Minutes

Wodonga Council minutes for the Ordinary meeting of the council held in the Council Chamber – 104 Hovell St, Wodonga on March 20, 2017.

Present
Cr A Speedie (Mayor)
Cr K Bennett
Cr L Hall
Cr D Lowe
Cr R Mildren
Cr T Quilty
Cr J Watson

In attendance
Ms P Harrington  Chief Executive Officer
Mr T Ierino  Director Business Services
Ms D Mudra  Director Community Development
Mr L Schultz  Director Planning and Infrastructure
1. **Calling to order**

The meeting was called to order at 6.00pm by the Mayor. Cr Quilty attended 6.04pm.

2. **Statement of acknowledgement**

The Mayor read the following:

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

3. **Apologies and requests for leave of absence**

Nil

4. **Declaration under Acts, Regulations, Codes or Local Laws**

**Recording of council meeting**

The CEO advised that the council’s Meeting Procedure Local Law states that audio, video, or still image recording devices are not to be used, unless prior approval has been given by the chairperson or by council. Members of the public gallery were requested to observe this requirement.

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4.1 – **Late item**

The Mayor advised that with the agreement of council it was proposed to introduce a late item of urgent business, being *Appointment of acting Chief Executive Officer*, to be numbered in the agenda as item 8.9.

**Motion**

Crs John Watson / Danny Lowe

That a late item of urgent business – “Appointment of acting Chief Executive Officer“ – be included in the agenda as item 8.9.

*Carried*
5. Declaration by councillors of any conflict of interest

Cr Libby Hall disclosed a conflict of interest, being an indirect financial interest (section 78A of the Local Government Act, 1989), for item 9.2 Building report for February 2017. The nature of the interest is that Cr Hall is an owner (in partnership with her husband) of land in the same street as four of the listed properties/building permits.

Cr Ron Mildren disclosed a conflict of interest, being being an indirect interest because of conflicting duty (section 78B of the Local Government Act, 1989), for item 12.3 Parking in Vermont and Brockley Street. The nature of the interest is that Cr Mildren is a member of the Wodonga Senior Secondary College Council.

6. Confirmation of minutes of previous meeting

<table>
<thead>
<tr>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the minutes of the ordinary meeting of council held on February 20, 2017, as circulated, be confirmed.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crs Danny Lowe / Ron Mildren</td>
</tr>
<tr>
<td>That the recommendation be adopted.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the minutes of the special meeting of council held on February 20, 2017, as circulated, be confirmed.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crs John Watson / Kat Bennett</td>
</tr>
<tr>
<td>That the recommendation be adopted.</td>
</tr>
</tbody>
</table>

7. Delegates reports

Nil
8. Officers reports for determination

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13. Council seal

Nil

14. Urgent business

15. Question time and presentation of awards

16. Confidential business

Nil

17. Confidential urgent business

18. Close of meeting
## Risk Management Table

<table>
<thead>
<tr>
<th>Minor (4)</th>
<th>Moderate (3)</th>
<th>Major (2)</th>
<th>Outstanding (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Opportunities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- May change attitude or contribute to a change in attitude of a small section of the community or organisation OR - May improve or contribute to the improvement of capacity and/or efficiency of a business unit OR - May enhance or contribute to the enhancement of reputation with a small section of the community OR - May improve or contribute to the improvement of health/wellbeing of staff and/or sections of the community</td>
<td>- Change in a small section of the community and/or organisational behaviour OR - Moderate reduction in expenditure/income for the business unit's project or program OR - May improve or contribute to the improvement of capacity and/or efficiency of a business unit OR - May enhance or contribute to the enhancement of reputation with a small section of the community OR - May improve or contribute to the improvement of health/wellbeing of staff and/or sections of the community</td>
<td>- Significant changes in sections of the community or organisational behaviour OR - Significant reduction in expenditure/income for the business unit's project or program (50% or more) OR - Significant improvement in capacity and/or efficiency of a business unit OR - Significant enhancement of reputation with a small section of the community OR - Significant improvement in health/wellbeing of staff and/or sections of the community</td>
<td>- Significant change in community and organisational behaviour OR - Significant improvement in organisational capacity and/or efficiency OR - Significant enhancement of reputation with all/most of the community OR - Significant improvement in health, wellbeing of all/most community members or staff</td>
</tr>
<tr>
<td><strong>Risks</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Could result in the loss of a significant aspect of a business unit's operations/management OR - Limited impact on the business unit's financial objectives OR - Limited impact on the business unit's operational objectives OR - Limited impact on the business unit's strategic objectives OR - Management reporting required OR - May result in minor injury or reversible health damage which may be dealt with through primary first aid OR - No reputational damage</td>
<td>- Would not threaten a business unit's program or project, but could result in a significant review OR - Some political/community sensitivity or local media scrutiny OR - Parliamentary questions OR - May require management to install new policies OR - May result in minor injury or reversible health damage which may be dealt with through primary first aid OR - No reputational damage</td>
<td>- Would threaten the continuation of a business unit's program or project OR - Impact adversely or the achievement of a business unit's strategic objectives OR - Result in significant political/community sensitivity and media scrutiny OR - Result in significant financial loss OR - External audit required OR - May significantly impact one or more of the organisational objectives as outlined in the Council Plan</td>
<td>- Would threaten the organisation's viability OR - Result in extreme political/community sensitivity and media scrutiny OR - Result in a commission of inquiry or major scandal OR - Result in death or permanent disability OR - Would not allow the organisation to achieve its objectives according to the Council Plan</td>
</tr>
<tr>
<td><strong>Likelihood</strong></td>
<td><strong>Consequence</strong></td>
<td><strong>Likelihood</strong></td>
<td><strong>Consequence</strong></td>
</tr>
<tr>
<td>Almost Certain (A)</td>
<td>Significant</td>
<td>Likely (B)</td>
<td>Medium</td>
</tr>
<tr>
<td>Can be expected to occur in most circumstances (i.e. weekly)</td>
<td>High</td>
<td>Will probably occur in most circumstances in the future (i.e. monthly)</td>
<td>Medium</td>
</tr>
<tr>
<td>Rare (E)</td>
<td>Low</td>
<td>Expected to occur in the most exceptional circumstances (i.e. 10 years)</td>
<td>Low</td>
</tr>
</tbody>
</table>

**Risk Management Legend**

- L – Council/CEO's attention immediately required. Possibly avoid undertaking the activity OR implement new controls
- H – Director's attention required. Consider suspending or ending activity OR implement additional controls
- M – Manager's attention required. Ensure that controls are in place and operating and management responsibility is agreed
- L – Add treatments where appropriate

NB: This table shows the legend to the codes used in some agenda reports.
Council has not received any Delegates reports for this meeting.
8.1 - Hume Corridor Passenger Rail Study

Purpose of report

That Council consider the endorsement of the Hume Corridor Passenger Rail Study Report funded by the cities of Albury, Benalla, Wangaratta and Wodonga, in collaboration with the Border Rail Action Group (BRAG) and the opportunity to continue to actively advocate for improved passenger rail services in partnership with regional Councils.

Background

V/Line and NSW Trains (XPT) operate regional rail services on the Hume (Albury) line, servicing passengers between Melbourne and the regional cities of Benalla, Wangaratta, Wodonga and Albury.

After February 2008, V/Line services on the line terminated at Wangaratta station, with road coaches operating from Wangaratta to Albury. This was due to the deteriorating condition of the broad gauge track between Seymour and Albury.

On 30 May 2008, it was announced that the broad gauge track between Seymour and Albury would be converted to standard gauge, with the project to be combined with the relocation of the railway line away from the Wodonga CBD. This was completed at the end of June 2011.

While the gauge conversion program was being carried out between 2008 and 2011, all Hume V/Line services operated as road coaches north of Seymour, connecting with trains operating between Seymour and Melbourne, impacting passenger amenity and ultimately passenger numbers during this period.

Rail services recommenced on 26 June 2011, which marked the start of V/Line phasing out road coaches, however serious problems emerged with the condition of the standard gauge track north of Seymour, meaning that the new service became very unreliable due to speed restrictions and rolling stock maintenance issues, and trains were once again regularly replaced by buses. Past performance, along with substantial negative media, has resulted in a long standing poor perception of the reliability and punctuality of passenger rail services on the Hume line by local residents and users.

1 Service Performance Measures

The performance of this route in terms of operating services has been demonstrated to fall below expectations for both V/Line and the communities served. The following chart provides details of the average service reliability for all long haul regional routes. The Hume line beyond Seymour is the worst performing V/Line route in terms of scheduled services not operating.
2 Hume Corridor Passenger Rail Collaboration

A collaboration was formed between AlburyCity, the City of Wodonga, Rural City of Wangaratta, Benalla Rural City and the Border Rail Action Group (BRAG) (the “Steering Group”) in order to more effectively lobby for change.

The Steering Group agreed to fund and undertake a comprehensive community study to better understand the issues and opportunities associated with passenger rail services between Albury/Wodonga and Melbourne. Further, to ensure that over time those services meet the current and future needs of our communities in terms of reliability, punctuality, timetabling and amenity.

Both NSW Trains and V/Line agreed to actively support the study by providing access to data, information and facilities to assist in these endeavours.

3 Research Project Objectives

The AEC Group were engaged to conduct the research and author the Hume Corridor Passenger Rail Study Report (the “Report”). The findings and recommendations from which would then support and better inform continued lobbying efforts for improved services.

The specific objectives of the research project were to utilise the collective power and critical population mass of the four partner councils to:

- Better understand community needs and expectations with respect to both current and future passenger rail services to, through and between Albury, Wodonga, Wangaratta, Benalla and Melbourne;
8.1 - Hume Corridor Passenger Rail Study (cont’d)

- Understand the travel patterns and requirements of our communities, including inter-regional transport and connections to business, education, major events, health and professional services, domestic and international air travel;

- Quantify the potential social and economic benefits derived from improvements to services and increased patronage;

- Draw on the knowledge gained from existing and proposed research, including other relevant case studies, to prepare a comprehensive proposal to government that informs and/or supports the proposed North East rail services business planning ($2M) to be undertaken in 2017; and

- Lobby for government investment in passenger rail to a level that capitalises on the opportunities available and maximises the social and economic benefits provided.

Issues

The Report provides a comprehensive understanding of the social and economic impacts of current and potential future rail services to the region. Data collected details community needs, perceptions and potential demand for rail travel. The Report discusses the reasons for travel, efficiency and productivity gains and other benefits of travel by rail, as well as the reasons why people chose not to travel by rail.

Additionally AEC carried out significant desktop research around passenger volumes, service reliability, cancellations and replacement coach services. This research included comparisons to similar routes to better understand the comparative timetables, performance statistics and the associated uplift in passenger volumes following investment in additional services.

Finally, the Report quantifies the significant economic impacts and potential future benefits for communities, owners and operators of the services which could be achieved through investment in service improvements.

In considering the Report it is important to note that it is specifically aimed at understanding the travel patterns, needs and expectations of the regional communities involved, as well as exploring the social and economic impacts of the existing rail service, and the potential benefits available from investment in improved services.

As a result, further information may need to be sourced to fully inform lobbying efforts, specifically with regard to equity of investment across the state. It is arguable as to whether the Steering Group is responsible for undertaking these investigations, or whether the focus should be to utilise the findings of this report to encourage Federal and State Governments and Rail Authorities to investigate, plan and deliver services that are comparative with those provided for other regional centres and which meet community needs and expectations and maximise social and economic benefits.
Study key findings

1 Economic Uplift

If identified issues were addressed, it is reasonable to expect a 75% uplift in passenger numbers. This is evidenced by case studies relating to service upgrades to V/Line services in Geelong, Ballarat, Bendigo and Traralgon during 2000 - 2006 where reduced travel times and enhanced frequency delivered a sustained increase of 75% in train patronage.

In the event a 75% uplift was achieved on the Hume corridor, this would result in 385,000 additional trips and total passengers of approximately 900,000 per annum. The economic impact of varying increases in train patronage is detailed in Table 4.1 below.

Table 1.1 – Economic Impact from Socio Economic Benefits

<table>
<thead>
<tr>
<th>Socio Economic Benefit</th>
<th>Benefit Type</th>
<th>Current (2015/16)</th>
<th>Future Total (50% Increase)</th>
<th>Future Total (75% Increase)</th>
<th>Future Total (100% Increase)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visitor Spend</td>
<td>Output ($M)</td>
<td>$118.70</td>
<td>$178.00</td>
<td>$207.70</td>
<td>$237.30</td>
</tr>
<tr>
<td></td>
<td>GRP ($M)</td>
<td>$58.80</td>
<td>$88.20</td>
<td>$102.90</td>
<td>$117.60</td>
</tr>
<tr>
<td></td>
<td>Incomes ($M)</td>
<td>$34.30</td>
<td>$51.50</td>
<td>$60.00</td>
<td>$68.60</td>
</tr>
<tr>
<td></td>
<td>Employment (FTEs)</td>
<td>562</td>
<td>843</td>
<td>983</td>
<td>1,124</td>
</tr>
<tr>
<td>Rail Operator Spend*</td>
<td>Output ($M)</td>
<td>$32.00</td>
<td>$48.00</td>
<td>$56.00</td>
<td>$64.00</td>
</tr>
<tr>
<td></td>
<td>GRP ($M)</td>
<td>$14.90</td>
<td>$22.40</td>
<td>$26.10</td>
<td>$29.80</td>
</tr>
<tr>
<td></td>
<td>Incomes ($M)</td>
<td>$8.30</td>
<td>$12.40</td>
<td>$14.50</td>
<td>$16.60</td>
</tr>
<tr>
<td></td>
<td>Employment (FTEs)</td>
<td>89</td>
<td>133</td>
<td>155</td>
<td>177</td>
</tr>
<tr>
<td>Travel Cost Saving</td>
<td>Saving ($M)</td>
<td>$17.00</td>
<td>$25.40</td>
<td>$29.70</td>
<td>$33.90</td>
</tr>
<tr>
<td>Value of Time</td>
<td>Work/ Business ($M)</td>
<td>$5.40</td>
<td>$8.10</td>
<td>$9.40</td>
<td>$10.80</td>
</tr>
<tr>
<td></td>
<td>Leisure ($M)</td>
<td>$13.50</td>
<td>$20.20</td>
<td>$23.60</td>
<td>$26.90</td>
</tr>
<tr>
<td>Safety Benefit</td>
<td>Benefit ($M)</td>
<td>$1.80</td>
<td>$2.70</td>
<td>$3.10</td>
<td>$3.60</td>
</tr>
<tr>
<td>Pollution Cost Saving</td>
<td>Saving ($M)</td>
<td>$1.20</td>
<td>$1.90</td>
<td>$2.20</td>
<td>$2.50</td>
</tr>
</tbody>
</table>
The economic impact of a 75% uplift in passenger numbers can be summarised as follows:

Table 1.2 – Economic Impact: 75% Uplift

<table>
<thead>
<tr>
<th>Increase in passengers</th>
<th>75%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic output</td>
<td>$113M</td>
</tr>
<tr>
<td>Gross Regional Product</td>
<td>$55.3M</td>
</tr>
<tr>
<td>Employment (FTEs)</td>
<td>487</td>
</tr>
<tr>
<td>Travel cost savings by communities using rail</td>
<td>$12.7M</td>
</tr>
<tr>
<td>Productive use of time savings by using rail</td>
<td>$14.1M</td>
</tr>
<tr>
<td>Rail v. road safety benefit</td>
<td>$1.3M</td>
</tr>
<tr>
<td>Environmental impact cost saving</td>
<td>$1.0M</td>
</tr>
</tbody>
</table>

2 Social accessibility and isolation

The Report examines the impact of rail travel on regional areas that are typically reliant on access to capital Cities for a range of services such as health, retail and entertainment.

Substandard service provision can result in considerable socio-economic losses within the regional communities they are designed to service. High quality passenger rail services, which meet the needs of the regional population, result in a reduction in social isolation and improved liveability through connectivity with infrastructure, assets, services and activities.

In the last 12 months, existing passengers in the study area made an average of 8.3 trips per year by train to access medical appointments, cultural and sporting events, retail activities, or education activities.

3 Travel Patterns

In examining the current travel patterns of rail users on the Hume line, the Report details the following:

- Existing rail passengers made an average of 20 trips to/from Melbourne per year with 11 via train.

- 22% of existing passenger trips to and from the study area to Melbourne were made via train/rail replacement services (i.e. buses).

- One in six existing passengers would not have made the trip if the train service was unavailable.

- Visiting friends and family was the most popular reason for train travel.

- Potential passengers made an average of 18 trips to/from Melbourne per year with travel via car the most popular mode.
4 Areas for Improvement

Rail users have a moderate to low satisfaction with the rail service offering on the Hume line with 27.3% likely to continue using train services and 64.8% dissatisfied with the service overall.

The most important areas identified for change related to service features, with the Top 5 areas nominated as:

1. More reliable services
2. Faster journey times with fewer stops
3. More frequent services
4. Elimination of bus replacement service
5. Consistency of travel time

If the areas for improvement were addressed, 59% of existing and 72% of potential passengers would convert their non-train trips to rail travel and 65% of existing and 57% of potential passengers would undertake additional trips.

Report recommendations

Outcomes of the Report recommend that future planning and development of passenger rail infrastructure and services between Albury and Melbourne focus on:

a) Reducing journey times through a combination of:
   i. Fewer stops on some (or all) trips; and
   ii. Improved infrastructure to enable faster train speeds.

b) Providing additional and more frequent services between Wodonga, Albury and Melbourne.

c) Modernise rolling stock to ensure greater reliability and consistency of services.

Based on the findings and recommendations of the study, the Steering Group undertook a workshop in order to determine an efficacious approach and strategy for next steps. An Action Plan has been developed to guide lobbying efforts for service and socio-economic improvements and further investment required to meet the passenger rail needs of communities of NE Victoria and Southern NSW.

Risk

Business Risk – It is not anticipated that the actions and recommendations within the Report will have financial implications for Council in relation to implementation. Council’s role in the project moving forward is to inform and advocate, accordingly any costs will be primarily limited to time and travel, unless the collaboration determines that additional research is required. No further research is anticipated at the present time, however a level of flexibility may be required to capitalise on unplanned opportunities.
Ordinary meeting – March 20, 2017

8 - Officers reports for determination

8.1 - Hume Corridor Passenger Rail Study (cont’d)

Corporate Risk – Council’s failure to maintain a leadership role with respect to the shortcomings of passenger rail along the Hume corridor could negatively impact on its corporate brand and positive relationship with the business and broader community.

Community engagement

Considerable community engagement has taken place over the course of the study including more than 1,100 existing and potential customer surveys online, on train and station platforms, as well as random telephone surveys.

Additionally the AEC Group undertook 10 telephone interviews of key businesses to understand the differing rail needs of the business community.

Each of the partner Councils undertook extensive promotion of the study via radio and newspaper as well through social media. Information was also contained on each of the respective Council websites and distributed to databases administered by AlburyCity, BRAG and the Albury Northside Chamber of Commerce.

Options for consideration

1. Endorse the draft Hume Corridor Passenger Rail Study Report; and
2. Continue participation in the collaboration and active advocacy on behalf of the community; or
3. Seek amendment to the draft Hume Corridor Passenger Rail Study Report; and
4. Cease any further involvement in the collaboration.

Conclusion

The substandard nature of passenger rail services between Albury and Melbourne is an ongoing issue for the residents of Albury, Benalla, Wangaratta and Wodonga. The study, commissioned as part of the collaboration between these Councils and the Border Rail Action Group, has identified that rail services are inadequate to meet community needs.

The key findings in the Report include:

• The sub-standard services between Albury and Melbourne are limiting socio-economic benefits and are not meeting community needs or expectations.
• During 2015/16 between 5% and 20% of trains on the Albury to Melbourne line did not meet schedules.
• Performance of passenger rail services in the study area are well below the reliability levels of other V/Line services i.e. Geelong, Ballarat, Bendigo and Traralgon, yet the Albury to Melbourne line serves a regional population greater than all but one (Greater Geelong) of these regional areas.
• The sub-standard nature of passenger rail services provided between Albury and Melbourne is estimated to have resulted in approximately 385,000 less train trips in 2015/16 than could be achieved.
In the event service improvements were made, and a resulting uplift in passenger numbers of 75% achieved, the regional economic impact would include an additional $113M in output, $55.3M in GRP, 487 jobs and $29.8M in savings.

The Report outlines a number of recommendations for the improvement of the Hume Rail Corridor service that would deliver considerable benefits to the affected communities. As a result of the research outcomes, the Steering Group has commenced a range of activities to inform key stakeholders of the findings and advocate for improvements to the passenger rail services required to meet the reasonable needs and expectations of the communities of NE Victoria and Southern NSW into the future.

Acknowledgement: Content of this report has been drafted by AlburyCity on behalf of, and for the use of, all of the councils that make up the Hume Corridor Passenger Rail Collaboration.

Attachments

Nil

Tabled papers

The following documents will be tabled at the meeting:

- Document A: Hume Corridor Passenger Rail Study Report

Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Chief Executive Officer - Patience Harrington
In providing this advice, I have no interests to disclose in this report.

Director Business Services - Trevor Ierino
In providing this advice as the report author, I have no interests to disclose in this report.
8.1 - Hume Corridor Passenger Rail Study (cont’d)

**Recommendation**

It is recommended that Council:

a. Endorse the Hume Corridor Passenger Rail Study Report; and
b. Continue participation in the collaboration and active advocacy on behalf of the community.

**Motion**

Crs Anna Speedie / John Watson

That the recommendation be adopted. Carried

In speaking to this motion, Cr Lowe requested to have his comments recorded in the minutes.

I always find it interesting you can have two people look at the same piece of data and one person will take away a negative argument and the other person will take away a positive argument.

The data collected from the rail study that has been presented to and funded by Albury, Benalla, Wangaratta and Wodonga councils in collaboration with BRAG can only be interpreted one way, that no matter what side of the political fence you sit on this data provides, this is an absolute shambles and disgrace not only economically but also the social benefit our region is missing out on by having a substandard rail corridor.

The feedback I hear consistently from the community consultations, seats on the street, round table discussions and community centres I have been attending is how disgusted they are that this railway corridor is still a shambles and should be a focus of our council to keep advocating on their behalf.

We councillors and council will push hard and advocate on behalf of our citizens in this state and federal matter. I ask our citizens to help us to help them by encouraging them to write to our local state and federal members, write to our ministers and let them know this needs to be fixed now. We need to keep the pressure building to achieve the best outcome for our region.

If anyone happens to be speaking to Einstein please ask him to let the governments know that whoever fixes this rail corridor will be supported well at the polls.
### 8.2 - Conduct of the 2016 council election

#### Purpose of report

The purpose of this report is to receive and note the report from the Victorian Electoral Commission (VEC) on the conduct of the 2016 election and to authorise payment for the provision of election services.

#### Background

**Report on the election**

The VEC is the statutory election service provider to the Wodonga Council in accordance with clause 1 of schedule 2 of the *Local Government Act 1989* (the Act).

In accordance with the legislative requirements of clause 14 of schedule 3 of the Act the Electoral Commissioner has provided a report on the conduct of the election, and a copy of the report is tabled.

Further the CEO is required to ensure that the report is submitted to the council (clause 14(3) of schedule 3 of the Act). This report to the council satisfies that requirement.

**Cost of the election**

The invoice for the conduct of the election has been received in the amount of $229,029.77 (excl GST). As this exceeds the CEO’S delegated authority it is submitted to the council for approval.

#### Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>We are innovative, responsive and responsible in the way we conduct business.</td>
<td>Practice good governance, act with transparency and integrity in our decision-making.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

#### Council policy / strategy implications

The conduct of the election is an important governance tool, and the involvement of the peak electoral body from Victoria ensures it is undertaken at arm’s length from the council.

#### Risk and opportunity management implications

The presentation of this report to the council and the authorisation of the payment of the invoice completes the legislative and contractual responsibilities of the council.

There are no further risks or opportunities with this matter.
8.2 - Conduct of the 2016 council election (cont’d)

Financial implications

<table>
<thead>
<tr>
<th></th>
<th>2016-2017 approved budget $</th>
<th>This proposal $</th>
<th>Variance to approved budget $</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Expense</td>
<td>199,410.53</td>
<td>229,029.77</td>
<td>29,619.24</td>
<td></td>
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<tr>
<td>Net result</td>
<td>199,410.53</td>
<td>229,029.77</td>
<td>29,619.24</td>
<td></td>
</tr>
</tbody>
</table>

The variations are allowed under the service agreement between the VEC and the council. The variations reflect the high number of candidates than previous elections, changes to the candidate statements, and actual quotes from suppliers.

Environmental implications

There are no environmental implications associated with this report.

Social / cultural implications

There are no social / cultural implications associated with this report.

Legislative implications

The various provisions within the *Local Government Act 1989* have been noted throughout this report.

Community engagement and internal consultation

There was none.

Options for consideration

1. Do nothing. This is not an option as the report must be presented to the council in accordance with the Act, and the council is required to pay the invoice for services rendered.

2. Receive and note the report and authorise the payment of the invoice.

Conclusion

As the statutory body authorised to conduct the 2016 local government elections the VEC has provided the council with the tabled report on the Wodonga Council election. The service agreement with the council provides for the VEC to be paid for the service, and the invoice is presented to the council for approval.
8.2 - Conduct of the 2016 council election (cont’d)

Attachments

Nil

Tabled papers

The following documents will be tabled at the meeting:


Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Manager Governance and Customer Focus - Spencer Rich
In providing this advice, I have no interests to disclose in this report.

Governance Officer - Kevin Scully
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That:

1. The Wodonga City Council Election Report 2016 from the Victorian Electoral Commission be received and noted; and

2. The invoice for the conduct of the 2016 council election, in the amount of $229,029.77 (excl GST), be approved for payment.

Motion

Crs Danny Lowe / Libby Hall

That the recommendation be adopted. Carried
8.3 - Online options for council meetings

Purpose of report

The purpose of this report is for council to consider options to improve community access to council meetings, including various online mechanisms.

Background

The council offices are currently being renovated, part of which will involve the relocation of the Council Chamber to the ground floor. This should improve community access to the Chamber and other public spaces on the ground floor.

To coincide with this it is appropriate to examine options around the recording of council meetings and alternative mechanisms for reporting back to the community.

The report proposes that council consider the following options.

Option one: Video recording

There is the option to record the council meeting for broadcasting on the web, either as a live stream feed or as a pre-recorded meeting. The costs for this is explained further under Financial Implications.

Option two: Live posting on social media as council meeting progresses

The work would be undertaken by council officers, and would involve live posting of decisions, with updates in “real” time. Resource costs would be limited to staff time.

Option three: Reports and releases post-council meeting

This has already been trialled and could be further expanded. Resource costs would be limited to staff time.

Option four: Press conference post-council meeting

Organised press conference with available councillors to talk on matters raised at the meeting. Resource costs would be limited to staff time.

Option five: Audio-visual recording post-council meeting

Video and audio recording of councillors after the council meeting and uploaded online. It could be in the form of a short “radio” show to keep people updated on council news. There would be some set-up costs for the new equipment and ongoing costs would be limited to staff time.
Option six: On the record statements

Providing the text of on the record statements (preferably electronically) for the organised placement on the council’s website and links pushed through social media channels. Resource costs would be limited to staff time.

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>We are innovative, responsive and responsible in the way we conduct business.</td>
<td>Practice good governance, act with transparency and integrity in our decision-making.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The Community Engagement Policy is relevant.

There is no council policy on video recording of council meetings.

If the council determines to proceed with video recording any subsequent review of the Meeting Procedure Local Law would need to incorporate reference to the technology, alongside an appropriate policy addressing such issues as:

- Live streaming and / or recording of meetings for subsequent transmission
- Fixed camera views versus individual close-up or reaction shots
- Rules for the termination of webcasting, including in-camera proceedings
- Submission of questions via a webcast
- Inclusion of the agenda on the screen and / or live minuting
- The minutes as the official record versus the status of the webcasting transmission.

Risk and opportunity management implications

Two documents are attached which consider some of the benefits and identified risks associated with webcasting.

- Civic Mutual Plus – no other bibliography material available. Civic Mutual Plus were the former MAV insurance scheme providers, and it ceased to operate under that name in 2011. This is a scanned copy of a hard copy found on file.

The document highlights the benefits of webcasting, being:

- Improved accessibility of council meetings to residents
- Improved participation and interaction in council meetings
- Improved communication to residents of forthcoming plans and projects
- Improved transparency in the decision making process
- Removal of community exclusion and participation barriers.
The document identifies a number of risks, from an insurance perspective, related to defamation, infringement of copyright, breach of privacy / disclosure of personal information, and publishing of offensive material.


- The author examines the role of local government within the Westminster System and highlights some of the issues it faces in carrying out its legislative function, executive function, and judicial function. The article argues that the increased scrutiny brought about by live streaming would be unreasonable.

Financial implications

Subject to the decision of the council there may be financial implications for the 2017-2018 budget.

If the council determines to proceed with video recording of meetings there would be set up costs along with annual operating costs.

With respect to set up costs no consideration or quotations have been sought for projectors, screen monitors, sound systems, network infrastructure, management system, etc.

In terms of annual costs this would depend upon the type of system chosen. An annual operating charge of approximately $16,000 is likely where an indexing option is chosen. A cheaper option of simply filming the meeting and uploading it to YouTube could likely be undertaken for less than $4000.

Environmental implications

There are no environmental implications associated with this report.

Social / cultural implications

By improving community accessibility to council meetings and the decision making process, the options presented in this report will provide social / cultural benefits.

Legislative implications

The council’s Meeting Procedure Local Law is due for review in 2019. It would be appropriate for the Local Law to reference video recording. With the current review of the Local Government Act it is recommended that the review of the Local Law be undertaken after the new Act is legislated.

Community engagement and internal consultation

There has been no community engagement but this matter was highlighted during the 2016 council elections.
8.3 - Online options for council meetings (cont’d)

Options for consideration

1. Do nothing.

2. Agree to options two to six above, and implement on an ongoing basis subject to councillor and community feedback. The option for video recording be reviewed within 12 months and a report provided to the council highlighting the experiences from other councils.

3. Agree to options one to six above, and implement on an ongoing basis subject to councillor and community feedback. The option with respect to video recording of council meetings be subject to the council:

   - Providing a minimum of $40,000 in the draft 2017-2018 capital budget plus $16,000 to the ongoing operating budget, with officers to seek quotations to further refine the figures; and,

Conclusion

This report outlines the options for council with respect to the webcasting of council meetings.

Attachments

The following documents are attached to this report:

- Attachment A: Civic Mutual Plus paper on webcasting
- Attachment B: McLeods Barristers and Solicitors - local government update - recording of council meetings

Tabled papers

Nil
Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Community Development - Debra Mudra
In providing this advice, I have no interests to disclose in this report.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Manager Communications and Marketing - Kellie Davies
In providing this advice as the report author, I have no interests to disclose in this report.

Governance Officer - Kevin Scully
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation
For the consideration of the council.

Motion
Crs Danny Lowe / John Watson
That the status quo for council meetings be retained.

Carried

A division was called for.
Councilors Speedie, Watson, Hall, Lowe and Mildren voted for the motion.
Councilors Bennett and Quilty voted against the motion.

In speaking to this motion three councillors, Crs Bennett, Lowe and Quilty, requested to have their comments recorded in the minutes.

Cr Kat Bennett

I have given this very thorough consideration, my response is not a spur of the moment or reactive decision.

I, along with pretty much everyone during the council elections campaign spoke about transparency, it was the one of the hottest topics. It's important for us to define what we mean by transparency as this word just gets bandied around all the time. For me, transparency means Council being open and honest about the factors that have contributed to their decision making. The community might not agree with the final decision but at least they know the reasons behind that decision.
In my assessment of the range of options on page 19 and 20, options 1 and 5 most directly address my understanding of transparency.

At present in the current situation, yes I can have my reasons to explain my vote minuted. However, there are limitations in this current system, for example the current system doesn't provide Wodonga residents with a complete picture of what happens at the council meeting, because if councillors do not take that extra step to have their reasons minuted then there is no record to indicate the reasons councillors voted a certain way.

So therefore, going back to the definition of transparency, the current process has some limitations.

Expert reports that are provided in the agenda highlight the potential costly consequences that could come with online recording of council meetings, some being an increased risk over defamation, infringement of copyright and increasing likelihood of breaches of privacy.

I would like to make very clear that before council was to go down the path of option 1 and/or 5, it is essential that more research is undertaken so that potential risks can be mitigated, not only for the protection of individual councillors, but if there was litigation against council as a whole, that would leave a big unexpected hole in our budget.

At the moment councillors are vulnerable to this type of litigation because unlike the other two tiers of government councillors do not have 'absolute privilege and cabinet confidentially', which is explained on pages 29 and 30 of the agenda document. Furthermore, I am concerned that these risks will stifle open and robust debate at council meetings because councillors may be, and rightly so, hesitant to voice their views in fears of litigation.

So therefore, I would like to make two further suggestions. Firstly, I would strongly recommend this council urges peak bodies such as the MAV and VLGA to seriously investigate this issue and provide specific guidelines for councils endeavouring to provide online recording of council meetings. It is not council’s role, nor do any of us have the expertise to fully comprehend the legal and financial ramifications of recording of council meetings, hence the need for the local government peak bodies to take responsibility for providing the informed guidance for councils.

Secondly, that this issue stays on our agenda and is revisited within 12 months when hopefully some of the above risks have been mitigated and so we can be informed by learning from the experiences of the councils around us who are doing this (Albury goes live at their next meeting next week).

As a final note on these comments, I would like to draw your attention to this very extensive report "Investigation into the transparency of local government decision making" Vic Ombudsman, December 2016, there are only three paragraphs about recording council meetings. Simply recording meetings, doesn’t equate to transparency. This is a very complex issue.
8.3 - Online options for council meetings (cont’d)

Cr Danny Lowe

During my election campaign I championed for live streaming to help in relieving some of the perceived transparency issues that were being raised by some in the community.

While I am still very open to the technology being implemented and would like to see it happen in the not too distant future my now more informed view on live streaming is that I need to explore this and other options further.

I have chosen to delay my decision to implement live streaming as I have had access to literature that I would like to further explore in an attempt to have a better understanding of the risk and what those repercussions are.

Members of state and federal politics are afforded protection of absolute privilege but we are not at local government level.

At this stage I am not willing to open myself up to litigation and the financial implications it may have on myself or my family if I was to make a statement or a slip of the tongue that was taken in the wrong context. I would like a better understanding on what those risks are.

We are in a unique position where we have a couple of councils regionally that have implemented live streaming that we can learn from before adopting this option.

So I thank you in advance for affording me the time to gain this knowledge before making a further fully informed decision if others feel favourable for this option also.

Cr Tim Quilty

I had an alternative motion to put tonight, but I must have been mistaken, I thought that this morning we had agreed that I would go first.

The issue I am going to speak to is the recording of council meetings and either live streaming or putting them online to download. The other measures may also help, but in my opinion recording and webcasting is the key here.

During our recent election campaign, one thing I heard more than almost everything else was a perceived lack of transparency (debt and spending did come up too). And I know a lot of candidates ran on platforms of transparency. Not everyone, a couple appeared happy with the status quo, but almost everyone got up and banged on about it.

Well, here we are. And it is time for anyone who is actually interested in delivering transparency to raise their hands.
Councillors have received a briefing paper on live streaming that tells us in “Yes Minister” terms, that voting for web broadcasting would be a “Courageous Decision”. The sky is going to fall on our heads if we do this. In that what we say in a public meeting is fine, but once we have an accurate record of it, we will be sued. I think it is an alarmist exaggeration. Dozens, perhaps hundreds of councils across Australia have taken this step, and the sky is yet to fall.

