

WANGARATTA RURAL CITY COUNCIL



MINUTES OF THE ORDINARY MEETING
OF THE WANGARATTA RURAL CITY COUNCIL, HELD
IN THE SWINBURNE PAVILION, WHITFIELD RECREATION
RESERVE, MANSFIELD WHITFIELD ROAD, WHITFIELD
ON **TUESDAY, 15 NOVEMBER 2011** AT 7.00PM

Doug Sharp
CHIEF EXECUTIVE OFFICER

As at 1/12/11 2:26 PM

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1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

2. **OPENING PRAYER**

3. **PRESENT**

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

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

The Mayor welcomed Clara de Carvalho Ximenes and Deolinda da Costa from Timor Leste.

4. **ABSENT**

Nil.

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

Nil.

ORDER OF BUSINESS

6. **CITIZENSHIP CEREMONY**

The Australian Citizenship ceremony (when applicable).

7. **CONFIRMATION OF MINUTES**

(Moved: Councillor R Parisotto /Councillor R Paino)

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 18 October 2011 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

9.1.1.1 PETITION – RE CONDITION OF PARKING AREA IN FRONT OF WHOROULY POST OFFICE AND WHOROULY HOTEL

83.130.002

Background

A petition/joint letter containing some 34 signatures from members of the Whorouly Senior Citizens has been received wishing to draw Council's attention to the condition of the roadside/parking area in front of the Whorouly Post Office and the Whorouly Hotel. The petitioners request that the roadside/parking area along Whorouly Road between Back Road and the rear of the post office be resealed as soon as possible.

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 Paino /Councillor R Webb)

Recommendation

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

Carried.

Communication

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

9.1.1.2 PETITION – RE FUTURE OF THE EX OVENS COLLEGE HALL,
GRETA ROAD WANGARATTA

83.130.002

Background

A petition/joint letter containing some 698 signatures from members of the Rural City of Wangaratta community and addressed to the Legislative Assembly of Victoria, has also been received by Council. The purpose of the petition is to draw attention to the number and variety of user groups who use the ex Ovens College Hall, Greta Road Wangaratta and the concern that the closure of the hall will leave no alternative venue to run many of these interest groups. The petitioners have requested that the Legislative Assembly of Victoria consider reopening the facility up to and including the period following the drafting of the Masterplan to allow continued use by said interest groups.

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. In view of the master planning project, known as the South Wangaratta Urban Renewal Project, now underway that affects this site, the petition has been referred to the consultants undertaking the project to ensure they are included as key stakeholders for consultation purposes.

(Moved: Councillor R Parisotto /Councillor D McPhie)

Recommendation

That the petition regarding the future of the ex Ovens College Hall, Greta Road Wangaratta, be received and that the action to refer it for inclusion in the South Wangaratta Urban Renewal Project as a key stakeholder be endorsed.

Carried.

Communication

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

10. HEARING OF DEPUTATIONS

Nil.

11. PRESENTATION OF REPORTS

11.1 COUNCILLOR'S REPORTS

Nil.

11.2 OFFICER'S REPORTS

11.2.1 EXECUTIVE SERVICES

11.2.1.1 DIRECTORATE ACTIVITY REPORTS

Council Plan

20.030.001

Introduction

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

Background

A report is provided on the organisation's activities for the period 1 July 2011 – 30 September 2011.

Issues

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

Directorate Activity Report for July 2011 – September 2011 attached (***refer attachment***).

(Moved: Councillor R Webb /Councillor R Paino)

Recommendation

That Council receive the Directorate Activity Report for the reporting period 1 July 2011 – 30 September 2011.

Carried.

11.2.1.2 COUNCIL PLAN – PROGRESS REPORT

Council Plan

20.030.001

Introduction

A report is provided on Council's performance against the Council Plan for the period 1 July 2011 – 30 September 2011 (*refer attachment*).

Background

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

Highlights:

- Auditor General's annual audit completed and report on Financial and Performance Statements issued with complete satisfaction;
- Agriculture and Agribusiness Advisory Committee established and begun considering aspects of the review of the Rural Land Strategy;
- State Government funding obtained to enable continuation of roadside weed and pest animal control activities on rural roadsides;
- Mayor's Charity Gala to raise funds for the Wangaratta Traffic School
- Launch of the Eco-Living Precinct at the HP Barr Reserve;
- Launch of the Prosecco Road marketing initiative and ensuing high consumer interest in Prosecco;
- The Culture Victoria Project was nominated for an award from the Australian History Association of Victoria;
- Feedback from the community on Council's immunisation program has been very positive;
- Capital works projects at the Wangaratta Cemetery have been completed, including a shed for machinery and a new rotunda built in partnership with the Appin Park Rotary Club; and
- South Wangaratta Urban Renewal Project commenced with funding of \$50,000 from the State Government matched by Council.

Challenges:

- Wine industry restructure;
- High \$AUD impacting on the ability of local businesses to participate in the export trade; and
- There has been a significant workload in responding to proposed changes to Emergency Management. Some proposed changes could result in an increased cost to Council.

Achievements:

- Over the last 3 months the Wangaratta Childcare Service occupancy level has averaged at 92%;
- The Wangaratta Art Gallery exhibitions attracted 10,444 visitors over the past three months; and

- The number of memberships at the Wangaratta Indoor Sports and Aquatic Centre reached an all-time high at the end of September of 1,737.

(Moved: Councillor R Paino/Councillor L McInerney)

Recommendation

That Council receive the Council Plan Progress Report for the reporting period 1 July 2011 – 30 September 2011.

Carried.

11.2.1.3 **ADVISORY COMMITTEE CHARTERS**

Review of Committees

10.020.005

Introduction

Following the recent review of Council's advisory committees an appraisal of each of the committees charters has been undertaken to ensure that the charters are consistent with its needs as well as Council's and other statutory requirements.

Background

Council has six non-statutory, advisory committees established under the Local Government Act 1989 for the purpose of receiving advice from members of the community. They are:

- Agriculture and Agribusiness Advisory Committee;
- Arts, Culture and Heritage Advisory Committee;
- Place Naming Committee;
- Sport and Recreation Advisory Committee;
- Wangaratta Unlimited Board (Advisory Committee); and
- Youth Council Advisory Committee (Youth Council).

Issues

The Advisory Committee Charters appraisal process has identified that, except in the case of the Youth Council, in the absence of the chairperson at a scheduled committee meeting, there is no arrangement to appoint an acting chairperson and the meeting therefore, cannot proceed.

An amendment to the charters of Council's Agriculture and Agribusiness Advisory Committee, Arts, Culture and Heritage Advisory Committee, Place Naming Committee, Sport and Recreation Advisory Committee and Wangaratta Unlimited Board (Advisory Committee), allowing for the appointment of an acting chair will resolve this issue.

Implications

Council Plan Outcomes

To engage the community in a strategic approach to decision-making and the development of the Rural City of Wangaratta.

(Moved: Councillor R Webb /Councillor L McInerney)

Recommendation

That the charters for Council's Agriculture and Agribusiness Advisory Committee, Arts, Culture and Heritage Advisory Committee, Place Naming Committee, Sport and Recreation Advisory Committee and Wangaratta Unlimited Board (Advisory Committee), under the heading Chairperson and Sub-Committees, be amended to include that:

- ***“If the chairperson is unable to attend a scheduled committee meeting for any reason the committee must appoint an acting chairperson.***
- ***Any election for the appointment of an acting chair will follow the same procedure as that for an election of Mayor as specified in Council's Local Law No. 2.”***

Carried.

Communication

Council's standing Advisory Committees will be advised of this amendment.

11.2.2 SUSTAINABILITY

11.2.2.1 LOCAL GOVERNMENT ELECTIONS 2012

Election 2012

50.050.014

Introduction

Local Government Elections will be held in October 2012. This report begins the preparations for that election.

Background

The Local Government election program in Victoria is governed by the Local Government Act 1989 (LGA). The LGA was amended to shift the date of the election forward to the fourth Saturday in October which will now be held on Saturday 27 October 2012.

Issues

There are two matters for Council to consider.

The first is to do with the method of voting. Section 41A enables Council to decide whether or not voting is to be by postal voting. Voting is to be conducted in the same way as voting at the previous general election unless the Council at least eight months before the Election Day has decided to change the method of voting.

Postal voting has been almost universally adopted in Victorian Local Government elections over the last 15 years, and in many cases, has resulted in substantially increased voter participation. There are no compelling reasons for Council to change from this method of voting.

