as follows:

| | |
|----------------------|-------------|
| Wangaratta Chronicle | 31 May 2013 |
| Tenderlink | 7 June 2013 |

Tenders closed at 2.00pm on Tuesday 2 July 2013.

There was no pre tender meeting for this contract.

Tender Evaluation Panel

The tender evaluation panel comprised Council's Manager Community Health and Amenity; Team Leader Enforcement; and Senior Engineer – Contracts.

Tenders Received

One tender was received by the due date from RSPCA (Victoria) Incorporated, 3 Burwood Highway, East Burwood 3451.

The RSPCA tender submission is based on a "per unit" cost to Council for impounded animals. A number of options are available to Council with regard to pricing and cost recovery for animals impounded.

Using 2012/13 animal impoundment figures as a prediction of future demand, the submitted price per unit schedule and the existing animal release fee of \$70.00, likely costs to Council have been calculated as \$116,987 in Year 1 and \$121, 082 in Year 2.

Tender Evaluation

The tender was evaluated in accordance with evaluation criteria set out in the Conditions of Tendering. However, as there was only one tender submission the provider was assessed against their ability to deliver the service, but no weighting was applied.

Conclusion

The RSPCA, as the incumbent contractor, has a strong demonstrated ability to fully perform the functions of the service and meet contract requirements over the next two years.

The current Council budget allocation in the 2013/14 Budget allows for a total expected expenditure of \$202, 750 across the life of the two year contract. Whilst this is less than the amount required to cover anticipated costs of \$238,069 under the new contract, this increased cost to Council is expected to be covered by an increase in the release fee for dogs that are impounded.

(Moved: Councillor J Fidge/Councillor N Amery)

Recommendation

That Council resolve to:

- 1. award Contract C1213/051 for the Provision of Animal Management Services to RSPCA (Victoria) Incorporated, 3 Burwood Highway, East Burwood 3451, for a two (2) year period commencing 21 August 2013 and ending on 20 August 2015; and***
- 2. authorise the Chief Executive Officer to sign and seal all relevant Contract 1213/045 documents when available.***

Carried

11.2.3.4 ANIMAL IMPOUNDMENT RELEASE FEE OPTIONS

Animal Management Services

30.074.051

Introduction

This report seeks Council's approval of an increased release fee for impounded dogs to recoup animal holding costs incurred by Council under Contract C1213-051 for the provision of animal management services.

Background

Council must, under Section 84 of the *Domestic Animals Act 1994*, hold seized animals for 8 days (or surrendered animals for 14 days). The RSPCA has been undertaking this function on behalf of Council under the Animal Management Services Contract, which commenced in August 2011.

Generally, the animal holding costs are directly incurred by councils, however some of these can be recouped by reclaim fees, fines and passing on daily charges to pet owners.

The previous contract, which was intended to be established as a "user pays" service, required no expenditure from Council to provide a pound facility. The pound facility is fully owned by the RSPCA.

The RSPCA covered the costs of housing animals, for the required holding period, within their own operations. The RSPCA received the income from Council's 'Reclaim Fee' to partially offset the cost of feeding and housing seized or surrendered animals when they were reclaimed.

Issues

The new Contract 1213-051 does involve new costs to Council. Using 2012/2013 animal impoundment figures as a prediction of future demand, likely costs to Council have been calculated using a 'price per unit' schedule submitted by the RSPCA in the recent tender process, and the existing animal release fee of \$77.00. Year 1 of the contract is estimated to cost Council \$116,987; and \$121,082 in Year 2, totalling \$238,069 across the two years.

The current Council budget allocation for 2013/2014 and 2014/2015 allows for a total expected expenditure of \$202,750 across the life of the two year contract. This is less than the amount required to cover anticipated costs.

This increased cost to Council can be reduced by income that may be obtained by either increasing the animal release fee or fining dog owners whose dogs are impounded for 'Dog at Large' under the *Domestic Animals Act 1994*.