Yes there are risks, small risks, that we can manage. If you vote no to this, what message are you sending to the ratepayers of Wodonga? I would suggest you are saying you don’t want people watching what you do. I am genuinely surprised that this is even a subject for debate.

Webcasting will increase access, transparency and accountability. This is what the ratepayers have asked us for. This is what we should be prepared to deliver.

At our recent community meetings, I met a ratepayer who is interested in council meetings but unable to attend because they have to care for a special needs child. I am sure that he was not the only member of the community who is interested but is locked out. Here is a chance to bring access to some of the disadvantaged, a cause that I know is dear to many of my colleagues.

It is the 21st century. 2017. The ratepayers want transparency. Let us give it to them. Yes it will cost something to establish. Yes, people may have accurate records of what we say. But deal with it. I am not afraid to let people know what I stand for, what I believe, what I say and what I vote for.
Webcasting Council Meetings: Risk Management & Insurance Implications

Webcasting is commonly associated with popular websites such as 'YouTube', which allow users to watch and share videos online. Webcasts also feature prominently on media websites, broadcasting footage of the latest breaking news. Since the advent of webcasting, Councils have sought to apply the technology to various uses, in particular for broadcasting public Council meetings over the internet. In the United Kingdom, use of this technology has been embraced by local Councils. In Victoria, after some initial interest, some Councils have either discontinued or not commenced use of webcasting over concerns relating to CMP insurance coverage and/or set-up costs. The intention of this document is to clarify issues involving coverage, identify some of the risks associated with webcasting as well as providing risk management recommendations to assist Councils in making an informed decision about whether webcasting is appropriate for their Council.

Background

Webcasting involves 'streaming' live (or pre-recorded) video and audio information, over the internet. Viewing a webcast requires a computer with an internet connection of an appropriate bandwidth and/or speed. Webcasts may be viewed in real-time or at a later stage, depending on whether the webcasts have been archived.

CMP understands that Councils have applied or are planning to apply a number of uses to the broadcasting tool. Some possible uses are:-

- To assist staff training
- To communicate information to other Councils
- To broadcast public Council meetings
- To enable viewers to participate in Council meetings (e.g. by emailing questions or voting online)
- To enable staff to view presentations by key note speakers.

CMP is primarily interested in Councils use of webcasting for broadcasting Council meetings. Discussion for the remainder of the document will be focused around this use.

Benefits of Webcasting

Webcasting is recognized as promoting and improving the democratic process at the local Council level. Other benefits to Councils are:-

- Improved accessibility of Council meetings to residents
- Improved participation and interaction in Council meetings
- Improved communication to residents of Councils' forthcoming plans and projects
- Improved transparency in the decision making process of Council
- Removal of community exclusion and participation barriers
Identified Risks

Public Council meetings are an open forum of statements, questions and answers. Occasionally, some things that are said may be regarded as offensive or defamatory, even though they are not at law, written material. When such statements occur during a meeting that is not webcast the potential for damage is confined to the audience in attendance. In contrast, when a meeting is webcast the audience is potentially far greater, increasing the likelihood and/or severity of potential liability. Outlined below are some of the risks associated with webcasting, including defamation. Councils will note that the risks identified generally relate to the content of the meeting and the legal effect of publishing the content over the internet.

Defamation

- Council may be liable for defamatory statements made by Councillors and the public during a Council meeting. Council’s liability risk is increased if the meeting is webcast.
- Defamation occurs when statements are made about a person, which causes injury to that person’s reputation. A defamatory statement can be in written form, or in verbal form.

Infringement of Copyright

- A copyright owner has certain exclusive rights over their work. Infringement of copyright occurs when a person uses copyright material without the consent of the owner and the use contravenes one or more of the “exclusive rights” of the owner.
- If someone at a Council meeting reads material subject to copyright, without the consent of the copyright owner, the person may have violated the copyright owner’s exclusive right to reproduce the material if published as a webcast.

Breach of Privacy/Disclosure of Personal Information

- Councils are required to comply with the Information Privacy Principles contained within the Privacy Act 1988 (Cth). Councils may be liable for breach of the privacy principles if Councillors or Council Officers are found to have used, or disclosed, personal, health or sensitive information about individuals during a Council meeting and that information is webcast.

Publishing of Offensive Material

- Council may be liable for a criminal offence under Commonwealth censorship legislation if it publishes content through a webcast relating to sex, drugs or violence, which is likely to cause offence to a reasonable person.
- Council should seek independent legal advice if in doubt of the appropriateness of the content of a webcast prior to making it available.
Managing & Controlling Risks

Insurance – CMP Policy Coverage

Above we identified some of the risks associated with webcasting. The CMP policy provides some cover to Councils for their webcasting activities. Councils should have received in September last year, correspondence from CMP advising of the extensions to the policy in relation to ‘libel and slander’ and ‘advertising’. In that correspondence, CMP advised Councils that webcasting Council meetings was now covered for some risks under the policy. Please refer to that correspondence for further information regarding the extensions.

The policy extensions provide Councils with coverage in risk areas of defamation, infringement of copyright and privacy breaches. Councils should note that the CMP policy does not extend to liability arising from publishing defamatory statements made by third parties i.e. members of the public. Further, Councillors and Council Officers will not be covered if they knowingly make defamatory statements in a Council meeting. Coverage is also subject to existing policy conditions, in particular Council demonstrating it acted with ‘reasonable care’. CMP is of the view that the risk of publishing offensive material (identified earlier), falls outside the policy wording and therefore is not covered.

Insurance – Other

In view of the CMP policy not covering Councillors for defamatory statements knowingly made during a Council meeting, Councils should ensure Councillors are adequately covered for defamation under another policy, such as a Councillors & Officers policy.

Risk Management Control Strategies

- Prior to making a decision about webcasting Council meetings, Councils should conduct a risk assessment to identify risks and determine appropriate controls. The risk assessment should be performed in consultation with experienced staff and/or experts in such areas as IT. CMP recommends where necessary, suitably qualified lawyers, may also be of assistance.

- Councils should determine whether it has adequate resources for both the initial and ongoing costs associated with webcasting. Initial costs include the purchase of equipment to record the webcast (e.g. cameras, microphones, encoder etc.). Ongoing costs are associated with employing staff to operate the equipment and monitoring the content of the webcast.

- Consult with stakeholders to gauge response to webcasting Council meetings. If a decision is made in the affirmative, delegate responsibilities, allocate resources etc.

- Prior to commencing webcasting, Councils should have a detailed policy and procedure in place. The policy should outline how Council will manage the use of webcasting. Procedures should provide technical guidance for conducting a webcast and include processes for reducing the risks associated with webcasting that were identified earlier. These documents should be developed in consultation with experienced staff and/or relevant experts. Training should be provided to all relevant Council staff to ensure awareness and understanding of the policy provisions.

- Most of the risks of webcasting can be eliminated or certainly reduced by monitoring the content of the webcast and editing the content where required. CMP recommends that Councils re-record the webcast and ensure the webcast is thoroughly reviewed and signed off by an authorised member of Council before the webcast is made publicly available. For those Councils which prefer to broadcast meetings live or only with a short delay, it is important that a procedure is followed for the identification and treatment of problematic content (e.g.
termination of webcast). Council’s decision to pre-record or broadcast live should take into consideration the level of risk exposure Council is willing to retain.

- Council will need to consider whether the webcast will be made available for download at a later date or will only be accessible via Council’s website as a live broadcast. Both present risks. A downloadable webcast can be viewed several times and may reach a greater audience than a live broadcast thus increasing the potential of a claim arising. On the other hand, defamatory content is more likely to be found in a live broadcast which has undergone little or no editing than a pre-recorded (downloadable) webcast.

- Councils should ensure members of the public attending the Council meeting are notified of the webcast. Council will need to obtain their written consent to record and publish their likeness and/or voice as part of the webcast.

- Councils may consider accompanying the webcast with a disclaimer. A disclaimer provides Councils with some limited protection from liability. Generally, a disclaimer will include words to the effect that the opinions or statements made during the course of the Council meeting are those of the particular individual and not the opinions or statements of Council. The disclaimer can be included as part of the broadcast or separately as a link on the webpage prior to opening the link to the actual webcast. Councils should seek independent legal advice on the appropriate wording of a disclaimer to ensure that it meets Councils specific requirements.
Local Government Update

Proposed recording and live streaming of local government council and committee meetings

By Denis McLeod, Partner, McLeods

The issue: proposed recording of council meetings

In Western Australia there has been a long running debate on the question of whether Council meetings should be streamed live online, with the recordings being made available to electors by uploading to the local government’s website as soon as practical, and maintained online as an archive.

After more than 40 years as a lawyer acting for and against local governments, I have formed the firm view that any recording of Council and committee meetings should be used for the purpose of confirming the correctness of the Minutes of meetings, but should not be otherwise published. The Minutes should then remain available as the public record of the meetings.

The article that follows provides an explanation of that view. As a starting point, my view is premised on acceptance of the proposition that local government is a worthwhile institution that should be preserved and encouraged, and not presented with obstacles calculated to discourage the participation of well intentioned men and women of good sense. Perhaps not all Council members are in that category, but my proposition is that the significant majority who are should not be discouraged from participating.

The Westminster System of Government

Discussion of the meeting recording and live streaming issue should start with recognition of the basic principles of the Westminster System of government, which apply to the WA State Government, and which focus principally on the three distinct branches of government, being:

1. **Parliament**: which makes laws to facilitate government. Under s.2C of the Constitution Act 1889 (WA) (Constitution Act), the Parliament in WA consists of the Monarchy, Legislative Assembly and Legislative Council.

2. **Executive**: which administers the government in accordance with the laws. (The Cabinet is the effective part of the Executive, which is subject to the strict conventions of Cabinet confidentiality and solidarity).

3. **The Courts and Tribunals**: which interpret the laws and apply them to resolve disputes. (S.5A of the Constitution Act ensures the independence of Supreme Court judges, which generalises to all the States’ judicial persons and tribunals).

Not only are those three branches of government intended in principle to function separately, but they are in fact administered separately.
Local Government within the Westminster System

Although Local Government operates within the Westminster System, there are critical features and differences, including the following, that go some way to explain why Council meetings should not be streamed live online, etc, as some critics propose:

1 The Council of a local government may perform in any given meeting the role of all three branches of government:

   (a) Legislative function of Council:
       Council makes and amends the local government’s laws including:
       • local laws; and
       • planning schemes.

   (b) Executive functions of Council:
       Council performs the same function for its district as State Cabinet performs for the

   (c) Judicial functions of Council:
       Council makes quasi-judicial decisions, such as determining applications for planning approval.
       In doing that a Council is expected to act like a Court or tribunal by complying as far as possible
       with principles of judicial fairness. A difference here is that unlike Courts and tribunals, a
       Council’s deliberations are required to be in public, and determined by majority vote, which
       requires impose special rigors on Council members who are:
       • part-time in their Council role;
       • essentially untrained in legal and judicial process and principles; and
       • subject to popular election and re-election (unlike judges and tribunal members).

2 Council acting as the Executive branch of local government makes decisions on policies and strategies of
   government and on contract and financial issues like the Cabinet in the State Government, but in
   stark contrast its deliberations are required to be in public, and Councils do not have the protection of
   Cabinet confidentiality and solidarity.

3 So far as Councils’ quasi-judicial functions are concerned, Council members are expected to explain,
   discuss and debate their opinions as they evolve, in public meetings, and their decisions are made by
   majority vote in open ballot. This is in stark contrast to the privacy and confidentiality of judicial and
   tribunal members’ deliberations towards reaching a decision.

4 Unlike all members of the judiciary in Australia, Council members are popularly elected, and must be
   prepared to defend their public decisions to their electors at the four-yearly Council elections. A decision
   properly made consistent with planning and legal principle may nevertheless be very unpopular with the
   electors. Council members who act properly, but contrary to the wishes of the electors, have a burden of
   explanation to electors going beyond the requirement of judges and Tribunal members to give reasons for
   their decisions, and they don’t have to be concerned about electoral consequences of their decisions.
5 Council members are subject to very strict laws on financial interest, and impartiality interest, which by comparison are only very loosely and weakly applied to members of Parliament. State political parties can receive very substantial and regular donations from lobby and pressure groups which would result in serious penalties in the case of local government Council members.

6 Council members do not enjoy the protection of absolute privilege from actions for defamation for what is said in their meetings, in stark contrast with the protection of absolute privilege enjoyed by members of Parliament for what is said in their sessions.

The above comments demonstrate that the fundamental features of the local government system necessarily expose it already to a high level of public scrutiny that makes it a very difficult process to participate in, and to function effectively.

**Comparison of Council Executive functions with State Government Executive functions**

The Council in its role as the Executive must discuss matters critical to good government, in open Council, where similar issues dealt with by the State Government Executive would be discussed and decided strictly behind closed doors, and the proceedings would be protected by the conventions of Cabinet confidentiality and solidarity. For a Council to have those essentially confidential discussions streamed online, etc as the critics propose, would make the process all the more onerous and complex for the Council. Consider what the reaction of the Premier and Cabinet Ministers would be if the public insisted Cabinet meetings be open to the public, much less streamed online.

The professional politicians in State Government are not required to cope with that. Yet the current debate would expose the part-time, non-professional, essentially unpaid Council members, to that rigour. That doesn't seem reasonable or fair.

**Comparison of Council quasi-judicial functions with Courts and tribunals**

The unreasonableness and unfairness is even clearer when it comes to Council's quasi-judicial functions, which apply wherever the Council is deciding on planning and building applications, and applications for a wide range of other licences, permits and approvals. Council members are expected then to perform their functions in a judicially correct way. Yet unlike all Courts and tribunals, Council members are required to discuss their thinking in public, which goes a long way beyond the normal requirement that judges give reasons for their decisions. Of course Councils must give reasons for their decisions, as judges must, but consider what the reaction of judges and tribunal members would be if the public insisted that judges and tribunals conduct in public their deliberations and the steps in their consideration of a case, much less produce a transcript of their confidential deliberations.

The highly trained lawyers and other professionals who serve as judges and tribunal members are not required to cope with that. Yet the current debate would expose the part-time, non-professional, essentially unpaid Council members to that rigour. That doesn't seem reasonable or fair.

**Council's legislative function**

There may presently be some argument for a Council's legislative function to be held in public, and perhaps, unlike Parliament, streamed online, etc. The fact that Council members are not protected from defamation action by absolute privilege is probably a strong enough argument against that, and it is certainly an adequate argument against streaming of debate online, etc.
Consider then the contrast with the position of members of Parliament. Many of them do not speak on any issue in Parliament from month to month. And when they do wish to speak on legislation, they generally have much time to prepare their speeches, and they generally have research assistants available, and can prepare speeches for weeks in advance. By comparison, Council members attend ordinary Council meetings once or twice each month, and also special meetings and committee meetings, and from time to time electors and public meetings. At any of those meetings many issues could arise calling for discussion and debate by the Council members. At an ordinary Council meeting, there may be dozens of matters before the Council which call for debate and a vote by Council members.

Is it reasonable to suggest then to the Council members that every word they utter in the process of deliberations will be recorded and streamed online, and recordings made available to any member of the public who might decide to put their every word under microscopic scrutiny. Not even well prepared professionals or legal experts could reasonably be expected to withstand that kind of scrutiny, without the potential for regular embarrassment, and criticism and perhaps recrimination and Court action.

**Likely consequences of recording or live streaming of Council meetings**

A possible effect of introducing that kind of scrutiny would be that the detailed thinking and reasoning of Council members would go underground. Rather than giving the benefit of their deliberations to the members of the public who care to attend a meeting, they may make their decisions for their own private reasons, and not attempt to explain or discuss those reasons in the public forum. That would be dramatically bad for the system of open local government. Another consequence would be to force Councils to do all their effective work, and to carry on their real debate, in non-formal Council briefing sessions or the like, which are not required to be open to the public. That could also be quite adverse for the system of open local government. More significantly, exposure to that level of scrutiny and risk is likely to function as a significant disincentive to persons interested in election to the office of councillor, which would undermine community participation in local government.

**Other considerations**

There are other considerations worthy of brief mention including:

- Members of the public, at Council meetings are able to speak in question time and on deputations or representations on issues arising at Council meetings. The Council has no control over their comments, but the recording and live streaming of the proceedings could result in the local government being liable in defamation for the republication of defamatory remarks, or being otherwise responsible for insulating or malicious comments.

- On listening to a recording of a Council meeting, it is often difficult to identify the person responsible for a particular comment. That is likely to lead to confusion and complications, with the local government being required to identify speakers in order to deal with complaints.

- To expect a local government to edit the recordings of meetings to guard against defamatory or otherwise hurtful comments, and to identify speakers, would place an unreasonable burden on the local government administration. There would be a further burden of work and expense in obtaining legal advice on possible defamation.

- A Council acts as a collegiate body. The views of individual Council members are for practical purposes irrelevant. The only view that counts is that expressed in a resolution of the Council. To record and stream live
the comments of individual Council members during debate has the potential to deflect attention away from the most important statement on the topic, which is the resolution passed by the Council and any reasons it identifies for its decision.

- Even newspapers would not contemplate allowing its reporters to present their views on a topic in a direct recording of their thinking processes, without the opportunity for careful independent editing and the possibility of scrutiny by the newspaper’s lawyers. That applies no matter how well the reporter may have researched the topic.

- The threat of Court action for defamation can be a very disturbing prospect for a Council member whose personal and family assets may be at risk. A wealthy/powerful or vexatious complainant may press even a bad action through lengthy and expensive litigation processes, and the fact that the action may ultimately fail is little consolation to a Council member whose life for months or years may be dominated by the presence and risks of the action.

- Any member of the public interested in an issue to be considered at a Council meeting can and generally will attend the meeting. Many of those who press for recording and live streaming of the proceedings online may be more interested in targeting Council members whose views they wish to criticise, than to inform themselves on the issues.

- Those concerned about the standard of debate at Council meetings are presumably intelligent and sensitive persons. They are the very people who should offer themselves for election to that important public service. That should improve the standard of debate far more effectively than recording and live streaming of meeting proceedings, and will be of more benefit to the public.

**Conclusion**

Those are some of the reasons for my view that Council meetings should not be streamed live online, with recordings made available to electors by uploading to the local government’s website as soon as practical and maintained online as an archive. For the reasons I have discussed above, in my opinion the minutes of Council meetings should remain as the basic public record of meetings, without the additional processes of exposure and scrutiny which are being proposed by the local government critics.

I know that some local governments do record their meetings and then make the recordings available to the public on their website. That is a decision any Council can legitimately make, but it is another matter for Councils to have that regime imposed on them.

For further information in regard to the above, contact Denis McLeod on 9424 6201 or dmcleod@mcleods.com.au. The information contained in this update should not be relied upon without obtaining further detailed legal advice in the circumstances of each case.
8.4 - Supply and delivery of one leased dual engine control suction road sweeper W901-16

Purpose of report

To seek council’s determination in awarding the tender W901-16 for the supply and delivery of one dual control suction road sweeper dual engine, fully maintained lease for a period of seven years.

Background

The above unit will replace our existing leased McDonald Johnson road suction unit which is due for replacement as it has reached its optimum operating life and the current lease will expire shortly and no further lease extensions are available.

The fully maintained operating lease includes; capital purchase and finance costs, initial stamp duty, initial registration, annual registration and all scheduled maintenance for both the cab chassis and sweeper unit. The lease excludes ongoing replacement tyres, sweeper brushes, insurance and damage.

The evaluation team developed a specification with a high level of OH&S requirements in particular the operator environment and capability of back up service and operator training.

Response

Tenders were advertised in The Border Mail and Tender Search on Saturday, December 17, 2016 and closed at noon on Tuesday, January 24, 2017.

There were nine tender documents issued and two submissions were received. The tender received from Bucher Municipal Pty Ltd was deemed as non-conforming as it did not include any leasing rates. Tenders were received from the following:

1. Rosmech Sales and Service Pty Ltd
2. Bucher Municipal Pty Ltd (Non-Conforming)

The evaluation team members were Jim Maher, Team Leader Plant, Fleet and Building Maintenance, Ken Cooper, Cleansing Supervisor, and Craig Thies, Plant operator.

The following selection criteria were used as advertised in the tender document.

<table>
<thead>
<tr>
<th>Evaluation criteria</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quality</td>
<td>20%</td>
</tr>
<tr>
<td>Capability</td>
<td>20%</td>
</tr>
<tr>
<td>Compliance with specification</td>
<td>10%</td>
</tr>
<tr>
<td>Customer Service</td>
<td>20%</td>
</tr>
<tr>
<td>Benefit to Local Region</td>
<td>10%</td>
</tr>
<tr>
<td>Environmental Sustainability</td>
<td>10%</td>
</tr>
<tr>
<td>OH&amp;S</td>
<td>10%</td>
</tr>
<tr>
<td>Price</td>
<td>100%</td>
</tr>
</tbody>
</table>
8.4 - Supply and delivery of one leased dual engine control suction road sweeper W901-16 (cont’d)

The following point scoring was applied to the criteria:

<table>
<thead>
<tr>
<th>Score</th>
<th>Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Non-compliant</td>
<td>Fails to satisfy specified requirements</td>
</tr>
<tr>
<td>1</td>
<td>Below expectations</td>
<td>Does not meet the requirement to a major degree</td>
</tr>
<tr>
<td>2</td>
<td>Marginally</td>
<td>Does not meet the requirement but may be adaptable or made acceptable</td>
</tr>
<tr>
<td>3</td>
<td>Acceptable</td>
<td>Meets the requirement except in minor aspects</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Successful completion likely</td>
</tr>
<tr>
<td>4</td>
<td>Very good</td>
<td>Meets the requirement but may be marginal in minor aspects</td>
</tr>
<tr>
<td>5</td>
<td>Superior</td>
<td>Meets or exceeds the requirement in all respects</td>
</tr>
</tbody>
</table>

To calculate the weighted score: weighting x score = weighted score. The tendered price is then divided by the technical/quality analysis (competitively neutral, net present value), to provide the value for money (VFM) indicator.

The process
All tenders were evaluated in adherence with the council’s tendering policy and guidelines.

Various machines have been field test driven by our operational staff and evaluated against the tender specification, including the machine submitted for consideration by Rosmech Sales and Service Pty Ltd and Bucher Municipal Pty Ltd.

The machine submitted by Rosmech Sales and Service Pty Ltd had some outstanding features including; manoeuvrability, measured noise level (DBA), overall height of the machine, location of the on board control system and switches and overall ergonomics of the cabin.

A critical component of this tender is local customer service and back end arrangements. A meeting was held with the senior staff from Rosmech Sales and Service Pty Ltd and Jacob Hino to discuss the machine and service and further documentation was requested and received.

There was no financial and/or leasing information submitted by Bucher Municipal Pty Ltd and although the machine is of good quality, the tender was deemed non-conforming and not assessed.

The value for money indicator for each tenderer is shown below:

<table>
<thead>
<tr>
<th>Name / company</th>
<th>Value for money</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Rosmech Sales and Service Pty Ltd</td>
<td>1017</td>
</tr>
<tr>
<td>2. Bucher Municipal Pty Ltd</td>
<td>Non-conforming</td>
</tr>
</tbody>
</table>
Therefore, after all assessments, the panel considered that the tender submission from Rosmech Sales and Service Pty Ltd provided the best value for money option.

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>We are innovative, responsive and responsible in the way we conduct business.</td>
<td>Review and maintain an asset management system to improve and enhance the council’s assets.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

The award of this tender will see the continuation of trained road suction street sweeper technicians available in Wodonga. This has been made possible through the service agreement developed between Jacob Hino and Rosmech Sales and Service Pty Ltd. Jacob Hino Truck Centre will become a one stop repair shop with 24 hour back end service with trained technicians and spare parts capability. These new arrangements will continue to enhance the region by having dedicated service arrangements in place as traditionally service has been carried out via service vans from Melbourne.

**Risk and opportunity management implications**

<table>
<thead>
<tr>
<th>Risk description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>As the existing sweeper has reached its optimum operating life and is at the end of its lease term</td>
<td>2</td>
<td>A</td>
<td>E</td>
<td>Existing unit and truck would require works that would reduce operating time and impact on service delivery. The current lease would need to be extended.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunity description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased operator OH&amp;S control through the ergonomic design of the control system within the cabin and reduced overall operational noise (DBA) due to Euro5 engine and operational design</td>
<td>2</td>
<td>E</td>
<td>H</td>
<td>By entering into the proposed new lease the opportunity will be realised.</td>
</tr>
</tbody>
</table>

**Financial implications**

The operational costs of this plant are currently budgeted each year at $100,000 excluding fuel. The yearly cost of the tender submission is within the operating cost with allowances made for operational items not covered in the lease. The contract price is $437,452.68 (excl GST) and the maintained operating lease arrangement is for an initial period of 60 months with the option of two x 12 month extensions.
8.4 - Supply and delivery of one leased dual engine control suction road sweeper W901-16 (cont’d)

Environmental implications

The award of this tender will have environmental benefits since the preferred plant offered is of the highest emission standard, being Euro5.

Social / cultural implications

Benefits to the local region
The preferred tender, Rosmech Sales and Service Pty Ltd is a South Australian based Australian owned company established in 1974 and has branches throughout Australia. The ongoing servicing and back up for both the truck and sweeper unit will be provided through the Jacob Group of Companies who are a long established locally owned business with all staff based in Albury/Wodonga. They employ apprentices across the group and hold in excess of $500,000 in parts which services their five and a half day workshop operation and 24 hour, seven day a week emergency service. They have strong relationships with other suppliers within the region which compliments their workshop and support the community through sponsorships of various sporting codes and horse racing events.

Legislative implications

The machine offered meets all current state and federal OH&S and plant operation standards.

Community engagement and internal consultation

Suppliers and staff have been kept informed throughout the process as to when a decision will be made via written communications.

Options for consideration

Option one – Do nothing. This is not recommended due to the ageing condition of the existing plant and the current lease will expiry shortly and no further extension of the lease is available.

Option two – Accept the recommendation and award the tender.

Conclusion

One conforming tender was lodged which has been assessed and the machine has been test driven to ascertain the suitability of the machine. The machine on offer will provide an increased level of operational efficiency and is within the current budget parameters. It is recommended to award the tender for an initial period of 60 months with the option of two x 12 month extensions as per option two.

Attachments

Nil
Tabled papers

Nil

Declaration of conflict of interests

Under section 80C of the *Local Government Act 1989* officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Manager Governance and Customer Focus - Spencer Rich
In providing this advice, I have no interests to disclose in this report.

Manager Finance - Narelle Klein
In providing this advice, I have no interests to disclose in this report.

Contracts Officer - Kerrianne Bradbery
In providing this advice as the report author, I have no interests to disclose in this report.

Team Leader Plant, Fleet and Building Maintenance - Jim Maher
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That:

1. The tender from Rosmesh Sales and Service Pty Ltd and Toyota Fleet Management be awarded, for the supply and delivery of one leased dual control suction road sweeper dual engine for the contract sum of $437,452.68 (excl GST);

2. The contract period be for an initial period be 60 months with the option of two x 12 month extensions if required; and

3. The Chief Executive Officer be authorised to sign the Toyota Fleet Management leasing documents and extend the contract if required.

Motion

Crs John Watson / Kat Bennett
That the recommendation be adopted.

Carried
8.5 - Climate Change Policy

Purpose of report

To request that the council adopt the attached Climate Change Policy developed as part of a State Government funding program.

Background

The impacts of a changing climate are placing pressure on the achievement of strategic objectives and continued delivery of services across the municipality.

A local policy is the most effective mechanism available at a strategic level for Council to ensure that funding for climate change adaptation and mitigation will be prioritised and allocated. As such, a policy which addresses and acknowledges the challenges of the changing climate will provide guidance for strategic and operational decision making and contribute to increasing the organisation’s resilience and preparation for the future.

The Climate Change Adaptation Action Plans (CCAAP) project is supporting the three local councils of Indigo, Towong and Wodonga, to manage climate related risks relating to our services, assets and operations. Project activities include:

- Reviewing existing climate risk assessments, with application of up-to-date organisational risk management, latest climate projections and current organisational context.
- Identifying, prioritising and promoting adaptation actions related to the delivery of council services, to reduce vulnerability to impacts and boost resilience. Developing a Climate Change Adaptation Action Plan for each partner council.
- Reviewing key council strategic and policy documents, and creating a monitoring and evaluation tool to understand the difference made by the project.
- Implementation planning and embedding outcomes into councils’ strategic documents and business planning tools.
- Implementing selected actions, and setting out a knowledge sharing plan to ensure the lessons learned achieve widespread benefit.
- Developing a Climate Change Policy to provide a mechanism which articulates the council’s position on addressing the challenges of a changing climate.
Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wodonga is a prosperous regional city, alive with opportunity and thriving on growth and investment</td>
<td>Plan for the sustainable growth of the city.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The local policy and planning context relevant to climate change is based on key council documents. These documents include: Community vision, Council Plan, Municipal Strategic Statement, Municipal Public Health and Wellbeing Plan, emergency management plans (including heatwave plan) and Sustainability Strategy.

The Climate Change Policy will assist with the achievement of the strategy “Ensure the Council is committed to improving the sustainability of the city for future generations”, as set out in the Council Plan 2013-2017.

Sustainability is noted as one of nine 'beacons for our preferred future' in the 2033 Community Vision, which includes sustainability, culture, resource efficiency, local renewable energy and innovative redevelopments. ‘Make Wodonga Yours’ project is currently inviting community comment on the review of this vision.

In the Municipal Strategic Statement (21.05.12 issue) there is recognition that future growth in Wodonga needs to respond to the challenges of climate change, scarcity of water, energy consumption and the building of a cohesive community.

Listed under ‘our challenges’ in the Municipal Public Health and Wellbeing Plan: “Our climate is changing – The future climate of our region is expected to be hotter and drier than it is at present. Droughts are likely to increase in frequency by between 10% and 60% by 2070 depending on our rate of emissions. According to DSE data, our city is also likely to experience an increase in fire danger and the number of ‘extreme’ fire danger days will generally increase by between 5% and 40% by 2020. This will impact on the agricultural landscape of the region and the health of particularly vulnerable groups within our city. Access to water will also continue to be a major issue.”

The Sustainability Strategy includes “This strategy has been developed with the support of the Victorian Government under the Victorian Adaptation and Sustainability Partnership (VASP), providing a framework to assist in planning to increase our resilience to the expected impacts of climate change.

This strategy considers population growth, climate change (mitigation and adaptation), education and land use planning as key drivers relevant to all environmental themes. They are not considered themes because they are processes affecting all environmental issues.” And under Infrastructure: “Infrastructure projects will ... be planned to address future climate impacts”.
Risk and opportunity management implications

A *Risk and Opportunity Assessment Report* was completed in stage 3 of the CCAAP project. Application of the organisation’s risk and opportunity evaluation framework did the following: it supported systematic consideration of impacts; captured measures already in place that help respond to the risks; and rated risks according to their respective likelihoods and consequences.

The assessment exercise resulted in 62 initial risks and opportunities described and evaluated across the full breadth of the council’s functional areas. The initial risks were considered and categorised for their relevance to Council Plan objectives, resulting in 17 interrelated strategic-level risks. Treatments for these risks are under development and will be reported annually to council.

Inaction on climate change exposes the council to community dissatisfaction and a reduction in the financial sustainability and efficiency of council business.

A sample of the identified risks is included in the table below with the complete assessment found in Appendix 4 of the *Risk and Opportunity Assessment Report*.

<table>
<thead>
<tr>
<th>Risk description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased frequency and intensity of heatwaves leads to more frequent activation of the council’s Heatwave Plan, particularly to support the health of the young, elderly and unwell. Heatwaves lead to death of community members.</td>
<td>2</td>
<td>A</td>
<td>Extreme</td>
<td>Heatwave Plan 2015</td>
</tr>
<tr>
<td>Harsher fire weather leads to increasing challenges (incl. complex negotiations and problem solving) to appropriately balance needs for community safety, environment and development.</td>
<td>2</td>
<td>A</td>
<td>Extreme</td>
<td>Planning controls State Planning Policy (including Bushfire Management Overlay) guides development</td>
</tr>
<tr>
<td>Storms/intense rain cause flash flooding of facilities, leading to damage and clean up costs / effort.</td>
<td>3</td>
<td>A</td>
<td>High</td>
<td>Continue to retrofit to stop damage</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunity description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
</table>
| Increasing temperatures (and increased air-conditioning), leads to increased demand for council (and developers) to educate consumers and developers about the benefits for energy efficient building (and subdivision) design - including lifecycle cost of buildings (incl. residential, commercial, industrial). | 2 | B | High | Sustainability strategy CBA Revitalisation Plan – including urban design/ESD measures e.g. orientation, natural ventilation and shading Greening Strategy is under preparation.
Financial implications

The climate change policy is a deliverable for stage 4 of the Climate Change Adaptation Action Plan and is funded by the Victorian State government through a Victorian Adaptation and Sustainability Partnership grant.

Climate events have the potential to have a significant impact on the council’s financial sustainability. Businesses are now recognising the need for greater investment in adaptation, mitigation and resilience measures to help reduce the impact of climate change.

Environmental implications

Future climate projections are underpinned by the Murray Basin Cluster Report of CSIRO and the Australian Bureau of Meteorology’s Climate Change in Australia Projections. Climate change planning takes into account the following key messages about the future:

- Average temperatures will continue to increase in all seasons
- More hot days and warm spells, and fewer frosts
- A harsher fire-weather climate in the future
- Less rainfall is projected during the cool season however rainfall may remain unchanged in the warm season
- Increased intensity of extreme daily rainfall events.

Identifying and assessing climate related risks focuses on the broad directions described above. Treatments currently being developed to address these risks will become adaptation actions once implemented resulting in the management or mitigation of negative impacts.

Social / cultural implications

Climate change has the potential to affect community and staff health, safety and participation through a range of impacts. Many of these impacts have been identified in the Risk and Opportunity Assessment Report with treatments currently under development. Adoption of the climate change policy demonstrates council concern and leadership in this area.

Legislative implications

The Victorian Government is "committed to positioning Victoria as a leader in climate change, by mitigating risks, reducing emissions and adapting to the impacts of climate change” (DELWP, 2015).

Two aspects of the Victorian Climate Change Act (2010, recently reviewed and draft available at time of writing), hold particular relevance to this project:

- The Act requires the Victorian Government to develop a Climate Change Adaptation Plan every four years (under development at time of writing).
The Act requires decision makers in government to have regard to climate change when making specified decisions under other Acts. This includes a requirement for local government to consider climate change in the development of Municipal Public Health and Wellbeing Plans.

The policy will provide council with clear direction to undertake action in support of State government ambitions and transition to new legislature resulting from the reviews being conducted at time of writing.

Community engagement and internal consultation

The CCAAP project has a council business rather than whole of community scope with all considerations brought back to the context of local government roles and responsibilities.

Staff engagement for this project:

- Briefings to Team Leaders Forum
- Memorandum of Understanding between partners
- Meeting with cross-organisational Green Team, People & Workplace, Corporate Governance
- Learning Afternoon Tea (58 staff members)
- Staff drop-in sessions and follow up (51 staff members)

Options for consideration

1. Do nothing - not supported as this project was funded by the State Government.
2. Adopt the Climate Change Policy to ensure strategic and operational decisions are viewed through the climate change lens.

Conclusion

The CCAAP project is about adapting to future climate conditions. The Risk and Opportunity Assessment Report and Adaptation Action Plan resulting from this project are operational documents which will feed into council staff work plans. A strategic mechanism is required to ensure implementation of the actions in these reports and to prioritise programs and projects arising from them.

