

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, 13 DECEMBER 2011
AT 7.00PM

Doug Sharp
CHIEF EXECUTIVE OFFICER

As at 19/01/12 2:46 PM

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1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

2. **OPENING PRAYER**

3. **PRESENT**

Chairman: Councillor R Paino, Mayor

Councillor A Griffiths, Councillor D McPhie, Councillor L McCully, Councillor L McInerney(departed at 7.55pm), Councillor R Parisotto, Councillor R Webb.

Officers: Mr Doug Sharp (Chief Executive Officer), Mr Andrew Close (Director – Infrastructure), Mr Ray Park (Director – Sustainability).

4. **ABSENT**

Ruth Tai, Director – Community Wellbeing.

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

(Moved: Councillor A Griffiths/Councillor R Parisotto)

Recommendation

That leave of absence be granted for Councillor L McInerney for the period Sunday 1 January 2012 to Saturday 4 February 2012.

Carried.

ORDER OF BUSINESS

6. **CITIZENSHIP CEREMONY**

The Australian Citizenship ceremony was held.

7. **CONFIRMATION OF MINUTES**

(Moved: Councillor R Parisotto/Councillor D McPhie)

Recommendation

That:

- 1. the Minutes of the Ordinary Meeting of Council held on 15 November 2011; and***

- 2. *the Minutes of the Special Meeting of Council held on 1 December 2011 be taken as read and confirmed as a true and accurate record of the proceedings of those meetings.***

Carried.

8. CONFLICT OF INTEREST DISCLOSURE

- Councillor D McPhie declared a conflict of interest in item 11.2.3.4 (Community Grants - Minor) as he is a Committee member for Auskick; and
- Councillor R Webb declared a conflict of interest in item 11.2.1.3 (Jazz and Blues Festival) as he is a board member of the Wangaratta Jazz and Blues Festival.

9. RECEPTION OF PETITIONS

9.1.1.1 PETITION – PEDESTRIAN CROSSING IN DOCKER STREET, WANGARATTA

Bus Routes / Issues

83.040.001

Background

A covering letter from the Advocacy Access Council and a supporting letter from the High Country Library Corporation together with a petition containing some 137 signatures from students and carers of GOTAFE Wangaratta Certificate II Community Services and Yooralla (central access) has been received seeking provision of a safe pedestrian crossing from the bus stop in Docker Street to the GOTAFE campus and the Wangaratta Library.

A copy of the petition has been provided to Councillors under separate cover.

Issues

In accordance with Local Law No. 2 of 1999 – Meeting Procedures a petition presented to the Council must lay on the table until the next ordinary meeting of the Council and no motion, other than to receive the petition, may be accepted by the Chairperson, unless Council agrees to deal with it earlier.

(Moved: Councillor R Parisotto/Councillor L McCully)

Recommendation

That the petition regarding provision of a safe pedestrian crossing in Docker Street, Wangaratta from the bus stop to the GOTAFE campus and the Wangaratta Library be received and a report about the issues raised be considered at Council's January 2012 meeting.

Carried.

Communication

The Advocacy Access Council will be advised of Council's determination on this matter.

10. HEARING OF DEPUTATIONS

Nil.

11. PRESENTATION OF REPORTS

11.1 COUNCILLOR'S REPORTS

11.1.1.1 NEVRWASTE BOARD MEETING

NevRWaste

72.010.002

Introduction

Cr Ron Webb attended this meeting as the Environment Portfolio holder. Councillors from six member Councils and representatives from the three Alpine resort member bodies also attended.

Issues

Matters of Governance

- Cr. Ron Webb was elected as Chairperson following the resignation of Cr. Lisa Mahood.
- It was noted that Minister Ryan Smith reported the receipt of NevRwaste's 2010-2011 Annual Report in Parliament on 27 October 2011.
- A new Risk Management Policy was adopted.
- July-September 2011 financial reports were accepted.
- The External Auditor's report was accepted.

Presentations & Topics Discussed

Executive Officer's report:

- Twelve separate projects have commenced or are continuing to be delivered, as per the Business Plan, in the priority areas of *Organic Waste Diversion, Security of Residual Waste Management, Community Awareness and Resource Recovery*.
- NevRwaste will be assisting DSE's Waste Policy Review (WPR) through facilitating a WPR forum for its stakeholders on 17th of February at the Wangaratta Government Centre.
- The Minister presented to Regional Waste Management Groups (RWMG) on 20 October 2011, during which he committed to adequately resourcing RWMG's. It was highlighted that new grant would come from the Sustainability Fund, to be announced within a couple of months, and from the budget process next year.
- The Sustainability Victoria review is still awaiting Ministerial review, however it was advised that priority areas of the State's Toward Zero Waste interim implementation plan include targeting new initiatives in "Organic Waste", "Landfills" and "Resource Recovery" for municipal as well as commercial and industrial waste.
- In relation to landfills it was reported that whilst Carbon Tax thresholds had been lifted to facilities with >25000t CO₂e, the removal of the locality clause which previously captured smaller regional landfill sites is only temporary. Future liabilities still require contingency planning and obtaining credits

through CFI will be difficult where landfill methane capture and oxidation activities were required by regulations.

Status of the Regional Waste Management Plan (RWMP)

The EPA advised the Board that the RWMP no longer had conditional approval and that the draft RWMP would need to be updated with provisions for future landfill airspace in the region compliant with BPEM (EPA publication 788.1).

Funding for Regional Waste Disposal Option Study

This project would enable compliance of the RWMP with EPA's requirements. EPA advised that under its newly adopted structure, within the portfolio, funding for this type of work would be delivered through SV. SV is awaiting hand down of its review prior to making any announcements in regards to support for the development of RWMPs. The Board moved that a request for funding to enable this work should be made directly to the Minister.

Domestic Asbestos Program

NevRwaste was successful in applying for a grant, from the EPA, to deliver a project providing transfer station collection infrastructure within the Alpine Shire as well as support for education and communication materials within Alpine, Wangaratta and Benalla Local Government areas.

RMF Waste Management PLanning ToolKit

The Board mandated the EO's project proposal to the RMF Environment Subgroup Committee, for a "Hume Region Resource Recovery Facilities (Waste Management) Planning Overlay".

Key Recommendations Arising

That a letter from NevRWaste to the Minister be written requesting he consider a grant for funds to support a "Regional Waste Disposal Options Study". That the EO seek the support for the letter to the Minister from partner agencies (EPA and SV) and the NELGN.

(Moved: Councillor R Webb/Councillor L McInerney)

Recommendation

That the report be noted.

Carried.

11.2 OFFICER'S REPORTS

11.2.1 EXECUTIVE SERVICES

11.2.1.1 AFL GAME AT WANGARATTA SHOWGROUNDS

VFL / AFL

25.020.001

Introduction

An AFL NAB Cup game has been fixtured for the Wangaratta Showgrounds in March 2012. This report introduces ways in which maximum advantage can be taken of this opportunity and coordinate stakeholder involvement.

Background

Extensive negotiations with the AFL have resulted in a competition NAB Cup game being played at the Wangaratta Showgrounds at 7:00pm on Saturday 3 March, 2012. The game is between Essendon and St Kilda, two of last year's finalists and two teams with large followings. The AFL is tentatively considering an attendance of 10,000 to 15,000 people.

Both teams and support crews are expected on the Friday evening, staying two nights.

The game will coincide with the official opening of the redeveloped Showgrounds facility.

Issues

- Appropriate official ceremony involving Premier / Deputy Premier / relevant Ministers, AFL representatives and the like.
- Pre-match activities (Friday night / Saturday)
- Linkages with the Wangaratta Cup (Sunday 4 March)
- Logistics (operational)
- Promotion and guest list
- Other initiatives

Implications

In order to coordinate activities and maximises opportunities, it is proposed to establish two informal committees – A Match Day Committee and a Steering Group comprising representatives of Council, Council's Advisory Committees and the various stakeholder groups.

The purpose of the Match Day Committee is to oversee requirements such as logistics, traffic management, volunteer support and the like associated with the game. The purpose of the Steering Group is to explore and oversee other events and opportunities that can leverage off the game.

Financial

It is anticipated that the game day activities at the Showgrounds will generate significant surplus funds to be distributed between the parties. Extra curricula activities, depending on their nature, will be expected to generate their own income or be supported through existing budgets.

