

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, 15 MARCH 2011

AT 7.00PM

Doug Sharp
CHIEF EXECUTIVE OFFICER

As at 23/03/11 4:52 PM

TABLE OF CONTENTS

	Page No.
1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS	5
2. OPENING PRAYER	5
3. PRESENT	5
4. ABSENT	5
5. ACCEPTANCE OF APOLOGIES & GRANTING OF LEAVE OF ABSENCE	5
6. ORDER OF BUSINESS.....	5
7. CITIZENSHIP CEREMONY	5
8. CONFIRMATION OF MINUTES.....	6
9. CONFLICT OF INTEREST DISCLOSURE.....	6
10. RECEPTION OF PETITIONS	6
10.1 PETITION: REMOVAL OF UNWANTED VEGETATION AT 52 PARFITT ROAD WANGARATTA	6
11. HEARING OF DEPUTATIONS.....	7
12. PRESENTATION OF REPORTS	7
12.1 COUNCILLOR’S REPORTS.....	7
12.1.1.1 MUNICIPAL ASSOCIATION OF VICTORIA (MAV)	7
12.1.1.2 NORTH EAST GREENHOUSE ALLIANCE (NEGHA) COMMITTEE	8
12.1.1.3 MURRAY DARLING ASSOCIATION	9
12.2 OFFICER’S REPORTS	10
12.2.1 EXECUTIVE SERVICES	10
12.2.1.1 2011 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT — CALL FOR MOTIONS	10
12.2.1.2 WANGARATTA SHOWGROUNDS REDEVELOPMENT: MEMORANDUM OF UNDERSTANDING WITH THE AFL	12
12.2.1.3 COUNCILLOR PORTFOLIOS AND ASSOCIATED COMMITTEES.....	14
13. SUSTAINABILITY	16
13.1.1.1 DRAFT RURAL LAND STRATEGY	16
13.1.1.2 PLANNING PERMIT APPLICATION NO. 10-160 - PROPOSED DEVELOPMENT OF A MOTOCROSS FACILITY AT 58 SHANLEY STREET, WANGARATTA.....	21
13.1.1.3 PROPOSED PLANNING SCHEME AMENDMENT FOR CORRECTION OF MAPPING ERRORS	29
13.1.2 COMMUNITY WELLBEING	32
13.1.2.1 WANGARATTA MOTOCROSS CLUB	32
13.1.2.2 MOYHU COMMUNITY HUB - FEASIBILITY STUDY	36
13.1.2.3 DROUGHT RESPONSE COMMITTEE	38
13.1.2.4 ARTS CULTURE AND HERITAGE ADVISORY COMMITTEE RECOMMENDATION	40
13.1.2.5 COMMUNITY PRIDE ADVISORY COMMITTEE TIDY TOWNS – SUSTAINABLE COMMUNITIES AWARDS	41
13.1.2.6 HIGH COUNTRY LIBRARY CORPORATION ACHIEVEMENTS	44

14.	INFRASTRUCTURE SERVICES	47
14.1.1.1	PETITION: PROPOSED SHARED PATH CONSTRUCTION 2 – 28 CAMBRIDGE DRIVE	47
14.1.1.2	CONTRACT NO C1011/026 – BOWSER CELL 8 CONSTRUCTION	47
14.1.1.3	TENDER C1011 – 028 THE H.P. BARR RESERVE SUSTAINABILITY PRECINCT SOLAR CELL INSTALLATION	52
15.	SPECIAL COMMITTEE REPORTS	54
15.1.1	MILAWA PUBLIC HALL AND PARK SPECIAL COMMITTEE.....	54
16.	ADVISORY COMMITTEE REPORTS	56
16.1.1	WANGARATTA LIVESTOCK EXCHANGE ADVISORY COMMITTEE	56
16.1.2	WANGARATTA UNLIMITED ADVISORY BOARD (COMMITTEE) MEETING REPORT	56
17.	RECORDS OF ASSEMBLIES OF COUNCILLORS	59
18.	NOTICE OF MOTION	60
19.	URGENT BUSINESS	60
20.	AUTHORISATION OF SIGNING AND SEALING OF DOCUMENTS	60
21.	PUBLIC QUESTION TIME	61
22.	CONFIDENTIAL BUSINESS.....	62
23.	CLOSURE OF MEETING	62

1. **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

2. **OPENING PRAYER**

3. **PRESENT**

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

Officers Present:

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

4. **ABSENT**

Cr R Webb, Cr R Parisotto.

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

Cr R Parisotto has been granted leave of absence for the period 9 February to 9 March 2011.

Cr R Parisotto has now requested that the period of leave be extended to 18 March 2011.

Cr R Webb has also advised of his inability to attend this meeting.

Recommendation:

(Moved: Councillor R Paino/ Councillor L McCully)

That Cr R Parisotto be granted leave of absence until 18 March 2011, and Cr R Webb be granted leave of absence for 15 March 2011.

Carried.

6. **ORDER OF BUSINESS**

7. **CITIZENSHIP CEREMONY**

The Australian Citizenship ceremony (when applicable).

8. CONFIRMATION OF MINUTES

Recommendation:

(Moved: Councillor L McInerney/ Councillor R Paino)

That the Minutes of the Ordinary Meeting held on 15 February 2011 and the Minutes of the Special Council meeting held on 22 February 2011 be taken as read and confirmed as a true and accurate record of the proceedings of the meeting.

Carried.

9. CONFLICT OF INTEREST DISCLOSURE

Cr A Griffiths declared a conflict of interest in item 13.1.1.1 Draft Rural Land Strategy as it refers to land that he owns.

10. RECEPTION OF PETITIONS

10.1 PETITION: REMOVAL OF UNWANTED VEGETATION AT 52 PARFITT ROAD WANGARATTA

394743

Background

A petition/joint letter containing some 33 signatures from residents of Kett Street and Morgan Road, requesting action to remove unwanted vegetation from 52 Parfitt (old West City Autos block) Road Wangaratta because of fire and other hazards has been received (*refer attached*).

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.

Recommendation:

(Moved: Councillor L McCully/ Councillor L McInerney)

That the petition regarding the removal of unwanted vegetation at 52 Parfitt Road be received and a report on the matter be presented to the Council meeting on 19 April 2011.

Carried.

Communication

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

11. HEARING OF DEPUTATIONS

12. PRESENTATION OF REPORTS

12.1 COUNCILLOR'S REPORTS

(Moved: Councillor R Paino/ Councillor D McPhie)

That reports 12.1.1.1, 12.1.1.2 and 12.1.1.3 be noted.

Carried.

12.1.1.1 MUNICIPAL ASSOCIATION OF VICTORIA (MAV)

Municipal Association of Victoria (MAV)

42.070.010

Introduction

Cr Webb along with Councillors and officers from metropolitan regional and rural Councils attended the Municipal Association of Victoria Environment Advisory Group meeting at the Municipal Association of Victoria offices in Melbourne on Thursday 3 February 2011.

Outcomes and actions from the meeting included:

Presentation by Keep Australia Beautiful Victoria on sections and categories for the 2011 Awards.

Presentation by Council Alliance for Sustainable Built Environment (CASBE), Moreland City Council.

Annual fees of \$2500.

16 participating Councils.

Sustainable Design (SDAPP) Project progress.

Presentation by Municipal Association of Victoria Environment Team on:

- Municipal Association of Victoria submission to Murray Darling Basin Plan.
- Department of Sustainability & Environment/Local Government Native Vegetation Joint Working Party.
- Roadside Pest/Plant Working Party.
- Street Lighting consultation with Energy Groups.

Discussion on future of Municipal Association of Victoria Advisory Committees and the coming Municipal Association of Victoria Board elections.

Recommendation:

That the report be noted.

12.1.1.2 NORTH EAST GREENHOUSE ALLIANCE (NEGHA) COMMITTEE

North East Greenhouse Alliance Project

84.060.004

Introduction

Cr Webb along with Councillors and Council officers from Wodonga, Indigo, Benalla, Alpine, Towong and Wodonga TAFE Managers attended the first meeting of the newly formed North East Greenhouse Alliance Executive Committee at Wodonga City Council on Thursday 20 January 2011.

Outcomes and actions from the meeting included:

- Cr Lisa Mahood was elected chairperson for 12 months.
- North East Greenhouse Alliance – Memorandum of Understanding, Governance Structures and Terms of Reference were adopted.
- All correspondence including agenda's and minutes are to be forwarded to each Council's Council email address for distribution as required.
- North East Greenhouse Alliance Statement of Purpose and Objectives to be reviewed by Cr Lisa Mahood and Cr Ron Webb before the March meeting.
- The Executive Committee will meet at least 4 times annually and the Technical Committee will meet 6 times annually.
- A formal reporting process will be developed by the Technical Committee to report on all North East Greenhouse Alliance projects and operations.
- A formal Project Funding Submission Approval process will be developed for approval by the Executive Committee.
- The 3 year financial plan will be reviewed by Wodonga City Council and a response sent to all North East Greenhouse Alliance members.
- Major project management updates were provided on: adapting to a Low Water Future (\$800k), Water in North East Victoria – Socioeconomic Adaptation Planning (\$800k), the HP Barr Reserve – Sustainability Precinct (\$200k) and North East Solar Hubs (\$500k) were reported on.

Next meeting will be held on Thursday 24 March 2011 at Benalla.

Recommendation:

That the report be noted.

Carried.

12.1.1.3 MURRAY DARLING ASSOCIATION

Murray Darling Association Inc

71.010.003

Introduction

Cr Webb attended the Murray Darling Association meeting at Wodonga on Friday 11 February 2011 along with other Regional Councillors and Water Authorities from Victoria and New South Wales.

Presentations were made by:

- Mrs Sophie Mirabella MP, on the Basin Plan process and the coalition position on Social and Economic factors.
 - Supported more and larger dams
 - Supported investment into water technology.
- Mr Greg Aplin MP, on NSW opposition view of the Basin Plan process Equal treatment for Social, Economic and Environment.
 - Cross border cooperation on agreements.
 - Common dates in NSW and Victoria for implementation of agreements.

Reports were presented by:

- Mr Bill Gorman – Chairman, and included the Murray Darling Association Forum in Dubbo next Friday 18 February 2011 at which Minister Tony Bourke and Tony Windsor will be present.
- Mr Adrian Wells – Executive Officer, on Creative Catchment Kids Program, Region 3 Basin Plan consultations and Murray Darling Association Environmental Foundation website.

Other actions and discussions included:

- Advocating to Victoria and NSW governments for their position on larger dams.
- National Environmental Education award to the Burrumbuttock Public School for their partnership with the Wirraminna Environmental Education Centre.
- Cr Ron Webb presented and spoke to the submission from North East Victorian Catchments. This presentation was well received and created discussion and questions.

Recommendation:

That the report be noted.

Carried.

12.2 OFFICER'S REPORTS

12.2.1 EXECUTIVE SERVICES

12.2.1.1 2011 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT — CALL FOR MOTIONS

Australian Local Government Association

42.070.004

Introduction

The 2011 National General Assembly of Local Government (NGA) will be held at the National Convention Centre in Canberra between 19 - 22 June 2011 and motions are now invited for consideration.

As the major event on the annual local government events calendar, the NGA typically attracts more than 700 mayors, councillors and senior officers from councils across Australia.

Background

The NGA provides Council with the opportunity to contribute to the development of national local government policy.