Climate change is a growing community concern and is already impacting on the council’s service delivery and asset management program. The Climate Change Policy articulates and formalises a position council has already adopted in many council documents. It will provide a strategic mechanism which enables the council to respond to climate change impacts within the council’s scope of activities; undertake actions to support State legislative requirements; and demonstrate leadership in this area to the community.

Tabled documents A and B provide an overview of the links between climate change policy and the existing sustainability strategy previously adopted by the council.
8.5 - Climate Change Policy (cont’d)

Attachments

The following documents are attached to this report:

- Attachment A: Climate Change Policy

Tabled papers

The following documents will be tabled at the meeting:

- Document A: Overview diagram: climate change and strategy link
- Document B: Overview briefing note: adapting to a changing climate at the council

Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Manager Environment and Community Protection - Mark Verbaken
In providing this advice, I have no interests to disclose in this report.

Sustainability Coordinator - Jill Croome
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That the Climate Change Policy, as attached, be adopted.

Motion

Crs Kat Bennett / Ron Mildren
That the recommendation be adopted. Carried
1. **PURPOSE**

The purpose of this policy is to provide a mechanism to guide strategies, evaluate and assess projects and policies; and enable Council to manage its climate change vulnerability thereby increasing the organisation’s resilience and preparation for the future.

2. **SCOPE**

Climate change impacts are experienced across the organisation and community, and mitigation and adaptation actions are implemented by Councillors, staff and community members.

This policy applies to Council services and assets. It is to be considered when Council and its officers make recommendations and decisions, or design and review programs, processes and projects. This policy also applies to Councillors as the elected representatives of the Wodonga Council in their decision making and advocacy; all employees, agency employees, sub-contractors and volunteers whilst they are working on Wodonga Council sites and/or under Wodonga Council direction.

3. **DEFINITIONS**

- **Climate change:** Refers to a change in the state of the climate that can be identified by changes in the mean and/or the variability of its properties, and that persists for an extended period, typically decades or longer. (IPCC 2007)
- **Adaptation:** Process of adjustment to actual or expected climate and its effects which aims to reduce the impact of any given level of climate change.
- **Mitigation:** Refers to efforts to minimise the extent of climate change by reducing or preventing emission of greenhouse gases.
- **Resilience:** The capacity of an organization to absorb disturbance and reorganize while undergoing change so as to still retain the same function, structure, identity and feedbacks. (Walker and Salt 2008)

4. **POLICY**

“Wodonga Council is committed to responding to the risks of climate change to Council assets and services.”

The objectives of this policy are to:

- Reduce greenhouse gas emissions through appropriate mitigation strategies
- Apply risk management to develop adaptation strategies
- Conserve natural resources and promote a safe and healthy community
• Evaluate the climate change implications when making strategic and operational decisions, and developing policy positions.

5. ATTACHMENTS

Nil.

6. RELATED POLICIES

Sustainability Strategy

7. RELATED LEGISLATION

Climate Change Act 2010

8. REFERENCES

Records Management Directive.


9. REVIEW

Council may review this policy at any time but unless otherwise requested at least every four years from date of adoption. Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy eg: typographical errors, a change to the name of a related policy, or a change to the name of legislation.
8.6 - Provision of a Vegetation Offset Management Panel of Contractors

Purpose of report

To seek the council’s determination in awarding the tender for W922-16 Vegetation offset management panel of contractors.

Background

The Wodonga Council owns and manages a number of environmental reserves where the vegetation is protected in a trade-off for vegetation removal elsewhere.

These sites are known as vegetation offsets and a legal agreement is entered into with the state government to protect the vegetation in perpetuity. As part of the legal agreement each native vegetation offset must have a management plan; known as a vegetation offset management plan (VOMP). The VOMP prescribes a list of actions and specific conservation outcomes that must be achieved for each site by the end of a 10 year period of management.

These outcomes are often the removal of existing weed species in the offset site and the survival of a prescribed amount of planted native vegetation, natural recruitment of a certain amount of native vegetation and/or the protection of a certain amount of existing remanet native vegetation. These outcomes are referred to in the VOMP as ‘gain targets’.

Council is seeking to engage a panel of suitably qualified contractors with significant field experience in managing and reporting on Victorian native vegetation offsets to manage various vegetation offset sites in line with the prepared VOMP. The contractors will be expected to perform all actions listed in the VOMP including annual reporting to both council and the state government, detailing the completed actions and environmental condition of the site.

This project will be for an initial two year period with the option to extend for a further two x 12 month period, at Council’s discretion, to a maximum of four years.

In preparing the tender documentation, options including employing additional staff to council’s environmental land team was considered. In arriving at the tender option, it was considered more appropriate to use contractors which could be engaged for specific tasks and who could be utilised on an as and when basis, and as seasonal or circumstantial changes dictate.

The employment of permanent staff does not provide this flexibility and will likely not provide better efficiencies or reduced cost options.

Response

Tenders were advertised in The Border Mail and TenderSearch on Saturday, January 28, 2017 and closed at noon on Tuesday, February 21, 2017.

Twenty documents were issued. Four submissions were received.
There were no late or non-conforming tenders received.

### Tenders received

<table>
<thead>
<tr>
<th>Name / company</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ecological Enhancement Services</td>
</tr>
<tr>
<td>2. Enviro Culture Services Pty Ltd</td>
</tr>
<tr>
<td>3. GK Ecological Protection Systems P/L t/as GKEPS Pty Ltd</td>
</tr>
<tr>
<td>4. ASPLUNDH Tree Expert Australia Pty Ltd</td>
</tr>
</tbody>
</table>

This tender was for a schedule of rates only against a series of likely scenarios. The dollar value of each tender has not been provided for commercial in confidence reasons.

### Evaluation team members

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew Griffiths</td>
<td>Natural Resources Coordinator</td>
</tr>
<tr>
<td>Richard Lamb</td>
<td>Team Leader Parks</td>
</tr>
<tr>
<td>Michael Power</td>
<td>Team Leader Gardens</td>
</tr>
</tbody>
</table>

### Evaluation

The following selection criteria were used as advertised in the tender document.

<table>
<thead>
<tr>
<th>Evaluation criteria</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefit to the local region</td>
<td>10%</td>
</tr>
<tr>
<td>Environmental sustainability</td>
<td>5%</td>
</tr>
<tr>
<td>Occupational Health &amp; Safety</td>
<td>5%</td>
</tr>
<tr>
<td>Ability to meet timeframes</td>
<td>25%</td>
</tr>
<tr>
<td>Relevant experience</td>
<td>30%</td>
</tr>
<tr>
<td>Resources</td>
<td>25%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
</tr>
<tr>
<td>Price</td>
<td></td>
</tr>
</tbody>
</table>
Score the following point scoring was applied to the criteria:

<table>
<thead>
<tr>
<th>Score</th>
<th>Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Non-compliant</td>
<td>Fails to satisfy specified requirements</td>
</tr>
<tr>
<td>1</td>
<td>Below expectations</td>
<td>Does not meet the requirement to a major degree</td>
</tr>
<tr>
<td>2</td>
<td>Marginally</td>
<td>Does not meet the requirement but may be adaptable or made acceptable</td>
</tr>
<tr>
<td>3</td>
<td>Acceptable</td>
<td>Meets the requirement except in minor aspects</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Successful completion likely</td>
</tr>
<tr>
<td>4</td>
<td>Very good</td>
<td>Meets the requirement but may be marginal in minor aspects</td>
</tr>
<tr>
<td>5</td>
<td>Superior</td>
<td>Meets or exceeds the requirement in all respects</td>
</tr>
</tbody>
</table>

To calculate the weighted score: weighting x score = weighted score. The tendered price is then divided by the technical / quality analysis (competitively neutral, net present value), to provide the value for money (VFM) indicator.

The process

All tenders were evaluated in accordance with the council’s tendering policy and guidelines and addressed the evaluation criteria listed in the tender documents.

Two of the tenderers (Ecological Enhancement Services and Enviro Culture Services Pty Ltd) are locally based and therefore known to council staff. The quality of their work is known as satisfactory; having completed work for council in the past.

Ecological Enhancement Services and Enviro Culture Services Pty Ltd are both OH&S prequalified with council. Both rated very well with their initial submissions and were very competitive with their schedule of rates.

GK Ecological Protection Systems P/L t/as GKEPS Pty Ltd provided a very good submission although their rates were not as competitive as the two companies referred above. The business is based in Benambra and has not been engaged by council in the past. Having said that; from the submission provided, they appear quite capable of delivering the services required for this project and were assessed accordingly.

GK Ecological Protection Systems P/L t/as GKEPS Pty Ltd is not OH&S prequalified with council but would be required to meet the requirements if selected for this panel of suppliers.
8.6 - Provision of a Vegetation Offset Management Panel of Contractors (cont’d)

ASPLUNDH Tree Expert Australia Pty Ltd are Melbourne based and have not worked for council in the past. Their expertise is more tree management based and did not meet a number of requirements of the tender. The initial assessment reflected a relative lack of experience and expected resources, to meet project requirements. The quoted schedule of rates was not consistent with the other submissions making the tender not competitive.

After completing the value for money assessment Ecological Enhancement Services, Enviro Culture Services Pty Ltd and GK Ecological Protection Systems P/L t/as GKEPS Pty Ltd offer council competitive rates, as a panel of contractors, for the project W922-16 Vegetation offset management.

The value for money indicator for each tenderer is shown below:

**Value for money**

The value for money indicator for each tenderer is shown below:

<table>
<thead>
<tr>
<th>Name / company</th>
<th>Value for money</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ecological Enhancement Services</td>
<td>0.93</td>
</tr>
<tr>
<td>2. Enviro Culture Services Pty Ltd</td>
<td>1.12</td>
</tr>
<tr>
<td>3. GK Ecological Protection Systems P/L t/as GKEPS Pty Ltd</td>
<td>1.97</td>
</tr>
<tr>
<td>4. ASPLUNDH Tree Expert Australia Pty Ltd</td>
<td>4.68</td>
</tr>
</tbody>
</table>

Therefore, after all assessments, the panel considered that the tender submissions from Ecological Enhancement Services, Enviro Culture Services Pty Ltd and GK Ecological Protection Systems P/L t/as GKEPS Pty Ltd provided the best value for money option for the council.

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wodonga is a prosperous regional city, alive with opportunity and thriving on growth and investment.</td>
<td>Create awareness and empower communities to cope with the impacts of climate change.</td>
<td>Develop an environmental strategy for Wodonga</td>
</tr>
<tr>
<td>We are innovative, responsive and responsible in the way we conduct business.</td>
<td>Ensure council is committed to improving sustainability of the city for future generations</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>
Ordinary meeting – March 20, 2017

8 - Officers reports for determination
Planning and Infrastructure

8.6 - Provision of a Vegetation Offset Management Panel of Contractors (cont’d)

Council policy / strategy implications

The management of council offsets fulfils council’s legal obligations to manage and protect native vegetation in compensation for native vegetation removals elsewhere.

The Environmental lands audit report (2014), recommended that council provide funds to manage councils outstanding vegetation offset commitments. This was listed as action 5 on councils outstanding audit items register. Funds were provided to the 2016/2017 Environmental Lands budget with a commitment to continue to fund for the 10 year intensive management period. These funds will be used to manage these offsets in line with the VOMP’s.

Ongoing management works will improve the environmental quality of the offset sites and will increase ecological and biodiversity outcomes by improving connectivity through the developing urban landscape. This is achieved through improved environmental condition and connections with other environmental lands managed by council.

Risk and opportunity management implications

<table>
<thead>
<tr>
<th>Risk description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental outcomes are not achieved.</td>
<td>4</td>
<td>D</td>
<td>L</td>
<td>Council natural resources officers will monitor offsets to ensure it is on target to reach gains. Contracts specify timeframes for re-evaluation.</td>
</tr>
<tr>
<td>Contractor unable to complete works</td>
<td>4</td>
<td>D</td>
<td>L</td>
<td>Council natural resources officers will monitor works. Panel of contracts gives council ability to appoint others to complete works</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunity description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improved environmental condition of sites, linking to adjoining environmental land managed by council.</td>
<td>3</td>
<td>B</td>
<td>S</td>
<td>Rehabilitation of the offset sites site will enhance the adjacent environmental lands and improve connectivity.</td>
</tr>
</tbody>
</table>
Financial implications

<table>
<thead>
<tr>
<th></th>
<th>2016-2017 approved budget $</th>
<th>This proposal $</th>
<th>Variance to approved budget $</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>Allocated amount in Environmental lands</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>budget</td>
</tr>
<tr>
<td>Expense</td>
<td>100,000</td>
<td>100,000</td>
<td>0</td>
<td>Amount proposed per this tender</td>
</tr>
<tr>
<td>Net result</td>
<td>(0)</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

Environmental implications

The VOMP prescribes a list of actions and specific conservation outcomes that must be achieved for each site by the end of a 10 year period of management. These outcomes are often the removal of existing weed species in the offset site, the survival of a certain amount of planted native vegetation or naturally regenerating native vegetation, and/or the protection of a certain amount of existing remanet native vegetation.

Council are required to manage the vegetation offset at the condition reached at the end of the 10 year period in perpetuity. It is therefore critical that the 10 year intensive management period is successful in getting offsets into a semi self-sustaining state to reduce the post 10 year ongoing maintenance requirements for each site.

Social / cultural implications

Benefits to the local region

Based on the responses to this mandatory criteria:

Ecological Enhancement Services and Enviro Culture Services Pty Ltd are locally based businesses of varying sizes.

Enviro Culture Services Pty Ltd has a range of resources operating a diverse range of business interests whereas Ecological Enhancement Services operates on a smaller scale. Both being capable of meeting the projects needs in their appropriate areas.

Materials, plant and equipment are sourced locally.

Both have a history of being strong supporters of their local communities.

GK Ecological Protection Systems P/L t/as GKEPS Pty Ltd is Benambra based and has the resources to meet the business needs of the project.
Their presence in the local area, through this project, will inject revenue into the local community based on the amount of works allocated over the duration of the contract.

**Legislative implications**

Council has made legal agreements with the State Government to manage these vegetation offsets to reach required environmental ‘gain targets’ in return for the removal of protected native vegetation elsewhere. Under this legal agreement, council is required to intensively manage these offsets for a period of 10 years to reach the required gain target, then maintain the offset in this condition in perpetuity.

**Community engagement and internal consultation**

Internal council officers have discussed the best approach for management of the Vegetation offsets. At this stage, it has been determined that contract labour represents the best value for money to fulfil council’s legal obligation to manage these offsets.

**Options for consideration**

**Option one – Do nothing.** This is not recommended as lack of activity in the vegetation offset areas will be in contravention with the legal agreement with the State Government.

**Option two** – Accept the recommendation and award the tender.

**Conclusion**

Four conforming tenders were lodged which has led to a competitive schedule of rates being obtained. The management of the vegetation offset sites using a panel of contractors to meet the specific conservation outcomes identified in the state government agreement represents the best operational efficiency and value for money outcomes.

Accordingly it is recommended that the council pursue option two.

**Attachments**

Nil

**Tabled papers**

Nil
8.6 - Provision of a Vegetation Offset Management Panel of Contractors (cont’d)

Declaration of conflict of interests

Under section 80C of the *Local Government Act* 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Planning and Infrastructure - Leon Schultz
In providing this advice, I have no interests to disclose in this report.

Manager Parks and Gardens - Peter Mclarty
In providing this advice, I have no interests to disclose in this report.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Manager Governance and Customer Focus - Spencer Rich
In providing this advice, I have no interests to disclose in this report.

Natural Resources Coordinator - Andrew Griffiths
In providing this advice as the report author, I have no interests to disclose in this report.

Contracts Administrator - Peter Whitmarsh
In providing this advice as the report author, I have no interests to disclose in this report.

**Recommendation**

That:

1. The tender submissions from Ecological Enhancement Services, Enviro Culture Services Pty Ltd and GK Ecological Protection Systems P/L t/as GKEPS Pty Ltd for contract number W922-16 Vegetation offset management panel of contractors for the contract sum not to exceed $100,000.00 (excluding GST) per annum, be accepted based on the schedule of rates tendered; and

2. The contract period should commence from April 1, 2017, for a two year period, with the option to extend a further two x 12 month periods to a maximum of four years;

3. That a report be presented to a future council meeting detailing the outcomes of the works and the achievements of the contract.

**Motion**

Crs John Watson / Danny Lowe

That the recommendation be adopted.

Carried
8.7 - Leneva Baranduda Precinct Structure Plan - Wodonga Planning Scheme Amendment C121

Purpose of report

To brief councillors on the development of the Leneva Baranduda Precinct Structure Plan (PSP) and to seek a resolution from council directing officers to seek authorisation from the Minister for Planning, to prepare and exhibit the Planning Scheme Amendment C121.

Background

Context for development in the Leneva Baranduda Growth Area

The area of North Leneva (Leneva Valley) and Baranduda, has long been recognised as the future growth area for Wodonga. Strategic planning of the area dates back to the 1990s when the Albury Wodonga Corporation (AWC) was active in land acquisition, development and sales of urban land on both sides of the border.

Completion of planning for Leneva Baranduda Growth Corridor will provide a medium to long term planning framework for the future urban development of Wodonga.

The AWC and Wodonga City Council collaborated in the late 1990s on the initial identification of a growth area and the early stages of a strategic planning process, to ensure that long term growth was adequately expressed in the Wodonga Planning Scheme. This included the development of the Wodonga Retained Environmental Network Strategy (WRENS), a conservation strategy that gives certainty to both land developers and the community that appropriate protection will be provided to land with landscape and environmental values across the recognised growth area.

Leneva Baranduda Growth Area Framework Plan

By 2011, various economic and social factors, such as Wodonga’s continued higher growth rates and land sales, changing government policy and planning provisions meant that a review of the earlier structure planning for Wodonga’s Growth Area was required. The resulting Draft Leneva-Baranduda Growth Area Framework Plan (Draft Framework) was undertaken in 2011-12. The Draft Framework was subject to community engagement in July- August of 2012.

The 2012 Draft Framework, included an expanded Growth Area boundary from earlier investigations and strategic works, and more importantly, in accordance with planning policy direction, reinforced the need to ensure that Growth Area Planning was not undertaken in isolation. It was recognised that consideration of future obligations and resources including capital expenditure, environmental and social requirements for growth, formed an essential part of the process.

As such the Draft Framework advanced the previous structure planning work by providing an integrated approach, a greater level of resolution based on community feedback, technical information and data not previously collated or undertaken into a single document.
Noting the scope of additional work required to complete the Draft Framework, officers sought the advice of the Growth Areas Authority (now the Victorian Planning Authority (VPA)) on works required to finalise the Draft Framework given the Authority’s expertise in growth planning.

What is the Leneva Baranduda Precinct Structure Plan?

Following commitment from the then Planning Minister in late 2013, to provide funding to complete the Draft Framework, council resolved at its August 2014 meeting to request the Minister to rezone approximately 600 ha of land within the Growth Area Corridor to Urban Growth Zone (UGZ). Further, it was resolved that council requested a Precinct Structure Planning (PSP) process inclusive of a Development Contributions Plan (DCP) be undertaken in collaboration with the VPA.

The Leneva Baranduda PSP consists of the following key elements:

- **Background Report** – this provides a summary of the elements that have informed the preparation of the PSP, including state and local government policy, technical studies such as traffic modelling and natural and cultural factors (i.e. topography and the existing road network).

- **Precinct Structure Plan** – sets out the plans to guide the delivery of quality urban environments; enables the transition of non-urban land to urban land; sets the vision for how the land should be developed and the outcomes to be achieved; sets out objectives, requirements and guidelines for land use, development and subdivision; provides government agencies, council, developers, investors and local communities with certainty about future development.

- **Development Contribution Plan** - a mechanism used to seek contributions towards planned infrastructure identified in the PSP that is needed to service the future community.

- **Schedule 1 to Wodonga Planning Scheme clause 37.07 Urban Growth Zone (UGZ)** – which sets out the purpose; the permissible and prohibited uses; the building and works requirements; subdivision requirements; decision guidelines and notification requirements for development within the UGZ.

What the proposed amendment C121 does:

- Amends the schedule to clause 81.01 to incorporate two (2) documents into the Wodonga Planning Scheme – “Leneva Baranduda Precinct Structure Plan” (February 2017) and “Leneva Baranduda Development Contributions Plan (February 2017)

- Amend Schedule 1 to 37.07 UGZ of the Wodonga Planning Scheme to relate to the Leneva Baranduda Precinct Structure Plan;
8.7 - Leneva Baranduda Precinct Structure Plan - Wodonga Planning Scheme Amendment C121 (cont’d)

- Rezone part of lot 23 PS 511568 from Rural Living Zone (RLZ) to Urban Growth Zone Schedule 1 (UGZ1);
- Rezone land, lot 32 PS 627692 from Farming Zone (FZ) to Urban Growth Zone Schedule 1 (UGZ1);
- Rezone land, lot 1 PS 407656 from Public Use Zone 5 (PUZ5) to UGZ1;
- Rezone land, lot 1 PS 616987 (two parts) from Public Park and Recreation Zone (PPRZ) to UGZ1;
- Delete the Development Plan Overlay Schedule 6 (DPO6) from that part of lot 2 PS 644963 being rezoned to UGZ1 (deletes a land use control not required under the UGZ);
- Amend the schedule to clause 43.01 Heritage Overlay to include the recommendations of the “Leneva Baranduda Precinct Structure Plan, Baranduda, Victoria – Post Contact Heritage Assessment (June 2015)”;
- Delete the existing Floodway Overlay (FO) from Middle Creek;
- Delete the Land Subject to Inundation Overlay (LSIO) from Middle Creek;
- Apply a new Floodway Overlay to Middle Creek and its tributary (currently known as N1);
- Delete the Vegetation Protection Overlay (VPO) from a portion of Middle Creek, along sections of the Kiewa Valley Highway and from Boyes Rd, John Schubert Drive and parts of Drapers Road;
- Amends clauses 21.11, 21.12 and 21.13 of the Municipal Strategic Statement to update content on land use and development within the Leneva Baranduda Growth Area Corridor - PSP framework);
- Insert clause 45.06 Development Contributions Plan Overlay (DCPO);
- Insert Schedule 1 to clause 45.06 Development Contributions Plan Overlay, Leneva Baranduda Development Contributions Plan;
- Amend the schedule to Clause 52.10 to provide for passive open space contributions within the amendment area in accordance with the PSP land use budget;
- Amend the schedule to Clause 61.03 to update planning scheme maps and include DCPO in the list of planning scheme maps in the Wodonga Planning Scheme.

See Attachment A and B: Planning Scheme Amendment C121 Explanatory Report and Planning Scheme Map (DCPO), for details of the strategic justifications for the amendment.
What is a Development Contributions Plan (DCP)?

An integral component of PSP is the provision of adequate resources to deliver key infrastructure in a staged and timely manner. A DCP is a mechanism used to seek contributions towards planned infrastructure identified in the PSP that is needed to service the future community. An approved DCP is applied via a Development Contribution Plan Overlay (DCPO) in the planning scheme. The extent of the application of the DCPO is shown at attachment B.

What items does a DCP include?

A DCP identifies infrastructure items to be provided in the PSP area, which:

- must serve a neighbourhood or larger area including new items or upgraded provision of existing items
- must be used by a broad section of the community
- will in most cases serve a wider catchment than an individual development

How are contributions collected?

A DCP contains contributions obtained from two different sources

1. a development infrastructure levy (DIL); and
2. a community infrastructure levy (CIL).

DIL includes:

- **Transport Projects**: Based on the transport network and depicted within the PSP and includes; construction of controlled intersections and associated works, road construction and construction of waterway crossings.

- **Drainage Projects**: includes stormwater quality treatment retarding basins and wetlands. A drainage strategy focuses on keeping post development peak flow rates at pre-development levels and minimising impacts of development on the waterways. In terms of stormwater quality, stormwater systems must be designed to meet best practice objectives and include such features as water sensitive urban design to manage runoff.

A breakdown of the draft DIL shows that the contribution for residential development, based on a preferred density of dwellings per net developable hectare (ndha) is:

Cost per lot @ 15 dwellings/ndha = $14,319  
Cost per lot @ 12 dwellings/ndha = $17,898  
Cost per lot @ 10 dwellings/ndha = $21,478
CIL includes:

- **Community Facilities Projects**: includes the construction of community centres and some sporting facilities.

Contributions and project costs of the CIL are summarised at **Tables 1 and 2** below.

**Table 1** indicates the total sum raised from the CIL and **Table 2** indicates a funding shortfall in the provision of what is considered to be *minimal but essential community infrastructure*. This funding/capital expenditure will be considered in future budgets, over the life of the DCP i.e. approximately 20 years.

**Table 1: Draft DCP, CIL total (February 2017)**

<table>
<thead>
<tr>
<th>Capped at $1,150 per dwelling</th>
<th>Estimated dwellings</th>
<th>Estimated total contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6,157</td>
<td>$7,080,505</td>
</tr>
</tbody>
</table>

**Table 2 Draft DCP, CIL funds Vs cost (February 2017)**

<table>
<thead>
<tr>
<th>Capped at $1,150 per dwelling</th>
<th>Estimated total contribution</th>
<th>Estimated cost all projects</th>
<th>Estimated shortfall</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$7,080,505</td>
<td>$16,418,000</td>
<td>($9,337,495)</td>
</tr>
</tbody>
</table>

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wodonga is a prosperous regional city, alive with opportunity and thriving on growth and investment</td>
<td>Plan for Wodonga’s growth by ensuring land and infrastructure is sustained for residential, commercial and industrial development.</td>
<td>Develop a plan for sustainable urban growth in the Leneva-Baranduda area</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

The development of the Leneva Baranduda Growth Area Corridor has been a long term objective of the Wodonga City Council, as discussed in this report. The land has been held in its current form for the planned purpose of structure planning. The current Local Planning Policy Framework (LPPF) clearly articulates this objective and purpose for the land.

The development of the PSP and the amendment implement the objectives and strategies of the Wodonga Local Planning Policy Framework at Clause 21.03-2 Urban Growth: “Ensure that the medium to long term residential growth can be accommodated in Leneva Valley and Baranduda”
Wodonga Growth Strategy:

The PSP and its implementation is consistent with the *Wodonga Growth Strategy 2016 (WGS) and Implementation Plan* in that the vision and objectives of this adopted strategy, clearly articulates at Section 4 “Efficient and Sustainable Settlement” where the finalisation of the PSP and the undertaking of a corresponding Planning Scheme Amendment, is vital to continued sustainable and managed growth for Wodonga.

Council’s internal process is that the amendment will appear before council a minimum of 3 times for consideration and discussion, on aspects of the amendment and the *draft* documentation, as it progresses through the stages of the amendment process:

1. To seek authorisation (current)
   a. To prepare the amendment
   b. To exhibit the amendment

2. To consider submissions
   a. To consider submissions and impacts on the draft documents, via changes requested in the submissions
   b. To resolve to appoint a planning panel

3. To consider any subsequent panel report and recommendations.
   a. Consider any changes to be made to the draft documents from the Planning Panel recommendations
   b. Consider any recommendations from officers
   c. Resolution to adopt the amendment and seek Ministerial approval of the amendment.

**Risk and opportunity management implications**

A Risk assessment was undertaken by officers and is articulated below treatments.

<table>
<thead>
<tr>
<th>Risk description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to resource and ensure DCP is administered in a timely and legal manner</td>
<td>1</td>
<td>C</td>
<td>H</td>
<td>Resource DCP committee</td>
</tr>
<tr>
<td>Failure to achieve outcomes required by State government funding</td>
<td>2</td>
<td>D</td>
<td>S</td>
<td>Proceed with full PSA</td>
</tr>
<tr>
<td>Failure to maintain development fronts</td>
<td>3</td>
<td>B</td>
<td>M</td>
<td>Proceed with full PSA</td>
</tr>
<tr>
<td>Reputational Risk – future government funding</td>
<td>2</td>
<td>B</td>
<td>S</td>
<td>Proceed with full PSA</td>
</tr>
<tr>
<td>Proceeding with PSA that is not appropriate for local content and context</td>
<td>2</td>
<td>A</td>
<td>S</td>
<td>Proceed only when satisfied with the document</td>
</tr>
</tbody>
</table>
8.7 - Leneva Baranduda Precinct Structure Plan - Wodonga Planning Scheme Amendment C121 (cont’d)

<table>
<thead>
<tr>
<th>Opportunity description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opportunity to implement a robust land use framework – tailored for local conditions</td>
<td>2</td>
<td>B</td>
<td>H</td>
<td>Proceed with PSA, including appropriate resourcing to ensure smooth implementation and legal requirements undertaken</td>
</tr>
<tr>
<td>Maintain multiple growth fronts for urban development</td>
<td>2</td>
<td>B</td>
<td>H</td>
<td>Proceed with PSA, including appropriate resourcing to ensure smooth implementation and legal requirements undertaken</td>
</tr>
<tr>
<td>Collection of apportioned development contributions</td>
<td>2</td>
<td>B</td>
<td>S</td>
<td>Implement the DCP as part of the PSA and PSP</td>
</tr>
</tbody>
</table>

**Financial implications**

<table>
<thead>
<tr>
<th></th>
<th>2015-2016 approved budget $</th>
<th>This proposal $</th>
<th>Variance to approved budget $</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>Nil</td>
<td>Nil</td>
<td></td>
<td>Funding from the Victorian State Government, covers the preparation of the Precinct Structure Plan and associated technical studies and documentation.</td>
</tr>
<tr>
<td>Expense</td>
<td>$80,000</td>
<td>$80,000</td>
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<td>Estimated cost for the Planning Scheme Amendment and subsequent Planning Panel.</td>
</tr>
<tr>
<td>Net result</td>
<td>($80,000)</td>
<td>($80,000)</td>
<td></td>
<td>Estimated cost for the Planning Scheme Amendment and subsequent Planning Panel. Advocacy, expert witness, cost of panel (potentially 2 -3 members)</td>
</tr>
</tbody>
</table>

**Environmental implications**

The PSP uses the backdrop to the surrounding hills and a well-defined urban character that has a strong relationship to that surrounding landscape. A series of technical and environmental documents have been used to inform the development of the PSP documentation.

Integrated planning for waterways and water usage, will result in a more resilient water management system for the precinct. The PSP also is defined by the WREN strategy which includes a conservation network of reserves and open space linkages to promote biodiversity and connectivity with the greater landscape through and beyond the precinct boundaries.

In addition, it is envisaged that the future open space network for passive and active areas will embellish the conservation reserve system to provide local amenity to each point of the precinct and the unique opportunities the network will present to the WREN network.
Social / cultural implications

A Cultural Heritage Assessment has been undertaken with several areas identified for further investigation upon development.

A post-contact (European Heritage) Assessment has also been undertaken. The result of the European assessment is that several properties have been identified. Guidelines in the PSP will require that design considerations be undertaken to incorporate where possible these items into the urban landscape.

Consideration has also been given to other cultural impacts such as:

- Healthy communities;
- Built form;
- Accessibility for all members of a community;
- Connectivity and public transport provisions;
- Pedestrian and cycle network (alternative transport methods); and
- Identification of some heritage items

Legislative implications

The PSP is informed by:

- The State and Local Planning Policy Frameworks asset out in the Wodonga Planning Scheme;
- The Wodonga Growth Strategy
- Water for Victoria (Policy)
- Wodonga Integrated Transport Strategy
- Leneva Baranduda Native Vegetation Management Plan (WREN)
- Precinct Structure Planning Guidelines (VPA)

Community engagement and internal consultation to date

Individual letters were sent to all land owners in April 2015, outlining the rezoning of approximately 600 Ha of land within the Growth Area to Urban Growth Zone by the Minister for Planning and informing land owners of council’s request to the Victorian Planning Authority to collaborate with council in developing a PSP.

City Life article in September 2015 and regular updates as to its progress are placed periodically when possible.

Draft technical background documentation has long been made available on the Wodonga council’s website and VPA’s website.

A communications strategy that will consider engagement beyond that required by the planning scheme amendment and exhibition requirements of the Planning and Environment Act 1987, will be developed over the coming weeks.
The strategy will ensure that interested parties, the community and affected land owners will have access to information and provided with the opportunity to understand the implications of the amendment.

**Options for consideration**

**Option 1** - Do nothing – Defer the progress of the PSP and associated documentation and changes to the Wodonga Planning Scheme.

**Option 2** – After considering the contextual and historical background information to the PSP, resolve to authorise officers to seek authorisation from the Minister for Planning to prepare and exhibit the Planning Scheme Amendment C121 to the Wodonga Planning Scheme.

**Conclusion**

This report provides historical context and recent progress on the PSP and the DCP to date.

It is important to note that seeking of authorisation from the Minister for Planning to prepare and exhibit the planning scheme amendment C121 does not indicate that the amendment will be approved in this current form. Wodonga City Council recognises that documents are in a draft form, until eventually approved or not, by the Minister for Planning at the end of the Planning Scheme Amendment process.

In consideration of the above statement it is argued that council should have confidence in the quality and quantity of work that underlies the Leneva Baranduda PSP. The process and robustness of the information supporting the PSP has resulted in a tailored suite of documents that is unique to Wodonga in many aspects.

The VPA have many years of experience in the development and implementation of structure plans across the State. For these reasons officers seek a resolution from council to proceed with the next phase in the PSP process.

**Attachments**

The following documents are attached to this report:

- Attachment A: Planning Scheme Amendment C121 Explanatory Report
- Attachment B: Development Contributions Overlay

**Tabled papers**

Nil
Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Planning and Infrastructure - Leon Schultz
In providing this advice, I have no interests to disclose in this report.

Manager Planning and Building - John Sidgwick
In providing this advice, I have no interests to disclose in this report.

Team Leader Strategic Planning - Kenneth Chan
In providing this advice, I have no interests to disclose in this report.

Strategic Planner - Timothy Cheetham
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

1. Resolve to authorise officers to seek authorisation from the Minister for Planning to prepare Amendment C121 to the Wodonga Planning Scheme which would seek to implement the Leneva Baranduda Precinct Structure Plan and Leneva Baranduda Development Contributions Plan; and

2. Authorise officers to undertake public exhibition of the planning scheme amendment in accordance with the requirements of Section 19 of the Planning and Environment Act, 1987 once authorisation has been received.

Motion

Crs Danny Lowe / John Watson
That council:

1) Resolve to authorise offices to seek authorisation from the Minister for Planning to prepare amendment C121 to the Wodonga Planning Scheme which would seek to implement the Leneva Baranduda Precinct Structure Plan and the Leneva Baranduda Development Contributions Plan; and

2) Resolve to authorise officers to seek authorisation from the Minister of Planning to provide an extended exhibition process.

3) Prior to commencing Formal Exhibition an Information session will be held with interested parties, community and affected Land owners to ensure a greater understanding of the implications of the amendment.

4) Authorise officers to undertake public exhibition of the planning scheme amendment in accordance with the requirements of the Section 19 of the planning and Environment act, 1987 once authorisation has been received.

Carried
In speaking to this motion two councillors, Crs Mildren and Lowe, requested to have their comments recorded in the minutes.

Cr Ron Mildren

I am very cognisant of my role as a Councillor under the Act and the Councillor Code of Conduct and in particular the separation of functions between Councillors and staff.

I recognise that the Councillor Code of Conduct and the Act consider it improper for a Councillor or indeed for the Council collectively to give direction in respect to an officer report or to otherwise seek to influence staff advice including reports to Council.

Potentially this places any Councillor who may have a different point of view to that presented in an officer report in a difficult position. This in combination with the confidentiality provision imposed under section 77 of the Act on matters contained or discussed in a Councillor Briefing meeting can create a difficulty in openly presenting a logical and generally coherent position in opposition.

