Wodonga Council minutes for the Ordinary meeting of the council held as an on-line virtual meeting on August 17, 2020.

Present
Cr A Speedie (Mayor)
Cr B Mitchell (Deputy Mayor)
Cr L Hall
Cr D Lowe
Cr R Mildren
Cr J Watson

In attendance
Mr M Dixon    Chief Executive Officer
Ms D Mudra    Deputy Chief Executive Officer
Mr D Barker    Acting Director Finance and Systems
Ms S Hogg     Director Community Development
Mr L Schultz  Director Planning and Infrastructure
1. Calling to order

The meeting was called to order at 6pm by the Mayor.

2. Statement of acknowledgement

The Mayor read the following:

*We acknowledge the traditional owners of this land on which we are meeting and pay our respects to their Elders past, present and emerging, and to those from other communities who are here with us today, for they hold the memories, the tradition and the culture of all Aboriginal and Torres Strait Islander People.*

3. Apologies and requests for leave of absence

An apology was received from Cr Bennett.

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

There was none.

5. Declaration by councillors of any conflict of interest

Cr 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 17.2 Planning development - legal proceedings. The nature of the interest is that Cr Mildren’s business has undertaken work for the business in question.

6. Confirmation of minutes of previous meeting

**Recommendation**

That the minutes of the ordinary meeting of council held on July 20, 2020, as circulated, be confirmed.

**Motion**

Crs Libby Hall / Danny Lowe

That the recommendation be adopted.  

*Carried unanimously*
Recommendation
That the minutes of the special meeting of council held on July 27, 2020, as circulated, be confirmed.

Motion
Crs Danny Lowe / John Watson
That the recommendation be adopted.  
Carried unanimously

7. Delegates reports

Nil

8. Reports for determination

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18. Confidential urgent business

19. Close of meeting
Live streaming and video recording of meeting

The council meeting will be live streamed on the internet and video recorded.

The video recording of the meeting will be uploaded online within 48 hours of the conclusion of the meeting, and be capable of repeated viewing.

The voices and images of those participating in the meeting, and in the gallery, may be captured as part of this recording.

Every care is taken to maintain the privacy of persons in the public gallery with the camera focussed on the Mayor, Councillors and Executive Officers.

However, persons in attendance at a public council meeting are advised that incidental capture of an image or sound of persons in the public gallery may occur. By remaining at the meeting persons give their consent to being filmed and the possible use of images and sound recordings in a live streaming or published video of the public council meeting.
<table>
<thead>
<tr>
<th>Environment</th>
<th>Minor (4)</th>
<th>Moderate (3)</th>
<th>Major (2)</th>
<th>Catastrophic (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Brief, non-hazardous, or contained temporary pollution</td>
<td>Residual pollution requiring cleanup</td>
<td>Significant harm to the environment requiring restorative work</td>
<td>Irreversible damage to the environment</td>
</tr>
<tr>
<td>Financial</td>
<td>Little to no impact on revenue or expenditure</td>
<td>Moderate impact on revenue or expenditure</td>
<td>Major impact on revenue or expenditure that will result in a council budget revision</td>
<td>Total impact on revenue or expenditure that may lead to the organisation being placed into administration</td>
</tr>
<tr>
<td>Service Delivery</td>
<td>Disruption to program, project or service with no downtime. May be dealt with by routine operations or management action and have limited impact on objectives</td>
<td>Require management initiated review and have some impact on the business unit's program, project or service, or on its strategic objectives. Temporary loss of key data</td>
<td>Would threaten the continued operation of a business unit's program, project or critical service. Impact adversely on the Business Unit's strategic objectives. Unrecoverable loss of key data</td>
<td>Would threaten the organisation's viability or would not allow the organisation to achieve its objectives</td>
</tr>
<tr>
<td>Reputation</td>
<td>Limited political/community sensitivity No reputational damage. Resolved in normal operational management</td>
<td>Some political/community sensitivity and local media scrutiny and/or requires external audit</td>
<td>Results in significant political community sensitivity and media scrutiny and/or parliamentary questions</td>
<td>Results in extreme political/community sensitivity and media scrutiny or may result in a commission of inquiry or investigation</td>
</tr>
<tr>
<td>Safety</td>
<td>May result in minor injury or reversible health damage which may be dealt with through primary First Aid</td>
<td>Result in injury or health impacts that are reversible, but may require medical attention but limited ongoing treatment</td>
<td>Results in life-threatening or serious injury which is irreversible requiring medical attention and ongoing treatment</td>
<td>Results in death or permanent disability of one or more people</td>
</tr>
<tr>
<td>Legislative Compliance</td>
<td>Minor technical breach but no damages</td>
<td>Minor technical non-compliance and breaches of regulations or law with potential for minor damages or monetary penalty</td>
<td>Major compliance breach with potential exposure to large damages or awards</td>
<td>Sancious compliance breach with potential prosecution with maximum penalty imposed</td>
</tr>
</tbody>
</table>

### Consequence

<table>
<thead>
<tr>
<th>Almost Certain (A)</th>
<th>Significant</th>
<th>High</th>
<th>Extreme</th>
<th>Extreme</th>
</tr>
</thead>
<tbody>
<tr>
<td>Likely (B)</td>
<td>Medium</td>
<td>Significant</td>
<td>High</td>
<td>Extreme</td>
</tr>
<tr>
<td>Possible (C)</td>
<td>Medium</td>
<td>Significant</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td>Unlikely (D)</td>
<td>Low</td>
<td>Medium</td>
<td>Significant</td>
<td>High</td>
</tr>
<tr>
<td>Rare (E)</td>
<td>Low</td>
<td>Low</td>
<td>Medium</td>
<td>Significant</td>
</tr>
</tbody>
</table>

### Response based on risk score

- **Extreme**: Council/CEO's attention immediately required. Possibly avoid undertaking the activity or implement new controls.
- **High**: Director's attention required. Consider suspending or ending activity or implement additional controls.
- **Significant**: Manager's attention required. Ensure that controls are in place and operating and management responsibility is shared.
- **Moderate**: Manage through usual procedures and accountability.
- **Low**: Add controls where appropriate.
Council has not received any Delegates reports for this meeting.
8.1 - Instruments of delegation

Purpose of report

The purpose of this report is to review the instruments of delegation following recent changes in legislation affecting Victorian councils.

Background

Council operates a system of delegations to officers to enable the effective operation of the organisation. These delegations are updated periodically as legislation is amended, or new legislation introduced which impacts upon the operations of Council.

The system of delegations Council operates has been developed by the legal firm, Maddocks. The Maddocks templates are a starting point for Council’s instruments of delegation. For instance, Council may decide that it wants to retain certain powers rather than delegate them to members of staff, or that it wishes to impose additional conditions or limitations on the exercise of delegated powers by the relevant delegate.

Importantly, Council has in place guidelines for reporting back on the exercise of delegations.

The following information is extracted, in part, from explanatory notes issued by Maddocks:-

Most council decisions are not made at council meetings. Effective functioning of local government would not be possible if they were. Instead, most decision-making power is, or should be, allocated by formal delegations.

Sources of Council power

A council is a statutory entity. It is able to do only those things which it is authorised by statute to do.

The sources of council authority can be summarised as:

- power to do things which a “natural person” can do - in particular, the power to enter into contracts;
- powers conferred by provisions of Acts and regulations, such as the Local Government Act 2020 and the Planning and Environment Act 1987;
- powers conferred by other forms of statutory instrument.

The powers of a “natural person”

A council is given by s 14 of the Local Government Act 2020 the power to deal with property and, more generally, the capacity to do anything which bodies corporate may by law do “which are necessary or expedient” for performing its functions and exercising its powers.

The delegation of powers of this type is provided for in the “Miscellaneous and Administrative” section of the schedule to the Instrument of Sub-Delegation from the Chief Executive Officer (CEO) to members of staff (S7).
8.1 - Instruments of delegation (cont’d)

The Miscellaneous and Administrative section of the Schedule to S7 includes a number of powers best described as administrative or operational in nature, where the authority does not come from specific Acts or Regulations but rather from operational requirements of council to manage its affairs. It should be noted this Schedule does not presume to be a definitive document covering all administrative or operational powers of council, it is merely a reference guide on a wide range of associated policy and operational authorities.

Powers conferred by statutes and regulations
The bulk of the instruments of delegation in the Maddocks service are taken by a provision-by-provision listing of council powers under statutes and regulations which are delegated.

Decisions by the Council
The power of a Council to act by resolution is set out in s 59 of the Local Government Act 2020 -

"(1) Where a Council is empowered to do any act, matter or thing, the decision to do the act, matter or thing is to be made by a resolution of the Council."

Types of delegation
Alternatively, a Council can act through others. Where this is to occur, it is recommended that the appointment be formalised through written "instruments of delegation" wherever practicable.

Under the Local Government Act 2020, there are two sources of powers of delegation:
- s 11: delegation of Council powers to the CEO or members of a delegated committee; and
- s 47: delegation of Council powers by the CEO to Council staff or members of a Community Asset Committee, as well as delegation of CEO powers to Council staff.

The delegation powers under the Local Government Act 2020 apply to powers under any Act. However, some other Acts also include provisions dealing with delegations relating to particular issues. There is a problem of interpretation when those Acts confer the delegation power more restrictively than the Local Government Act 2020. For example, a delegation under s 188 of the Planning and Environment Act cannot authorise a delegate to acquire land on behalf of the Council in its capacity as responsible authority. The prudent approach is to comply with the more restrictive and specific delegation rules under the specific purpose legislation.

The essential features of a delegation
Most statutory bodies have a power of delegation - delegation of powers is generally considered essential to enable day-to-day decisions to be made. Because it is a common feature of legislation, not all details about delegations are set out in
8.1 - Instruments of delegation (cont’d)

the empowering Act - some general features of delegation are set out in the Interpretation of Legislation Act 1984. In particular -

- the decision, once made, is for all legal purposes a decision of the Council itself (s 42A of the Interpretation of Legislation Act);
- the "delegate" is in much the same position as the Council itself in terms of making the decision - for example, where the decision requires that opinion be formed, the delegate's opinion can be the basis for the decision (s 42 of the Interpretation of Legislation Act);
- the fact that a delegation has been made does not affect the Council's powers in relation to the issue concerned (s 42A of the Interpretation of Legislation Act). This is subject, of course, to the rule that the delegate's decision (once made) is taken to be the decision of the Council itself.

For this reason, it is important that the Council have in place appropriate policies and guidelines under which delegation should be exercised.

**Delegation to the CEO**

Under s 47 of the Local Government Act 2020 -

“(1) The Chief Executive Officer may by instrument of delegation delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council to:
   a) a member of Council staff; or
   b) the members of a Community Asset Committee.”

The Council may wish to direct its CEO to report to it on any use made of the power of sub-delegation.

**Delegations to council staff**

With respect to council staff, the power of delegation under s 11 is a power to delegate council's powers under the Local Government Act 2020 or any other Act (with specific exceptions) to the CEO, who may then sub-delegate those powers pursuant to s 47 of the Local Government Act 2020.

The delegation power does not apply to statutory appointments - these are not delegations of council powers. Persons who are appointed to positions are acting as holders of statutory powers, and are not acting as delegates. Examples are:

- an authorised officer appointed under s 224 of the Local Government Act 1989;
- a person appointed to institute proceedings on behalf of the Council (s 313 of the Local Government Act 2020).

There are six instruments recommended by Maddocks:

**S5 - Instrument of Delegation from Council to CEO.** This delegates all of Council's powers, duties and functions which are capable of delegation, subject to some exceptions and limitations, to the CEO.
8.1 - Instruments of delegation (cont’d)

S6 - Instrument of Delegation from Council to members of Council staff relating to Council powers, duties and functions within various Acts and Regulations (or specific parts of those Acts or Regulations), which contain a specific power of delegation. This delegates certain powers directly from Council to Council staff due to the legislation referred to containing specific powers of delegation (see further below).

S7 - Instrument of Sub-Delegation from CEO to Council staff. This sub-delegates Council powers, duties or functions contained in Acts or Regulations which do not include a specific power of delegation.

S13 - Instrument of Delegation from CEO to staff. This instrument allows the CEO to delegate his or her powers, duties and functions existing under all Victorian legislation. This differs to the S7 Instrument in that it does not relate to Council powers, duties and functions, but those vested in the CEO personally.

S14 - Instrument of Delegation from CEO to staff (Vicsmart). This provides for the CEO to delegate his or her powers as a responsible authority under the Planning and Environment Act 1987 in relation to VicSmart planning applications. The difference between the S6 and S7 instruments of delegation turn on the source of the powers of delegation.

S16 - Instrument of Delegation from CEO to staff (Bushfire Reconstruction Applications). This provides for the CEO to delegate his or her powers as a responsible authority under the Planning and Environment Act 1987 in relation to bushfire reconstruction applications in light of Amendment VC179.

All delegations are reviewed concurrently
To ensure certainty the instruments of delegation are reviewed and updated concurrently. This is due to a change in Commonwealth legislation which now differs from Victorian legislation and raises the possibility of delegations made at different times being open to legal challenge.

Changes recommended in this update
The different instruments of delegation have been updated to take account of recent legislative changes identified by Maddocks. The changes with this update are summarised below:

S5: Instrument of Delegation by the Council to the CEO

This instrument has been updated to reflect the introduction of LGA 2020.

This document is included with the attachments as attachment A.

S6: Instrument of Delegation by the Council to staff other than the CEO

The legislative review has identified several changes, being the commencement of the 2020 LGA, as well as the commencement of some changes to the Residential Tenancies Act 1997.
8.1 - Instruments of delegation (cont’d)

This document is included with the attachments as attachment B.

S7: Instrument of Sub-Delegation by the CEO to staff

This instrument is approved by the CEO, and presented to the Council with a recommendation that it be received and noted. The legislative changes in this update are:

- ss 216D(2), 216D(5)(a) and 216D(5)(b) of the Building Act 1993 (Vic) (Building Act) have been amended by the Building and Environment Protection Legislation Amendment Act 2020 (Vic). These amendments will commence on 1 December 2020, unless proclaimed earlier;
- s 86B of the Electricity Safety Act 1998 (Vic) has been substituted by the Emergency Management Legislation Amendment Act 2018 (Vic) (EM Amendment Act) and will no longer be relevant to councils. This amendment will commence on 1 December 2020, unless proclaimed earlier;
- the EM Amendment Act has introduced a number of new provisions into the Emergency Management Act 2013 (Vic) (2013 EM Act) which will commence on 1 December 2020, unless proclaimed earlier;
- the Gender Equality Act 2020 (Vic) was assented to on 25 February 2020. A number of powers, duties and functions have been included in our S7 Instrument which will commence on 31 March 2021, unless proclaimed earlier;
- ss 7A(2), 21(10)(a), 21(10)(b) and 21(10)(c) of the Subdivision Act 1988 (Vic) have been introduced by the Melbourne Strategic Assessment (Environment Mitigation Levy) Act (Vic) (MSA (EML) Act);
- the Great Ocean Road and Environs Protection Act 2020 has been inserted and the relevant provisions will commence on 1 December 2020 unless proclaimed earlier;
- the new Electric Safety (Electric Line Clearance) Regulations 2020 replace the previous Electric Safety (Electric Line Clearance) Regulations 2015;
- the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020 have been inserted and are in force; and
- it contains relevant provisions from both the Local Government Act 2020 and Local Government Act 1989.

This document is included as tabled document A.

S13: Instrument of Delegation by the CEO of CEO’s powers, duties and functions to staff

The legislative changes in this update are:

- s 54(1)(a)(vii) of the 2013 EM Act has been included due to amendments made by the EM Amendment Act;
- s 38A of the Freedom of Information Act 1982 (which provided an exemption for closed Council meeting documents) has been repealed;
- the new Local Government (Electoral) Regulations 2020 replace the previous Local Government (Electoral) Regulations 2016; and
8.1 - Instruments of delegation (cont’d)

- it contains relevant provisions from both the *Local Government Act 2020* and *Local Government Act 1989*.

This instrument is approved by the CEO, and is not subject to further discussion in this report.

**S14: Instrument of Delegation by the CEO to staff (VicSmart)**

The instrument has been updated to reflect the commencement of the 2020 LGA. This instrument is approved by the CEO, and is not subject to further discussion in this report.

**S16: Instrument of Delegation by Chief Executive Officer for Bushfire Reconstruction**

This new Instrument of Delegation has been prepared in light of Amendment VC179, which changes the VPP and planning schemes in Victoria by:
- replacing the existing blank Clause at 52.10 with a new Clause 52.10; and
- amending the Schedule to Clause 72.01 to designate the Council’s CEO as the responsible authority for planning permit applications made under the new Clause 52.10.

The new Instrument takes into account the new provision inserted in Clause 52.10-2, which exempts planning permit applications for the use and development of land from third-party notice and review requirements, subject to meeting the conditions of the clause. The application must be made within five years of the damage or destruction of the building.

This instrument is approved by the CEO, and is not subject to further discussion in this report.

**The Staff Delegation Guidelines**

No changes are proposed at this time. It is recommended that the Guidelines, included with the attachments (attachment C), be adopted without change.

**COVID state of emergency delegations**

The impact of COVID-19 pandemic is still developing and could result in the inability to conduct the business of Council via Ordinary Council meetings due to restrictions imposed externally; or the failure to gain a quorum owing to councillors not able to participate in person due to an inability to attend, illness or complying with isolation requirements. Council dealt with this at its 20 April council meeting by expanding the CEO’s delegation for this specific purpose. For the purposes of clarity it is recommended that this be confirmed by resolution, and with the addition of a reference to the State of Disaster.
Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide strong leadership and governance, demonstrating excellence in the way we do business by being innovative, responsive and transparent. We will be accountable and steward the organisation with the highest regard.</td>
<td>Good governance and customer experience</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

Maddocks is contracted to provide six monthly updates to the instruments of delegation.

This review and update will ensure that Council’s practices remain transparent and that high standards of integrity and accountability are maintained.

Risk 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>If delegations are not updated the legality of a decision or an action purportedly made on behalf of the Council could be questioned.</td>
<td>C</td>
<td>4</td>
<td>High</td>
<td>Adopt the revised instruments.</td>
</tr>
</tbody>
</table>

Financial implications

The cost of the templates provided by Maddocks is fully funded in the budget. There are no other financial implications.

Environmental implications

There are no environmental implications associated with this report.

Sustainability implications

There are no sustainability implications associated with this report.

Social / cultural implications

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

Legislative implications


Section 11(7) of LGA 2020 requires Council to review all delegations within 12 months of a general election. Section 11(9) of LGA 2020 also requires Council to update all their delegations by 1 September 2020.
8.1 - Instruments of delegation (cont’d)

The Instruments of Delegation will be made available on Council’s website.

The recommendation for each instrument does not require the use of the Common Seal. The Instruments will come into effect upon the making of the Council resolutions. Maddocks has confirmed that there is no need to sign or seal the documents.

Community engagement and internal consultation

The revised Instruments of Delegation have been prepared based on current advice provided by Council’s solicitor Maddocks. Consultation has occurred with relevant staff during the preparation of the revised Instrument of Delegation to ensure that appropriate staff delegates have been nominated.

The revocation and conferring of delegations does not require any public consultation, however, Council is required to keep a public register of all delegations.

Options for consideration

1. Do nothing. This is not recommended for the reasons outlined in this report.

2. Adopt the instruments of delegation, as included with the attachments. Further, at its meeting of 20 April council resolved to expand the CEO’s delegation during the declared State Of Emergency arising from the global pandemic COVID-19, and for the purposes of clarity it is recommended that Council again resolve to this effect.

3. Amend the instruments of delegation, prior to their adoption.

Conclusion

Reviewing Council’s delegations ensures Council continues to comply with its obligations under various Acts and Regulations in-line with the current organisational structure. Council has the opportunity to delegate its legislative responsibilities or to retain some responsibilities. These instruments enable the business of Council to be carried out efficiently and in line with Council approved policies. It is timely to again conduct a review in-line with the latest legislative changes.

Attachments

The following documents are attached to this report:

- Attachment A: Instrument of Delegation to the CEO (S5)
- Attachment B: Instrument of Delegation to other staff (S6)
8 - Reports for determination

8.1 - Instruments of delegation (cont’d)

Tabled papers

The following documents will be tabled at the meeting:
- Document A: Instrument of Sub-Delegation to staff

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.