The Australian Local Government Association (ALGA) Board is calling for motions from Councils for the 2011 NGA under this year's theme 'Growing with our Community — Partnership, Place and Position'.

To be eligible for inclusion in the NGA Business Papers motions must follow the following principles:

- Fall under one of the themes — Partnership, Place, and Position;
- Be relevant to the work of local government nationally; and
- Complement or build on the policy objectives of state and territory associations.

Issues

The Australian Government has released a discussion paper entitled: *Our Cities – Building a Productive and Sustainable Future. A sustainable Population Strategy for Australia*. It aims to develop a national urban policy in response to ensuring that the nations cities are managed sustainably for the future prosperity and wellbeing for all Australians. The focus of this national urban policy will be on the 18 major cities with populations greater than 100,000.

For some time the Rural City of Wangaratta, together with Regional Cities Victoria (RCV), has been promoting regional centres as liveable alternatives to the continued growth of capital cities. RCV commissioned Essential Economics to undertake an assessment of future infrastructure and resource requirement for Victoria's 10 largest regional cities, which includes Wangaratta.

The report clearly showed that Victoria's regional cities have the capacity to accommodate an increased share of the state's population growth and that, with increased investment in infrastructure and resources, they can take an even greater share of growth. This would not only create resilient regions making them a true alternative to metropolitan Melbourne, but will relieve metropolitan Melbourne with some of the pressures and associated stress of population growth over the coming decades.

The report revealed that the cost of providing infrastructure to support an additional 115,000 people within regional cities in Vic by 2036 as opposed to putting the same number in Melbourne would save over \$5 billion over that period in congestion and in efficiency costs. Importantly, the findings of the Essential Economics report have not been disputed.

In this context, for a major Federal study to be focusing on the issues and strategies of dealing with urban growth, without factoring in the role that regional centres below 100,000 population can play, is a lost opportunity.

Accordingly, canvassing this option at a forum such as the National General Assembly of Local Government registers is an opportunity to gain federal recognition.

It is proposed therefore that a motion be submitted to the NGA as follows:

That this National General Assembly call upon the Federal Government through its House of Representatives Legal and Constitutional Affairs Committee to:

- Recommend that the Australian Government adopt a policy position which states that Australia's regional cities are liveable alternatives to metropolitan cities and therefore are part of the solution to the country's population challenges; and
- That this policy position be supported by an Australian population Strategy that includes a tri-government funding model and implementation framework that encourages regional growth and a disbursement of investment of employment and prosperity across the country.

Implications

Submitting a motion to the NGA is a means of achieving federal recognition. At the very least it will generate a debate. If successful, the ALGA will pursue it through the appropriate channels.

Recommendation:

(Moved: Councillor R Paino/ Councillor L McInerney)

- 1. That the following motion be submitted to the National Assembly of Local Government :**

That this National General Assembly call upon the Federal Government through its House of Representatives Legal and Constitutional Affairs Committee to:

- ***Recommend that the Australian Government adopt a policy position which states that Australia's regional cities are liveable alternatives to metropolitan cities and therefore are part of the solution to the country's population challenges; and***
 - ***That this policy position be supported by an Australian population Strategy that includes a tri-government funding model and implementation framework that encourages regional growth and a disbursement of investment of employment and prosperity across the country***
- 2. That the support of the RCV be sought for this motion as a precursor of its consideration at the National General Assembly.***

Carried.

12.2.1.2 WANGARATTA SHOWGROUNDS REDEVELOPMENT:
MEMORANDUM OF UNDERSTANDING WITH THE AFL

Showgrounds Redevelopment

78.050.004

Introduction

A Memorandum of Understanding (MOU) confirming the Australian Football League's (AFL) contribution and commitment to the Wangaratta Showgrounds Redevelopment has been received for execution.

Background

As previously reported, the AFL are a key stakeholder and participant in the Wangaratta Showgrounds Redevelopment. Through its support, together with the State Government, the Showgrounds has achieved Elite Football Facility Status, opening up the prospect of the venue hosting AFL practice games and receiving funding for redevelopment.

Issues

The AFL's commitment to the Showgrounds Redevelopment covers the following:

1. Establishing the facility as a central hub for the Victorian Country Football League (VCFL) administration of local community football for the North East area as well as being the operating and training base for the Murray Bushrangers.
2. A contribution of \$660,000 to the redevelopment made up of:

- 2.1 A cash contribution of \$360,000
- 2.2 Proceeds from net gate takings of at least the first 5 AFL pre-season games to be played at the Showgrounds and using its best endeavours to play such games within a 15 year period.
- 2.3 Discussing the possibility of allocating more games to the venue if the proceeds are insufficient to meet the AFL's contribution.

For its part Council commits to undertaking the project as agreed and will ensure that the venue is available for at least the following AFL related programs:

- a. One AFL pre-season game during the February and March period annually with Council to ensure that the ground is presented in a suitable condition for play,
- b. At least five TAC Cup matches each season,
- c. AFL community camps as from time to time allocated, and
- d. Council will also be responsible for the on-going maintenance of the facility.

These provisions are contained in the Memorandum of Understanding between the parties. The AFL requires that this be treated as commercial-in-confidence.

Final plans have now been endorsed by the parties and were subject to contracts let for the construction of the Wangaratta Showgrounds Multipurpose Centre and the erection of the light towers at the Special Council meeting on 22 February 2011.

Implications

Financial implications associated with the Showground's Redevelopment Project have been incorporated into the 2010/11 budget and in the Budget Review recently considered and approved at the Special Council meeting on 22 February 2011.

It will be necessary to establish a management structure for the multi-purpose facility to meet the requirements of all parties including the AFL and Council under the MOU.

Recommendation:

(Moved: Councillor L McCully/ Councillor D McPhie)

1. ***That the Memorandum of Understanding between the Rural City of Wangaratta and the Australian Football League in relation to the provision of facilities under the Wangaratta Showground's***

Redevelopment Project and the usage of the complex by Australian Football League and related Victorian bodies be treated as commercial-in-confidence and remain confidential in accordance with the Local Government Act; and

- 2. That the Chief Executive Officer be delegated the authority to sign the Memorandum of Understanding between the Rural City of Wangaratta and the Australian Football League.***

Carried.

12.2.1.3 COUNCILLOR PORTFOLIOS AND ASSOCIATED COMMITTEES

Councillor Portfolios

10.010.007

Background

Council operates a system of portfolios as a means of sharing responsibility and workload among individual Councillors in the conduct of their representative duties.

Issues

Council annually reviews the nominated Councillor for each portfolio and associated committees. In undertaking this review, consideration is given to:

- Relevance of Committees to portfolio;
- Fair and reasonable sharing of workload and time demands; and
- changing circumstances, such as if there is a change of Mayor.

Outcome

The following list of portfolios, Section 86 Committees and associated committees and bodies was determined in January 2010 and is submitted to Council for consideration as to whether amendments are required (***refer attachment***).

Recommendation:

(Moved: Councillor R Paino/ Councillor D McPhie)

- 1. That Council confirm the existing determination of Councillor portfolio and associated committee appointments in the attachment:***

- | | |
|--|--------------------------------------|
| • <i>Mayoral</i> | <i>Councillor A Griffiths</i> |
| • <i>Environmental Sustainability</i> | <i>Councillor R Webb</i> |
| • <i>Economic Development & Tourism</i> | <i>Councillor L McInerney</i> |
| • <i>Arts, Culture & Heritage</i> | <i>Councillor R Parisotto</i> |
| • <i>Sport & Recreation</i> | <i>Councillor D McPhie</i> |
| • <i>Community Well-Being</i> | <i>Councillor L McCully</i> |
| • <i>Infrastructure & Planning</i> | <i>Councillor R Paino</i> |

2. ***That the immediate past Mayor be appointed to the Audit Advisory Committee (Councillor Webb)***

Carried.

13. SUSTAINABILITY

Cr A Griffiths declared a conflict of interest in the draft Rural Land Strategy and left the room.

As the Chair had become vacant due to Cr Griffith's departure, The Chief Executive Officer called for nominations for Acting Chair for item 13.1.1.1.

Cr L McCully nominated Cr L McInerney.

No further nominations were received and the Chief Executive Officer declared Cr L McInerney elected and she assumed the Chair.

13.1.1.1 DRAFT RURAL LAND STRATEGY

Rural land strategy

336868

Introduction

The Rural Land Strategy (RLS) has been a long anticipated strategic document which reviews the role and function of rural land in the municipality (*refer attachment*).

The strategy development focus had four, high level goals. These were: -

- Farming activities should be encouraged and supported in areas that are best suited to farming;
- The landscape, including the dominant role of farming, is a highly valued asset of the City of Wangaratta;
- Tourism, particularly based on food and wine, is emerging as an important industry, and in some cases, is hampered by existing arrangements.
- In parts of the rural areas of the Rural City residential development is now significant that there is no prospect that those areas could support farming activities in the future.

The draft strategy is presented to Council for adoption to commence public consultation.

Background

The primary purpose of the strategy is to review the agricultural and environmental opportunities and constraints and to best use the planning framework of policies, zones and overlays to facilitate the continued use of rural land for farming and for environmental conservation as appropriate. The strategy has also been prepared in response to:

- Pressure in rural areas such as subdivision and non-farm related new dwellings in the Farming Zone and the expectation that a dwelling can be constructed on every lot.

- The need to prevent rural land use conflict between farming and non-farming neighbours.
- The need to provide wider opportunities for tourism in the municipality's rural areas.

In 2006 the State Government introduced a new suite of farming zones into the Victorian Planning Provisions and in the Wangaratta Planning Scheme translated the Rural zone to a Farming zone and the Environmental Rural zone to a Rural Conservation zone. A Rural Activity zone was also introduced to provide a zone that is still predominantly a rural zone. It allows a wider range of uses and discretion than that provided in the Farming zone and is a zone that can be tailored to meet specific initiatives such as tourism or industrial uses to compliment farming outcomes.

In order to change zones that apply to particular areas, strategic justification is required to support an amendment to the Scheme. This strategy seeks to review the current situation, to reflect the Wangaratta 2030 Community Vision and capitalise on opportunities identified for non-urban land within the municipality.

The purpose of the Draft Rural Land Strategy report is to document:

- Findings of the research and investigation and consultation with regard to rural land use and development trends and issues.
- Clarify Council vision and objectives for rural land.
- Outline recommendations for planning policy to implement the rural land vision and objectives.

Issues

Significant Findings

Agriculture is a significant component of the Wangaratta economy with the gross value of agricultural production at 2006 valued at \$107 million.

The agricultural sector employs 9.1% of the municipality's workforce on farm and has wider economic benefits in the retail, manufacturing and agricultural service sectors providing support to farms across the region.

An assessment of agricultural land indicates extensive areas of land that have very high and high agricultural versatility making it suitable for production of a wide range of products. The fringes of the municipality associated with steeper topography have moderate to low agricultural versatility. These areas are still very suitable for lower input agricultural production such as livestock grazing and will generally require a larger farm size to generate sufficient income to support a full time commercial enterprise, compared to farms on land of higher versatility.

Land within the municipality has been subdivided to a range of sizes as shown in the table below. There is a significant supply of small lots, particularly along the river valleys while in the northern end of the municipality there are a number of larger lots over 100ha in size. Overall, the subdivision pattern is conducive to agricultural production.