I propose to seek to present a differing point of view without transgressing the Code or the confidentiality requirements of the Act.

It is widely recognised that there is a long history of strategic planning associated with Baranduda and Leneva areas dating back to the AWDC era and that there has been a number of manifestations, modifications and reviews of strategic plans since that time.

This strategic planning exercise is simply that latest version and it is generally consequent of a number of issues that arose some five or six years ago and which generated a need for substantive review.

This latest strategic planning process has involved some stakeholder consultation however it is my understanding that the current plan in its finished form has not been exhibited and that the most recent consultation was during preparatory stages in early to mid 2015. I understand that some working documents in respect to specific components were available on the internet during the process.

In my opinion it is grossly improper for Council to seek to implement a strategic plan through a planning scheme amendment without that plan having been presented for formal public consultation in its finished form. It is entirely improper to present it as an effective ‘fait accompli’ as part of the Planning Scheme Amendment.

In respect to the Developer Contributions component of the Strategy I understand that Council some time ago requested officers and the (now) Victorian Planning Authority to review the contribution dollar amounts with a view to reduction of the contribution amount.
There may be many issues or concerns with such a request however I am concerned with the issues associated with the cost of those infrastructure items reduced or omitted consequent of the reduction. More particularly I am concerned with who will be required to pick up the tab for those infrastructure items when the future community demands that they be provided. I am concerned that the Ratepayers will be called upon to make up the difference and that this will put more pressure on Council to borrow more.

I am also concerned that the Strategic Plan presents a ‘cookie cutter’ development future with inadequate opportunity for market segment diversity. It looks to serve the status quo without, in my opinion, adequate attention to affordable housing or indeed higher end market segments. Strategic planning at this scale and extent should seek to provide opportunities for a wide market segment diversity and security of investment.

At the very least I believe the full completed Strategic Plan should be put to community consultation for at least a month and written submissions invited as a separate process to the Planning Scheme amendment.

Cr Danny Lowe

Quick summary and please correct me if I am wrong or have misinterpreted something Leon at the end of my summary.

5th April 2007 via c37 planning scheme amendment the North Leneva Structure Plan was implemented into Wodonga Planning Scheme.

2012 Leneva Baranduda Growth Area Framework Plan was developed as an evolution of the 2oo6 Leneva Structure Plan

June 2012 released for public consultation, consultation completed in August 2012 with 34 formal submissions.

Sept 2012 Council received community feedback report in which councillors identified 6 Key comments to provide direction on , to inform the next stage of the planning process for the Leneva Baranduda Growth Area.

19th August 2013 council adopted the 6 key directions.

2014 the minister of planning made overtures to assist with the growth area planning and introduced the Urban Growth Zone amendment C117.

2014 Directions from the Minister to the VPA ( now MPA ) to assist with Precinct Structure Planning and Developer Contributions Plans where specialists were engaged to assist with this.

2015 Councillors briefed by MPA and residents via City Life in Sept and Dec of that year with some feedback from residents.
2016 Wodonga Growth Strategy adopted placed on exhibition and consulted on.

2016 - 27th June and 15th August council meetings received further reports.

2016 - November A new council was sworn in.

Jan 17 new council briefed by MPA & Officers.

Feb 27 new council briefed again by officers.

So now to decide on whether to Authorise to Prepare and Exhibit the Amendment.

The history is extensive, experts in their field were brought in to assist and guide council in effectively designing a new city.

There are Further opportunities to consult the community and invite submissions and council has 2 more opportunities beyond tonight to consider the submissions.

Let's work with the party's if problems have arisen or may arise and find good working solutions for everyone.

One of Councillors main duties is long term strategic planning and that's exactly what we are doing here. So let's just keep the ball rolling.

And people wonder how I kill time at Flip out.
Who is the planning authority?

This amendment has been prepared by the Wodonga City Council, which is the planning authority for this amendment. The Amendment has been made at the request of the Wodonga City Council.

Land affected by the Amendment

The Amendment applies to approximately 1070 Hectares of land known as the Leneva Baranduda Precinct Structure Plan (LBPS). The land affected by the amendment is shown below (Map 1).

What the amendment does

The Amendment proposes to incorporate two documents into the Wodonga Planning Scheme titled “Leneva Baranduda Precinct Structure Plan, [date]” and “Leneva Baranduda Development Contributions Plan [date]”. The amendment also rezones land known as the Baranduda Sporting and Recreation Facility at Middle Creek and land (lot 2 PS 644963, lot 32 PS 627692, lot 1 PS 407656, lot 1 PS 616987) to Urban Growth Zone Schedule 1 to facilitate the development of the land and makes a number of other changes to the Wodonga Planning Scheme.

More specifically, the Amendment proposes the following changes to the Wodonga Planning Scheme:

- Amend Schedule 1 to 37.07 Urban Growth Zone (UGZ) of the Wodonga Planning Scheme to relate to the Leneva Baranduda Precinct Structure Plan;
- Amend the Wodonga Municipal Strategic Statement clause 21.11 “Infrastructure” and clause 21.13 “Local Areas” to correct grammatical wording and to update content relating to the Leneva Baranduda Growth Area Corridor and the associated Development Contributions Plan;
- Amend the Wodonga Municipal Strategic Statement clause 21.12 “Reference Documents” to reference the Whole of Water Catchment Management Plan;
- Rezone part of lot 23 PS 511568 from Rural Living Zone (RLZ) to Urban Growth Zone Schedule 1 (UGZ1);
- Rezone land, lot 32 PS 627692 from Farming Zone (FZ) to Urban Growth Zone Schedule 1 (UGZ1);
- Rezone land, lot 1 PS 407656 from Public Use Zone 5 (PUZ5) to Urban Growth Zone Schedule 1 (UGZ1);
- Rezone land, lot 1 PS 616987 (two parts) from Public Park and Recreation Zone (PPRZ) to Urban Growth Zone Schedule 1 (UGZ1);
- Delete the Development Plan Overlay Schedule 6 (DPO6) from that part of lot 23 PS 644963 being rezoned to Urban Growth Zone Schedule 1 (UGZ1);
- Amend the schedule to clause 43.01 Heritage Overlay to include the recommendations of the “Leneva Baranduda Precinct Structure Plan Post Heritage Assessment”
- Delete the existing Floodway Overlay (FO) from Middle Creek;
- Delete the Land Subject to Inundation Overlay (LSIO) from Middle Creek;
- Apply a new Floodway Overlay to Middle Creek and its tributary (currently known as N1) as shown in maps 13 LSIO-FO, 14 LSIO-FO & 16LSIO-FO;
- Delete the Vegetation Protection Overlay Schedule 4 (VPO4) from a portion of Middle Creek, also along sections of the Kiewa Valley Highway and Boyes Rd, John Schubert Drive and parts of Drapers Road as shown in the attached map 13VPO 16VPO;
- Insert clause 45.06 Development Contributions Plan Overlay (DCPO);
- Insert Schedule 1 to clause 45.06 Development Contributions Plan Overlay, Leneva Baranduda Development Contributions Plan (date);
- Amend the schedule to Clause 52.01 to provide for open space contributions within the Leneva Baranduda Precinct Structure Plan area;
- Amend the schedule to Clause 61.03 to update planning scheme maps and include DCPO in the list of planning scheme maps in the Wodonga Planning Scheme;
- Amend the Schedule to Clause 81.01 to incorporated documents: “Leneva Baranduda Precinct Structure Plan (date)”, “Leneva Baranduda Development Contributions Plan (date)”.
Map 1

precinct boundary
growth area boundary
industrial interface
local town centre
future government school
existing non-government school
community facilities
baranduda sports and recreation facility
local park
local sports reserve
woodonga returned environmental network

landscape values
existing street
opportunity site
utility facility
residential
arterial road
25m landfill gas migration buffer
300m landfill gas migration buffer
bushfire management overlay
100m concrete batching plant air emissions buffer
1.5km green waste facility odour buffer

arterial road
connector street
canterbury street - boulevard
local connection required
offroad shared path
wetland
wetlands
wetland and/or retaining basin
bridge/covert
pedestrian and cycling bridge
potential roads hub (applies to land within the 100m concrete batching plant air emissions buffer)
Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to implement the Leneva Baranduda Precinct Structure Plan and is the culmination of many years of strategic work and investigations undertaken for the future urban growth area and framework development of Wodonga. It follows on from the Draft Leneva Baranduda Growth Area Framework Plan (2012) (LBGAFP) and subsequent Ministerial Amendment C117 to the Wodonga Planning Scheme. The Leneva Precinct Structure Plan and associated documentation, reports and background studies are a further refinement of historic strategic works, which have long identified the Leneva – Baranduda corridor as the preferred urban growth area to service the medium to long term residential land requirements for Wodonga.

The completion of technical studies and background documentation not only informs the Precinct Structure Plan but also informs and supports the introduction of the Leneva Baranduda Development Contributions Plan (dated) and other updated planning controls proposed to be introduced as part of the amendment. The vision, objectives, requirements and guidelines for urban development are well informed and are exclusive to the Leneva Baranduda Growth Area.

Implementation of the amendment to the Wodonga Planning Scheme, will ensure that development can and will occur in a staged and integrated manner. The amendment ensures that a robust urban structure and planning framework are provided to give certainty in development decisions and give clarity to when, where and why development should occur and applies fair and appropriate costs to the provision and location of services.

How does the Amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria by providing for zoning and overlay controls which allow the orderly planning of the growth area to occur, and ultimately providing for the sustainable use and development of the land. A co-ordinated approach to the planning of this growth area, will be able to be achieved through appropriate land use controls and consideration will be given during the detailed planning phases required by the Urban Growth Zone to the adequate provision of infrastructure for environmental, social, economic, conservation and resource management issues, resulting in the creation of more sustainable and liveable communities.

The amendment implements a number of the objectives of planning in Victoria under section 4 of the Planning and environment Act 1987 (Act) in particular:

- To provide for the fair, orderly economic and sustainable use and development of land;
- To secure a pleasant efficient and safe working living and recreational environment for all Victorians and visitors to Victoria;
- To balance the present and future interests of all Victorians; and
- To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community

How does the Amendment address any environmental, social and economic effects?

Environmental Effects:
Development of the land following the amendment will alter the existing farming landscape of the precinct through the formal engineering and management of stormwater flows, increasing the urban population, increasing traffic flows and bringing housing closer to
identified bushfire threat. Development will also allow sensitive land uses where historical farming practices have left localised incidents of pollution.

All of these matters are mitigated through the proposed amendment, in particular:

- The PSP and future urban structure framework plan recognises the Leneva Valley and Baranduda Native Vegetation Precinct Plan (LVBNVPP) and its historical importance, to manage native vegetation and allows for biodiversity connectivity. The framework is in accordance with the conservation values and principles of the LVBNVPP and the Wodonga Retained Environmental Network Strategy (WREN), the Middle Creek and N1 waterway reserve system and recreational values as well as the Whole of Water Cycle Catchment Management Plan 2016 (Integrated Water Management Assessment).

- Investigations undertaken as part of the background works for the PSP have identified that any potential sources of contamination associated with the properties located within the Precinct are generally consistent with the known historical use for farming and grazing purposes and associated human occupation of the area. The Land Capability Assessment recommended that additional investigations be completed for some locations within the precinct, prior to any redevelopment. Despite Council's confidence in the monitoring programme undertaken by Council ongoing monitoring of potential gas migration from a retired land fill site is via bores, is undertaken at the periphery of the buffer separation distance and also at internal points within the former Wodonga landfill site. Accordingly, the amendment (via the UGZ1 and PSP) provides for appropriate considerations to be given to applications that require further investigations be undertaken (sensitive receptors) in relation to potential for contamination, prior to any development being undertaken in the buffer separation area. In this matter it is stated that the requirements of MD1 are satisfied.

Social Effects:
The amendment will have positive social effects by ensuring that the strategic vision for the land is clearly articulated to the community. It has and will continue to enable community participation in the preparation of the Precinct Structure Plan, which has informed the development of comprehensive planning objectives, principles and requirements for the proposed community and neighbourhoods. In addition and following extensive analysis of social and physical infrastructure needs within the new community a development contributions and apportionment scheme for the equitable contribution for social and physical infrastructure will be clearly articulated as part of the planning scheme amendment.

Economic Effects
The amendment will have positive economic effects by acknowledging that land within the PSP area is designated for urban development, thus demonstrating a reduced risk to the financiers of development in the area.

A net community benefit will result from the amendment, as the ultimate and timely release of residential land in Leneva - Baranduda will assist in making development and housing more affordable and will give certainty through the clear identification of land for future urban development including employment generating land uses within the urban landscape. The PSP and DCP include provision and funding mechanisms for community infrastructure which will support the new population growth. It is planned that the contribution amount will be applied, on a per hectare basis and will apply to items such as intersection treatments, roads, bridges, buildings and associated facilities at community hubs, open space and sports reserves (including embellishments).
Does the Amendment address relevant bushfire risk?

During the preparation of the PSP, the State Government is in the process of assessing and applying an amended Bushfire Management Overlay (BMO) to parts of the precinct, as with other areas across the State. In accordance with this future application and the verification process run by the Department of Environment Land Water and Planning, Council and the VPA have included within the PSP the new BMO layer. The PSP at Objective 21 states: “ensure that bushfire protection measures are considered in the layout, staging and design of development and the local street network”.

In addition land identified as subject to “landscape values” at higher levels and increased slope, (Plan 2 of the PSP) requires lower density larger lot development. This design requirement at the upper levels of the valley sides, in addition to the requirement of appropriate interface treatments with open space and crown land reserves, serves to ensure adequate defendable space where required. This design outcomes also enables greater calculation of bushfire measures within an urban and vegetation interface.

With the subject precinct having long been identified as Wodonga future intended urban growth area, the CFA has been an important stakeholder in the historical development of the draft and current precinct framework. Informal and formal engagement and consultation with the CFA will continue throughout the planning for and development of the area.

The proposed schedule one to the UGZ, requires conditioning of permits in that prior to any works commencing, a Site Management Plan is prepared that addresses: bushfire risk, demonstrate the provision (where appropriate) of separation distances specified in the Australian Standards 3959-2009; provide measures to reduce risk from fire within any surrounding undeveloped landscape and; how adequate ingress and egress will be provided for early residents, workers and emergency vehicles. The plan must be submitted to the Responsible Authority.

Does the Amendment comply with the requirements of any Minister’s Direction applicable to the amendment?

The amendment complies with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The amendment is consistent with the Ministerial Direction No 11, Strategic Assessments of the Amendments.

The amendment is complies with Ministerial Direction No 12, Urban Growth Areas and will facilitate the orderly development of land within the Precinct Structure Plan area for urban purposes. It effectively allows for the implementation of the growth area plan via detailed planning undertaken as part of the Precinct Structure Planning process as per the Metropolitan Planning Authority (MPA) process.

The amendment accords with the Victorian Planning Provisions Practice Note – Urban Growth Zones, June 2008 which states that the Urban Growth Zone may be applied to land adjacent to regional cities and towns where a strategy has been prepared that clearly identifies that the land is suitable for future urban development. In this case the draft LBGAFP (2012) does this.

Implementation of the PSP and associated development contributions plan will ensure that sufficient and suitable land is sequentially available for long term, residential, commercial and recreational uses and development to proceed.
Direction No. 1 - Potentially Contaminated Land

The UGZ1 requires that a site assessment of the potential for contaminated land is provided within an application to use or develop the land for a sensitive use. Such assessment will ensure that the condition of the land is known and any identified contamination can be addressed, if required, prior to development occurring.

The UGZ1 also requires that prior to the issue of a Statement of Compliance for the subdivision of land, further testing in accordance with the recommendations of the preliminary Environmental Site Assessment (ESA) must be carried out and any additional requirements must be carried out to the satisfaction of the responsible authority.

Direction No. 11 - Strategic Assessment of Amendments

This direction seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment. This Explanatory Report addresses the requirements outlined in this direction.

Direction No. 12 – Urban Growth Areas

Part 6 of Ministerial Direction 12 requires that when preparing an amendment to introduce or change provisions in a schedule to the UGZ, a planning authority must evaluate and include in the explanatory report a discussion about:

- How the amendment implements any Growth Area Framework Plan applying to the land?

The amendment implements and builds on the Draft Leneva Baranduda Growth Area Framework Plan (LBGAFP) through the PSP which will direct urban development and open space outcomes. The precinct is also guided by the principles and objectives of the WREN Strategy and the Wodonga Growth Strategy.

The PSP embeds the following six guiding principles expressed in the Draft LBGAFP, as follows:

Principle 1 - Integrate natural elements into the urban structure

Urban development responds to, incorporates and protects the WREN and natural landscape setting of the area. The precinct will be characterised by high quality open space, centred on the WREN and water way linear open space network, and will protect landscape features such as ridgelines by only allowing development to occur below the 240m contour line.

Principle 2 – Liveable energy efficient neighbourhoods

The PSP encourages residential subdivision to develop in a sustainable, orderly manner, and provides local conveniences in appropriate locations to encourage sustainable transport modes such as public transport at its permeable road network and walking and cycling ways through the provision of linkages along water ways and linear open space reserve systems.

Principle 3 - Socially sustainable communities

The PSP provides for a diverse mix of housing types and densities, and distributes local convenience retail facilities, community facilities, schools and local parks within walking distance of residential areas.

Principle 4 – Encourage participation in healthy lifestyles

Baranduda Fields will provide for a major regional sporting facility within the precinct that will provide for the local and broader Wodonga community. The precinct will include numerous walking and cycling trails, as well as bicycle lanes and footpaths on all connector roads.
Principle 5 – A low impact transport system

It is recognised that as a regional city, movement of freight and people is dominated by private vehicles. Despite its status as a Greenfield site, the precinct is bounded by major arterial road networks and contains an existing local arterial and connector road network making the precinct an accessible place to live and provide future residents with a range of transport options, retail and community services, recreation, and employment and lifestyle options. These transport options lend to promote social inclusion for all members of the community.

The proposed adapted grid pattern of streets responds to the natural landscape elements and biodiversity values such as the WREN reserve system and surrounding hills. An integrated water management assessment has identified appropriate treatments for the water way network such as the Middle Creek and the N1 water way reserve system, which adds to the legibility and potential for movement through the precinct and into the existing networks.

The collector streets will provide ample opportunity for public transport, bus stops and interchange at local and neighbourhood activity centres and employment hubs, bicycle lanes and linear open space links to promote walking and cycling connections within a safe and pleasant environment provide alternative means of transport to employment and social nodes.

Principle 6 – A water smart city

The PSP supports integrated water management and includes a number of requirements to ensure that best practice water storm water management is practiced within subdivisions.

- How the provisions give effect to the intended outcomes of the Precinct Structure Plan?

The amendment documentation will effectively implement the PSP and Development Contributions Plan and ensures the outcomes sought by the plan are clearly defined. The UGZ1 will apply the Victorian Planning Provisions of the General Residential Zone, Road Zone Category 1, Road Zone Category 2, Mixed Use Zone, Public Park and Recreation Zone and Commercial 1 Zone, to developable land within the plan area.

- How a translation of the provisions can be achieved, once development anticipated by the Precinct Structure Plan is substantially complete?

The UGZ1 has been structured in such a way that the ultimate translation of the zone provisions can occur in a timely and efficient manner once the land has been developed. The provisions have been tailored to the unique landscape setting and requirements of the Leneva Baranduda Growth Area inclusive of open space, commercial and recreation requirements.

- How does the amendment accord with the Precinct Structure Plan Guidelines?

The PSP and associated documents, reports and planning controls were prepared in association with the Metropolitan Planning Authority:

Objective one: To establish a sense of place and community

The precinct will have a strong sense of place based on the natural elements of landscape values -surrounding hill and view lines to those hills, and an urban layout built around the conservation and biodiversity reserve network (NVPP Category 3 land) throughout the Leneva and Baranduda Valley.

Given the size of the precinct (approx. 1017ha), a retail and commercial hierarchy has been established which is to be developed around Community Hub locations and integrated with planned public recreation, active open space facilities and schools all co located in and around the neighbourhood activity centres.
Objective two: To create greater housing choice, diversity and affordable places to live

The precinct includes a range of opportunities for medium and conventional density housing options which can be applied through the Small Lot Housing Code if desired. The Small Lot Housing Code removes the need of a planning permit for lots less than 300 sq m, making the process more streamlined and user friendly, thereby encouraging housing diversity where possible.

Objective three: To create highly accessible and vibrant activity centres

The PSP nominates the locations and a hierarchy of a local neighbourhood centre network at major roads. Urban design requirements include permeability of design and the integration of pedestrian and cycle ways to and through the centres. Co-located within the centres are Community Hubs and other facilities and attractions such as public art and open space.

Objective four: To provide for local employment and business activity

No dedicated employment areas are planned for the precinct however a significant developing industrial estate, Baranduda Enterprise Park, abuts the precinct immediately to the east. Activity centres offer some opportunity for employment along with schools and home based occupations. A nominated Opportunity Site, of some 9 ha in size, adjoins the largest of the activity centres at the Baranduda locale. This site is offered and is seen as suitable for a suggested use like a future regional hospital, or other significant State infrastructure offering significant employment opportunities.

A regional sports precinct of some 100 ha is also planned for the precinct and is again planned to house associated sports medicine/health and educational facilities on the site offering employment opportunities.

Objective five: To provide better transport choices

The precinct has an excellent existing arterial and connector road network. All major roads (existing and proposed) within the precinct have been planned to integrate with the existing and future transport networks including the Kiewa Valley Highway, The Murray Valley Highway and the Beechworth Wodonga Road. The Baranduda Boulevard is defined as the spine of the precinct, as it dissects the Precinct from North to South. This boulevard has a road easement of 80 m and is planned to convey residents north into the CBA of Wodonga and the Hume Freeway for employment opportunities. The precinct will offer excellent transport choices via an integrated and extensive open space network where cycle and pedestrian links are proposed within the reserve system.

Objective six: To respond to climate change and increased environmental sustainability and;

Objective seven: To deliver accessible, integrated adaptable community infrastructure

The PSP aims to:

- Provide a future urban layout/area with an emphasis on affordable and sustainable living and to be a place where people can enjoy a healthy and strong community, by providing walkable street networks and trail networks along with employment and housing in a safe and functional natural environment;

- Facilitate active and healthy living by creating an urban environment that encourages activity within future community facilities, cycling and walking and public transport;

- Deliver an integrated and resilient water management system that reduces reliance on reticulated potable water, increases the re-use of alternative water, minimises flood risk, ensures the environmental health of waterways, protects public health delivers affordable essential water services and contributes towards a sustainable and green urban environment;
All elements of the PSP guidelines are used in the PSP to set out the relevant standards and controls for achieving the PSP guideline objectives.

**S46M (1) – Direction on Development Contributions Plan**

This direction seeks to direct planning authorities in relation to the preparation and content of a Development Contributions Plan. Importantly, the introduction of Clause 45.06 and Schedule 1 to Clause 45.06 Development Contributions Plan Overlay and its application to the land included in the PSP is in accordance with the intent and provisions of the Direction.

The Development Contribution Plan (DCP) in accordance with the MD clearly identifies that infrastructure which may be funded from a development infrastructure levy. The project identification system used, has been designed to assist in the understanding of and navigation through the DCP document. Transport, recreation, community and drainage projects use the identification system. The need for infrastructure included in the DCP area has been determined according to the anticipated development of the Leneva Baranduda area.

The DCP also includes clear identification of those projects not included in the DCP.

**How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The amendment is consistent with and has been prepared in accordance with the State Planning Policy Framework as outlined below:

**Clause 11: Settlement**

The amendment:

- Will develop a network of activity centres, in accordance with Wodonga City Council’s policy of Activity Centre Hierarchy and the Wodonga Growth Strategy 2016;
- Will ensure that activity centres within the PSP contain a mix of land use for commercial, recreation and community services as well as open space and public art;
- Will enable urban development of land within the PSP that is readily able to develop transport routes and will be in proximity to current transport routes;
- Will provide for a mix of residential densities and household types to achieve an average of 11 dwellings per hectare. Encouragement of housing and lot diversity is a vision and objective of the PSP;
- Will facilitate the sequenced release of land for development and infrastructure provision;
- Will provide for a well-integrated open space network, linked by cycling and walking trails that connects with surrounding neighbourhoods via a system of linear open space and conservation reserves;
- Will promote the sustainable growth and development of Wodonga, adding to its economic base and utilising its strategic advantages of significant landscapes and its geographic location on the main north south transport/freight corridor for eastern Australia;
- Will protect its environmental values (biodiversity and conservation) by the integration of the LVBNVPP which achieves the objectives and goals of the WREN strategy into the PSP;
- Will focus Wodonga’s future growth into its long recognised growth area.
Clause 12: Environment and Landscape Values

The amendment:

- Ensures that urban form is secondary to the conservation and biodiversity values of the PSP area, and provides clear instruction as to the urban interface with the natural asset of the WREN network;
- Enables the Leneva Valley and Baranduda Native Vegetation Precinct Plan.

Clause 13: Environmental Risk

The amendment:

- Amends the Wodonga Planning scheme to update flood levels in the Middle Creek waterway and its tributary within the PSP.
- Requires a Site Management Plan to be prepared and submitted prior to works that satisfy bushfire/grassfire risk in particular at the interface with urban and non-urban land.

Clause 14 Natural Resources Management

The amendment:

- Ensures that a whole of water catchment management approach is taken to the provision of reticulated water and less future dependence on supply of potable water, and appropriate incorporation of waterways into the urban landscape.

Clause 15: Built Environment and heritage

The amendment:

- Identifies sites of potential Aboriginal and European (post contact) significance;
- Establishes an integrated neighbourhood that responds to cultural elements, landscapes including biodiversity values, topography, and views to the surrounding and adjoining hills system, preservation of waterways and a conservation reserve system throughout the PSP. Pedestrian networks will be within an extensive reserve system while providing shade and safety of the public realm from the surrounding urban environment and open space;
- Walkable and attractive network of neighbourhoods;
- Recognises places of cultural and historical significance while building on an existing sense of place (hills and vistas to the surrounding alps and waterways);
- Development of a whole of water catchment management strategy to ensure consideration is given to the sustainable and efficient use of potable water and treatment of waterways into the urban from;
- Will ensure that protection and conservation of Aboriginal and cultural heritage significance is considered.

Clause 16: Housing

The amendment:

- Encourages a range of densities along with objectives of achieving a greater diversity of housing via a range of lot sizes and densities which encourage a variety of tenure and household type;
- Promotes housing affordability through the release of additional opportunities for residential development;
- Encourages the integration of aged care residential development into the general community.
Clause 17: Economic Development

The amendment:

- Will deliver a range of residential developments in close proximity to planned activity centres thus supporting commercial uses and community services and enhancing employment opportunities within the community hubs/activity centres.
- Encourages a mix of employment opportunities through the ongoing development of a regionally significant Sports and Educational precinct that also offers opportunity for tourism (sports tourism and parallel health and education) and allied health opportunities.

Clause 18: Transport

The amendment:

- Will offer opportunities for alternative forms of transport, via an integrated and unique network of off and on road pedestrian and cycle routes, between activity centres/community hubs, regional sports and activity precinct, and within a wide and extensive open space and conservation reserve system.

Clause 19 Infrastructure

The amendment:

- Will provide delivery of water, sewerage, and drainage infrastructure;
- Facilitate the location and delivery of “community hubs” containing health facilities with local and regional significance; and
- Facilitate delivery of high capacity broadband and telecommunications infrastructure.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment is consistent with and has been prepared in accordance with the Local Planning Policy Framework (LPPF).

Municipal Strategic Statement

Clause 21.01: Municipal Profile

- The amendment plans for and enables urban growth to occur in accordance with the Wodonga Growth Strategy

Clause 21.03: Settlement

The amendment considers and reinforces the primacy of the Central Business Area by clearly identifying future development of activity centres in line with the Wodonga Retail Hierarchy (Wodonga Growth Strategy 2016).

The amendment introduces a Development Contributions Plan to ensure sustainable growth and equitable access to infrastructure.

The amendment reinforces the importance of Wodonga’s natural environment by seeking to protect its hillsides and waterways by maintaining views and vistas of the hills and maintaining waterways and drainage lines though urban design and inclusion into connecting open space corridors.

The Amendment:

- Ensures that medium to long term residential development occurs in the Leneva Baranduda Growth Area Corridor
The amendment ensures that adequate consideration is given to the interface treatment between urban and industrial development

The amendment ensures that open space is integrated into the urban landscape and is not an afterthought or left over land

**Clause 21.04: Environmental and Landscape Values**

The amendment ensures that landscape values are highly valued, recognises and incorporates landscape features into urban design principals such as the hillsides and WRENS reserve system, which protects significant indigenous flora, fauna and habitat.

The Amendment:

- The amendment ensures that hillsides are safeguarded from development

**Clause 21.05: Environmental Risk**

The amendment:

- Updates flood and land subject to inundation overlays to the Middle Creek and Tributary NI waterway
- Discourages development at higher levels of the valley and on slope greater than 20% or areas subject to high levels of erosion
- Ensures that bushfire protection measures are considered in the layout, staging and design of development land local street network, thus minimising the risk of bushfire to life and property

**Clause 21.06: Natural Resources Management**

The amendment progresses and reinforces the position of Wodonga as central to the development of North East Victoria and as the major urban centre in the regional catchment.

The Amendment:

- Applies the native vegetation principles and objectives of the WREN through the LVBNVVP
- Ensures and reinforces protection of the hillsides from unwarranted urban development
- Applies an integrated whole of water catchment management plan in achieving better water quality, security and importantly resilience

**Clause 21.07: Built Environment and Heritage**

The amendment responds to the Safer Design Guidelines for Victoria Wodonga Growth Strategy by ensuring that new residential development achieves a sustainable form of development through the integration of the economy, the community and the environment, via a robust and tested design approach, as set out in the PSP;

The amendment:

- Facilitates a clear settlement hierarchy
- Facilitates development within a greenfield site and encourages delivery of a range of lot sizes and diverse housing outcomes;
- Directs growth into the recognised Growth area with the formation of new neighbourhoods, responsiveness to site constraints;
- Ensures a clear urban structure;
- Facilitates the design of healthy, safe and inclusive community; and
8 - Officers reports for determination

Item 8.7 - Attachment A

- Encourages new development to be energy, water and waste efficient through the incorporation of the principals of the Whole of Water Cycle Management Plan (North East Water & Wodonga City Council) and native vegetation management

Clause 21.08: Housing

Leneva is to provide the long term residential land requirements of Wodonga and will eventually link Wodonga and the village of Baranduda. The PSP builds on the natural setting in its planning layout with the provision of parklands, walkable neighbourhoods, provision of infrastructure and protection of natural elements such as vegetation and waterways.

The amendment:

- Facilitates housing diversity
- Encourages higher density in areas with access to public transport, recreation facilities and commercial facilities

Clause 21.09: Economic Development

The amendment implements and maintains the long term retail activity centre strategy for Wodonga.

The amendment:

- Identifies the layout and location of activity centres within the precinct;
- Ensures that retail allowances do not threaten the hierarchy model for Wodonga.

Clause 21.09-03: Tourism

The amendment recognises the importance of tourism to the regional economy and so lends weight to the expansion of the tourism base in the area. A long term vision of Council is to develop a regional sporting precinct. The amendment facilitates the use of allied health services for the precinct and long term educational uses for this significant regional facility at the Baranduda Sports Field Facility.

Clause 21.10: Transport

The amendment establishes an integrated and permeable transport network to encourage walking and cycling, reducing car dependency and maximise safety and connectivity.

- Ensures a permeable and low speed street network that will encourage walking and cycling
- Convenient and easy access to the connector street network where public transport will be focused, thus assisting in the promotion and viability of public transport

Clause 21.11: Infrastructure

The amendment:

- Ensures that the city is taking a leading role in the planning and facilitation of the provision of infrastructure which will satisfy the needs of a growing city via the DCPO.
- Ensures that water and waste water services are sustainable and fit for purpose, via the development of the Whole of Water Cycle Management Plan (North East Water and City of Wodonga).

Clause 21.13: Local Areas

Clause 21.13-5 Leneva and Baranduda Growth Area

The amendment:

- Facilitates the provision of more affordable and innovative housing within the Precinct
• Provides structure planning and urban design framework for proposed town centres and urban development in the identified Growth Corridor
• Ensures the provision of and maintenance of recreation, sport and other forms of physical activity infrastructure within the Precinct;
• Ensures the strong support for the planning of and provision of educational facilities and recognises through the built form, the relative importance of community;
• Urban planning is linked to healthy communities by removing the barrier that is poor urban form from the future health of its communities. The PSP facilitates more walkable and permeable urban design with healthier and transport options.

Does the Amendment make proper use of the Victoria Planning Provisions?
The amendment meets the form and content requirements of the Victoria Planning Provisions. The use of the UGZ schedule is considered an appropriate tool to apply a suite of Victoria Planning Provision zones to guide future use and development of the site through the specification of conditions and requirements for permits.

How does the Amendment address the views of any relevant agency?
The amendment and the Leneva Baranduda Precinct Structure Plan is being prepared with input from affected agencies. Amongst others, key relevant agencies include Department of Environment, Land, Water and Planning – by ensuring that appropriate urban interface treatments are provided with conservation reserves and undeveloped land;

VicRoads – by appropriate intersection and road treatments to prescribed roads;

Department of Education and Training - by the inclusion of appropriate areas/locations for future schools and the integration of such, the identification of an opportunity site that may be used for additional educational facilities, as well as service facilities;

Department of Economic Development Jobs, Transport and Resources – by the integration of transport hubs and other community facilities as well as clear identification of open space networks;

Parks Victoria – by the appropriate treatment of urban form and interface treatment with undeveloped land;

Office of Aboriginal Affairs Victoria – by the clear identification of areas of potential cultural sensitivity;

Country Fire Authority – mitigation of damage to property or loss of life through appropriate planning and urban design where threat of bushfire or grass fire may be present;

North East Catchment Management Authority – by inclusion of integrated water management principles;

Goulburn Murray Water – by the inclusion of WSUD principles and;

Public Transport Victoria – by ensuring that there is adequate integration of transport hubs into community and activity centre design.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?
The amendment is likely to have a significant impact on the transport system at a local level. It will require upgrades to nearby sections of the regional road network and will allow the creation of a new local road network that will set the future pattern of development in the precinct. It will contribute to the development of a public transport network in the area.
The proposed additions and changes to the existing transport system in and adjacent to the precinct will meet the transport system objectives by:

- Providing for an interconnected road system that responds to the likely level of use generated by the precinct and hence facilitating investment in housing and local retail services in the area.
- Enabling efficient access to existing and planned employment and services in and around the local area and region through connections to the nearby arterial road network and providing for potential extensions to bus services.
- Ensuring the road network minimises impacts on the site’s topography, native vegetation and water flow regimes.
- Providing locally based sports and recreational facilities to reduce the need for extended travel.
- Designing roads that are of a suitable scale and compatible with the expected travel demand and that provide a suitable scale and impact in relation to likely adjoining development.
- Infrastructure provided for through an infrastructure contributions plan will generally be provided as sufficient demand for the relevant infrastructure item and provides the opportunity for the efficient construction of items concurrent with subdivisional development.
- Integrating the construction of bus stop facilities with the development process to minimise construction costs and provide the opportunity to optimise the location of bus stops and design of roads in relation to bus routes and associated facilities.
- Integrating relevant government bodies involved in the provision of transport infrastructure and services in the decision making process of the amendment.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment will have some impact on resources and administrative cost of the Responsible Authority. The incorporation of the PSP into the Wodonga Planning Scheme will facilitate the future orderly and proper planning of the area. In most cases a single subdivision permit will capture all of the development requirements for a particular site.