Deputy Chief Executive Officer - Debra Mudra
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

1. In the exercise of the power conferred by s 11(1)(b) of the Local Government Act 2020 (the Act), Council resolves that:
   1.1 There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the Instrument of Delegation to the Chief Executive Officer, included with the attachments, subject to the conditions and limitations specified in that Instrument.
   1.2 The instrument comes into force immediately on the resolution.
   1.3 On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
   1.4 The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

2. In the exercise of the powers conferred by the legislation referred to in the Instrument of Delegation by the Council to members of Council staff (other than the CEO), Council resolves that:
   2.1 There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the Instrument of Delegation by the Council to members of Council staff, included with the attachments, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
   2.2 The instrument comes into force immediately on the resolution.
   2.3 On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
## 8.1 - Instruments of delegation (cont’d)

2.4 The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

3. The Wodonga Council Staff Delegation Guidelines, included with the attachments, be adopted.

4. The Instrument of Sub-Delegation by the CEO to other staff, as tabled, be received and noted.

5. That:

   5.1 During the declared State Of Emergency and / or State of Disaster arising from the global pandemic COVID-19 and in circumstances where a Council quorum cannot be formed the Council hereby resolves that the existing CEO’s delegation (the S5 instrument listed at part one of this recommendation) be expanded to include all matters that would normally be determined by the Council excluding such matters that are specifically prohibited by the *Local Government Act 2020* and the *Local Government Act 1989*, or any other relevant Act; and

   5.2 The CEO report to the next available meeting of the Council on decisions made under the expanded delegation.

### Motion

Crs John Watson / Brian Mitchell

That the recommendation be adopted.

*Carried*
8.2 - Public Transparency Policy

Purpose of report

The purpose of this report is to adopt the Public Transparency Policy.

Background

At its meeting of July 20, 2020 Council resolved to place the draft Public Transparency Policy on public exhibition from July 22 to August 5. There were no submissions as a result of this community consultation.

Section 57 of the Local Government Act 2020 (LGA 2020) requires that Council adopt a Public Transparency Policy.

A key tenet of the Public Transparency Principles is that Council information must be publicly available unless it is confidential by virtue of legislation or making it available would be contrary to the public interest.

The policy describes which Council information is publicly available, and how to access this information. It also explains when Council information may be confidential or when making it available may be contrary to the public interest.

Following the community consultation it is recommended that Council adopt the policy, included with the attachments.

Council Plan

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<td>Good governance and customer experience</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The policy reflects the legislative requirements of LGA 2020 and contains other sections that are in line with the requirements favoured by regulatory authorities such as the Local Government Inspectorate, VAGO, and the Victorian Ombudsman.

The policy is strategically important because it formalises Council’s commitment to open and transparent decision-making.
8.2 - Public Transparency Policy (cont’d)

Risk management implications

<table>
<thead>
<tr>
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<th>Rating</th>
<th>Controls &amp; treatments</th>
</tr>
</thead>
<tbody>
<tr>
<td>The policy is not adopted.</td>
<td>4</td>
<td>C</td>
<td>H</td>
<td>Adopt the policy and ensure its adherence across the organisation.</td>
</tr>
</tbody>
</table>

Financial implications

The policy may involve a change to some work practices to ensure material is readily accessible by the public. There may also be additional requests received by council that will require consideration and assessment. In both instances there may be some resource implications but these are not able to be quantified at this time.

Environmental implications

There are no environmental implications associated with this report.

Sustainability implications

There are no sustainability implications associated with this report.

Social / cultural implications

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

Legislative implications

Section 57 of LGA 2020 requires Council to adopt a Public Transparency Policy.

Community engagement and internal consultation

The draft policy was placed on public exhibition from June 22 to August 5. There were no submissions during the community consultation.

Options for consideration

1. Do nothing. This is not recommended as LGA 2020 requires Council to adopt a policy by September 1, 2020.

2. Adopt the policy, as attached. This is recommended. The policy:
   - Addresses all of the legislative requirements of LGA 2020;
   - Describes which Council information is publicly available, and how to access this information; and
   - Explains when Council information may be confidential or when making it available may be contrary to the public interest.
3. Amend the Public Transparency Policy based upon the attached version, and the legislative requirements detailed in this report.

**Conclusion**

Council has a legislative responsibility to adopt a Public Transparency Policy. This report proposes the adoption of such a policy to ensure compliance with LGA 2020 and to formalise Council’s commitment to open and transparent decision-making.

**Attachments**

The following documents are attached to this report:
- Attachment A: Public Transparency Policy

**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.

Deputy Chief Executive Officer - Debra Mudra
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 the Public Transparency Policy, included with the attachments, be adopted.

**Motion**

Crs Brian Mitchell / John Watson

That the recommendation be adopted.  

*Carried unanimously*
8.3 - Council Expenses Policy

Purpose of report

The purpose of this report is to adopt the Council Expenses Policy.

Background

At its meeting of July 20, 2020 Council resolved to place the draft Council Expenses Policy on public exhibition from July 22 to August 5. There were no submissions as a result of this community consultation.

Section 41 of the Local Government Act 2020 (LGA 2020) requires that Council adopt a Council Expenses Policy. Council must adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for councillors and members of delegated committees that:

- Specifies procedures to be followed in applying for reimbursement and in reimbursing expenses;
- Provides for the reimbursement of child care costs where the provision of child care is reasonably required for a councillor or member of a delegated committee to perform their role; and
- Has particular regard to expenses incurred by a councillor who is a carer in a care relationship within the meaning of section 4 of the Carers Recognition Act 2012.

Following the community consultation it is recommended that Council adopt the policy, included with the attachments.

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide strong leadership and governance, demonstrating excellence in the way we do business by being innovative, responsive and transparent. We will be accountable and steward the organisation with the highest regard.</td>
<td>Good governance and customer experience</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The policy reflects the legislative requirements of LGA 2020 and contains other sections that are in line with the requirements favoured by regulatory authorities such as the Local Government Inspectorate, VAGO, and the Victorian Ombudsman.

The policy is strategically important because it provides a sound basis upon which council can provide support to councillors and members of delegated committees.
8.3 - Council Expenses Policy (cont’d)

Risk 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>The policy is not adopted.</td>
<td>4</td>
<td>C</td>
<td>H</td>
<td>Adopt the policy and ensure its adherence across the organisation.</td>
</tr>
</tbody>
</table>

Financial implications

There are no financial implications in adopting this policy per se. The policy itself will impact upon Council by ensuring transparency and accountability with financial expenditure associated with support to councillors and members of delegated committees. The 2020-2021 budget provides for a range of support to councillors. At the present time Council has no delegated committees.

Environmental implications

There are no environmental implications associated with this report.

Sustainability implications

There are no sustainability implications associated with this report.

Social / cultural implications

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

Legislative implications

Section 41 of LGA 2020 requires that Council adopt a Council Expenses Policy.

Community engagement and internal consultation

The draft policy was placed on public exhibition from June 22 to August 5. There were no submissions during the community consultation.

Options

1. Do nothing. This is not recommended as LGA 2020 requires Council to adopt a policy by September 1, 2020.

2. Adopt the policy, as attached. This is recommended. The policy:
   - Addresses all of the legislative requirements of LGA 2020;
   - Establishes the resources, facilities and administrative support to be provided to councillors and members of delegated committees; and
8.3 - Council Expenses Policy (cont’d)

- Informs councillors, members of delegated committees and staff of their responsibilities under the policy.

3. Amend the Council Expenses Policy based upon the attached version, and the legislative requirements detailed in this report.

Conclusion

Council has a legislative responsibility to adopt a Council Expenses Policy. This report proposes the adoption of such a policy to ensure compliance with LGA 2020 and to provide accountability and transparency with expenses and entitlements paid to councillors and members of delegated committees.

Attachments

The following documents are attached to this report:
- Attachment A: Council Expenses Policy

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.

Deputy Chief Executive Officer - Debra Mudra
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 the Council Expenses Policy, included with the attachments, be adopted.

Motion

Crs John Watson / Brian Mitchell
That the recommendation be adopted.  

Carried unanimously
8.4 - Election Period Policy

Purpose of report

The purpose of this report is to adopt the Election Period Policy.

Background

At its meeting of July 20, 2020 the council resolved to place the draft Election Period Policy on public exhibition from July 22 to August 5. There were no submissions as a result of this community consultation.

Sections 60(1)(e) and 69(1) of the Local Government Act 2020 (LGA 2020) require that Council adopt an Election Period Policy, and that the policy form part of the Governance Rules.

While the draft policy closely resembles the current policy that was required under the Local Government Act 1989 (LGA 1989), it has been amended in order to comply with the legislative changes introduced by LGA 2020.

Following the community consultation it is recommended that Council adopt the policy, included with the attachments.

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide strong leadership and governance, demonstrating excellence in the way we do business by being innovative, responsive and transparent. We will be accountable and steward the organisation with the highest regard.</td>
<td>Good governance and customer experience</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The policy reflects the legislative requirements of LGA 2020 as well as experience from the 2016 elections.

The policy is strategically important because it helps ensure that Council operations continue throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements and established ‘caretaker’ conventions.

Risk 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>Council makes inappropriate decisions during the election period.</td>
<td>4</td>
<td>C</td>
<td>H</td>
<td>Adopt the policy and ensure its adherence across the organisation.</td>
</tr>
</tbody>
</table>
Financial implications

There are no financial implications in adopting this policy per se. The policy will impact upon Council by way of restrictions with financial expenditure during the election period.

Environmental implications

There are no environmental implications associated with this report.

Sustainability implications

There are no sustainability implications associated with this report.

Social / cultural implications

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

Legislative implications

Sections 60(1)(e) and 69(1) of LGA 2020 require Council to adopt an Election Period Policy and that the policy form part of the Governance Rules.

Community engagement and internal consultation

The draft policy was placed on public exhibition from June 22 to August 5. There were no submissions during the community consultation.

Options for consideration

1. Do nothing. This is not recommended as LGA 2020 requires Council to adopt a policy by September 1, 2020.

2. Adopt the policy, as attached. This is recommended. The policy:
   - Addresses all of the legislative requirements of LGA 2020;
   - Sets out the various protocols that council will observe across the election period;
   - Informs councillors and staff of their responsibilities during this period; and
   - Explains to the community how Council will continue to provide services during the period, while applying some restrictions with its decision making so as not to influence voting or have a significant impact on the incoming Council.

3. Amend the Election Period Policy based upon the attached version, and the legislative requirements detailed in this report.
Conclusion

Council has a legislative responsibility to adopt an Election Period Policy. This report proposes the adoption of such a policy to ensure compliance with LGA 2020 and for incorporation into the Governance Rules.

Attachments

The following documents are attached to this report:
- Attachment A: Election Period Policy

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.

Deputy Chief Executive Officer - Debra Mudra
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 the Election Period Policy, included with the attachments, be adopted.

Motion

Crs John Watson / Libby Hall
That the recommendation be adopted.

Carried unanimously
Purpose of report

The purpose of this report is to adopt the Governance Rules.

Background

At its meeting of July 20, 2020 Council resolved to place the draft Governance Rules on public exhibition from July 22 to August 5. There were no submissions as a result of this community consultation.

Section 60 of the Local Government Act 2020 (LGA 2020) requires that Council adopt Governance Rules.

In this regard the legislation states that:
1. Council must undertake a process of community engagement before making its Governance Rules (see s 60(4) of LGA 2020);
2. the first Governance Rules must be adopted on or before 1 September this year (see s 60(7) of LGA 2020); and
3. s 60(1) of LGA 2020 provides that the Governance Rules must address (or be 'for or with respect to') the following:
   a) the conduct of Council meetings;
   b) the conduct of meetings of delegated committees;
   c) the form and availability of meeting records;
   d) the election of the Mayor and the Deputy Mayor;
   da) the appointment of an Acting Mayor;
   e) an election period policy in accordance with section 69;
   f) the procedures for the disclosure of a conflict of interest by a councillor or a member of a delegated committee under section 130;
   g) the procedure for the disclosure of a conflict of interest by a councillor under section 131;
   h) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);
   i) any other matters prescribed by the regulations.

Further, s 60(2) of LGA 2020 insists that the Governance Rules must provide for Council to:
   a) consider and make decisions on any matter being considered by the Council fairly and on the merits; and
   b) institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered.

The Governance Rules, included with the attachments, are informed by:

- A template developed by Council’s solicitor, Maddocks;
- Draft materials from Local Government Victoria; and
8.5 - Governance Rules (cont’d)

- The existing Wodonga Council Meeting Procedure Local Law 2019, which was reviewed and updated last year.

Following the community consultation it is recommended that Council adopt the Governance Rules, included with the attachments.

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide strong leadership and governance, demonstrating excellence in the way we do business by being innovative, responsive and transparent. We will be accountable and steward the organisation with the highest regard.</td>
<td>Good governance and customer experience</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

The Governance Rules reflect the legislative requirements of LGA 2020 and contains other sections that are in line with the requirements favoured by regulatory authorities such as the Local Government Inspectorate, VAGO, and the Victorian Ombudsman.

The Governance Rules are strategically important because they formalise Council’s commitment to the overarching governance principles and supporting principles of LGA 2020.

**Risk 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>The Governance rule is not adopted.</td>
<td>4</td>
<td>C</td>
<td>H</td>
<td>Adopt the Governance Rule to ensure council is compliant with LGA 2020.</td>
</tr>
</tbody>
</table>

**Financial implications**

There are no financial implications in adopting the draft Governance Rules per se.

**Environmental implications**

There are no environmental implications associated with this report.

**Sustainability implications**

There are no sustainability implications associated with this report.

**Social / cultural implications**

There are no social / cultural implications associated with this report.
8.5 - Governance Rules (cont’d)

Legislative implications

Sections 60, 61, 69, and 131 of LGA 2020 provide the legislative basis for the Governance Rules.

Community engagement and internal consultation

The draft Governance Rules were placed on public exhibition from June 22 to August 5. There were no submissions during the community consultation.

Options for consideration

1. Do nothing. This is not recommended as LGA 2020 requires Council to adopt Governance Rules by September 1, 2020.

2. Adopt the Governance Rules, as attached. This is recommended. The Governance Rules:
   - Address all of the legislative requirements of LGA 2020;
   - Use the framework recommended by council solicitor, Maddocks; and
   - Set out the requirements for how Council meetings are conducted and how Council decisions are made.

3. Amend the Governance Rules based upon the attached version, and the legislative requirements detailed in this report.

Conclusion

Council has a legislative responsibility to adopt Governance Rules. The Governance Rules comply with LGA 2020 and help ensure good governance by Council through adherence to the overarching governance principles and supporting principles of LGA 2020.

Attachments

The following documents are attached to this report:
- Attachment A: Governance Rules ➤

Tabled papers

Nil
8.5 - Governance Rules (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.

Deputy Chief Executive Officer - Debra Mudra
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 the Governance Rules, included with the attachments, be adopted.

Motion

Crs Brian Mitchell / John Watson
That the recommendation be adopted.  
Carried unanimously
8.6 - Albury Wodonga Regional Deal

Purpose of report

The purpose of the report is to inform Council of progress with the Albury Wodonga Regional Deal and to make a determination regarding the appointment of the Mayor to the Joint Ministerial Committee.

Background

Combined, Albury Wodonga is one of Australia’s largest regional economies, with a population of just over 90,000. Population growth in the region over the past five years has been strong (1.58 per cent per annum) and strong growth is expected to continue over the next two decades.

In March 2019, a Regional Deal was announced for Albury-Wodonga. The first cross-border deal in Australia, it came about due to the strong links between the councils and the lobbying undertaken under the Two Cities One Community initiative.

The Regional Deal will bring together all levels of government to harness local opportunities and strengths, including Albury Wodonga’s strategic location and its unique lifestyle advantages. The Regional Deal will seek to ensure that Albury Wodonga prospers over the next decade by supporting population growth and economic development, while also ensuring it remains a nationally-significant, liveable and prosperous region.

The Regional Deal will expand on the joint planning and priority-setting already undertaken by Albury and Wodonga councils, through their Two Cities One Community partnership.

Regional Deal partners acknowledge that community, business and government stakeholders will continue to be critical to identifying local priorities and delivering on a shared vision for the region.

All levels of government will work collaboratively with the community to ensure the Regional Deal reflects the local community’s aspirations for their region.

The signing of the Statement of Intent signalled the willingness of the Australian Government, New South Wales and Victorian State Governments, the Albury and Wodonga City Councils, to work together with the intention of developing the Albury Wodonga Regional Deal.

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide strong leadership and governance, demonstrating excellence in the way we do business by being innovative,</td>
<td>Lobbying and advocacy</td>
<td>Establish strong relationships with government, partners and stakeholders to advocate for the community on priority issues.</td>
</tr>
</tbody>
</table>
Strategic objective | Strategy areas | Actions
---|---|---
Responsive and transparent. We will be accountable and steward the organisation with the highest regard. | | |

**Council policy / strategy implications**

The Albury Wodonga Regional Deal is, in part, a result of the work that has been undertaken as part of the Two Cities, One Community adopted strategic plan. The Regional Deal priority areas have been developed to align with a range of Commonwealth, State and Council plans and priorities. The priority areas for the Albury Wodonga Regional Deal include:

- Economic Development;
- Harmonisation;
- Infrastructure and Connectivity;
- A Liveable community;
- Quality Regional Education and Health; and
- Supporting the Indigenous Community.

The Regional Deal will explore priorities, investment opportunities, commitments and accountabilities for achieving joint outcomes over the life of the Deal. Through a consultative process these priorities will be identified and prioritized prior to being presented to the relevant levels of government (including local government) for resolution.

The establishment of a Regional Deal will require the three levels of government to consider all appropriate levers, and funding sources, to support improved outcomes for the Albury Wodonga region.

**Governance structure**

The governance structure for the Regional deal consists of three tiers:

**Joint Ministerial Committee (JMC)**

- Deputy Prime Minister / Assistant Minister for Regional Development and Territories;
- Minister for Regional Development (Vic);
- Deputy Premier & Minister for Regional Development (NSW); and
- Mayor of the day for Albury City & City of Wodonga.

The Joint Ministerial Committee will:

- Provide strategic guidance to Executive Board members to support the development of the feasibility/business case studies, as part of an agreed evaluation process;
8 - Reports for determination

8.6 - Albury Wodonga Regional Deal (cont’d)

- Review the studies and determine Deal priority projects and areas of further focus;
- Negotiate financial and non-financial contributions from each Deal partner, (noting that any Council budgetary decision would be subject to a council resolution before any commitment is made to deal partners);
- Making decisions to finalise the Deal and its implementation; and
- After finalization and relevant approvals, the signing of the Deal and implementation arrangements.

The JMC allows for a proxy to represent the council if at any stage the Mayor is unable to attend any of the committee meetings. The proxy is required to be an elected representative of the council. This could be the deputy Mayor or another delegated councillor. Annually, the council determines councillor memberships on committees/working groups and this could be where the nominated proxy is determined.

Executive Board

- CEO’s – Albury City & City of Wodonga;
- Executive Officer – Regional Development Victoria;
- Executive Director – Regional NSW Group;
- Cross Border Commissioners; and
- Senior Official, Department of Infrastructure, Transport, Regional Development and Communications.

The Executive Board will consider all the finalised studies and analysis in relation to proposals that will form part of a final suite of proposals to recommend to the Joint Ministerial Committee for consideration as part of the Albury Wodonga Regional Deal.

Six Reference Groups

- Economic Development, Infrastructure and Connectivity;
- Regional Health and Social Services;
- Regional Education;
- Liveable Community and Tourism;
- Defence and Defence Industries; and
- Surrounding Councils.

Each reference group will have a Chair and Co-Chair to provide advice and guidance and to enable consultation with business and community stakeholders. It is expected that the reference groups will identify a refined and prioritised collection of potential commitments for the Albury Wodonga Regional Deal, to be proposed to the Executive Board. While the reference group will seek to provide high quality advice and support and may make recommendations, it is not a decision making body.
There will be representation from the Aboriginal Community across all pillars on the reference groups wherever possible.