(Moved: Councillor D McPhie/Councillor R Webb)

Recommendation

That a:

- 1. Match Day Committee comprising representatives of Wangaratta Rural City Council, Council's Sport and Recreation Advisory Committee, Wangaratta Magpies, Wangaratta Rovers, Wangaratta Showgrounds Committee of Management, Wangaratta Lions Cub, Worksafe VCFL, Murray Bushrangers Football Club and Victoria Police; and***
- 2. Steering Group comprising representatives of Wangaratta Rural City Council, Wangaratta Unlimited Board, Council's Sport and Recreation Advisory Committee and the Wangaratta Turf Club be established to coordinate activities and maximise opportunities associated with the Essendon V St. Kilda AFL NAB Cup game on 3 March 2012.***

Carried.

Communication

That the aforementioned stakeholder groups be invited to participate on the committees.

11.2.1.2 MURRAY DARLING BASIN PLAN

Water Supply Issues

82.090.002

Introduction

The proposed Murray Darling Basin Plan has been released and reveals that the Ovens system will not be adversely affected by measures to improve sustainable water flows in the Murray River. Submissions are now being called and the Rural City of Wangaratta should take this opportunity to reinforce the arguments that have led to this positive outcome.

Background

The original Basin Guide released in October 2010 determined that current diversions would have to be reduced by 3,000 to 4,000 GL/y to provide for Sustainable Diversions Limits (SDLs) and meet the health needs of the Murray River. For the Ovens system this was identified as a reduction in diversions of 40-45% to achieve the required SDL.

The formula for imposing reductions meant that the cut to the Ovens system would come from the modest amount of water used for irrigation, resulting in an effective reduction of 70% to irrigation.

The Rural City of Wangaratta formed an alliance with six other upper North-East Victorian councils to argue that the proposals as they affected the upper North-East catchments provided perverse outcomes and would destroy irrigation closest to the water source. The Ovens system was used as the case study, led by the Rural City of Wangaratta.

Issues

The proposed Basin Plan establishes baseline diversion limits (BDLs) which are the benchmark based on current levels of take against which reductions are made to achieve the sustainable diversion limits (SDLs). The proposed plan looks at the available water in the Murray Darling Basin in two parts: surface water and ground water.

The proposed basin plan provides for the following:

- A reduction of 2,750 GL/y from the BDLs to achieve environmentally sustainable levels of water use;
- No reduction to the BDL applying to the Ovens system for surface water to achieve the required SDL;
- An increase in SDLs for ground water in respect to the Ovens system by 2 GL/y
- No change for surface extractions for both the Kiewa and Broken systems.

Based on these proposals, the arguments put forward by the Rural City of Wangaratta in respect to the Ovens system have been positively responded to by the Murray Darling Basin Authority (MDBA). Indeed, in its explanatory notes it reports that:

“the communities of the Ovens and Kiewa Rivers have healthy and diverse economies, supported by tourism, retail and agriculture. The 2008 Sustainable Rivers Audit found both the Ovens and Kiewa had near natural flows... Given the low levels of water use the Authority is proposing that no water needs to be recovered to meet local environmental needs.”

The challenge will be to ensure that the current proposals contained in the proposed Basin Plan remain that way in respect to the Ovens system post the consultation period.

Submissions are now being called by the MDBA closing on 16 April 2012. Council should take up the opportunity as soon as possible to make a submission reinforcing the arguments that have led to the positive outcome in the proposed plan.

Implications

The final outcome of the MDBA Plan has serious implications for the Ovens system and for those who depend on it and use it. The current proposals support Council's attempts to:

- provide security of water supply for agriculture;
- expand the Agrifood concept;
- provide for efficient use of water closest to the source; and
- protect the natural flow and heritage status of the Ovens River.

(Moved: Councillor A Griffiths/Councillor D McPhie)

Recommendation

1. ***That a submission be made to the Murray Darling Basin Authority reinforcing the case in support of the current proposals for the Ovens system in the proposed Basin Plan;***
2. ***That Council continue to advocate through the various forums available; and***
3. ***That the Federal Minister for Water and the State Minister for Water and local members be advised accordingly for support for its position on this matter.***

Carried.

11.2.1.3 WANGARATTA JAZZ & BLUES FESTIVAL

Jazz Festival

67.080.003

Councillor R Webb left the Chamber having declared a conflict of interest.

Introduction

The Interim Board of the Wangaratta Jazz and Blues Festival, appointed by the Rural City of Wangaratta, has concluded its mandate. It has submitted a report (***refer attachment***) on its achievement of same following a recent Special General Meeting.

Background

In response to a crisis facing the Wangaratta Jazz and Blues Festival in February 2011, Council resolved to endorse:

- a. the injection of funds into the Jazz Festival Board accounts to meet immediate creditors and to cover the estimated deficit of \$124,000 by 30 June 2011;
- b. the establishment of an Interim Board for a period of 12 months with the following Charter:

1. Establish an appropriate governance structure and operational model for the Board.
 2. Establish a Business Plan that positions the Jazz Festival on a sustainable basis into the future.
 3. Prepare a working budget for the 2011 Jazz Festival within existing funding constraints.
 4. Ensure that the 2011 Jazz Festival operates on a basis that meets stakeholder and sponsor requirements.
 5. Develop options on the strategic direction and future operation of the Jazz Festival for consideration by a future Board.
 6. Call for Expressions of Interest in support to replace the Interim Board at the conclusion of the 12 month term of appointment.
 7. The Interim Board report regularly to the Chief Executive Officer of the Rural City of Wangaratta on its implementation of the Charter.
- c. the appointments to the Interim Board as follows:
- Paul Carrick, Chair
 - Bruce Robertson
 - Heather Sarau
 - Andrew Gehrig
 - Mike Noble
 - Chris Green
 - Matt Joyce
 - Ron Webb
 - Councillor Portfolio holder, Economic Development & Tourism
- d. A Due Diligence audit be undertaken as soon as possible on the current position of the Jazz Festival.

The Interim Board has now submitted its report in response to the Charter.

Issues

The report is very comprehensive on the performance of the Jazz and Blues Festival, Interim Board and future requirements. It states that the 2011 Wangaratta Jazz and Blues Festival has been a financial, organisational and artistic success, thus demonstrating the underlying viability of the event and vindicating the Rural City of Wangaratta's decision to underwrite the Festival's 2010 loss and install an Interim Board.

The report details the key elements contributing to this success and highlights the view that the Festival is an enterprise of significant economic, social and cultural benefit that has enormous scope for improvement and development, subject to the successful resolution of weaknesses identified elsewhere in the report.

The report finds that the future of the Festival will be compromised if these weaknesses are not resolved. Key amongst these is:

- Financial control and reporting
- The absence of a Chief Executive Officer

- Diminishing the role of the Board to a pool of volunteer labour to be drawn upon as operational requirements dictate, or simply as a rubber stamp, needs to be avoided
- An agreed project plan with a timeline and critical milestones
- Documented procedures
- A reworked constitution in keeping with the new Board's vision and strategy.

It also finds that the Rural City of Wangaratta's support and involvement is critically important to the success of the Festival and recommends that:

1. Subject to its own due diligence and policy priorities, the Rural City of Wangaratta continues to support the Festival in cash and in kind and that this be subject to a formal MOU of mutual obligation and expectations including governance standards, and the management of conflicts; community engagement and general performance accountability.
2. The continued direct operational involvement of Rural City of Wangaratta personnel in the functions of the Operations Committee and that this be quantified and included in any MOU between the Rural City of Wangaratta and the Festival.
3. The Rural City of Wangaratta continues to provide accounting services to the Festival subject to review by the new Board as to how best to address the financial control issues previously reported.

The report identifies the need for a new skills-based Board to continue the momentum based around a detailed skills matrix and advise that this process is underway.

Implications

A new Board has been appointed as follows:

One year appointments	<ul style="list-style-type: none"> • Ron Webb (Wangaratta) • John Cox (Sydney) • Fiona MacPhee (Wangaratta)
Two year appointments	<ul style="list-style-type: none"> • Will Flamsteed (Beechworth) • Alison Coe (Wangaratta)
Three year appointments	<ul style="list-style-type: none"> • Catherine Wall (Melbourne) • Emma Jones (Wangaratta)
Council Representative	<ul style="list-style-type: none"> • Economic Development and Tourism Portfolio holder (Cr Lisa McInerney)

It is anticipated that an MOU between the Board of the Wangaratta Jazz and Blues Festival and the Rural City of Wangaratta will be completed in the near future for consideration by Council. It is expected that this will clarify and quantify Council's ongoing financial commitment, not including the one-off emergency cash contribution made earlier this year, and its in kind support.

(Moved: Councillor L McInerney/Councillor D McPhie)

Recommendation

- 1. That the report be noted;**
- 2. That a letter of appreciation be presented to each of the Interim Board members at an appropriate civic reception in the New Year; and**
- 3. That a formal Memorandum of Understanding between the Council and the Board of the Wangaratta Jazz and Blues Festival, quantifying and clarifying Council's ongoing support of the Festival, be considered when available.**

Carried.