Further, the UGZ Schedule 1 has been structured in such a way that the ultimate translation to conventional Victoria Planning Provision zones can occur in a timely and efficient manner once the land has been substantially developed.

Budget and resourcing considerations have been flagged and will be given in accordance with the legal and administrative responsibilities for the Development Contributions Plan.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Wodonga Council
104 Hovell Street
WODONGA VIC 2690

**Submissions**

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by [insert submissions due date].

A submission must be sent to:

**Wodonga Council**

104 Hovell Street

WODONGA VIC 2690

**Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: [insert directions hearing date]
- panel hearing: [insert panel hearing date]
Ordinary meeting – March 20, 2017

8 - Officers reports for determination

Item 8.7 - Attachment B
8.8 - Playground Strategy 2016-2020 (Review)

Purpose of report

The purpose of this report is to present the revised *Playground Strategy 2016-2020* and the supplementary *Play Environments in Wodonga: a process for planning quality outdoor play spaces* for adoption. The strategy and supplementary document provides the ongoing strategic direction to playground development and renewal in the city.

It is requested that the strategy and supporting document is circulated for a period of two weeks for community feedback prior to adoption.

Background

The previous Playground Strategy 2010 was endorsed in June 2010. For continued strategic direction of playground infrastructure in the city the Playground Strategy has been revised for 2016-2020. This revision has been attended by Jeavons Landscape Architects.

Wodonga Council is currently responsible for 72 public playgrounds across the city. As the population increases and new developments occur this number will increase.

Wodonga has a successful and unique model for play provision. It ensures that every step of the budgeting, planning, procurement and maintenance processes are aligned with strategic objectives as agreed by a multi-disciplinary in-house team. The community is engaged in the planning process along the way.

Some key points of this successful model are briefly outlined below:

- A strategic playgrounds group within the council is responsible for establishing objectives for playgrounds and ensuring that throughout the design and procurement process, each member of the group provides input. This includes new fitness equipment that has been added to playgrounds and reserves over the last two years and will continue into the future.

- The group comprises representatives from planning, engineering and infrastructure, landscape architects, sport and recreation, family youth and early years, community planning and wellbeing, park and gardens and playground maintenance officers.

- The group holds quarterly strategic playground meetings.

- The budget for capital renewal funding and expansion for recreation spaces (including fitness equipment) is controlled by the Director Community Development and managed by the Manager Sport and Recreation.

- The budget for capital renewal funding and expansion for playgrounds is controlled by the Director Community Development and managed by the Manager Family Youth and Early Years.
Parks and Gardens maintain the play spaces, parks and gardens, but their services are co-ordinated by a multi-disciplinary team and include the Manager Parks and Gardens, Manager Sport and Recreation and the Manager Family, Youth and Early Years.

The Director Community Development is responsible for signing off each project.

Effective communication and engagement with the community has built up a high level of trust when equipment needs to be removed or redesigned.

The city’s playgrounds and fitness equipment are audited by an independent auditor annually.


Due to the economic pressure on planning, designing and maintaining these important assets and the simultaneous need to meet the outdoor play and recreation needs of the community, this playground strategy together with *Play Environments in Wodonga: a process for planning quality outdoor play spaces* will guide future play provision and investment across Wodonga for the years 2016 to 2020. These documents are also important to guide land developers so their developments are consistent with the Wodonga Council’s vision for play provision.

The newly revised *Playground Strategy 2016-2020* aims to:

- Establish a vision and philosophy for play provision;
- Develop criteria and principles for effective play provision, including play value, demand, supply and distribution based on both neighbourhood and playground precincts;
- Review the current playground provision and distribution in the light of demographic data;
- Assess existing play spaces for quality of play experiences (play value), age groups catered for, access, and improvement opportunities and make recommendations for each;
- Review the provision of inclusive/accessible playgrounds; and,
- Raise other issues as they affect play in Wodonga, and make recommendations.

The *Playground Strategy 2016-2020* is limited to the assessment of public play spaces and does not cover early childhood centre-based play spaces.
8.8 - Playground Strategy 2016-2020 (Review) (cont’d)

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Our people will enjoy an excellent quality of life</td>
<td>Offer diverse and accessible recreation, leisure and sporting opportunities.</td>
<td>Continue to implement the Wodonga Playground Strategy to provide play experiences that promote development and well being.</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The *Playground Strategy 2016-2020* is a revision of the strategy of 2010. An additional document, the *Play Environments in Wodonga – a process for planning quality outdoor play spaces* was written in 2014 by Jeavons Landscape Architects to assist and guide council officers and developers to improve the quality of public outdoor play opportunities in Wodonga.

The newly revised strategy builds upon this document and aims to guide the provision, development, management and investment in outdoor play spaces in public parks across the city.

The *Playground Strategy 2016-2020* establishes a vision, philosophy, criteria and principles for effective play provision. It includes:

- A vision for play and explains the terminology and key concepts used in the document;
- Maps showing the distribution, classification and precincts of playgrounds across the city. Playground precincts are smaller than neighbourhood precincts and are residential areas contained by any physical boundaries or barriers such as busy roads, railway lines or water bodies that might affect the easy independent movement of children on foot or bike;
- Important planning principles and a park classification system to establish benchmarks for each site;
- Demand and supply principles and the demographic factors that affect demand for play spaces; and
- The qualitative aspects of play space design; and highlights key issues and makes recommendations for actions resulting from the site assessments of the 72 playgrounds in Wodonga.

The principles within this strategy will assist council officers in the preparation of regular and ongoing assessment reports for each of the playgrounds across Wodonga.

The purpose of the playground precinct and site assessment reports is to provide an evidenced based assessment of the playgrounds and make recommendations and priorities for redevelopment.
These recommendations and priorities will not only be based on the age of equipment and audit report, but take into account the demographics and social factors relating to play provision and the supply and demand of such spaces in both neighbourhood and playground precincts. It is important that these recommendations need to be considered and overlayed with community consultation prior to any implementation.

In addition, these reports will provide the information needed to inform the annual budget process and the longer term ten-year budget prediction.

In summary, it is proposed that the strategic direction of the development and redevelopment of playgrounds in Wodonga will be influenced by two main guiding documents.

1. *Play Environments in Wodonga – a process for planning quality outdoor play spaces* (used to guide council officers and developers on the principles of the development and redevelopment of play spaces).


These documents should be read in conjunction with the following Wodonga strategic plans and working documents:

- *Public Open Space Strategy (draft)*;
- *Leneva Valley and Baranduda Native Vegetation Precinct Plan*;
- *Sport and Recreation Plan 2014-15 to 2019-20*;
- *Leneva Baranduda Growth Area Framework Plan 2012 (draft)*;
- *Wodonga Municipal Strategic Statement (MSS)*;
- *Wodonga CBA Revitalisation Plan 2014 – 2034*;
- *Neighbourhood Character Precincts (working document); and*
- *Infrastructure Design Manual*
## Risk and opportunity management implications

<table>
<thead>
<tr>
<th>Risk description</th>
<th>C'quence</th>
<th>L'hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of funding required to upgrade and replace equipment as it meets the end of its life and/or is required to be replaced so it meets standards.</td>
<td>2</td>
<td>C</td>
<td>H</td>
<td>Implement Playground Strategy 2016-2020 and use evidenced based knowledge to inform the redevelopment of playgrounds.</td>
</tr>
<tr>
<td>High community expectations of the standard of playgrounds based on communications with the public.</td>
<td>2</td>
<td>C</td>
<td>H</td>
<td>Continue with planned community consultations prior to redevelopment of all playgrounds to further inform decisions.</td>
</tr>
<tr>
<td>Community disharmony over perceived loss of open space.</td>
<td>2</td>
<td>D</td>
<td>S</td>
<td>Promote the Playground Strategy 2016-2020 and continue with community consultations to further inform decisions.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunity description</th>
<th>C'quence</th>
<th>L'hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>The redevelopment of playgrounds is undertaken by evidenced based principles</td>
<td>1</td>
<td>C</td>
<td>H</td>
<td>Playground replacement is not only made on the age of the playground equipment, but the demographics and socio economic structure of the neighbourhood and precinct.</td>
</tr>
<tr>
<td>A planned approach is taken to playground replacement and the annual budget process is informed of the cost of the renewal and infrastructure development based on evidence.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>Council officers can accurately budget for the replacement items of playgrounds and provide accurate longer term predictions for 10 years.</td>
</tr>
<tr>
<td>Wodonga's playgrounds and outdoor spaces will be improved and a consistent and informed approach will be applied to their redevelopment.</td>
<td>2</td>
<td>C</td>
<td>H</td>
<td>A strategic and well planned approach to the redevelopment of playgrounds will provide improvement in quality, provision and longevity of playgrounds.</td>
</tr>
</tbody>
</table>

### Financial implications

Due to the number and age of the playgrounds in our city, coupled with the fact that Wodonga has a young population with the majority of neighbourhoods having around 25 per cent of the population aged between 0-17 years; the demand on playground redevelopment will be high.

The **Playground Strategy 2016-2020** will provide the knowledge to make informed decisions about the redevelopment, content and timing of the revised playgrounds.
Playground renewal impacts on the capital budget, both current and future. As a result of this strategy council officers will be able to provide accurate projections for budget expenditure to maintain and redevelop our playgrounds.

<table>
<thead>
<tr>
<th></th>
<th>2016-2017 approved budget $</th>
<th>This proposal $</th>
<th>Variance to approved budget $</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Expense</td>
<td>$350,000</td>
<td>$350,000</td>
<td>0</td>
<td>Includes high risk maintenance and renewal</td>
</tr>
<tr>
<td>Net result</td>
<td>($350,000)</td>
<td>$(350,000)</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

**Environmental implications**

The *Playground Strategy 2016-2020* identifies to the community the benefit of well-designed and well placed playgrounds and play spaces. There is a real opportunity for the natural environment to enhance plays areas through careful design and placement.

In the past, when new residential areas were developed, sites designated for recreation areas were often parcels of land unsuitable for housing development due to topography, trees of significant nature, access, shape, size and drainage corridors.

The suitability of land for playgrounds is well documented in both the *Play Environments in Wodonga* and the *Playground Strategy 2016-2020*. These requirements include:

- The slope, drainage and other site characteristics must allow social interaction, access for people with a disability, play and recreation to function optimally. Land must be not be subject to inundation and must be above the 1 in 20-year flood level.

- Slope must not exceed 1 in 20. If design interventions (such as graded pathways up steep slopes, earthworks, retaining walls or extra provision for water sensitive urban design) are required, additional land must be provided so that the minimum functional size of land is still available for the activities.

- The site must be free of contamination; easements that restrict development and land use; soil erosion; unwanted previous structures; un-authorised, unusable or hazardous landfill; rubbish; dangerous or diseased vegetation. If the site is also next to land where there is a hazard to children, a suitable and approved fence will need to be provided to prevent access to the hazard.

- It is imperative during the planning of new developments and the instigation of S173 agreements that these principles of council playground development are adhered to and not compromised.
8.8 - Playground Strategy 2016-2020 (Review) (cont’d)

- Open space that is set aside for the community as part of a development should always be retained even if playground equipment is removed. Any proposed changes to this position, such as divestment, requires a council resolution.

Social / cultural implications

Play is critically important to all children in the development of their physical, social, mental, emotional and creative skills. It is the process of a child’s own, self-directed learning and as such is valid for all ages of children. It is a fundamental and integral part of healthy development – not only for individual children, but also for the society in which they live. All children have the right to play regardless of their abilities.

Play requires free access to a broad range of environments and play opportunities. Decision- making at all levels of government should explicitly foster and support play.

During general decision-making processes, the council will consider the impact on children’s opportunities to play and the broader implications for children’s health and well-being.

The impact of modern society on children’s lives has significantly restricted their opportunity to play freely and has affected play opportunities in the general environment. The council is therefore committed to high quality compensatory play provision that is appropriate, accessible, inclusive, local, stimulating and challenging for children in Wodonga, thereby offering them the opportunity to explore through freely chosen play.

The council recognises that children have an innate desire to seek out opportunities to take increasing risks, and that this is an essential part of their play and learning.

It requires the council to adopt a different management approach from other risk management issues. The council aims to respond positively by extending the range of environments and opportunities available for children’s play while continuing to have due regard for the physical and psychological well-being of community members.

Risk–benefit management is a valuable tool in this process

Legislative implications

Playgrounds and play equipment in playgrounds is governed by the Australian Standards – AS 4685.1-2014, AS/NZS 4486.1:1997, and AS/NZS 4422:1996. Annual external audits are undertaken on all playgrounds in Wodonga and maintenance is prioritised on the outcomes of these.

Community engagement and internal consultation

Community consultations have been attended during this review process and feedback from residents about the improvements that the community is seeking across the city relating to playgrounds has been incorporated into the strategy.
8.8 - Playground Strategy 2016-2020 (Review) (cont’d)

In addition to recommendations made within the playground strategy, the feedback from the community is sought with each potential redevelopment to further inform the decision making process. This is an ongoing and fluid process, as the needs of the communities within neighbourhood and playground precincts change.

Options for consideration

Option 1:
Do nothing. This will not provide a planned approach to the redevelopment of playgrounds in the city. It will not inform the short and long term budget processes.

Option 2:
Place the Play Environments in Wodonga – A process for planning quality outdoor play spaces and the revised Playground Strategy 2016-2020 out for community consultation and feedback, for a two-week period, prior to council adoption. These documents will provide an informed approach to the strategic direction and the short and long term budget allocations for playgrounds in the city.

Conclusion

Playgrounds and play spaces are important childhood and adult places and are valuable for community, exercise and social interaction. The design of a playground has a direct impact on the quality of the user experiences and the extent to which the areas is utilised. This places a high degree of importance on the way these spaces are planned, designed and maintained throughout the city.

This strategy incorporates the redevelopment of playgrounds based on both neighbourhood and playground precincts. Each park must be designed as part of a network of complementary activities and settings within each precinct. The avoidance of duplication of equipment or settings within adjacent play spaces across the precinct is to be avoided.

The strategy and supporting document offers an evidenced based framework that will implement an informed approach to the current and future delivery of playgrounds and play spaces in the city. In addition, it will provide an accurate projection for renewal and capital budgets.

As a result, the governance, standard and community satisfaction with open spaces and playgrounds will increase.

Attachments

Nil
Tabled papers

The following documents will be tabled at the meeting:

- Document A: Play Environments in Wodonga – A process for planning quality outdoor play spaces
- Document B: Playground Strategy 2016 - 2020 (Draft)

Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Community Development - Debra Mudra
In providing this advice, I have no interests to disclose in this report.

Manager Family, Youth and Early Years - Marcia Armstrong
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

Place the Play Environments in Wodonga – A process for planning quality outdoor play spaces and the revised Playground Strategy 2016-2020 out for community consultation and feedback, for a two-week period, prior to adoption by council.

Motion

Crs Danny Lowe / Kat Bennett

That the recommendation be adopted.

Carried
In speaking to this motion, Cr Lowe requested to have his comments recorded in the minutes.

Cr Danny Lowe

What I enjoyed and surprised me most about reading this playground strategy was the broad considerations that are applied to planning a playground.

Where the playgrounds are located (target of 400m from every home), who they service and what age group does each park target. Is there equipment to suit all age groups?

There are site assessments to make sure developers are handing over suitable land to be used as parks or playgrounds that have accessibility to all our residents. Instead of years gone by when the developers would just off load land that wasn't as valuable as other land because of its slope or other factors which would create accessibility issues to some in the community.

What sort of life spans individual pieces of equipment have and their possible maintenance requirements to limit financial impact.

Most of all I liked the careful selection of what playground equipment was used and which park to put them in. Always the number one priority being child development at the forefront of their decisions. An example, picking equipment for gross motor skill development. The allowance of risk to be limited without eliminating it all together. Activities based around postural control. All are vital to development of children of all ages.

The considerations given to the importance of not duplicating playgrounds around our city so our families can go from park to park and have a new and unique experience at each park was another consideration that really caught my eye.

I hope my fellow councillors and the community get as much information out of this review as I did and I look forward to hearing of their feedback.
8.9 - Appointment of acting Chief Executive Officer

Purpose of report

The purpose of this report is for Wodonga Council (the council) to appoint a director as acting Chief Executive Officer (CEO) while the CEO is on leave from the council.

Background

The CEO, Patience Harrington will be on leave from the council for the period from April 4, 2017 through to April 13, 2017 both dates inclusive.

It is proposed that the Director Community Development be appointed for the period of the CEO’s absence.

The CEO has various powers and authorities reposed by virtue of the position. These powers and authorities arise from legislative provisions as well as authorities delegated by council. For these powers and authorities to be exercised by an acting CEO, an officer needs to be formally appointed to the position by the council.

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>We are innovative, responsive and responsible in the way we conduct business.</td>
<td>Practice good governance, act with transparency and integrity in our decision-making.</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The appointment will ensure continuity of decision making during the absence of the CEO.

Risk and opportunity management implications

<table>
<thead>
<tr>
<th>Risks</th>
<th>Likelihood</th>
<th>Consequence</th>
<th>Rating</th>
<th>Mitigation Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>An acting CEO is not appointed.</td>
<td>C</td>
<td>4</td>
<td>Medium</td>
<td>Appoint an acting CEO which is consistent with the requirements of the Act.</td>
</tr>
</tbody>
</table>

Financial implications

No financial implications are associated with the content or recommendation in this report.
Environmental implications

No environmental implications are associated with the content or recommendation in this report.

Social / cultural implications

No social / cultural implications are associated with the content or recommendation in this report.

Legislative implications

The *Local Government Act 1989* (the Act) requires the council to appoint a person as CEO.

It is normal practice to appoint an acting CEO during periods of prolonged absence of the CEO from the Hovell Street office.

The process outlined in this report is consistent with the Act.

Community engagement and internal consultation

This matter has been discussed amongst the executive staff, and the proposed appointment is consistent with the approach of developing the leadership qualities of the executive team.

Options for consideration

1. Do nothing. This is not recommended as the council is required to have a CEO in position at all times.

2. Appoint Ms Mudra for the period recommended in this report.

Conclusion

The appointment of an acting CEO ensures continuity of decision making and senior management oversight of the organisation.

Attachments

Nil

Tabled papers

Nil
8.9 - Appointment of acting Chief Executive Officer (cont’d)

Declaration of conflict of interests

Under section 80C of the *Local Government Act* 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Director Business Services - Trevor Ierino
In providing this advice as the report author, I have no interests to disclose in this report.

**Recommendation**

That:

1. The Director Community Development, Debra Mudra, be appointed as acting Chief Executive Officer for the period from April 4 to April 13, 2017, both dates inclusive; and

2. Ms Mudra be authorised to exercise all powers and authorities reposed in the position of Chief Executive Officer for the period of the appointment as acting Chief Executive Officer.

**Motion**

Crs John Watson / Kat Bennett

That the recommendation be adopted.
9.1 - Planning report for February 2017

Between February 1 and February 28, 2017, the planning unit approved 12 planning permits under delegation. Significant applications considered include:

<table>
<thead>
<tr>
<th>Permit No</th>
<th>Use / Development</th>
<th>Site address</th>
</tr>
</thead>
<tbody>
<tr>
<td>151/2016</td>
<td>Buildings and works (self-storage units) and waiver of requirements for loading and unloading (clause 52.07)</td>
<td>246 Victoria Cross Parade, Wodonga (Storage King)</td>
</tr>
<tr>
<td>3/2017</td>
<td>Buildings and works (factory extensions, unloading canopy and warehouse)</td>
<td>7 Moloney Drive, Wodonga (Butko Engineering)</td>
</tr>
<tr>
<td>10/2017</td>
<td>Use of the land for motor vehicle sales (motorcycles)</td>
<td>Shop 4/1A Moorefield Park Drive, Wodonga (Bike Edge)</td>
</tr>
</tbody>
</table>

Comparison of monthly permits/amendments issued for previous years

![Graph showing the number of planning permits issued monthly from 2011/2012 to 2016/2017.](image)
9.1 - Planning report for February 2017 (cont’d)

Attachments
Nil

Tabled papers
Nil

Declaration of conflict of interests
Under section 80C of the *Local Government Act* 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Planning and Infrastructure - Leon Schultz
In providing this advice, I have no interests to disclose in this report.

Manager Planning and Building - John Sidgwick
In providing this advice, I have no interests to disclose in this report.

Team Leader Statutory Planning - David Becroft
In providing this advice, I have no interests to disclose in this report.

Planning Support Officer - Jessica Vlaskic
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation
That the planning report for February 2017 be received and noted.

Motion
Crs John Watson / Danny Lowe
That the recommendation be adopted.  Carried
### 9.2 - Building report for February 2017

The value of building permits issued in Wodonga from 1 February 2017 to 28 February 2017 is $6,306,735. Details of the building approvals in excess of $100,000 are as follows:

<table>
<thead>
<tr>
<th>Permit No</th>
<th>Value</th>
<th>Construction</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016/604/Dwell</td>
<td>$217,143</td>
<td>Dwelling</td>
<td>27 Murray Way West Wodonga</td>
</tr>
<tr>
<td>2017/35/Dwell</td>
<td>$320,590</td>
<td>Dwelling</td>
<td>20 Partridge Way Wodonga</td>
</tr>
<tr>
<td>2017/42/Dwell</td>
<td>$293,480</td>
<td>Dwelling</td>
<td>43 Klim Street Killara</td>
</tr>
<tr>
<td>2017/43/Dwell</td>
<td>$222,076</td>
<td>Dwelling</td>
<td>48 Rogers Avenue Wodonga</td>
</tr>
<tr>
<td>2017/52/Dwell</td>
<td>$285,650</td>
<td>Dwelling</td>
<td>3 Doublel Street Killara</td>
</tr>
<tr>
<td>2017/71/Dwell</td>
<td>$228,305</td>
<td>Dwelling</td>
<td>8 Ruthven Circuit Wodonga</td>
</tr>
<tr>
<td>2016/345/Pbscoa</td>
<td>$150,000</td>
<td>Alterations And Additions To Motel (Sanctuary Park)</td>
<td>11-13 High Street Wodonga</td>
</tr>
<tr>
<td>2017/32/Pbscoa</td>
<td>$150,000</td>
<td>Internal Alterations &amp; Change Of Use</td>
<td>38-40 High Street Wodonga</td>
</tr>
<tr>
<td>2017/36/Pbscom</td>
<td>$1,750,000</td>
<td>Recreation Building &amp; Bbq Pavilion</td>
<td>265 Baranduda Boulevard Baranduda</td>
</tr>
<tr>
<td>2016/360/Pbsdwl</td>
<td>$520,000</td>
<td>Dwelling</td>
<td>42 Charlton Road Killara</td>
</tr>
<tr>
<td>2016/385/Pbsdwl</td>
<td>$238,402</td>
<td>Dwelling</td>
<td>13 Mcgeoch Court Wodonga</td>
</tr>
<tr>
<td>2017/11/Pbsdwl</td>
<td>$263,860</td>
<td>Dwelling</td>
<td>3 Strickland Street Killara</td>
</tr>
<tr>
<td>2017/20/Pbsdwl</td>
<td>$239,640</td>
<td>Dwelling</td>
<td>5 Brooks Terrace Killara</td>
</tr>
<tr>
<td>2017/26/Pbsdwl</td>
<td>$220,000</td>
<td>Dwelling</td>
<td>7 Daphne Street Baranduda</td>
</tr>
<tr>
<td>2017/27/Pbsdwl</td>
<td>$277,395</td>
<td>Dwelling</td>
<td>45 Rogers Avenue Wodonga</td>
</tr>
<tr>
<td>2017/29/Pbsdwl</td>
<td>$160,000</td>
<td>Dwelling</td>
<td>20 Jensen Crescent Wodonga</td>
</tr>
<tr>
<td>2017/31/Pbsdwl</td>
<td>$229,640</td>
<td>Dwelling</td>
<td>22 Murray Way West Wodonga</td>
</tr>
</tbody>
</table>
9.2 - Building report for February 2017 (cont’d)

BUILDING ACTIVITY
FEBRUARY 17

- Total number of building permits issued in Wodonga: 48 (57)
- Total number of dwellings approved in Wodonga (Dwellings & Units): 14/0 (19/0)
- Total number of permits relating to commercial & industrial works in Wodonga: 4 (5)
- Number of Electronic Building Applications lodged: 41 (21)
- Percentage of work approved by Council: 52.08% (66.66%)
- Number of permits approved outside Wodonga – Victoria **: 5 (3)
- Number of permits approved outside Wodonga – NSW ##: 14 (3)

*** Registered Building Practitioner, Registration No: BS-U 1369

# Accredited Certifier, Registration No: BPB 0368
Building Professionals Board, Sydney
9.2 - Building report for February 2017 (cont’d)

**Graph 1:** Building Permit Values - Cumulative

**Graph 2:** Building permit numbers - Cumulative

**Attachments**

Nil

**Tabled papers**

Nil
Ordinary meeting – March 20, 2017

9 - Officers reports for noting  Planning and Infrastructure

9.2 - Building report for February 2017 (cont’d)

Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Planning and Infrastructure - Leon Schultz
In providing this advice, I have no interests to disclose in this report.

Manager Planning and Building - John Sidgwick
In providing this advice, I have no interests to disclose in this report.

Manager Building Services - David Seal
In providing this advice, I have no interests to disclose in this report.

Building Administrative Officer - Emma Sharp
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That the building report for February 2017 be received and noted.

Motion

Crs Ron Mildren / Danny Lowe
That the recommendation be adopted.  Carried

Cr Libby Hall disclosed a conflict of interest, being an indirect financial interest (section 78A of the Local Government Act, 1989), for item 9.2 Building report for February 2017. The nature of the interest is that Cr Hall is an owner (in partnership with her husband) of land in the same street as four of the listed properties/building permits.

Cr Hall left the meeting room at 7.01pm. Cr Hall returned to the meeting room at 7.02pm after the item was resolved.
9.3 - Competitive services report for February 2017

<table>
<thead>
<tr>
<th></th>
<th>February</th>
<th>YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quotation / tenders issued</td>
<td>11</td>
<td>112</td>
</tr>
<tr>
<td>Contracts awarded to local suppliers</td>
<td>11</td>
<td>77</td>
</tr>
<tr>
<td>Value of contracts awarded</td>
<td>$1,020,864.95</td>
<td>$16,302,547.29</td>
</tr>
</tbody>
</table>

Tenders advertised / quotations issued

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>W821-16</td>
<td>Asbestos removal works at Bonegilla Migrant Experience- Block 19</td>
</tr>
<tr>
<td>W930-17Q</td>
<td>Wodonga Environmental Lands - High Priority Bushfire Management Plans</td>
</tr>
<tr>
<td>W953-17Q</td>
<td>Restumping works at Bonegilla Migrant Experience- Block 19</td>
</tr>
<tr>
<td>W958-17</td>
<td>Provision of Project Management and Project Superintendent Services</td>
</tr>
</tbody>
</table>

Tenders / quotations under evaluation

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>W901-16</td>
<td>Supply and delivery of one leased dual engine, dual control suction road sweeper unit</td>
</tr>
<tr>
<td>W922-16</td>
<td>Vegetation offset management panel of contractors</td>
</tr>
<tr>
<td>W938-17Q</td>
<td>Provision of carpentry and painting works at Belgrade Preschool</td>
</tr>
<tr>
<td>W939-17Q</td>
<td>Provision of foundation and steel works at Belgrade Preschool</td>
</tr>
<tr>
<td>W940-17Q</td>
<td>Roofing, guttering and plumbing works at Belgrade Preschool</td>
</tr>
<tr>
<td>W941-17Q</td>
<td>Supply and installation of non-slip resurfacing of the pool concourse at the Wodonga Sports and Leisure Centre</td>
</tr>
<tr>
<td>W945-17</td>
<td>Design and construction of the Wodonga Hockey Field resurface works</td>
</tr>
<tr>
<td>W948-17</td>
<td>Development of a Central Business Area Car Parking Plan</td>
</tr>
</tbody>
</table>

Contracts awarded

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>W799-16</td>
<td>Gateway Village electrical services upgrade</td>
</tr>
<tr>
<td>W836-16Q</td>
<td>Supply and delivery of five bus shelters</td>
</tr>
<tr>
<td>W908-16</td>
<td>Provision of services for the development of the Housing Strategy</td>
</tr>
<tr>
<td>W924-17Q</td>
<td>Development of the Wodonga Industrial Land Strategy</td>
</tr>
<tr>
<td>W925-17</td>
<td>Whytes Road saleyards effluent ponds rehabilitation earthworks</td>
</tr>
<tr>
<td>W926-17</td>
<td>Street lighting LED changeover project - installation phase</td>
</tr>
<tr>
<td>W927-17Q</td>
<td>Havelock Street landscape works</td>
</tr>
<tr>
<td>W928-17Q</td>
<td>Refurbishment of City Office ground floor- demolition works</td>
</tr>
<tr>
<td>W932-17Q</td>
<td>Lawrence Street and Emerald Ave construction of splitter island</td>
</tr>
<tr>
<td>W934-17Q</td>
<td>Wodonga Aquatics and Leisure operational review</td>
</tr>
<tr>
<td>W951-17</td>
<td>MOU - Provision of litter and garden maintenance program</td>
</tr>
<tr>
<td>W954-17Q</td>
<td>Supply only of trees, shrubs and plants for the Havelock Street landscape works</td>
</tr>
</tbody>
</table>
9.3 - Competitive services report for February 2017 (cont’d)

<table>
<thead>
<tr>
<th>W968-17</th>
<th>Medical Practitioner on-call for advice to Immunisation Nurses</th>
</tr>
</thead>
<tbody>
<tr>
<td>W976-17Q</td>
<td>Provision of Project Management services by Ironbark Sustainability for the LED Street Light replacement project</td>
</tr>
<tr>
<td><strong>Cancelled</strong></td>
<td>Nil</td>
</tr>
</tbody>
</table>

**Contracts awarded to local suppliers**

- Mar-16: 89%
- Apr-16: 80%
- May-16: 72%
- Jun-16: 78%
- Jul-16: 54%
- Aug-16: 66%
- Sep-16: 93%
- Oct-16: 78%
- Nov-16: 89%
- Dec-16: 67%
- Jan-17: 40%
- Feb-17: 73%

**Attachments**
Nil

**Tabled papers**
Nil

**Declaration of conflict of interests**

Under section 80C of the *Local Government Act* 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Manager Governance and Customer Focus - Spencer Rich
In providing this advice, I have no interests to disclose in this report.

Contracts Officer - Kerrianne Bradbery
In providing this advice as the report author, I have no interests to disclose in this report.
Recommendation
That the competitive services report for February 2017 be received and noted.

Motion
Crs Kat Bennett / Danny Lowe
That the recommendation be adopted.  
Carried
9.4 - Audit Committee Meeting March 6, 2017 - Summary of Minutes

Pursuant to Section 139 of the Local Government Act 1989 and the Wodonga Council Audit Committee Charter, the Audit Committee met on March 6, 2017.

From the meeting there were no matters referred to the council for determination.

Attachments

The following documents are attached to this report:

- Attachment A: Audit Committee Meeting March 2017 - Summary of Minutes

Tabled papers

Nil

Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Manager Governance and Customer Focus - Spencer Rich
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That the summary of the minutes of the Audit Committee be received and noted.

Motion

Crs Tim Quilty / Libby Hall

That the recommendation be adopted. **Carried**
### 1.0 *Introduction*

The members of the Audit Committee as well as the internal and external auditors, were introduced to the councillors.

### 2.0 *Meeting items*

#### 2.1 *Previous minutes*

Minutes of the meeting held December 8, 2016 were confirmed.

#### 2.2 *Draft VAGO Audit Strategy – 30 June 2017*

Brad Bohun presented the draft VAGO Audit Strategy – 30 June 2017, to the Audit Committee. The audit strategy outlines VAGO's audit approach to the council’s financial report and performance statement. Higher risks of material misstatement to councils statements identified in the strategy include:

- Form and content of financial report;
- Revaluation of property, plant and equipment;
- Landfill remediation provision;
- Information technology and data integrity;
- AASB124 related party disclosures; and
- Performance statement.

#### 2.3 *Payroll Review*

Ryan Schischka from Johnsons MME presented the findings from the *Payroll Review*.

The review identified a number of low rated risks in the areas of:

- Risk assessment;
- Manual timesheets;
- Approval of leave;
- Procedure documentation;
- Negative leave balances;
- Approval of payroll exception reports; and,
- Approval of overtime.

Management response actions from the review will be added to the Outstanding Items Register.

#### 2.4 *Procurement Exemptions Register Review*

Spencer Rich presented the *Procurement Exemptions Register* to give the Audit Committee visibility on an annual basis of vendors, who for various acceptable reasons, have an aggregate spend greater than $100,000.

The *Procurement Exemptions Register Report* was received and noted by the committee.
2.5 **Finance Report**

Narelle Klein presented the *Finance Report for January 2017.*
The report was received and noted by the Audit Committee.

2.6 **Treasury Report**

At Friday, 24 February 2017 investments totaled $24,030,000 ($26,010,000 – November 2016).

Since the last Audit Committee meeting:

- two investments ($1.0 million with AMP Bank and $2.0 million with ME Bank) were redeemed
- two investments (both $2.0 million with ME Bank) were rolled over
- one new investment ($2.0 million with ME Bank) was placed with a Responsible Investment Association of Australasia endorsed financial institution.
- 71% of investments are held in Responsible Investment Association of Australasia endorsed or fossil fuel free financial institutions.

2.7 **Review Investment Policy and Directive**

Narelle Klein presented the Investment Policy and Directive for the Audit Committee review.

The Investment Policy has worked well over the last 12 months. The level of funds held in responsible investments has increased as existing investments matured as follows:

<table>
<thead>
<tr>
<th>Month</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 2016</td>
<td>8%</td>
</tr>
<tr>
<td>May 2016</td>
<td>5%</td>
</tr>
<tr>
<td>June 2016</td>
<td>58%</td>
</tr>
<tr>
<td>July 2016</td>
<td>63%</td>
</tr>
<tr>
<td>August 2016</td>
<td>52%</td>
</tr>
<tr>
<td>September 2016</td>
<td>45%</td>
</tr>
<tr>
<td>October 2016</td>
<td>56%</td>
</tr>
<tr>
<td>November 2016</td>
<td>64%</td>
</tr>
<tr>
<td>December 2016</td>
<td>71%</td>
</tr>
<tr>
<td>January 2017</td>
<td>66%</td>
</tr>
<tr>
<td>February 2017 (to date)</td>
<td>71%</td>
</tr>
</tbody>
</table>

2.8 **Strategic Asset Management update**

Narelle Klein presented a strategic asset management update to the committee.
An update on the council’s progress against the recommendations of the Victorian Auditor General’s Office, ‘Asset Management and Maintenance by Councils’ report, was supplied, as well as an update on the progress of the council’s various asset management plans.

2.9 **Asset Valuation Directive**

Narelle Klein presented the Asset Valuation Directive to the Audit Committee for their approval, as recommended in the VAGO Interim Management Letter for the 2015-2016 year.

The Audit Committee approved the Asset Valuation Directive
## Risk Management Quarterly Report

Spencer Rich presented the Risk Management Quarterly Report to the committee. The report included:

- Strategic risk register;
- All high rated untreated operational risks;
- Risk management activities; and,
- Claims management activities.

## Forward Planner/Outstanding Items Register

The committee reviewed the forward planner and outstanding items register.

The Outstanding Items Register has seen 7 new audit items added to the register, and 23 audit items completed since the December Audit Committee meeting.

