Minutes

Wodonga Council minutes for the Ordinary meeting of the council held in the Council Chamber – 104 Hovell St, Wodonga on July 16, 2018.

Present

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

In attendance

Ms P Harrington  Chief Executive Officer
Mr S Rich  Acting Director Business Services
Ms D Mudra  Director Community Development
Mr L Schultz  Director Planning and Infrastructure
1. Calling to order

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

2. Statement of acknowledgement

The Mayor read the following:

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

3. Apologies and requests for leave of absence

It was noted that Cr Quilty had previously been granted leave of absence for the period covered by this council meeting.

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

Recording of council meeting

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

5. Declaration by councillors of any conflict of interest

Cr Kat Bennett disclosed a conflict of interest, being an indirect interest by close association (section 78 of the *Local Government Act, 1989*), for item 9.2 Planning Report. The nature of the interest is that a member of Cr Bennett’s family owns property in the same street as one of the planning permit approvals.

Cr Libby Hall disclosed a conflict of interest, being an indirect interest by close association (section 78 of the *Local Government Act, 1989*), for item 8.9 Planning Permit for 17 Krueger St, Baranduda. The nature of the interest is that Cr Hall has a close association with the proposed developer of this development.

Cr Libby Hall disclosed a conflict of interest, being a direct interest (section 77B of the *Local Government Act, 1989*), for item 9.3 Building Report. The nature of the interest is that Cr Hall is an owner (in partnership with her husband) for two properties listed in the building report.

Cr Ron Mildren disclosed a conflict of interest, being an indirect interest because of conflicting duty (section 78B of the *Local Government Act, 1989*), for item 8.8 Tender – Richardson Park Construction. The nature of the interest is that Cr Mildren’s business has had past involvement in planning and development of the Station 73 site and worked for the developer in the past.

Cr Ron Mildren disclosed a conflict of interest, being a direct interest (section 77B of the *Local Government Act, 1989*), for item 9.2 Planning Report. The nature of the interest is that Cr Mildren’s business acted for an applicant landholder in respect to an application listed in the report.
6. Confirmation of minutes of previous meeting

**Recommendation**

That the minutes of the ordinary meeting of council held on June 25, 2018, as circulated, be confirmed.

**Motion**

Crs Kat Bennett / John Watson

That the recommendation be adopted. **Carried**

7. Delegates reports

7.1 National General Assembly of Local Government

8. Officers reports for determination

8.1 Tender - pavers for High Street landscaping
8.2 Public Liability Insurance Renewal
8.3 Councillor Briefing Policy
8.4 Donation Requests
8.5 Birallee Park tennis courts
8.6 Domestic Animal Management Plan
8.7 Wodonga Industrial Land Strategy
8.8 Tender - Richardson Park Construction
8.9 Planning permit for 17 Krueger St, Baranduda

9. Officers reports for noting

9.1 Finance Report for June 2018
9.2 Planning report for June 2018
9.3 Building report for June 2018
9.4 Competitive Services Report for June 2018
9.5 Audit Committee Meeting May 24, 2018 - summary of minutes
9.6 Rating Strategy Reference Group
10. Officers reports for information

10.1 Assemblies of councillors 113
10.2 Status report on council meeting resolutions 117

11. Notices of motion

11.1 Circuses and carnivals on council owned land 125

12. Petitions

Nil 127

13. Council seal

Nil 128

14. Urgent business

15. Question time and presentation of awards

16. Confidential business

Nil 131

17. Confidential urgent business

18. Close of 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 formed 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></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 the strategic objectives. Temporary loss of key data</td>
<td>Would threaten the continuation of a business unit's program, project or a 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 commision of inquiry or request for tender proposal.</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>Result in life-threatening or serious injury which is irreversible requiring medical attention and on-going 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 damage or monetary penalty</td>
<td>Major compliance breach with potential exposure to large damages or awards</td>
<td>Sanction compliance breach with potential prosecution with maximum penalty imposed</td>
</tr>
</tbody>
</table>