**Risk 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>That the reference groups cannot come to a consensus on projects/initiatives/policy reforms.</td>
<td>4</td>
<td>C</td>
<td>M</td>
<td>Experienced facilitators and chairs allocated to each reference groups. The Executive board can also prioritise if required.</td>
</tr>
<tr>
<td>Administration required places pressure on council resources.</td>
<td>4</td>
<td>C</td>
<td>M</td>
<td>Federally funded secretariat support provided as part of the Regional Deal processes.</td>
</tr>
<tr>
<td>Identified priorities not well planned out and costed.</td>
<td>4</td>
<td>C</td>
<td>M</td>
<td>Where appropriate, all priority projects/initiatives/policy reforms will have feasibility studies undertaken to ensure rigour and provide confidence.</td>
</tr>
<tr>
<td>Community priorities not well reflected in outcomes.</td>
<td>4</td>
<td>B</td>
<td>M</td>
<td>Mayor of the day to sit on JMC as community and council representative. Executive board also consists of the two local government CEO’s. Reference groups consist of local community members.</td>
</tr>
</tbody>
</table>

**Financial implications**

To support the development of the Regional Deal, the Australian Government will provide an initial investment of $3.2 million to support further strategic planning and projects with the local community, subject to funding being matched by the local councils. Council’s contribution have been budgeted as well as ‘in kind’ support.

The $3.2 million of Australian Government funding will be provided directly to the State government.

**Environmental implications**

Any implications will be identified in the course of the consultations and any subsequent studies.

**Sustainability implications**

Any implications will be identified in the course of the consultations and any subsequent studies.
8.6 - Albury Wodonga Regional Deal (cont’d)

Legislative implications

The signing of the statement of intent was seen as being a media opportunity and ‘ceremonial’ in nature as it signified three tiers of government working together towards identifying a regional deal.

Working with the different tiers of government for the betterment of the community is identified in the adopted council plan 2017-2018 to 2020-2021 (strategy 24) and listed under the council plan heading in this report.

Community engagement and internal consultation

The community, civic leaders and business and industry will be engaged throughout the process.

Options for consideration

**Option 1:** Resolve to approve the appointment of the Mayor of the day onto the Joint Ministerial Committee as a representative for both the council and the community. This will ensure that the community has strong representation to lobby and advocate on priority issues.

**Option 2:** Resolve to not approve the appointment of the Mayor of the day onto the Joint Ministerial Committee as a representative for both the council and the community. Should the council determine not to approve the Mayor of the day's appointment, Wodonga council and community will not have a representative to advocate and lobby for the community on priority issues.

Conclusion

In March 2019, a Regional Deal was announced for Albury-Wodonga. As the first cross-border deal in Australia, it came about due to the strong links between the councils and the lobbying undertaken under the Two Cities One Community initiative.

The Australian government has provided an initial investment to support planning and business case development that will inform the Regional Deal agreement and serve as a roadmap to drive transformational change for Albury-Wodonga. Additionally, it aims to deliver regional jobs, assist in population growth and contribute to the liveability of our city.

A governance framework has been developed to ensure that a well-coordinated and rigorous process of planning and engagement occurs to identify priority issues that will benefit Albury Wodonga communities and the region.
8.6 - Albury Wodonga Regional Deal (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.

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

Deputy Chief Executive Officer - Debra Mudra
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That:

1. The Mayor of the day represent Council on the Joint Ministerial Committee for our Regional Deal;

2. Progress reports be provided to Council on the work of the Joint Ministerial Committee; and

3. Any agreement under the Regional Deal requiring a change in strategic direction, or a financial commitment by Council, must be approved at a meeting of Council.

Motion

Crs John Watson / Libby Hall

That the recommendation be adopted. **Carried unanimously**
8.7 - 2020 General Revaluation

Purpose of report

The report details the general revaluation of all rateable and non-rateable properties within the municipal boundaries of Wodonga Council as required pursuant to the *Valuation of Land Act 1960*.

Background

Amendments to the *Valuation of Land Act 1960* enacted in late 2017 provided for general valuations to be made each year from the January 1, 2019, with the Valuer-General to be the valuation authority in respect of rateable, non-rateable and non-leviable land in the municipal boundaries of Wodonga Council.

Following these amendments, the Valuer-General resolved to cause a general revaluation of all rateable and non-rateable property within the municipal boundaries of the Wodonga Council.

The valuation date is January 1, 2020 and this will be used for rating purposes as at July 1, 2020.

The valuation contractor is LG Valuation Services Pty Ltd, who have been contracted by the Valuer-General to undertake the making and return of the general revaluation for 2020, 2021, 2022 and 2023.

In accordance with the provisions of the *Local Government Act 1989* and the *Valuation of Land Act 1960*, the Valuer-General must return valuations on all rateable, non-rateable and non-leviable property by June 30, 2020. The valuations to be returned are site value, capital improved value and net annual value.

In accordance with the *Cultural and Recreational Lands Act 1963* certain properties are required to be declared as Cultural and Recreational Lands (at the time of the revaluation) for the purposes of consideration of rates payable.

Certificate of Valuation and Return 2020 General Revaluation

Attachment A, dated April 7, 2020 provides the final report and return provided by LG Valuation Services Pty Ltd. The return has a total valuation as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net annual value</td>
<td>$435,155,899</td>
</tr>
<tr>
<td>Capital improved value</td>
<td>$7,733,398,300</td>
</tr>
<tr>
<td>Site value</td>
<td>$3,147,745,400</td>
</tr>
</tbody>
</table>

Attachment B, dated July 03, 2020 provides certification from the Minister of Planning under Section 7AD and 7AF of the *Valuation of Land Act 1960* that the valuations are generally true and correct and suitable to be adopted and used.

Attachment C, dated May 7, 2020 provides certification from the Valuer-General that the returned valuation is generally true and correct.
During the revaluation the data is continually being reviewed by the Valuer-General appointed supervisor. This is common across the state of Victoria.

A revaluation will result in redistributing the burden of rates throughout a municipality. Total rate revenue may stay the same but the change of values will re-apportion rates payable across each property.

Rates payable by each property is determined via the application of the rate in the dollar applicable to that property class calculated against the valuation applied to the property, plus any applicable waste management and garbage charges. The exception being land declared ‘cultural and recreational lands’, which are not levied for rating purposes.

Valuations for rating purposes are determined by reference to current market sales and rentals, which are then applied to all properties subject to valuation. Income from rates is the product of the Capital Improved Value (CIV) multiplied by the rate in the dollar. Accordingly, there has been a redistribution of rates levied as a result of the new valuations.

The purpose of regular property valuations is to align rate liability to changing property valuations.

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide strong leadership and governance, demonstrating excellence in the way we do business by being innovative, responsive and transparent. We will be accountable and steward the organisation with the highest regard.</td>
<td>Financial management</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

There are no council policy/strategy implications associated with this report.

**Risk and opportunity management implications**

There are no risk and opportunity management implications associated with this report.

**Financial implications**

All revenues and costs associated with this report have been incorporated into the 2020-2021 budget.
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 requirements of this report are based upon legislation in the *Valuation of Land Act 1960*, the *Local Government Act 1989*, and the *Cultural and Recreational Lands Act 1963*.

Community engagement and internal consultation

Not applicable.

Options for consideration

It is a legislative obligation for council to receive and apply the revaluation reports.

Conclusion

The revaluation of all rateable, non-rateable and non-leviable properties as outlined above has been completed in accordance with the *Valuation of Land Act 1960*.

Attachments

The following documents are attached to this report:

- Attachment A: Certificate of Valuation and Return 2020 General Revaluation
- Attachment B: Declaration of the Minister 2020 Revaluation
- Attachment C: True & Correct Certificate by Valuer General 2020 Revaluation

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

Manager Finance - Nicola Gleeson Coopes
In providing this advice, I have no interests to disclose in this report.

Revenue Administrator - Katrina Lappin
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That the:

1. General revaluation report be received;
2. Certificate of Valuation and Return - 2020 General Revaluation signed by Marcus L Hann of LG Valuation Services Pty Ltd for the purposes of returning a General Revaluation to be effective from July 1, 2020, be received;
3. Declaration of the Minister for Planning under Section 7AF of the Valuation of Land Act 1960 that the valuations are suitable to be adopted and used, be received; and
4. Rateable and non-rateable valuations in Council’s rate records be amended to take account of the new general valuations returned.

Motion

Crs John Watson / Libby Hall

That the recommendation be adopted.

Carried unanimously
8.8 - Tender for the supply of fleet services and consumables through Procurement Australia

Purpose of report

To seek the council’s determination in awarding the tender W2009-20 Supply of Fleet Services and consumables through the Procurement Australia contract 2206-0221

Background

Procurement Australia was appointed as agent for council for the purposes of calling and evaluating public tenders for the supply of Fleet services and consumables which will replace contract numbers 1807-0219 and 1811-0220. These contracts have been operational since 2016 and had an average expenditure of $690,000 per annum.

The council has joined other agencies, members of local government, libraries, statutory authorities, not for profit organisations, and private organisations Australia wide in developing the specification and requirements for this tender across eight categories.

The eight categories for this contract are:
1. Automotive accessories
2. Automotive spare parts
3. Automotive batteries
4. Fleet management services
5. Lubricants, fluids, greases and coolants
6. Tools and workshop
7. Tyres
8. Vehicle disposal services

The process undertaken by Procurement Australia has ensured the best possible outcome across all categories. Accordingly it is recommended that the council pursue the recommendation.

Response

Through Procurement Australia, public notices seeking tender submissions were advertised in the Herald Sun newspaper on Wednesday, March 18, 2020 and the Sydney Morning Herald on Tuesday, March 17, 2020. The closing date was Wednesday, April 22, 2020.

To support the process, industry briefings were held prior to this in Sydney on February 11, 2020 and twice in Melbourne on February 12, 2020, once via webinar.

Thirty five companies downloaded the tender documents and twenty seven tender submissions were received. One tenderer was deemed non-conforming. Council would like to access the following nominated suppliers:

Nominated Suppliers and Value for Money Assessment

Category 1 and 2 – Automotive accessories and spare parts
### 8.8 - Tender for the supply of fleet services and consumables through Procurement Australia (cont’d)

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Regions awarded to</th>
<th>VFM Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>J Blackwood &amp; Son P/L (t/as Blackwoods)</td>
<td>National</td>
<td>225</td>
</tr>
<tr>
<td>GPC Asia Pacific P/L (t/as Repco Australia P/L)</td>
<td></td>
<td>208</td>
</tr>
<tr>
<td>Burson Automotive P/L</td>
<td></td>
<td>207</td>
</tr>
</tbody>
</table>

**Category 3 – Automotive batteries – Retail manufacturers**

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Regions awarded to</th>
<th>VFM Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Century Yuasa Batteries P/L</td>
<td>National</td>
<td>209</td>
</tr>
<tr>
<td>Marshall Power Australia P/L</td>
<td></td>
<td>172</td>
</tr>
</tbody>
</table>

**Category 4 – Fleet management services**

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Regions awarded to</th>
<th>VFM Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toyota Finance Australia Ltd t/as Toyota Fleet Management (TFM)</td>
<td>National</td>
<td>224</td>
</tr>
<tr>
<td>Summit Auto Lease Australia P/L t/as Summit Fleet Leasing and Management</td>
<td></td>
<td>217</td>
</tr>
</tbody>
</table>

**Category 5 – Lubricants, fluid, grease and coolants – Retail manufacturers**

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Regions awarded to</th>
<th>VFM Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Castrol Australia P/L</td>
<td>National</td>
<td>214</td>
</tr>
</tbody>
</table>

**Category 6 – Tools and workshop**

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Regions awarded to</th>
<th>VFM Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>J Blackwood &amp; Son P/L (t/as Blackwoods)</td>
<td>National</td>
<td>225</td>
</tr>
<tr>
<td>Burson Automotive P/L</td>
<td></td>
<td>207</td>
</tr>
<tr>
<td>GPC Asia Pacific P/L (t/as Repco Australia P/L)</td>
<td></td>
<td>204</td>
</tr>
</tbody>
</table>

**Category 7 – Tyres**

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Regions awarded to</th>
<th>VFM Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goodyear &amp; Dunlop Tyres (Australia) P/L</td>
<td>National</td>
<td>226</td>
</tr>
<tr>
<td>Bridgestone Australia Ltd. (Bridgestone)</td>
<td></td>
<td>225</td>
</tr>
</tbody>
</table>

**Category 8 – Vehicle disposal services**

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Regions awarded to</th>
<th>VFM Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pickles Auctions P/L</td>
<td></td>
<td>224</td>
</tr>
<tr>
<td>Manheim P/L</td>
<td>National</td>
<td>200</td>
</tr>
<tr>
<td>Grays (VIC) P/L</td>
<td></td>
<td>184</td>
</tr>
</tbody>
</table>

**Evaluation team members**

Evaluation of the submissions were done by the Procurement Australia evaluation committee as appointed agent for Wodonga Council.

**Evaluation**

The following selection criteria and weightings were used to evaluate the tender submissions.
Scoring
The evaluation was separated into non-pricing criteria (technical) and price criteria (pricing), noting that Category 1 was be evaluated solely on non-pricing criteria.

Each criterion weighting amounts to 100 points. The score out of 100 was then multiplied by 3 (scoring is 0-3) to produce a maximum score out of 300 for each criterion (technical and pricing). A weighted final overall score out of 300 was then determined by supplier by tender category.

A. Scoring method for non-price criteria

<table>
<thead>
<tr>
<th>Description</th>
<th>Criteria</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exceeds requirements</td>
<td>Compliant Submission indicates:</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>- An excellent understanding of the requirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- No weaknesses or deficiencies</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Excellent probability of success</td>
<td></td>
</tr>
<tr>
<td>Acceptable</td>
<td>Compliant Submission indicates:</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>- A good understanding of the requirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- No major weaknesses or deficiencies</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Good probability of success</td>
<td></td>
</tr>
<tr>
<td>Marginally acceptable</td>
<td>Submission indicates:</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>- A low level of understanding of the requirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Some major weaknesses or deficiencies requiring further clarification</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Low probability of success</td>
<td></td>
</tr>
<tr>
<td>Unacceptable</td>
<td>Non-compliant</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>- Submission provides unsatisfactory responses or fails to address the requirement at all</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Very Low probability of success</td>
<td></td>
</tr>
</tbody>
</table>

B. Scoring method for price related criteria

Each category was assessed individually to ascertain if a fair and direct comparison could be conducted. If so, the following formula applied: Lowest Price divided by Tendered price multiplied by three.
Where a fair and direct comparison could not be made, a uniform scoring approach applied, in that each respondent will be provided with a score of 2. In instances where no price details are provided, a score of 0 applied.

The process
All conforming tenders were evaluated by Procurement Australia’s evaluation committee which aligns with Wodonga Council’s tendering and procurement policy and guidelines.

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide strong leadership and governance, demonstrating excellence in the way we do business by being innovative, responsive and transparent. We will be accountable and steward the organisation with the highest regard.</td>
<td>Financial management</td>
<td>Maintain accountable and transparent financial practices.</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

Council is committed to the principle of social procurement by encouraging socioeconomic benefits to the local region in its purchasing policies and procedures.

Risk 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>By continuing to operate without a fleet services and consumables contract in place, council would be in breach of legislation</td>
<td>2</td>
<td>D</td>
<td>S</td>
<td>To put in place the proposed arrangements for the supply of fleet services and consumables.</td>
</tr>
</tbody>
</table>

Financial implications

The main operational costs associated with this tender is the replacement of current leased vehicles, plant and any additional approved vehicles or plant. The current annual expenditure on leases in this category is $540,000 per year with the balance being spent across all other categories within the contract. The tender on offer is within the current operating cost with allowances made for future requirements.

The benefits of Procurement Australia as an agent for council are; ready access to a consultant with industry expertise, ongoing management of the contract and constant contract surveillance, supplier management and member assistance throughout the term of the contract and access to analysis tools for reporting. Procurement Australia will also continue to monitor the market and provide early notification regarding future contract options to either extend a contract or communicate recommendations for a new tender process, always keeping in mind the best interest of its members.
Environmental implications

NA

Sustainability Implications

The outcome of this tender will see the council continue to run environmentally acceptable vehicles and plant and continue to support the local economy through council’s partnerships with our local suppliers for goods and services.

Council is committed to the principle of social procurement by encouraging socio-economic benefits to the local region in its purchasing policies and procedures.

Social / cultural implications

Benefits to the local region
The implementation of social procurement empowers the council to realise it can use its power to generate positive social outcomes for the community, on top of getting the best value for goods and services. As a result the council expects potential suppliers to show how they can help promote the economic and social well-being of the community.

Based on the responses to this mandatory criteria:

All goods procured under this contract are from locally based firms who employ local residents including some with apprentices and are actively involved across the community through various associations.

Legislative implications

It is a requirement of section 186a of the Local Government Act 1989 to seek tenders for all contracts over the sum of $150,000 for services. The tender also meets all current OH&S standards.

Community engagement and internal consultation

The Plant, Fleet and Building Maintenance Team Leader has been involved in workshops with Procurement Australia, together with other Victorian councils in continuing to the develop the specification and subsequent head contract for the supply of fleet services and Consumables.

Options for consideration

Option one – Do nothing. This is not recommended as council would be required to individually advertise for this service and council would not receive the same value for money.

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

Twenty six (26) conforming tenders were lodged which has led to a competitive price being obtained. A panel of nominated suppliers has been set up by Procurement Australia which allows the council to source quotes at a reduced rate.

Accordingly it is recommended that the council pursue 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 Finance and Systems - Narelle Klein
In providing this advice, I have no interests to disclose in this report.

Manager Finance - Nicola Gleeson Coopes
In providing this advice, I have no interests to disclose in this report.

Procurement coordinator - Alison Hughes
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 council accept the nominated suppliers as listed above from the Procurement Australia panel for tender W2009-20 for provision of fleet services and consumables.

2. The estimated contract sum over four years is $2,760,000 (excl GST) which includes an allowance for CPI.

3. The contract term of the panel is to commence on July 1, 2020 for a two year period with a further two options of one year.
<table>
<thead>
<tr>
<th>8 - Reports for determination</th>
<th>Finance and Systems</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>8.8 - Tender for the supply of fleet services and consumables through Procurement Australia (cont’d)</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Motion**

Crs Danny Lowe / Brian Mitchell

That the recommendation be adopted.  

*Carried unanimously*
Purpose of report

To present the Regional Natural Environment Strategy (RNES) and supporting documents for adoption.

Background

Strategic context

The Regional Natural Environment Strategy (RNES) has been developed by the Cities of Albury and Wodonga, through the Two Cities One Community (2C1C) partnership.

The RNES has been developed to address two goals within the ‘environment’ theme of the 2C1C Strategic Plan (see Council Policy/ Strategic Implications section below for detail).

Project timeline to date

- September 2018: Albury and Wodonga council staff confirm project brief and Biosis are appointed to prepare the RNES via an open tender process.
- October 2018 to March 2019: Identification of key environmental assets and issues, and consultation with regulatory and agency stakeholders to inform community consultation and the RNES.
- May and June 2019: 8 week period of cross-border community consultation.
- September 2019: Consultation Report circulated to councillors and consultation participants.
- September 2019 to January 2020: Preparation of the RNES and Action Plan based on the feedback from community and key stakeholders.
- May 2020: Albury City and Wodonga Council each endorsed the draft RNES for public exhibition at May council meetings.
- 30th May to 29th June 2020: Period of public exhibition.
- July 2020: Revision based on feedback received.
- August 2020: Final RNES and supporting documents present to both Council’s for adoption.

Strategy summary

The RNES (Attachment A) identifies the vision, themes and objectives for the Albury-Wodonga region for the next 12 years.

This document is designed to be simple, clear and concise and a reflection of the values of the community.

The RNES vision is:

*Albury Wodonga has a thriving natural environment and connected community that underpin the liveability and prosperity that makes us nationally significant.*
This vision is further defined by seven key themes (outlined in full in Section 7.2 of the RNES – *Attachment A*).