## General Business

Brian Rochford spoke about the Institute of Internal Auditors, International Conference being held in Sydney on the 23rd July 2017, and recommended it for those who may benefit.

## Committee members to meet without staff present

## Next Meeting Date

Is scheduled for Thursday May 25, 2017 at 9:00-12:00pm, Committee Room, Hovell Street, Wodonga.
9.5 - Finance report for February 2017

Purpose of report

The finance report provides a monthly update to the council on the performance of its business operations.

Background

This report is provided on a monthly basis. It provides financial information including comparison with budgets with regards to:-

- Income statement
- Capital works, and
- Balance sheet
- Treasury (cash management)

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>We are innovative, responsive and responsible in the way we conduct business.</td>
<td>Responsible financial management.</td>
<td>Provide council services and projects with a strong financial planning framework.</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The finance report is part of the council’s practice of openness and transparency in its provision of information to the community.

Risk and opportunity management implications

<table>
<thead>
<tr>
<th>Risks</th>
<th>L’hood</th>
<th>C’quence</th>
<th>Rating</th>
<th>Mitigation Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inability to achieve current budget due to tight budgets and unforeseen needs being higher than budgeted e.g. road resales, footpaths, hard landscape maintenance etc.</td>
<td>C</td>
<td>3</td>
<td>Significant</td>
<td>Conservative financial management.</td>
</tr>
<tr>
<td>Inability of cash funds to cover mandatory reserves and deposits.</td>
<td>C</td>
<td>3</td>
<td>Significant</td>
<td>Regularly review budget. Take corrective action for unbudgeted expenditure.</td>
</tr>
<tr>
<td>Inability of Council to deliver the adopted capital budget and re-budgeted items.</td>
<td>C</td>
<td>3</td>
<td>Significant</td>
<td>Regularly review the capital budget status against target dates.</td>
</tr>
</tbody>
</table>
Financial implications

This is contained in the body of the report.

Environmental implications

Investments in fossil fuel free institutions amount to 66% of total investments.

Social / cultural implications

Not applicable.

Legislative implications

Under section 138 of the *Local Government Act 1989* the CEO at least every three months must ensure quarterly statements comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date are presented to the council. This report, being developed on a monthly basis, more than ensures this legislative requirement is satisfied.

Community engagement and internal consultation

Nil consultation has been held separately on this report, although items within the budget will have included their own level of consultation on a case by case basis.

Options for consideration

Not applicable.

Conclusion

Not applicable.
9.5 - Finance report for February 2017 (cont’d)

Contents
1. Financial Statements
   a. Income Statement
   b. Balance Sheet
   c. Capital Program Summary
   d. Variance Explanations
   e. Treasury Report

1. Financial Statements

Key financial highlights and overview

Key Points

- The income from rates and federal funding via the Grants Commission is received in large tranches at specified times during the year. The council manages this cash flow by investing and recalling surplus funds in term deposits as required by the budgeted expenditure in the operating and capital programs.

- The council has a focus on ensuring that actual expenditure does not exceed the budgeted allocations. To this end, the expenditure in both the operating and capital programs are analysed monthly and any discrepancies are identified and appropriate remedial actions taken.

<table>
<thead>
<tr>
<th>Key financial summary</th>
<th>Year to Date – February 2017</th>
<th>Full Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Actual</td>
<td>Revised Budget</td>
</tr>
<tr>
<td>Recurrent Income</td>
<td>60,581,317</td>
<td>60,005,257</td>
</tr>
<tr>
<td>Total Expenditure</td>
<td>34,227,385</td>
<td>37,622,370</td>
</tr>
<tr>
<td>Net Operating Surplus/(Deficit)</td>
<td>26,353,932</td>
<td>22,382,887</td>
</tr>
<tr>
<td>Capital Works - Expenditure</td>
<td>8,443,565</td>
<td>15,148,786</td>
</tr>
<tr>
<td>Closing cash &amp; investments</td>
<td>27,566,523</td>
<td>16,433,495</td>
</tr>
</tbody>
</table>
### 9.5 - Finance report for February 2017 (cont’d)

#### a. Income Statement

<table>
<thead>
<tr>
<th>Category</th>
<th>Note</th>
<th>Year to Date – February 2017</th>
<th>Full Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Actual</td>
<td>Revised Budget(b)</td>
</tr>
<tr>
<td>Income</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rates</td>
<td></td>
<td>43,076,850</td>
<td>43,101,605</td>
</tr>
<tr>
<td>User Charges</td>
<td>1</td>
<td>3,715,589</td>
<td>3,548,659</td>
</tr>
<tr>
<td>Interest Income</td>
<td></td>
<td>264,002</td>
<td>233,336</td>
</tr>
<tr>
<td>Grants</td>
<td>2</td>
<td>6,672,761</td>
<td>6,301,356</td>
</tr>
<tr>
<td>Internal Income</td>
<td>3</td>
<td>6,708,634</td>
<td>6,763,773</td>
</tr>
<tr>
<td>Other Income</td>
<td>3</td>
<td>143,481</td>
<td>56,528</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td></td>
<td><strong>60,581,317</strong></td>
<td><strong>60,005,257</strong></td>
</tr>
</tbody>
</table>

| Expenditure    |      |                              |             |          |                  |                  |
|----------------|------|------------------------------|             |          |                  |                  |
| Employee Costs | 4    | 17,400,299                   | 18,228,902  | (828,603 )| 28,211,225        | 28,377,933        |
| Internal Expend.|    | 4,043,089                   | 4,091,741  | (48,652 )| 5,359,868         | 5,313,068         |
| Materials      | 5    | 11,472,002                   | 13,693,952  | (2,221,950 )| 20,374,228      | 19,233,524        |
| Interest Exp.  |      | 800,590                     | 806,823    | (6,233 )  | 1,506,127         | 1,514,694         |
| Depreciation   |      | 0                           | 0          | 0         | 8,772,000         | 8,772,000         |
| Other Expenses | 5    | 511,406                     | 800,952    | (289,546 )| 1,096,342         | 1,022,245         |
| **Total Expenditure**|     | **34,227,385**              | **37,622,370** | **(3,394,985)**| **65,319,790** | **64,233,464** |

**Surplus/(Deficit)**

|               |      |                              |             |          |                  |                  |
|----------------|------|------------------------------|             |          |                  |                  |
| Surplus        |      | **26,353,932**               | **22,382,887** | **3,971,045** | **2,026,639**   | **2,711,634**    |

Note:
- b. Includes approved re-budgets, 1st and 2nd quarter adjustments and unapproved 3rd quarter adjustments.
### 9.5 - Finance report for February 2017 (cont’d)

#### b. Balance Sheet

<table>
<thead>
<tr>
<th>Category</th>
<th>Note</th>
<th>February 2017</th>
<th>June 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assets</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Current Assets</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash assets</td>
<td></td>
<td>27,566,523</td>
<td>19,901,752</td>
</tr>
<tr>
<td>Receivables</td>
<td>7</td>
<td>13,460,148</td>
<td>3,074,213</td>
</tr>
<tr>
<td>Inventories</td>
<td></td>
<td>20,728</td>
<td>20,728</td>
</tr>
<tr>
<td>Other</td>
<td>8</td>
<td>0</td>
<td>615,722</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td></td>
<td>41,047,399</td>
<td>23,612,415</td>
</tr>
<tr>
<td><strong>Non-Current Assets</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receivables</td>
<td></td>
<td>1,160,154</td>
<td>1,150,000</td>
</tr>
<tr>
<td>Fixed assets</td>
<td></td>
<td>535,615,278</td>
<td>528,582,757</td>
</tr>
<tr>
<td><strong>Total Non-Current Assets</strong></td>
<td></td>
<td>536,775,432</td>
<td>529,732,757</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td></td>
<td>577,822,831</td>
<td>553,345,172</td>
</tr>
</tbody>
</table>

| **Liabilities**           |      |                |               |
| **Current Liabilities**   |      |                |               |
| Payables & provisions    |      | 2,032,894      | 3,653,467     |
| Employee benefits        |      | 4,090,428      | 4,249,870     |
| Interest bearing liabilities | 9 | 716,036        | 1,779,501     |
| Trust deposits           |      | 1,010,987      | 1,548,209     |
| **Total Current Liabilities** |    | 7,850,345      | 11,231,047    |

| **Non-Current Liabilities** |      |                |               |
| Employee benefits         |      | 850,124        | 712,977       |
| Interest bearing liabilities | | 23,796,494    | 23,796,494    |
| Other                     |      | 3,644,846      | 3,351,554     |
| **Total Non-Current Liabilities** |    | 28,291,464      | 27,861,025    |

| **Total Liabilities**     |      | 36,141,809     | 39,092,072    |

| **Net Assets**            |      | 541,681,022    | 514,253,100   |

| Represented by:           |      |                |               |
| Accumulated surplus       |      | 311,048,966    | 311,048,966   |
| Reserves                  |      | 203,247,177    | 203,204,134   |
| Current year earnings     |      | 27,384,879     | 0             |

| **Equity**                |      | 541,681,022    | 514,253,100   |
### 9.5 - Finance report for February 2017 (cont’d)

#### c. Capital Program summary

<table>
<thead>
<tr>
<th>Revenue / Expenditure</th>
<th>Note</th>
<th>February 2017 YTD Actual</th>
<th>Full Year Revised Budget(b)</th>
<th>Full Year Adopted Budget(a)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buildings</td>
<td>5,455</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Bridges</td>
<td>0</td>
<td>35,000</td>
<td>35,000</td>
<td></td>
</tr>
<tr>
<td>Car Parking</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>CBD</td>
<td>106,880</td>
<td>2,606,880</td>
<td>2,801,000</td>
<td></td>
</tr>
<tr>
<td>Drainage</td>
<td>35,500</td>
<td>55,500</td>
<td>20,000</td>
<td></td>
</tr>
<tr>
<td>Footpaths</td>
<td>42,150</td>
<td>140,500</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Landscaping</td>
<td>0</td>
<td>0</td>
<td>25,000</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Plant</td>
<td>82,589</td>
<td>200,000</td>
<td>200,000</td>
<td></td>
</tr>
<tr>
<td>Playgrounds</td>
<td>18,677</td>
<td>18,677</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Recreation Reserves</td>
<td>60,000</td>
<td>113,000</td>
<td>196,000</td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td>465,332</td>
<td>1,422,480</td>
<td>1,422,480</td>
<td></td>
</tr>
<tr>
<td>Street Lighting</td>
<td>150,000</td>
<td>192,740</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Traffic Management</td>
<td>39,100</td>
<td>39,100</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Debt Servicing</td>
<td>0</td>
<td>2,500,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Facilities</td>
<td>40,625</td>
<td>40,625</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>LOGIC</td>
<td>0</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Baranduda Industrial Estate</td>
<td>45,360</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>1,091,668</td>
<td>4,864,502</td>
<td>7,199,480</td>
<td></td>
</tr>
<tr>
<td><strong>Expenditure</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building</td>
<td>1,021,207</td>
<td>2,264,113</td>
<td>2,095,351</td>
<td></td>
</tr>
<tr>
<td>Bridges</td>
<td>224,948</td>
<td>472,870</td>
<td>113,000</td>
<td></td>
</tr>
<tr>
<td>Car Parking</td>
<td>0</td>
<td>277,000</td>
<td>277,000</td>
<td></td>
</tr>
<tr>
<td>CBD</td>
<td>1,236,913</td>
<td>3,845,387</td>
<td>3,942,000</td>
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<tr>
<td>Cycle Paths</td>
<td>64,113</td>
<td>163,000</td>
<td>163,000</td>
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</tr>
<tr>
<td>Drainage</td>
<td>36,618</td>
<td>233,733</td>
<td>113,000</td>
<td></td>
</tr>
<tr>
<td>Footpath</td>
<td>71,319</td>
<td>550,437</td>
<td>399,000</td>
<td></td>
</tr>
<tr>
<td>Gateway</td>
<td>1,800</td>
<td>538,000</td>
<td>475,000</td>
<td></td>
</tr>
<tr>
<td>I.T.</td>
<td>404,869</td>
<td>720,523</td>
<td>673,000</td>
<td></td>
</tr>
<tr>
<td>Landscaping</td>
<td>306,504</td>
<td>421,983</td>
<td>407,000</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>70,003</td>
<td>560,512</td>
<td>448,000</td>
<td></td>
</tr>
<tr>
<td>Plant</td>
<td>524,120</td>
<td>700,000</td>
<td>700,000</td>
<td></td>
</tr>
<tr>
<td>Playgrounds</td>
<td>71,871</td>
<td>424,072</td>
<td>352,000</td>
<td></td>
</tr>
<tr>
<td>Recreation Reserves</td>
<td>700,686</td>
<td>2,528,329</td>
<td>3,737,000</td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td>1,479,536</td>
<td>2,976,534</td>
<td>2,931,000</td>
<td></td>
</tr>
<tr>
<td>WSLC</td>
<td>25,610</td>
<td>83,000</td>
<td>48,000</td>
<td></td>
</tr>
<tr>
<td>Street Lighting</td>
<td>9,986</td>
<td>1,468,724</td>
<td>1,240,000</td>
<td></td>
</tr>
<tr>
<td>Traffic Management</td>
<td>4,086</td>
<td>72,104</td>
<td>25,000</td>
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</tr>
<tr>
<td>Debt Servicing</td>
<td>983,040</td>
<td>1,699,076</td>
<td>1,646,059</td>
<td></td>
</tr>
<tr>
<td>Community Facilities</td>
<td>196,431</td>
<td>588,127</td>
<td>40,000</td>
<td></td>
</tr>
<tr>
<td>LOGIC</td>
<td>1,009,905</td>
<td>1,543,546</td>
<td>1,450,000</td>
<td></td>
</tr>
<tr>
<td>Baranduda Industrial Estate</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td>8,443,565</td>
<td>22,131,070</td>
<td>21,274,410</td>
<td></td>
</tr>
<tr>
<td><strong>Net Capital Income / (Expenditure)</strong></td>
<td>(7,351,897)</td>
<td>(17,266,568)</td>
<td>(14,074,930)</td>
<td></td>
</tr>
</tbody>
</table>

**Note:**

b. Includes approved re-budgets, 1st and 2nd quarter adjustments and unapproved 3rd quarter adjustments.
## d. Variance Explanations

<table>
<thead>
<tr>
<th>Note</th>
<th>Category</th>
<th>Explanation</th>
<th>Expected variance (P)ermanent (T)iming</th>
</tr>
</thead>
</table>
|      | Operating program | Income – higher than budget:  
- Animal Registration fees $26k and Environmental Registration fees $26k are more than budget.  
- Hirer Fees at The Cube are $45k more than budget; however, a portion of these fees are returned to the hirers at completion of the productions.  
- Rents are $37k more than budget.  
- Statutory Planning permit fees $53k.  
- External Works contracting income is $19k more than budget.  
- Sale of scrap metal from the Transfer Station is $32k more than budget due to higher prices being secured.  
- Transfer Station entry fees are $28k more than budget.  
- Preschool Fees are $(139k) less than budget due to the timing of the raising of fee invoices | T  
|      | User Charges $167k | Income – higher than budget:  
- Federal Assistance grants are $168k more than budget.  
- Preschools are $121k more than budget. This predominately relates to increased funding for teacher salaries and is reflected in the variance below in Preschools employee costs. Once the grant funding quantum is fully determined and received a budget variation will be prepared.  
- Funding of $30k received for the Deaf Games. Budget variation to be forwarded for processing.  
- Youth Services grants are $59k more than budget. Budget variation to be forwarded for the Opportunity Program (funding of $27k) for processing.  
- The Cube grant of $(80k) for audience development has yet to be received. Liaising with the relevant Victorian Government to finalise reporting obligations. | P  
|      | Grants $371k | Income – higher than budget:  
- Developer contributions $31k more than budget.  
- Contribution of $50k for Strategic Planning ‘Streamlining for Growth’ project from Victorian Planning Authority. Budget variation requested. | P  
|      | Other Income $87k | Income – higher than budget:  
- Contribution of $50k for Strategic Planning ‘Streamlining for Growth’ project from Victorian Planning Authority. Budget variation requested. | P  
|      |                  | Year to Date Actual v Year to Date Budget |

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Ordinary meeting – March 20, 2017

9 - Officers reports for noting

Business Services

9.5 - Finance report for February 2017 (cont’d)
## 9.5 - Finance report for February 2017 (cont’d)

<table>
<thead>
<tr>
<th>Note</th>
<th>Category</th>
<th>Explanation Year to Date Actual v Year to Date Budget</th>
<th>Expected variance (P)ermanent (T)iming</th>
</tr>
</thead>
</table>
| 4    | Employee Costs $(829k) | **Expenditure – lower than budget:**  
- Workcover premium is $(99k) less than budget. Premium partially based on claims history, so will potentially vary depending on claims made.  
- Staff development $(141k) less than budget. Leadership development programs are currently under consideration. The funds relate to the roll out of these programs.  
- Travel and accommodation $(61k) less than budget. Staff travel reduces across the holiday period, variance will reduce thru 2017.  
- Superannuation payments are $(99k) less than budget.  
- The following Business Units are under budget with explanations and budget variation requests to be prepared and forwarded in March 2017:  
  - Statutory Planning $(121k)  
  - Property Management $(68k)  
  - Project & Design $(49k)  
  - Arts Development $(38k)  
  - Civic Services $(44k)  
- Preschools are $121k more than budget. This variance is related to the increase in Grant funding as above and will be included as part of the budget variation analysis and request process being undertaken in March 2017. | P
|        |          |                                                        | T
| 5    | Materials $(2,222k) | **Expenditure – lower than budget:**  
- Insurance is $(90k) less than budget. Lower premiums secured.  
- Budgeted election expenses of $(161k) yet to be incurred. Will follow up with VEC in March 2017 as to the expected timing of their invoicing.  
- Plant and Fleet expenditure is $(40k) less than budget. Seasonal – scheduled increased servicing at the end of the warm weather and tyres etc. fitted coming into winter.  
- Strategic Planning consultancies $(227k) less than budget. Major items:  
  - Planning Scheme $(19k): works ongoing. Completion scheduled 16/17.  
  - Leneva/Baranduda $(97k): amendments commencing March 2017. A request will be made to roll over unspent funds to 17/18 if applicable.  
  - Spatial Analyst $(20k): works scheduled Feb/March 2017.  
- Marketing expenditure is $(74k) less than budget. Advertising spend in print has been reduced and this will now be redirected to other platforms such as radio. The caretaker period meant less advertising spend. Spending on new council plan consultations will now | P/T

T

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T
## 9.5 - Finance report for February 2017 (cont’d)

### Materials (cont)

- Events expenditure is $(69k) less than budget. Reduced activity over the Xmas/New Year holiday period.
- Bonegilla Migrant Experience is $(89k) less than budget. Sponsorships of $(20k) to be paid and building maintenance $(53k) behind budget due to commissioning issues, will be undertaken in 2017.
- Business Services Directorate is $(114k) less than budget. Predominately consultancy/marketing costs related to economic development activities.
- Finance is $(75k) less than budget. Legal expenses are $(26k) less due to less rates collection activity.
- Early Years/Youth strategies & plans of $(178k) less than budget. Funding based on a calendar year, 16/17 funds expected to be expended by end of financial year.
- I.T. lease payments are $(70k) less than budget. Timing of invoice processing.
- Street Garbage is $(42k) less than budget. Lower maintenance, variance will reduce in 2017.
- Waste Management/Transfer Station contractor charges are $(234k) less than budget. Timing of invoice processing.
- Recreation consultancies are $(71k) below budget.

### Balance sheet (differences with June 2016)

<table>
<thead>
<tr>
<th>Note</th>
<th>Category</th>
<th>Explanation Year to Date Actual v June 2016</th>
<th>Expected variance (P)ermanent (T)iming</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Receivables $10.4m</td>
<td><strong>Current Assets – Higher than June 2016:</strong></td>
<td>T</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- The annual rates and fire service levy charges were raised in August. This difference will reduce as rate payments are made.</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Other Current Assets $(616k)</td>
<td><strong>Current Assets – Lower than June 2016:</strong></td>
<td>T</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- This reduction relates to the yearend prepayments adjustments booked at the end of June 2016 being expensed in 2016/17.</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Int. Bearing Liabilities $(1,063k)</td>
<td><strong>Current Liabilities – Lower than June 2016:</strong></td>
<td>T</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- The reduction in the liability represents the principal loan payments made in the current financial year.</td>
<td></td>
</tr>
</tbody>
</table>
Variance Explanations (cont)

Graph 1 – Capital Works (expenditure only) compared to Budget and Prior Year

<table>
<thead>
<tr>
<th>Month</th>
<th>Actual YTD</th>
<th>Revised Budget</th>
<th>Prior Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jul 16</td>
<td>$934</td>
<td>$32</td>
<td>$2,399</td>
</tr>
<tr>
<td>Aug 16</td>
<td>$1,280</td>
<td>$1,343</td>
<td>$3,184</td>
</tr>
<tr>
<td>Sep 16</td>
<td>$1,694</td>
<td>$2,523</td>
<td>$4,018</td>
</tr>
<tr>
<td>Oct 16</td>
<td>$2,831</td>
<td>$6,932</td>
<td>$5,153</td>
</tr>
<tr>
<td>Nov 16</td>
<td>$4,233</td>
<td>$10,495</td>
<td>$6,338</td>
</tr>
<tr>
<td>Dec 16</td>
<td>$6,538</td>
<td>$12,047</td>
<td>$7,873</td>
</tr>
<tr>
<td>Jan 17</td>
<td>$7,528</td>
<td>$15,149</td>
<td>$9,205</td>
</tr>
<tr>
<td>Feb 17</td>
<td>$8,444</td>
<td>$16,708</td>
<td>$12,186</td>
</tr>
<tr>
<td>Mar 17</td>
<td>$18,226</td>
<td>$18,227</td>
<td>$11,002</td>
</tr>
<tr>
<td>Apr 17</td>
<td>$20,519</td>
<td></td>
<td>$10,766</td>
</tr>
<tr>
<td>May 17</td>
<td>$22,131</td>
<td></td>
<td>$18,149</td>
</tr>
<tr>
<td>Jun 17</td>
<td>$25,000</td>
<td></td>
<td>$18,227</td>
</tr>
</tbody>
</table>
e. Treasury

The following table details the variances between the Cash Held and the Revised Budget.

**Table 1 – Cash Held reconciliation**

<table>
<thead>
<tr>
<th>Item</th>
<th>$'000's</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash Held - Invested (Table 3 below)</td>
<td>25,840</td>
</tr>
<tr>
<td>Cash Held - Not Invested (Council &amp; WREN)</td>
<td>1,727</td>
</tr>
<tr>
<td>Cash as per Balance Sheet (Graph 2 below)</td>
<td>27,567</td>
</tr>
<tr>
<td>Cash as per Revised Budget (Graph 2 below)</td>
<td>16,434</td>
</tr>
<tr>
<td><strong>Variance</strong></td>
<td>11,133</td>
</tr>
</tbody>
</table>

**Variances comprise:**
- Actual v Revised Budget YTD - Operating: 3,971
- Actual v Revised Budget YTD - Capital: 4,349
- Other (net movement in debtors/creditors/deposits etc.): 2,813

**Variance as above**: 11,133

The following table details the main components of the current Cash as per Balance Sheet.

**Table 2 – Cash Commitments**

<table>
<thead>
<tr>
<th>Item</th>
<th>$ millions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notional reserves and deposits (Table 5 below)</td>
<td>7.2</td>
</tr>
<tr>
<td>Grants received in advance of expenditure</td>
<td>0.8</td>
</tr>
<tr>
<td>Rates income received in advance of expenditure</td>
<td>3.0</td>
</tr>
<tr>
<td>Working capital</td>
<td>16.6</td>
</tr>
<tr>
<td><strong>Cash commitments</strong></td>
<td><strong>27.6</strong></td>
</tr>
</tbody>
</table>
9.5 - Finance report for February 2017 (cont’d)

Treasury (cont)

Table 3 – Funds Invested

<table>
<thead>
<tr>
<th>Institution</th>
<th>Type</th>
<th>Product</th>
<th>Lodged</th>
<th>Maturing</th>
<th>Yield</th>
<th>$</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMP Bank</td>
<td>Bank</td>
<td>TD</td>
<td>16/8/16</td>
<td>14/3/17</td>
<td>2.95%</td>
<td>1,000,000</td>
<td>4%</td>
</tr>
<tr>
<td>Beyond Bank</td>
<td>Bank</td>
<td>TD</td>
<td>27/2/17</td>
<td>30/5/17</td>
<td>2.65%</td>
<td>3,000,000</td>
<td>12%</td>
</tr>
<tr>
<td>ME Bank</td>
<td>Bank</td>
<td>TD</td>
<td>29/11/16</td>
<td>29/3/17</td>
<td>2.75%</td>
<td>1,000,000</td>
<td>4%</td>
</tr>
<tr>
<td>ME Bank</td>
<td>Bank</td>
<td>TD</td>
<td>14/2/17</td>
<td>14/7/17</td>
<td>2.65%</td>
<td>2,000,000</td>
<td>8%</td>
</tr>
<tr>
<td>ME Bank</td>
<td>Bank</td>
<td>TD</td>
<td>14/2/17</td>
<td>17/5/17</td>
<td>2.60%</td>
<td>2,000,000</td>
<td>8%</td>
</tr>
<tr>
<td>MyState Bank-WREN</td>
<td>Bank</td>
<td>TD</td>
<td>22/11/16</td>
<td>23/5/17</td>
<td>2.80%</td>
<td>2,000,000</td>
<td>8%</td>
</tr>
<tr>
<td>Beyond Bank</td>
<td>Bank</td>
<td>TD</td>
<td>29/11/16</td>
<td>30/5/17</td>
<td>2.80%</td>
<td>2,000,000</td>
<td>8%</td>
</tr>
<tr>
<td>ME Bank</td>
<td>Bank</td>
<td>TD</td>
<td>5/1/17</td>
<td>5/5/17</td>
<td>2.75%</td>
<td>2,000,000</td>
<td>8%</td>
</tr>
<tr>
<td>Auswide Bank</td>
<td>Bank</td>
<td>TD</td>
<td>6/10/16</td>
<td>4/4/17</td>
<td>2.70%</td>
<td>2,000,000</td>
<td>8%</td>
</tr>
<tr>
<td>ME Bank</td>
<td>Bank</td>
<td>TD</td>
<td>15/11/16</td>
<td>19/4/17</td>
<td>2.75%</td>
<td>3,000,000</td>
<td>12%</td>
</tr>
<tr>
<td>Westpac</td>
<td>Bank</td>
<td>Maxi</td>
<td>At Call</td>
<td></td>
<td>1.55%</td>
<td>5,840,000</td>
<td>20%</td>
</tr>
<tr>
<td><strong>Total Funds Invested</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>25,840,000</td>
<td>100%</td>
</tr>
</tbody>
</table>

Table 4 - Loans

<table>
<thead>
<tr>
<th>Institution</th>
<th>Date Borrowed</th>
<th>Original Value $</th>
<th>Term Years</th>
<th>Maturing</th>
<th>% Rate</th>
<th>Balance Owing $</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westpac</td>
<td>21-Dec-05</td>
<td>15,668,624</td>
<td>25</td>
<td>21/12/30</td>
<td>6.50%</td>
<td>11,617,112</td>
<td>47%</td>
</tr>
<tr>
<td>BNY Trust</td>
<td>30-Aug-07</td>
<td>14,800,000</td>
<td>25</td>
<td>30/08/32</td>
<td>Float</td>
<td>7,322,054</td>
<td>29%</td>
</tr>
<tr>
<td>NAB</td>
<td>20-Jun-13</td>
<td>7,900,000</td>
<td>10</td>
<td>20/06/23</td>
<td>5.06%</td>
<td>5,573,362</td>
<td>24%</td>
</tr>
<tr>
<td><strong>Total Loans</strong></td>
<td></td>
<td><strong>24,512,528</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>100%</strong></td>
<td></td>
</tr>
</tbody>
</table>
9.5 - Finance report for February 2017 (cont’d)

Treasury (cont)

Table 5 - Notional reserves and provisions

<table>
<thead>
<tr>
<th>NOTIONAL RESERVES AND PROVISIONS</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Trust funds and deposits</strong></td>
<td></td>
</tr>
<tr>
<td>Refundable roads/drains deposits</td>
<td>323,492</td>
</tr>
<tr>
<td>Refundable footpaths deposits</td>
<td>22,536</td>
</tr>
<tr>
<td>Refundable soil and water deposits</td>
<td>63,800</td>
</tr>
<tr>
<td>Road reserve permit deposits</td>
<td>111,310</td>
</tr>
<tr>
<td>Landscaping / VOMP deposits</td>
<td>259,746</td>
</tr>
<tr>
<td>Other refundable deposits</td>
<td>230,103</td>
</tr>
<tr>
<td><strong>Sub-total trust funds and deposits</strong></td>
<td><strong>1,010,987</strong></td>
</tr>
</tbody>
</table>

| **Notional reserves**           |      |
| Environmental land (WREN)       | 2,119,378 |
| Reserves for community facilities, open space, car parking, roads and drainage| 1,368,992 |
| Precinct 2 environmental provision | 340,000 |
| Landfill provision              | 1,433,443 |
| Defined Benefits Superannuation call reserve | 900,000 |
| **Total Reserves**              | **7,172,800** |

Table 6 - Investment v loans interest (12 month rolling comparison)

<table>
<thead>
<tr>
<th>Month</th>
<th>Funds Invested $</th>
<th>Weighted average %</th>
<th>Interest Income $</th>
<th>Loan Balance $</th>
<th>Loans Weighted average %</th>
<th>Interest Expense $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mar-16</td>
<td>16,540,000</td>
<td>2.52%</td>
<td>76,328</td>
<td>26,108,100</td>
<td>6.08%</td>
<td>81,423</td>
</tr>
<tr>
<td>Apr-16</td>
<td>12,600,000</td>
<td>2.61%</td>
<td>29,613</td>
<td>26,108,100</td>
<td>6.08%</td>
<td>0</td>
</tr>
<tr>
<td>May-16</td>
<td>18,190,000</td>
<td>2.29%</td>
<td>13,426</td>
<td>25,911,543</td>
<td>6.07%</td>
<td>113,624</td>
</tr>
<tr>
<td>Jun-16</td>
<td>19,030,000</td>
<td>2.60%</td>
<td>27,019</td>
<td>25,496,003</td>
<td>6.08%</td>
<td>475,629</td>
</tr>
<tr>
<td>Jul-16</td>
<td>15,820,000</td>
<td>2.71%</td>
<td>9,877</td>
<td>25,495,569</td>
<td>6.08%</td>
<td>2,291</td>
</tr>
<tr>
<td>Aug-16</td>
<td>15,520,000</td>
<td>2.55%</td>
<td>30,857</td>
<td>25,298,655</td>
<td>6.07%</td>
<td>111,423</td>
</tr>
<tr>
<td>Sep-16</td>
<td>22,420,000</td>
<td>2.34%</td>
<td>18,619</td>
<td>25,118,795</td>
<td>6.08%</td>
<td>75,378</td>
</tr>
<tr>
<td>Oct-16</td>
<td>23,010,000</td>
<td>2.45%</td>
<td>15,722</td>
<td>25,118,795</td>
<td>6.08%</td>
<td>2,292</td>
</tr>
<tr>
<td>Nov-16</td>
<td>26,590,000</td>
<td>2.40%</td>
<td>105,836</td>
<td>25,032,417</td>
<td>6.08%</td>
<td>110,231</td>
</tr>
<tr>
<td>Dec-16</td>
<td>24,100,000</td>
<td>2.43%</td>
<td>18,873</td>
<td>24,599,705</td>
<td>6.08%</td>
<td>463,004</td>
</tr>
<tr>
<td>Jan-17</td>
<td>22,600,000</td>
<td>2.40%</td>
<td>30,929</td>
<td>24,599,705</td>
<td>6.08%</td>
<td>0</td>
</tr>
<tr>
<td>Feb-17</td>
<td>25,840,000</td>
<td>2.46%</td>
<td>42,130</td>
<td>24,512,528</td>
<td>6.08%</td>
<td>108,129</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>419,229</strong></td>
<td><strong>419,229</strong></td>
<td><strong>419,229</strong></td>
<td><strong>419,229</strong></td>
<td><strong>419,229</strong></td>
<td><strong>419,229</strong></td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>1,543,424</strong></td>
<td><strong>1,543,424</strong></td>
<td><strong>1,543,424</strong></td>
<td><strong>1,543,424</strong></td>
<td><strong>1,543,424</strong></td>
<td><strong>1,543,424</strong></td>
</tr>
</tbody>
</table>

Note: Actual interest income and expense - does not include end of year timing adjustments (accruals).
9.5 - Finance report for February 2017 (cont’d)

Treasury (cont)

Graph 2 – Cash Held

![Graph 2 – Cash Held](image-url)
9.5 - Finance report for February 2017 (cont’d)

Attachments
Nil

Tabled papers
Nil

Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Manager Finance - Narelle Klein
In providing this advice, I have no interests to disclose in this report.

Accountant - Michael Caton
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That the finance report for February 2017 be received and noted.

Motion

Crs Danny Lowe / Kat Bennett

That the recommendation be adopted.  

Carried
10.1 - Planning for the Wodonga Hills - continued community consultation

Purpose of report
To provide an update on the status of the Planning for the Wodonga Hills project and provide copies of revised draft documents ahead of upcoming community workshops.

Background
A summary of the community response to the draft documents was received at the September 2016 council meeting, where it was resolved:

1. That the development of the strategy and master plans continue, subject to further consultation as outlined below, and the petitioners be advised accordingly;
2. The strategy and master plans be revised based on considered analysis of the feedback provided by the community;
3. Further consultation with the community be conducted through a series of forums following the review and revision of the current documentation; and
4. A further report be submitted to the council following the further consultation, and in-line with the following timetable:

<table>
<thead>
<tr>
<th>Timeline</th>
<th>What</th>
</tr>
</thead>
<tbody>
<tr>
<td>October-November, 2016</td>
<td>Call for registrations for workshops on individual hill precincts</td>
</tr>
<tr>
<td>December, 2016</td>
<td>Registrations close, workshop schedule determined based on numbers</td>
</tr>
<tr>
<td>January, 2017</td>
<td>Confirmation of workshops, registered participants contacted</td>
</tr>
<tr>
<td>February-March 2017</td>
<td>Series of workshops for each of the hill precincts</td>
</tr>
<tr>
<td>February-March, 2017</td>
<td>Public drop-in sessions to be held at various times</td>
</tr>
<tr>
<td>March-May, 2017</td>
<td>Feedback assessed</td>
</tr>
<tr>
<td>May, 2017</td>
<td>Final draft presented to council meeting. Put out for public exhibition</td>
</tr>
</tbody>
</table>

The Wodonga hills are an intrinsic part of the city’s character and sense of place, setting it apart from other regional centres. They are highly valued scenic, conservation and community assets, recognised as a key lifestyle element for the city, with enormous capacity to support biodiversity and recreational experiences.
Six hills form a ring around our city – on our west we have the Hunchback Hill complex, to the south is Federation Hill and Bears Hill and on the east is Huon Hill. Further out to the east is Mahers Hill, on the banks of Lake Hume.

Much of the land that makes up the Wodonga hills was transferred into public ownership in 2000 by the Albury Wodonga Development Corporation (AWDC) - who acquired it during the 1970s for “landscape protection” as part of planning for the growth of the region. Today this land is managed by multiple land managers, including council, Parklands Albury Wodonga, Department of Defence, Parks Victoria with some remaining in private ownership.

Since 2000 a pioneering planning policy approach has been successful in protecting the landscape dominance, biodiversity values and scenic contribution of the hills, as well as safe-guarding their recreation and leisure potential, in the context of significant urban growth.