Table -1: Range of lot sizes in the RCoW

Lot size	Number	Proportion of total lots	Land Area (ha)	Proportion of Total Area
0 – 8ha	3,434	40%	8,011	4%
8 – 40ha	3,085	36%	66,638	31%
40 – 100ha	1,625	19%	94,759	44%
>100ha	305	4%	44,393	21%
Total	8,449	100%	213,801	100%

The price of land can reflect land use changes and can also drive land use change. The municipality has become an attractive area for those pursuing a rural lifestyle. Rural land priced above agricultural value is a barrier to farmers purchasing land for growth and development. Planning policy can play a role to support agriculture ensuring that in areas identified for farming, dwellings are strongly discouraged unless essential for the agricultural use. Council should also provide rural residential choices in appropriately zoned and located areas.

Environmental assets and constraints have been identified. A landscape assessment was carried out and has identified significant landscapes at Glenrowan Gap and in the King Valley that are worthy of protection in the Planning Scheme.

The tourism and hospitality sector is a key element of the economy and employment base. Much of this is focused on the region's reputation for gourmet food and wine. Rural-based tourism is clustered at Oxley/Milawa and in the King Valley between Edi and Whitfield/Cheshunt. Existing tourism facilities include wineries with cellar doors and restaurants, bed and breakfasts and specialty foods.

There is an opportunity to support the emerging rural tourism sector, building on its reputation for gourmet food and wine. Key directions are for provision of high quality rural-based accommodation beyond what can be provided for in the Farming Zone in the Oxley/Milawa area and the King Valley, between Edi and Cheshunt.

Conclusion

Planning scheme recommendations need to ensure that the future use of land for agriculture is adaptable enough to respond to the impacts of climate change. It is appropriate to apply the precautionary principle in response to climate change by ensuring that planning scheme recommendations will provide for adaptability to any unforeseen problems created by climate change. In this regard discouraging dwellings and subdivision is considered appropriate to ensure land is protected for agriculture into the future.

The review has found that the local policy framework should be strengthened by:

- Updating the agricultural profile to ensure that planning policy reflects current agricultural practices and the municipality's intentions for agriculture.
- Tailoring planning policy to reflect the land types and desired rural land uses by:
 - Applying zones and overlays to ensure the continued use of rural land for commercial scale farming.
 - Increasing the minimum lot size for subdivision and dwellings to better support current agricultural practices and the vision and objectives for rural land.
 - Providing policy for consideration of applications for dwellings and subdivisions.
- Providing for rural based tourism in appropriately located areas consistent with the directions of the Tourism Industry Strategic Plan.
- Ensuring consistency with the objectives and recommendations of the Future Farm Strategy and the Hume Regional Strategy.

The current planning framework has embedded the expectation that by subdividing rural land to meet the minimum lot size requirements also provides for a dwelling on each lot. This is irrespective of the agricultural use of the land. It is considered that the planning policy should seek to break this link and allow for subdivision that facilitates or benefits agricultural production. Within the Farming Zone, dwellings are required to be associated with the agricultural use of the land. The significant risk posed by more dwellings in rural areas, not associated with an agricultural use, requires that Council have significant oversight of rural dwellings.

The tools to achieve this are:

- A minimum lot size for subdivision in the Farming zone should be increased from 40 hectares to 100 hectares which reflects a productive unit size.
- A minimum lot size for which a permit is not required for a dwelling should be increased from 40 hectares to 250 hectares to ensure that Council as Responsible Authority has the opportunity to assess if the dwelling is essential to support the agricultural use of the land.

Land which is heavily treed and/or steeply sloping and not suitable for farming is more appropriately placed in a Rural Conservation zone with a minimum lot size for subdivision of 100 hectares. A permit is required for a dwelling in this zone.

The Rural Activity zone is introduced to facilitate tourism development in Milawa and Oxley and the King Valley from the Edi to Cheshunt. The zone objectives will be tailored to support tourism uses that compliment agriculture. A minimum lot size for subdivision is recommended at 50 hectares and a permit is required for a dwelling in this zone.

House lot excisions will be generally discouraged in the Farming Zone as they result in increased density of development and create a lot that is contrary to

the purpose of the Zone. A local policy will be prepared outlining the circumstances under which an excision will be supported and the preferred mechanism for achieving the excision.

There are a range of recommendations relating to rural areas where the number of dwellings has changed the character or function of the area as illustrated in the table below:

Dwelling Policy as part of this Draft RLS	Housing and Population Strategy	Rezone to Rural Living Zone	Rezone to Rural Conservation Zone	No change
Greta West Wangandary	Taminick Gap Road North Wangaratta Oxley old township	Glenrowan	Henley Ridge	Eldorado

Consultation

It is appropriate for Council to carry out extensive consultation on this Strategy and consider submissions received prior to finalising the document. A two month exhibition period is considered necessary.

A series of workshops were held during the study and it is considered appropriate to hold a further series of workshops. In addition to this it is aimed to target specific user groups that have a representative role such as VFF, Real Estate Agents, Landcare Groups, to make Officers available at various towns in the municipality on advertised dates for people to have one on one discussions regarding the Strategy and also availability at the Government Centre.

Agency workshops will also be required and will be arranged during this exhibition period.

Implications

Council Plan Outcomes

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

Action 3.1.2 is to implement the Agricultural Land Strategy.

Sustainability

The outcomes seek to ensure farming remains a core component of the local economy and that land use planning decisions do not compromise the long term sustainability of agriculture.

Recommendation:

(Moved: Councillor D McPhie / Councillor R Paino)

That Council adopt the Draft Rural Land Strategy and place it on exhibition for a period of 2 months and undertake a program of community consultation seeking feedback on the strategy.

Carried.

Communication

The strategy document will be available at the Government Centre, mailed out, placed on the Council's website and provided on a disk.

Public meetings and days for Officer appointments in rural townships will be advertised in the Wangaratta Chronicle and distributed through newsletter outlets.

Cr L McInerney vacated Chair position.

Cr A Griffiths returned to the Chamber.

13.1.1.2 PLANNING PERMIT APPLICATION NO. 10-160 - PROPOSED DEVELOPMENT OF A MOTOCROSS FACILITY AT 58 SHANLEY STREET, WANGARATTA

10-160

Introduction

This report deals with a permit application to develop a motocross facility. A recommendation is made to grant the application. A discussion of the reasons for the recommendation to grant a permit follows in this report.

Background

Applicant: Wangaratta Motocross Club

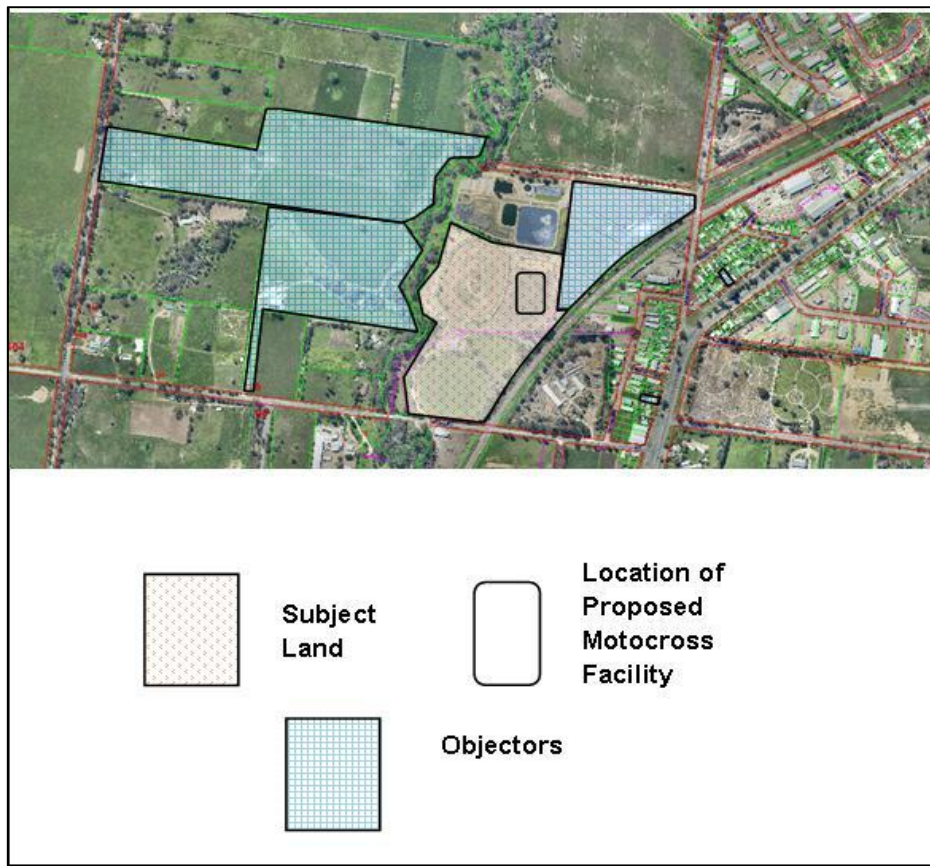
Owner: Rural City of Wangaratta

Address: 58 Shanley Street, Vol: 08853 Fol: 279, PS323691S

Zoning: Public Use Zone 6 (Local Government)

Overlays: Land Subject to Inundation Overlay

Permit Trigger: Clause 36.01-2 Buildings & Works associated with Section 2 Use



Note: Not all objectors shown on map due to their location being outside immediate area of subject land.

Proposal

The proposal is to construct a motocross track on the subject land to the east of the existing speedway. The track will be undulating and winding in nature and associated works. A car-park providing 120 car spaces, which will be hard stand gravel area, is to be provided between the existing speedway and proposed motocross facility.

While there is an area of the land which is affected by a Land Subject to Inundation Overlay the proposed development is outside this area and is thus not affected by the overlay.

Planning considerations and Assessment

The subject land is located within the Public Use Zone 6 which relates to local government land and is also affected by a Land Subject to Inundation Overlay. The proposal will not be located within the overlay so it is not considered relevant in this instance.

The decision guidelines of the Public Use Zone include the mandatory requirement to consider:

“The State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF) including the Municipal Strategic Statement and any local planning policies.”

State Planning Policy Framework (SPPF)

13.04-1 Noise abatement

Objective

To assist the control of noise effects on sensitive land uses.

Strategy

Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

The noise will be managed by the construction of dirt mounds which deflect the noise upward and the sports guidelines require the noise governed to 94/96DBLA.

Local Planning Policy Framework (LPPF)

21.11 Infrastructure and Community

“Wangaratta has a quality ‘lifestyle’ environment that has social and economic significance for the municipality and region. Quality lifestyle is enhanced through the provision of a range of community services, facilities and opportunities.”

The provision of a Motocross facility within close proximity to Wangaratta where existing infrastructure is provided will present a benefit to the community in that it provides the opportunity for young people to ride their motocross bikes in a safe and organised environment.

Zone

The purpose of the Public Use Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To recognise public land use for public utility and community services and facilities.
- To provide for associated uses that are consistent with the intent of the public land reservation *or purpose*.

Under the Public Use Zone 6, a planning permit is required to Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1.

The use of the land for a ‘*Motor Racing Track*’ has been established with the existing ‘*Speedway*’ being in situ circa 20 years. It is not considered that motor racing as an existing use covers the whole of the Wangaratta South

Recreation Reserve but it is considered that the rights extend to the proposed area for motorcross on the basis that:

- this area has been used and developed by the Speedway for car parking;
- this area has been previously used for holding of jet boat/speed boat racing events.