The second matter is to do with the carrying out of the election. The Victorian Electoral Commission has carried out elections for almost all Victorian Local Governments in the last few years. The 2008 election resulted in an overall cost of around \$110,000. No indicative costs have yet been obtained for the 2012 election. However; the cost will almost certainly exceed the \$50,000 threshold of Council's Procurement Policy which means that a formal tender must be conducted.

As in past elections, the Municipal Association of Victoria (MAV) is planning to conduct a joint tender on behalf of interested Victorian Councils. This Council has participated in the joint tender process in the past and some benefits did result. It is also most likely that there will only be one tenderer, being the Victorian Electoral Commission (VEC) and there is some value in a co-ordinated approach to engaging the VEC.

It is necessary for Council to formally appoint the MAV as Council's agent and to acknowledge that any contract with the VEC, which is likely to be entered in early 2012, will be committing Council's 2012/2013 Budget.

Implications

Council Plan Outcomes

The carrying out of the 2012 Elections is a statutory obligation.

Conclusion

As a consequence of all the above, Council needs to consider its position in regard to postal voting, whether or not to appoint the MAV as an agent.

(Moved: Councillor R Parisotto /Councillor R Webb)

Recommendation

That Council:

- 1. having considered a change to the voting method for the general election to be held on 27 October 2012 in accordance with section 41A of the Local Government Act 1989 (the Act), determines that the voting method used for the 2008 general election will again be used in 2012, i.e. postal voting;***
- 2. appoint the Municipal Association of Victoria (MAV) as agent to undertake a public tender for the provision of electoral services in relation to the 2012 general election;***
- 3. nominate the person from time to time filling the position of Manager Finance as the Council's representative on the evaluation panel that will be established by MAV to evaluate the tender responses;***
- 4. authorise the Chief Executive Officer to sign and seal the agency Deed of Agreement on the Council's behalf;***
- 5. authorise the Chief Executive Officer to:***
 - a. finalise contract details with the preferred tenderer for the provision of electoral services for the 2012 general election; and***
 - b. sign and seal the contract document.; and***
- 6. acknowledge that by authorising the Chief Executive Officer to enter into this contract, it is committing to the allocation of funds for the procurement of electoral services in the 2012/2013 Council budget.***

Carried.

11.2.2.2 **COUNCIL MEETING DATES AND VENUES 2012**

Council Meetings

10.020.002

Background

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

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

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

15 February 2000	Whorouly Multi-purpose Centre
16 May 2000	Bowmans/Murmungee Hall
15 August 2000	Springhurst Hall
21 November 2000	Milawa Hall
20 February 2001	Glenrowan Multi-Purpose Centre
15 May 2001	Peechelba Community Facility
21 August 2001	Markwood Hall
20 November 2001	Myrree Hall
19 February 2002	Greta/Hansonville Hall, Greta
21 May 2002	Carboor Hall
20 August 2002	Boorhaman Hall
19 November 2002	Cheshunt Hall
18 February 2003	Bobinawarra Hall
20 May 2003	Edi Upper Hall
19 August 2003	Glenrowan Multi-Purpose Centre
18 November 2003	Everton Hall
17 February 2004	Oxley Hall
18 May 2004	Moyhu Memorial Hall
17 August 2004	Peechelba Community Facility
23 November 2004	Tarrawingee Hall
15 February 2005	Whitfield Swinburne Pavilion
17 May 2005	Milawa Hall
16 August 2005	Glenrowan Multi-Purpose Centre
15 November 2005	Eldorado Hall
21 February 2006	Springhurst Hall
16 May 2006	Myrree Hall
15 August 2006	Boorhaman Hall
21 November 2006	Whorouly Multi-purpose Centre
20 February 2007	Bowmans/Murmungee Hall
15 May 2007	Cheshunt Hall
21 August 2007	Greta/Hansonville Hall
20 November 2007	Carboor Hall
19 February 2008	Everton
20 May 2008	Peechelba Community Facility
19 August 2008	Moyhu Hall
21 October 2008	Tarrawingee Hall
17 February 2009	Edi Upper Hall
19 May 2009	Oxley Recreation Reserve
18 August 2009	South Wangaratta CFA
17 November 2009	Eldorado Hall
16 February 2010	Springhurst Hall
18 May 2010	Glenrowan Recreation Reserve Hall
17 August 2010	Myrree Hall
16 November 2010	Markwood Hall
15 February 2011	Milawa Hall
17 May 2011	Bowmans/Murmungee Hall
16 August 2011	Boorhaman Hall
15 November 2011	Whitfield Swinburne Pavilion

Issues

Council needs to establish its schedule of Ordinary Council Meeting dates and venues for 2012 to allow for notice to be given and advance planning.

A draft schedule of the 2012 Ordinary Council Meeting dates and venues has been developed. The draft schedule has been developed to achieve a geographical spread of rural meetings throughout the year. The draft schedule for rural townships is as follows:

Tuesday 24 January (4 th Tues)	7.00 pm Wangaratta
Tuesday 21 February (3 rd Tues)	7.00 pm Peechelba Community Facility
Tuesday 20 March	7.00 pm Wangaratta
Tuesday 17 April	7.00 pm Wangaratta
Tuesday 15 May	7.00 pm Greta/Hansonville Hall
Tuesday 19 June	7.00 pm Wangaratta
Tuesday 17 July	7.00 pm Wangaratta
Tuesday 21 August	7.00 pm Carboor Hall
Tuesday 18 September	7.00 pm Wangaratta
Tuesday 16 October	7.00 pm Wangaratta
Tuesday 13 November	7.00 pm Everton Hall
Tuesday 11 December (2 nd Tues)	7.00 pm Wangaratta

Implications

Council Plan Outcomes

The proposed 2012 Ordinary Meeting dates and venues schedule meets our objective of community leadership through the provision of accessible, open and consultative government which is further specified under ongoing responsibilities to continue rotation of Council meetings.

Community Engagement

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

(Moved: Councillor R Parisotto /Councillor D McPhie)

Recommendation

That the schedule of Ordinary Council Meeting dates and venues for 2012 as follows be endorsed by Council:

<i>Tuesday 24 January (4th Tues)</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 21 February (3rd Tues)</i>	<i>7.00 pm Peechelba Community Facility</i>
<i>Tuesday 20 March</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 17 April</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 15 May</i>	<i>7.00 pm Greta/Hansonville Hall</i>
<i>Tuesday 19 June</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 17 July</i>	<i>7.00 pm Wangaratta</i>
<i>Tuesday 21 August</i>	<i>7.00 pm Carboor Hall</i>

Tuesday 18 September **7.00 pm Wangaratta**
Tuesday 16 October **7.00 pm Wangaratta**
Tuesday 13 November **7.00 pm Everton Hall**
Tuesday 11 December (2nd Tues) **7.00 pm Wangaratta**

Carried.

Communication

Public notification will be provided of Council's 2012 Ordinary Meeting dates and venues.

11.2.2.3 AGRICULTURE AND AGRIBUSINESS ADVISORY COMMITTEE

Cultural/Arts Issues

67.010.006

Introduction

Elsewhere in this Agenda, the Agriculture and Agribusiness Advisory Committee has provided a recommendation to Council.

Issues

At its meeting held on 24 October 2011, the Agriculture and Agribusiness Advisory Committee resolved the following:

That the Consultation Activities - draft Rural Land Strategy report be released to the community and directly mailed to submitters.

A copy of the Consultation Activities – draft Rural Land Strategy report is attached for information (***refer attachment.***)

(Moved: Councillor L McInerney /Councillor R Webb)

Recommendation

That Council authorise the release of the Consultation Activities - draft Rural Land Strategy report and a copy of the report be provided to all those persons who made a submission.

Carried.

Communication

The Agriculture and Agribusiness Advisory Committee will be advised of Council's decision.

11.2.3 COMMUNITY WELLBEING

11.2.3.1 COUNTRY FOOTBALL NETBALL PROGRAM – 2012 - 2013

Sport & Recreation Facilities Grants

61.020.001

Introduction

Applications for the Department of Planning and Community Development's (DPCD) Country Football Netball Program 2012 - 2013 (CFNP) are due to DPCD by the 31 January 2012 for consideration in the next round of assessments. A process of calling for Expressions of Interest and assessment has been undertaken to determine a recommended project.

Background

The CFNP provides a funding opportunity to assist with Football and Netball facility development. Each Local Government Authority is provided with the opportunity to submit one large project or three separate small projects up to the amount of \$100,000.

The assessment panel for this program is made up of representation from the Victorian Country Football League (VCFL), Netball Victoria (NV), Sport and Recreation Victoria (SRV) and DPCD.