- **Natural places** – protect and enhance our natural ecosystems and the plants and animals in our natural places. Prioritise threatened species and communities.
- **Waterways and wetlands** – preserve and improve our waterways, wetlands, aquatic habitats and water quality from local creeks down to the Murray River.
- **Connectivity** – protect and enhance connectivity of our natural places across the region.
- **Addressing threats** – direct actions to address the impact of overarching threats.
- **Working together** – maximise councils’ achievements through strong working relationships with others.
- **Liveability** – our natural places are managed to enhance our well-being and provide connections to nature.
- **Leadership** – provide leadership and advocacy to protect and promote the cultural, visual and natural values that underpin community pride in our local area.

**Proposed implementation**

The implementation of this strategy will be through four year action plans. An Action Plan has been developed for the initial four years to 2024 (*Attachment B*). It outlines the specific activities to achieve the intent of the RNES. It lists the actions that could be undertaken, where the priorities are, approximate timelines and a performance indicator.

The Action Plan outlines how councils will protect, maintain and improve priority natural areas under council care and control, improve the integration of biodiversity conservation into planning instruments, improve our knowledge, increase collaboration with regional partners and improve information, resources and support available to volunteers and residents.

A full review of this strategy and development of a new strategy will commence in 2032 in alignment with a review of community vision timelines for both councils.

The RNES and Action Plan is underpinned by a comprehensive audit and analysis of biodiversity data in the Albury Wodonga region and review of relevant legislation, policies and strategies.

This analysis has been undertaken by ecological consultants Biosis and is further informed by consultation with Victorian and New South Wales regulatory stakeholders (refer to the Technical Background Report – *Attachment C* - for full details).

**Summary of exhibition and submissions**

The final draft RNES and supporting documents were placed on exhibition for 30 days from May 30\textsuperscript{th} 2020. The response was made up of:

- 14 submissions from the community, including a number of local community groups/organisations;
4 responses from NSW and Victorian regulatory stakeholders; and
feedback from staff across multiple business units within each council.

The issues and opportunities highlighted in this feedback are consistent with the
themes of consultation undertaken in 2019 (refer the 2019 Consultation Report
within Attachment C for full details).

Overall, submissions - including those from regulatory stakeholders - were
supportive of the approach outlined in the RNES, the technical work that underpins
it and the identified actions.

The following actions were specifically supported by multiple submitters:

- Action 39: to ensure councils are appropriately resourced to manage land in
  accordance with RNES objectives. Several submitters specifically nominated
  support for this action and its ‘Priority 1’ and ‘Immediate’ status;
- Action 10: cat containment incentives;
- Actions relating to engaging the community in the local environment (Actions
  49, 56 and ‘Working Together’ theme more generally);
- Action 50: supporting nature play and bush kinder in schools/preschools, and
- Action 20: the creation of annual snapshot reports on the implementation of the
  RNES.

None of the submissions included any objection to any aspects of the RNES or
Action Plan, although most identified specific issues for further consideration. There
were several common issues, including;

- Recognition and protection of large old or hollow bearing trees in the urban
  environment, within new developments in particular;
- The role of private and rural landholders in managing the local environment;
- The need to promote and regulate responsible pet ownership, in relation to both
cats and dogs;
- Pest plant and animal management;
- The importance of monitoring both the condition of local environment and the
  progress of any actions to protect and/or manage it;
- The collection and management of biodiversity data, particularly threatened
  species information; and
- Ensuring the imagery used within the documents is authentic and relevant.

Several submissions requested amendments or additions to the Technical
Background Report. These largely related to clarification about spatial analysis or
data. The Technical Background Report outlines the research and analysis
undertaken by Biosis in preparing the draft RNES.

It would not be appropriate for councils to make amendments to this document.
However, staff note that the maps and models generated by Biosis are ‘live’
datasets that will be actively managed and updated by councils.
Feedback from the community can be incorporated into the ongoing management of the datasets. Several actions within the Action Plan seek to ensure biodiversity data is kept current and shared with interested parties.

Overall, changes in response to feedback are relatively minor in nature and are largely focussed on the Action Plan. Key amendments include:

- Minor additions to the description of Council’s Role and the Themes and Objectives within the RNES so that they reflect the values and concerns of submitters, including reference to the role of private landholders and ensuring appropriate emphasis on all life forms (not only vegetation and threatened species);
- Improvements to the Performance Indicators throughout the Action Plan to ensure the intent of each action is clear and can be measured;
- Amendments to actions based on internal feedback, to ensure consistency with other council strategies and work programs;
- Amendments to several Working Together actions in include reference to specific areas of community interest, target audiences or existing engagement programs operated by local community groups;
- Changes to priority level and timeframes of particular actions to reflect community and agency interests; and
- Minor error and formatting corrections and changes to some imagery.

Regarding feedback received from the CFA, who have highlight the complexity of interactions between fire and the natural environment. Discussion relating to fire within the RNES acknowledges this and there are several actions and performance indicators that seek to provide for environmental outcomes through the use and management of fire.

However the discussion is relatively limited, as fire planning and any planned or ‘cultural’ burning will be implemented through existing formal fire planning and management processes. In Wodonga this is overseen by the Municipal Fire Planning and Management Committee - noting that cultural burning knowledge is Aboriginal knowledge and the Aboriginal community should have the lead role in any cultural burning initiatives.

### Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Protect, enhance and manage our unique natural and built environments, planning for growth, demonstrating leadership and stewardship now and into the future.</td>
<td>Environmental management</td>
<td>Continue to adapt in response to the city’s growth, the natural resource management program for environmental land, including WREN reserves and vegetation offset sites</td>
</tr>
</tbody>
</table>
Council policy / strategy implications

The RNES has been developed to address two goals within the ‘environment’ theme of the Two Cities One Community Strategic Plan:

- Goal 2.3 We are a leader in natural resource management.
  Action 2.3.1 Develop a joint Natural Resource Management Strategy.
- Goal 2.4 We are acting to ensure the sustainability of our environment.
  Action 2.4.2 Develop a regional Biodiversity Strategy.

It is also an action in the Sustainable Wodonga Strategy.

Risk 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>Council’s program of environmental management and planning does not reflect the</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>The document, designed and revised based on community</td>
</tr>
<tr>
<td>values and priorities of the community, and/or is not supported by the community</td>
<td></td>
<td></td>
<td></td>
<td>feedback, are adopted. Annual reports and 4 yearly revision of the Action Plan will allow for ongoing alignment with expectation.</td>
</tr>
<tr>
<td>Council’s program of environmental management and planning is not consistent or</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>The documents are adopted.</td>
</tr>
<tr>
<td>strategic</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Financial implications

The total project expense to date is $108,797.95, divided between Albury and Wodonga councils. Wodonga Council expenses are summarised in this table:

<table>
<thead>
<tr>
<th>2018-2019 approved Wodonga budget $</th>
<th>Revenue</th>
<th>Expense</th>
<th>Net result</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>80,000</td>
<td>-54,542.23</td>
<td>25,457.77</td>
</tr>
</tbody>
</table>

Environmental implications

The RNES seeks to provide a framework for the protection and enhancement of the local natural environment. It identifies the key environmental assets of the region and the threats to those assets.

The RNES will be an overarching document that informs holistic decision making for the protection, management and enhancement of the natural environment across both Albury and Wodonga in the context of the growth of the two cities.
Sustainability implications

The RNES seeks to improve the sustainability of the local natural environment and better coordinate natural resource and sustainability planning initiatives.

Social / cultural implications

The RNES recognises that the local environment provides ongoing connections to nature that improve the liveability of the region and health of the community. This is a reflection of the community feedback received and the RNES seeks to protect the health and wellbeing benefits by protecting and improving the local natural environment overall.

Opportunities for recognition and inclusion of the local Aboriginal community and Traditional Owners in planning for and the management of council land, and community engagement are identified within the Action Plan.

Encouraging community participation is central to the RNES and is recognised in the Vision, Themes and throughout the Action Plan in a number of ways.

Legislative implications

The RNES acknowledges and makes reference to a number of existing legislative requirements in relation to environmental protection and management, particularly in relation to each council’s role as a land manager and a planning authority.

Community engagement and internal consultation

The final RNES and supporting documents have been informed by two rounds of community consultation, plus extensive input from local experts, regulatory authorities and internal staff from each council.

An initial 8-week period of community engagement was undertaken during May and June 2019, based only on background analysis not a draft. The feedback received (detailed within Document C) informed the vision, themes and action priorities of the draft documents most recently exhibited.

The final draft RNES and supporting documents were placed on exhibition for 30 days from 30 May 2020. Information was displayed on each council’s ‘Have Your Say’ webpage and promoted via a Border Mail notice, social media posts and emails to all previous consultation participants (~180), Community Conversations panels and CityLife subscribers (2787 email recipients in total).

The outcomes of this period of exhibition are outlined above. The feedback received has informed a final revision of the documents now presented for adoption.
8.9 - 2C1C Regional Natural Environment Strategy (cont’d)

Options for consideration

**Option 1** – Do nothing. This will result in an incomplete project and will likely have adverse implications for the 2C1C partnership with Albury City. This is not the recommended option.

**Option 2** – Adopt the Regional Natural Environment Strategy and supporting documents. The RNES and supporting documents are formulated based on two rounds of community consultation, extensive technical analysis and input from local technical experts. **This is the recommended option.**

**Option 3** – Seek further amendments. Extensive research, technical analysis and community consultation had been undertaken to inform the drafting of the RNES. Consultation submissions were supportive of the approach outlined in the RNES, the technical work that underpins it and the identified actions. This is not the recommended option.

**Conclusion**

The draft Regional Natural Environment Strategy concludes that the region is rich with assets and opportunity when it comes to the natural environment. By recognising these, and the threats to these assets, the RNES seeks to provide a framework to protect and enhance the natural environments of Albury-Wodonga.

The RNES establishes a long term vision of a growing region that is leading the way in planning for and protecting a healthy natural environment and connected community.

The RNES was be presented to Albury Council’s Sustainability Advisory Committee on Tuesday August 4th and will proceed to the Albury Council meeting on 24 August 2020.

**Attachments**

The following documents are attached to this report:
- Attachment A: Regional Natural Environment Strategy July 2020
- Attachment B: Regional Natural Environment Strategy - Action Plan July 2020
- Attachment C: Technical Background Report - for Adoption

**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.

Natural Resources Planner - Claire Coulson
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

It is recommended that:

1. The Regional Natural Environment Strategy and supporting documents be adopted; and
2. Financial resources be considered in future budgets for its implementation.

Motion

Crs John Watson / Brian Mitchell
That the recommendation be adopted.

Carried unanimously
Ordinary meeting – August 17, 2020

Reports for determination

8.10 - Effective control order for dogs

Purpose of report

The purpose of this report is to seek a determination on amending the current gazetted Order (made under Section 26(2) of the Domestic Animals Act, 1994), thereby requiring dogs to be on a chain, cord or leash, at all times, unless in a designated off-leash area.

Definitions

Off-leash area – is referred to as a specific area, usually a public reserve or park, signposted, to indicate that dogs are permitted to roam within that area without being on a chain, cord or leash;

Gated dog park – as above but within a fenced and gated area;

On-leash area – referred to as all public areas within the Wodonga municipality not designated as off leash areas or gated dog parks; and

DAMP - The Domestic Animal Management Plan 2017 – 2021, as reviewed.

Background

This report responds to the recent review of the DAMP and the resolution carried at the 18 May 2020 Council meeting that:

1. The outcomes of the mid-cycle survey and feedback, as set out at attachment B to this report, be received and noted;
2. Officers provide a further report to the August 2020 council meeting on making Wodonga an ‘on-leash’ only municipal area, with provision for specific, nominated public areas where off-leash activities may be permitted, with the report to incorporate further community engagement using appropriate survey and engagement tools; and
3. A full review of the Domestic Animal Management Plan 2017-2021 be undertaken in 2021 and that the feedback received during the October 2019 surveys and set out within attachment B to this report be used to inform the development of the new Domestic Animal Management Plan 2021-2025.

This report addresses only Point 2, above.

It has become apparent that a significant number of dog owners are walking their dogs without a leash in a number of parks and reserves within Wodonga, unfortunately increasingly resulting in dog-on-dog attacks or attacks on other walkers in these locations.

This has been exacerbated by the restrictions placed on indoor exercise opportunities by the COVID-19 pandemic which has resulted in a sharp and significant increase in outdoor activities.

This report briefly discusses the outcomes and feedback (refer to Attachment A) received following a community survey undertaken during July 2020 and the
Talking Dogs Feedback Report July 2020 (Attachment A)

With the survey attracting 14 written submissions, 23 comments on social media and 354 survey responses, it would seem that the majority of the respondents (74%) would prefer to see dogs on a leash in public spaces. Similarly, the majority of respondents (70%) supported the implementation of designated off-leash areas.

While less overwhelming, there was support for additional gated dog parks within the city – the exact location not clearly defined and likely to be the subject of a further, dedicated survey and community consultation.

As a result of the feedback, the following options are considered:

**Option 1**: Do nothing.
This option is not supported by the feedback and the outcomes of the recent survey which strongly supports that Council proactively moves towards ensuring that dogs in public places be on-leash.

**Option 2**: Identify sites within Wodonga as being dedicated off-leash areas.
Again, based on the feedback and outcomes of the recent survey, this option is supported by the Wodonga community but will require an amendment (refer to proposal at Attachment C) to the current Effective Control Order.

This option sees and supports a number of designated areas, as proposed below, being declared as off-leash public areas, but that dogs remain under effective (voice) control within these designated areas.

It is initially proposed that public sites in the following areas (refer Attachment D) be declared as off-leash area, but that dogs be under effective (voice) control:

1. Felltimber Creek Road, open area;
2. Gordon Craig Park, northern end;
3. Gayview Drive (near Birallee Park)
4. Susan Campbell Park
5. Willow Rise Park
7. Wodonga Creek foreshore
8. White Box Rise
9. Ern Hart Woodland Park
10. Kiewa River Reserve, Killara
11. Foxglove Terrace, Baranduda

In order to minimise confusion and encourage responsible adherence to accepted behaviours within these areas, adequate and clear signage will have to be erected.

At this time, it is not planned to fence these areas or provide any additional facilities, such as watering points, seats, shading or dog exercise equipment,
Ordinary meeting – August 17, 2020

Reports for determination
Planning and Infrastructure

8.10 - Effective control order for dogs (cont’d)

although additional bins and dog waste bag dispensers will be added over time.

A swimming experience for dogs is proposed, as above, at:

- Lake Hume foreshore;
- Killara Creek frontage; and
- Wodonga Creek.

**Option 3:** Declare the whole of the municipal area as being on-leash. While there appears to be some support for dogs in public being on-leash at all times, such a declaration is only as good as it is implemented, encouraged or policed.

This would require a new Order to be gazetted, and could also be seen as too great a change to the current requirements and could result in some opposition or disregard for the declaration, and is not the preferred option at this time.

**Dog Park**

In addition to the above, the Council has allocated $50,000 in the 2019/2020 and a similar amount in the 2020/2021 budgets for the establishment of a new dog park.

It is proposed that further consultation be undertaken to best establish where such a park could be located and what services and facilities may be required. Such a dog park will typically be fenced, with water points for dogs, toilet and wash-up facilities for the dog owners, bins and dog waste bag dispensers, seating and shade and landscaping. Carparking will also be required.

The current dog park at Belvoir Park and a proposed dog park at Julia Ronan Park are shown at Attachment C, referenced as 1G and 2G.

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve the health and social outcomes for all people in Wodonga to create a healthy, safe, equitable and inclusive community.</td>
<td>Community safety</td>
<td>Increase awareness of local laws and legislative requirements to reduce non-compliance and increase a feeling of safety and security.</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

The provision of more off leash areas in either form meets the requirements of the Domestic Animal Management Plan 2017 – 2021.

**Risk 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>Increase the number of off-leash areas</td>
<td>C</td>
<td>3</td>
<td>High</td>
<td>Having more off-leash areas in the community improves safety and encourages responsible pet owners to utilise council-provided public areas.</td>
</tr>
</tbody>
</table>
### 8.10 - Effective control order for dogs (cont’d)

| Changes to Local Law for the control of dogs | B | 2 | Significant | By having a local law regarding the control of animals, Authorised Officers are able to use enforcement tools to educate and manage behaviour and also encourages some self-regulation in the community. |
| Increased demand for facilities and service responses | A | 3 | Significant | Allocate adequate funding to undertake the additional works, including maintenance and possible education, monitoring and response. |

#### Financial implications

Domestic animal ownership is increasing across the municipality in line with population growth. The cost of the service, generally funded through animal registration fees and fines issued, is expected to rise in line with that growth. The proposed changes and the signage and additional improved facilities are likely to cost in the order of $30,000 - $40,000, with additional annual maintenance costs of approximately $10,000. These amounts are not budgeted for.

#### Environmental implications

There are unlikely to be any negative environmental implications associated with this report and the proposals of creating the off-leash areas. The provision of bins and dog waste bag dispensers will reduce random dog waste in these and other public areas and be considered in a positive light.

#### Sustainability implications

An additional dog park may result in less impact to the environment if more dogs use the dog parks rather than be allowed to roam the environmentally sensitive areas of the city.

#### Social / cultural implications

Wodonga is one of Victoria’s fastest growing regional cities with a current growth rate of 2.1% with forecasts estimating Wodonga’s population to reach 50,000 by 2026. The city has a young population with a strong family focus, often living in single detached dwellings with garden space, which lends itself to pet ownership.

It is therefore vital that planning is undertaken to ensure responsible pet ownership, community safety and healthy living. The provision of dedicated off-leash areas and areas where dogs must be on-leash has been identified in former and the more recent surveys and could facilitate and provide better outcomes for the community – those who own and walk their dogs and those who don’t.
8.10 - Effective control order for dogs (cont’d)

Legislative implications

By designating formal off-leash areas and the legislative controls for on-leash and off-leash use, council through proactive means will be able to encourage the community to embrace these changes.

It should be noted that the proposed amended Order identifies that a list of designated off-leash areas will be included in a schedule – Schedule 1.

Community engagement and internal consultation

The recent survey has provided council with the information to confidently consider changes to the current practice of dogs in (most) public areas being under effective control. These changes will be to allow dogs to be off-leash is designated area, but on-leash in all other public areas.

As there is likely to be a lag between the Council determining the matters set out in this report, the gazettal of the proposed new Order and the necessary changes to the Local Law, it is proposed that changes adopted by the Council be widely publicised and that every opportunity be utilised to bring these changes to the attention of the Wodonga community.

Apart from promoting these changes, no other community consultation is envisaged or proposed. Further consultation is however proposed to finalise Wodonga’s second gated dog park.

Conclusion

The recent increase in outdoor exercise and the increase in dogs being walked by their owners has led to an increase in reported dog-on-dog attacks and attacks on community members. This has raised issues around effective control of dogs and the challenges experienced by those not being able to exercise adequate voice control.

A reasonable approach, as supported by the feedback and outcomes of the recent survey, is to revert to an Order which declares that all dogs in public places must be on-leash, but that designated public sites are provided for off-leash (but still under effective voice control) activities, including three sites where water exercise can be undertaken.

An amended Order is attached.

This altered approach will require a period of education and encouragement and will largely initially rely on responsible pet ownership, self-regulation and change management.

Attachments

The following documents are attached to this report:

- Attachment A: Talking Dogs - Feedback Report: July 2020 ➤


**8.10 - Effective control order for dogs (cont’d)**

- Attachment B: Section 26 - Gazetted Effective Control Order - Wodonga Council (Current)
- Attachment C: Section 26 - Proposed Effective Control Order for Dogs
- Attachment D: Proposed locations of the Off-Leash Sites

**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.

**Recommendation**

That:

1. Council makes a new Order under Section 26 of the *Domestic Animals Act 1994* requiring dogs to be on a leash at all times whilst in public areas, other than designated off-leash areas;

2. The Chief Executive Officer be authorised to assess, amend and designate public areas within Wodonga to be designated off-leash areas as set out within Schedule 1;

3. Consultation commence with the community to find a suitable location for Wodonga’s next gated dog park.

**Motion**

Crs Brian Mitchell / John Watson

That the recommendation be adopted.

**Division**

*A division was called.*

*Councillors Speedie, Hall, Mitchell, Watson and Lowe voted for the motion.*

*Councillor Mildren voted against the motion.*

*Carried*
Purpose of report

To present the draft Albury Wodonga Smart Community Strategy (post public exhibition) with consideration for feedback and subsequent amendments for final review and adoption.