Therefore, the land retains an existing use right for a '*Motor Racing Track*'. On that basis, a permit is only required for '*Buildings and Works*' and conditions and consideration can only be associated with the works and not the use.

Assessment

As the application before Council for the proposed Motocross track is located in an area with an existing use right for motor sports, the only relevant assessment in this instance relates to the physical development of the proposed track and associated infrastructure such as car parking. Council cannot assess any issues in relation to use of the facility as part of the application, however consideration of construction methods, in order to minimise noise can be taken into account as part of the assessment process. There is nothing in the provisions of the Wangaratta Planning Scheme which prevents the development of the proposed Motocross facility.

As the land is a Council owned facility, Council can, as part of the licence agreement, require conditions on the use of the facility in terms of hours, days, noise emissions etc.

The issues relating to development, such as dust, car parking and drainage can be addressed on the planning permit via conditions.

Consultation

Surrounding owners and occupiers of the land were notified in accordance with Section 52 of the Planning and Environment Act 1987. Three (3) objections were originally received.

A conciliation meeting was held on 13 October 2010. The meeting was attended by the applicants, two (2) objectors, Councillor Ron Webb (Chair), two (2) Council Planners and one (1) Engineer.

No compromise was reached between the applicant and objectors, therefore the objections are unresolved.

Subsequent to the Conciliation meeting, a letter drop was undertaken by one of the objectors and a further nine (9) objections were submitted along with two (2) letters of support.

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

The majority of the concerns raised (bolded) are in fact use-related issues rather than development related issues, therefore, cannot be addressed as part of the planning permit approval. These issues should be addressed as part of the Licence Agreement.

Noise

- Will object if the facility is used during week days due to excessive noise.
- Concerned that there will be high level noise pollution which will affect their horse breeding and the safety of their horses.
- Noise in addition to speedway. Should be located elsewhere.
- Noise from bikes and loud speakers late into the night.
- Concerns about excessive noise and that meeting dates may be more than specified in application.
- Existing issues with traffic, noise from speedway, cars and saleyards. Motocross to add to that.
- Already tolerates trains and speedway. Should be located further from homes.

The majority of meetings are proposed for a Saturday or Sunday. There may be the occasional Thursday or Friday night practice session, however, this will depend on other users of the facility and the licence agreement.

The noise generated will not be any greater than that of the existing Speedway noise, in fact, it is likely to be slightly less noisy due to the sport being regulated to a lower noise requirement than that the Speedway.

The track will require bunding as a buffer which will direct noise upward rather than outward. It is also proposed to do some buffer planting around the site.

Motocross will not run at the same time as any other event on the land, therefore, will not create any additional traffic noise or issues than the existing use/s.

The times of use can be limited by the licence agreement.

The objection is not supported.

Wangaratta City Football Club;

Concerns re: lack of correspondence (notification) received regarding the application and lack of consultation. Denies any previous contact with motocross and refutes they have given support for development.

Discussions were held with Football Club and Councils Recreation Planner prior to submission of application. Also, Notice of Application in Rural City Connection page of The Chronicle.

This is a matter for Council as owner of the land and the licence agreement to take into consideration for other user/s.

The objection is not supported.

Do not believe the training and events associated with motocross are compatible and believe there is little time for motocross use when other users not playing or training.

Not being used at same time as other events. As above regarding licence agreement.

The objection is not supported.

Noise and dust from motocross will impact on soccer training and play.

As above.

The objection is not supported.

Proposal contravenes alleged master plan where this area is a future playing field.

This is a matter for Council as owner of the land and the licence agreement to take into consideration to other user/s.

The objection is not supported.

Current infrastructure inadequate for current and future users.

As above.

The objection is not supported

Hazards associated with motocross and other users in relation to traffic and parking (assuming being run at the same time).

Not being used at same time as other events.

The objection is not supported.

Drainage already an issue in this area, development will add to this issue.

Application referred to Council's Engineering Department who have required a drainage plan be submitted which will require all surface and stormwater to be controlled and collected to Council's satisfaction.

The objection is supported, however, can be addressed with conditions.

Car park for development needs to be made to ensure proper parking and continued use for other users.

The long term development of the car park is a matter for all users of the land as well as Council. In the short term, for this development, a condition on the permit will require the levelling of the existing car parking area and the

provision of direction signage, bollards and delineation of car spaces to ensure proper use.

The objection is supported; however, the immediate requirement for the development of the car park can be satisfied by the above condition on the permit. It is recommended however that the long term use of the car park is a matter for the other user/s and Council as the land owner to develop to a higher standard.

Dust from motorbikes using facility.

The Motocross Club has had agreement with the adjoining Cleanaway business to have access to use treated water on the track whenever it is required in order to minimise any dust. This can be ensured with a condition on the permit and also in the licence agreement.

The objection is supported, however, can be addressed with conditions.

There were also two (2) written submissions and several phone calls of support for the development citing;

- Facility will be good for the kids, gets them off the street.
- Gives a safe place to ride and learn.
- Keeps bikes out of the parks and Crown land.
- Live close by in the industrial area, cannot see how this will be any more noisy or detrimental than existing uses.
- Will be closer facility for local kids and adults to go to.

Implications

Council Plan Outcomes

The Council plan has, inter alia, the following objectives;

- “plan for and provide infrastructure appropriate to the community’s needs
- ensure the amenity of the public and built environments is attractive, safe and practical.
- Improve access to both local and regional sport and recreation opportunities to improve health and wellbeing.
- Provide high quality passive and active recreational opportunities, together with significant sporting events.’
- It is considered that the proposal achieves these objectives.

Community Outcomes

It is considered that there will be a benefit to the community in providing a facility of this nature. In particular there will be benefit for many young people to have a safe and close place to ride their motocross bikes.

Strategic Direction

Build and promote quality lifestyle opportunities in Wangaratta to enhance social and economic opportunities for the area and region.

Financial Impact

There may be some need for Council to provide assistance to the community groups that use this land in terms of infrastructure and ongoing maintenance and improvements.

Recommendation:

(Moved: Councillor L McCully / Councillor McInerney)

That Planning Permit Application No.10-060 for the Development of a Motocross Facility at 58 Shanley Street be approved and that a Notice of Decision to Grant a Permit be issued subject to the following conditions:

Rural City of Wangaratta's Conditions

- 1. The development permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.***
- 2. Prior to the commencement of the development a plan showing the layout of the track and the associated bund walls to buffer noise around the perimeter of the track must be submitted to the Responsible Authority for approval. The plans should detail the material of construction of the building, the height and width of walls and detail how they will be maintained. On approval of the plan the bund walls must be constructed prior to the use of the site commencing and be maintained to the satisfaction of the Responsible Authority.***
- 3. Prior to commencement of the use, a properly prepared drainage plan in accordance with the requirements of Council's Infrastructure Design Manual must be submitted to and approved by the Responsible Authority. The stormwater drainage system for the development must incorporate measures to enhance stormwater discharge quality from the site and protect downstream waterways.***
- 4. Prior to the commencement of the use, all surface and stormwater on the subject land must be controlled, collected and drained to the satisfaction of the Responsible Authority.***
- 5. Prior to the commencement of use, car parking and access ways created by the proposed development and as shown on the endorsed plan must be constructed in accordance with plans and specifications approved by the Responsible Authority.***

6. The track must be watered at regular intervals during dry weather to ensure dust from the track is minimised.

7. This permit will expire if:

- (a) The development is not commenced within two years of the date of this permit;**
- (b) Provided (a) is complied with the development is not completed within four years of the date of this permit.**
- (c) The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.**

Carried.

Communication

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

13.1.1.3 PROPOSED PLANNING SCHEME AMENDMENT FOR CORRECTION OF MAPPING ERRORS

Planning Scheme Amendment C38 – Mapping Corrections

73.010.020

Background

Council considered a report to correct a number of zone and overlay maps at the January Council meeting. The report dealt with Planning Scheme Amendment C38. The following was resolved:

- 1. Seek authorisation from the Minister for Planning to prepare an amendment to the Wangaratta Planning Scheme to correct mapping errors as contained in the explanatory report and shown on the prepared maps.*
- 2. Apply for an exemption to the requirements for giving notice of the amendment pursuant to Section 20(2) of the Planning & Environment Act 1987.*
- 3. Request that the Minister for Planning authorise Council to approve the amendment.*

Following the Council meeting, it has been brought to our attention that there are two more parcels of land that are owned by Council as part of a reserve, however are in the Residential 1 Zone.

It is proposed to place the Public Parks and Recreation Zone over the land to reflect the status of the land.

As a result of this information it is appropriate to include these further changes within Planning Scheme Amendment C38 (**refer attachment**).

Issues

The land appears on zoning map 18 and overlaps onto map 19. One parcel of land is located along the southern boundary of properties in Pennsylvania Drive, Arlington Estate and is a reserve providing access to the Three Mile Creek. The second parcel is a reserve that has frontage to Edwards Street and joins the Three Mile Creek. (Refer to attached map)

Consultation

It is appropriate for Council to request an exemption from the requirements of giving public notice under Section 20(2) of the Planning & Environment Act 1987 as the errors are purely an administrative correction.

Discussions have been held with the regional office of the Department of Planning and Community Development with regard to the approach taken for this amendment. It has been generally agreed that each of the changes meet the criteria contained in the planning advisory note titled “*A protocol for fast tracking amendments*” dated March 2007.

Implications

Council Plan Outcomes

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

Community Outcomes

While the benefits will be largely hidden to the majority of the community, having land in the correct zoning is a general benefit to the community.

Financial Impact

Undertaking a Planning Scheme amendment for the purpose of corrections has a negligible financial impact as there are no fees payable for the process.

Environmental Impact

There are no environmental impacts associated with this matter.

Recommendation:

(Moved: Councillor D McPhie / Councillor L McCully)

That Council resolve to add Reserve 1 PS699478 and Reserve 2 PS533532 to Amendment C38 to apply the Public Parks and Recreation Zone to the land.

Carried.

Communication

A formal written request to be forwarded to the Department of Planning and Community Development to initiate the amendment process.

13.1.2 COMMUNITY WELLBEING

13.1.2.1 WANGARATTA MOTOCROSS CLUB

South Wangaratta Reserve

10507

Background

A group of local community members with support from Motorcycling Victoria, (the controlling body of motorcycle sport in Victoria) have been working to establish the Wangaratta Motocross Club Inc. (WMCI) and is now seeking Council's approval for the use of the South Wangaratta Recreation Reserve to base its activities and establish motocross facilities.

Wangaratta residents who wish to participate in the sport of motocross presently have to be a member of neighbouring clubs at the Winton, Myrtleford or Albury/Wodonga locations. There are a number of reasons why other facilities in the region already developed for Motorsports are not being used by the Wangaratta community including:

- the distance to travel;
- difficulty to secure sponsorship for a facility outside Wangaratta;
- Volunteer support is declining at Winton as efforts are often absorbed by the motorsports activities;
- Winton is located a distance away from support services such as motels and eateries;
- Winton is not affiliated with Motorcycling Victoria therefore as the facility is on private land competitors licensed with Motorcycling Victoria are not able to compete;
- As Winton is not affiliated with Motorcycling Victoria the owner of the facility is able to operate outside of the strict regulatory controls enforced by the State Association; and Winton does not have power, water, toilets or shade available for Motocross.