In this time the conservation value of several hills has also been reinforced by Council’s pro-active approach to protecting remnant “environmental lands” - notably through native vegetation offset schemes and the Wodonga Retained Environment Network (WREN) Strategy.
However, overall policy, planning and strategic direction for the future use and management all of the hills collectively has not occurred.

As the population of the city has increased so too has the demand for access to the hills. A variety of activities currently occur across the hills including walking, running, cycling and mountain bike riding, sightseeing and athletics and fitness training events.

For the most part, the hills have very little in terms of formalised access, recreation or community facilities. People using the hills usually do so by taking advantage of other management infrastructure, such as service tracks. There are limited opportunities to venture beyond the urban edge. As such, many uses of the hills are unplanned or unmanaged, often having negative impacts on an area’s biodiversity, scenic or other values. There is also an element of misuse, with antisocial behaviour and vandalism commonly observed.

Managing natural and semi-natural environments on the margin of urban areas presents a host of challenges - especially where these places are extremely accessible, subject to increasing usage pressures, contain high conservation value features, are very prominent in the landscape, and present seasonal fire risks. Recognising and balancing these sometimes competing values, uses and risks is the challenge of the Wodonga Hills.

The Planning for Wodonga’s Hills project seeks to address these matters by outlining a considered and coordinated plan to realise the long term potential of these areas for both their environmental and community significance.

Setting the Wodonga Hills aside from development was an act of great foresight by the Albury-Wodonga Corporation, and has created a lasting legacy for the community. This legacy was, and continues to be, built on through the many revegetation efforts and other environmental initiatives which have enhanced several of the hills’ landscape, scenic and biodiversity values.

Providing improved and sustainable access and infrastructure for community enjoyment of these areas will be the next great step forward in management of the Wodonga Hills that will generate on-going benefits for the local and wider community, both now and into the future.

Following a resolution at the July 2016 council meeting draft documents were placed on public exhibition. This initial consultation was intended to gauge community views on the information provided in the draft documents.

Through this process the community clearly expressed that they place a very high value on the Wodonga hills, for a range of reasons. Reinforcing the importance of a planned approach for the long term management of the hills, that strikes a balance between environmental conservation, recreational and tourism opportunities and sustainable asset management.
Discussion points

In accordance with the September 2016 resolution a series of eight workshops will be held between March 21st and 25th 2017 to continue consultation with the community. These will be followed by the opportunity for the community to provide further feedback during the council's drop-in Community Forum at The Cube Wodonga on March 26 and 27. The workshops will be hosted by the council and run by an independent facilitator.

They will include a brief overview of the revised documents, group discussion and an open feedback session.

In preparation for this consultation, work has been underway since September 2016 to revise the documents in response to the public feedback received to date. Council staff have also met with key stakeholders, including individual residents, members of the Save Hunchback Hill group and the Albury Wodonga Mountain Bike Club, to further inform the revision.

Regular meetings have been established with the CFA, Parklands Albury Wodonga, Department of Environment Land Water and Planning (DELWP), and will be ongoing to guide finalisation of the plans.

The revised draft documents will be tabled at the Council meeting and subsequently made available to participants of upcoming workshops. A summary of the key changes to the documentation is provided below.

Key changes to the plan.

Below is a summary of the revision response related to the five themes that emerged during initial consultation and each individual site.

- **Access**

  This relates to the physical access to and from the sites, plus the nature of the access.

  Actions continue to focus on ensuring diversity in walking opportunities, providing clear signage to assist in safe navigation, and establishing codes of conduct for users.

  Proposals for vehicle access and car parking have been scaled back. Opportunities to improve or provide new all-abilities access remain.

  Organised activities, or those that exclude users, will not be allowed to limit the enjoyment of the hills by all visitors.

- **Emergency management and safety**

  Feedback emphasised the importance of user and resident safety, as well as bushfire and emergency response and management.
Fire management activities are set out in separate fire management plans approved by the Municipal Fire Management and Planning Committee. Fire plans will be reviewed in response to any changes in the type or volume of usage within the hills.

Changes clarify how the hills plan will work in conjunction with relevant fire plans and identifies key points where CFA input will be required. Proposals relating to changes in grazing regimes have been reviewed and modified or removed as necessary.

Core components of the plans continue to focus on implementing user codes of conduct, monitoring unauthorised activities and minimising any potential for user conflict.

- **Environment**

  This relates to the natural environment, the landscape and the scenic values of the hills.

  Environmental management principles that apply to all sites have been reviewed and emphasised. Priority conservation, landscape protection and enhancement zones have been identified at each site.

  Extra measures and design principles have been introduced to ensure a natural, peaceful setting and the wildlife they support are not disrupted by any proposals.

  The revision seeks to encourage and promote wider community appreciation and involvement in the hills, to assist in ensuring their long-term protection.

- **Amenity**

  There is a need for expert input into design and for the siting of any built features. This will ensure the natural and rural setting of the hills is not fundamentally altered and to ensure little to no disruptions to views of the hills from the residential area. Areas of priority scenic protection or improvement are identified.

  The type and character of visitor facilities must be appropriate to their setting. Overall, facilities should be low-key, with more urban-type facilities limited to the hill margins.

  The revision also outlines a process for further engagement with key stakeholders, prior to the implementation of significant built elements or facilities.

- **Sustainable management**

  This includes feedback related to the costs and benefits of implementing the draft plans and the long-term maintenance of assets in the hills.
10.1 - Planning for the Wodonga Hills - continued community consultation (cont’d)

A plan that identifies priority actions for short-term implementation will be prepared, following completion of community consultation to reflect community priorities. This plan will be regularly reviewed to reflect community needs, budget and resource availability, and external funding opportunities.

Core objectives have been revised to ensure consideration is given to the long-term resources required to implement any proposal and maintain it to a high standard. Without certainty about the availability of resources, proposals should not be implemented and priority should be given to maintaining existing assets to an acceptable standard.

Site-specific revision responses are outlined below.

- **Baranduda Range**

  As the council is responsible for a very small proportion of land at Baranduda Range, there is no master plan for this site. However, it has still formed part of the analysis that has shaped the collective vision for all sites.

- **Bears Hill**

  The revision clarifies priority strategies for council-managed land and identifies longer-term opportunities for the site as a whole (including land managed by the Department of Defence and Parks Victoria).

- **Federation Hill**

  The revision clarifies and amends proposals adjoining residential properties to minimise potential impacts on amenity.

- **Huon Hill**

  Plans have been simplified for ease of interpretation. Proposed event spaces have been modified to ensure no impact on environmental values.

- **Mahers Hill**

  Removal of grazing exclusion proposal for eastern side of hill and increased emphasis on provision of horse riding opportunities.

- **Hunchback Hill Complex**

  The master plan now focuses on the Klings Hill component of the Hunchback Hill Complex and no longer prescribes actions for any land not managed by the council. Proposals relating to camping have been removed, emphasis on environmental protection has been increased and proposals for event spaces and car parking have been scaled back.
In accordance with the September 2016 resolution, it is anticipated that a final draft, incorporating workshop feedback, will be presented to the May 2017 Council meeting.

**Attachments**

Nil

**Tabled papers**

Nil

**Declaration of conflict of interests**

Under section 80C of the *Local Government Act* 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Planning and Infrastructure - Leon Schultz
In providing this advice, I have no interests to disclose in this report.

Director Planning and Infrastructure - Leon Schultz
In providing this advice as the report author, I have no interests to disclose in this report.

Natural Resources Planner - Claire Coulson
In providing this advice as the report author, I have no interests to disclose in this report.

**Recommendation**

This report is for information only.

*Trevor Ierino, Director Business Services disclosed a conflict of interest, being an indirect interest due to impact on residential amenity (section 78E of the Local Government Act, 1989), for item 10.1 Planning for the Wodonga Hills – continued community consultation. The nature of the interest is due to visual amenity.*

*Mr Ierino left the meeting room at 7.05pm. Mr Ierino returned to the meeting room at 7.15pm after the item was resolved.*
10.2 - Assemblies of councillors

Under section 3 of the *Local Government Act 1989* an assembly of councillors (however titled) means a meeting of an advisory committee of the Council, if at least one councillor is present, or a planned or scheduled meeting of at least half of the councillors and one member of Council staff which considers matters that are intended or likely to be:

a. the subject of a decision of the Council; or

b. subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

An assembly of councillors does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.

The written record of each assembly is, as soon as possible, required to be incorporated in the minutes of the council meeting. The written records of the assemblies recently held are attached.

**Attachments**

The following documents are attached to this report:

- Attachment A: Written record of the assemblies

**Tabled papers**

Nil

**Declaration of conflict of interests**

Under section 80C of the *Local Government Act 1989* officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Governance Officer - Kevin Scully
In providing this advice as the report author, I have no interests to disclose in this report.

This report is for information only.
Written record of assemblies of councillors – report to March 20, 2017 council meeting

Councillor briefing of Monday, February 20, 2017, commencing at 9am and concluding at 11.45am.

Venue: Committee Room, Council Offices, Hovell Street, Wodonga.

In attendance:

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Items Discussed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anna Speedie</td>
<td>Mayor and councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Kat Bennett</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Danny Lowe</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Ron Mildren</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Tim Quilty</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Patience Harrington</td>
<td>Chief Executive Officer</td>
<td>All items</td>
</tr>
<tr>
<td>Trevor Ierino</td>
<td>Director Business Services</td>
<td>All items</td>
</tr>
<tr>
<td>Debra Mudra</td>
<td>Director Community Development</td>
<td>All items</td>
</tr>
<tr>
<td>Leon Schultz</td>
<td>Director Planning &amp; Infrastructure</td>
<td>All items</td>
</tr>
<tr>
<td>Kevin Scully</td>
<td>Governance Officer</td>
<td>All items</td>
</tr>
<tr>
<td>Adam Wiseman</td>
<td>Manager Economic Development</td>
<td>Item 4a</td>
</tr>
</tbody>
</table>

Conflict of interest disclosures:

The Director Business Services, Trevor Ierino declared a conflict of interest on three occasions during that part of item one when the Hilltops Strategy was discussed. On each occasion Mr Ierino left the meeting room while the matter was under discussion.

The Chief Executive Officer, Patience Harrington declared a conflict of interest during that part of item one when the petition on parking in Vermont and Brockley streets was discussed. Ms Harrington left the meeting room while the matter was under discussion.

Items discussed:

1. The Mayor and councillors reported on matters relating to their roles as delegates, and other community issues.
2. The CEO gave an update of strategic issues.
3. Review of agenda for ordinary council meeting
4. Briefing reports were provided on the following:
   a. Investment Attraction update
   b. Wodonga Federation of Government Schools
   c. Finance report for January 2017
   d. Food and organics three bin system
   e. Update on affordable housing
   f. YMCA Aquatics Contract

Note: Cr Hall was absent from the councillor briefing as she attended the meeting of the North East Waste Resource Recovery Group (NEWRRG) in her role as the council appointed representative.
Written record of assemblies of councillors – report to March 20, 2017 council meeting

Councillor briefing of Monday, February 27, 2017, commencing at 8.30am and concluding at 11.25am.

Venue | Committee Room, Council Offices, Hovell Street, Wodonga.

In attendance

<table>
<thead>
<tr>
<th>Name</th>
<th>Role and Duties</th>
<th>Items Discussed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anna Speedie</td>
<td>Mayor and councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Kat Bennett</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Libby Hall</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Danny Lowe</td>
<td>Councillor</td>
<td>Item 3 only</td>
</tr>
<tr>
<td>Ron Mildren</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Tim Quilty</td>
<td>Councillor</td>
<td>Item 3 only</td>
</tr>
<tr>
<td>Trevor Ierino</td>
<td>Director Business Services</td>
<td>All items</td>
</tr>
<tr>
<td>Debra Mudra</td>
<td>Director Community Development</td>
<td>Item 3 only</td>
</tr>
<tr>
<td>Leon Schultz</td>
<td>Director Planning &amp; Infrastructure</td>
<td>All items</td>
</tr>
<tr>
<td>Kevin Scully</td>
<td>Governance Officer</td>
<td>All items</td>
</tr>
<tr>
<td>Mark Verbaken</td>
<td>Manager Environment &amp; Community Protection</td>
<td>Item 3b</td>
</tr>
<tr>
<td>Fiona Wigg</td>
<td>Climate Adaptation Officer</td>
<td>Item 3b</td>
</tr>
<tr>
<td>John Sidgwick</td>
<td>Manager Planning and Building</td>
<td>Item 3a</td>
</tr>
<tr>
<td>Timothy Cheetham</td>
<td>Strategic Planner</td>
<td>Item 3a</td>
</tr>
<tr>
<td>Jenelle Williamson</td>
<td>Manager Sport &amp; Recreation</td>
<td>Item 3d</td>
</tr>
<tr>
<td>Tom O’Connor</td>
<td>General Manager, Racing Wodonga</td>
<td>Item 3d</td>
</tr>
<tr>
<td>Plus President and Board members, Racing Wodonga</td>
<td>Item 3d</td>
<td></td>
</tr>
</tbody>
</table>

Conflict of interest disclosures

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Item</th>
<th>Did the councillor leave the meeting?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ron Mildren</td>
<td>Item one - that part of the item providing an update on the Central Place development.</td>
<td>Yes.</td>
</tr>
</tbody>
</table>

Items discussed

1. The Mayor and councillors reported on matters relating to their roles as delegates, and other community issues.
2. The CEO gave an update of strategic issues.
3. Briefing reports were provided on the following:
   a. Leneva Baranduda Precinct Structure Plan – Wodonga Planning Scheme Amendment C121
   b. Council Climate Change Policy
   c. Albury Wodonga Ethnic Community Council
   d. Site visit - The Wodonga & District Turf Club Inc – Racing Wodonga

NB: Councillors Lowe and Quilty were absent for items one and two of the briefing as they attended as ‘on duty’ councillors at Baranduda consultations about the development of the Council Plan.
### Written record of assemblies of councillors – report to March 20, 2017 council meeting

Councillor briefing of Monday, March 6, 2017, commencing at 8.30am and concluding at 1.15pm

**Venue** Committee Room, Council Offices, Hovell Street, Wodonga.

**In attendance**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position/Role</th>
<th>Items Discussed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anna Speedie</td>
<td>Mayor and councillor</td>
<td>1,2,3a,3b,4</td>
</tr>
<tr>
<td>Kat Bennett</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Libby Hall</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Danny Lowe</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Ron Mildren</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Tim Quilty</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Patience Harrington</td>
<td>Chief Executive Officer</td>
<td>All items</td>
</tr>
<tr>
<td>Trevor Ierino</td>
<td>Director Business Services</td>
<td>2,3,4,5</td>
</tr>
<tr>
<td>Debra Mudra</td>
<td>Director Community Development</td>
<td>All items</td>
</tr>
<tr>
<td>Leon Schultz</td>
<td>Director Planning &amp; Infrastructure</td>
<td>1,2,3a,3b</td>
</tr>
<tr>
<td>Fiona Keeble</td>
<td>Executive Assistant</td>
<td>All items</td>
</tr>
<tr>
<td>Kellie Davies</td>
<td>Manager Communications &amp; Marketing</td>
<td>Item 3a</td>
</tr>
<tr>
<td>Simone Hogg</td>
<td>Manager Culture &amp; Tourism</td>
<td>Item 3b</td>
</tr>
<tr>
<td>Marcin Armstrong</td>
<td>Manager Family, Youth &amp; Early Years</td>
<td>Item 3c, 3d</td>
</tr>
<tr>
<td>Cathy McGowan</td>
<td>Member for Indi</td>
<td>Item 4</td>
</tr>
<tr>
<td>Anthony Herman</td>
<td>Audit Committee external member (Chairperson)</td>
<td>Item 5</td>
</tr>
<tr>
<td>Sally Rashbrooke</td>
<td>Audit Committee external member</td>
<td>Item 5</td>
</tr>
<tr>
<td>Brian Rochford</td>
<td>Audit Committee external member</td>
<td>Item 5</td>
</tr>
<tr>
<td>Spencer Rich</td>
<td>Manager Governance and Customer Focus</td>
<td>Item 5</td>
</tr>
<tr>
<td>Narelle Klein</td>
<td>Manager Finance</td>
<td>Item 5</td>
</tr>
<tr>
<td>Brad Bohun</td>
<td>Audit Committee, external auditor – Crowe Horwath</td>
<td>Item 5</td>
</tr>
<tr>
<td>Ryan Schischka</td>
<td>Audit Committee, internal auditor – Johnsons MME</td>
<td>Item 5</td>
</tr>
</tbody>
</table>

**Conflict of interest disclosures**

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Item</th>
<th>Did the councillor leave the meeting?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Speedie</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Items discussed**

1. The Mayor, councillors and executive – Site visit Wodonga hilltops. Trevor Ierino did not attend due to a conflict of interest.
2. The Mayor and councillors reported on matters relating to their roles as delegates, and other community issues.
3. Briefing reports were provided on the following:
   a. Online options for council meetings
   b. Visitor Information Centre - Review
   c. Playground Strategy 2016-2020 (Review)
   d. Youth Services (information only)
4. Cathy McGowan, Member for Indi, discussion with Councillors around Wodonga’s priorities
5. Introduction of Audit Committee members to Councillors

NB: Cr Speedie was absent for items 3c, 3d, 5 due to a Council media obligation.
10.3 - Status report on council meeting resolutions

The attached report provides an update on the status of council resolutions from previous meetings.

Attachments

The following documents are attached to this report:

- Attachment A: Status report

Tabled papers

Nil

Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Governance Officer - Kevin Scully
In providing this advice as the report author, I have no interests to disclose in this report.

This report is for information only.
### Status report on council meeting resolutions – February 2017

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Item 1</strong></td>
<td>Status report on council meeting resolutions – February 2017</td>
<td><strong>Item 1</strong></td>
</tr>
<tr>
<td><strong>Resolution</strong></td>
<td>Havelock St Valuation (18/01/2016)</td>
<td><strong>Resolution</strong></td>
</tr>
<tr>
<td><strong>Status</strong></td>
<td>That:</td>
<td><strong>Status</strong></td>
</tr>
<tr>
<td></td>
<td>1. The land identified as Precinct 3, Havelock Street Extension, Wodonga Victoria, 3690 (VicRoads Edition 9 Maps 653 O5) be purchased at valuation; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. The CEO be authorised to sign on the council’s behalf any documents that are required to be signed in connection with the purchase of the land.</td>
<td></td>
</tr>
<tr>
<td><strong>Status</strong></td>
<td>An invoice for the land required and as agreed to has been received and processed under delegation, by the CEO.</td>
<td><strong>Status</strong></td>
</tr>
<tr>
<td><strong>Item 2</strong></td>
<td>Development options for the old Wodonga Saleyards and adjoining industrial land (18/04/2016)</td>
<td><strong>Item 2</strong></td>
</tr>
<tr>
<td><strong>Resolution</strong></td>
<td>That:</td>
<td><strong>Resolution</strong></td>
</tr>
<tr>
<td></td>
<td>1. An Expression of Interest process for the sale of Wodonga’s old saleyards site and adjoining industrial land at Bandiana be commenced immediately; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Should the Expression of Interest process not successfully secure a sale, Lot 1 and 2 be listed for sale on the open market.</td>
<td></td>
</tr>
<tr>
<td><strong>Status</strong></td>
<td>The Expression of Interest processed has commenced.</td>
<td><strong>Status</strong></td>
</tr>
<tr>
<td><strong>Item 3</strong></td>
<td>Breaches of section 173 agreement within Willow Gardens Estate (Borland Circuit and Lingford Court), Wodonga (15/08/2016)</td>
<td><strong>Item 3</strong></td>
</tr>
<tr>
<td><strong>Resolution</strong></td>
<td>That:</td>
<td><strong>Resolution</strong></td>
</tr>
<tr>
<td></td>
<td>1. Council writes to all the property owners within the Willow Gardens Estate where a breach of the s173 agreement has occurred to advise them that the options available are either to remedy the breach or apply to amend the s173 agreement; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Council writes to all local building surveyors reminding them of their responsibilities and obligations when assessing building plans, particularly insofar as adherence to covenants and section 173 agreements are concerned</td>
<td></td>
</tr>
<tr>
<td><strong>Status</strong></td>
<td>This matter remains under discussions with residents, seeking a suitable outcome.</td>
<td><strong>Status</strong></td>
</tr>
<tr>
<td><strong>Item 4</strong></td>
<td>Amendment C124 (Activity Centre Zone) for adoption (15/08/2016)</td>
<td><strong>Item 4</strong></td>
</tr>
<tr>
<td><strong>Resolution</strong></td>
<td>1. That having considered the Panel’s report under Sect 27(1) of the Act; Wodonga Planning Scheme Amendment 124, incorporating the Panel’s, be adopted under Sect 29 of the Act; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. That officers be authorised to complete and submit the documentation required to seek the formal approval of Amendment C124 to the Minister for Planning under Section 31 of the Act.</td>
<td></td>
</tr>
<tr>
<td><strong>Status</strong></td>
<td>Documentation with the Minister for Planning.</td>
<td><strong>Status</strong></td>
</tr>
<tr>
<td><strong>Item 5</strong></td>
<td>Planning for the Wodonga Hills - community consultation summary (19/09/2016)</td>
<td><strong>Item 5</strong></td>
</tr>
<tr>
<td><strong>Resolution</strong></td>
<td>That:</td>
<td><strong>Resolution</strong></td>
</tr>
<tr>
<td></td>
<td>1. The development of the strategy and master plans continue, subject to further consultation as outlined below, and the petitioners be advised accordingly;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. The strategy and master plans be revised based on considered analysis of the feedback provided by the community;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Further consultation with the community be conducted through a series of forums following the review and revision of the current documentation; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. A further report be submitted to the council following the further consultation, and in-line with the timetable outlined at option three in this report.</td>
<td></td>
</tr>
<tr>
<td><strong>Status</strong></td>
<td>Workshops due to take place in late March following which a further report will be presented to the council in line with the council recommendation.</td>
<td><strong>Status</strong></td>
</tr>
<tr>
<td><strong>Item 6</strong></td>
<td>Sport and Recreation Planning and Baranduda Fields (12/12/2016)</td>
<td><strong>Item 6</strong></td>
</tr>
<tr>
<td><strong>Resolution</strong></td>
<td>That the Council:</td>
<td><strong>Resolution</strong></td>
</tr>
<tr>
<td></td>
<td>1. Completes the detailed design works for Baranduda Fields stage one project;</td>
<td></td>
</tr>
</tbody>
</table>
## Status report on council meeting resolutions – February 2017

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Completes the Baranduda Fields master plan review;</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Does not proceed to construction of the Baranduda Fields stage one project until further funding is secured;</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Authorises the Mayor and CEO to continue to seek future funding for the facility and government and private enterprise support for the project;</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Moves forward the design and delivery of projects, as listed in table 2, that will address urgent capital upgrades and training demands;</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Supports an application for the Kelly Park netball facility upgrade under the Country Football Netball program; and</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Allocates part of the $1.92 million surplus carried over from the 2015-2016 final result for the funding of the above projects.</td>
<td></td>
</tr>
<tr>
<td>Status</td>
<td>Master planning and detail designs nearing completion. Projects being prepared and scoped and discussions with clubs held. Funding application for Netball submitted. Unsuccessful in securing sufficient funding for the recent application for Building Better Regions funding.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item LED Streetlight Replacement (12/12/2016)</td>
<td>That the purchase of streetlight hardware to the value of $600,000 be approved through the existing MAV procurement tender.</td>
<td>Streetlight hardware has been purchased, with delivery expected shortly.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
</table>
| Item Amendment C105 - Environmental Significance Overlay over land surrounding the West Wodonga and Baranduda Waste Water Treatment Plants (23/01/2017) | That approval be given for officers to:  
1. Seek authorisation from the Minister for Planning to prepare Amendment C105 to the Wodonga Planning Scheme to apply an Environmental Significance Overlay Schedule 5 (ESO) over land adjoining the West Wodonga and Baranduda, Waste Water Treatment Plants (WWTP); and  
2. Formally prepare and exhibit Amendment C105 in accordance with the requirements of Section 19 of the Planning and Environment Act 1987 once Ministerial authorisation has been issued | Documentation being prepared. |

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item Review of the instruments of delegation (20/02/2017)</td>
<td>The resolution is too large to reproduce here.</td>
<td>Updated delegations and guidelines on their use have been distributed to staff. Completed.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
</table>
| Item Tender for old Wodonga Saleyards, Whytes Road - rehabilitation of effluent ponds (W925-17) (20/02/2017) | That:  
1. The tender from James Civil Group Pty Ltd t/as James Excavations Pty Ltd for contract number W925-17 for the Whytes Road saleyards effluent ponds rehabilitation earthworks for the contract sum of $204,500.00 (excluding GST) based on the schedule of rates tendered be accepted; and  
2. The contract period should commence from the date of the Council award; February 20, 2017, and completed by April 30, 2017 | Contract for the works has been awarded, with works expected to commence soon. |
### Status report on council meeting resolutions – February 2017

<table>
<thead>
<tr>
<th>Item</th>
<th>Tender for street lighting LED changeover project - installation phase only (W926-17) (20/02/2017)</th>
</tr>
</thead>
</table>
| Resolution | That:  
1. That the tender from GPE HV Pty Ltd for contract number W926-17 for the Street Lighting LED changeover project installation phase only, for the contract sum of $226,319.60 (excl GST) based on the schedule of rates tendered be accepted.  
2. The contract period should commence March 6, 2017 and be finalised by June 9, 2017.  
3. The tender to be approved subject to GPE HV Pty Ltd gaining AusNet (PL) Public Lighting, Bulk Light Replacement accreditation by March 3, 2017.  
4. If the (PL) Public Lighting, Bulk Light Replacement accreditation with Ausnet Services is not achieved by GPE HV Pty Ltd by COB March 3, 2017 the CEO be authorised to negotiate a revised accreditation date or readvertise the tender to the open market at her discretion. |
| Status | All contracts awarded – inception meeting held on 9 March 2017. Accreditation has been confirmed. |

<table>
<thead>
<tr>
<th>Item</th>
<th>Lease - council works depot at 8 Kane Road (20/02/2017)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That the option to extend the current lease on 8 Kane Road, Wodonga, as presented by C J Colquhoun Dixon Commercial Real Estate in their letter dated 1 August 2016, in the sum of $46,185.19 (excl GST) per annum and subject to annual increases, be exercised.</td>
</tr>
<tr>
<td>Status</td>
<td>Lease agreement being drawn up for signature.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Car parking waiver, 246 Victoria Cross Parade, Wodonga (20/02/2017)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>The resolution is too large to reproduce here.</td>
</tr>
<tr>
<td>Status</td>
<td>Applicant has been advised of outcome.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Speed limit on section of Baranduda Boulevard fronting Westmont (20/02/2017)</th>
</tr>
</thead>
</table>
| Resolution | That:  
1. The petition in relation to the speed limit on the section of Baranduda Boulevard fronting Westmont Aged Care Services be received and that it lay on the table pending a report from the Traffic Liaison Committee;  
2. The petition be referred to the Traffic Liaison Committee for advice; and  
3. A further report be submitted once the advice has been received from the Traffic Liaison Committee. |
| Status | Report to March Council meeting |

<table>
<thead>
<tr>
<th>Item</th>
<th>Request to upgrade McIntosh and Rapsey roads, Bonegilla (20/02/2017)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That the petition requesting an upgrade to McIntosh and Rapsey roads be received and that it lay on the table until the next ordinary meeting of the council in March.</td>
</tr>
<tr>
<td>Status</td>
<td>Report to March Council meeting</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Proposed basketball court - Riverside Estate (20/02/2017)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That the petition requesting action by the council in relation to the location of a proposed basketball court in Riverside Estate be received and that it lay on the table until the next ordinary meeting of the council in March.</td>
</tr>
<tr>
<td>Status</td>
<td>A report in response to the petition tables in February due to go to the March 20, 2017 ordinary council meeting for determination.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Parking in Vermont and Brockley streets (20/02/2017)</th>
</tr>
</thead>
</table>
### Status report on council meeting resolutions – February 2017

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the petition requesting action with the parking in Vermont and Brockley streets be received and that it lay on the table until the next ordinary meeting of the council in March.</td>
<td>Report to March Council meeting</td>
</tr>
</tbody>
</table>
Council has not received any Notices of motion for this meeting.
12.1 - Beggars in the CBD

Purpose of report

The purpose of this report is to receive a petition and to recommend that it ‘lay on the table’ until the April council meeting.

Background

A petition has been received, with 64 signatories, seeking action by the council in relation to beggars in the CBD.

The petition is tabled. Separately, a copy of the petition has been forwarded to councillors. The petition reads:

*We draw to the attention of the council beggars are on the streets in our CBD and they’re accosting members of the public and local businesses.*

*We therefore request that the matter be attended more often to move the beggars on and the local laws be amended to be able to be enforced.*

The council's Meeting Procedure Local Law states that unless the council resolves to consider it as an item of urgent business, the petition must lay on the table until the next ordinary meeting of the council, at which time a further report will be provided.

Attachments

Nil

Tabled papers

The following documents will be tabled at the meeting:

- Document A: Petition - beggars in the CBD

Declaration of conflict of interests

Under section 80C of the *Local Government Act 1989* officers providing advice to the council must disclose any interests, including the type of interest.

Director Business Services - Trevor Ierino
In providing this advice, I have no interests to disclose in this report.

Governance Officer - Kevin Scully
In providing this advice as the report author, I have no interests to disclose in this report.
12.1 - Beggars in the CBD (cont’d)

**Recommendation**

That the petition requesting action in relation to beggars in the CBD be received and that it lay on the table until the next ordinary meeting of the council in April.

**Motion**

Crs John Watson / Danny Lowe

That the recommendation be adopted.  

Carried
12 - Petitions

Planning and Infrastructure

12.2 - Poor State of Road - McIntosh & Rapsey Road

Purpose of report

A petition was received with 47 signatories seeking action by the council to upgrade McIntosh Rd and Rapsey Rd in Bonegilla.

This report provides a response to the petition that was tabled at the February 2017 meeting of council.

Background

The petition was tabled at the February 2017 council meeting and copies forwarded to all councillors.

The petition generally requests the following items be considered due to increased traffic volumes utilising the Rapsey Rd and McIntosh Rd route;

- Upgrade of Rapsey Rd and McIntosh Rd to a higher standard
- Intersection of McIntosh Rd with the Murray Valley Hwy and Rapsey Rd with Bonegilla Rd be upgraded with turning lanes.

See Attachment A for a general locality plan.

In council’s road register, McIntosh Rd is classified as a Rural Access road and Rapsey Rd is classified as a Rural Service road.

The definitions for each of these road classifications are detailed in the Wodonga Road Asset Management Plan. Following is an extract of the relevant table.

<table>
<thead>
<tr>
<th>Road classification</th>
<th>Functional definition</th>
<th>General road description</th>
</tr>
</thead>
</table>
| **Service**         | Provides a feeder service and links to collector roads:  
• Provides property access in both urban and rural areas;  
• Provides access to minor locations and industries;  
• Moderate percentage of through traffic; and  
• Caters for moderate traffic volumes and speeds. | • All weather two-lane road, at least formed and gravelled or single lane sealed road with gravel shoulders in rural areas, and sealed two-lane road in urban areas;  
• Medium quality road surface, maintained to a good standard;  
• Direct property access permitted;  
• Delineation generally provided by guideposts at times within the rural areas; and  
• Typical design speed 50 – 80kmh depending on terrain. |
| **Access**          | Provides predominantly for direct access to properties and industries:  
• Caters for low traffic volumes and generally for low traffic speeds; and  
• Low percentage of through traffic. | • All weather road where required for house access, usually formed and gravelled in rural areas, and sealed in urban areas;  
• Maintained to moderate standard, equal to or less than service roads;  
• Delineation generally provided by guideposts; and  
• Typical design speed 40 – 70kmh depending on terrain. |
These classifications and current road standards accord with the primary function of these roads, and based on this evidence alone, any requirement for further upgrades to these roads is not required.

Rapsey Rd currently has a 4.4m to 4.6m sealed width wide with a section widening out to 6.4m through a crest/cutting. The road was last resealed in January 1999 and indicative programs have it scheduled for resealing in 2018/19. The last traffic volume in 2010 indicated a volume of approximately 130 vehicles per day with 6% being heavy vehicles.

Updated traffic counts will be undertaken just prior to the resealing program to design an appropriate road seal.

The main central part of the seal is, visually, in generally good to fair condition. Edges show consistent areas of drop off and failures, with visual evidence to suggest this is being caused by increased traffic volumes requiring vehicles to leave the seal in order to pass.

McIntosh Rd currently has a 4.9m to 5.1m sealed width with a section of widening at a crest of 7.4m due to limited sight distance. The road was last resealed in January 1998 and indicative programs have it programmed for resealing in 2018/19. The last traffic volume in 2010 indicated a volume of approximately 210 vehicles per day with 12% being heavy vehicles.

Updated traffic counts will be undertaken just prior to the resealing program to design an appropriate road seal.

The main central part of the seal is in generally good to fair condition, with isolated areas of failure (more prevalent in the low lying areas to the north). Edges show consistent areas of drop off and failures, again with visual evidence to suggest this is being caused by increased traffic volumes requiring vehicles to leave the seal in order to pass.

The petitioners rightly address the fact that there are increased traffic volumes utilising this route in favour of the VicRoads controlled, arterial road network, being the Murray Valley Hwy and Bonegilla Rd.

Vehicles are avoiding the VicRoads route and utilising the local road network for the reasons detailed in the petition letter, that being the 80km/h speed limit through Bonegilla township and past the General Store on Bonegilla Road and the perception of greater kangaroo numbers.

The local road route is not a shortcut, in that the distance is equal to the arterial route, however the local road route does not have a sign posted speed limit meaning that the default 100km/h rural road limit applies. Drivers are taking advantage of this situation.
The fact that more and more drivers are using this alternative route, places additional stress on these local roads, requiring more maintenance to meet the condition requirements set out in the Road Management Plan. The preferred route should be the VicRoads arterial road network that is managed as an arterial road with higher road standards to suit the higher traffic volumes.

Improving Rapsey Rd and McIntosh Rd to a higher standard as requested by the petitioners will likely further increase traffic volumes on this route and will encourage more vehicles to avoid the VicRoads arterial road network. This would be further encouraged if the requested turn lanes on the Murray Valley Hwy and Bonegilla Rd are constructed.

These intersection works would require the approval of VicRoads, and being part of the arterial road network should not be funded by council. The ability of VicRoads to fund these works is unknown at this time.

The preference is for local traffic only to be using Rapsey Rd and McIntosh Rd. In order to achieve this, the VicRoads arterial route needs to be the more convenient option.

Travel times for both routes, ignoring acceleration and deceleration times, are very similar. The arterial routes travel time is approximately 3.8 minutes. The Rapsey Road / McIntosh Rd travel time is approximately 3.47 minutes. In order to encourage vehicles to remain on the arterial route a speed limit reduction to 80km/h on the Rapsey Rd / McIntosh Rd route would extend the travel time to 4.33 minutes.

This could deter drivers from using this route, however additional measures, including increased policing may be required to ensure these speed limits are adhered to. Other traffic calming measures could be considered.

This matter was raised at the Traffic Liaison Committee (TLC) meeting held on March 10, 2017. The TLC was attended by representative from VicRoads, Victoria Police and Wodonga Council. Council was also represented by Cr Ron Mildren.

The TLC supports the outcomes of this report and the recommendations contained herein.