Implications

Issuing a fine each time a dog is impounded under the *Domestic Animals Act 1994*, or increasing the release fee for dogs would reduce the cost to Council

while having the effect of increasing costs to animal owners. The following options represent a different level of Council 'subsidy' for owners whose animals are impounded and this is displayed below:

Animal Impoundment Release Fee, Fine and Daily Sustenance Fee Scenarios:

| | Option 1 | Option 2 | Option 3 | Option 4 |
|------------------------|--|--|---|--|
| Dog Impound Fee | Cost to Council per dog \$77 Release Fee and No Fine | Cost to Council per dog \$77 Release Fee and \$217 Fine | Cost to Council per dog \$140 Release Fee (fines not applied) | Cost to Council per dog \$100 Release Fee and \$20 per day |
| \$220.00 | \$143.00 | -\$74.00 | \$80.00 | -\$40.00 |
| Cat Impound Fee | Cost to Council per cat \$77 Release Fee and No Fine | Cost to Council per cat \$77 Release Fee (No fines applicable) | Cost to Council if \$140 Release Fee | Cost to Council per cat \$100 Release Fee and Daily Sustenance Fee |
| \$120.00 | \$43.00 | N/A | Not Recommended | Not Recommended |

Discussion on Preferred Cost Recovery Model

Option 1 of maintaining the status quo (or no increase in fees and no or limited fines) has the effect of Council 'subsidising' animal owners who don't meet their obligations and allow their pets to roam.

Given that Council must hold seized dogs for 8 days (or surrendered animals for 14 days), Officers have anecdotal evidence that residents often choose impoundment rather than pay for kennel rates when they go away, particularly over school holidays and peak periods when the boarding kennels are full. With the current release fee of \$77 it is certainly cheaper for owners to have their animal impounded for 'stays' of more than 3 days. Prior experience has shown that the majority of animals are collected within the first 2-3 days.

Average daily boarding rates at nearby private facilities are \$20 to \$25 for a dog, and \$15 to \$16 for a cat.

Option 2 of fining dog owners on a mandatory basis (that is for each dog impounded 'at large') is considered to be overly punitive and may have the effect of dissuading dog owners from reclaiming their animals.

Option 3 is the preferred cost recovery model. This option ensures that the existing release fee for cats is retained and that the release fee for dogs be increased to \$140 with no daily levies for sustenance applied. Year 1 cost to Council under this preferred model is \$87,200, which is under the \$100,000 allocation in the 2013/2014 budget. There would be an increased cost of \$63 to the pet owner for each animal impounded and released.

Option 4 of a \$100 release fee plus daily sustenance of \$20 would cost a dog owner \$240 to leave their animal at the pound while they are on holidays for 7 days (this cost is marginally higher than private kennel fees).

With the RSPCA charging a flat fee of \$220 per dog (as per the fee schedule submitted by RSPCA in the tender); Council potentially levying a daily sustenance fee of \$20 and \$100 release fee; and an expected stay of 3.3 days per animal, Council would only receive a further \$12,160 in income (and still be \$7,507 above the budget allocated in 2013/14 for year 1 of the contract). If the sustenance fee were lower (say \$15 per day), the gap would be higher (approximately \$10,550 above budget).

Release fees at a number of Victorian councils, for comparison purposes, are as follows:

- Shepparton - \$72 release fee plus \$20 per day;
- Moira - \$102 release fee plus \$5.00 per day sustenance;
- Mansfield Shire - \$150 release fee plus \$24 per day sustenance; and
- Latrobe Shire - \$74 release fee (first offence); \$103 release fee (subsequent offences) plus \$14.50 per day sustenance.

Council officers will continue to ensure, as they do now, that impoundment is a 'last resort' so that costs to both Council and individual pet owners are kept to a minimum. Animals will be checked against registration records and microchip registries, and all reasonable steps made to return the animal home before it is taken to the pound.

Conclusion

Whilst the new contract for animal management services does involve new costs to Council, the preferred cost recovery model (**Option 3**) in this report ensures that these costs are offset by ensuring owners are charged a higher release fee to secure their dogs when impounded.

(Moved: Councillor P O'Brien/Councillor N Amery)

Recommendation

That Council resolves to amend the 2013/14 fees and charges schedule to approve an increased release fee for impounded dogs to \$140 plus GST.