Other sites within Wangaratta have been considered but issues have been identified with each, they are as follows:

Avian Park - planning scheme does not allow for motorsport activities. The current zoning for the whole reserve is 'Special Use Zone trotting track racecourse' and specifically prohibits motor vehicle use. An approach could be made to change the zoning however it would take some time (12 – 24 months) and would depend on agreement from the Committee of Management and State Government permission. Given there is a proposed feasibility study to be undertaken incorporating Avian Park it is felt that the planning work should occur first;

Racecourse - Wangaratta Turf Club have yet to open up their facility to other users;

North Wangaratta - would require Council permission and has no existing Motorsport activity which reduces appropriate infrastructure availability and would most likely raise issues for neighbouring properties; and

Wangaratta Airport land - additional infrastructure would be required to provide amenities and other appropriate facilities.

Interested Wangaratta residents believe there is strong support for a motocross club to be developed at the South Wangaratta Recreation Reserve, the benefits of this location include:

The land retains an existing use right for a 'Motor Racing Track'

Land and operations are not privately owned;

- Easy access to town facilities such as accommodation, restaurants, shops;
- Greater opportunities to secure sponsorship and return benefits back to sponsors;
- Easier to attract volunteers in town and as a consequence be able to schedule more people for fewer hours; and

There is an opportunity to access re-use water with Cleanaway committing to the provision of as much water as is required by the Club (which in turn assists Cleanaway dispose of some excess re-use water).

There is also potential for all clubs based at the Reserve to undertake joint planning and development of shared infrastructure such as car parking and facilities. A site plan depicting the proposed site for the WMCI is attached to this report (**refer attachment**).

The WMCI is an incorporated association affiliated with Motorcycling Victoria and currently has a membership of 20 members (minimum). The Club has not conducted a membership drive due to not having approval for a site upon which to establish its facilities. The Club will encourage the take up of memberships once approval of a suitable site is received.

The WMCI holds 'Group/Individual Personal Accident Insurance' and 'Primary General and Products Liability' insurance cover through the affiliation with Motorcycling Victoria.

Issues

A Planning Application Report that deals with the application for a permit and outlines the issues in relation to this matter including the objections received is included in this agenda. This report refers to the land proposed for the establishment of the Motocross Club facility as having 'Existing Use Rights'. The majority of the concerns raised by the objectors to the permit are in fact use-related issues rather than development related issues, therefore, cannot be addressed as part of the planning permit process. It is proposed by the Planning Unit that these issues be addressed as part of the Licence, if this development proceeds.

Existing use rights pursuant to Clause 63 of the Wangaratta Planning Scheme provide that an existing use is established where the use was existing prior to the introduction of this Scheme. The use of the land for a '*Motor Racing Track*' has been established with the existing '*Speedway*' being in situ circa 20 years. Therefore, the land retains an existing use right for a '*Motor Racing Track*'.

It is not considered that motor racing as an existing use covers the whole of the Wangaratta South Recreation Reserve but it is considered that the rights extend to the proposed area for motorcross on the basis that:

- this area has been used and developed by the Speedway for car parking; and this area has been previously used for holding of jet boat/speed boat racing events.

Consultation has taken place with the existing Reserve users including the Wangaratta Motorsports Club, Wangaratta City Soccer Club and the Wangaratta & District Cricket Association (March to May 2010) . These groups initially provided in principle support for the Motocross project however some issues have arisen since the Wangaratta Motocross Club Inc submitted an application for a planning permit for the development of the motocross facilities.

Local residents have raised concern for the impact on horses housed at the GOTAFE equine campus stating they would be affected by noise from the Motocross activities. However GOTAFE do not have any issues with the Motocross proposal as they indicated horses get used to noise around them, for example, existing motorsports activities, trucks on the adjacent roadways, planes and fireworks.

The South Wangaratta Recreation Reserve Masterplan - Issues and Opportunities Paper (the Paper) provides possible ideas for the future development of the site based on information provided by users. The paper identifies that soccer is a growing sport in the Wangaratta area and additional playing fields would help to accommodate the growth.

The proposed site that the Motocross Club is requesting to utilise for the motocross track is the site that the Paper has identified as a possible fourth pitch for the Soccer Club. However this was not a definitive option as other ideas were also considered.

The Paper identifies three main opportunities that may overcome the need for the Soccer Club to require additional pitches:

- The possible development of a club based soccer ground through the relocation of cricket to another sports field within Wangaratta
- The removal of the cricket pitch would allow space for the installation of pitch lighting (night training and matches)
- The potential development of an alternative 3 or 4 field soccer venue within Wangaratta

The Paper recommends further investigation should be undertaken in relation to the realistic future needs of Soccer and whether in fact there is an alternate site that would better cater for the Soccer Club's needs into the future. The Soccer Club may need to reconsider how the sport is run to better accommodate games and training on the available pitches, for example, night games.

The Motocross Club indicate that their activities would fit in with other users of the Reserve. The Motocross Club is requesting 12 events per year which

includes practise use, although the Club would appreciate being able to have the option to apply for an additional event if an opportunity arose for a major meet outside their Club activities, including the possibility of State or National titles or a major meet that would support a fundraising activity.

The 2011 Saturday Season Draw for the Soccer Club runs from May 2011 to August 2011 with approximately 12 competition days. The Albury Wodonga Football Association games are played at South Wangaratta Reserve on Sunday's for approximately 10 times during the months of April 2011 to August 2011. The Club also runs limited summer season events and training on some weekends and week days.

The Motosports Club hold 9 events per year on Saturdays between the hours of 4pm to 11.30pm. The Motorsports Club have re-commenced hosing dirt track motorcycle events in recent months at South Wangaratta Reserve.

The Wangaratta & District Cricket Association only use the South Wangaratta Reserve Oval as a playing field and do not base their main activities on this site. The extent of their use is 10 Saturdays during the summer seasons from 27 November 2010 to 5 March 2011. These activities are isolated on the main oval with minimal car parking or facility use required.

This leaves a considerable number of Saturdays (21) and Sundays (42) that may be available for Wangaratta Motocross activities without any impact on other users. The majority of events would take place on a weekend between the hours of 9am to 5pm, however, the Motocross Club would like to have some option to have one or two evening training nights over the hot summer months, for example: 5pm – 8pm on an evening with the expressed permission of Council.

A 'draft' licence agreement is attached which provides written clauses that address the outstanding issues raised by the objectors (***refer attachment***).

Implications

Council Plan Outcomes

This proposal addresses Council's Key Strategic Activity: to encourage the greater use of recreation facilities including formal sports facilities, open spaces, shared paths and aquatic centres.

Sustainability

By developing the Motocross Club at the South Wangaratta Reserve will consolidate Motor Sports to one venue providing the opportunity to share facilities and lessen the need to develop additional infrastructure. This will consequently reduce the environmental and economic impact of the development of another Club's activities. All Clubs provide a social benefit for the community encouraging physical activity and social connection.

Community Outcomes

This proposal provides the Wangaratta community with a safe, regulated and supervised facility for motorcycle enthusiasts to participate, learn safe riding skills and compete. The provision of such a facility may contribute to improved motor skills for people of all ages, particularly the youth, which may in the long term assist in road safety.

Community Engagement

Consultation with user groups and adjacent landowners has been undertaken through the Planning Permit application process.

Recommendation:

(Moved: Councillor R Paino / Councillor D McPhie)

That Council:

- 1. Endorse the Wangaratta Motocross Club request to secure access to land at the South Wangaratta Recreation Reserve pending the approval of the Planning Permit Application;***
- 2. Enter into a Licence agreement as attached, with the Motocross Motorcycling Club for access to land at the South Wangaratta Recreation Reserve to conduct and establish Club activities, and***
- 3. That consultation be undertaken to determine the best location for the facility within the South Wangaratta Recreation Reserve.***

Carried.

13.1.2.2 MOYHU COMMUNITY HUB - FEASIBILITY STUDY

Rural Towns Development Program

68.020.003

Background

The purpose of this report is to request Council support for a feasibility study on the development of a “community hub” for Moyhu; and for Council to approve a \$10,000 allocation from the Rural Towns Development Program budget to match anticipated funding of \$20,000 from the Department of Planning and Community Development (DPCD) for this project.

The Community Planning work undertaken with the Moyhu community resulted in a Community Strategic Plan being developed that identified long term objectives that would benefit the King Valley Region and reflect a strong community “sense of place”.

One of the three main goals of the Strategic Plan was “to develop two core community hubs to advocate community needs to improve community services

and infrastructure". The Recreation Reserve and Moyhu Soldiers Memorial Hall were identified as potential community hubs.

Although the Feasibility study will consider the community's goal of having two community hubs it is intended that the focus of the study will be on the most appropriate site for a single hub. Given the population and geographic positioning of Moyhu it is felt that a single hub should be the first consideration.

- The concept of a "community hub" is to co-locate social, recreation and health services for the following advantages:
- Increase the facility amenity for Moyhu and surrounding communities.
- Consolidate the number of venues used by the community.
- Improve accessibility to users by services sharing administration.
- Reduce operating costs by services sharing utilities, staff, running costs etc.
- Encourage additional users and services through improved facilities.

Consideration has been given to the priority for funding Community Planning projects. The grounds determined for Moyhu to receive this funding are:

- The project is ready;
- The Moyhu Hall has been identified as being the next priority for Small Towns funding, after the Whitfield A C Swinburne Pavilion;
- An application has been successful through DPCD for the establishment of a Men's Shed, which has timelines for completion and would be best placed where the Community Hub is located; and
- The Moyhu community was the first town to undertake the Community Planning process and has not received any other additional funding as yet from Council.

Issues

There are numerous groups and organisations providing services and activities at various sites in Moyhu including the Moyhu Soldiers Memorial Hall and the Recreation Reserve. The Ovens & King Community Health Service operate the Planned Activity Group at the Moyhu Soldiers Memorial Hall and provide social and health services from a separate facility. Ovens and King Community Health Service has indicated support for the development of a 'community hub' in Moyhu.

The King Valley Learning Exchange (KVLE) auspice the recently acquired funds for the King Valley Men's Shed which was identified as an opportunity to advance the "community hub" concept and undertake planning to confirm the feasibility of this concept. The KVLE also supports the co-location of services and are interested in delivering services from a central "community hub".

Implications

Council Plan Outcomes

Continue to upgrade facilities to ensure communities have access to a place to meet for social, recreational and learning opportunities.

Policies

Council's Facility Maintenance policy states that Council will not support more than one facility in each rural town, this feasibility study will assist Council in determining an appropriate facility to support in Moyhu.

Financial Implications

The amount of \$10,000 requested as a contribution from Council is able to be provided for from the 2010/2011 Rural Towns Program funding.

Community Engagement

A range of community groups including the Moyhu Action Group and the Moyhu Soldiers Memorial Hall Committee support the "community hub" concept and the undertaking of a feasibility study.

Conclusion

It is important for a community the size of Moyhu to consolidate the use of venues and maximise efficient use. This approach assists with the viability and consequent sustainability of facilities in rural areas.

Should Council support a feasibility study into a "community hub" concept for Moyhu an application will be submitted to DPCD Building Stronger Communities Project Planning requesting a \$20,000 contribution to the project. A co-contribution of \$10,000 will be required from Council which is able to be provided from the Rural Towns Development Program 2010/2011 budget.

Recommendation:

(Moved: Councillor D McPhie/ Councillor L McInerney)

That Council support the development of a feasibility study to determine the need and site for a community hub in Moyhu.

Carried.