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>We are innovative, responsive and responsible in the way we conduct business.</td>
<td>Deliver council services with a strong customer focus.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

Council’s Road Management plan needs to be adhered to in terms of road condition and intervention levels for maintenance.
12 - Petitions

Planning and Infrastructure

12.2 - Poor State of Road - McIntosh & Rapsey Road (cont’d)

Risk and opportunity management implications

<table>
<thead>
<tr>
<th>Risk description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upgrade Rapsey and McIntosh Road increases traffic.</td>
<td>3</td>
<td>B</td>
<td>S</td>
<td>Retain current standard and continue ongoing maintenance.</td>
</tr>
<tr>
<td>Vehicles continue to use Rapsey and McIntosh Road as a short cut rather than using the arterial road network.</td>
<td>3</td>
<td>B</td>
<td>S</td>
<td>Could introduce speed limits on Rapsey and McIntosh Rd to deter vehicles from using this route. Reduced speeds will also be more appropriate for the current road standards.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunity description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduce vehicle speed and volumes in Rapsey and McIntosh Road.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>By introducing a reduced speed limit and maintaining the current road standard vehicle speeds and volumes would reduce creating a more pleasant environment.</td>
</tr>
</tbody>
</table>

Financial implications

The preliminary estimate to widen both Rapsey Rd and McIntosh Rd to a 6.2m wide seal would be in the order of $500,000. Further works would be required to provide a more accurate estimate. This work is currently unbudgeted.

While perhaps not warranted at this time, reconstruction of these roads could escalate to many millions of dollars, but would be subject to further detailed analysis, including traffic surveys and modelling.

The resealing of these roads is currently indicatively programmed for the 2018/19 financial year. These works would be funded via the annual road renewal program and no specific budget allocation relating to these works would be required. This work would not include any additional widening of these roads however table drains, road shoulders and isolated sections of road pavement would all be renewed.

Environmental implications

There are no known environmental implications associated with this report.

Social / cultural implications

The current usage of Rapsey Rd and McIntosh Rd is having an impact on the residents along these roads as is evidenced by the concerns raised in the petition that has been received by council.

Works to improve the amenity of the area whilst also maintaining the functionality and safety of these roads needs to be a consideration for any future works that are performed.
Legislative implications

Council is required to meet its obligations in accordance with the requirements of the Road Management Act 2004 as the responsible road authority for Rapsey Rd and McIntosh Rd.

Community engagement and internal consultation

The residents of Rapsey Rd and McIntosh Rd will be informed of any proposed works to be undertaken on these roads.

Options for consideration

Option 1 – Do nothing
Council continues to maintain these roads at their current standard. The roads are renewed and resealed as indicatively programmed in the 2018/19 financial year.

This is the preferred option.

Option 2 – Upgrade works as requested by the petition
Council allocates funding to the upgrade of Rapsey Rd and McIntosh Rd. Works to widen both roads to a width of 6.2m would require a budget allocation to be sought.

The scope of these works would need to be further detailed however initial estimates indicate a budget allocation of approximately $500,000 to perform these road widening works.

This risk of this could be to further encourage vehicles to use this route to avoid the 80km/h speed zones through the Bonegilla Township.

This is not the preferred option.

Option 3 – Retain current road standard and apply 80km/h speed limit
Same as Option 1, however a speed limit of 80km/h is also applied to Rapsey Rd and McIntosh Rd.

This option would require a resolution of council and also VicRoads approval to make the speed limit change. Support from the local residents would also be required.

This would be the preferred option should the local community, VicRoads and Victoria Police support the proposal to reduce the speed limit.

Note that none of the options consider upgrades to turning lanes from the Murray Valley Hwy and Bonegilla Rd. These works would require approval from VicRoads and would be the responsibility of VicRoads. Council should not fund these works.
Conclusion

Rapsey Rd and McIntosh Rd are currently classified as local access and local service roads. Their primary function is to provide access to adjoining land owners with only limited through traffic. The current standard of construction meets these needs and are in accordance with council’s Road Management Plan.

Changes to speed limits through the Bonegilla township over recent years has seen an increase in traffic using this local road route in preference to using the VicRoads arterial road network.

Council’s preference is that vehicles remain on the arterial route as this is constructed and maintained to a higher standard to cater for larger volumes of traffic expected to utilise this route.

Whilst the concerns raised by the petition are valid, increasing the standard of these roads may in fact create a longer term problem of increasing traffic volumes and vehicle speeds through this route having a detrimental impact on the amenity of the local area, and potentially requiring the road to be reconstructed to meet the extra demand and levels of service.

Maintaining the current standard of this route and encouraging vehicles to remain on the VicRoads arterial network is the preferred outcome. This could be achieved through the introduction of an 80km/h speed limit, however this would require community, VicRoads and Victoria Police support.

Attachments

The following documents are attached to this report:

- Attachment A: General Locality Plan

Tabled papers

Nil

Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Planning and Infrastructure - Leon Schultz
In providing this advice, I have no interests to disclose in this report.

Manager Infrastructure and Works - Theo Panagopoulos
In providing this advice as the report author, I have no interests to disclose in this report.
12 - Petitions

Planning and Infrastructure

12.2 - Poor State of Road - McIntosh & Rapsey Road (cont’d)

Recommendation

That:

1. Council continues to maintain these roads at their current standard; and
2. The roads are renewed and resealed as indicatively programmed in the 2018/19 financial year.

Motion

Crs Ron Mildren / Kat Bennett

That the recommendation be adopted.  

Carried
12.3 - Parking in Vermont and Brockley Street

Purpose of report

A petition was received with 24 signatories seeking action by the council in relation to parking in Vermont and Brockley St.

This report provides a response to the petition that was tabled at the February, 2017 meeting of council.

Background

The petition that was received read as follows:

“We draw to the attention of the council to a very congested intersection of Vermont and Brockley streets between 8am and 4pm Monday to Friday due to parked cars creating visibility and access issues for residents.

We request permit parking for two to four houseblocks in Vermont Street from the Brockley Street end to encourage school staff and students to use parking near the school football oval to make the busy intersection safer.”

Parking in this area has become problematic since the redevelopment of the Wodonga Senior Secondary College. As a State Government school, no planning permit for development was required, and as such, provision for on-site parking was not made.

School users park in the streets adjacent to the school and as is the norm, they will park as close to the location they are going to as legally possible. Vermont St is directly opposite the main entry point to the school located on Brockley St and as such is a very popular parking location.

There are a number of localised parking issues within this immediate vicinity. Parking at the Wodonga Hospital to the south is also limited and this has caused similar issues in that location. All-day parking opportunities within this precinct are at a premium for both students and staff of the secondary college and staff of the hospital.

Previously, Awburn St to the west was converted to a permit parking zone between the hours of 9am to 3pm to alleviate parking congestion in that street. Whilst this has proven successful in Awburn St, this has forced vehicles into other areas, including Vermont Street. A further extension of a permit parking zone as requested, will force vehicles into other areas, again potentially raising concerns from residents.

Whilst the request of the petitioners would most likely resolve the issues being experienced at the intersection of Brockley and Vermont St, this may only have the impact of relocating the problem to another location within the vicinity.

There is clearly a need for parking in this area and in order to determine the best possible outcome, a precinct-wide study of parking covering both the secondary college and hospital sites should be undertaken.
This study would determine a precinct-wide solution that will take into consideration the needs of all users.

Any changes being made to current arrangements, without a more holistic approach will be problematic and not recommended as an appropriate course of action.

This matter was raised at the Traffic Liaison Committee (TLC) meeting held on 10 March 2017. This committee is made up of VicRoads, Victoria Police, Cr Mildren and council officers.

The outcomes and recommendation are supported by the TLC.

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wodonga is a prosperous regional city, alive with opportunity and thriving on growth and investment</td>
<td>Plan for the sustainable growth of the city.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

There are no policy or strategy implications associated with this report.

**Risk and opportunity management implications**

<table>
<thead>
<tr>
<th>Risk description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parked vehicles continue to make access at the Vermont St/Brockely St intersection unsafe.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>Ensure vehicles are parking legally at the intersection to ensure a safe environment.</td>
</tr>
<tr>
<td>Upon implementation of the requested zone, parking problem moves to another location.</td>
<td>3</td>
<td>B</td>
<td>S</td>
<td>Prepare the parking study before any changes are made to ensure the problem isn’t relocated to another area.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunity description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improved parking, safety and amenity</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>The preparation of the parking study could provide solutions to enable all users within the area to gain benefits</td>
</tr>
</tbody>
</table>

**Financial implications**

The preparation of a parking study for this precinct is currently unbudgeted. A study of this type will require a budget allocation of approximately $40,000 to $50,000 in order to assess the current situation and to explore possible solutions.

It is unlikely that this study could be undertaken within the 2016/17 financial year, therefore an allocation should be made for the 2017/18 financial year.
Environmental implications

There are no environmental implications associated with this report.

Social / cultural implications

The parking of vehicles in the streets surrounding the school and hospital sites is having an impact on the amenity of adjoining residents.

Residents have been raising the issues relating to difficulty accessing driveways, limited sight distance when exiting their properties, poor visibility at intersections and a general impact on the amenity in the neighbourhood.

The undertaking of a parking study will have the main aim of seeking solutions to all the concerns raised by residents, and also providing feasible parking options for users of both the school and the hospital.

Legislative implications

There are no legislative implication associated with this report.

Community engagement and internal consultation

The preparation of the strategy would include consultation with all affected parties.

Options for consideration

Option 1 – Do Nothing
Council could elect to deny the request of the residents to implement a permit parking zone in Vermont St at the Brockley St intersection and leave the current situation unchanged.

This is not the recommended option.

Option 2 – Approve the request for a permit zone in Vermont St.
Council could implement a permit zone at the northern end of Vermont St as requested by the petitioners. This would most likely resolve the issues being experienced at this specific location however the overall issue of parking within the precinct would remain unresolved. This change in this location will likely only move the issue to another location.

This is not the recommended option.

Option 3 – Undertake a parking study covering the secondary college and hospital precincts.
The preparation of a study that investigates parking options across the entire precinct is the most appropriate method of determining a long term solution to the problem.
12.3 - Parking in Vermont and Brockley Street (cont’d)

Currently, the school and hospital are placing a significant parking burden on the residential streets and a piecemeal approach will only move the problem to other areas within the precinct.

Through a holistic approach, the needs of all users and residents can be considered and assessed to determine the most equitable outcome for all.

A budget allocation of $50,000 will be required in the 2017/18 budget in order to undertake this study.

It should be noted that this study is to include a comprehensive traffic management study to better inform outcomes to be considered in the future.

Conclusion

Issues with parking (and traffic) within this precinct have been ongoing over a number of years and residents have been regularly raising concerns in relation to their safety and amenity.

With the redevelopment of the school and lack of parking that has been provided, all day parking availability is at a premium and adjacent residential areas are currently meeting this parking demand. It is also noted that general traffic movements within the area are at times less that desirable and should be investigated to determine mitigating or control measures.

In order to determine the most equitable solution a holistic approach is required to ensure the issues aren’t moved from one location to another. The most appropriate way to achieve this is through the preparation of a precinct wide traffic management and parking study.

This study will assess the general traffic needs of all users and considerer parking requirements and suitable areas to have the least impact on the local residents whilst also meeting the parking needs of both the secondary college and the hospital.

Attachments

Nil

Tabled papers

Nil

Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.
**Recommendation**

That:

1. Council denies the request to implement a permit parking zone in Vermont St at the Brockley St intersection as requested in the petition; and

2. Makes an allocation of $50,000 in the 2017/18 budget for the preparation of comprehensive traffic management and parking study for the entire central precinct.

**Motion**

Crs Kat Bennett / Libby Hall

Council acknowledges the petition requesting to implement a parking permit zone in the area of the Vermont and Brockley Street intersection, but will not at this stage implement Permit parking in this area. Instead it will implement the following processes to improve safety and traffic conditions via:

1) Council to liaise with the Wodonga Senior Secondary School to have staff park in alternative areas and the school parking provided.

2) Council will implement parking restrictions of two hours in Brockley Street and the immediate streets adjacent to Brockley Street to improve the congestion and all day parking impacting residents and have these enforced by Local Law officers;

3) Council will review the impact of the above measures over the next six months.

4) After the review, should residents still be adversely affected in the Vermont and Brockley Street locations, Council will commence the preparation of a comprehensive traffic management and parking study and plan for the entire precinct.

Carried

Cr Ron Mildren disclosed a conflict of interest, being being an indirect interest because of conflicting duty (section 78B of the Local Government Act, 1989), for item 12.3 Parking in Vermont and Brockley Street. The nature of the interest is that Cr Mildren is a member of the Wodonga Senior Secondary College Council.

Patience Harrington, Chief Executive Officer disclosed a conflict of interest, being an indirect interest due to impact on residential amenity (section 78E of the Local Government Act, 1989), for item 12.3 – Parking in Vermont and Brockley Street. The nature of the interest is due to neighbourhood amenity.

Cr Mildren and Ms Harrington left the meeting room at 7.20pm. Cr Mildren and Ms Harrington returned to the meeting room at 7.29pm after the item was resolved.
12.4 - Speed limit in section of Baranduda Boulevard fronting Westmont

Purpose of report

A petition was received with 90 signatories seeking action by the council in relation to the speed limit on the section of Baranduda Boulevard fronting Westmont Aged Care Services.

This report provides a response to the petition that was tabled at the February meeting of council.

Background

The petition that was received read as follows:

“We the undersigned, do respectfully request that the speed limit along the section of Baranduda Boulevard fronting the Westmont Aged Care Services precinct, be reduced from 80kph to 60kph.

We the undersigned, are concerned citizens who urge VicRoads to act now to avert potential serious accidents.”

The setting of speed limits is legislated in the Local Government Act 1989, Road Management Act 2004 and the Road Safety (Traffic Management) Regulations 2009.

A speed limit sign is a major traffic control device as defined in the Road Safety (Traffic Management) Regulations 2009, and as such, requires the approval of VicRoads to install the sign.

In order for council officers to request a speed limit change, a resolution of council is required, as the power to determine speed limits as stated in the Local Government Act 1989 at Schedule 11, Clause 13 is retained by council.

The usual process for considering speed limit changes is for proposed changes to be discussed at Traffic Liaison Committee Meetings (TLC). These meeting are attended by representatives of council, VicRoads and Victoria Police and are held quarterly. Cr Mildren is the councillor representative on the TLC.

The TLC met and considered the content of the petition on Friday March 10, 2017, and devised and supported the outcomes and recommendations contained within this report.

In making the recommendation, the TLC considered all factors specific to the location including adjoining land uses, road conditions, crash history and environmental factors.

Speed zone change requests are generally not formally forwarded to VicRoads for consideration without full support of the TLC and formal resolution of council.
Consequently, a resolution of council is required for council officers to make the recommended formal request of VicRoads.

VicRoads, have in the past, requested council to undertake community consultation of the change and to provide those results with the application. In general, if significant negative feedback is received on a proposed change, it is unlikely VicRoads would approve the change in speed limit.

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wodonga is a prosperous regional city, alive with opportunity and thriving on growth and investment</td>
<td>Plan for the sustainable growth of the city.</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

There are no council policy or strategy implications associated with this report.

Risk and opportunity management implications

<table>
<thead>
<tr>
<th>Risk description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crash risk at access points to Westmont</td>
<td>2</td>
<td>C</td>
<td>H</td>
<td>There is always a risk associated with driving a vehicle. There are currently left and right turning lanes for access into this site that greatly assists with safety. Speed reduction would increase this further.</td>
</tr>
<tr>
<td>Negative community feedback about speed limit reduction.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>The community have been negative about speed limit reductions in the past. This extension of the 60km/h speed zone would add a very insignificant amount of time to travel times.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunity description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased safety through lower speed limit</td>
<td>4</td>
<td>B</td>
<td>M</td>
<td>Any reduction in speed limit is likely to increase safety however it also lessens the severity of crashes if they do occur.</td>
</tr>
</tbody>
</table>

Financial implications

There are no financial implications associated with this report.

Should the application to change the speed limit be supported, and approval received from VicRoads, the change in speed signs can be undertaken under normal operational budgets.
Environmental implications

There are no environmental implications associated with this report.

Social / cultural implications

There are no known social / cultural implications associated with this report.

Legislative implications

The following legislation needs to be considered in relation to the setting and changing of speed limits.

- Local Government Act 1989
- Road Management Act 2004
- Road Safety (Traffic Management) Regulations 2009

Community engagement and internal consultation

Prior to the request for the speed limit change being considered by VicRoads, council will be required to advertise the proposed speed limit change and seek feedback from the community.

Options for consideration

Option 1 – Do nothing
Council could elect to deny the request to consider a speed limit change fronting the Westmont Aged Care centre.

Option 2 – Consider advice of the TLC

The TLC considered the petition and provided the following preferred option:

1. Council denies the request to change the speed limit in Baranduda Boulevard in front of the Westmont development to 60kph; and

2. Council requests VicRoads to approve the extension of the 80kph speed zone to the western-most Westmont development property boundary alignment with Baranduda Boulevard.

This is the preferred option.
Conclusion

The request for a speed limit change was considered by the Traffic Liaison Committee as speed limit related decisions are based on the collective input of the committee’s participants being Victoria Police, Wodonga Council and VicRoads.

The committee devised and supports the outcomes and recommendation in this report.

Attachments
Nil

Tabled papers
Nil

Declaration of conflict of interests

Under section 80C of the *Local Government Act 1989* officers providing advice to the council must disclose any interests, including the type of interest.

Director Planning and Infrastructure - Leon Schultz
In providing this advice, I have no interests to disclose in this report.

Manager Infrastructure and Works - Theo Panagopoulos
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That:

1. Council denies the request to change the speed limit in Baranduda Boulevard in front of the Westmont development to 60kph; and

2. Council requests VicRoads to approve the extension of the 80kph speed zone to the western-most Westmont development property boundary alignment with Baranduda Boulevard;

3. Council writes to the petition organiser to advise of Council’s decision.

Motion

Crs Danny Lowe / Libby Hall

That the recommendation be adopted.

Carried
12.5 - Riverside Playground

Purpose of report

The purpose of this report is to respond to the petition received by council and tabled at the ordinary council meeting on February, 20, 2017.

The petition, with 12 signatories, is seeking action by the council in relation to the location of a proposed basketball court in Riverside Estate, Killara. The action required by council under the petition was to request the removal of the basketball court from the current design and relocate to an appropriate position accepted and known by all Riverside residents.

Background

The developers for Riverside Estate (JMP Developments Ltd) had allocated two parcels of land for the development of playgrounds in Stage 3 and 7. Prior to the construction of the playgrounds, it became evident to council that both parcels of land were unsuitable for a playground. Council was mindful that the estate was lacking a playground and residents in the area had been requesting a playground that was suitable for all age groups.

The site at Rooney Ave (Stage 3), now Schorobura Park, has an Aboriginal overlay imposed due to artefact found on the site (Cultural Heritage Management Plan (CHMP) Report 10957, 2011). Playground equipment could not be placed on this land due to the footings that would need to be placed in the ground with the risk of disturbing the artefact.

The site at Perkins St (Stage 7) has a very large river gum situated in the middle of the block and was not able to be removed due to the environmental significance of the tree. The block was deemed unsuitable for a playground due to the risk of falling limbs from the tree causing injury or death.

Please refer to Riverside Estate Parks Map (Attachment A) to show locations of the parcels of land described above.

In 2015, council officers met with JWP Developments Ltd to discuss alternate parcels of land for the purposes of a playground. These discussions resulted in the allocation by JWP Developments Ltd of the parcel of land on the corner of Charlton Rd and Davenport St to develop a playground. An amendment to the Landscape Plan was approved by council on August 28, 2015. At this stage there were no houses established in the Charlton Rd and Davenport St area.

A playground design including a half basketball court was developed, the project was tendered and construction scheduled. However, rain delayed the construction and due to a back log of work being undertaken by the contractor due to the rain, the playground construction was further delayed.
**Ordinary meeting – March 20, 2017**

<table>
<thead>
<tr>
<th>Petitions</th>
<th>Community Development</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>12.5 - Riverside Playground (cont’d)</strong></td>
<td></td>
</tr>
</tbody>
</table>

The playground was eventually scheduled to commence construction in October 2016. Letters were sent to new residents advising them of the commencement of construction.

Following this, some residents in the Charlton Rd and Davenport St areas expressed concern about the playground and in particular the inclusion of a half basketball court. Issues raised in regard to the half basketball court included:

- The developer had not informed them about the change in the Landscape Plan (amended August 28, 2015). They were on the understanding from the developers that this area would always be green open space;

- Noise level of a half basketball court;

- Parking availability near the park;

- Rubbish left in the park and smelly rubbish bins;

- Additional trees in the playground may obscure the view to the hills in the background;

- A shade shelter in the playground will impact the view to the hills;

- The half basketball court may encourage young people and this could lead to late night activities and inappropriate behaviour; and,

- A 1.8-metre-high fence behind the half basketball court would further impact on the aesthetics of the open space.

Council officers met with the residents in the Charlton Rd and Davenport St area who were most impacted, and discussions were undertaken. It was agreed to take out the area destined for the half basketball court and leave as a grassed area for kicking balls and picnicking etc.

The plans to the playground were amended and letters sent out to residents advising of the removal of the half basketball court due to the above concerns.

This letter generated further comment from the residents in the Charlton Rd and Davenport St areas. Those who wanted a half basketball court then presented council with a list of names of residents that were in favour of the half basketball court remaining in the design plans. As a result it was decided that in order to get a more accurate account of the level of support or opposition to the basketball court by the residents. Further consultation would be undertaken with the residents of Charlton Rd and Davenport St prior to a decision being made on the inclusion or non-inclusion of a half basketball court. This consultation was scheduled for February 2017, after the Christmas period.
On February 16, 2017, a formal petition from concerned residents in the Charlton Rd and Davenport St area was presented to council. This was tabled at the council meeting on February 20, 2017. A meeting was also held with a concerned household, council officers, executive and the CEO.

It was explained to the concerned household that further community consultation would be attended commencing February 20, 2017 and the results made available to council for a decision at the March ordinary council meeting.

**Methodology and outcomes of further community consultation**

The community consultation in February was based on a questionnaire with information including alternative designs of the playground. It was undertaken through an individual door knock to all residents in Charlton Rd and Davenport St. Landlords were contacted by telephone and email.

The questionnaire asked residents and landlords to choose between two options:

Option 1: Playground with a half basketball court

Option 2: Playground without a half basketball court

If they chose Option 2, they were asked if they would like an alternative piece of equipment or keep it as green open space.

Residents were also asked about some demographic details about their household, including whether they were owners and residents or residents renting, had children or grandchildren that may visit, type of equipment they would like to see in a playground and comments and concerns about a playground on the site and any additional comments on the inclusion of non-inclusion of a half basketball court.

**Results**

In total, 25 households/landlords were contacted. Of the 22 respondents, 13 were in favour of a half basketball court and nine preferred not to have a half basketball court. An additional three households did not generate a response.

Of those residents who *did not* want a half basketball court, 100 percent felt that it should be left as green open space and not have alternative equipment placed in there.

It was also noted, that those households closest to the reserve were more likely to feel most impacted by the addition of the half basketball court.

Whether households had children or not did not seem to have a bearing on their choice of Option 1 or Option 2.
Comments regarding the half basketball court

Comments regarding the potential of a half basketball court in the playground produced replies that were positive, neutral and negative.

Positive comments were related to it being a positive amenity in the area providing activity for older children and providing a community feel. Negative comments relate to concerns regarding increased young people, noise from the basketballs and increased activity, especially at night. There were also concerns about the impact on the natural aesthetics of the reserve.

Additional comments

Of those that responded, 17 made comment about the type of equipment they would like to see in the playground as well as a preference for the area to be environmentally pleasing with some shaded areas.

 Responses to the question about comments or concerns about a playground in this location included positive, neutral and negative comments. Positive comments related to amenity for parents, fencing and shade while there were additional comments about maintaining the trees. Negative responses related to the aesthetics of the fencing, wanting the open space to remain unencumbered by structures and potential for inappropriate behaviours.

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Our people will enjoy an excellent quality of life</td>
<td>Offer diverse and accessible recreation, leisure and sporting opportunities.</td>
<td>Continue to implement the Wodonga Playground Strategy to provide play experiences that promote development and well being.</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The development of playgrounds is guided by the Council Plan and Playground Strategy. The document Play Environments in Wodonga also guides the development of playgrounds in new developments.
Ordinary meeting – March 20, 2017

Petitions

Community Development

12.5 - Riverside Playground (cont’d)

Risk and opportunity management implications

<table>
<thead>
<tr>
<th>Risk description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inclusion or exclusion of a half basketball court will not resolve issues for all residents.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>Present the background information to council for an informed decision.</td>
</tr>
<tr>
<td>Exclusion of a half basketball court will disadvantage older children and young people.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>Provide the provision of play activities for older children within the playground that is alternate to a half basketball court or position the court in another location in the estate.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunity description</th>
<th>C’quence</th>
<th>L’hood</th>
<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inclusion of a half basketball court will provide play activities for older children and young people.</td>
<td>2</td>
<td>C</td>
<td>H</td>
<td>Activities for older children and young people will provide avenues for physical activity and social interaction.</td>
</tr>
<tr>
<td>The half basketball court will provide community supervision of older children and young people, making for an inclusive community.</td>
<td>2</td>
<td>B</td>
<td>H</td>
<td>Community participation and connectedness provides opportunity for a safe and inclusive community.</td>
</tr>
</tbody>
</table>

Financial implications

The funds for the construction of the playground are currently in the 16/17 council budget and forms part of a section 173 agreement clause 6.3 (c) with the developer.

The cost of including a half basketball court is $14,620 dollars including civil construction. Not proceeding with the half basketball court will result in a decrease in expense due to less equipment but only a small decrease in the expense of the civil construction due to irrigation and landscaping of an alternate grassed area. Full details are shown below.

<table>
<thead>
<tr>
<th></th>
<th>2016-2017 approved budget $</th>
<th>This proposal $</th>
<th>Variance to approved budget $</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>(200,000)</td>
<td>(200,000)</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Expense</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Option 1 Half Basketball Court</td>
<td></td>
<td></td>
<td></td>
<td>There would be additional costs required for sound absorbing surface – approximately $8,000.</td>
</tr>
<tr>
<td>Option 2 No Half Basketball Court</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Environmental implications

The development of the playground does not provide any environmental implications that would be negative to the area. Existing trees will remain. The planting of additional trees can alleviate the potential of soil erosion from the creek.

Social / cultural implications

Due to varying reasons previously listed, this estate has an absence of playgrounds to meet the needs of the children, young people and families in the area. This proposal will provide the residents in this estate with a suitable playground and will provide an opportunity for physical activity and social connectedness for children, young people and families. The whole of community approach to participation gives rise to community connectedness and safety as expressed by some residents.

People who live the closest to the playground feel the most impacted with noise, aesthetics, increased activity and the potential for inappropriate behaviour as their greatest concern.

There appears to be dichotomy of social impacts of this proposal. At one end residents who see great benefit in having a half basketball court nearby and those that feel that this will impact negatively on them. The impacts of noise can be looked at through sound absorbing surfaces on the court however it is considered that the impact will only slightly reduce the sound of a ball bouncing on the concrete surface as most sound is emanated through the backboard. Increased participation of children and young people at the playground will naturally occur.

Whether a half basketball court results in an increase in inappropriate behaviour is unknown. The playground is mostly accessible to the resident children, young people and families and would not be considered a destination playground for the broader community.

The playground is located across the road from the nearest resident’s back fence with the edge of the playground 25 metres from the back fence and the edge of the basketball court starting approximately 28 metres from the nearest resident’s back fence.

In addition, comments were made suggesting that the half basketball court could go into the reserve that has been set aside for an oval and associated amenities. Council officers did investigate this option, however, this reserve is not due to be delivered until after the 1000 lot is developed (currently approximately 200 lots developed). There is an expected timeframe of up to 8 years for 1000 lots to be developed. In addition this reserve is subject to a flood overlay and as a result the level of development allowed by the referring bodies such as North East Catchment Management Authority is uncertain at this stage.
However, of a major concern from some residents was they were not informed when purchasing their blocks that a playground would be going onto the reserve and they had purchased it because there was a reserve nearby.

Council’s inability to build playgrounds on the blocks of land originally set aside by the developers resulted in the allocation of this new block of land that was previously set aside as an open space reserve.

Feedback suggests that the process of informing potential purchasers that the landscape plan been amended could have been better executed.

Some residents have also indicated that they did not receive letters sent from council to inform residents of the playground development.

Overall improved process would have mitigated some of the concerns now being presented.

While the consultation provides a result between those residents that want a court and those who don’t, the variation is small. The unintended consequence of the half basketball court addition or removal could potentially contribute to neighbourhood disharmony.

As there is general agreement to the development of a playground, there is the opportunity to commence construction of the playground and look for an alternate site within the estate for a half basketball court.

**Legislative implications**

There are no legislative implications.

**Community engagement and internal consultation**

Over the course of the proposal several meetings have been held with residents who had concerns with both the development of the playground and the inclusion of a basketball court. An onsite visit was also held.

Further consultation with residents has been attended during February 2017 with this report providing a summary of the results of this consultation.
Options for consideration

Option 1:
Do nothing.

This will not provide an outcome to the inclusion of a half basketball court in the playground on the corner of Charlton Rd and Davenport St, Killara.

Option 2:
Include the half basketball court in the construction of the playground on the corner of Charlton Rd and Davenport St, Killara. Thirteen of the residents consulted, are supportive of the inclusion of the half basketball court.

Option 3:
Do not include the half basketball court in the construction of the playground on the corner of Charlton Rd and Davenport St, Killara. This option represents nine of the residents consulted who are opposed to the inclusion of a half basketball court.

Option 4:
Approve the construction of the playground on the corner of Charlton Rd and Davenport St, Killara and look for alternate sites within the estate where a half basketball can be accommodated. There is agreement from residents of a playground so this would appear to be the preferred option whereby children and families can access a local playground.

Conclusion

The playground is considered to be a local playground and will service the local residents and is a much needed addition to the estate due to the absence of any other playground for children and families. However, the inclusion of a half basketball court in the playground on the corner of Charlton Rd and Davenport St has met with varying community opinion.

Consultations indicated a split between residents in the adjoining streets near the playground in favour of the half basketball court and the residents who feel that they will be impacted by the addition of a half basketball court and are not in favour of the proposal. In this situation, an agreed position with residents on the basketball court has not been able to be found.

There appears to be a general consensus in agreement to the development of a playground in the proposed location and this seems to be the point at which the project can start to move forward.

Attachments

The following documents are attached to this report:

- Attachment A: Riverside Estate Parks Map
Tabled papers

Nil

Declaration of conflict of interests

Under section 80C of the Local Government Act 1989 officers providing advice to the council must disclose any interests, including the type of interest.

Director Community Development - Debra Mudra
In providing this advice, I have no interests to disclose in this report.

Manager Family, Youth and Early Years - Marcia Armstrong
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

The council resolves to approve the construction of the playground on the corner of Charlton Rd and Davenport St, Killara and look for alternate sites within the estate that could accommodate a half size basketball court.

Motion

Crs John Watson / Danny Lowe

That the recommendation be adopted. Carried

In speaking to this motion Cr Lowe requested to have his comments recorded in the minutes.

The importance of a neutral position. All councillors are tasked to be open minded and not have bias. This does not mean they cannot have a view on any matter it just means they need to have the ability to listen to others views and either have their view changed or make a decision that may go against their personal view if it is for the betterment of the broader community, or in their opinion just seems right. This is what happened to me in regards to the Riverside playground petition that was presented.

When I first looked at the petition I thought this is just another one of those NIMBY moments and I don't doubt for a minute there is an element of that. But when I was presented with some considerations from council staff, explanations on how this playground is ending up in this reserve and also feedback from members of the community that I met with. I might add here what I did enjoy most about meeting with these members was their ability to work together offering up alternate solutions and also compromises not just a "no not here" as they also recognised both the importance of a playground and a basketball court for the estate.
There is a saying "buyer beware" but there is no way these residents could possibly predict or have evidence to suggest that where this park/playground was earmarked on the developers plans would move twice. One site was too dangerous due to a large gum tree, and another had discovered an aboriginal artefact. Which now leaves the playground at its third location in what was originally earmarked as a reserve.

Taking all this into consideration and throwing in a little common sense I believe, is why I will vote for this park to be built without the basketball court and I suggest we work with the developers to earmark a new site for the 1/2 basketball court which is urgently needed at the Riverside Estate. I hope we can get this site earmarked as early as possible and give potential residents the choice to buy near the basketball court or choose another block in the estate. If the estate was not so young I would have probably voted for the basketball court to stay but because the estate is young and there are plenty of other options where it may be placed I am choosing to vote this way.

If enough of my fellow councillors also support this option then I can’t wait to take Tanner to Riverside and shoot some hoops myself when a suitable location is found.
Council has not received any Council seal for this meeting.
Clause 23 of the council's Meeting Procedure Local Law (no. 1 of 2009) states:

If the agenda for an Ordinary meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if it:

a) relates to or arises out of a matter which has arisen since distribution of the agenda; or

b) cannot safely or conveniently be deferred until the next Ordinary meeting or involves a matter of urgent community concern.
Clause 61 of the council’s Meeting Procedure Local Law (no. 1 of 2009) states:

61.1 There shall be a public question time at every Ordinary meeting to enable members of the public to submit written questions to Council.
61.2 Public Question Time will have a duration as determined by Council from time to time.
61.3 Questions submitted to Council must be prefaced by the name and address of the person submitting the question and generally be in a form approved or permitted by Council.
61.4 Persons submitting questions must be present in the gallery at the time the question is due to be read, or the question will not be addressed by Council.
61.5 No person may submit more than two questions at any one meeting.
61.6 If a person has submitted two questions to a meeting, the second question:
   a) may, at the discretion of the Chairperson, be deferred until all other persons who have asked a question have had their questions asked and answered; or
   b) may not be asked if the time allotted for public question time has expired.
61.7 A question may be disallowed by the Chairperson if the Chairperson determines that it:
   a) relates to a matter outside the duties, functions and powers of Council;
   b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
   c) deals with a subject matter already answered;
   d) is aimed at embarrassing a councillor or a member of Council staff;
   e) relates to personnel matters;
   f) relates to the personal hardship of any resident or ratepayer;
   g) relates to industrial matters;
   h) relates to contractual matters;
   i) relates to proposed developments;
   k) relates to matters affecting the security of Council property; or
   l) relates to legal advice;
   m) relates to any other matter which Council considers would prejudice Council or any person.
61.8 Questions will be answered either at the Council meeting or as soon as possible after the Council meeting, subject to such policy or guidelines that Council may adopt from time to time.
61.9 No debate on questions asked or answers given is permitted.

Presentation of awards

At this time the Mayor presented the Young Achiever Scheme Awards for March 2017 to Ryan Hooper and Macey Sutherland.
Council has not received any Confidential business for this meeting.
Clause 23 of the council's Meeting Procedure Local Law (no. 1 of 2009) states:

If the agenda for an Ordinary meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if it:

- a) relates to or arises out of a matter which has arisen since distribution of the agenda; or
- b) cannot safely or conveniently be deferred until the next Ordinary meeting or involves a matter of urgent community concern.

A confidential urgent business item also needs to stipulate the reason for the matter being considered as confidential in accordance with section 89 (2) and section 89 (3) of the *Local Government Act 1989*. 

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Ordinary meeting – March 20, 2017

17 – Confidential urgent business
• Chairperson to close the meeting.

There being no further business the meeting closed at 7.54pm.

Minutes confirmed this ..................... day of .......................................................... 2017.

...........................................
Chairperson