Previously, Council's Sport and Recreation Advisory Committee had the delegation to consider all expressions of interest for this funding program and make recommendations to Council for projects to be submitted. The expressions of interest (EOI) are now considered and rated by two panels:

- representatives from DPCD and VCFL; and
- a Council Cross Functional Working Group

Consultation has occurred with individual Football/Netball Clubs and Recreation Reserve Committees of Management in relation to project proposals seeking funding support through the CFNP. The CFNP grants are very competitive at a State level and no Council is guaranteed success, therefore the application(s) submitted need to be very strong.

Council has a recurring budget allocation of \$20,000 for the Country Football Netball Program to contribute towards requests made by the community for financial support.

The following table outlines expressions of interest received for consideration. Two of the projects Milawa Lighting Project and Whorouly change room projects were submitted as full applications last year. The other two EOI's, Wangaratta Rovers Netball change room and toilet complex and Wangaratta Football Club upgrade of existing change room are new EOI's.

	Organisation	Project	Total Budget	Grant amount being requested	Funding
1	Whorouly Football / Netball Club	New change rooms	\$218,687	\$100,000	\$20,000 RCOW \$40,000 Club cash \$44,070 In-kind \$14,617 Shortfall
2	Milawa Football / Netball Club	Oval and Netball Court Lighting	\$134,590	\$94,590	\$20,000 RCOW \$20,000 Club cash
3	Wangaratta Rovers Football Netball Club	Netball change room and toilet complex	\$150,000	\$100,000	\$50,000 In-kind
4	Wangaratta Football Netball Club	Upgrade of existing change rooms	\$164,702	\$100,000	\$53,935 Cash \$10,767 In-kind

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

Whorouly

- Strong EOI with large amount of cash and in-kind funding from the club readily available
- Appropriately costed with firm quotes and allowances for a 2012/2013 build
- Urgent need - the facilities are dangerous and almost unusable
- The club has a good track record for project completion and active community involvement
- High risk to visitors using the rooms (harder to manage than if it were only their club members)
- Benefits club members and visitors
- This project is in the Whorouly community plan

Milawa

- Good EOI – small amount of work needed to update budgets and strengthen application
- Risk issues – power supply to grounds not adequate and training without sufficient lighting (but this can be managed easier due to night training only being club members and not visitors)
- Benefits club members and possible casual users of the recreation reserve

Wangaratta Rovers

- EOI received this year
- Toilet facilities are in disrepair
- Netball change rooms not suitable
- More work needed with the club and other adjacent users in relation to potential joint development opportunities
- No club cash contribution

Wangaratta Football Netball Club

- EOI received this year
- Whilst the change room facilities need attention, they are not in dangerous condition
- Netball facilities provided in new showgrounds building

Issues

The Whorouly project was ranked as number one priority by both panels. However with an increased projected cost for a 2012/2013 build, it has a budget shortfall of \$14,617.

The club has committed \$40,000 cash to this project and \$44,000 of in kind labour and materials. A large portion of this in-kind is committed in writing from qualified trades people.

Council officers have worked closely with the Whorouly Football Netball Club to ensure the proposed change rooms meet the current and future needs of the club. The project has been appropriately costed by the club and includes written quotes for a 2012/2013 build. A normal contingency of 10% has also been included in the budget.

Implications

Council Plan Outcomes

To undertake a planned approach to maintaining and improving quality and accessible recreation and sporting facilities and programs.

To encourage the greater use of recreation facilities including formal sports facilities, open spaces, shared paths and aquatic centres.

Financial

Under the Recreation Planning “Country Football Netball Program” budget \$20,000 is available to support this project.

Currently there is approximately \$26,000 unallocated in the 2011/2012 Recreation Planning budget for the Community Facilities Funding Program (CFFP). As all allocations for this program have been finalised it is proposed that Council allocate an amount of \$14,617 from this funding allocation and make it available to this project.

The amount requested for the Whorouly new change rooms project as a Council contribution totals \$34,617.

Community Engagement

The Victorian Country Football League, Department of Planning and Community Development and Council officers have been working closely together to support local football netball clubs in identifying issues/opportunities and developing associated projects in response. An expression of interest process was

undertaken for the community to identify potential projects to be funded through this program.

Conclusion

The Whorouly project is on Council land. The condition of the current facility is of significant concern. The Whorouly facility has good use and if the facility was not upgraded this would have a significant effect on the future of sport in the area, namely football, and for the Whorouly community.

The Whorouly Football Netball Club's project is the highest priority of the proposed projects due to the almost unusable condition of the change rooms which is discouraging to participants. The Whorouly Football Netball Club is well positioned to be able to deliver this project with very active community involvement.

(Moved: Councillor D McPhie /Councillor R Paino)

Recommendation

That Council:

- 1. support the submission of the Whorouly Football Netball Club's application for the construction of a new change room facility under the Football Netball Program 2012 – 2013; and***
- 2. contribute \$20,000 from Council's Country Football Netball Program 2011/2012 budget and considers an additional allocation of \$14,617 as part of the 2011/2012 revised budget deliberations to provide a total Council contribution of \$34,617.***

Carried.

Communication

The Whorouly Football / Netball Club, Milawa Football / Netball Club, Wangaratta Rovers Football / Netball Club and the Wangaratta Football / Netball Club will be advised of Council's decision.

11.2.3.2 WANGARATTA CENTRE FOR MEDICAL EXCELLENCE

Wangaratta Centre for Excellence (WC4E)

42.090.007

Introduction

Further work has been undertaken to progress the establishment of a Centre for Medical Excellence in Wangaratta. A submission has been made to Regional Development Victoria (RDV) for a planning grant to undertake the development of a Business Plan.

Background

In 2008, Dr Les Bolitho made a presentation to Wangaratta Unlimited to highlight the timeliness for instigating an increase in tertiary education capability in Wangaratta, in particular in the area of medical training. Wangaratta Unlimited then made a recommendation to Council that further action be taken to investigate the possibility for expansion of the sector in Wangaratta. This recommendation was endorsed by Council and funding was then secured through RDV for the Wangaratta Centre for Medical Excellence Feasibility Study.

A Steering Committee representative of key stakeholders has worked with Council to progress the project although some individuals have changed since the inception of the Committee the areas represented have been maintained:

Position	Representative
Health/Postgraduate Medical Education	Dr Les Bolitho
Health/Community (and medical training)	Mr David Dart
Education (tertiary)	Ms Helen Haines
Chief Executive RCoW	Mr Doug Sharp
Councillor RCoW	Cr Ron Webb
Wangaratta Unlimited	Mr Barry Sullivan
Funding Partner/Economic Development	Mr Matthew Nelson

Initial discussions have been undertaken with the Victorian Minister for Health by the CEO and a commitment has been made to have a representative in attendance at the Steering Committee meetings.

Issues

The outcomes of the Feasibility study undertaken by Deloitte have determined the objectives to be incorporated in the Business Plan. These being based on the following themes:

1. Coordination of current infrastructure and services;
2. The development of a new model of post graduate training based on a concept of reversal of the current training model; and
3. Intern needs, including supervision, accommodation, University networks, Skills lab and hospitals.

Therefore, the project steering committee have identified the need to develop a Business Plan to address the above objectives. In response an application has been submitted to RDV for funding to develop the Business Plan at an estimated total cost of \$50,000. It is intended that a suitably qualified and experienced Consultant will be recruited to undertake this work.

Implications

Council Plan Outcomes

Capitalise on the findings of the feasibility study to develop a Centre for Medical Excellence.

Sustainability

It is a requirement of funding for an RDV planning grant that matching funds be provided by Council. A project submission has been submitted for Council's consideration for a budget allocation of \$25,000 as part of the 2011/2012 revised budget process.

Community Engagement

The following individuals and organisations have been consulted as part of this development:

- North East Health;
- Dr Les Bolitho, Consultant Physician;
- Benalla & District Hospital;
- Department of Health;
- North East Division General Practitioners;
- Numurkah District Health Service;
- Alpine Health Rural Health Workforce Australia;
- Rural Health Academic Centre Melbourne University (Shepparton);
- Minister for Regional Development; and
- Bogong Regional training Network.

Conclusion

The Business Plan is a crucial element to progress the development of the Wangaratta Centre for Medical Excellence and will inform the requirements for the development in preparation for funding sources will be pursued accordingly.

(Moved: Councillor R Webb /Councillor L McInerney)

Recommendation

That Council consider an allocation of \$25,000 as a contribution to the development of a Business Plan for the Wangaratta Centre for Medical Excellence as part of the 2011/2012 revised budget deliberations.

Carried.