Councillor R Webb returned to the Chamber.

11.2.2 SUSTAINABILITY

11.2.2.1 PROGRESS OF ROADSIDE CONSERVATION MANAGEMENT PLAN

Roadside Management

71 020.006

Introduction

This is a report that outlines an approach to continuing the revision of the Roadside Conservation Management Plan.

Background

Council has an existing Roadside Management Strategy, adopted in 2000. In the 10 years since its adoption, legislation has altered and improved techniques to assess native vegetation values have been developed. In 2010, an updated Roadside Conservation Management Plan (RCMP) was prepared. At its Council meeting of 25 January 2011 Council endorsed the draft RCMP to be exhibited for public comment.

The public consultation period extended from 18 February to 15 May 2010. Fourteen written submissions have been received from 53 members of the public, and also from the Department of Sustainable & Environment (DSE), North East Catchment Management Authority, Council's Infrastructure directorate and VicRoads. Council officers discussed the RCMP at public meetings at Eldorado, Oxley, Whitfield, Greta, Tarrawingee, Whorouly, Myrree, Springhurst, Boorhaman and Carboor. Officers also met with the Victorian Farmers Federation, the King Valley Landcare Group, CFA Region 23 officers, the Wangaratta CFA group, and the Moyhu CFA group. Officers also shared a bus trip with CFA and DSE members to inspect and discuss a number of key fire protection sites in each rural area of the municipality. There have also been other meetings and phone discussions with individuals. This broad ranging communication has helped officers to understand community issues and respond to them in revision of the RCMP.

However, further State Government policy developments in 2011 now need to be considered in the preparing the next version of the RCMP.

Issues

There are ongoing developments in two key areas that will affect the final RCMP.

(a) Planning provisions relating to bushfire protection

The draft RCMP acknowledges that changes to vegetation planning provisions will occur as a result of the 2009 Victorian Bushfires Royal Commission. Additional bushfire related planning provisions were adopted by State Government on 18 November 2011, including a qualified exemption for roadside vegetation removal for fire protection purposes. This exemption requires a detailed bushfire risk assessment for identified roads and a planning process

leading to a formal agreement with the Department of Sustainability and Environment. Council as road manager can make this application, but there could be resource implications for Council.

The local process to identify roads for bushfire risk assessment and possible treatments can be developed through the Integrated Fire Management Plan and the Municipal Fire Prevention Plan. Further understanding of this process is needed to ensure consistency between these plans.

(b) Roadside Weed Management

In June 2011, a joint Victorian Roadside Weeds and Pests Working Party submitted its report to the Minister for Agriculture. This group of representatives from the Municipal Association of Victoria, Department of Primary Industries (DPI) and the Department of Sustainability and Environment (DSE) has been examining the issue of responsibility for roadside weed and pest control since 2005. There has been no response from the Minister as yet.

However, in its conclusions, the Working Party:

- noted the legal advice received by different organizations is not consistent and thus attempting to use legal advice to resolve the issue is not likely to prove effective. However, what is apparent from the legal advice is that responsibility may depend on the category of pest and the status of the road. Thus in some situations the Victorian Government may be responsible, while municipal councils may have responsibilities in other situations and some of these may be shared with adjoining landowners;
- recommended that, for clarity, local government be responsible for the majority of weeds and pests on municipal roadsides, based on a cost sharing arrangement with State government; and
- recommended a change in legislation to require councils to prepare and implement a Roadside Weed and Rabbit Control Plan, which was consistent with broader catchment and state interests. The legislation would need to acknowledge that this would be the mechanism for councils to meet their responsibilities in regards to controlling regionally controlled weeds and rabbits on municipal roads.

The draft RCMP may need to be revised to include actions relating to development of a Roadside Weed and Rabbit Control Plan.

Implications

Council Plan Outcomes

An objective of Council Plan 2009 – 2013 is to “Protect and enhance the natural landscape, urban treescapes and waterways”.

A Council Plan Action to achieve this is to “*Review Council’s Roadside Management Plan and commence implementation process*”. When adopted, the RCMP will achieve this objective.

Policy Reference

The RCMP has been written to be consistent with State and Federal environment legislation and plans and with the Rural City of Wangaratta Planning Scheme. The RCMP will be revised to coordinate with Council Municipal Fire Prevention Strategy and Integrated Fire Management Plan.

Sustainability

The intent of RCMP is to conserve and where possible improve key habitats occurring on the roadsides in the Rural City of Wangaratta. Many of these environments are the last significant remnants in the area and are habitat for threatened species and corridors for flora and fauna movement. This will preserve the natural environment and landscape valued by the community, as expressed in the 2030 Community Vision.

Community Engagement

After the RCMP is further revised, it is intended to consult with the Agriculture and Agribusiness Advisory Committee which has been formed since Council originally considered the draft RCMP. The Committee's comments will also be considered before the draft RCMP is resubmitted to Council for consideration.

Conclusion

The draft RCMP considered by Council on 25 January 2011 is being further revised to consider community comment, State policy developments, and consultation with Agribusiness and Agriculture Advisory Committee.

It is important to note that Council's existing Roadside Management Strategy remains in place until any new RCMP is finalised and formally adopted by Council.

(Moved: Councillor A Griffiths/Councillor R Webb)

Recommendation

That the Roadside Conservation Management Plan be further revised to consider State Government policy developments including bushfire planning provisions as outlined in the report, as a basis for further consultation.

Carried.

11.2.2.2 DRAFT 2 RURAL LAND STRATEGY

Draft Rural Land Strategy

73.030.055

Introduction

The review of the Draft Rural Land Strategy and the preparation of a second Draft is continuing. However, this work will not be completed in sufficient time to enable the proposed review timeframes to be achieved.

Background

The timeframes proposed for the review of the Rural Land Strategy were:

- Development of a revised draft in consultation with the Agricultural and Agribusiness Advisory Committee (AAAC) – September/October 2011;
- Council consideration and exhibition of revised draft strategy – November – January 2012; and
- Council resolves a position on a revised Draft Rural Land Strategy – February 2012.

Issues

As previously reported to Council, over the last few months the AAAC has considered:

- issues of use and development in the rural areas;
- data relating to development approvals and property transactions;
- the Planning Scheme and legislative framework;
- outcomes of consultation on the first Draft Rural Land Strategy; and
- findings of a tour of the rural areas.

However, as reported elsewhere in this Agenda, the Committee has neither concluded its consideration nor formed a final view on any second Draft Rural Land Strategy. As a result the recommendations of the AAAC are not yet available to Council.

Given the limited time available before the Christmas recess, to either AAAC or Council, and having regard to the problems posed by running a consultation process so close to or over the holiday season, it is considered preferable to defer further consideration of this matter until January 2012.

Implications

Council Plan Outcomes

The implementation of the Rural Land Strategy is an action for 2012 of the Adjusted Council Plan.

Community Engagement

A detailed community consultation plan will be developed as the second Draft is finalised.

Conclusion

This will result in a probable exhibition and consultation period of late January and February 2012 for a second Draft with Council resolving a final position, one month later than initially proposed, in March 2012.

(Moved: Councillor L McInerney/Councillor R Webb)

Recommendation

That Council defer further consideration of this matter until January 2012 with a view to releasing a second Draft Rural Strategy following the January 2012 Council Meeting.

Carried.

11.2.3 COMMUNITY WELLBEING

11.2.3.1 LIBRARY REGULATIONS LOCAL LAW No 2 AMENDMENTS

Library

69.010.003

Introduction

The High Country Library Corporation (HCLC) revised 2011 Local Law no. 2 of the Library Regulations requires ratification by Council in accordance with Clause 4.7 of the High Country Library Agreement and s. 197F of the Local Government Act 1989.

Background

The Chief Executive Officer of HCLC recently wrote to Council requesting that Council ratify the new Local Law document (*refer attachment*).

The HCLC passed a Notice of Motion on Monday 17 October 2011: “That the revised Local Law No. 2 having been approved by the HCLC Board at its meeting on Monday 24 August 2011 and advertised in accordance with the requirements of the Local Government Act, 1989 and no submissions having been received, copies of the revised Local Law No. 2 be forwarded to the Rural City of Wangaratta (and other partners) for ratification”

This report highlights areas that include variations in the 2011 Local Law No. 2 Library Regulations document as compared to the prior year 2000 Local Law No. 2 document.

Issues

Variations include:

An expanded clause in Part 1 (Preliminary) that defines what the law’s purpose is:

1.2 Objectives of this Local Law

This Local Law is made for the purpose of:

- a) Regulating access to and conduct within;
- b) Providing for membership and use of; and
- c) Defining the rights and obligations of members and other library users of the services provided by the High Country Library Corporation.