13.1.2.3 DROUGHT RESPONSE COMMITTEE

Drought

77.030.001

Background

The Drought Response Committee met on 8 February 2011. The minutes of this meeting are attached (***refer attachment***).

Issues

The following issues were discussed:

- Community Support Agency List was adopted and to be made available on Council's website.
- Exceptional Circumstances (EC) status is not likely to be extended beyond 31 March 2011
- Committee's future - proposed to be retained and reorganised to respond to community recovery needs at times of crisis. Membership, title and purpose to be revised.
- The Drought Response Strategy is to be reviewed as a result of the proposed changes in Committee structure and purpose.
- Anglicare reported the new position of Farmer Mentor and Support Worker and the availability of emergency relief programs to assist low income families and individuals.

The Drought Response Committee was originally set up as a drought sub-committee of the Municipal Emergency Management Planning Committee on 14 February 2003. It may be appropriate to undertake a review of the Drought Response Committee simultaneously with the Emergency Management Planning review.

Community Engagement

The Drought Response Committee includes representation from a range of community agencies, primary producer organisations and government departments who have links to, and an interest in, the rural community. A number of committed community members also attend.

Officers Comments

A letter has been received from Mr Peter Walsh MLA, Minister for Agriculture and Food Security in response to the letter provided by Council requesting an extension of the Municipal Rate Subsidy (MRS) for the remaining life of the Exceptional Circumstances (EC) declaration in the North East region.

Minister Walsh advised in his letter that the Federal Government has announced that there will not be an extension to the EC declaration for North East Victoria beyond the 31 March 2011.

As a consequence of this announcement the Victorian Government is not in a position to provide a MRS.

Recommendation:

(Moved: Councillor R Paino/ Councillor L McInerney)

That Council write to the relevant State and Federal Ministers expressing disappointment at the Federal Government's decision not to extend the Exceptional Circumstances declaration for North East Victoria beyond 31 March 2011.

Carried.

13.1.2.4 ARTS CULTURE AND HERITAGE ADVISORY COMMITTEE RECOMMENDATION

Cultural/Arts Issues

67.010.006

Background

The Arts, Culture and Heritage Advisory Committee (ACHAC) has provided the following recommendation to Council from their meeting held in December, 2010.

“It is recommended that internationally and nationally acclaimed textile artist Ms Liz Williamson be invited to be the official ‘Patron’ of the Wangaratta Contemporary Textile Award [WCTA] for a period of time to be determined.”

Issues

The Wangaratta Contemporary Textile Award is a significant biennial event in the Gallery calendar attracting artists of the highest calibre from all over Australia. Ms Williamson is an ideal and exemplary individual and artist who if appointed as the patron of the WCTA would assist in raising the profile of the event.

Ms Williamson was the judge of the 2009 inaugural WCTA, she also presented a paper at the Forum conducted in conjunction with the opening event. She is Head of Textile Design at College of Fine Art University of NSW, and was bestowed the Craft Australia ‘Living Treasure’ award 2008-2010 awarded to very few senior Australian Crafts people. Ms Williamson has also travelled broadly both as an artist and educator and has collaborated internationally on the production of a range of items for her design collection.

Held in highest regard within Australia as an innovator and a leading professional in her field, Ms Williamson is extremely supportive of the initiatives of the Wangaratta Art Gallery where textiles are concerned. She believes the WCTA is a vital part of the national program of events surrounding textile art and would support the program in a more formal way if approached.

Community Engagement

The Arts, Culture and Heritage Advisory Committee has representation from a range of different community organisations as well as opportunities to provide feedback on behalf of others with an interest in this sector.

Implications

Council Plan Outcomes

To provide a diverse visual arts experience and opportunities for local and regional communities and visitors by the Wangaratta exhibitions Gallery.

Financial Implications

Generally it is expected that a Patron of an award attends the award and has expenses such as travel and accommodation covered. These expenses are able to be provided for within the existing budget for this event.

Officer Comments

The appointment of a Patron of the calibre of Ms Williamson for the WCTA will provide greater recognition of this event in the art industry and regional and local communities. This event already attracts artists from all over Australia and has the capacity to increase this interest which would add to the recognised profile of the event and the attraction of visitors to Wangaratta having a positive economic and community impact.

Recommendation:

(Moved: Councillor L McCully/ Councillor D McPhie)

- 1. That Council endorse Ms Williamson as the Patron of the Wangaratta Contemporary Textile Award; and**
- 2. A letter be forwarded to Ms Williamson inviting her to be the Patron of the Wangaratta Contemporary Textile Award.**

Carried.

13.1.2.5 COMMUNITY PRIDE ADVISORY COMMITTEE TIDY TOWNS – SUSTAINABLE COMMUNITIES AWARDS

Community Pride Advisory Committee

71.020.005

Background

Councils Community Pride Advisory Committee was established to foster community spirit and involvement in the beautification and sustainability of the natural and built environment in the Rural City of Wangaratta.

At the Community Pride Committee meeting held on 15 November 2010 a recommendation was made to Council.

“That Council consider becoming a member of Keep Australia Beautiful Victoria with a membership fee of \$500 and that the Community Pride

Advisory Committee encourages urban and rural areas to nominate for any of the ten categories”.

This recommendation was arrived at, following advice received from Keep Australia Beautiful Victoria (KABV's) that the entry fee conditions had changed and a revision of award categories had evolved over recent times since Wangaratta had last participated.

Issues

For several years, Council, with the assistance of the then Rural Pride Committee now the Community Pride Advisory Committee (CPAC), was a financial member and had entered the Keep Australia Beautiful Victoria (KABV) Tidy Towns Annual Awards.

Having changed practice from previous years, in 2004 KABV requested separate entries from individual cities and outlying towns, rather than a combined submission from each municipality. The changes to the structure required individual submissions and entry fees from those nominating from within each Municipality instead of a single fee payment that had applied previously.

In consideration of the above impacts the following resolution was made by Council on 15 March 2005:

“That Council:

- 1. Endorse a local Community Environment Award Program; and***
- 2. Not submit an entry to the Keep Australia Beautiful Tidy Towns Awards in 2005.”***

The KABV Tidy Towns – Sustainable Communities Awards now have ten award categories that align well with the Community Pride charter. They are:

1. Community Action (two awards for towns with population of 3000 and less and population of more than 3000)
2. Cultural Heritage
3. Pam Keating Environmental Innovation
4. Towards Zero Waste
5. Protection of the Environment
6. Community Government Partnerships
7. Water Conservation
8. Efficient Energy
9. Young Leaders
10. Active Schools

KABV have now reduced the membership fee to \$500 for each municipality which covers all rural towns within the respective municipality, and makes the Tidy Towns Awards program more viable for communities.

Previously when the Rural City of Wangaratta was a member of KABV there were significant demands on Officer's time and expenses to host the judge, develop submissions, attend site assessments and attend the presentation of awards. The changes implemented by KABV now lessen this demand, this includes:

- KABV issues relevant resources to participating towns such as media releases, pro-formas of certificates etc; similar to the Australia Day Council;
- Attendance at the official award ceremony for finalists is not compulsory and the major award winning town hosts the following year's ceremony recouping costs through a charge applied for tickets to attend.
- The judging process is now fully independent of Councils, KABV provide for the accommodation, meals and travel for the judges, Council Officers are no longer required to escort the judges.

However, there are other issues that Council need to consider in participating with the KABV Tidy Towns Awards such as:

- Advertising costs for nominations estimated to be \$300;
- If Council wish to have a representative attend the Award Ceremony then an allocation will need to be made to cover the ticket costs and where required accommodation and travel. and
- Council staff time which will be kept to a minimum as the CPAC members will be active in the co-ordination

The Community Pride Committee proposes to continue the local Community Environment Awards Program, and sees an opportunity to use this process to feed into the KABV Tidy Towns Awards. This will ultimately reduce the requirement for staff involvement in the KABV process as the development of the submission(s) would have already occurred as part of the local Community Environment Awards Program.

Council Plan Outcomes

Promote sustainability and conservation through Council education and public events such as Clean up Australia Day and the like.

Community Outcomes

If Council proceeds with obtaining membership with KABV this will take a financial burden away from communities who wish to participate in the KABV awards.

Financial Implications

The \$500 KABV membership fee is able to be funded from the existing 2010/11 Community Pride budget allocation.

Environmental Implications

It is envisaged that the KABV Tidy Towns and Sustainability Awards will assist greatly in increasing the profile of the local Community Environment Awards Program. This will ultimately recognise the responsibility of individuals in contributing to community pride and sustainability, and provide greater recognition of the local community projects.

Recommendation:

(Moved: Councillor L McInerney/ Councillor R Paino)

That Council become a member of Keep Australia Beautiful Victoria for 2011 for a fee of \$500 to be sourced from the 2010/11 Community Pride budget allocation.

Carried.

13.1.2.6 HIGH COUNTRY LIBRARY CORPORATION ACHIEVEMENTS

21 Docker Street Wangaratta - High Country Library

15919

Introduction

The High Country Library Corporation (HCLC) provides an array of services to the Rural City of Wangaratta and forms a valuable partnership with Council. Additionally, the development and operation of the Wangaratta Library (Joint Library Facility) has been regarded as a great success and received recognition as being *one of the top ten largest and most successful joint libraries in the world* by internationally renowned library expert Mr Alan Bundy. This report deals with progress on the further development of library services and emerging issues.

Background

A meeting was recently undertaken with representatives of the HCLC. The following is a representation of some of the programs and activities that are now provided from the Wangaratta Library:

- The profile of the library has changed significantly and is now a place to gather and connect as well as a place to learn and enjoy reading.
- The Library and their staff are now very much involved with Early Childhood learning and provide a program in the Library and through outreach to assist parents in getting involved in their child's learning.
- Business relationships have been built for example with Kids R Us where story telling is provided in an environment where children and their parents are attracted to and use, instead of expecting them to come to the library.
- There are Memorandums of Understanding in place between the library and the Wangaratta West Primary and Yarrunga Playgroups to provide story time involving parents and volunteers.

- There is a program called 'Book chat' for parents to understand and appreciate literature for children.
- Books no longer required by HCLC are given to the community.
- A program for people with a mental illness is operating in partnership with the Kerferd Clinic called the 'Bookwell' program using books and literature as therapy. Bookwell is a one week training program and is funded by Vic Health.
- HCLC has involvement with Central Access and special schools engaging primary aged and older students who are hyperactive, this has proven to be a tremendous success and is becoming popular as a component of therapy
- There is a regular rhyme time, babies singing and finger rhymes. These are very popular.
- Youth engagement is increasing with specific nights i.e. games, music etc.
- Rural outreach is continuing which now provides computer access to rural areas i.e. King Valley Learning Exchange, Typo Station.
- Wangaratta Heritage Network is facilitated at the library provided by HCLC and Council's Cultural Development officer.
- A home delivery library service is very popular particularly for people who are older and frail.
- Premier's Reading Challenge Fund (school focussed) provided \$100,000 to rejuvenate the children's collection.
- A significant by product of the library activities is social inclusion.
- The mix of staff has providing energy and ideas that have complimented existing practises.

Issues

- Industry standards and the development of the library service profile is demanding a higher level of staff. The HCLC Strategic plan projects a 7% budget increase for 2011/2012. The general replacement of the library collection needs additional regular allocation. The state standard for the number of books held at any given time is 2 books per capita of population Wangaratta is currently only 1.7.
- E books not included at HCLC due to issues with constraints on access. Affordability of software to download and legal issues is an inhibitor. Demand is starting to build however so there will need to be some consideration at some stage.