11.2.3.3 DISCUSSION PAPER – REVIEW OF THE ABORIGINAL HERITAGE ACT 2006

Native Title Issues/Aboriginal issues/Yorta Yorta Claim

60.010.015

Introduction

This report advises Council on the review of the Aboriginal Heritage Act 2006 (the Act) which is required to be undertaken by the Minister of Aboriginal Affairs by 28 May 2012, and on the Environment and Natural Resources Committee inquiry (the inquiry) into the establishment and effectiveness of Registered Aboriginal Parties (RAPs).

A suggested response is provided for Council to consider submitting for each process.

Background

Aboriginal Heritage Act 2006

When the Act commenced in 2007 it signalled a significant shift in Aboriginal cultural heritage management and protection in Victoria.

The review of the Act presents an important opportunity for stakeholders to reflect on the first five years of the Act's operation and to suggest ways to improve its efficiency and effectiveness.

A discussion paper has been provided to assist with providing feedback during the review (***refer attachment***).

The key steps in the review process are:

1. Release discussion paper and invite submissions (Sept 2011)
2. Meet with selected stakeholders and receive submissions (Sept – Nov 2011)
3. Release socio-economic assessment (Nov 2011)
4. Release summary of submissions to highlight key issues raised in the consultation process (Feb 2012)
5. Release review findings, bringing together the outcomes from the consultation process and the socio economic assessment (Feb 2012)
6. Second round of consultation and submissions – meet with stakeholders and receive submissions to seek feedback (including possible solutions) to issues raised and recommendations made in the review findings (Feb – Mar 2012)
7. Provide advice on outcomes of the review relevant to the parliamentary inquiry into the establishment and effectiveness of Registered Aboriginal Parties (RAPs). Release review recommendations (May 2012)

An external advisory group will oversee the review process. This group will include representatives from the Aboriginal community, industry, cultural heritage advisors and local government.

Environment and Natural Resources Committee Inquiry

Separate to the review of the Aboriginal Heritage Act, the Parliament of Victoria is holding an inquiry into the establishment and effectiveness of Registered Aboriginal Parties. The Environment and Natural Resources Committee (the Committee) is to conduct this inquiry to consider and report no later than **28 September 2012 on the following matters relating to RAPs in Victoria.**

- (a) Victorian Aboriginal Heritage Council policies in relation to the appointment of RAPs including the factors that should be taken into account by the Council in making a decision such as:
 - (i) the degree to which traditional ownership is contested in the area the subject of an application;
 - (ii) the impact that decisions may have on the community;

- (iii) the capacity of the applicant to fulfil legislative responsibilities if appointed;
- (iv) the process used to determine and identify the successful RAP;
- (b) the support available to the Council in making decisions about the appointment of RAPs including:
 - (i) membership and structure of the Council;
 - (ii) Council's capacity to inquire into matters relevant to applications, including supporting applicants to provide information needed to fully assess applications; and
- (c) the effectiveness of the established RAPs.

Issues

A consultation process has been undertaken with Council officers to provide feedback on the Act and to feed into the inquiry using the Act discussion paper as a basis to draw comment. A number of Council Business Units were involved including Planning, Cultural Services and Infrastructure. The following comments were provided:

Registered Aboriginal Party (RAP)

- The RAP may not necessarily be representative of the traditional owners as is the situation with the delegated RAP for Wangaratta;
- Contested boundaries of RAPs;
- RAP fees are not scheduled;
- The role of other Aboriginal people not affiliated with a RAP;
- RAPs may not have sufficient resources to fulfil their responsibilities under the Act; and
- Difficulties have been experienced in achieving a timely response from the RAP, in some instances exceeding the 30 day period allowed for RAP comment.

Cultural Heritage Management Plans (CHMP)

- There is not a clear process and there is a lack of triggers to determine when a CHMP is required; and
- The cost of CHMPs varies greatly and cannot always be estimated for example between \$2,000 and \$50,000.

Planning

- Public access to the Victorian Aboriginal Heritage Register is not available which is limiting to landowners, developers etc.;
- There is minimal and inconsistent advice available from Aboriginal Affairs Victoria (AAV) as to whether a CHMP is required;
- There needs to be greater awareness of the Act and requirement for a CHMP is needed. It may be appropriate that the areas of sensitivity form an overlay within the schemes, therefore increasing the awareness of the requirements to landowners, developers etc.; and
- Mapping of areas of sensitivity needs to be accurate and all maps / areas discussed within the Act should be available for inspection .

Implications

Council Plan Outcomes

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

To establish a preservation program for cultural and built heritage.

Community Engagement

The Council officers providing the comments to the review of the Act and the inquiry have direct involvement with working within the Aboriginal Heritage Act requirements and/or participate in networks representative of Aboriginal culture.

Conclusion

The issues experienced by Council officers when dealing with works and projects that are influenced by the Act predominantly relate to the processes in place and not necessarily with the Act itself.

It is proposed that Council provide a submission to the review of the Aboriginal Heritage Act 2006 and the Environment and Natural Resources Committee Inquiry. Pending Council's decision a submission containing the points raised by Council officers in this report will be forwarded to Aboriginal Affairs Victoria in relation to the review of the Aboriginal Heritage Act 2006 and to the Environment and Natural Resources Committee in relation to the inquiry into the establishment and effectiveness of Registered Aboriginal Parties in Victoria.

(Moved: Councillor R Parisotto /Councillor R Webb)

Recommendation

That Council, using the points raised in this report, make submissions to:

- 1. Aboriginal Affairs Victoria in relation to the Review of the Aboriginal Heritage Act 2006; and***
- 2. The Environment and Natural Resources Committee in relation to the inquiry into the establishment and effectiveness of Registered Aboriginal Parties***

Carried.

11.2.3.4 EMERGENCY MANAGEMENT UPDATE – EMERGENCY MANAGEMENT GREEN PAPER, THE ROLE OF LOCAL GOVERNMENT IN EMERGENCY MANAGEMENT AND THE FUTURE OF LOCAL GOVERNMENT IN RELATION TO THE SES

Emergency Management

77.010.003

Introduction

Three key emergency management documents were received during September 2011 which require Council attention and feedback.

On 12 September 2011, the Victorian Government released its Emergency Management Green Paper, 'Towards a More Disaster Resilient and Safer Victoria'. The green paper provides an analysis of current and future emergency management arrangements and suggests 32 options for consideration by the sector (*refer attachment*).

In parallel, The Municipal Association of Victoria (MAV) has initiated a new program titled 'Improving Emergency Management in Local Government' which consists of a number of projects scheduled to occur during 2011 and 2012. Output to date from the program includes two draft position papers that have been provided for Council review (*refer attachment*).

Background

The green paper places particular emphasis on the importance of an 'all hazards all agencies' approach for emergencies and the need for a 'whole-of-government' approach regarding any changes to Victoria's emergency management arrangements. The full version of the green paper has been included for Councillor information.

The MAV program Improving Emergency Management in Local Government is a two year program designed to:

- develop a clear and accepted definition of the appropriate role of local government in emergency management
- undertake a range to activities to provide the sector with the opportunity to improve capability and capacity of performance in emergency management, including the development of a robust performance measurement capability that aligns with the revised role
- manage expectations of key stakeholders in respect to the role and capacity of local government so that corporate risk to individual municipalities and the sector generally is realistically minimised

Issues

Emergency Management Green Paper

Of particular interest is Section 5.5 which discusses the capacity of municipal councils and provides some options for consideration. The following options have implications for Council.

Option 22: The responsibilities placed on municipal councils do not reflect their capacity and what is expected from their communities. The staffing model for council's emergency management functions should be reviewed. Legislation should better define municipal council's roles, recognising that the emphasis should be on prevention/mitigation and recovery.

Proposed Submission: Council should not be responsible for coordinating agencies and resources during response. Local Government should focus on its own resources (only). There is an issue of roadside responsibility and funding for roadside traffic management for planned burns which was previously undertaken by the CFA. Since CFA has ceased being responsible for these activities there has been an expectation that Local Government will take responsibility for both roadsides and traffic control without any additional resources being allocated.

The MAV draft position paper sees Council as a facilitator of planning activities, a key player in local recovery and relief services and playing a secondary (supporting) role in the provision of resources – but only where they are held by the Council itself. No longer in scope would be resource provision (beyond Council owned resources), operation of a MECC (staff would be located at ICC's) and the creation/maintenance of hazard specific plans.

Option 23: Where it is identified that municipal councils do not have the capacity to undertake their emergency management responsibilities, the Victorian Government could step in to provide leadership in identifying gaps and allocating resources.

Option 24: Where municipal councils do not have the capacity to maintain appropriate emergency planning, planning could be undertaken at the sub-regional, rather than municipal level.