Background

The Smart Community Strategy is a plan delivered under the Two Cities One Community Strategic Plan and in consideration of the Smart Community Framework (SCF) developed in 2017. The Strategy addresses the 18 Smart Community Services in the SCF and ensures the regional priorities identified by our communities are also considered. The Smart Community Strategy will outline Council’s commitments in delivering the world’s first cross-border smart regional community.

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Create a city that is well-connected, informed and engaged, which supports people to meet, participate and move safely and easily to access services and opportunities.</td>
<td>Communications and engagement</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The SCF was developed in 2017 by Telstra Corporation Ltd in partnership with Metamorph Consulting Pty Ltd. To date this has provided the blueprint that has guided planning and delivery of the beginnings of smart and connected community services across our region. The framework identifies a range of innovative concepts, solutions and services which will be pursued jointly by our councils and the community for the benefit of the entire region. The Smart Community Strategy brings the SCF to life by identifying and implementing five objectives to deliver on the 18 Smart Community Services within the SCF.

The 18 Smart Community Services identified in the SCF are as follows:

- Smart Lighting
- Smart Wi-Fi
- Smart Building
- Smart Parking
- Smart Health
- Smart Fleet
- Smart Lab and Innovation Hub
- Smart Transport
- Smart Signage
- Smart Pole/Station
- Smart Waste
8.11 - Albury Wodonga Smart Community Strategy (cont’d)

- Smart Environment
- Smart Education
- Smart Power
- Smart Citizen Services
- Smart Public Safety
- Smart Water
- Smarter ways of working

The five Smart Community objectives are as follows:
1. Develop a regional connected community
2. Create and attract intelligent industry
3. Build a sustainable and resilient environment
4. Grow and retain agile innovators
5. Provide an open and collaborative regional city

There are a number of actions proposed in the draft strategy to help achieve the higher-level objectives. Each of these actions have been structured under the relevant 18 Smart Community Services.

**Risk 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>The Community infrastructure to support digital innovation and business efficiencies does not keep up with technological advancements</td>
<td>1</td>
<td>C</td>
<td>H</td>
<td>Adopt the strategy and prioritise allocation of funding for the projects from the strategy.</td>
</tr>
<tr>
<td>Potential for disjointed application of digital technologies between both Councils, creating inaccurate data-sets that do not capture the full impact of the whole Albury Wodonga region.</td>
<td>2</td>
<td>D</td>
<td>S</td>
<td>Both Councils jointly adopt the 2C1C Albury Wodonga Smart Communities Strategy and work together on projects to ensure that complete data sets are obtained and benefits are delivered uniformly across two cities.</td>
</tr>
<tr>
<td>Inability to fund the projects due to limited resources, competing priorities.</td>
<td>2</td>
<td>D</td>
<td>S</td>
<td>Adopt the strategy. Allocate funds during the budget preparation process. Apply for grant funding opportunities.</td>
</tr>
</tbody>
</table>

**Financial implications**

The majority of strategic projects will be co-funded and planned in the 2C1C draft budget. The aim is for shared initiatives to be 50/50 funded by each council wherever possible.
**8.11 - Albury Wodonga Smart Community Strategy (cont’d)**

*Extract from Two Cities One Community - Draft Budget 2020-2021*

<table>
<thead>
<tr>
<th>Action</th>
<th>2020/2021 AlburyCity</th>
<th>2020/2021 City of Wodonga</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation and build of a connected community communication platform for all smart services insights and data capture.</td>
<td>$100,000</td>
<td>$40,000</td>
<td>(Funding pending based on critical priorities in current climate)</td>
</tr>
<tr>
<td>Research and built an Open data policy for both councils, build digital assets registers and clearly outline all data insights and purpose for the community and council.</td>
<td>$62,500</td>
<td>$40,000</td>
<td>(Funding pending based on critical priorities in current climate)</td>
</tr>
</tbody>
</table>

Reduced budget items from previous report, due to a shift in Council priorities in light of the current economic climate and community priorities.

**Environmental implications**

Nil environmental implications.

**Sustainability implications**

Strategy includes more sustainable approaches to council projects across all community services.

**Social / cultural implications**

The primary function for this strategy is to provide both councils with a framework to address economic, social and environmental and governance factors within the region, through technology implementation.

The Northern Region of Victoria and the South West Region of New South Wales each hold the lowest digital inclusivity index in Australia indicated by the ADII report.

Positive social and cultural impacts include:
- Consistent community inclusivity
- Building digital literacy
- Bridging the digital divide in education
- Increased economic prosperity
- Innovation leading to new job creation
- New industry capabilities
- Greater recognition and understanding of the regional environment
- Open data allowing community to have a greater valued interactivity experience with council
8.11 - Albury Wodonga Smart Community Strategy (cont’d)

- Complete transparency in the use of community data, negating security and privacy concerns
- Greater community safety
- More sustainable approaches to development
- Digitally captured/monitored biodiversity indicators leading to greater environmental sustainability
- Enhancing processes to refine productivity and financial efficiencies
- Bridging cultural gaps
- Creating new cultural profiles within the region

Negative social and cultural impacts include:
- Challenges maintaining cultural or historical urban fabrics
- Can be seen as highly regulatory for community
- Potential to create equity gaps

Legislative implications

The Council is legislated to develop and implement a Connected Community Framework under the joint state funded Two Cities One Community Strategy. The strategy’s priorities and objectives will inform the Council’s Two Cities One Community Strategy and deliver upon the Wodonga 2033 Strategic Plan.

Community engagement and internal consultation

While on public exhibition, notification about opportunities to view and provide feedback was provided to our community and other stakeholders via a number of channels including:
- City of Wodonga website ‘Have a Say’
- Two Cities One Community website; linking to both councils
- Social media / Facebook / Twitter / LinkedIn
- Community Engagement Group
- Targeted key stakeholder emails; Regional Development Victoria, Ovens Murray Digital Fixtures Group, Riverina and Murray Ovens Joint Organisation, Smart Cities Council and Smart Cities Organisation
- Reminder notifications to all channels

The adopted Smart Community Strategy will be published on the Two Cities One Community website, with a plan to also publish all related projects and outcomes for both councils.

Some minor amendments were identified by internal staff during the public exhibition process and these have been considered and included where warranted. Additional Council Officer minor/technical adjustments have been made during final review. Three external (Industry) submissions were received and addressed as follows and authorisation has been provided by respondents where their names are included below:
Submission one: Chris Onslow Green Plate QLD:

1a. Feedback: Offered information on smart initiatives including smart BBQs with two-way remote control and smart lighting with two-way remote control. Not only monitoring but a genuine Smart Management System.
Response: Thank you for your submission. Green Plate’s capabilities have been reviewed for potential to engage further in the future.
Outcome:Acknowledged.

Submission two: (provision of name not authorised)

2a. Feedback: 1.2 Smart Transport: Issues are raised constantly by our stakeholders. We are supportive of Council taking a lead role in initiative 1.2d Smart Buses.
Response: Thank you, noted. We do aim to trial intelligent public transport infrastructure. Issues raised by your clients and stakeholders through shared feedback will be very valuable.
Outcome:Acknowledged.

2b. Feedback: 1.3 Smart Heath: We know people living in rural and regional Australia experience poor health outcomes through inadequate access to health services; longer wait times, travel times and stigma and discrimination. Ensuring we have infrastructure to enable telehealth across all services will ensure our communities receive access to information, services, support and preventative treatments.
Response: We are aligned around this issue of connectivity to our regional health services for our regional community. We will continue to build strong relationships with telecommunications and data infrastructure partners to improve accessibility to telehealth for all.
Outcome:Acknowledged.

2c. Feedback: 1.5 Smart Safety: We support Councils role in funding infrastructure to enable our community to participate in active-living opportunities and support assets that facilitate health and wellbeing.
Response: Thank you for your support.
Outcome:Acknowledged.

2d. Feedback: 3.3 and 3.1c Emissions Goals: Acting to reduce emissions is a key role of both Councils, and it is encouraging to see both Councils own these strategies. We urge Wodonga Council to commit to a set target.
Response: Thank you for your recognition in the drive towards a reduction in carbon emissions, this is also addressed in our exhibited Draft Regional Natural Environment Strategy and is being addressed jointly by both councils through carbon emission 2050 strategies.
Outcome:Acknowledged.
Submission three: Brook Dixon Managing Director Delos Delta:

3a. Feedback: 5.1 Collaboration Partners: Please remove Delos Delta from the list of collaboration partners. Delos Delta see their recognition within the strategy as a potential for view from other parties that there would be preference provided to them in any possible future work with council in relation to this strategy. Response: Understood and will comply with request. Outcome: Remove from section 5.1, page 9 Delos Delta listing under Collaboration Partners

Options for consideration

1. Do nothing – this is not recommended as Council adopted the Two Cities One Community Smart Community Framework and this strategy addresses the 18 smart community services identified in that framework.

2. Council does not endorse the submissions and responses and adopt the Smart Community Strategy – this is not recommended.

3. Council endorse the submissions and responses and adopt the Smart Community Strategy – this is recommended.

Conclusion

The Smart Community Strategy is a long-term plan delivered under the Two Cities One Community Strategic Plan and in consideration of the Smart Community Framework (SCF) developed in 2017. The Strategy addresses the 18 Smart Community Services in the SCF and ensures the regional priorities identified by our communities are also considered.

The draft Strategy was presented to Wodonga City Council for endorsement to go out for public consultation (on May 18, 2020). Post this, the draft strategy was presented to Albury City Council for endorsement on Monday May 25, 2020 following a pre-meeting briefing session on Monday May 18, 2020.

The draft document was subsequently placed on public exhibition from May 30, 2020 to June 29, 2020. Three industry submissions and four internal submissions were received.

All submitters received a response as to how their submission was considered and, where warranted, changes were made to the draft document to reflect feedback received.

It is anticipated that this strategy will remain a high-level strategy and will be reviewed in line with the AlburyCity and Wodonga City Council strategic planning processes, however an operational implementation plan will be developed to identify key joint and individual capital priorities. These will be managed and delivered in accordance with a Smart Community Action Plan.
**Ordinary meeting – August 17, 2020**

**Reports for determination**

**Finance and Systems**

**8.11 - Albury Wodonga Smart Community Strategy (cont’d)**

**Attachments**

The following documents are attached to this report:
- Attachment A: Smart Communities Strategy

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

Innovation Coordinator - Imogen Schifferle
In providing this advice as the report author, I have no interests to disclose in this report.

**Recommendation**

That the draft Albury Wodonga Smart Community Strategy, included with the attachments, be adopted.

**Motion**

Crs John Watson / Brian Mitchell
That the recommendation be adopted.

*Carried unanimously*
Purpose of report

To establish the first Audit and Risk Committee as required by the *Local Government Act 2020* (LGA 2020) and present the new Audit and Risk Committee Charter, to Council for review and adoption.

Background

Wodonga Council currently has an Audit Committee that has been in place for many years. The Audit Committee consists of three independent external members and one councillor. This Committee has provided independent oversight over Council’s financial, risk and audit performance. The current Audit Committee has operated under the Wodonga Council Audit Committee Charter. This committee needs to be re-established due to the implementation of the new LGA 2020.

Section 53 of LGA 2020 requires Council to establish an ‘Audit and Risk Committee’. The committee must consist of members who are councillors and a majority of independent members who are not councillors, who collectively have expertise in financial management, risk and experience in public sector management.

Section 54 of the LGA 2020 requires Council to prepare and approve an Audit and Risk Committee Charter and establish the first Audit and Risk Committee on or before 1 September 2020. This is to replace the existing Wodonga Council Audit Committee and its Charter.

The primary role of the Audit and Risk Committee is to provide an independent review and oversight of responsibilities in areas such as financial reporting, internal control systems, risk management systems and the internal and external audit functions.

Independent Audit and Risk Committee members are usually engaged for a three year term with staggered start and end timeframes. This is to ensure the continuity of knowledge of committee members, whilst also enabling the introduction of new members.

Council has prepared a draft Wodonga City Council Audit and Risk Committee Charter for consideration. This charter is based on the Draft Audit and Risk Committee Charter provided by Engage Victoria, following their consultation process undertaken on behalf of Local Government Victoria.

The previous Audit Committee consisted of three independent external members and one councillor member. Each independent member is appointed for three years with terms staggered so one position becomes due for renewal at the end of each financial year. The councillor representative is appointed annually by Council.

The Wodonga Council Audit Committee external members are Anthony Hernan (Chair and independent member, appointed July 1, 2017 to June 30, 2020), Belinda Olejniczac (independent member, appointed September 30, 2018 to September 30, 2021), David Pendleton (independent member, appointed July 1, 2019 to June 30,
2022) and Councillor Brian Mitchell. Mr Hernan’s tenure has just concluded on June 30, 2020, and he has decided not to seek another term. A recruitment process has been undertaken and the results of the recruitment process are included as confidential attachment B.

The proposed Draft Audit and Risk Committee Charter requires the Chair of the committee to be nominated by Council.

The predominant purpose of the September Audit and Risk Committee meeting is to review and recommend to Council regarding the Financial Report and Performance Statement. This follows the review of the Victorian Auditor General’s Office (VAGO) Audit Strategy presented to the March meeting and the results of the VAGO Interim Audit presented to the May meeting, in the lead up to the completion of the financial statements and VAGO audit. Therefore, the preferred timing of concluding and commencing an external member’s tenure would be following the conclusion of the financial statements after the September meeting.

One of the key roles of the Audit and Risk Committee is to oversee the internal audit function of Wodonga Council. Council currently has a four year Internal Audit Plan, which undertakes a minimum of four internal audit reviews per year that are presented to the Audit Committee for scrutiny and monitoring of the implementation of any recommended improvement opportunities.

Under the new Act, the Audit and Risk Committee will have oversight of the development of an Internal Audit Charter, a four year strategic internal audit plan and an annual internal audit plan. This expands the current internal audit planning and will further strengthen Council’s external oversight and internal controls to ensure Council’s integrity, accountability and transparency are maintained.

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide strong leadership and governance, demonstrating excellence in the way we do business by being innovative, responsive and transparent. We will be accountable and steward the organisation with the highest regard.</td>
<td>Financial management</td>
<td>Maintain accountable and transparent financial practices</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

Council currently has an Audit Committee, which will not meet the requirements of the new LGA 2020. The establishment of a new Audit and Risk Committee will ensure the independent oversight provided by this committee continues and that Council’s legislative obligations are met.
8.12 - Audit and Risk Committee Charter (cont’d)

Risk 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>Council’s obligations under the new LGA 2020 are not met.</td>
<td>1</td>
<td>C</td>
<td>H</td>
<td>Establish an Audit and Risk Committee and adopt the new Charter.</td>
</tr>
<tr>
<td>Council’s internal controls and systems are ineffective.</td>
<td>2</td>
<td>D</td>
<td>S</td>
<td>Provide independent oversight of Council’s internal controls and systems through the establishment of the Audit and Risk Committee and adoption of its charter.</td>
</tr>
</tbody>
</table>

Financial implications

This Audit and Risk Committee is a key governance arm for Council in terms of financial sustainability, transparency, good processes and risk management.

All costs associated with the running of an Audit and Risk Committee are already incorporated into the Wodonga Council budget adopted on June 29, 2020.

Environmental implications

N/A

Sustainability implications

The role of the Audit and Risk Committee, providing an independent review and oversight of responsibilities in areas such as financial reporting, internal control systems, risk management systems and the internal and external audit functions, will improve the financial sustainability outcomes for Council.

Social / cultural implications

The community will benefit in the long term from prudent financial management combined with open and transparent governance. The Audit and Risk Committee provides ongoing better practice in that regard.

Legislative implications

Under sections 53 and 54 of LGA 2020 Council must establish an Audit and Risk Committee, and prepare and approve an Audit and Risk Committee Charter on or before 1 September 2020.

Community engagement and internal consultation

No external consultations have occurred on the general contents of this paper. The existing Wodonga Council Audit Committee has been consulted on the content of the draft Audit and Risk Committee Charter and how it will achieve the requirements of LGA 2020.
### Options for consideration

In relation to the adoption of a new Wodonga Council Audit and Risk Committee Charter the options are:

- **Option one:** do nothing – **not recommended** as Council will be in breach of the new LGA 2020.

- **Option two:** adopt the Wodonga City Council Audit and Risk Committee Charter, which is based on the Draft Audit and Risk Committee Charter provided by Engage Victoria, following their consultation process undertaken on behalf of Local Government Victoria. (Attachment A)

In relation to the appointment of the initial Wodonga Council Audit and Risk Committee initial independent members and the appointment of the Chairperson, the options are:

- **Option one:** do nothing – **not recommended** as Council will be in breach of the new LGA 2020.

- **Option two:** Reappoint Belinda Olejniczac and David Pendleton, with their tenure to conclude on September 30, 2021 and September 30, 2022 respectively, in line with their original appointment by Council and accept the recommendation of the selection committee for the third new independent member (confidential attachment B) to be appointed to September 30, 2023. Appoint the longest serving committee member, being Belinda Olejniczac to the position of committee Chairperson – **recommended** as members were selected on their skills and experiences, following arms-length recruitment processes.

- **Option three:** Nominate three independent members – **not recommended** as a transparent recruitment and selection process will not have been followed.

### Conclusion

Council should adopt a new charter and nominate the three independent members, to remain compliant with the LGA 2020.

The existing Wodonga Council Audit Committee has provided councillors independent oversight of the financial, risk and audit functions of Council, including independent advice regarding the signing of the audited financial report and performance statement. It is recommended that this function continue under the new requirements enunciated in LGA 2020, due to the high value obtained from this advisory committee by the Council.

External member’s tenure should be for a three year term concluding on September 30 of the relevant year. This will ensure they are involved in the review of the VAGO Audit Strategy, VAGO Interim Audit report and the completed financial
8.12 - Audit and Risk Committee Charter (cont’d)

statements at the September Audit and Risk Committee Meeting, to provide continuity of their review right through to the completed VAGO Management letter and audit report.

The Committee person with the longest tenure should be appointed to the position of the Chairperson of the Committee.

Attachments

The following documents are attached to this report:
- Attachment A: Draft Audit and Risk Committee Charter - LGV
- Attachment B: Confidential External Audit and Risk Committee Member Selection Report July 2020 (Confidential)

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

Director Finance and Systems - Narelle Klein
In providing this advice as the report author, I have no interests to disclose in this report.
### Recommendation

That:

1. The Wodonga City Council Audit and Risk Committee Charter, included with the attachments, be adopted;

2. The independent members appointed to the Audit and Risk Committee be:
   a) Belinda Olejniczak from August 17, 2020 to September 30, 2021
   b) David Pendleton from August 17, 2020 to September 30, 2022
   c) the recommended candidate in Confidential Attachment B, from August 17, 2020 to September 30, 2023;

3. Belinda Olejniczak be appointed the Chairperson of the Wodonga City Council Audit and Risk Committee; and

4. Council write to Mr Anthony Hernan to thank him for his contribution as a committee member and Chair of the Wodonga Council Audit Committee.

### Motion

Crs Brian Mitchell / Ron Mildren

That:

1. The Wodonga City Council Audit and Risk Committee Charter, included with the attachments, be adopted;

2. The independent members appointed to the Audit and Risk Committee be:
   a) Belinda Olejniczak from August 17, 2020 to September 30, 2021
   b) David Pendleton from August 17, 2020 to September 30, 2022
   c) Robyn Gillis, from August 17, 2020 to September 30, 2023;

3. Belinda Olejniczak be appointed the Chairperson of the Wodonga City Council Audit and Risk Committee; and

4. Council write to Mr Anthony Hernan to thank him for his contribution as a committee member and Chair of the Wodonga Council Audit Committee.

**Carried unanimously**
8.13 - Proposed sale of Cafe Grove

Purpose of report

The purpose of this report is to provide the Council with a report on the public consultation process undertaken in response to the public notice of Council’s intention to sell the Council owned land on which Café Grove, Wodonga is situated.