Additional clauses in Part 2 (Administration of the Local Law) include:

2.3 Power of Chief Executive Officer

Any person using the library service shall obey the lawful directions of the Chief Executive Officer or an authorised Officer in charge of the library service generally or any branch, section or portion thereof.

Additional clauses in Part 3 (Access and Conduct) and Part 4 (Membership) include:

- 3.1 Access (refer to attachment)
- 3.2 Admission (refer to attachment)
- 3.3 Behaviour (refer to attachment)
- 4.3 Application (refer to attachment)

In Part 5 (Borrowing and Services) several clauses are extended and in Part 6 (Return of Books) clauses are reorganised and reworded. For example:

- 6.2 Returns

No book shall be deemed to have been returned to the Library unless it has been handed to the Chief Executive Officer or Authorised Officer or left in a place or receptacle designated for the return of books, or dispatched to the Library by a means previously approved by the Chief Executive Officer or Authorised Officer.

Parts 8 (Other Services), 9 (Offences) and 10 (Circumstances not Provided for) are new additions to the Local Law No. 2 document. They include:

- 8.1 Personal Items; and
- 8.2 Use of Facilities and Equipment.
- 9.0 Offences
- 10.0 Empowerment of CEO to make decisions (refer to attachment).

Implications

Council Plan Outcomes

Promote the Library service as a community information resource that is accessible and responsive to community need.

Conclusion

The Local Laws No. 2 Library Regulations requires ratification by Council in order to meet legislative requirements of the Local Government Act. .

(Moved: Councillor R Parisotto/Councillor L McInerney)

Recommendation

That Council ratify the 2011 Local Laws No. 2 Library Regulations document as attached.

Carried.

Communication

The HCLC Chief Executive Officer will be advised of Council's decision.

11.2.3.2 CURRENT SCULPTURE EVENT – ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE RECOMMENDATION

Cultural/ Arts Issues

67.010.006

Introduction

The Arts, Culture and Heritage Advisory Committee (ACHAC) has considered the outcomes of the review of the Current Sculpture Event (the Event) and provide a recommendation to Council in support of the review report.

Background

A review of the Event was undertaken in 2010 and is the subject of a separate report in this agenda.

Although the original objectives of the Event have been achieved a review was determined as being required for the following reasons:

- the demands of various aspects of the Event were high;
- a high cost in mounting the Event on Easter weekend;
- intensive demand of staff time to organise and run the Event;
- the expectations of artists were high; and
- lesser quality materials were able to be used by artists due to financial constraints for the acquisition component of the Event.

Issues

As part of a process of consultation discussions were held with ACHAC regarding the proposed changes to the Current Sculpture Event. After due consideration the committee recommended their support for the proposed approach for the future of the Event to include:

- an expression of interest by artists and the process for the commission;
- a range of visual art activities; and
- a celebration, artist's forum and launch.

Consultation

This item was discussed at the meeting of the Arts, Culture and Heritage Advisory Committee held on 5 October 2011.

(Moved: Councillor R Parisotto/Councillor D McPhie)

Recommendation

That Council receive the recommendation made by the Arts Culture and Heritage Advisory Committee regarding their support of the proposed approach for the future of the Current Sculpture Event to include:

1. *expression of interest by artists and the process for the commission;*
2. *a range of visual art activities; and*
3. *a celebration, artists forum and launch.*

Carried.

Communication

The Arts, Culture and Heritage Committee will be advised of Council's decision.

11.2.3.3 WANGARATTA CURRENT SCULPTURE AWARD REVIEW

Wangaratta Current Sculpture Event Review

67.070.002

Introduction

A review of the Wangaratta 'Current Sculpture Award' has been undertaken. This report provides a proposal for reinvigoration of the 'Current Sculpture Award' and outlines additional alternative art initiatives for the municipality.

Background

The Sculpture Award was initiated as a means of providing a competitive sculpture event and forum for sculptors, whilst also providing public art by placing the winning sculpture in a suitable location within the Rural City of Wangaratta. It was intended that the winning works would assist in raising the profile of public art as an enhancement of both the natural and built environments. In addition the Sculpture Award has developed over successive years to include community based art and cultural activity in Merriwa Park and other venues, attracting audiences of approximately 3,000 people across all venues over the time of installation. Professional development and networking opportunities for artists were also a core aspect of the presentation of the program.

Although the above objectives have been realised the event has become the subject of a review due to the following:

- demands of various aspects of staging the event;
- high cost of mounting the Easter weekend program;
- intensive staff hours (six months plus) required to develop and present the award;
- high expectations of artists; and
- lesser quality materials having to be used by artists, due to financial constraints, for the acquisitive sculpture award.

Issues

After consideration of the review findings it is proposed that the Current Sculpture Award event be changed. The proposed changes apply to each of the following elements:

- the 'Current Sculpture Award' commission be held every four years;
- the \$26,000 for the award currently allocated in Council's budget every second year be split and allocated on an annual basis, being \$13,000 per

annum, providing the ability to carry forward some funds to amass and contribute periodically to a significant piece of public art;

- the process for the Current Sculpture Award be changed to lessen the demand for artists to provide completed sculptures until a screening process has been undertaken to shortlist works;
- the award be reinvigorated by holding a launch event in a public place (i.e. Merriwa Park) celebrating the installation of the Current Sculpture Award commissioned public work of art;
- a program of events for sculptors, artists and the community is to be held at the launch of the major Current Sculpture Award commission event; in addition artists and the community be invited to participate in other innovative and exciting visual arts events in the parks as part of existing annual events, such as 'Summer in the Parks', this may include an ephemeral sculpture event and/or street art projects, short film festivals, visual art projects and displays.

A new process for the Current Sculpture Award commission is proposed as follows:

- a site be determined via the proposed Public Art Priorities list (to be developed and presented to Council);
- a Commission brief for a Public Art work for the selected site be developed;
- the community be involved through a consultation process with some of the specific elements of the Public Art Commission brief i.e. brainstorm elements to be included such as the history of site, current and / or future use of the site;
- the community in rural towns be involved in the recommendations and nominations of sites for public art in their town, (towns are to be selected on a rotational, needs or project basis);
- Expressions of Interests (EOIs) be called inviting artists to address the Public Art Commission Brief;
- EOIs be evaluated by an appointed professional committee and that three artists' works be selected to be made into maquettes (models) for evaluation;
- the three selected artists' maquettes be displayed in a public place – e.g. Wangaratta Performing Arts Centre or Wangaratta Government Centre, a public venue in the rural town for public art installation, to encourage input and ownership by the community;
- the community be encouraged to view and comment on the works;
- community comments be publicised in the local media via press releases;
- community comments be taken into consideration by the professional committee in addition to other evaluation criteria before making a final decision on allocating the commission to one artist's EOI; and
- an event surrounding the launch of the Current Sculpture Award commission to be held involving the community and artists.

It is also proposed that a range of public art displays occur on an annual basis in conjunction with other community events such as 'Summer in the Parks', Australia Day, Youth Events, NAIDOC Week, Harmony Week etc. Examples being: providing a display of fine art in an area of the Park where the Summer in

the Parks activity is provided, and facilitate a display of pavement art undertaken by local young artists at a youth event.

By using the above process and implementing the recommendations it is believed that the following outcomes will be achieved:

- a major competitive sculpture award and event that is affordable for artists and provides a more appropriate piece of sculpture for permanent display;
- a broad range of annual community visual art and cultural events in the parks for general community interest and attendance;
- community engagement and ownership; and
- artist forums and networking.

Implications

Council Plan Outcomes

To integrate public art, design and cultural features into the planning of capital works projects and public space development throughout the Rural City of Wangaratta.

Sustainability

It is recommended that the \$26,000 for the award currently allocated in Council's budget every second year be split and allocated on an annual basis, being \$13,000 per annum, and provide the ability to carry forward some funds to amass and contribute periodically to a significant piece of public art.

Community Engagement

ACHAC support the approach being proposed and a recommendation to that effect is the subject of a separate report within this agenda.

Letters were distributed to artists included on a mailing list for the 'Current Sculpture Event' advising of the review and the recommendations. A concern was raised by an artist regarding the loss of an ephemeral sculpture event, and the community's interest in viewing sculpture in a park setting. A forum was facilitated where the attendees supported the recommendations of the review identifying an opportunity for the Rural City of Wangaratta to have a vast collection of public art.

Conclusion

The introduction of a planned approach to the acquisition of high quality public art for the municipality will assist in defining the municipality and city as having a distinctive 'point of difference' amongst other local government areas. The Rural City of Wangaratta will therefore enhance its position as a vibrant centre for the visual arts and cultural activity, improving the two key characteristics of liveability and tourism.