Proposed Submission: A 'clustered' approach will demand additional resources, which even larger well-resourced councils may find difficult to provide. It also needs to be considered that clustering smaller councils could result in larger failure due to a collective lack of resources and as a consequence resources from outside the region may need to be considered. If planning is to be undertaken at the sub regional level, it is important that local knowledge is recognised as an essential component.

Role of Local Government in Emergency Management

The Municipal Association of Victoria has drafted a statement/policy position on the Role of Local Government in Emergency Management (EM) following extensive consultation with Victorian Councils during August and September this year. The statement takes into account the sector's capabilities, strengths and limitations and provides a description of the key responsibilities councils could hold in an integrated emergency management framework.

There is no consistent view across the sector regarding the role of Councils in Emergency Management, other than the current situation is unsustainable for many Councils. Feedback from the consultation sessions indicated that many councils felt that the obligations listed in the EM and CFA Acts are unnecessarily

prescriptive and no longer align with the skills, networks, knowledge and resources of a modern municipality.

There was a strong view that Councils should move away from being considered the primary providers of resources during an event, so that council resources are more readily available for early initiation of recovery services and the continuity of essential community services. Recent, large scale and protracted events have also exposed differences in capacity and emergency preparedness across councils.

Proposed Submission: The Local Government role has been duplicated over time by operating both a MECC and an ICC. Council officers should operate within ICC structures in future.

The future of Local Government - Relationship with the Victorian State Emergency Service

Local Government and Individual SES Units

On 27 July 2011, the MAV hosted a meeting with councils to discuss local government's relationship with the Victoria State Emergency Service (VICSES). Two outcomes were sought from the meeting:

1. A statement about local government's future relationship with local VICSES units
2. 2) A position on local government's relationship with VICSES "Corporate", particularly in relation to VICSES's responsibilities under section 5 of the Victoria State Emergency Service Act 2005.

It is no longer sustainable for the SES to be funded by local government. Council's relationship with VICSES should be the same as it is with other stand-alone agencies (such as the CFA) with local government not being relied upon to fund local units beyond voluntarily providing grants and donations as it does to other local community service organisations. The Victoria State Emergency Service Act 2005 and the Emergency Management Act 1986 are silent on the financing of the VICSES and VICSES units. The current situation, whereby VICSES units expect their local municipality to match the funding contribution made by the State, is only the latest phase in a journey that has seen funding of the service variously involve all three levels of government.

It was viewed that the current model is holding the development of VICSES back, and that a transition to an independent risk-based model could be implemented over time, ultimately enabling VICSES to deliver a service that is in line with expectations of an independent emergency management control agency.

VICSES Emergency Management Planning

Section 5(1)(i) of the Victoria State Emergency Service Act 2005 states that, in relation to emergency management planning, one of the functions of VICSES is assisting municipal councils in relation to the performance and exercise of their duties and responsibilities under the Emergency Management Act 1986.

This provision would suggest that VICSES has a greater capability to assist municipalities than other emergency management agencies, yet through no fault of VICSES, delivery of this 'service' is variable at best and generally speaking, VICSES does not currently have the capacity to meet this function.

As VICSES exists as an independent statutory authority, it is neither appropriate nor sustainable for local VICSES units to depend on councils for funding or other in-kind support. This should instead be funded within State Government as is the case for all other key emergency control agencies.

Implications

Council Plan

Work with emergency services and other agencies to develop a proactive approach to planning for crisis situations.

Sustainability

The gradual transition of greater responsibility for the response phase of an emergency to Council has had a significant impact. Although much of the cost is reimbursed through the Natural Disaster Fund these events inevitably cause significant disruption to Council operations causing inefficiencies and higher workload demand.

Conclusion

Any changes resulting from either the green paper or the MAV draft position papers will have implications for Council, both in terms of current emergency management practices and Council's broader relationship with the Emergency Management community. The full impact of these will need to be assessed once future directions have been agreed and a timetable for transition established.

It is proposed that the feedback provided on the green paper in this report be submitted. Feedback on the green paper has been requested by 14 November 2011. A White Paper will then be issued in 2012 outlining the state government response and timetables for action.

(Moved: Councillor R Webb /Councillor R Paino)

Recommendation

That Council endorse the submission made for the Emergency Management Green Paper as contained in this report.

Carried.

11.2.3.5 NEIGHBOURHOOD SAFER PLACES

Fire Prevention & Control

77.020.001

Introduction

In its Interim Report, the Victorian Bushfire Royal Commission recommended that Neighbourhood Safer Places (NSPs) be identified and established to provide persons in bushfire affected areas with a place of last resort during a bushfire.

Background

In response to the recommendation, the Victorian Government has introduced the Emergency Services Legislation Amendment Act 2009 which amends the Country Fire Authority (CFA) Act 1958 and the Emergency Management Act 1986. The effect of these amendments will require the Country Fire Authority to certify NSPs against the CFA's Fire Rating Criteria, and Victorian Councils to identify, designate, establish and maintain suitable places as NSPs in their municipal districts.

A range of sites across the Rural City of Wangaratta have been assessed by the CFA for use as a possible NSP. Of these, four have been deemed to be 'compliant' by the CFA, one is pending reassessment against updated CFA criteria and five have been assessed as 'non-compliant'.

Issues

The process for the establishment of each facility as an NSP for the 2011/2012 fire season is slightly different depending whether a facility is owned by Council, the Department of Sustainability and Environment (DSE) or a third party (such as a local CFA Brigade).

Implications

An overview of the status for each proposed NSP in the Rural City of Wangaratta is provided below.

Glenrowan Fire Station

The Glenrowan Fire Station has been assessed as 'compliant' against the NSP assessment criteria and is owned by the CFA. Correspondence has been sent to the brigade requesting written confirmation of their agreement to use the facility as an NSP. Once confirmation has been received the site will be submitted for Council designation and the CFA notified accordingly.

Peechelba Community Centre Hall

Peechelba Community Centre Hall has been assessed as 'compliant' against the NSP assessment criteria and is owned by DSE. DSE have written to the Committee of Management (in September 2011) requesting agreement that the facility be used as an NSP. Once the Committee of Management have provided

consent, the site details, including endorsement of the use of site as an NSP are published in the Government Gazette. The site can then be designated by Council as a neighbourhood safer place and the CFA notified accordingly.

Cheshunt Hall

Cheshunt Hall has been assessed as 'compliant' against the NSP assessment criteria and is owned by DSE. DSE have written to the Committee of Management (in September 2011) requesting agreement that the facility be used as an NSP. The same process then applies as for Peechelba Community Centre. The site can then be designated by Council as a neighbourhood safer place and the CFA notified accordingly.

AC Swinburne Pavilion, Whitfield

The Swinburne Pavilion is Council owned and failed the initial and subsequent CFA inspections (2009 & 2010) under the 2009 NSP assessment guidelines as risk reduction via vegetation management was not part of the criteria at that time. Following feedback from Councils and the MAV, the CFA criteria have been extended and now consider vegetation management when assessing a given site. This change should now enable the site to be assessed as 'compliant'. Council Officers have lodged a request to have the site reassessed by the CFA, which should occur in October or November 2011. Once deemed compliant, the site can be designated by Council as a neighbourhood safer place and the CFA notified accordingly.

Eldorado Memorial Hall

Eldorado Memorial Hall has been assessed as 'compliant' against the NSP assessment criteria and is Council owned. As no third party agreements are required the site is ready for Council designation as an NSP.

Implications

Council Plan Outcomes

The establishment of NSPs are aligned with the Council Plan actions of - Work with emergency services and other agencies to develop a proactive approach to planning for crisis situations, and supporting communities in times of crisis.

Sustainability

All costs incurred with maintaining an NSP are borne by Council regardless of ownership.

Community Engagement

Council Officers are working with the CFA to implement education for the community to understand the purpose of an NSP.

Conclusion

As the Eldorado Hall is Council owned and has been assessed as compliant by the CFA, it may now be designated as an NSP for the Rural City of Wangaratta.

(Moved: Councillor L McCully /Councillor R Webb)

Recommendation

That Council:

- 1. designate the Eldorado Memorial Hall as a Neighbourhood Safer Place pursuant to Section 50G of the Country Fire Act; and***
- 2. note the progress regarding other proposed Neighbourhood Safer Places.***

Carried.

Communication

Council decision will be communicated to CFA and the Eldorado Hall Committee.

11.2.3.6 WANGARATTA ART GALLERY LOGO

Wangaratta Art Gallery

67.030.001

Introduction

The Arts Culture and Heritage Advisory Committee (ACHAC) has provided a recommendation in support of a logo for the Gallery from the meeting held on 05 October 2011.