Background

At its ordinary Council meeting held on May 18, 2020, and under confidential business, the Council resolved as follows:

1. The Chief Executive Officer be authorised to enter into an agreement with the Department of Treasury and Finance to jointly sell the land and building known as Café Grove. The land parcels being:

   • Crown Land – Crown Allotment 13A (CA13A);
   • Crown Land – Crown Allotment 2132 (CA2132);
   • Council Land - Lot 1 TP900782K Vol. 04269 Fol. 735; and
   • Council Land -Lot 1 TP235476Y Vol. 08247 Fol. 748.

2. The details of this decision be released publicly at the time of the conclusion of the agreement with the Department of Treasury and Finance.

Through negotiations with the Department of Treasury and Finance it was agreed that Council sell the Land by public auction (but, if the Land is passed in at auction, by private treaty) on the following terms:

   • the Land will be sold together with the two parcels of Crown land that comprise the balance of 198A High Street, Wodonga, which are being sold by the Department of Treasury and Finance on behalf of the Crown;
   • a purchase price of no less than the market value of the Land as determined by the Valuer-General of Victoria; and
   • payment of a deposit of 10% of the price.

In compliance with its obligations under sections 189 and 223 of the Local Government Act (1989), a public notice was placed in the Border Mail on Wednesday, 15 July 2020, with submissions required by 5.00pm on Wednesday, 12 August 2020. The public notice read:
There were no submissions received by the close of business on Wednesday, 12 August 2020.
**8.13 - Proposed sale of Cafe Grove (cont’d)**

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide strong leadership and governance, demonstrating excellence in the way we do business by being innovative, responsive and transparent. We will be accountable and steward the organisation with the highest regard.</td>
<td>Good governance and customer experience.</td>
<td>Not applicable.</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

The Property Divestment policy outlines the objectives and approach that the Council will adopt in the process of identifying, assessing and deciding to retain or divest property assets (land and buildings) for the benefits of the community. This proposal addresses all considerations outlines in the Property Divestment Policy.

The Sale, Exchange and Transfer of Council owned land policy outlines this principles and approach Council will take for the sale, exchange and transfer of Council owned land to ensure it is subject to a fair and transparent process in accordance with relevant legislation.

**Risk 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>Long term building vacancy</td>
<td>3</td>
<td>S</td>
<td>C</td>
<td>Work with DELWP &amp; DTF to facilitate a desired outcome.</td>
</tr>
<tr>
<td>Building use not maximised</td>
<td>3</td>
<td>S</td>
<td>C</td>
<td>Provisions in Wodonga Planning Scheme would provide some control.</td>
</tr>
<tr>
<td>Building not sold at auction.</td>
<td>2</td>
<td>H</td>
<td>C</td>
<td>Negotiate a sale by private treaty, together with DTF.</td>
</tr>
</tbody>
</table>

**Financial implications**

Should Council support the sale of the land, the financial implication would be that Council’s revenue increases by the sale price of the two parcels of Council land and the value of improvements (building). Legal fees, marketing/agent fees and other minor fees are applicable and will be covered by the sale proceeds.

**Environmental implications**

There are no environmental implications associated with this report.

**Sustainability implications**

There are no sustainability implications associated with this report.
8.13 - Proposed sale of Cafe Grove (cont’d)

Social / cultural implications

There are no social/cultural implication’s associated with this report.

Legislative implications

The Council has fulfilled its obligations under sections 189 and 223 of the Local Government Act 1989.

No submissions were received within the submission period.

Community engagement and internal consultation

No further community engagement or internal consultation is required for Council to make its determination with respect of its intention to sell the land known as Café Grove by public auction.

Options for consideration

Option 1 – Do Nothing

The Council, at its meeting on May 18, 2020 resolved to commence a land sales process with the clear intention of selling the land parcels known as part of Café Grove. This process resulted in a 223 process being undertaken which has culminated in no submissions being received.

This option is not supported as the Council is required to make a decision on the section 223 process.

Option 2 – Notify Department of Treasury and Finance (DTF) of Council’s decision to sell the land and building through a public auction.

Council has followed its legislative obligations in undertaking a section 223 process which did not result in any submissions for Council’s consideration. It is therefore proposed that that Council resolve to sell the land by public auction. This process will include the two parcels of Crown land that comprise the balance of 198A High Street, Wodonga. The process of public auction will be managed by the Department of Treasury and Finance on behalf of the Crown.

Conclusion

Café Grove is a prominent building within the city centre. Council’s crown lease expired on June 30, 2020 and Council needs to determine the best long term option for the Cafe Grove building. As the building traverses four parcels of land; two owned by Council and two owned by the Crown, the preferred option is for Council and Department of Treasury and Finance to jointly sell the land and building by public auction.
8 - Reports for determination

City Growth, Engagement and People

8.13 - Proposed sale of Cafe Grove (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.

Deputy Chief Executive Officer - Debra Mudra
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. Having followed all the required statutory procedures pursuant to sections 189 and 223 of the Local Government Act 1989 that Council resolve to sell:
   - The land known as Lot 1 TP900782K Vol. 04269 Fol. 735
   - The land known as Lot 1 TP235476Y Vol. 08247 Fol. 748
   in accordance with the terms and as described in the public notice of Wednesday 15 July, 2020, and a copy of which is included with this report.

2. Should the public auction process not successfully secure a sale, the land be listed for sale on the open market jointly with Department of Treasury and Finance.

Motion

Crs Brian Mitchell / Libby Hall

That the recommendation be adopted.

Carried unanimously
9.1 - Audit Committee Meeting May 28, 2020 - summary of minutes

Pursuant to the requirements under the Local Government Act 1989, the Local Government Act 2020 and the Wodonga Council Audit Committee Charter, the Audit Committee met on May 28, 2020.

Attachments

The following documents are attached to this report:
- Attachment A: Audit Committee Meeting - May 2020 - 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 Finance and Systems - Narelle Klein
In providing this advice, I have no interests to disclose in this report.

Risk & Assurance Officer - Sheree Feuerherdt
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, as attached, be received and noted.

Motion

Crs Brian Mitchell / Danny Lowe

That the recommendation be adopted.  

Carried unanimously
10.1 - Planning report for July 2020

Between July 1 and July 31 2020, the Statutory Planning unit determined eighteen planning permit applications under delegation, including four secondary consents and two extension to permit applications.

<table>
<thead>
<tr>
<th>Permit No</th>
<th>Use / Development</th>
<th>Site Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/2017</td>
<td>Use and development of a residential hotel with associated facilities of gymnasium, restaurant, food and drink premises (café) swimming pool, car parking and a golf 'pro' shop – extension of time</td>
<td>Clubhouse Place West Wodonga</td>
</tr>
<tr>
<td>125/2017</td>
<td>Subdivide the land into two lots and construction of a second dwelling on a lot – extension of time</td>
<td>8 Havelock Street Wodonga</td>
</tr>
<tr>
<td>154/2017</td>
<td>Use of the land for Motor Repairs (excluding Panel beating) and two shops and a reduction 3 car parking spaces – secondary consent</td>
<td>62a Thomas Mitchell Drive Wodonga</td>
</tr>
<tr>
<td>124/2019</td>
<td>To use and develop the land as a display home centre; To use and develop the land as a car park; Permission for all of the required car parking spaces to be provided on another site; To erect and display business identification and promotion signage – secondary consent</td>
<td>448 Boyes Road Baranduda</td>
</tr>
<tr>
<td>47/2020</td>
<td>To use and develop the land as a display home centre; To use and develop the land as a car park; To erect and display business identification and promotion signage. Lot 112 PS810066, Lots 127, 128, 123-137, 141-156, Lot D PS823633 and Lot B on PS705742, Fivefields Road Streets Road, Canon Street, Hampshire Boulevard, Kinchington Estate Leneva – secondary consent</td>
<td>127 Streets Road Leneva</td>
</tr>
<tr>
<td>163/2019</td>
<td>Staged subdivision of land into multiple lots in the MUZ and DDO1 – secondary consent</td>
<td>167 Mckoy Street West Wodonga</td>
</tr>
<tr>
<td>39/2020</td>
<td>Buildings and works to construct a second dwelling on a lot in the GRZ1 and BMO</td>
<td>10 Yarrow Circuit Baranduda</td>
</tr>
<tr>
<td>43/2020</td>
<td>Multi-lot subdivision, earthworks and removal of native vegetation in the IN1Z</td>
<td>Mckoy Street West Wodonga</td>
</tr>
<tr>
<td>45/2020</td>
<td>Buildings and works to construct a dwelling in the FZ, BMO and SLO1</td>
<td>2058 Beechworth-Wodonga Road Leneva</td>
</tr>
<tr>
<td>49/2020</td>
<td>Buildings and works (storage shed) in the Commercial 2 Zone</td>
<td>5 Footmark Court West Wodonga</td>
</tr>
<tr>
<td>54/2020</td>
<td>Use of the land for a food and drink premise (café). Buildings and works to construct warehouse, industry and office.</td>
<td>14 Huon Street Wodonga</td>
</tr>
<tr>
<td>57/2020</td>
<td>Subdivide the land into two lots in the GRZ1</td>
<td>60 Castle Creek Road Wodonga</td>
</tr>
</tbody>
</table>
## 10.1 - Planning report for July 2020 (cont’d)

<table>
<thead>
<tr>
<th>File No.</th>
<th>Description</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>58/2020</td>
<td>Change of use to Shop (massage) in the C1Z</td>
<td>204 Beechworth Road Wodonga</td>
</tr>
<tr>
<td>59/2020</td>
<td>Buildings and works to the existing building (Woolworths supermarket) and alterations to the car parking in ACZ, EAO &amp; PO1</td>
<td>25 Elgin Boulevard Wodonga</td>
</tr>
<tr>
<td>63/2020</td>
<td>Two lot subdivision in the FZ &amp; SL01</td>
<td>101 Spring Gully Road Huon Creek</td>
</tr>
<tr>
<td>68/2020</td>
<td>Subdivide the land into 2 lots in the GRZ1</td>
<td>40 Stanley Street Wodonga</td>
</tr>
<tr>
<td>72/2020</td>
<td>Buildings and works associated with a Section 2 use (education centre) in the FZ</td>
<td>28 Drage Road West Wodonga</td>
</tr>
<tr>
<td>76/2020</td>
<td>Boundary re-alignment in the ACZ1 &amp; C1Z</td>
<td>7 Thomas Mitchell Drive Wodonga</td>
</tr>
</tbody>
</table>

![Planning permits issued chart]

**For information only.**
10.2 - Building report for July 2020

The value of building permits issued in Wodonga from 1 July to 31 July 2020 was $11,000,927. Details of the building approvals in excess of $100,000 are:

<table>
<thead>
<tr>
<th>Permit No</th>
<th>Value</th>
<th>Construction</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020/267/Add</td>
<td>$100,000</td>
<td>Dwelling, Patio Extension and Carport</td>
<td>9 Batt Avenue Wodonga</td>
</tr>
<tr>
<td>2020/308/Coa</td>
<td>$106,157</td>
<td>Alterations and Additions To Existing Shed</td>
<td>Unit1/16 Reid Street Wodonga</td>
</tr>
<tr>
<td>2020/297/Dwell</td>
<td>$400,000</td>
<td>Dwelling</td>
<td>15 Ellerslie Court Staghorn Flat</td>
</tr>
<tr>
<td>2020/300/Dwell</td>
<td>$233,175</td>
<td>Dwelling</td>
<td>Unit113/2 Flinders Way West Wodonga</td>
</tr>
<tr>
<td>2020/301/Dwell</td>
<td>$200,879</td>
<td>Dwelling</td>
<td>Unit 114/2 Flinders Way West Wodonga</td>
</tr>
<tr>
<td>2020/340/Dwell</td>
<td>$301,416</td>
<td>Dwelling</td>
<td>11 Lasilla Place Baranduda</td>
</tr>
<tr>
<td>2020/361/Dwell</td>
<td>$232,500</td>
<td>Dwelling</td>
<td>6 Crow Street Baranduda</td>
</tr>
<tr>
<td>2020/363/Dwell</td>
<td>$247,189</td>
<td>Dwelling</td>
<td>57 Chandler Street West Wodonga</td>
</tr>
<tr>
<td>2020/366/Dwell</td>
<td>$237,510</td>
<td>Dwelling</td>
<td>3 Bisdee Court Wodonga</td>
</tr>
<tr>
<td>2020/367/Dwell</td>
<td>$215,200</td>
<td>Dwelling</td>
<td>11 Beadsworth Street Baranduda</td>
</tr>
<tr>
<td>2020/374/Dwell</td>
<td>$318,640</td>
<td>Dwelling</td>
<td>4 Dover Court West Wodonga</td>
</tr>
<tr>
<td>2020/377/Dwell</td>
<td>$272,850</td>
<td>Dwelling</td>
<td>6 Dartnell Crescent Wodonga</td>
</tr>
<tr>
<td>2020/386/Dwell</td>
<td>$323,000</td>
<td>Dwelling</td>
<td>24 Canon Street Leneva</td>
</tr>
<tr>
<td>2020/387/Dwell</td>
<td>$393,000</td>
<td>Dwelling</td>
<td>26 Canon Street Leneva</td>
</tr>
<tr>
<td>2020/389/Dwell</td>
<td>$283,960</td>
<td>Dwelling</td>
<td>40 Esposito Street Killara</td>
</tr>
<tr>
<td>2020/390/Dwell</td>
<td>$494,827</td>
<td>Dwelling</td>
<td>7 Archer Circuit Huon Creek</td>
</tr>
<tr>
<td>2020/397/Dwell</td>
<td>$292,701</td>
<td>Dwelling</td>
<td>8 Crow Street Baranduda</td>
</tr>
<tr>
<td>2020/405/Dwell</td>
<td>$205,228</td>
<td>Dwelling</td>
<td>13 Gascoyne Lane West Wodonga</td>
</tr>
<tr>
<td>2020/170/Pbscoa</td>
<td>$299,984</td>
<td>Office</td>
<td>12 Kendall Street Wodonga</td>
</tr>
<tr>
<td>2020/103/Pbsdwl</td>
<td>$560,397</td>
<td>Dwelling</td>
<td>29 Jeffries Rise Wodonga</td>
</tr>
<tr>
<td>2020/107/Pbsdwl</td>
<td>$390,500</td>
<td>Dwelling</td>
<td>6 Lanning Street Baranduda</td>
</tr>
<tr>
<td>2020/129/Pbsdwl</td>
<td>$400,000</td>
<td>Dwelling</td>
<td>16 Canon Street Leneva</td>
</tr>
<tr>
<td>2020/146/Pbsdwl</td>
<td>$541,644</td>
<td>Dwelling</td>
<td>2058 Beechworth-Wodonga Road Leneva</td>
</tr>
<tr>
<td>2020/152/Pbsdwl</td>
<td>$256,873</td>
<td>Dwelling</td>
<td>65 Daintree Way West Wodonga</td>
</tr>
<tr>
<td>2020/154/Pbsdwl</td>
<td>$303,742</td>
<td>Dwelling</td>
<td>20 Chandler Street West Wodonga</td>
</tr>
<tr>
<td>2020/157/Pbsdwl</td>
<td>$248,388</td>
<td>Dwelling</td>
<td>24 Beadsworth Street Baranduda</td>
</tr>
<tr>
<td>2020/159/Pbsdwl</td>
<td>$105,240</td>
<td>Dwelling and Shed</td>
<td>453 Whytes Road Baranduda</td>
</tr>
<tr>
<td>2020/165/Pbsdwl</td>
<td>$427,300</td>
<td>Dwelling</td>
<td>8 Nettle Court Baranduna</td>
</tr>
<tr>
<td>2020/168/Pbsdwl</td>
<td>$295,250</td>
<td>Dwelling</td>
<td>12 Beadsworth Street Baranduda</td>
</tr>
<tr>
<td>2020/169/Pbsdwl</td>
<td>$309,900</td>
<td>Dwelling</td>
<td>10 Fivefields Road Leneva</td>
</tr>
</tbody>
</table>
**Building Activity**

<table>
<thead>
<tr>
<th>Permit Number</th>
<th>Value</th>
<th>Description</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020/172/Pbsdwl</td>
<td>$253,841</td>
<td>Dwelling</td>
<td>12 Yarrow Circuit Baranduda</td>
</tr>
<tr>
<td>2020/176/Pbsdwl</td>
<td>$321,880</td>
<td>Dwelling</td>
<td>17 Lasilla Place Baranduda</td>
</tr>
<tr>
<td>2020/177/Pbsdwl</td>
<td>$277,138</td>
<td>Dwelling</td>
<td>78 Highcliffe Road Leneva</td>
</tr>
<tr>
<td>2020/208/Pbsdwl</td>
<td>$319,578</td>
<td>Dwelling</td>
<td>19 Lasilla Place Baranduda</td>
</tr>
<tr>
<td>2020/175/Pbspls</td>
<td>$121,848</td>
<td>Swimming Pool and Retaining Wall</td>
<td>30 Clarendon Avenue Wodonga</td>
</tr>
</tbody>
</table>

---

**Swimming Pool Register – Registration, Compliance & Inspection**

<table>
<thead>
<tr>
<th></th>
<th>July 2020</th>
<th></th>
<th>June 2020</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered - 36</td>
<td>$2,925.96</td>
<td></td>
<td>Registered - 71</td>
<td>$5,693.76</td>
</tr>
<tr>
<td>Inspected - 0</td>
<td>$0</td>
<td></td>
<td>Inspected - 1</td>
<td>$160</td>
</tr>
<tr>
<td><strong>Total Fees</strong></td>
<td><strong>$2,925.96</strong></td>
<td></td>
<td><strong>Total Fees</strong></td>
<td><strong>$5,853.76</strong></td>
</tr>
</tbody>
</table>

**Additional Notes:**

**Registered Building Practitioner, Registration No: BS-U 1369**
Building Practitioners Board, Melbourne Vic.

**Accredited Certifier, Registration No: BPB 0368**
Building Professionals Board, Sydney NSW.

*Compliant on registration (new pool)
10.2 - Building report for July 2020 (cont’d)

For information only.
10.3 - Competitive services report for July 2020

<table>
<thead>
<tr>
<th></th>
<th>July</th>
<th>YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quotation / tenders issued</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>Total number of contracts awarded</td>
<td>42</td>
<td>42</td>
</tr>
<tr>
<td>Contracts awarded to local suppliers</td>
<td>31</td>
<td>31</td>
</tr>
<tr>
<td>Value of contracts awarded</td>
<td>$4,261,550.56</td>
<td>$4,261,550.56</td>
</tr>
</tbody>
</table>

**Tenders advertised / quotations issued**

- W2024-20: Carry out the Construction Works for the proposed footpaths, along Emerald Avenue and Marshall Street in the City of Wodonga
- W2051-20Q: Birallee Park Raiders Facilities refurbishment works
- W2075-20: Provision of Division 5 Asbestos Audit Reports for Council Buildings
- W2103-20: Footpath and Recreational Paths Renewal Program 2020-2021
- W2116-20Q: Supply Street Furniture
- W2123-20Q: Risk Management & Fraud Management Workshops
- W2124-20Q: Developer Contributions Review
- W2137-20Q: Wodonga Sports and Leisure Centre, Asbestos removal and roofing upgrade

**Tenders / quotations under evaluation**

- W1962-20Q: Bonegilla Migrant Experience - Design, supply and installation of a steel barbecue shelter and associated street furniture
- W1986-20Q: Kelly Park Pavilion Reconstruction - Demolition
- W1987-20Q: Kelly Park Pavilion Reconstruction - Concreting
- W1988-20Q: Kelly Park Pavilion Reconstruction - Carpenter
- W1989-20Q: Kelly Park Pavilion Reconstruction - Glazing
- W1990-20Q: Kelly Park Pavilion Reconstruction - Roofing
- W1991-20Q: Kelly Park Pavilion Reconstruction - Internal Lining
- W1992-20Q: Kelly Park Pavilion Reconstruction - Painting
- W1993-20Q: Kelly Park Pavilion Reconstruction - Joinery
- W1994-20Q: Kelly Park Pavilion Reconstruction - Plumbing
- W1995-20Q: Kelly Park Pavilion Reconstruction - Electrical
- W1996-20Q: Kelly Park Pavilion Reconstruction - Mechanical
- W1997-20Q: Kelly Park Pavilion Reconstruction - Tiling
- W1998-20Q: Supply of replacement streetlight fittings
- W2006-20Q: Queue Management System
- W2009-20: Procurement Australia Contract 2206/0221 Fleet Services & Consumables
- W2036-20: Emerald Oval Carpark Construction
- W2088-20Q: Supply Rugger Mobile Devices
- W2105-20Q: Engage external consultant to deliver Risk Workshop with Executive team
- W2074-20Q: Risk and OHS Management Systems
- W2087-20Q: Carry out the Construction works for a new Traffic Island, at the intersection of Parkers Road, and Marshall Street
- W2099-20: Provision of Traffic Control Services – Schedule of Rates
### 10.3 - Competitive services report for July 2020 (cont’d)