The realisation of quality public art and design will be a significant asset to the city and the rural towns, through celebrating, signifying and revealing particular aspects of the municipality, its community, its history, its character and its

aspirations. A strong sense of place, identity and community will be achieved which will create the Rural City of Wangaratta as a municipality that is attractive to live in, work in and to visit.

(Moved: Councillor R Parisotto/Councillor R Webb)

Recommendation

That Council endorse the following recommended changes to the ‘Current Sculpture Event’ and the process outlined in this report:

- 1. the ‘Current Sculpture Award’ commission be held every four years;***
- 2. the \$26,000 for the award currently allocated in Council’s budget every second year be split and allocated on an annual basis, being \$13,000 per annum, providing the ability to carry forward some funds to amass and contribute periodically to a significant piece of public art;***
- 3. the process for the Current Sculpture Award be changed to lessen the demand for artists to provide completed sculptures until a screening process has been undertaken to shortlist works;***
- 4. the award be reinvigorated by holding a launch event in a public place (i.e. Merriwa Park) celebrating the installation of the Current Sculpture Award commissioned public work of art;***
- 5. a program of events for sculptors, artists and the community is to be held at the launch of the major Current Sculpture Award commission event every four years; and***
- 6. in addition artists and the community be invited to participate in other innovative and exciting visual arts events in the parks as part of existing annual events, such as ‘Summer in the Parks’, this may include an ephemeral sculpture event and/or street art projects, short film festivals, visual art projects and displays.***

Carried.

11.2.3.4 **COMMUNITY GRANTS - MINOR**

Community Grants

68.040.001

Councillor D McPhie left the Chamber having declared a conflict of interest.

Introduction

Each year Council provides a Community Grants Program to assist not for profit community groups. This report provides an outline of the process undertaken and proposed funding recommendations for the 2011/2012 year.

Background

Council endorsed a revised process for the delivery of the Community Grants Program at the June 2011 Ordinary Council Meeting.

This process has strengthened the alignment of Community Grants with the community planning and engagement for both rural and urban areas.

The process now includes an Expression of Interest (EOI) submission with a formal application following. The steps of scrutiny and assessment provide greater ability to:

- identify projects that could be funded through other means;
- identify opportunities where resources can be shared;
- ensure there is a community approach; and
- provide input from across the organisation so to consider a broader range of interests and potential opportunities.

The Minor category EOI process was advertised and then closed on 15 August 2011. Council received forty-seven EOIs for projects requesting a total of \$177,713. The EOIs were considered by a panel made up of representatives from the following Council Units:

- Art Gallery;
- Community & Recreation;
- Environment;
- Community Health & Amenity;
- Facilities;
- Technical Services;
- Tourism; and
- Community Wellbeing Management.

The panel assessed each EOI for eligibility using the assessment criteria and guidelines. At the completion of this process, the panel recommended twenty-three community groups to proceed to the full application process. There were twenty-four EOIs rejected as they did not fully meet the Community Grants assessment criteria and guidelines. Feedback on information and advice was provided to all groups which included potential alternative funding opportunities. The next stage of the process involved the submission of applications which closed on 21 October 2011. Twenty applications were received, requesting a total of \$77,250 exceeding the available funds by \$22,250 (GST inclusive).

The applications were assessed by a panel and scored according to the assessment criteria. The highest scoring applications were funded until the available funds were exhausted. Decisions were based on meeting the following criteria with a weighting as indicated:

- | | |
|--|-----|
| • benefits to the community | 20% |
| • community participation | 20% |
| • demonstrated connection to the 2030 Community Vision | |
| • Council Plan or relevant community action plan | 20% |
| • the groups capacity to make a contribution | 20% |
| • capacity to deliver project; and | 10% |
| • clearly defined aims & goals of the project | 10% |

Issues

The total requests for this year's program again exceeded Council's budget allocation. In previous year's grants process, approximately seventy applications were received, the 2011/2012 process reduced this number significantly which made the final assessment process more streamlined.

The most common issues with projects submitted were:

- groups requested funds for maintenance on Council owned property;
- many applications had not investigated other opportunities for funding such as volunteer grants; and
- some groups offered limited contribution, both 'in kind' or cash.

Three community groups applied for a multimedia projector, the assessment panel is recommending that Council purchase one projector and add this to the existing community resources. A camera for joint use is held at the Wangaratta Library and the PA and Multimedia project equipment will be stored at Council to make available to community groups free of charge.

Implications

Council Plan Outcomes

To support our community to be resilient.

Sustainability

The total budget allocation for 2011/2012 for the Minor category is \$55,000 (GST inclusive). Community Groups can apply for funds up to \$5,000. Fifteen applications totalling \$55,000 (GST inclusive), were assessed to be recommended for funding by Councils assessment panel. Once taking into account the community group's contribution the total value of the project works to be achieved is \$145,840.

(Moved: Councillor R Webb/Councillor A Griffiths)

Recommendation

That Council:

- 1. endorse the allocation of the 2011/2012 Community Grants Program as follows: and***

	Name	Project	\$
1.	Wangaratta 4 wheel drive club	Training & mentoring in first aid	2,500
2.	Wangaratta Cool Heads Program	Venue hire & resources	2,000
3.	Wangaratta Hockey club/Little Athletics club	Build a weather shelter at Bill Eaton	5,000
4.	Wangaratta Kennel & Obedience Dog club	Install a new kitchen	5,000
5.	Wangaratta Rovers Football/Netball club	Install new aluminium seating	3,500
6.	Eldorado Museum	Maintenance vehicle with blade, sprayer & mower	4,649

	Name	Project	\$
7	Milawa Bowls club	Purchase 2 tanks	4,700
8.	Wareena Park Bowls club	Replace equipment shed	5,000
9.	Ostinato Wangaratta Inc	Three hour singing workshop	3,940
10.	King Valley Horse Trail Riding Club	Purchase Hot Box & Spit Roast Rotisserie	3,250
11.	Wangaratta Woodworkers Club Inc	Purchase 60 chairs	3,400
12.	Wangaratta Croquet Club	Purchase reverse cycle cooling & a line marker	3,800
13.	Balmoral Highland Dance Society Inc	Build a web site	1,000
14.	Oxley Recreation Reserve	Replace old picnic seating	4,863
15.	Community Resource	Multi Media Projector	2,398
	Total		55,000

2. **Reallocate the amount of \$2,398 from the Community Grants budget allocation and purchase a Multi-Media Projector to be made available for community use.**

Carried.

Communication

All applicants will be formally advised of the success or non-success of their application pending Council's decision.

Councillor D McPhie returned to the Chamber.

11.2.3.5 **ACT-BELONG-COMMIT REPORT**

Wangaratta Local Health and Wellbeing Partnership

60.010.012

Introduction

North East Health and Ovens & King Community Health Service have invited Council to be a partner of a local Act-Belong-Commit (ABC) campaign aimed to encourage people to improve their mental health and wellbeing.

Background

ABC is a community based health promotion campaign aimed at encouraging people to improve their mental health and wellbeing. This is a health promotion activity driven by local partnerships (North East Health and Ovens & King Community Health Service) to offer increased opportunities to individuals for

social inclusion, participation and mental health engagement through the following community based strategies:-

- (Act) by building positive mental health through physical activity, and being mentally and socially active;
- (Belong) by being involved in family and community activities and participation in community events; and
- (Commit) by taking on challenges or causes that provide meaning and purpose to their lives

This evidenced-based campaign was developed mainly from research undertaken by Curtin University into people's perceptions of mental health and the behaviours they believed protected and promoted good mental health. The campaign is directed by Mentally Healthy Western Australia (WA) at Curtin University, and implemented through health services, local governments, women's health services and not-for-profit groups.

There are currently twenty-four ABC sites across Australia, mostly in WA, which is where the intervention program was piloted and supported by the WA government.

An ABC network has been established in Victoria in recognition of the community benefits and to date is represented in Bass Coast, South Gippsland, Hume and Moreland, South East Melbourne and now North East Victoria.

The ABC program has the capacity to improve the mental health and wellbeing of individuals and communities through:-

- an increased and strengthened sense of community connectedness, by building the capacity of community groups to provide opportunities for mentally healthy activities;
- fostering partnerships and integration between government, non-government organisations and community groups creating a more cohesive community;
- increased and strengthened participation by individuals in clubs and associations and attendance at community events;
- assist to reduce the long term outcomes in communities of mental health problems including depression, suicide, alcohol and drug abuse and juvenile delinquency;
- shift the perception of mental health to encompass wellbeing
- de-stigmatise mental illness; and
- utilise existing community resources ensuring sustainable communities.