This report recommends that Council adopt the logo as recommended by ACHAC for the Wangaratta Art Gallery.

Background

Council recently engaged a graphic designer to design a new logo for use by the Wangaratta Art Gallery for marketing, branding and signage.

After an assessment of quotes process Kleimeyer Industries have been assigned to undertake the development of a new logo for the Gallery. The designer Jane Kleimeyer developed several design options and provided a presentation to the Council in September 2011. These designs were also presented to the Gallery staff, Friends of the Gallery and the Arts, Culture and Heritage Advisory Committee.

Issues

At their meeting on 05 October 2011 the Arts, Culture and Heritage Advisory Committee selected option 1.1 and 1.2 to submit to Council as the preferred logo for use by the Gallery (***refer attachment***).

Options 1.1 and 1.2 were also selected by the Gallery staff, and the Friends of the Gallery as the most suitable option presented for the purposes required.

This logo is a direct design derived from the six segment window that is positioned over the front entry to the Gallery.

Implications

Council Plan Outcomes

Operate within Arts Industry Standards for Regional Galleries.

Sustainability

The outcomes will be very positive for the Gallery's marketing and branding identity whilst enhancing its reputation locally regionally, state-wide and nationally.

Community Engagement

The Friends of the Gallery is made up of approximately 123 volunteers who represent a broad section of the community. The Arts, Culture and Heritage Advisory Committee has a range of representation from local art industry groups as well as individuals with an interest in art.

Conclusion

The preferred logo has been subjected to scrutiny by ACHAC and the Gallery staff who are agreeable that option 1.1 and 1.2 represents a suitable branding image for the Gallery.

As a regional Art Gallery it is expected and recognised as an industry standard that a unique logo/branding is used that represents an individual aspect of the Gallery.

(Moved: Councillor R Parisotto /Councillor L McInerney)

Recommendation

That Council adopt the proposed Gallery logo and branding options 1.1 and 1.2 presented by graphic designers Kleimeyer Industries as recommended by the Arts, Culture and Heritage Advisory Committee.

Carried.

Communication

The members of Council's Arts, Culture and Heritage Advisory Committee and the Friends of the Gallery will be advised of Council's decision.

11.2.3.7 FIRE PREVENTION FOR THE RURAL CITY OF WANGARATTA

Fire Prevention & Control

77.020.001

Introduction

A number of questions have been raised by local Country Fire Authority (CFA) Brigade Group(s) which require Council consideration and response. A summary of the issues raised by the groups is detailed below.

Background

The CFA has been undergoing significant change over recent years, both in preparation for the Integrated Fire Management Planning (IFMP) process and as an outcome of the February 2009 fires. Changes have occurred both at a policy and organisational level which have impacted significantly at the local brigade level.

Issues

The following issues were raised by local CFA Groups:

- 1) *What planning has Council undertaken for specific fire prevention works in relation to Townships for which Township Protection Plans (TPPs) are under development?*

The Township Protection Planning process is owned and driven by the CFA, including the selection of targeted townships and the timeframes for the development of individual locality based TPPs.

The designated published mitigation program is outlined in the current Municipal Fire Prevention Plan (MFPP). This includes areas that are part of the current CFA TPP process; as well as a number of areas that are not yet part of the TPP process.

Of note is the recent risk assessment of all roads within the municipality that has been undertaken by VicRoads. This assessment provides an overall risk assessment based on a number of factors, including the potential for (and likelihood of) ignition.

The standard of approach within Council's MFPP has considered the VicRoads risk assessment as the only accredited document and means of standardisation. Within the VicRoads assessment it recommended that only those sites assessed as 'High' priority roadsides are recommended for roadside burning, with slashing, mowing and spraying the preferred approach for Low and Intermediate risk roads. Applying this philosophy would see only 30-40% of the current list of proposed burns deemed to require burning. Please note that the VicRoads risk assessment has not yet been presented to the CFA brigades.

- 2) *Past Asset Protection Burns – Brigade level burns vs Strategic Burns*

Historically, the burns that have been undertaken by volunteer brigades across the municipality have occurred based on an assessment of local needs and have not necessarily been tied to a broader strategic objective. Theoretically, in terms of resourcing, local brigades could undertake as many burns as they wished, as they were wholly responsible for all aspects of the work, including traffic management. These requests were then submitted to the Municipal Fire Prevention Committee (MFPC) by individual brigades for inclusion in the fire prevention plan. Under this approach, all works had equal standing across the municipality.

A new interim process was introduced at the CFA group level in preparation for the 2010/2011 fire season where brigade submissions for roadside burns were ranked and prioritised to provide a single list to Council and the MFPC for approval. This interim process replicates the approach that will need to be in place once the IFMP process has been implemented in 2012. Under this approach, individual brigades are still allowed to undertake local works as stand-alone activities.

Whilst a significant improvement for both the MFPC and Council, this process has left some brigades feeling that their proposed works are not valued. This is an internal CFA issue that needs to be resolved independently of Council.

The first 'transition' meeting for IFMP was held on 27 October 2011, however full decommissioning of the MFPC is not expected until late 2012 upon completion of the IFMP process.

3) *Request that Council confirm that fence to fence fire protection activities for roadsides and road reserves*

Council Officers disagree with the claim that Council is responsible for the road reserve from fence to fence for both roadsides and road reserves; as the management of roadsides is a very complex issue the Bushfire Royal Commission recognised this as an area that needs to be addressed to simplify and better define responsibilities regarding roadsides.

Section 43 (1)(a) of the *Country Fire Act 1958* states that:

In the country area of Victoria, it is the duty of every municipal council and public authority to take all practicable steps (including burning) to prevent the occurrence of fires on, and minimise the danger of the spread of fires on and from:

- a) any land vested in it or under its control or management; and
- b) any road under its care and management.

Following discussion with the *Manager, Technical Services* and *Manager, Environment*, there needs to be a delineation between activities where Council is responsible for the administration of legislation pertaining to roadsides fence to fence (e.g. firewood collection permits, weed control etc), and activities where Council has chosen to undertake the 'hands on' management of the roadside itself. This hierarchy is outlined in the RCOW Roads Register. The CFA Act (above) states that Council is required to undertake works to prevent fires on land

and/or roads that are under Council's care and management and considerable debate could be entered into as to the best method to achieve this.

Councils' stated (and ratified) treatment for these roadsides, as outlined in the Municipal Fire Prevention Strategy (MFPS), is through the active management of an area that is 1-3 metres from the edge of the road for both fuel reduced corridors and priority access roads. The selected treatment method for each roadside should be risk based; with mowing, slashing and spraying considered as alternative methods of fuel management; rather than assuming that burning is an automatic requirement. Some work is required with CFA to work through the process for identifying and agreeing the most appropriate preventative process for all roads within the MFPS. At this stage, proposed road by road treatments are not defined in the plan.

Prior to 2010, CFA staff and volunteers undertook all aspects of roadside burns, including the management of road closures. In the lead up to the 2009/2010 fire season there was an internal policy change aimed at phasing out traffic management activities by CFA staff and volunteers. CFA partially funded traffic management for roadside burns during this transition process; however this funding is no longer available to fund this activity. This change of direction was not formally communicated to Council. It is understood that the change in responsibility for traffic management came about through the on-going overheads incurred by CFA in maintaining staff competencies in traffic management which is not part of the CFA core business activities.

The current CFA list of 'priority' burns contains twenty sites that require traffic management assistance.

There has also been a slight change to the permit application process for works on road reserves (including roadside burns) which has added complexity to the process from a Council point of view. Prior to 2010, all applications for works on a roadside were submitted via VicRoads, with Council having no involvement in the approval process. Council Officers are unaware of how rigorous the enforcement of the process for works on local roads was under the previous arrangement, but suspect that the application process may not have always occurred for Council managed roads. A legislation change in 2010 has meant that applications for works on Rural City of Wangaratta (RCOW) managed roads are now submitted to Council for approval.

4) Requested confirmation from RCOW of fire prevention plans and strategies for the 2011/2012 period for townships, roads, council reserves and rail trails.

The agreed mitigation program for the municipality is outlined in the current MFPP. Other priority works can also be requested and approved by Council and the CFA as risks are raised and assessed. This is an on-going process that forms part of the input to the IFMP Environmental Scan/Risk Assessment.