<table>
<thead>
<tr>
<th>Contract Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>W2108-20Q</td>
<td>Microsoft License Agreement Renewal</td>
</tr>
<tr>
<td>W2115-20Q</td>
<td>Structural Renewal of BBQ shelters at Belvoir Park, Ludlows Reserve and Gateway Island</td>
</tr>
<tr>
<td>W2118-20Q</td>
<td>Provision of Printing Services</td>
</tr>
<tr>
<td>W2126-20</td>
<td>Call Handling and Associated Services</td>
</tr>
<tr>
<td>W1984-20</td>
<td>Carry out the construction works for a series of pram crossings, kerb and footpaths around the City of Wodonga</td>
</tr>
<tr>
<td>W857-16Q</td>
<td>Klings Reserve Mountain Bike Trail Stage 2 Works</td>
</tr>
<tr>
<td>W1815-19</td>
<td>New Library/ Gallery Audio Visual Requirements Supply and Installation</td>
</tr>
<tr>
<td>W1965-20Q</td>
<td>Consultancy Services for the completion of an Albury Wodonga Traffic Model</td>
</tr>
<tr>
<td>W2010-20</td>
<td>Provision of security monitoring, technical support &amp; scheduled &amp; reactive security maintenance</td>
</tr>
<tr>
<td>W2011-20</td>
<td>Provision of mobile security patrol services</td>
</tr>
<tr>
<td>W2017-20Q</td>
<td>Cypress Court flood levee design</td>
</tr>
<tr>
<td>W2025-20</td>
<td>Rates for Miscellaneous Removal and Replacement of Kerb</td>
</tr>
<tr>
<td>W2026-20</td>
<td>Digout and Stabilisation Works 2020-21</td>
</tr>
<tr>
<td>W2027-20</td>
<td>Minor Miscellaneous Works 2020-21</td>
</tr>
<tr>
<td>W2029-20</td>
<td>Provision of 2020-21 Asphalt Program</td>
</tr>
<tr>
<td>W2031-20</td>
<td>Provision of 2020-21 Sprayed Preservation Surfacing Program</td>
</tr>
<tr>
<td>W2034-20</td>
<td>Architectural Services for the new Baranduda Fields Football (Soccer) Pavilion</td>
</tr>
<tr>
<td>W2035-20Q</td>
<td>Riverside Estate Stage 14, Playground – Concrete and Landscaping</td>
</tr>
<tr>
<td>W2041-20Q</td>
<td>Division 6 Asbestos and Hazardous Materials Survey of Wodonga Sports and Leisure Centre</td>
</tr>
<tr>
<td>W2040-20Q</td>
<td>Riverside Estate Stage 14 - equipment supply and install</td>
</tr>
<tr>
<td>W2061-20Q</td>
<td>Council Offices First Floor North Wing Refurbishment - Demolition Works</td>
</tr>
<tr>
<td>W2062-20Q</td>
<td>Council Offices First Floor North Wing Refurbishment - Carpentry and Glazing works</td>
</tr>
<tr>
<td>W2063-20Q</td>
<td>Council Offices First Floor North Wing Refurbishment - Electrical, Lighting and Data works</td>
</tr>
<tr>
<td>W2064-20Q</td>
<td>Council Offices First Floor North Wing Refurbishment - Internal linings works</td>
</tr>
<tr>
<td>W2065-20Q</td>
<td>Council Offices First Floor North Wing Refurbishment - Mechanical Services</td>
</tr>
<tr>
<td>W2066-20Q</td>
<td>Council Offices First Floor North Wing Refurbishment - Painting works</td>
</tr>
<tr>
<td>W2067-20</td>
<td>Solar Lights at Various locations</td>
</tr>
<tr>
<td>W2069-20</td>
<td>Provision of Sport Field and Precinct Design Services for the Baranduda Fields Stage 1 - Soccer</td>
</tr>
<tr>
<td>W2076-20/1 to 5</td>
<td>Panel of suppliers for mowing and other horticulture/environmental land services</td>
</tr>
<tr>
<td>W2079-20Q</td>
<td>Council Offices First Floor North Wing Refurbishment - Joinery</td>
</tr>
<tr>
<td>W2080-20Q</td>
<td>Council Offices First Floor North Wing Refurbishment - Plumbing Works</td>
</tr>
<tr>
<td>W2081-20Q</td>
<td>Council Offices First Floor North Wing Refurbishment - Tiling works</td>
</tr>
<tr>
<td>W2091-20Q</td>
<td>Church Street asphalting and associated works</td>
</tr>
</tbody>
</table>
## 10.3 - Competitive services report for July 2020 (cont’d)

<table>
<thead>
<tr>
<th>Contract ID</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>W2094-20Q</td>
<td>Council Offices First Floor North Wing Refurbishment - Flooring works</td>
</tr>
<tr>
<td>W2095-20/1 to 2</td>
<td>Panel of suppliers for plumbing and irrigation works for backflow testing and maintenance and repair of fire hydrants</td>
</tr>
<tr>
<td>W2096-20</td>
<td>Supply and provision of fertilizer, seed and chemicals for use within the City of Wodonga</td>
</tr>
<tr>
<td>W2097-20</td>
<td>The provision of slope mowing</td>
</tr>
<tr>
<td>W2098-20</td>
<td>Supply and spreading of Soft fall at various playgrounds</td>
</tr>
<tr>
<td>W2104-20</td>
<td>Marketing Services - Advertising and Media</td>
</tr>
<tr>
<td>W2109-20Q</td>
<td>Bonegilla Migrant Experience - Site Investigation Design, Supply and Install Undercover Steel BBQ Structure.</td>
</tr>
<tr>
<td>W2129-20CE</td>
<td>Best and highest use of Baranduda Fields eucalypt plantation</td>
</tr>
<tr>
<td>W2136-20Q</td>
<td>Lease management software</td>
</tr>
</tbody>
</table>

### Contracts awarded to local suppliers

- **Aug19**: 72%
- **Sep19**: 51%
- **Oct19**: 65%
- **Nov19**: 45%
- **Dec19**: 55%
- **Jan20**: 100%
- **Feb20**: 86%
- **Mar20**: 79%
- **Apr20**: 50%
- **May20**: 92%
- **Jun-20**: 63%
- **Jul-20**: 73%

---

For information only.
10 - Reports for information

City Growth, Engagement and People

10.4 - 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 shown below.
Councillor briefing of Monday, July 20, 2020, commencing at 8.30am and concluding at 11am.

**Venue**
On line virtual meeting

**In attendance**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anna Speedie</td>
<td>Mayor and councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Brian Mitchell</td>
<td>Deputy 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>Apology</td>
</tr>
<tr>
<td>Danny Lowe</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Ron Mildren</td>
<td>Councillor</td>
<td>Apology</td>
</tr>
<tr>
<td>John Watson</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Mark Dixon</td>
<td>Chief Executive Officer</td>
<td>All items</td>
</tr>
<tr>
<td>Debra Mudra</td>
<td>Deputy CEO</td>
<td>All items</td>
</tr>
<tr>
<td>Simone Hogg</td>
<td>Director Community Development</td>
<td>All items</td>
</tr>
<tr>
<td>Narelle Klein</td>
<td>Director Finance &amp; Systems</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>John Sidgwick</td>
<td>Manager Planning and Building</td>
<td>Item 4a</td>
</tr>
<tr>
<td>Nicola Gleeson-Coopes</td>
<td>Manager Finance</td>
<td>Item 4d</td>
</tr>
<tr>
<td>Liona Edwards</td>
<td>Manager Sport and Recreation</td>
<td>Item 4e</td>
</tr>
</tbody>
</table>

**Conflict of interest disclosures**

There were no disclosures

**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 council meeting agenda
4. Briefing reports were provided on the following:
   a. 115 Kinchington Road - legal proceedings
   b. Rename Frederic Street Road - Feedback from Public Consultation
   c. Park Relocation
   d. June 2020 Quarterly & Monthly Finance Report
   e. Baranduda Fields Update
## 10.4 - Assemblies of councillors (cont’d)

Councillor briefing of Monday, July 27, 2020, commencing at 8.30am and concluding at 8.50am, and reconvened at 10am and concluded at 10.45am.

<table>
<thead>
<tr>
<th>Venue</th>
<th>On line virtual meeting</th>
</tr>
</thead>
</table>

### In attendance

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anna Speedie</td>
<td>Mayor and councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Brian Mitchell</td>
<td>Deputy 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>All items</td>
</tr>
<tr>
<td>Ron Mildren</td>
<td>Councillor (attended by phone)</td>
<td>Apology for part of item one</td>
</tr>
<tr>
<td>John Watson</td>
<td>Councillor</td>
<td>All items</td>
</tr>
<tr>
<td>Mark Dixon</td>
<td>Chief Executive Officer</td>
<td>All items</td>
</tr>
<tr>
<td>Debra Mudra</td>
<td>Deputy CEO</td>
<td>Items 1 and 2 only</td>
</tr>
<tr>
<td>Simone Hogg</td>
<td>Director Community Development</td>
<td>Items 1 and 2 only</td>
</tr>
<tr>
<td>Narelle Klein</td>
<td>Director Finance &amp; Systems</td>
<td>Items 1 and 2 only</td>
</tr>
<tr>
<td>Leon Schultz</td>
<td>Director Planning &amp; Infrastructure</td>
<td>Items 1 and 2 only</td>
</tr>
<tr>
<td>Kevin Scully</td>
<td>Governance Officer</td>
<td>Items 1 and 2 only</td>
</tr>
</tbody>
</table>

### Conflict of interest disclosures

There were no disclosures

### 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. Councillor / CEO discussion
## 10.4 - Assemblies of councillors (cont’d)

Councillor briefing of Monday, August 3, 2020, commencing at 8.30am and concluding at 9.30am.

| Venue         | On line virtual meeting |

<table>
<thead>
<tr>
<th>In attendance</th>
<th>All items</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anna Speedie</td>
<td>Mayor and councillor</td>
</tr>
<tr>
<td>Brian Mitchell</td>
<td>Deputy Mayor and councillor</td>
</tr>
<tr>
<td>Kat Bennett</td>
<td>Councillor</td>
</tr>
<tr>
<td>Libby Hall</td>
<td>Councillor</td>
</tr>
<tr>
<td>Danny Lowe</td>
<td>Councillor</td>
</tr>
<tr>
<td>Ron Mildren</td>
<td>Councillor</td>
</tr>
<tr>
<td>John Watson</td>
<td>Councillor</td>
</tr>
<tr>
<td>Mark Dixon</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Debra Mudra</td>
<td>Deputy CEO</td>
</tr>
<tr>
<td>Simone Hogg</td>
<td>Director Community Development</td>
</tr>
<tr>
<td>Narelle Klein</td>
<td>Director Finance &amp; Systems</td>
</tr>
<tr>
<td>Leon Schultz</td>
<td>Director Planning &amp; Infrastructure</td>
</tr>
<tr>
<td>Kevin Scully</td>
<td>Governance Officer</td>
</tr>
<tr>
<td>Ken Chan</td>
<td>Team Leader Statutory Planning</td>
</tr>
<tr>
<td>Claire Coulson</td>
<td>Natural Resources Planner</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>That part of item one about the proposed sale of land, Lot 2 PS533379X Whytes Road Bandiana.</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) Albury Wodonga Regional Deal
   b) Instruments of Delegation
   c) Proposed Changes to the Effective Control Order for Dogs
   d) 2C1C Regional Natural Environment Strategy
### 10.4 - Assemblies of councillors (cont’d)

Councillor briefing of Monday, August 10, 2020, commencing at 8.30am and concluding at 10.25am.

<table>
<thead>
<tr>
<th>Venue</th>
<th>On line virtual meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>In attendance</strong></td>
<td></td>
</tr>
<tr>
<td>Anna Speedie</td>
<td>Mayor and councillor</td>
</tr>
<tr>
<td>Brian Mitchell</td>
<td>Deputy Mayor and councillor</td>
</tr>
<tr>
<td>Kat Bennett</td>
<td>Councillor</td>
</tr>
<tr>
<td>Libby Hall</td>
<td>Councillor</td>
</tr>
<tr>
<td>Danny Lowe</td>
<td>Councillor</td>
</tr>
<tr>
<td>Ron Mildren</td>
<td>Councillor</td>
</tr>
<tr>
<td>John Watson</td>
<td>Councillor</td>
</tr>
<tr>
<td>Mark Dixon</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Debra Mudra</td>
<td>Deputy CEO</td>
</tr>
<tr>
<td>Simone Hogg</td>
<td>Director Community Development</td>
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<tr>
<td>Narelle Klein</td>
<td>Director Finance &amp; Systems</td>
</tr>
<tr>
<td>Leon Schultz</td>
<td>Director Planning &amp; Infrastructure</td>
</tr>
<tr>
<td>Kevin Scully</td>
<td>Governance Officer</td>
</tr>
<tr>
<td>Liona Edwards</td>
<td>Manager Sport &amp; Recreation</td>
</tr>
<tr>
<td>Theo Panagopoulos</td>
<td>Manager Infrastructure and Design</td>
</tr>
<tr>
<td>Kellie Davies</td>
<td>Manager Communications, Marketing &amp; Customer Focus</td>
</tr>
<tr>
<td>Imogen Schifferle</td>
<td>Innovation Co-ordinator</td>
</tr>
</tbody>
</table>

**Conflict of interest disclosures**

There were no disclosures

**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 the draft Council meeting agenda
4. Briefing reports were provided on the following:
   a) Baranduda Fields Update and Communication Plan
   b) Draft Albury Wodonga Smart Community Strategy
   c) Audit and Risk Committee Charter
   d) Test of online council meeting

**For information only.**
### 10.5 - Decisions register

This report provides an update on decisions from previous council meetings.

<table>
<thead>
<tr>
<th>Item</th>
<th>Wodonga Historical Society (17/09/2018)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That council: 1. Enter into a three year memorandum of understanding with the Wodonga Historical Society with a total annual contribution of $23,500 with $10,000 per year for three years being funded from the Community Impact Partnership grant program; and 2. Lobby State Government for land, funding or a permanent premises, on behalf of Wodonga Historical Society.</td>
</tr>
<tr>
<td>Status</td>
<td>1. Completed. 2. In progress – temporary exhibition spaces to be considered as part of the new library / gallery.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Local Government Renewable Energy Power Purchase Agreement Project (LG PPA) (15/07/2019)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That council: 1. Participate in the tender process for the Victorian Government indirect supply-linked Power Purchasing Agreement for 100 per cent of Wodonga Council’s electricity load, and 2. Authorise the CEO to sign the contract documentation resulting from the PPA tender process.</td>
</tr>
<tr>
<td>Status</td>
<td>In progress.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Wodonga Planning Scheme Amendment C131 - Application to apply a Environmental Significance Overlay at Wodonga Water Treatment Plant - Anzac Parade (19/08/2019)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That approval be given for officers to: 1. Seek authorisation from the Minister for Planning to prepare Amendment C131 to the Wodonga Planning Scheme to apply an Environmental Significance Overlay Schedule 7 (ESO7) over land adjoining the Wodonga Potable Water Treatment Plant; and 2. Formally prepare and exhibit Amendment C131 in accordance with the requirements of Section 19 of the Planning and Environment Act 1987 once Ministerial authorisation has been issued</td>
</tr>
<tr>
<td>Status</td>
<td>Minor edits requested.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Gateway Island Master Plan - Priority Setting Table: Project Implementation (19/08/2019)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That: 1. The unspent component of ledger 64070 – Gateway Village Masterplan in the 2018/2019 capital investment program being $188,950, be carried over into the 2019/2020 capital investment program and be consolidated with the approved allocation for 2019/2020 of $200,000; 2. The project list, as set out within this report be approved as the works program for 2019/2020; 3. Once the projects have been fully investigated and scoped, they be brought back to the council for assessment; 4. Council officers continue to plan for future infrastructure projects and that advocacy continues for grant funding for projects on Gateway Island.</td>
</tr>
<tr>
<td>Status</td>
<td>In progress.</td>
</tr>
</tbody>
</table>

| Item | Coyles Road - McFarlane’s Hill - proposed road proclamation and |
### 10.5 - Decisions register (cont’d)

#### discontinuance (16/09/2019)

**Resolution**

That:

1. Council agree to the proclamation of the area shown in attachment B and described as allotment 2011.
2. Subject to the above proclamation being finalised, council:
   a. In accordance with Schedule 10, Clause 3 and Section 223 of the *Local Government Act 1989* *(the Act)* give public notice of its intention to discontinue a section of road, as shown in attachment B, and described as allotment 2010;
   b. The public notice stipulate that persons may make a submission on the proposed discontinuance in accordance with Section 223 of the Act and that written submissions must be received within 28 days of publication of the notice;
   c. The Chief Executive Officer be authorised to undertake the administrative procedures necessary to enable council to carry out its functions under section 223 of the Act in relation to this matter;
   d. That if submissions are received under section 223 of the Act:
      i. a special meeting of council be convened on a date to be determined, to hear from any person or persons who request to be heard in support of a section 223 written submission; and
      ii. a report on any section 223 submissions received by council be provided to the next available ordinary council meeting; and
   e. If no submissions are received within 28 days of the notice the council resolve to discontinue the road and to publish a notice of the discontinuance in the Victorian Government Gazette

**Status**

In progress.

#### Item

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Release of covenant AC867382G from lot 2 and lot 3 PS741672 (16/09/2019)</strong></td>
<td>That Council release Covenant AC867382G from Lot 2 and Lot 3 PS741672.</td>
<td>In progress</td>
</tr>
</tbody>
</table>

#### Item

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
</table>
| **Sport and Recreation Victoria funding programs 2020-2021 (17/02/2020)** | 1. That council apply for funding of $240,000 to upgrade Kelly Park LED lighting, under the 2019-20 World Game Facilities Fund, with a total project cost of $360,000 and a council contribution of $120,000.  
2. That subject to:  
   a. a confirmed contribution of $25,000 from Cricket Albury Wodonga, prior to the grant submission date of 13 March 2020; and  
   b. a confirmed contribution of $137,500 from Albury City Council, prior to the grant submission date of 13 March 2020;  
   Council apply for funding of $100,000 through the Community Cricket Program and $50,000 through the Australian Cricket Infrastructure Fund to develop Albury Wodonga Regional Cricket Hub, with a total project cost of $450,000 and a council contribution of $137,500. | In progress |

#### Item

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
</table>
| **Transfer of Reserve 1 PS319159J to North East Water (17/02/2020)** | That:  
1. The council owned land at Mill Street, Wodonga, described as Reserve 1                                                                 | In progress |
### 10.5 - Decisions register (cont’d)

<table>
<thead>
<tr>
<th>Item</th>
<th>Gateway Island - Commonwealth land holdings (17/02/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PS319159J, be transferred to North East Water; and, 2. The Chief Executive Officer be authorised to execute all necessary documentation pertaining to the transfer of the subject land to North East Water.</td>
<td></td>
</tr>
<tr>
<td>Status</td>
<td>In progress.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Tender for works at LOGIC (W1954-20) (16/03/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>That: 1. Tender W1954-20: Design, Supply and Installation of a new Gas Gate at LOGIC be awarded to Australian Gas Networks (Vic) Pty Ltd in the sum of $5,261,850 + GST; 2. The Mains Extension Work Agreement be signed and returned before the validity expiry date of 26 March 2020; 3. The council resolves to gift or transfer at no cost to Australian Gas Networks (Vic) Pty Ltd approximately 880m² of Lot RES1 on PS549776X for the purposes of accommodating the Gas Gate; 4. In accordance with sections 189 and 223 of the Local Government Act 1989 (“the Act”) public notice be given in the Border Mail of the intention to gift or transfer at no cost to Australian Gas Networks (Vic) Pty Ltd a part of the land on the corner of Bilston Drive and Roche Drive, referred to as Lot RES1 on PS549776X; 5. The public notice shall stipulate that persons may make a submission on the proposed ‘gifting’ of the land in accordance with Section 223 of the Act and that written submissions be received on a date that is at least 28 days after the publication of the notice; 6. The Chief Executive Officer be authorised to undertake the administrative procedures necessary to enable council to carry out its functions under section 223 of the Act in relation to this matter; 7. If submissions are received under section 223 of the Act: a. A special meeting of council be convened on a date to be determined to hear from any person or persons who request to be heard in support of a section 223 written submission; and b. A report on any section 223 submissions received by council along with a summary of any hearings held, be provided to the next ordinary council meeting; 8. If no submissions are received within the prescribed period the council resolves to gift or transfer the land at no cost to Australian Gas Networks (Vic) Pty Ltd without further resolution of the council and that the Chief</td>
<td></td>
</tr>
</tbody>
</table>
Executive Officer be authorised to sign any documents required to evidence the ‘gifting’ of the land; and
9. The council authorises the variation to the 2019-2020 budget which sees an additional $1.7 million added to the existing $1 million allocation and that a future budget variation be undertaken once the grant funding of $2.6 million becomes available to council.