Evidence to support the success of the program:

A snap shot of Statistical Findings from the pilot study Act-Belong-Commit Campaign Pilot Report: 2005 – 2007 (six pilot communities across WA, rural and metropolitan)

- 24% of campaign brand aware respondents reported that the campaign had changed the way they thought about mental health (significantly higher amongst women and younger age group).
- Main changes reported: increase in consciousness about mental health (46%), mentions consistent with ABC message (35%), increase in the belief

that they can do things to keep mentally healthy (20%), reframing of mental health in a positive context (7%). Other cognitive changes included the destigmatisation of people with mental health problems/ mental illness and increased understanding of people with mental health problems.

- 14% of campaign brand aware respondents in pilot towns reported a change in behaviour, of these, 62% reported a change in behaviour that is consistent with the ABC message.

Jalleh, G., Donovan, R.J. & James, R. Process and Impact Evaluation of the Act-Belong-Commit Mentally Healthy WA Pilot Campaign. Centre for Behavioural Research in Cancer Control, Division of Health Sciences, Curtin University, Perth, 2008.

Issues

The Wangaratta Local Health and Wellbeing Partnership has identified the ABC program as an opportunity for this Committee to work as a collaborative partnership on an issue with common interest.

Any group or activity which meets the principles of the ABC message is able to use the ABC branding in conjunction with their own branding.

By adopting this program the Council would be required to:

- adapt the ABC branding to include the Rural City of Wangaratta logo;
- participate in joint activities/initiatives;
- brand current activities that meet the ABC principles eg: community meals, Senior's Festival activities, Australia Day activities, Youth Events etc;
- participate in Wangaratta Act Belong Commit network; and
- report/provide feedback and updates to the Wangaratta Health and Wellbeing Partnership.

Implications

Council Plan Outcomes

To support the development of integrated health provision to maximise the health and wellbeing outcomes for the community.

Sustainability

The adoption of the program is being initiated by the Central Hume Primary Care Partnership Integrated Health Promotion Network and is endorsed by the Central Hume Primary Care Partnership (CHPCP). There will be no cost to Council. A \$10,000 grant has been received by Council which is able to be used for the promotion of the campaign and any resources that all agencies may need to access for their events.

Community Engagement

The Wangaratta Local Health & Wellbeing Partnership includes representation from many sectors of the community, such as, community health, families & children, positive ageing, young people, education, safety etc. The health

promotion message will be broadly communicated and implemented into many activities and programs.

Conclusion

The “Act, Belong, Commit” program offers a positive, protective and proactive approach to the promotion of mental and physical health, wellbeing and community connection.

Through the participation of Council in this program it will:

- provide an integral pillar to boost the work of Council strategies in particular municipal public health, recreation plans, and community and wellbeing plans;
- provide an umbrella (with NEH and Ovens & King Community Health) to brand activities to assist in promoting the programs message;
- provide a multifaceted intervention program creating real change (based on evidence by Curtin University);
- provide access to useful resources and frameworks and training/capacity building;
- provide consistent positive messages to improve the health and wellbeing of residents across the community; and
- provide and enhance existing partnership opportunities.

(Moved: Councillor L McCully/Councillor R Parisotto)

Recommendation

That Council:

- 1. endorse the participation in the “Act, Belong, Commit” health promotion campaign on the condition that there is no direct cost apportioned to Council; and***
- 2. support activities that incorporate the following:***
 - a. adaptation of the “Act, Belong, Commit” branding to include the Rural City of Wangaratta logo;***
 - b. participation in joint activities/initiatives;***
 - c. branding of current activities that meet the ABC principles eg: community meals, Senior’s Festival activities, Australia Day activities, Youth Events etc;***
 - d. participation in Wangaratta Act Belong Commit network, and***
 - e. reporting/providing feedback and updates to the Wangaratta Local Health and Wellbeing Partnership.***

Carried.

11.2.4 INFRASTRUCTURE SERVICES

11.2.4.1 SHOWGROUND LIGHTING FEES

Showgrounds redevelopment

78.050.004

Introduction

The Showgrounds Lighting Upgrade project being undertaken as part of the Wangaratta Showgrounds redevelopment is nearing completion. The cost of running the lights is proposed to be recouped on a user pays basis.

Background

The proposed fees were presented to the meeting of the Showgrounds Committee held on 27 October 2011. There had been opportunities during testing of the lights in the week before the Wangaratta Show to discuss the proposed fees with members of the Show Committee, the Cycling Club and also the Cricket Club as the various illumination levels were demonstrated.

Issues

The Showgrounds Committee expressed no objections to the proposed fees.

Implications

There will be scope for user groups to make changes to the light settings as they become more familiar with the effects of the differing settings.

The fees have been structured to reflect the number of rows of lights the particular user group wishes to have on at a particular time and are listed in the table below:

Number of rows of lights	Light fee (\$/hour)
1	\$15.00
2	\$30.00
3	\$45.00
4	\$60.00
6 (all)	\$90.00

Conclusion

The proposed fee structure for using the new lights at the Wangaratta Showgrounds is believed to be straightforward providing choice and economical access to the lighting for the various groups that use the facility.

The fee structure will be reviewed after twelve months to confirm the allowances made within the pricing for lamp replacement and maintenance of the system.

(Moved: Councillor D McPhie/Councillor L McInerney)

Recommendation

That Council adopt the proposed fee structure for the operation of the lights at the Wangaratta Showgrounds as listed below:

<i>Number of rows of lights</i>	<i>Light fee (\$/hour)</i>
<i>1</i>	<i>\$15.00</i>
<i>2</i>	<i>\$30.00</i>
<i>3</i>	<i>\$45.00</i>
<i>4</i>	<i>\$60.00</i>
<i>6 (all)</i>	<i>\$90.00</i>

Carried.

11.2.4.2 PETITION: RE CONDITION OF PARKING AREA IN FRONT OF WHOROULY POST OFFICE AND WHOROULY HOTEL

Pedestrian Crossings

83.050.001

Introduction

This report details the action proposed to be undertaken in response to a petition tabled at the November Council meeting regarding the condition of the parking area in the front of the Whorouly Post Office and Whorouly Hotel.

Background

A petition/joint letter was received from the Whorouly Senior Citizens containing 34 signatures from the members concerned with the current state of the roadside and parking area fronting the Whorouly Post Office and Hotel. The petition was tabled at the 15 November 2011 Council meeting with the following recommendation ratified:

“That the petition regarding the condition of the roadside/parking area in front of the Whorouly Post Office and Whorouly Hotel be received and a report about the issues raised be considered at Council’s December 2011 meeting.”

Issues

The car parking area is within the road reserve along the front of the building in Whorouly Road.

The car parking area is generally used by the local community when attending the Post Office to collect their mail or patrons of the Hotel.

The car park surface has been previously sealed, however has never received any reseal coats and has now reached the end of its useful life. In recent times Council has patched potholes with gravel or bitumen to try and preserve the remnant seal and pavement; however the pavement is now in a very poor state and requires a new seal to protect the remaining pavement.

Action will be taken to address short term risks to pedestrians through sweeping the surface of loose stones and patching the worst of the potholes.

Implications

Council Plan Outcomes

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

With the high level of utilisation of the car park by the local community, the uneven surface may pose a risk to pedestrians. Furthermore, the car park pavement is in need of a seal to protect and maintain existing assets.

Council officers are currently reviewing options, with an application of a sprayed seal estimated to cost \$3,500 - \$4,000 or the application of a 30 mm deep asphalt overlay to cost in the vicinity of \$10,000.

The sprayed seal will achieve the goal of protecting the pavement and minimising the risk for pedestrians, however the asphalt overlay will provide the community with a more durable longer lasting surface.

The sprayed seal option could be considered as part of this year's Renewal Program (Reseals); however this may result in a re-shuffle of the current project priorities and could result in another project being deferred.

The asphalt option will need to be considered via the Project submissions for 2012/2013.

Conclusion

To achieve a more sustainable pavement the recommendation would be to apply a asphalt overlay, however this will need to be submitted as a project for consideration for the 2012/2013 Capital Works Program.

Recommendation

That Council endorse the submission of a project to seal the car park fronting the Whorouly Post Office and Whorouly Hotel with an asphalt overlay for consideration in the 2012/2013 Capital Works Program.

(Moved: Councillor A Griffiths/Councillor R Parisotto)

That Council consider making a funding allocation as part of the Half Year 2011/2012 Budget Review in order that a decision to seal the car park fronting the Whorouly Post Office and Whorouly Hotel with an asphalt overlay can be given effect to in this financial year.

Carried.