Carried

11.2.4 INFRASTRUCTURE SERVICES

11.2.4.1 CONTRACT C1213-053 FOR THE SUPPLY OF CRUSHED ROCK MATERIAL

Contract C1213-053 for the Supply of Crushed Rock Material

30.072.040

Contract Details

This Supply Contract is for a two year period for the supply of various grades of crushed rock material. This Contract provides Council with prices for supply and haulage of crushed rock materials from a panel of suppliers. This allows Council to purchase quarry materials from suppliers that give the best value in relation to the supply and haulage to the location of the works.

Advertised Contract Dates

Tenders were invited through advertisements as follows:

| <u>Newspaper</u> | <u>Date</u> |
|----------------------|-------------|
| Wangaratta Chronicle | 7 June 2013 |

Electronically

| | |
|------------|-------------|
| Tenderlink | 7 June 2013 |
|------------|-------------|

Tenders closed at 2.00pm on Tuesday 25 June 2013.

There was no pre tender meeting for this contract.

Tender Evaluation Panel

The tenders were evaluated by Council's Manager – Projects & Contracts, Manager – Works & Operations and Field Officer – Construction & Bridges.

Tenders Received

Tenders were received from the following by the due date:

| Tenderer | Location |
|-----------------------------|--------------------|
| Judd & Sons Pty Ltd | Almonds (Boweya) |
| Judd & Sons Pty Ltd | Frosts (Peechelba) |
| E.B. Mawson & Sons Pty Ltd | Glenrowan |
| Extons Pty Ltd | Benalla |
| Holcim Pty Ltd | Wodonga |
| Lima South Quarry Pty Ltd | Lima South |
| Boral Constructions | Shepparton |
| Burgess Earthmoving | Albury |
| Devonten Pty Ltd (Cheshire) | Boralma |
| Norville Nominees Pty Ltd | Cosgrove |

Tender Evaluation

With the exception of Boral Constructions, Burgess Earth Moving and Norville Nominees, all the tenderers have previously supplied crushed rock to Council.

The transport of quarry products is often the significant cost in determining where to source the material. The evaluation panel believe the tenders provided by Judd & Sons, EB Mawson & Sons, Extons Pty Ltd, Lima South Quarry Pty Ltd and Devonten Pty Ltd provide best value to Council due to tendered prices for typical haulage distances and spread of quarry locations.

From which quarry to source the material will depend upon the specifics of the individual project such as site location, the available volume of supply, and the relative costs of transporting the material from the respective quarries.

Budget

The annual spend on crushed rock products is approximately \$150,000.

Conclusion

Due to the significant costs involved in hauling the crushed rock material, it is advisable to have a panel of suppliers and source the crushed rock according to the location of the project and the relative costs of transporting the crushed rock to the site.

(Moved: Councillor T Atkins/Councillor N Amery)

Recommendation

That Council resolves to:

- 1. award Contract C1213-053 for the supply of crushed rock material to a panel of suppliers comprising:***
 - a. Judd & Sons Pty Ltd (Frosts and Boweya Quarries)***
 - b. E.B. Mawson & Sons Pty Ltd***
 - c. Extons Pty Ltd***
 - d. Lima South Quarry Pty Ltd***
 - e. Devonten Pty Ltd***
- 2. sign and seal the Contracts for C1213-053 for the supply of crushed rock material when available.***

Carried

11.2.4.2 CONTRACT C1213-054 FOR THE SUPPLY OF ROAD RESHEET MATERIAL

Contract C1213-054 for the Supply of Road Re-sheet Material

30.072.054

Contract Details

This Supply Contract for a two year period is for the supply of road re-sheet material. This Contract provides Council with prices for supply and haulage of road re-sheet materials from a panel of suppliers. This allows Council to purchase quarry materials from suppliers that give the best value in relation to the supply and haulage to the location of the works.

Advertised Contract Dates

Tenders were invited through advertisements as follows:

| <u>Newspaper</u> | <u>Date</u> |
|----------------------|-------------|
| Wangaratta Chronicle | 7 June 2013 |

| <u>Electronically</u> | <u>Date</u> |
|-----------------------|-------------|
| Tenderlink | 7 June 2013 |

Tenders closed at 2.00pm on Tuesday 25 June 2013.

There was no pre tender meeting for this contract.

Tender Evaluation Panel

The tender evaluation panel comprised the Field Officer – Construction & Bridges, Manager – Works & Operations and Manager – Projects & Contracts.