The higher increase in level of staffing is related to a need for a higher level of expertise. This has required additional staff development and increased levels of qualifications of staff which has impacted on the level of salary required to suitably remunerate. Compared to other similar sized libraries across Victoria the HCLC salary levels are still at a lower end of the scale. The demand for higher salary levels has resulted in a higher increase in the salary budget than the expected 4%.

Another contributor to the projected increase has been the need for HCLC to improve its asset renewal allocation and performance. A recent assessment

undertaken by the Auditor General's office rated the HCLC as 'Amber' for asset renewal which is not a good reflection on performance. To improve this performance there is a need to increase the level of stock replacement. The strategy to improve the stock replacement has been planned over a number of years to reduce the immediate impact on Council's budget.

The impact of the projected increase of 7% and the apparent need to increase the replacement of books have significant implications for future funding requirements. Unfortunately there still appears to be no indication of an increase in funding from the State Government.

There have been recent examples of commercial booksellers going into receivership as a direct consequence of the increased use of E books. The take up of E book use rather than hard copy books will also have an impact on libraries into the future.

Council Plan Outcomes

To promote the library as a community information resource that is accessible and responsive to community need.

Community Engagement

The HCLC regularly and actively seeks community feedback which contributes significantly to the diversity of activities provided.

Conclusion

The HCLC is in the process of seeking advice on the future funding of Libraries in Victoria which has included providing a letter to the Hon. Jeanette Powell MP.

A meeting of the Victorian Library Chief Executive Officers has been scheduled for 22 March 2011 where it is anticipated that further information will be provided on the Victorian Government's Policy on funding libraries.

Recommendation:

(Moved: Councillor L McCully/ Councillor L McInerney)

- 1. *That the report be noted, and***
- 2. *Council write to the Minister for the Arts, the Hon Ted Baillieu MP, to raise concern for the cost burden for the provision of libraries being placed on Local Government.***

Carried.

14. INFRASTRUCTURE SERVICES

14.1.1.1 PETITION: PROPOSED SHARED PATH CONSTRUCTION 2 – 28 CAMBRIDGE DRIVE

Cambridge Drive

19450

Background

A petition/joint letter containing some 8 signatures from residents of 2 – 14 Cambridge Drive concerning the proposed location of a shared path behind Cambridge Drive properties was received. The petition was tabled at the 19 October 2010 Council meeting with the following recommendation ratified:

“That the petition regarding the proposed location of the shared path behind Cambridge Drive properties be received and a report about the issues raised be considered at Council’s November 2010 meeting.”

Council was advised at the November Meeting that due to consultations being undertaken with residents of Cambridge Drive regarding the proposal, a report will not be available until a later date subject to consultations being concluded.

Unfortunately due to the frequent rain events and associated flooding, plans to consult with residents to confirm the proposed path alignment (path alignment pegged but not visible due to water level) has been interrupted. It is hoped that a prolonged period of dry weather will allow the meeting with the residents to take place on site. This will assist the residents obtaining an appreciation of the path alignment and consider any amenity affects in relation to their property.

A report to Council will follow once the meeting with residents takes place.

Recommendation:

(Moved: Councillor D McPhie / Councillor L McCully)

That the report be noted.

Carried.

14.1.1.2 CONTRACT NO C1011/026 – BOWSER CELL 8 CONSTRUCTION

Bowser Cell 8 Construction

30.072.026

Background

The development of the landfill is on a staged basis with a new cell being constructed on average every 2 years. Cells 1 to 3 have already been filled and Cell 4 is currently nearing capacity.

The next cell to be developed is Cell 8 and works commenced on obtaining a design and EPA approval to undertake construction in July 2010.

In 2009 the EPA flagged changes to the landfill licensing system, influenced to a large degree by the outcome of the Auditor General's report into the Cranbourne landfill methane gas problem.

The Landfill Licensing Guidelines became effective from 1 July 2010 and the Best Practice Environmental Management publication; Siting, design, operations and rehabilitation of landfills (the Landfill BPEM) became effective in September 2010. Both of these documents introduced significant changes and costs into the operation and construction of Landfills in Victoria.

Listed below is a summary of the changes to the EPA regulatory framework:

- Issue of standardised licence.
- Introduction of 53V annual environmental audit.
- Holds the most senior officer to responsibility.
- New Landfill Best Practice Environmental Management Guidelines (BPEM).
- Increased reliance upon third party auditors;
- Annual environmental audit,
- Cell design audits before approval from EPA to start construction, and
- Cell construction audits during construction.
- Landfill levy increase (March 2010).

When constructing a new cell in a landfill, the design has to be audited before EPA approval can be given to start construction, and the construction audited before EPA approval to deposit waste can be given.

These changes to the EPA regulatory framework have added increased cost to the operation of a landfill and also the process to design and construct a new cell within the landfill.

Negotiations are currently underway between the EPA and Council regarding the need to include a Geosynthetic layer within the composite cell liner.

Once Cell 8 is constructed, the gate charges will need to be reviewed to cover the increase in construction costs for the new cell, the increased levies and operational licensing requirements and for future rehabilitation costs.

Contract Details

Tenders for the construction of cell 8 at the Bowser West Landfill were invited through advertisements as follows:

Newspaper	Date
Chronicle	12 November 2010
The Border Mail	13 November 2010

Also electronically

Tenderlink	12 November 2010
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Tenders closed at 2.00pm on Tuesday 7 December 2010.

A pre tender meeting was held at 2:00pm on Tuesday 30 November 2010 at the Bowser Landfill

The following two Addendums were published via Tenderlink:

Addendum 1	Pre tender site meeting	23 November 2010
Addendum 2	Units subject to variation	3 December 2010

Tenders Received

Four tenders were received as follows:

Tenderer
Northern Construction
Gordon Gibson Nominees Pty Ltd
J&C Reid Earthmoving Pty Ltd
D Thompson Bros Earthmoving

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

Tender Evaluation

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

Criteria	Description	Weighting
Tender Price	Total price of the work	70%
Previous performance	Contractors capacity to perform contract works and experience and past performance in previous similar works	10%
Experience of nominated subcontractors	Subcontractors capacity to perform contract works and experience and past performance in previous similar works	10%
Plant and equipment	Appropriateness of selected equipment to perform the work to the required standards	5%
OHS and Quality systems	Contractor's commitment to OHS and quality standards	5%
	Total	100%

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

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

Evaluation Scores

The summary of the scores obtained by this method are as follows:

Tenderer	Score
Northern Construction	70
Gordon Gibson Nominees Pty Ltd	32
J&C Reid Earthmoving Pty Ltd	39
D Thompson Bros Earthmoving	70

The higher value reflects the more favourable assessment.

Because of the amount of time lapsed from when the tender was advertised and the awarding of the contract (due to negotiations with the EPA), the two highest scoring tenderers were contacted to confirm tender prices. Thompson Bros Earthmoving subsequently withdrew their tender.

From this method of assessment and due to the withdrawal of Thompson Bros Earthmoving from the tender process, Northern Construction was deemed to be the preferred tenderer.

Budget Considerations

The available budget for the contract is as below:

Funding Program	Available Funds Budget (excl GST)
Forecast	\$1,000,000
Cell 8 Construction Tender without Geosynthetic Layer (Northern Construction Group)	\$785,155
Cell Design	\$26,000
Design Audit	\$10,280
Construction Audit	\$40,354
Engagement of Geosynthetics QA Officer	\$10,000
Contingency	\$40,000
Total	\$911,789

Negotiations are currently taking place with the EPA regarding the need for the inclusion of a Geosynthetic layer within the composite liner system. The tender prices included an allowance for the inclusion of the Geosynthetic layer and this has been removed from the contract price.

The contract will be awarded without the inclusion of a Geosynthetic layer subject to a resolution of the EPA requirements.

The project is being funded from the Council Landfill Reserve.

Conclusion

The tender of Northern Construction Group is the lowest price of all tenders and scored highest under the Weighted Attribution Method.

The tender price from Northern Construction Group without the Geosynthetic layer is \$863,671 (incl GST), \$785,155 (excl GST).

Should any further changes be required in response to a resolution from the EPA will be managed via a contract variation subject to a further report to Council. The variation price is already included in the submitted tender price from Northern Construction Group.

The tender of Northern Construction Group is therefore considered to offer the best value of all bids submitted and is recommended.

Recommendation:

(Moved: Councillor D McPhie / Councillor L McCully)

- 1. That Contract C1011/026 for the Construction of Cell 8 at the Bowser West Landfill be awarded to Northern Construction Group without the Geosynthetic layer for the amount of \$863,671 (incl GST).**
- 2. That any further changes in response to a resolution of the EPA requirements will be a contract variation subject to a further report to Council. The variation price is included in the submitted tender price from Northern Construction Group.**
- 3. That Contract C1011/026 for the Construction of Cell 8 at the Bowser West Landfill be signed and sealed when available.**

Carried.

14.1.1.3 TENDER C1011 – 028 THE H.P. BARR RESERVE SUSTAINABILITY PRECINCT SOLAR CELL INSTALLATION

C1011 – 028 The H.P. Barr Reserve Sustainability Precinct Solar Cell Installation 30.072.028

Background

The H.P. Barr Reserve Sustainability Precinct is a capacity building initiative of the Rural City of Wangaratta. The project aims to increase awareness of sustainability and build resilience against climate change by demonstrating sustainable practices and technologies that can be adopted by households as well as businesses. The precinct will provide a platform for learning, training and behaviour change.

The H.P. Barr Reserve is a high visitation area with a visitation rate of over 350,000 people per annum. This is an opportunity to demonstrate a range of sustainable features including the installation of photovoltaic (PV) systems. The PV systems installed will provide clear and easily understandable information to visitors about its operation through the included interpretive digital displays.

The work covered by this tender includes the design, supply, installation, testing and commissioning of the Solar Photovoltaic Grid Feed System (as approved by Rural City of Wangaratta).

The tender was advertised in the Wangaratta Chronicle, the Border Mail and on Tenderlink. The closing date and time for these submissions was Tuesday, 8 February, 2011 at 2.00pm.

13 tenders were received and the submitted prices allowed the consideration of purchasing a fixed solar panel array as well as a tracking solar panel array. A fixed panel array, as its name suggests, is fixed into position typically facing north and inclined at 30 degrees. A tracking solar panel array has the ability to track the sun's movements across the sky and hence is often more efficient at converting the sun's energy into electricity.

The Installation will provide the means to compare the efficiency of the electricity generation of both systems.

Budget

The available funding for the solar aspects of the H.P. Barr Reserve Precinct Sustainability Project is \$65,000. The solar aspects include a solar hot water system and the solar power system. This entire project is funded from grants.

Quotes have been received for \$7,000 that would satisfy the solar hot water specifications. Consequently, Council can purchase both fixed and tracked systems for the solar electricity and still bring the solar energy requirements of the H.P. Barr Reserve Sustainability project under budget.

Conclusion

The intent of this project is to inform and educate the community on the benefits of solar power systems.

It is recommended that the tender submitted by The Green Power Company for both the fixed mounted system and the dual axis tracked system for \$58,141 (incl GST) be accepted.

The contract with The Green Power Company is to be signed under the delegated authority of the Chief Executive Officer.

Recommendation:

(Moved: Councillor D McPhie / Councillor L McInerney)

That the report be noted.