Communication

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

11.2.4.3 C1112-010 FOR THE SUPPLY OF DUAL AXLE TRUCK WITH 12,500 LITRE WATER TANK

C1112-010 for the Supply of Dual Axle Truck with 12,500 litre Water Tank

30.072.010

Introduction

The report sets out the tender process undertaken for C1112-010 for the supply of a dual axle truck with a 12,500 litre water tank.

Background

Contract C1112-010 is for the supply of a dual axle truck with a 12,500 litre water tank. The purchase is part of the Council's ongoing fleet replacement program.

This acquisition program for the basic truck cab and chassis was conducted under the MAV Procurement Contract BUS 198 – 0410 for the Supply of Trucks, Vans and Omnibuses. The MAV process is a group aggregation tender / contract which we are qualified to use.

As our specifications included a water tanker, we subsequently requested quotations for the water tank in addition to the cab and chassis from the list of MAV approved suppliers. From this approved list, three were able to provide a vehicle meeting Council's specification as shown below:

- DAF & Kenworth are owned by PACCAR who only submitted a price for a DAF truck. The quote was provided by Twin City Trucks who are agents for both DAF & Kenworth.
- CMI Hino priced on Hino.
- Isuzu & Iveco did not submit a quote. The local supplier is Blacklocks.

The other suppliers from the approved list were not requested to provide a quote as:

- UD & MACK & Volvo are all divisions of the Volvo Aust group. UD & Mack did not have a truck that met the specification. Volvo had a truck with pricing outside the available budget when fitted with the water tank.

- Scania only provides prime movers and so did not have anything that met the specification.
- Other suppliers listed are either street sweepers, waste compactors, cranes or road maintenance units.

The request was made under Part 2 Specifications and Part 4 General Conditions of Contract of MAV Procurement Contract BUS 198 – 0410 for the Supply of Trucks, Vans and Omnibuses.

Request for quotations were made to the following vendors on the MAV approved list:

- DAF
- CMI – Hino
- Blacklocks – Isuzu

There was no pre tender meeting for this contract.

Quotations were received by the due date from the following suppliers:

Tender
DAF
CMI - Hino

No quotation was received from Blacklocks – Isuzu despite many follow up requests.

Tender Evaluation

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

Criteria	Weighting
Price	35%
Service and Maintenance	25%
Warranty	20%
Features and OH&S	10%
Fuel efficiency and emissions standard	10%
Total	100%

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

P	Evaluation Result	Criteria
100	Exceptional	Demonstrated capacity exceeds all required standards

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

5.2 Summary of the Weighted Attribution Method Score is as follows:

Tenderer	Score
DAF	59
CMI – Hino	49

The highest value reflects the most favourable tender assessment.

Budget Comparison

The amount allocated in the plant replacement budget for the replacement of the truck with water tanker is as below:

Funding Program	
Allocated Funds in Budget for water tanker (excl GST)	\$275,000
Preferred Tender (excl GST)	\$268,467

The actual amount tendered by DAF for supply of the cab chassis truck with water tanker is under the budget amount by \$6,533.

One issue that the evaluation panel investigated was whether the existing water tanker could be adapted to the new truck chassis.

The advice received from the auction house was that the vehicle for trade-in, the Acco 2350G, would be \$15,000 without the water tanker, and \$50,000 with the existing water tanker.

The cost to adapt the existing water tanker to the new cab chassis is \$45,000, whereas the price for a new water tanker as part of the purchase is \$70,000. Therefore, there is an estimated \$10,000 benefit to the Council by sending the

existing truck and water tanker for auction, and purchasing a new water tanker with the truck purchase.

Although the DAF truck is more expensive than the CMI-Hino truck on the initial purchase, the CMI-Hino truck has more expensive parts. Based on a standard servicing history for both trucks, the DAF truck will be cheaper over the life of the truck, and the additional capital outlay is estimated to be recouped after 2 years of service life. It is anticipated the vehicle will be in Council's fleet for 10 years.

Conclusion

The tender submitted by DAF for the FAT CF 75 cab / chassis and the Barry Burrowes water tanker scored the highest under the weighted attribution method. While it is more expensive than the unit tendered by CMI-Hino, it is considered to offer the best value and will be cheaper over the service life of the truck due to lower maintenance costs.

Options concerning the future use of Council's water truck are currently being investigated.

(Moved: Councillor R Webb/Councillor D McPhie)

Recommendation

That Contract C1112-010 for the supply of a dual axle truck with a 12,500 litre water tank be awarded to DAF for a sum of \$294,451 (incl GST).

Carried.

Communication

That the Contract C1112-010 be signed and sealed when available.

11.3 SPECIAL COMMITTEE REPORTS

Nil.

11.4 ADVISORY COMMITTEE REPORTS

11.4.1.1 SPORT & RECREATION ADVISORY COMMITTEE MEETING REPORT

Sport & Recreation Advisory Committee

61.010.003

(Moved: Councillor L McCully/Councillor R Parisotto)

Recommendation

That reports 11.4.1.1 to 11.4.1.6 be noted.

Carried.

Background

The Sport & Recreation Advisory Committee held a meeting on 9 November 2011.

Attendees: Leon Newton, Anne Bittner, Elizabeth Hindle (arrived at 4.35pm), Lawrence Johnston, Wayne Tennant, Cr Doug McPhie, Ruth Tai, Julie Brock, Leonie Painter.

There were no declarations of conflict of interest.

The following items were discussed:

1. Recreation Planner and Community Liaison Officer roles
2. Community Facility Funding Program 2012 – 2013 (Moyhu Tennis Club application)
3. Country Football Netball Program 2012 – 2013 (Whorouly Football Netball Club application)
4. Recreation & Open Space Strategies update on progress
5. Community Grants Program 2011 – 2012 update on progress
6. Aquatic Strategy update of progress
7. Major event attraction initiative (Complete Sports Marketing)
8. Showgrounds development update of progress

Recommendation

That the report be noted.

11.4.1.2 YOUTH COUNCIL ADVISORY COMMITTEE MEETING REPORT

Youth Council

10.020.010

Background

The Youth Council Advisory Committee held a meeting on 9 November 2011.

Attendees: Youth Councillors – Lachlan Thomas, Natasha Young, Tim Van der Leeuw, Jack Seymour, Hazel Vaughan, Elizabeth Hindle and Youth Mayor, Erin Ritchie.

Cr Roberto Paino, Cr Lauren McCully and Katy Hawkins (Youth Development Officer).

There were no declarations of conflict of interest.

The following items were discussed:

1. Christmas Program
2. Wangaratta Youth Survey
3. Creative Youth Report
4. Children's Week BBQ Report
5. North East Regional Youth Affairs Network meeting report
6. Wangaratta Youth Service Providers Network meeting report

Recommendation

That the report be noted.

11.4.1.3 AGRICULTURE AND AGRIBUSINESS ADVISORY COMMITTEE MEETING REPORT

Cultural/Arts Issues

67.010.006

Background

Council's Agriculture and Agribusiness Advisory Committee (AAAC) held meetings on 21 November and 5 December 2011.

Meeting 21 November 2011

Attendees: Cr Lisa McInerney (Chair); Rosey Bennett; Harry Bussell; Vin McKenzie; Graeme Norman; Geoff Bussell; Harvey Benton; David Maples; Joe La Spina, Ray Park; Michelle Grainger; Doug Sharp and Graham Nickless. An apology was received from Lachlan Campbell.

A conflict of interest was noted by Ray Park.

Items discussed at the meeting included:

- Extended timelines for conclusion of study;
- Proposal to have a socio-economic study;
- The meeting progressed to consider the proposals within the DRAFT 2 Rural Land Strategy as tabled.
- The Committee determined to re-convene on 5 December to conclude discussion on the proposals and provide feedback for Council's consideration.

Meeting 5 December 2011

Attendees: Cr Lisa McInerney (Chair); Rosey Bennett; Harry Bussell; Vin McKenzie; Graeme Norman; Geoff Bussell; Harvey Benton; David Maples; Joe La Spina, Lachlan Campbell; Ray Park; Michelle Grainger; and Graham Nickless. There were no apologies.

A conflict of interest was noted by Ray Park.

Items discussed at the meeting included:

- Further discussion on proposals contained within the DRAFT 2 Rural Land Strategy as tabled;
- Additional clarification is being sought on a number of the proposals; and
- Initial summary of recommendations in the recently released Murray Darling Basin Plan.

Recommendation

That the report be noted.

11.4.1.4 PLACE NAMING COMMITTEE MEETING REPORT

Place Naming Committee

73.020.014

Background

The Place Naming Committee (PNC) held their quarterly meeting on 24 November 2011.

Attendees: Val Gleeson, Helen Guilfoyle, Marg Pullen, Julie Allen, Ken Jenvey, Ivan Tippet, Beryl Bellis, Sandra Dalton, Cr Roberto Paino (Chair), Andrew Close, Jane Kaye

There were no declarations of conflict of interest.