Tenders Received

Tenders were received from the following by the due date:

| TENDERER | Quarry Location |
|--|------------------------|
| Devonten Pty Ltd (Cheshire) - Moore's | Boralma |
| Devonten Pty Ltd (Cheshire) - Boundary Rd | Everton |
| Cook's - Rose River Rd (Cheshunt) | Cheshunt |
| Cooks Earthmoving & Laser Landforming Pty Ltd - Taminick | Taminick |
| Cooks Earthmoving & Laser Landforming Pty Ltd - Mt Bruno | Taminick |
| Lima South Quarry Pty Ltd | Lima |
| Judd & Sons Pty Ltd - Frosts | Pechelba |
| Judd & Sons Pty Ltd - Diffeys | Everton |
| Judd & Sons Pty Ltd - Bentons | Springhurst |
| Judd & Sons Pty Ltd - Almonds | Boweya |

| TENDERER | Quarry Location |
|--------------------------------------|------------------------|
| (Boweya) | |
| Norville Nominees Pty Ltd - Redstone | Cosgrove |
| Extons Pty Ltd - Lurg | Lurg |
| E.B. Mawson & Sons Pty Ltd - Hunts | Glenrowan |

Tender Evaluation

The transport of quarry products is often the significant cost in determining where to source the material. Consequently, in this instance, the evaluation panel recommends a panel of suppliers to ensure that we can source the re-sheet material with an appropriate geographic coverage across the municipality. The most appropriate quarry to source the material from will depend upon the specifics of the individual project such as site location and the relative costs of landing the material from respective quarries.

Budget

The annual spend on road re-sheet material is approximately \$200,000.

Conclusion

Due to the significant costs involved in hauling the road re-sheeting material, it is advisable to have a panel of suppliers and source the material according to the location of the job and the relative costs of transporting the crushed rock to the site.

The recommended panel of suppliers is:

Devonten Pty Ltd (Cheshire) - Moore's (Boralma)
 Devonten Pty Ltd (Cheshire) - Boundary Rd (Everton)
 Cooks Earthmoving & Laser Landforming Pty Ltd - Rose River Rd (Cheshunt)
 Cooks Earthmoving & Laser Landforming Pty Ltd - Taminick
 Cooks Earthmoving & Laser Landforming Pty Ltd - Mt Bruno
 Lima South Quarry Pty Ltd (Lima)
 Judd & Sons Pty Ltd – Frosts (Pechelba)
 Judd & Sons Pty Ltd – Diffeys (Everton)
 Judd & Sons Pty Ltd - Bentons
 Judd & Sons Pty Ltd - Almonds (Boweya)
 Extons Pty Ltd (Lurg)
 E.B. Mawson & Sons Pty Ltd (Hunts)

(Moved: Councillor J Fidge/Councillor C McClounan)

Recommendation

That Council resolves to:

- 1. award Contract C1213-054 for the supply of road resheet material to a panel of suppliers comprising:***
 - a) Devonten Pty Ltd (Cheshire) - Moore's (Boralma)***
 - b) Devonten Pty Ltd (Cheshire) - Boundary Rd (Everton)***
 - c) Cooks Earthmoving & Laser Landforming Pty Ltd - Rose River Rd (Cheshunt)***
 - d) Cooks Earthmoving & Laser Landforming Pty Ltd - Taminick***
 - e) Cooks Earthmoving & Laser Landforming Pty Ltd - Mt Bruno***
 - f) Lima South Quarry Pty Ltd (Lima)***
 - g) Judd & Sons Pty Ltd – Frosts (Peechelba)***
 - h) Judd & Sons Pty Ltd – Diffeys (Everton)***
 - i) Judd & Sons Pty Ltd - Bentons***
 - j) Judd & Sons Pty Ltd - Almonds (Boweya)***
 - k) Extons Pty Ltd - Lurg***
 - l) E.B. Mawson & Sons Pty Ltd - Hunts***
- 2. sign and seal the Contracts C1213-054 for the supply of road resheet material when available.***

Carried

11.3 SPECIAL COMMITTEE REPORTS

11.3.1.1 WANGARATTA FRIENDS OF LACLUTA SPECIAL COMMITTEE – HEALTH CONSORTIUM MEMORANDUM OF UNDERSTANDING

Lacluta, East Timor – Friendship City

42.070.020

Introduction

The purpose of this report is to seek Council endorsement to support the Wangaratta Friends of Lacluta Special Committee entering into a Memorandum of Understanding (*refer attachment*) with North East Health, Wangaratta, and the Rotary Club of Appin Park, to establish a health consortium to design and plan a primary health care development program in the District of Lacluta, Timor Leste.