15. SPECIAL COMMITTEE REPORTS

15.1.1 MILAWA PUBLIC HALL and PARK SPECIAL COMMITTEE

Milawa Hall Special Committee

42.120.009

Background

The Milawa Public Hall and Park Special Committee has been established under Section 86 of the Local Government Act 1989 for the purpose of managing and controlling activities at the Milawa Public Hall and John McAleese Community Park. Council owns the Hall and grounds together with the adjoining Park.

Issues

The Charter of the Milawa Public Hall and Park Special Committee allows up to fifteen (15) representatives from the Milawa and regional community. Persons appointed to the Committee hold office for a period of two (2) years. The term of the Committee expired on 30 June 2009 however details of the election of Committee members for the period to 30 June 2011 were not previously available. The appointment of members therefore has not been ratified by Council.

Details of the election of members to the Committee for the period 1 July 2009 to 30 June 2011 have now been received.

The Charter also requires that the Committee recommend rentals, fees and charges for the use of the Milawa Public Hall and Park and to submit an annual report together with an annual statement of accounts for Council's consideration.

Implications

Council Plan Outcomes

The Milawa Public Hall and Park Special Committee is responsible for the management, promotion and maintenance of the Milawa Public Hall and Park. These responsibilities are consistent with Council's Corporate Plan Strategy of maintaining infrastructure assets to a safe and useable standard.

Sustainability

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

The financial reporting requirements contained in the Instrument of Delegation and Charter ensures Council's compliance with the Australian Accounting Standards.

Community Engagement

The Milawa Public Hall and Park Special Committee held its 2009 Annual General meeting on 9 July 2009 and has now forwarded the following documents for Council's information.

- Copy of Minutes of Annual General meeting held 9 July 2009;
- Presidents Report 2008 - 2009;
- Copy of financial statements for the period 1 July 2008 to 30 June 2009.

Copies of these reports are available from the Director – Community Wellbeing.

At the Annual General Meeting, Committee nominations for the period 2009/2011 were received and formally endorsed by the Committee and are recommended for appointment by Council to the Committee.

The Council is now required to make the formal appointments to the Committee as required by the Local Government Act 1989.

Recommendation:

(Moved: Councillor L McCully/ Councillor R Paino)

1. ***That the Minutes of the Annual General Meeting, Presidents Report and 2008/2009 Financial Statements of the Milawa Public Hall and Park Special Committee be received.***
2. ***That Council appoint the following persons as members of the Milawa Public Hall and Park Special Committee for the period 1 July 2009 to 30 June 2011.***

<i>President</i>	<i>Mr Colin Reid</i>
<i>Vice President</i>	<i>Ms Wendy Ferguson</i>
<i>Vice President</i>	<i>Graham Wilson</i>
<i>Secretary</i>	<i>Jill McGillivray</i>
<i>Treasurer</i>	<i>Mr Jeff Little</i>
<i>Committee Member</i>	<i>Ms Judy White</i>
<i>Committee Member</i>	<i>Ms Julie Hourigan</i>
<i>Committee Member</i>	<i>Ms Angie Semmens</i>
<i>Committee Member</i>	<i>Ms Pat Collins</i>
<i>Committee Member</i>	<i>Mr John McAleese</i>

Carried.

Communication

A letter advising of Council's approval of the appointments and thanking the Committee for their efforts during 2008/2009 will be forwarded.

16. ADVISORY COMMITTEE REPORTS

(Moved: Councillor L McInerney / Councillor L McCully)

That reports 16.1.1.1 and 16.1.1.2 be noted.

Carried.

16.1.1.1 WANGARATTA LIVESTOCK EXCHANGE ADVISORY COMMITTEE

Wangaratta Livestock Exchange Advisory Committee

85 010 003

Background

The Wangaratta Livestock Exchange Advisory Committee met on 16 February 2011 and considered various matters. The Minutes of the meeting are attached (*refer attachment*).

Issues

Matters considered included the:

- Saleyards development priorities & funding.
- Non reading ear tag replacement.
- Cattle Forcer cost increase.
- 2011 Blue Ribbon Sales advertising costs.

Recommendation:

That the report be noted.

16.1.1.2 WANGARATTA UNLIMITED ADVISORY BOARD (COMMITTEE) MEETING REPORT

Wangaratta Unlimited Board

25.007.022

Introduction

The Wangaratta Unlimited Advisory Board (Committee) held their monthly meeting on Tuesday 1 March 2011 with the following members in attendance: Greg Larkins (Chair); John Brown; Stephen Oxley; Ken Butterworth; Hayley Cail; Barry Sullivan; Grant Jones; Cr Lisa McInerney; Graham Nickless; Charles Halter and Shivaun Brown. Apologies were received from Doug Sharp; Michael Carlile; Cr Anthony Griffiths and Helen Haines

There were no declarations of conflicts of interest.

Issues

The following items were discussed at the meeting:

- Wangaratta Festival of Jazz
- International Economic Relationships
- King Valley Master Plan
- North East Workforce Sustainability and Global Skills
- Regional Development Victoria - Revised Structure
- Retail Shopper Survey

Reports were received from the following committees or projects:

- Alpine Valleys Agrifood Supply Chain Strategy & Business Plan
- Wangaratta Water & Waste Water Advisory Committee
- Business Wangaratta Update
- Regional Development Australia Advisory Committee

A discussion paper was tabled highlighting the relative merits of hosting national or state sporting events/carnivals as an economic driver within regional cities. A working party within the Wangaratta Unlimited Board has committed to further research the opportunities and relative economic merits of this strategy and report back to the Wangaratta Unlimited Board for further determination.

International Economic Relationships Strategy

A series of forums and workshops will be kicked off with a “Support for Export” session to be held in late March/ early April. Export specific workshops will then be developed and followed by support to participate in a Buyers Tour midyear.

Wangaratta Water and Waste Water Advisory Committee

North East Water have advised the Wangaratta Water and Waste Water Advisory Committee that in line with their new community engagement strategy the role of the committee will be discontinued. Two representatives of the current committee have been appointed to their Water Plan Three advisory committee and an opportunity for a relevant appointee to join a regional technical group will be extended in due course.

The Committee has been formally thanked for their contribution over the past four years to the enhancement of Wangaratta’s water supply augmentation and the strong relationship developed with North East Water.

King Valley Master Plan

Consultancy team, Urban Enterprise and Planisphere have commenced Stage 1 of the King Valley Master Plan. An inception meeting and workshop with the established working party will be held on 2 March 2011 in Moyhu. The consultant’s will consider the key objectives of the community plans from the relevant centres for the study area in developing the master plan.

Engagement with the community will be undertaken with a township walk process in each of the key centres. The draft master plan and urban design guidelines will be presented to Council prior to completion of the final master plan.

Retail Shopper Survey

A shoppers survey will be carried out in the Wangaratta CBD in the last week of March. The survey will assist Council to better understand the demographic of the retail shopper in the CBD and any improvements that could be made in the retail offer.

Recommendation:

That the Report be noted.

17. 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 which 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;
- 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
6&7/02/2011	Councillors Retreat	Attachment
08/02/2011	Briefing Forum	Attachment
15/02/2011	Prior to Council Meeting	Attachment
16/02/2011	Wangaratta Livestock Exchange Advisory Committee Meeting	Refer Item 15.1.1
22/02/2011	Special Meeting of Council	Attachment
22/02/2011	Councillors Briefing Forum	Attachment
01/03/2011	Wangaratta Unlimited Advisory Board (Committee) Meeting	Refer Item 15.1.2

Recommendation:

(Moved: Councillor R Paino/ Councillor L McCully)

That:

- 1. Council receive the reports of Assemblies of Councillors, and***
- 2. On the grounds 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;*

The following items remain confidential in accordance with S.77 of the Local Government Act :

(i) Councillor's Briefing Forum dated 22 February 2011:

- 4.2.1.1 Key Performance Indicators*
- 4.2.1.2 Works And Activities Progress*
- 4.2.1.3 Building, Planning & Subdivision Reports*
- 4.2.1.4 Implementation Of Council Decisions*
- 4.2.1.5 Council Planning Calendar 2011*
- 4.2.2.2 MAV President's and Board's Positions Contested*
- 4.2.4.5 Liquor Accord Meeting*

Carried.

18. NOTICE OF MOTION

19. URGENT BUSINESS

20. AUTHORISATION OF SIGNING AND SEALING OF DOCUMENTS

Authorisation of Signing & Sealing of Documents

50.010.004

Recommendation:

(Moved: Councillor L McCully/ Councillor R Paino)

That Council sign and seal the following documents:

- ***Contract C1011/020 Building Construction services for the upgrade of the Tarrawingee & Carboor Halls***
- ***Contract C1011/029 Construction of the Wangaratta Showgrounds light tower***
- ***Contract C1011/025 Construction of the Wangaratta Showgrounds Multipurpose Centre***
- ***Contract C1011/0026 Bowser Landfill Cell 8 Construction.***

Carried.

21. PUBLIC QUESTION TIME

Public Question Time

10.020.004

Doug Sunderland, Wangaratta

Mr Sunderland enquired about where Council is up to with “Welcome” or “thank you for visiting” signage for Wangaratta.

Mr Doug Sharp, Chief Executive Officer responded that signage has been approved and signage will be placed at each entry point within the next few weeks.

Mr Kieran Klemm, Londrigan

Mr Klemm referred to the draft Rural Land Strategy and commented on the availability of confidential information. He asked the Mayor whether the disclosure of information was done as a Councillor, as a Mayor speaking for Council, or as a power of attorney?

Cr A Griffiths, The Mayor responded, “As you know I’ve done quite a number of comments in the press saying we were looking at potential numbers, and have given some examples, but I have not quoted any specifics such as that because it had not been fully determined.”

Arthur Bennett, Everton

Mr Bennett referred to item 13.1.1.1 and enquired about closing of submissions.

Doug Sharp, Chief Executive Officer responded that the draft will be on exhibition for a period of two months followed by consultation.

Brian Jones, Bowser

Mr Jones enquired as to whether any of the rate payer’s money goes towards road maintenance for the rural areas?

Doug Sharp, Chief Executive Officer responded that maintenance will be undertaken in accordance with the Asset Management Plan and that issues of late have been associated with recent flooding. CEO reported that Council is approaching Government for assistance as are many other Councils in the State.

Kieran Klemm, Londrigan

Mr Klemm referred to the Roadside Conservation Management Strategy and enquired about consultation with regards to making assessments.

Mr Ray Park, Director Sustainability responded that the document is on exhibition for feedback and all feedback is welcome.

Kieran Klemm, Wangaratta

Mr Klemm referred to the Roadside Management Strategy and enquired if any large consultations were planned.

Ray Park, Director Sustainability responded that no plans for large group consultations have been planned as yet.

Cr A Griffiths, The Mayor said that group consultations will be considered.

Mr Brian Jones, Bowser

Mr Jones reported that Eucalyptus seedlings were growing on roadsides and asked if Council taking measures to dispose.

Andrew Close, Director Infrastructure responded that Council is taking measures to remove of the Eucalyptus.

Jim Lewis, Wangaratta

Mr Lewis requested that Council does not undertake another grand project for the year.

Jim Lewis, Wangaratta

Mr Lewis enquired about the progress of the car parking solution.

Mr Doug Sharp, Chief Executive Officer advised that a report will be presented to Council soon.

22. CONFIDENTIAL BUSINESS

Nil.

23. CLOSURE OF MEETING

The meeting closed at 8.31pm.