Since receiving the above mentioned correspondence Council Officers sought a meeting with the CFA Operations Manager District 23, to work through the issues raised by the groups. As an outcome of this meeting Council Officers have recently attended a CFA Region 23 meeting where the Operations Manager and

Council Officers addressed CFA units on the issue of prioritising burns and other forms of fire prevention management. It is believed this meeting was positive for Council and it is hoped there will be a better understanding by the CFA units as a consequence.

Implications

Council Plan Objectives

Work with emergency services and other agencies to develop a proactive approach to planning for crisis situations.

Conclusion

The issue of traffic management could be seen as another cost shifting exercise from the State Government to Local Government. Advice received suggests that other Councils have accepted this responsibility and are providing this support.

(Moved: Councillor D McPhie /Councillor R Webb)

Recommendation

That Council:

- 1. provide traffic management for sites identified for roadside burns in the Municipal Fire Prevention Plan for the 2011/2012 fire season only at the cost of CFA;***
- 2. not accept the responsibility for undertaking traffic management for CFA local roadside burns;***
- 3. seek a meeting with the Emergency Management Commissioner to raise concern for the shift in responsibility for traffic management at roadside burns being expected of Local Government; and***
- 4. raise this matter with the Municipal Association of Victoria.***

Carried.

Communication

The CFA Operations Manager of Region 23 will be advised of Council's decision.

11.2.4 INFRASTRUCTURE SERVICES

11.2.4.1 CONTRACT C1112/004 RESEALING OF VARIOUS ROADS

Resealing of Various Roads

30.073.004

Background

Procurement Australia was appointed to act as agent for Council to invite tenders for the provision of sprayed sealing services for various roads, pursuant to Section 186 of the Local Government Act 1989.

Procurement Australia were also appointed as tendering agents for this contract by the Corowa and Mitchell Shire Councils. The tender documents detailed the requirements of each participating council and requested the submission of spray seal rates for each site in the schedule, rates for variation purposes and rates for reinstatement of linemarking.

Advertising

Procurement Australia invited tenders for the resealing of various roads through advertisements as follows:

<u>Newspaper</u>	<u>Date</u>
Herald Sun (Melbourne)	28 September 2011
	5 October 2011
Sydney Morning Herald	4 October 2011
The Border Mail	1 October 2011
Also electronically	
Tenderlink	5 October 2011

Tender closed at 3.00pm on Wednesday 26 October 2011.

Evaluation of Tender Submissions

Two tenders were received for the Rural City of Wangaratta schedule of works:

- Downer EDI Works Pty Ltd
- Roads Corporation T/A Sprayline

Procurement Australia subsequently provided Council with the tender evaluation. The evaluation provided details of tenders received, selection and evaluation criteria, schedule of rates, weighted aggregate scores, and recommendation letter.

Evaluation criteria included compliance with specification, customer focus, contractor performance, corporate social responsibility profile and price.

Weighted Aggregate Scores

	Tenderer	Weighted Score
1	Roads Corporation T/A Sprayline	251
2	Downer EDI Works Pty Ltd	235

The higher value reflects the more favourable assessment. From this method of assessment, Roads Corporation T/A Sprayline was deemed to be the preferred tenderer.

Issues

The tenders submitted from each tenderer were based on different bitumen application rates. The rates from Downer EDI works Pty Ltd were adjusted using a standardised binder rate against those nominated by Sprayline, to ensure a fair analysis and comparison of tender submissions. This increased the margin between Sprayline and Downer EDI.

Budget

The total reseal budget of \$1,138,500 (excl GST) is marginally below the tendered price from Sprayline of \$1,153,285 (excl GST). It is proposed to fund the difference from the 'maintenance for reseals' budget.

Conclusion

That Roads Corporation T/A Sprayline is the recommended tenderer with the lowest price and highest Weighted Aggregate Score.

That Council enter into an agreement with Roads Corporation T/A Sprayline for the supply of spray sealing and linemarking.

(Moved: Councillor R Paino /Councillor R Parisotto)

Recommendation

- 1. That Roads Corporation T/A Sprayline be awarded the Procurement Australia Contract 1411/0317 for the supply of Spray Seal and Linemarking services for the amount of \$1,268,613.60 (incl GST); and**
- 2. The Budget shortfall of \$14,785 (ex GST) be funded from the 'maintenance for reseals' budget.**

Carried.

Communication

That the tender recommendation letter be signed and returned to Procurement Australia.

That Council confirm acceptance of the agreement between Council and Sprayline, noting that the Superintendent has the right to alter the size of the program.

11.3 SPECIAL COMMITTEE REPORTS

11.3.1.1 FRIENDS OF LACLUTA SPECIAL COMMITTEE

Lacluta East Timor Friendship

42.070.020

Introduction

The Friends of Lacluta Special Committee's (FOL) aim is to develop opportunities to support the community of Lacluta, East Timor. The Friends of Lacluta Special Committee provides this report from their Annual General Meeting (AGM) and Ordinary meeting held on 05 September 2011.

Annual General Meeting

The Chairperson's annual report and the Treasurer's financial report were delivered at the AGM. The election of office bearers was carried out in accordance with the Committee's Charter. The following office bearers were elected unopposed by the Committee:

- Mr Andy Kimber – Chairperson
- Mrs Beth Walpole – Deputy Chairperson
- Mrs Elizabeth Walpole – Treasurer

The Committee's secretarial responsibilities remain with Council's management representative, Manager Community & Recreation, Leonie Painter.

Ordinary Meeting

The following items were discussed by the Committee:

- Joint FOL Committee and Rotary Club of Appin Park Lacluta project to refurbish an old building into a community centre.
- Scholarship recipients have been finalised and FOL Committee will continue this scholarship program.
- E Walpole advised that she will join the Victorian Local Government Association as an individual interested person.
- Regional network of East Timor Friendship Groups held in Wangaratta on 18 September 2011.
- A fundraising event for FOL Committee is the Juans Family Bicycle Ride on 18 September 2011.
- Investigate volunteer insurance cover for FOL Committee members whilst travelling to East Timor.
- Potential project to be identified for the Aus AID East Timor Community Assistance Scheme.
- Kindergarten equipment to be purchased for the planned community centre.
- Investigate setting up a library for the kindergarten in Dilor.

(Moved: Councillor R Parisotto /Councillor L McCully)

Recommendation

That this report be noted.

Carried.

11.4 ADVISORY COMMITTEE REPORTS

11.4.1.1 AGRICULTURE AND AGRIBUSINESS ADVISORY COMMITTEE

Cultural/Arts Issues

67.010.006

Background

Council's Agriculture and Agribusiness Advisory Committee (AAAC) held a meeting on 24 October and undertook a study tour of rural areas on Tuesday 18 October 2011.

Rural Study Tour 18 October 2011

Attendees: Cr Anthony Griffiths, the Mayor; Ray Park, Director – Sustainability; Michelle Grainger, Manager – Planning & Customer Services; Rosey Bennett; Harry Bussell; Vincent McKenzie; David Maples; Harvey Benton; Geoff Bussell; and Joe La Spina.

The areas inspected included Londrigan, Tarrawingee, Bowman's Forest, Whorouly, Markwood, Milawa, Oxley, the King Valley to Whitfield, Whitlands, Myrree, Greta West, Glenrowan, Warby Range Road back to Yarrawonga Road and return to Wangaratta. The purpose of the tour was to see firsthand how planning decisions affect the rural landscape.

Meeting 24 October 2011

Attendees: Cr Lisa McInerney (Chair); Rosey Bennett; Harry Bussell; Vincent McKenzie; Graeme Norman; Geoff Bussell; Joe La Spina, Ray Park, Director – Sustainability and Graham Nickless, Executive Manager – Economic Development.

Ray Park declared a possible conflict of interest.

The members ratified the consensus decision of the Committee made at the meeting of 24 September 2011 to support the Guiding Principles and recommend their adoption to Council.

The visit by the Hon. Minister for Planning, Matthew Guy was discussed and the draft Rural Land Strategy Action Plan was presented to members for feedback in readiness for the next meeting. A questionnaire on the Major Land Uses via Locality was also provided to members requesting feedback for the next meeting.

The Committee recommended that the Consultation Activities – draft Rural Land Strategy be released to community and directly mailed to respondents.

The next meeting of the Agriculture and Agribusiness Advisory Committee is scheduled for Monday 7 November 2011.

(Moved: Councillor L McInerney /Councillor D McPhie)

Recommendation

That the report be noted.

Carried.