Background

The Wangaratta Friends of Lacluta Special Committee has contributed a significant amount of time and effort to improve the quality of life for the people of Lacluta. Achievements to date include:

- University scholarships;
- AusAID financial grant to train preschool teachers;
- Support payments for families to send children to school;
- Kindergarten set up and ongoing provision of supplies;
- Sporting equipment to school;
- Friendship House – refurbishment of building in partnership with Rotary Club of Appin Park;
- Fundraising efforts such as open gardens, guest speaking, bicycle rides;
- Equipment for health services such as foetal monitors, refrigerator; and
- Establishing relationships with local schools to raise awareness of the needs of the East Timor community.

The Wangaratta Friends of Lacluta Special Committee has developed a Plan for 2012 – 2015 that identifies three main goals to focus direction, resources and activities:

1. Strengthen capacity and involvement with the Lacluta Community;
2. Build community awareness and involvement in the Rural City of Wangaratta and surrounding communities; and
3. Build the links between our communities.

Council supports the Wangaratta Friends of Lacluta Special Committee tertiary scholarship program with a \$2,000 per annum financial contribution until 30 June 2016.

Issues

The Wangaratta Friends of Lacluta Special Committee, the Rotary Club of Appin Park and North East Health, Wangaratta have a commitment to building capacity in the area of primary health care and community development in Lacluta.

It is considered that a MOU will strengthen the relationship between the three parties and provide a facilitating body known as a Health Steering Committee to guide the support delivered to the Lacluta community.

The principle goal of the consortium will be to develop a primary health program in consultation with relevant representatives of Lacluta that supports community engagement.

The consortium will seek to transfer knowledge, provide skills and resources to the health care workforce and the communities within Lacluta in partnership with the Timor Leste Ministry of Health and its district representatives.

Implications

Council Plan Outcomes

2.1.1.8. Support community volunteering by:

- *Promoting the benefits of volunteering and supporting alternative volunteering opportunities;*
- *Working with agencies to promote and recognize volunteers;*
- *Continuing to support volunteer recognition activities; and*
- *Advocating to minimise barriers to volunteering.*

Sustainability

Each party/individual of the consortium will make the appropriate financial contribution to support participation by their own members including, but not limited to, the provisions of airfares, cost of accommodation and other provisions as per the internal arrangements agreed to within each party.

No party/individual is liable for the expenses of participation by individuals of the other parties. There are no financial or resource implications for Council.

Community Engagement

Each party of consortium has contributed to the development of the MOU and will provide the appropriate support and management for the implementation of a health care program for the term of the agreement.

Conclusion

The proposed MOU between Wangaratta Friends of Lacluta Special Committee, Rotary Club of Appin Park and North East Health, Wangaratta will streamline a collaborative approach for provision of community based health and community services for the District of Lacluta.

(Moved: Councillor C McClounan/Councillor T Atkins)

Recommendation

That Council resolves to approve the Wangaratta Friends of Lacluta Committee entering into a Memorandum of Understanding with Rotary Club of Appin Park and North East Health, Wangaratta for the establishment of a health consortium to design and plan a primary health care development program in the District of Lacluta, Timor Leste.

Carried

Communication

Each party of the consortium will be advised of Council's decision in order to proceed to execute the MOU.

11.4 ADVISORY COMMITTEE REPORTS

11.4.1.1 AUDIT ADVISORY COMMITTEE MEETING REPORT

Audit Advisory Committee

51.020.004

Introduction

The Audit Advisory Committee held a meeting on 27 June 2013 with the following members in attendance:

Committee member: Mr Peter McNeill (Chair); Councillor Paul O'Brien; Mr David Whitehouse; Ms Joanne Ryan.