The following items were discussed at the meeting:

1. Advisory Committee Review (revised Committee Charter)
2. Application for naming roads
3. Naming of Cemetery Roads
4. Meeting schedule for 2012
5. Renaming of the Eastern Section of Dale Street
6. Request for Britton name to be listed for road naming in the future
7. Road naming history to be researched by PNC
8. Anzac Commemorative Naming Pilot Project

Recommendation

That the report be noted.

11.4.1.5 AUDIT ADVISORY COMMITTEE MEETING REPORT

Audit Advisory Committee

51.020.004

Attendees: Joanne Ryan (Chair); Anthony Griffiths, Mayor; Councillor R Webb; Ruth Kneebone, Manager Finance; Ray Park, Director Sustainability; Jenny Bell; Paul Goonan of Johnsons MME, David Whitehouse, Paul Somerville, Manager Projects and Contracts.

There were no declarations of conflict of interest.

The following items were discussed:

1. Cash Sources, Receipting and Banking
2. Risk Management Policy, Risk Framework and Process, Risk Register
3. Building and Planning Review
4. Financial Reports
5. Internal Audit Progress
6. External Auditor Reports
7. New Council Policies and Amendments – Councillors Professional Development
8. Ethical Standards And Related Party Transactions
9. Whistleblower Issues
10. Compliance/Non-Compliance with Legislation and Council Policies
11. Understanding The Business – Auditor General Financial Sustainability Indicators
12. Major Lawsuits Facing Council

Recommendation

That the report be noted.

11.4.1.6 WANGARATTA UNLIMITED ADVISORY BOARD (COMMITTEE) MEETING REPORT

Wangaratta Unlimited Board

25.007.002

Background

The Wangaratta Unlimited Advisory Board (Committee) held their monthly meeting on Wednesday 7 December 2011 with the following members in attendance: Barry Sullivan (Chair); Stephen Oxley; Hayley Cail; Grant Jones; Ken Butterworth; Greg Larkins; Wendy Lester; Helen Haines; Cr Roberto Paino; Cr Lisa McInerney; Graham Nickless and Penny Hargrave. An apology was received from Guy Wilkinson and Emma Keith.

There were no conflicts of interest declared.

The following items were discussed at the meeting:

- Draft Regional Wine Industry Restructure Strategy

- Business Events Prospectus update

Reports were received from the following committees or projects:

- Water Plan III Draft Report
- Draft Rural Land Strategy
- Regional Development Australia
- Jazz Festival Update
- Alpine Valleys Agrifood Project

A nomination was sought for representation on the steering committee to support the weekend activities around the NAB Cup Football match in March 2012.

The meeting closed at 7.00pm and members adjourned to Café The Vue where an end of year dinner was provided. Cr Anthony Griffiths and John G Brown were special guests.

Recommendation

That the Report be noted.

12. RECORDS OF ASSEMBLIES OF COUNCILLORS

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

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

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

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

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

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

DATE	MEETING DETAILS	REFER
7/12/2011	Wangaratta Unlimited Advisory Board (Committee)	Refer item 11.4.1.6
6/12/2011	Draft Agenda and Deputations Meeting	Attachment
5/12/2011	Agriculture and Agribusiness Advisory Committee Meeting	Refer item 11.4.1.3
1/12/2011	Special Meeting of Council	Attachment
24/11/2011	Place Naming Advisory Committee	Refer item 11.4.1.4
24/11/2011	Audit Advisory Committee	Refer item 11.4.1.5
22/11/2011	Councillors Briefing Forum	Attachment
21/11/2011	Agriculture and Agribusiness Advisory Committee Meeting	Refer item 11.4.1.3
17/11/2011	King Valley Masterplan	Attachment
15/11/2011	Prior to Ordinary Meeting of Council	Attachment
10/11/2011	Draft Agenda and Deputations Meeting	Attachment
9/11/2011	Youth Council Advisory Committee Meeting	Refer item 11.4.1.2
9/11/2011	Sport and Recreation Advisory Committee Meeting	Refer item 11.4.1.1

(Moved: Councillor L McCully/Councillor R Webb)

Recommendation

That:

1. **Council receive the reports of Assemblies of Councillors, and**
 2. **the items listed below remain confidential in accordance with S.77 of the Local Government Act on the grounds that they relate to one or more of the following matters:**
 - a. **Industrial matters;**
 - b. **Contractual matters;**
 - c. **Proposed developments; and**
 - d. **a matter that would prejudice the Council**
- (i) **Councillor’s Briefing Forum dated 22 November 2011:**
- 4.2.1.1 **Key Performance Indicators**
 - 4.2.1.2 **Works And Activities Progress**
 - 4.2.1.3 **Finance Reports**
 - 4.2.1.4 **Planning & Subdivision Reports**
 - 4.2.1.5 **Implementation Of Council Decisions**
 - 4.2.1.6 **Council Planning Calendar 2011**
 - 4.2.2.1 **Mayor's Charity Gala**
 - 4.2.3.1 **Subdivision, Planning & Building Reports**
 - 4.2.3.2 **Proposed Wangaratta Livestock Exchange Stakeholder Forum**
 - 4.2.3.3 **Neighbourhood Centres In Residential Areas**
 - 4.2.3.4 **North East Victorian Firewood Strategy**
 - 4.2.3.5 **North East Greenhouse Alliance Progress Report**
 - 4.2.3.7 **Planning Permit Application No. 11-175 – Use And Development Of Land For A Second Dwelling At 259 Carboor Upper Road, Carboor, 3678**
 - 4.2.3.8 **Review Of Stormwater Management Plan**
 - 4.2.3.9 **Heritage Study Review**
 - 4.2.4.1 **Gallery Acquisitions Committee**
 - 4.2.4.3 **2011 ON TRACK REPORT**
 - 4.2.4.4 **Disability Act 2006**
 - 4.2.4.6 **Local Government Infrastructure Fund Projects**
 - 4.2.5.1 **progress on council plan item - 6.3.1.4 introduction of alternative Fuels**
 - 4.2.5.2 **Progress On Council Plan Item – 4.2.1.5 Co-Located Depot**
 - 4.2.5.3 **Flood Restoration Works Update And Current Issues With Sealed Road Network**
 - 4.2.5.4 **Merriwa Park Development**
 - 4.2.5.6 **Variation To Contract C1011-034 – Flood Reinstatement Works, Greta West - Global Contracting**
 - 4.2.5.7 **Wangaratta Government Centre – Stage Three**
 - 4.2.5.8 **Ovens Riverside Project – Scope Change**
 - 4.2.5.9 **Progress On Council Plan Item – 4.1.1.2: Management Of Council’s Infrastructure.**
- Other items**
1. **LG Infrastructure Fund**
 2. **Agriculture and Agribusiness Advisory Committee Outcomes**
 3. **CFA Roadside Burns**

4. Carbon Tax and Carbon Farming**Carried.****13. NOTICE OF MOTION**

Nil.

14. URGENT BUSINESS

Nil.

15. AUTHORISATION OF SIGNING AND SEALING OF DOCUMENTS

Authorisation of Signing & Sealing of Documents

50.010.004

(Moved: Councillor L McCully/Councillor R Parisotto)**Recommendation*****That Council sign and seal Contract C1112-010 for the supply of a dual axle truck with a 12,500 litre water tank.*****Carried.**

16. PUBLIC QUESTION TIME

Public Question Time

10.020.004

Jim Lewis – Wangaratta

Mr Lewis referred to Community Grants – Minor and asked if community grants were aligned with community plans.

Mr Sharp responded that the intention is to have a strong alignment between the grants and plans. Mr Sharp explained that there are two components to the grants including:

1. \$125,000 for five major grants, four in rural areas and one in urban areas which are directly aligned with community grants; and
2. the remaining \$50,000 for minor grants which are not necessarily aligned.

Doug Sunderland – Wangaratta

Mr Sunderland referred to dogs being off leashes in the Bourke Street playground and asked if Council had a bylaw to enforce leashing on dogs in this area

Mr Sharp responded that there is a law that says dogs must be under effective control and restraint and only allowed off leash in specified areas.

Jim Lewis – Wangaratta

Mr Lewis referred to the Special Meeting of Council held on 1 December not allowing comments at question time and thanked Cr Anthony Griffiths on behalf of the community for his leadership, understanding in environment, policy and practice during the last 12 months.

Mr Lewis also thanked all Councillors for the past year.

17. CONFIDENTIAL BUSINESS

Nil.

18. CLOSURE OF MEETING

The meeting closed at 8.10pm.

Confirmed this 24th day of January 2011.

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Cr R Paino
Mayor