11.4.1.2 WANGARATTA UNLIMITED ADVISORY BOARD (COMMITTEE) MEETING REPORT

Wangaratta Unlimited Board

25.007.002

Background

The Wangaratta Unlimited Advisory Board (Committee) held their monthly meeting on Wednesday 2 November 2011 with the following members in attendance: Barry Sullivan (Chair); Cr Anthony Griffiths; Mayor; Cr Lisa McInerney; Stephen Oxley; Grant Jones; Ken Butterworth; Greg Larkins; Wendy Lester; Guy Wilkinson; Helen Haines; Graham Nickless; Executive Manager – Economic Development; Penny Hargrave, Acting Economic Development Officer and Emma Keith, Tourism Development Officer.

Greg Larkins declared a conflict of interest in relation to the South Wangaratta Urban Renewal Project on the grounds of being a potential interested stakeholder, but the matter was not discussed.

Guests: Paul Culpin, Chief Executive Officer – GOTAFE
Heather Sarau, Principal – Wangaratta High School

Presentation on Technical Education Centre.

The following items were discussed at the meeting:

- Review process for the Economic Development and Tourism Strategy
- Prosecco Road Campaign and tourism update
- Sports Tourism – Capacity/Capability Assessment

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

The meeting closed at 8.00pm.

(Moved: Councillor D McPhie /Councillor R Webb)

Recommendation

That the Report be noted.

Carried.

12. RECORDS OF ASSEMBLIES OF COUNCILLORS

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

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

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

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

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

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

DATE	MEETING DETAILS	REFER
08/11/2011	Draft Agenda and Deputations Meeting	Attachment
02/11/2011	Wangaratta Unlimited Advisory Board (Committee)	Item 11.4.1.2
25/10/2011	Councillors Briefing Forum	Attachment
24/10/2011	Agriculture and Agribusiness Advisory Committee	Item 14.1.1.1
18/10/2011	Prior to Ordinary Meeting of Council	Attachment
05/09/2011	Friends of the Lacluta Special Committee	Item 13.1.1.1

(Moved: Councillor L McCully /Councillor R Parisotto)

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 27 September 2011:
4.2.1.1 Key Performance Indicators**

- 4.2.1.2 **Works And Activities Progress**
- 4.2.1.3 **Council Plan Progress**
- 4.2.1.4 **Finance Reports**
- 4.2.1.5 **Planning & Subdivision Reports**
- 4.2.1.6 **Implementation of Council Decisions**
- 4.2.1.7 **Council Planning Calendar 2011**
- 4.2.2.1 **High Speed Rail Service Between Melbourne and Sydney**
- 4.2.2.2 **Mayoral And Councillor Allowances**
- 4.2.2.3 **MAV Flood Recovery Fund Recipient**
- 4.2.2.4 **Funding of Local Government Victoria**
- 4.2.2.5 **Addendum Report – Funding of Local Government In Victoria**
- 4.2.3.1 **Environment Protection Amendment (Beverage Container Deposit and Recycling Recovery Scheme) Bill 2011**
- 4.2.3.2 **Submission to Low Carbon Communities Program Fund Program Design**
- 4.2.3.3 **Urban Growth Project – Preliminary Findings**
- 4.2.3.4 **Planning Scheme Amendment Proposal – Woolworths, Greta Road, Wangaratta**
- 4.2.3.5 **Heritage Study Review and Urban Precincts 2011**
- 4.2.4.5 **2011 On Track Report**
- 4.2.4.6 **Ovens Riverside Project Update**

Other items

1. **New lighting projects;**
2. **Keep Australia beautiful**
3. **Agriculture and Agribusiness Advisory Committee**

Carried.

13. NOTICE OF MOTION

Nil.

14. URGENT BUSINESS

15. AUTHORISATION OF SIGNING AND SEALING OF DOCUMENTS

(Moved: Councillor R Parisotto /Councillor R Paino)

Recommendation

That Council sign and seal Contract C1112/004 for the resealing of various roads within the municipality.

Carried.

16. PUBLIC QUESTION TIME

Public Question Time

10.020.004

Chris Hazel – Whitfield

Mr Hazel noted that the gallery was smaller than expected because of the briefing night for La Dolce Vita.

Nicola Bussell – Carboor

Ms Bussell asked what measures have been taken to provide community input to Agriculture and Agribusiness Advisory Committee.

Mr Sharp responded that the Agriculture and Agribusiness Advisory Committee is made up of community members and putting committee member's names and contacts on Councils website would be looked at.

Jenny Ashby – Whitlands

Ms Ashby asked if Council could inform the community of process for unsealed roads.

Mr Close responded that road resealing is being undertaken according to the Asset Management Plan. New sealing requires additional funding.

Phil Larkin - Moyhu

Mr Larkin referred to the bus trip the Agriculture and Agribusiness Advisory Committee took and asked why they didn't visit businesses?

Mr Sharp responded that the Committee agreed on the itinerary prior to the trip.

Gary Nevin – Bobinwarrah

Mr Nevin asked why can't Council answer the question of how many dwellings there are in rural areas?

Mr Doug Sharp responded that he would follow up the matter.

Wayne Morrison - Wangaratta

Mr Morrison referred to the Men's Shed Committee and asked if Council would meet with the Committee to discuss the shed.

Ms Tai responded that she is trying to resolve issues and is happy to meet and advise the Committee.

Bruce Ubergang - Oxley

Mr Ubergang referred to the Community grants process being hard to use and asked when the funding for the upgrade of the Swinburne Pavilion would be available.

Mr Sharp responded that he is confident of an announcement in the next two or three months.

Ron Morehead - Moyhu

Mr Morehead noted that he was told by the Municipal Fire Prevention Officer, that there would be \$10,000 for fire prevention in the budget. In the past hasn't Council funded traffic management?

Ms Tai responded that Council has not funded in the recent past.

Mr Morehead asked what Council intended to do about it.

Mr Sharp responded that Council saw the CFA action as a cost shift due to policy shift and Council intended to object.

Lawrence

Who is making claim that Council is responsible for fuel control?

Ms Tai responded that managing roadsides means more than burns and doing that.

Lawrence

Who is responsible for managing roads and fuel on roads?

Ruth Tai responded that involves several agencies and Vic Roads is assisting with the risk assessment approach.

Christine Delaney - Whitlands

Ms Delaney referred to her time spent in remote areas of the shire and recommended that Council take further trips.

Mr Sharp responded that they need to visit more remote areas.

Alex Sanders – Boggy Creek Rd, Moyhu

Mr Sanders referred to the dead wildlife on roads not being removed and asked whether the health officer has a policy for removal.

Steve Alsop

Mr Alsop asked if there is a schedule for repairing roads after floods.

Mr Close responded that contractors are on the job are working as quickly as they can.

Pam – Whitfield

Pam referred to funding for Day Care being lost and asked why Council is wasting money on the Gallery logo?

Nicola Bussell – Carboor

Ms Bussell asked how information is being disseminated from the Agriculture and Agribusiness Advisory Committee to Stakeholder and industry groups.

Mr Sharp responded that the Agriculture and Agribusiness Advisory is preoccupied with the draft Rural Land Strategy.

Nicola Bussell – Carboor

Ms Bussell asked if the Agriculture and Agribusiness Advisory Committee minutes will be placed on Councils website.

Mr Sharp responded that the minutes would be available on Councils website.

Ron Morehead

Mr Morehead asked when the radio tower would be painted.

Mr Close responded that they need the Cherry Picker and they haven't been able to get access as yet.

Ron Morehead

Mr Morehead asked whose responsibility it was to clean up around the hut.

Mr Close responded that he would take it on notice.

Jim Newton - Whitfield

Mr Newton asked what Council was doing about providing somewhere safe to go during a fire?

Ms Tai responded that public facilities in Wangaratta would be used and a Relief Centre would be opened for those in threat of fire.

Nicola Bussell - Carboor

Ms Bussell referred to the Guiding Principles presented to the Agriculture and Agribusiness Advisory Committee and asked why it wasn't on the agenda, why was the decision recorded as unanimous when members were absent?

Mr Sharp responded that they prefer to have items on the agenda.

Warren Ralph - Whitfield

Mr Ralph asked whether the redevelopment of the Swinburne Pavilion would enable it to serve as a Neighbourhood Safer Place.

Mr Sharp responded that he would expect it to become a Neighbourhood Safer Place.

Ms Tai noted that vegetation was a major concern.

Tom Wighton - Springhurst

Mr Wighton asked if Council was taking advice from consultants, would Council get mobile phones for cows and calves if people couldn't live on their farms.

Nicola Bussell - Carboor

Ms Bussell referred to fire prevention and asked if Council could indicate whether a small amount of money could be put in.

Mr Sharp responded that we believe that this is a shift from the CFA to Council.

17. CONFIDENTIAL BUSINESS

Nil.

18. CLOSURE OF MEETING

The meeting closed at 9.15pm.