In attendance: Mr Peter Mangan Acting Director Sustainability; Mrs Ruth Kneebone, Manager-Finance; Mr Stephen Clarke, Johnsons MME (Internal Auditor); Mr Paul Goonan, Johnsons MME (Internal Auditor); Mr Warren Sinnott, Richmond, Sinnott and Delahunty (External Auditor); Ms Heather O'Brien (Minutes Secretary).

Apologies:

Councillor Rozi Parisotto; Mr Kelvin Spiller, Acting Chief Executive Officer

No conflicts of interest were declared.

The following items were discussed at the meeting:

- Officer Action Sheet;
- External auditor reports;
- Review of Procurement Practices;
- National Competition Policy Reporting;
- Internal Audit Progress;
- Monthly finance report;
- Works and activities report;
- Council Plan – progress report;
- Key Performance Indicators as at 31 January 2013;
- External Audit strategy for the financial year ended 30 June 2013;
- Internal Audit reports;
- Status of internal audit recommendations;
- Risk profile and risk mitigation actions;
- New Council policies and amendments;
- Compliance matters;
- Audit Advisory Committee Biennial Agenda;
- Interim Management Letter – financial year ended 30 June 2013;
- External Auditors – Banksia Financial Services;
- Vision Super – 2011/12 Annual Review;
- Significant business processes update;
- Fuel Tax Credit review;
- Audit Advisory Committee membership;

- Audit Committee Primary Returns;
- Reports for member guidance.

The following items from the meeting are reported to Councillors for information.

Internal Audit Reports

Two reports were presented by Council's internal auditor regarding Accounts Payable and Information Technology (IT) Security Controls project.

Status of Internal Audit Recommendations

Internal audit recommendations are included in Council's Risk Register. This register contains all identified risks to Council and is updated with accepted actions identified from internal audits.

The risks that were due for completion since the last meeting of this committee and their status are provided for review. The risks due for action during 2013 are provided for information.

Risk profile and risk mitigation actions

It was recommended that the risk register be reviewed by Council officers.

Compliance Matters

It was noted that there are a number of instances of alleged non-compliance with legislation or Council policies by Councillors and generally involving Councillors.

Audit Advisory Committee Biennial Agenda

The Audit Advisory Committee biennial agenda was updated and will operate for the 2013/14 and 2014/15 financial years.

Interim Management Letter – Financial Year Ending 30 June 2013

A number of procedural matters have been implemented or altered as a result of the new and prior period issues raised in the interim audit management letter.

(Moved: Councillor T Atkins/Councillor N Amery)

Recommendation

That Council resolves to receive and note the report.

Carried

11.4.1.2 YOUTH COUNCIL ADVISORY COMMITTEE REPORT

Youth Council

10.020.010

Background

The Youth Council Advisory Committee held a meeting on 13 June 2013.

Youth Mayor Belle Currie; Youth Councillors Sofia Kennedy, Zoe Stinson, Jess Long, Mary Watter, Amy Faithfull, Elizabeth Hindle, Melinda Suter, Max Dewez; and Katy Hawkins (Youth Development Officer) were in attendance.

There were no declarations of conflict of interest.

The following items were discussed at the meeting:

1. Support for Dirrawarra Proud and Deadly Awards;
2. Support for Blue Light Disco;
3. Community Wellbeing Plan consultation; and
4. 'Build It' Self Esteem Workshop (Reach Foundation).

Proud and Deadly Awards

Youth Council has been invited to the first Dirrawarra Proud and Deadly Awards. Youth Council has supported the awards that recognise the achievements of indigenous young people within their school and their community.

(Moved: Councillor C McClounan/Councillor T Atkins)

Recommendation

That Council resolves to receive and note the reports 11.4.1.2 and 11.4.1.3.

Carried

11.4.1.3 YOUTH COUNCIL ADVISORY COMMITTEE REPORT

Youth Council

10.020.010

Background

The Youth Council Advisory Committee held a meeting on 16 July 2013.

Youth Councillors Alex Darbyshire, Sofia Kennedy, Esme Currie, Isabelle Smith, Meg Walch, Zoe Stinson, Nathan Jeffries, Ella Thomas, Nick Lorenz, Chloe Hancock; and Council's Youth Development Officer, Katy Hawkins were in attendance.

There were no declarations of conflict of interest.