Status
Invoice paid and budget variation done. Completed.

<table>
<thead>
<tr>
<th>Item</th>
<th>Anomalies Planning Scheme Amendment - update (16/03/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That the Council resolves to progress Amendment C133 once authorisation is received from the Minister for Planning.</td>
</tr>
<tr>
<td>Status</td>
<td>Final documentation is being prepared before submitting to the Minister.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Proposed Planning Scheme Amendment - Riverside Estate (16/03/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That: 1. Authorisation be sought from the Minister for Planning to prepare an Amendment for the Riverside Estate, and officers be authorised to undertake public exhibition of the planning scheme amendment, in accordance with the requirements of Section 19 of the Planning and Environment Act 1987; and 2. Such amendment be limited to items shown at Attachment A, Map Ref. Nos 1, 2, 3, 4, 5 and 6.</td>
</tr>
<tr>
<td>Status</td>
<td>Documentation is being prepared before submitting to the Minister.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Wodonga Hills Strategy - Project Update and Strategy Review (20/04/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That: 1. That project updates set out in this report be received and noted; 2. The Wodonga Hills Strategy be reviewed during the period March 2021 - November 2021 by a new committee that will operate under a revised terms of reference as defined by council and will consist of: Councillors along with nominated representatives from DELWP, the Indigenous community, Country Fire Authority and the Wodonga urban landcare network; 3. The Council recognises that the Wodonga Hills Advisory Group have discharged their duties of acting as an advisory group to the Council and now ceases to meet; and 4. The Council acknowledges the Wodonga Hills Advisory Groups contribution to the Wodonga Hills Strategy implementation</td>
</tr>
<tr>
<td>Status</td>
<td>Part one is completed. Part two:- a report will be brought to the council re the new committee, terms of reference, selection criteria, etc. Parts three and four are noted and completed.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Whenby Grange Estate - request to vary a sec.173 agreement (18/05/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That: 1. The requirements set by the following clauses within section 173 agreement AG625658H for the Whenby Grange Estate be removed: 6.9(a) the provision of a roundabout at the intersection of Beechworth Road and Yarralumla Drive for a maximum of 282 lots; 6.9(c) the extension of Yarralumla Drive from Huon Creek Road through</td>
</tr>
</tbody>
</table>
Ordinary meeting – August 17, 2020

10 - Reports for information

Planning and Infrastructure

10.5 - Decisions register (cont’d)

<table>
<thead>
<tr>
<th>Status</th>
<th>Planning Scheme Amendments C133 &amp; C135 - Update (29/06/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Resolution</td>
</tr>
<tr>
<td></td>
<td>1. The editorial changes made to the Explanatory Report of Amendment C133 as requested by the Minister for Planning be approved;</td>
</tr>
<tr>
<td></td>
<td>2. The inclusion of an additional land parcel to Amendment C135 be approved;</td>
</tr>
<tr>
<td></td>
<td>3. Officers be authorised to continue to proceed with the Amendment C133 and Amendment C135; and</td>
</tr>
<tr>
<td></td>
<td>4. For Amendment C135, the Director Planning and Infrastructure be authorised to make minor editorial changes to the Amendment documentation and to fulfil any conditions of authorisation prior to public exhibition if required.</td>
</tr>
</tbody>
</table>

| Status | Draft Contract of Sale presented to the purchaser – awaiting feedback. |

<table>
<thead>
<tr>
<th>Item</th>
<th>Proposed Sale of Land at LOGIC (29/06/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Resolution</td>
</tr>
<tr>
<td></td>
<td>1. Having considered the submission received, the Council resolves to enter into a Contract of Sale with Wodonga Solar Power Pty Ltd to sell the land on the corner of Tom Tanners Road and Eames Road, and 226 Lady Franklin Road, Barnawartha North, Victoria 3691, which is Part Lot C on PS726961S and Crown Allotment 3B on TP709965S in the sum of $3.5 million plus GST;</td>
</tr>
<tr>
<td></td>
<td>2. The Chief Executive Officer be authorised to undertake the administrative procedures necessary to enable and conclude the sale; and</td>
</tr>
<tr>
<td></td>
<td>3. The submitter be advised of Council’s decision and the reasons for it as explained in this report.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>June 2020 Quarterly &amp; Monthly Finance Report (20/07/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Resolution</td>
</tr>
<tr>
<td></td>
<td>That the June 2020 Quarterly and Monthly Finance Report be approved.</td>
</tr>
</tbody>
</table>

Status Completed.
### Item: Public Transparency Policy (20/07/2020)

**Resolution:**

1. The draft Public Transparency Policy, included with the attachments, be placed on public exhibition from July 22 to August 5; and
2. A report to adopt the Public Transparency Policy, incorporating feedback from the community consultation, be submitted to the council meeting scheduled for August 17, 2020.

**Status:** Report on this item is included with this agenda. **Completed.**

### Item: Council Expenses Policy (20/07/2020)

**Resolution:**

1. The draft Council Expenses Policy, included with the attachments, be placed on public exhibition from July 22 to August 5; and
2. A report to adopt the Council Expenses Policy, incorporating feedback from the community consultation, be submitted to the council meeting scheduled for August 17, 2020.

**Status:** Report on this item is included with this agenda. **Completed.**

### Item: Election Period Policy (20/07/2020)

**Resolution:**

1. The draft Election Period Policy, included with the attachments, be placed on public exhibition from July 22 to August 5; and
2. A report to adopt the Election Period Policy, incorporating feedback from the community consultation, be submitted to the council meeting scheduled for August 17, 2020.

**Status:** Report on this item is included with this agenda. **Completed.**

### Item: Governance Rules (20/07/2020)

**Resolution:**

1. The draft Governance Rules, included with the attachments, be placed on public exhibition from July 22 to August 5; and
2. A report to adopt the draft Governance Rules, incorporating feedback from the community consultation, be submitted to the council meeting scheduled for August 17, 2020.

**Status:** Report on this item is included with this agenda. **Completed.**

### Item: Common Seal Local Law (20/07/2020)

**Resolution:**

1. In accordance with sections 119 and 223 of the *Local Government Act 1989* (LGA 1989) notice be given in the Government Gazette and a public notice in the *Border Mail* of the intention to revoke the existing *Meeting Procedure Local Law, No. 1 of 2019*, and to make a new local law, *Common Seal Local Law, No. 1 of 2020 (proposed Local Law)*;
2. The proposed Local Law, as attached, be endorsed for the purposes of community consultation under section 223 of the Act;
3. The public notice stipulate that persons may make a submission on the proposed Local Law in accordance with Section 223 of the Act and that written submissions must be received on a date that is at least 28 days after the publication of the notice;
4. The Chief Executive Officer be authorised to undertake the administrative
### 10.5 - Decisions register (cont’d)

<table>
<thead>
<tr>
<th>Item</th>
<th>Tender for asphalt program 2020-21 (W2029-20) (20/07/2020)</th>
</tr>
</thead>
</table>
| Resolution | That:  
1. The tender from Downer EDI Works Pty Ltd for contract W2029-20 *provision of 2020 - 2021 asphalt program* be accepted, and based on the schedule of rates tendered;  
2. The identification and approval of works, or any variations to this contract be carried out in accordance with the council’s current purchasing, tendering and contract management procedural guidelines, and that the total contract value is limited to the allocated budget of $450,000 (excl GST) based on the schedule of rates submitted; and,  
3. Part A of contract W2029-20 *provision of 2020 - 2021 asphalt program* be completed by November 27, 2020; and  
| Status | Sent to supplier for signing. **Completed.** |

<table>
<thead>
<tr>
<th>Item</th>
<th>Tender for minor and miscellaneous reseal preparation works 2020-21 (W2027-20) (20/07/2020)</th>
</tr>
</thead>
</table>
| Resolution | That:  
1. The tender from Lyons Asphalting Pty Ltd for contract W2027-20 *Minor and miscellaneous reseal preparation works 2020-2021* be accepted based on the schedule of rates tendered;  
2. The identification and approval of works or any variations to this contract be carried out in accordance with the council’s current purchasing, tendering and contract management procedural guidelines, and that the total contract value be limited to the allocated budget of $250,000 (excl GST);  
3. Part A of contract W2027-20 Rates for Minor and Miscellaneous Reseal Preparation Works 2020-2021 reseal program be completed by November 27, 2020; and  
| Status | Sent to supplier for signing. **Completed.** |

<table>
<thead>
<tr>
<th>Item</th>
<th>Tender for pavement digout and stabilisation program 2020-21 (W2026-20) (20/07/2020)</th>
</tr>
</thead>
</table>
| Resolution | That:  
1. The tender from GW & BR Crameri Pty Ltd for contract W2026-20 *Pavement dig-outs and stabilisation works 2020-2021* be accepted, based on the schedule of rates tendered;  
2. The identification and approval of works, or any variations to this contract |
### 10.5 - Decisions register (cont’d)

**Item** | **Resolution** | **Status**
---|---|---
| be carried out in accordance with the council’s current purchasing, tendering and contract management procedural guidelines, and that the total contract value is limited to the allocated budget of $500,000 (excl GST); | |  
| 3. Part A of contract W2026-20 Pavement dig-outs and stabilisation works 2020-2021 reseal program be completed by November 27, 2020; and | |  
| | | 

**Item** | **Resolution** | **Status**
---|---|---
| Tender for architectural services for the Baranduda Fields Football (Soccer) Pavilion (W2034-20) (20/07/2020) | That the tender from Canvas Projects Pty Ltd for the Provision of architectural services for the new Baranduda Fields Football (Soccer) Pavilion (W2034-20) for the contract sum of $236,850 (excl GST) be accepted. The contract period be from August 1, 2020 to January 31, 2021. | Sent to supplier for signing. **Completed**. |

**Item** | **Resolution** | **Status**
---|---|---
| Rename Frederic Street Road - feedback from public consultation (20/07/2020) | That: 1. The renaming of Frederic Street Road to Frederic Road be adopted; and 2. Advice be forwarded to the Registrar of Geographic Names to undertake the gazettal process. | Request for gazettal has been lodged. **Completed**. |

**Item** | **Resolution** | **Status**
---|---|---
| Park relocation (20/07/2020) | That: 1. Public notice be given of council’s intention to put to public consultation the proposal to relocate Schorobura Park from Rooney Avenue Killara to the reserve on Perkins Street Killara, as recommended by the Place Names Advisory Committee. 2. The public notice stipulate that persons may make a submission on the proposed park relocation, and that written submissions must be received by a date that is at least 30 days after the publication of the notice. 3. That if submissions are received these be referred to the Place Names Committee for consideration and a report back to council. 4. If no submissions are received within the prescribed period, the proposed recommendation be adopted without further resolution of council, and advice forwarded to the Registrar of Geographic Names to undertake the gazettal procedure. | The public notice has been issued. In progress. |

**Item** | **Resolution** | **Status**
---|---|---
| Correction and setting of penalty infringement amounts (20/07/2020) | That: 1. Council corrects the typographical error in the Fees and Charges schedule to the 2020/2021 Budget to reflect the penalties related to parking offences |  

---

**Note:** The resolution and status details for each item are based on the information provided in the document.
within the city at 0.5 penalty units; and
2. Sets the ongoing penalties related to parking offences within the city at 0.5 penalty units which remain until amended by a further resolution of the Council.

Status Completed.

<table>
<thead>
<tr>
<th>Item</th>
<th>Planning Scheme Amendment C132 Baranduda Convenience Supermarket (20/07/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That Council: 1. Adopt Amendment C132 to the Wodonga Planning Scheme under Section 29 of the Planning and Environment Act 1987, and recommend to the Minister for Planning that a permit that applies to the Amendment be granted, with those changes as recommended by the Planning Panel Report “Wodonga Planning Scheme Amendment C132 and Planning Permit Application 103/2018” 2. That Section 173 Agreement associated with Amendment C132 be signed.</td>
</tr>
<tr>
<td>Status</td>
<td>Currently with the Minister for approval.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Two Cities One Community Action Plan report year ending June 2020 (20/07/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That:  • The Two Cities One Community Action Plan progress report for June 2020, included with the attachments, be received and noted; and  • The dates of the Two Cities One Community strategy, action plan and review be extended to 2022.</td>
</tr>
<tr>
<td>Status</td>
<td>Albury notified outcome of resolution. Document will now be prepared to reflect the date changes. Completed.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Petition - Batt Avenue traffic (20/07/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That the petition on Batt Avenue traffic volume be referred to the Chief Executive Officer for consideration and response</td>
</tr>
<tr>
<td>Status</td>
<td>Community feedback is presently being sought. In progress.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Proposed sale of lot 2, Whytes Road, Bandiana (27/07/2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>1. That subject to an in principle agreement between Council and Repus Funds Pty Ltd, based upon the confidential resolution of the Council on 27 July 2020, Council authorises the Chief Executive Officer to give public notice under sections 189 and 223 of the Local Government Act 1989 of Council's intention to:  • sell the following land:  - the whole of the land contained in certificate of title volume 11053 folio 624 and known as Lot 2 PS533379X, 96 Whytes Road, Bandiana, Victoria 3690 (Lot 2) in accordance with the terms of the public notice, included as attachment A. 2. That the public notice stipulate that persons may make a submission in respect of the proposal in accordance with Section 223 of the Local Government Act 1989 and that written submissions must be received by no later than 28 days after the date of the publication of the notice. 3. That the Chief Executive Officer be authorised to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this matter.</td>
</tr>
</tbody>
</table>
4. That Council hold a Meeting of Council to hear from any persons who ask to be heard in support of their written submission in relation to the proposed sale of the land, the meeting to be held at a time and date to be determined, and advised to submitters.
5. That a report on the section 223 process, including any hearings, be submitted to a future Meeting of Council.

| Status  | The public notice has been issued, and the period for section 223 submissions closes on 31 August. In progress. |

For information only.
There were no notices of motion received for this meeting.
There were no petitions received for this meeting.
There were no reports requiring the attachment of the common seal for this meeting.
Clause 23 of the Council’s Meeting Procedure Local Law (no. 1 of 2019) states:

23.1 The purpose of general business is to provide councillors with an opportunity to provide an update on their duties and meetings attended and to raise matters such as:

a) A note of thanks or congratulations
b) Advise of attendance at event / meeting
c) Recognition
d) Tributes

23.2 A General Business item is for information only. Matters requiring a council resolution should be raised under urgent business.

Cr Lowe highlighted two recent successful funding grants.

- Les Cheesley Oval received $500,000 funding for upgrades, including female friendly facilities.
- Funding for a second netball court and lighting upgrade for Wodonga Raiders.
Clause 24 of the Council's *Meeting Procedure Local Law* (no. 1 of 2019) 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.

There was no urgent business.
Clause 66 of the Council's Meeting Procedure Local Law (no. 1 of 2019) states:

66.1 There shall be a public question time at every Ordinary meeting to enable members of the public to submit written questions to Council.

66.2 Public Question Time will have a duration as determined by Council from time to time.

66.3 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.

66.4 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.

66.5 No person may submit more than two questions at any one meeting.

66.6 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.

66.7 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;
   j) relates to legal advice;
   k) relates to matters affecting the security of Council property; or
   l) relates to any other matter which Council considers would prejudice Council or any person.

66.8 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.

66.9 No debate on questions asked or answers given is permitted.

66.10 Clause 66.1 does not apply during a local government election caretaker period.

There were no questions.
Closure of meeting to the public

Section 66 (5) of the Local Government Act 2020 provides that a council may resolve that a meeting be closed to members of the public if the meeting is discussing any of the following:

(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
(b) Security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
(c) Land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
(d) Law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;
(e) Legal privileged information, being information to which legal professional privilege or client legal privilege applies;
(f) Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
(g) Private commercial information, being information provided by a business, commercial or financial undertaking that—
   (i) relates to trade secrets; or
   (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
(h) Confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);
(i) Internal arbitration information, being information specified in section 145;
(j) Councillor Conduct Panel confidential information, being information specified in section 169;
(k) Information prescribed by the regulations to be confidential information for the purposes of this definition;
(l) Information that was confidential information for the purposes of section 77 of the Local Government Act 1989;

The item/s listed at item 17 were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 3 (1) of the Local Government Act 2020. In accordance with that Act, the council may resolve to consider these issues in open or closed session.

Recommendation

1. That the meeting be closed to the public to consider:
   a) The Confirmation of confidential minutes, item 17.1, in accordance with section 66(2)(a) of the Local Government Act 2020, as this is “confidential information”, which as provided under section 3 is confidential meeting information, being the records of meetings closed to the public under section 66(2)(a); and
   b) The Planning development - legal proceedings report, item 17.2, in accordance with section 66(2)(a) of the Local Government Act 2020, as this is
17 - Confidential business

<table>
<thead>
<tr>
<th>“confidential information”, which as provided under section 3 is legal privileged information, being information to which legal professional privilege or client legal privilege applies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. That in accordance with section 66(5)(b) of the Local Government Act 2020 the minutes record that the explanation for item 17.2 being considered confidential information is that the report includes legal opinion of counsel on legal proceedings and as these proceedings are ongoing the premature release of that legal advice could compromise Council's case.</td>
</tr>
</tbody>
</table>

**Motion**

Crs Danny Lowe / John Watson

That the recommendation be adopted.  

*Carried unanimously*
<table>
<thead>
<tr>
<th>17 - Confidential business</th>
</tr>
</thead>
</table>

**17.1 - Confirmation of minutes of 29 June and 27 July 2020**

Consideration of this item will be closed to members of the public as, in accordance with section 66(2)(a) of the *Local Government Act 2020*, it contains “confidential information”, which as provided under section 3 is confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).
17.2 - Planning development - legal proceedings

Consideration of this item will be closed to members of the public as it contains matters listed under section 3(1) of the Local Government Act 2020:

(e) legal privileged information, being information to which legal professional privilege or client legal privilege applies.

Why Section 3(1)(e) Applies to this Report

Officers sought the legal opinion of counsel on legal proceedings. Those proceedings are ongoing and the premature release of that legal advice could compromise Council's case.
Clause 24 of the Council's *Meeting Procedure Local Law* (no. 1 of 2019) 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*.

There was no confidential urgent business.
19 – Close of meeting

- **Return to open council**

<table>
<thead>
<tr>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the ordinary meeting of the council be resumed.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crs Danny Lowe / John Watson</td>
</tr>
<tr>
<td>That the recommendation be adopted.</td>
</tr>
<tr>
<td><strong>Carried unanimously</strong></td>
</tr>
</tbody>
</table>

- **Adopt the 'in-camera' recommendations**

<table>
<thead>
<tr>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the recommendations of the closed meeting of the council be adopted.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crs Brian Mitchell / Danny Lowe</td>
</tr>
<tr>
<td>That the recommendation be adopted.</td>
</tr>
<tr>
<td><strong>Carried unanimously</strong></td>
</tr>
</tbody>
</table>

- **Chairperson to close the meeting.**

There being no further business the meeting closed at 7.25pm.

Minutes confirmed this ...................... day of .................................. 2020.

..............................
Chairperson