The following items were discussed at the meeting:

- Election of Youth Mayor Zoe Stinson and Deputy Youth Mayor Max Dewez;
- Appointment of Communication Officer Youth Councillor Alex Darbyshire;
- Creative Youth Committee appointment of Youth Councillors Esme Currie, Nick Lorenz, Chloe Hancock and Zoe Matthews;
- Wangaratta Youth Service Providers Network appointment of Youth Councillors Max Dewez and Zoe Matthews;
- Sport and Recreation Advisory Committee appointment of Youth Councillors Isabelle Smith, Esme Currie and Sofia Kennedy;
- Cathedral Liaison appointment of Youth Councillors Nathan Jeffries, Nick Lorenz, Meg Walch and Isabelle Smith;
- Unbranded appointment of Youth Councillors Nathan Jeffries, Ella Thomas and Meg Walch; and
- Planned consultation of young people's recreation needs by Council's Recreation Career Building Trainee.

(Moved: Councillor /Councillor)

Recommendation

That Council resolves to receive and note the report.

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 |
|-------------|--|--------------|
| 15-08-2013 | 2013/2014 Draft Budget Submissions | Attachment |
| 13-08-2013 | Draft Council Agenda & Deputations Meeting | Attachment |
| 31-07-2013 | Councillors Workshop | Attachment |
| 30-07-2013 | Meeting with Sophie Mirabella MP | Attachment |
| 23-07-2013 | Councillors Briefing Forum | Attachment |
| 16-07-2013 | Prior to Ordinary Council Meeting | Attachment |
| 9-07-2013 | Draft Council Agenda & Deputations Meeting | Attachment |

(Moved: Councillor T Atkins/Councillor N Amery)

Recommendation

That Council resolves to:

- 1. receive the reports of Assemblies of Councillors, and***
- 2. resolve that the items listed below remain confidential in accordance with S.77 of the Local Government Act 1989:***

***Councillor’s Briefing Forum dated 23 July 2013:
4.2.3.1 - Reports Heldover From Previous Forums***

- 4.2.3.2 - Consultant Reports Not Approved**
- 4.2.3.3 - Ned Kelly Interpretive Centre Stage Two Funding**
- 4.2.3.4 - Regional Certification Body**
- 4.2.4.1 - Domestic Wastewater Management Plan**
- 4.2.5.1 - Municipal Public Health And Wellbeing Plan 2013 - 2017**
- 4.2.6.1 - Proposed Apex Park Foreshore Redevelopment**

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 P O'Brien/Councillor J Fidge)

Recommendation

That Council resolves to sign and seal the following documents:

- 1. the amended facility terms proposed by the Australian and New Zealand Banking Group Limited;***
- 2. contract C1213/051 for the Provision of Animal Management Services;***
- 3. contract C1213-053 for the supply of crushed rock material; and***
- 4. contract C1213-054 for the supply of road resheet material.***

Carried

16. PUBLIC QUESTION TIME

Public Question Time

10.020.004

Ron Briggs – Everton Upper

Mr Briggs referred to item 11.2.2.4 – Proposed Planning Scheme Amendment C49 – Corrections and Anomalies and asked why his property had not been listed as Council had admitted there has been an anomaly with his Planning Application.

Mr Peter Mangan, Acting Director Sustainability, replied that he would take it on notice

Lauren McCully – Wangaratta

Ms McCully enquired as to when Council was going to fully disclose the total costs of the ongoing investigations.

Ms Rozi Parisotto, Mayor referred the question to Mr Peter Mangan, Acting Director Sustainability, who responded that the finance report from the Agenda had stated the costs associated with the investigations to 30 June 2013 was \$338,000, the 2013/2014 Budget had allowed \$500,000 but the overall costs may be up to \$1.5 million.

Rhys Gloury – Wangaratta

Mr Gloury asked why Councillor Fidge released his Notices of Motion to the media and the public so much earlier than other Notice of Motions.

Councillor Fidge replied that he released the motions early to allow the public time to give feedback to him if they wished to.

Malcolm Carson – Docker

Mr Carson referred to recent correspondence from Council and took offence to Taggarts Lane being referred to as an 'unformed track'. Mr Carson stated that he had offered to complete the work on the track himself if Council would deliver the materials. He went on to say that he believes Council had allocated only 8% of the 2013/2014 Budget to roads and that this was not enough.

Mr Peter Godfrey, Acting Director of Infrastructure, responded that Taggarts Lane was not on the Roads Register but that Council's obligation is that it must be accessible for emergency vehicles ie. to allow fire trucks access. Mr Godfrey explained to Mr Carson that if he wished to do work in Taggarts Lane, he was entitled to apply for a 'Works within a Road Reserve' Permit and council would assess that application on its merits.

Mr Godfrey continued that Council had made a one-off offer for Council to undertake works if Mr Carson supplied the material to the site and that offer still stands.

Noel Fidge – Docker

Mr Fidge commented on the paltry amount of money spent on road materials and referred to Alexanders Lane having a road closed sign for two and half years and suggested if the amount spent on road materials was trebled we could better the surfaces of our roads.

Mr Peter Godfrey, Acting Director of Infrastructure, explained that Council is constrained by the Budget and there are many projects across the municipality requiring funding and Council has to prioritise these projects. Mr Godfrey also pointed out that there are road costs other than road sheeting and crushed rock and, in fact, there are millions of dollars spent on road projects across the municipality.

Paul McInerney – Wangaratta

Mr McInerney asked what Council are doing right now to understand and measure the impact to the community, to the economy and the human impact of the current circumstances, for the next five and more years.

Councillor R Parisotto, Mayor, responded that Council have been working very hard with Acting Directors and the Acting Chief Executive Officer in the best interests of the community in a very difficult time.

Rula – Glenrowan

Ms Rula expressed her concerns regarding community issues and asked what Council is doing to keep the youth in the municipality.

Councillor R Parisotto, Mayor, responded that she would take the question on notice.

John Vance – Wangaratta

Mr Vance raised questions in regard to ICLEI and requested the information be placed on Council's website.

Ms Patti Wenn, Acting Director Community Wellbeing, responded by thanking Mr Vance for his correspondence in which he raised many interesting points regarding ICLEI (International Council for Local Environmental Initiatives). Council's web communication policy does not allow personal comments, or opinions of an unsubstantiated nature, to be placed on the Council website.

As stated on the ICLEI Oceania website: " ICLEI Oceania is the Regional Secretariat for ICLEI – Local Governments for Sustainability, the world's leading network of towns and cities committed to sustainability. We promote local action for global sustainability and supports cities to become sustainable, resilient, resource-efficient, biodiverse, low-carbon; to build a smart infrastructure; and to develop an inclusive, green urban economy with the ultimate aim to achieve healthy and happy communities. Members constitute a network of local governments and associations across Australia and around the world dedicated to bringing about sustainable development for councils and their communities."

(Source: http://archive.iclei.org/fileadmin/template/ICLEI/ANZ_templates/corp/images/ICLEI_Home_new.jpg)

Ms Wenn advised that the ICLEI Oceania *Cities for Climate Protection Program* was funded by the former Howard Coalition Government for ten years until the Rudd Labor Government was elected. The new Federal Government ceased funding of the *Cities for Climate Protection Program* shortly after it announced it would introduce a carbon emissions trading scheme.

The current ICLEI Oceania annual membership cost to Council is \$700. This provides Council with access to valuable support, resources and contacts for municipal management in the following key areas:

- Biodiversity
- Climate Change Adaption
- Climate Change Mitigation
- Sustainability Management
- Urban Governance
- Sustainable Procurement
- Energy
- Water
- Mobility
- Sustainable Events

Many councils in the North East and Goulburn Valley regions are an ICLEI member which has assisted in the development of local partnership programs. In addition the resources have assisted Council obtaining much sought after funding grants, such as the grant to assist the changeover to more energy efficient street lights.

It is recommended that Mr Vance direct his specific enquiries regarding ICLEI - Local Governments for Sustainability, ICLEI's goals, affiliations and programs to Mr Martin Brennan, ICLEI Oceania CEO and Regional Director on (03) 9639 688 or mobile (0419) 355 820.

17. CONFIDENTIAL BUSINESS

(Moved: Councillor J Fidge/Councillor C McClounan)

Recommendation

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

The meeting was opened to the public at 9:09pm.

Councillor P O'Brien was absent.

18. CLOSURE OF MEETING

The meeting closed at 9:10pm.