**Consequence**

<table>
<thead>
<tr>
<th>Likelihood</th>
<th>Almost Certain (A)</th>
<th>Likely (B)</th>
<th>Possible (C)</th>
<th>Unlikely (D)</th>
<th>Rare (E)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Can be expected to occur in most circumstances (i.e. weekly)</td>
<td>Will probably occur in most circumstances in the future (i.e. monthly)</td>
<td>May occur in some circumstances in the future (i.e. yearly)</td>
<td>Could occur at some time in the future, but doubtful (i.e. every 2-10 years)</td>
<td>Expected to occur in exceptional circumstances (i.e. 10 years)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Response based on risk score</th>
<th>Extreme</th>
<th>High</th>
<th>Significant</th>
<th>Medium</th>
<th>Low</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extreme</td>
<td>Council/CEO's attention immediately required. Possibly avoid undertaking the activity OR implement new controls.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>High</td>
<td>Director's attention required. Consider suspending or ending activity OR implement additional controls.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Significant</td>
<td>Manager's attention required. Ensure that controls are in place and operating and management responsibility is assured.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medium</td>
<td>Manage through usual procedures and accountabilities.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low</td>
<td>Add treatments where appropriate.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
7.1 - National General Assembly of Local Government

Purpose of report

The National General Assembly (NGA) of Local Government was held in Canberra from 17 - 20 June 2018.

Crs Speedie, Bennett and Lowe represented Council at the Assembly and will provide a verbal report on their attendance.

Attachments

The following documents are attached to this report:
- Attachment A: National General Assembly of Local Government - 2018 program
- Attachment B: Presentation slide and notes from Cr Bennett

Tabled papers

Nil

Recommendation

That the report on the 2018 National General Assembly of Local Government be received and noted.

Motion

Crs Danny Lowe / Kat Bennett

That the recommendation be adopted. Carried
### Ordinary meeting – July 16, 2018

#### 7 - Delegates reports

**Item 7.1 - Attachment A**

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**Provisional Program**

**Sunday 17 June**
- 5:00pm: Service NSW / Wellesley Reception / National Convention Centre

**Monday 18 June**
- 9:00am: Opening Ceremony
- 9:20am: Mayor David O'Loughlin, ALGA President's Opening
- 9:30am: The Hon Malcolm Turnbull MP, Prime Minister (invited)
- 10:00am: Morning Tea
- 10:30am: Keynote Speaker – David Sperry, Political Editor, 7 NEWS / The Australian Political Landscape
- 11:00am: Virginia Haussegger AM, Australian Journalist, Media Commentator and Television Presenter / The Case of Gender Diversity in Local Government
- 11:30am: Parallel Session – Changing Political Culture
- 12:30pm: Lunch

**Tuesday 19 June**
- 9:00am: Keynote Speaker – Bernard Salt AM, Author and Columnist / Population and the Policy Imperative
- 9:45am: Panel Session – Building Tomorrow’s Communities: Disability
- 10:30am: Morning Tea
- 11:00am: Debate on Motions
- 12:30pm: Lunch
- 1:30pm: Concurrent Sessions –
  - Energy and Climate Change
  - Arts and Culture
  - Digital Technology
  - Recycling and Waste
- 3:00pm: Afternoon Tea
- 3:30pm: Debate on Motions
- 4:30pm: The Hon Bill Shorten MP, Leader of the Opposition Limited
- 5:00pm: Close
- 7:00pm: NGA Dinner – Australian Institute of Sport

**Wednesday 20 June**
- 9:00am: Setting ALGA’s Election Priorities
- 9:30am: Panel of Experts – Local Government and the Federal Election
- 10:30am: Morning Tea
- 11:00am: Panel Session – How to Create Resilient Local Communities
- 12:30pm: ALGA President’s Close

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**NGA18**

National General Assembly of Local Government

17–20 June 2018 // Canberra

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Collaboration: A catalyst for success

The 2018 Regional Forum will bring together noted regional campaigners, academics, industry innovators and government officials to explore the challenges of successful collaboration, as a catalyst for region-scale prosperous metropolitan, regional and rural community growth.

Collaborative case studies and models will be shared, along with practical tools for delegates to test and disseminate within their own regions upon their return.

Once again, this year’s State of the Regions Report, prepared in partnership between ALGA and the National Institute of Economic and Industry Research, will be launched with opportunities to discuss the data arising in the energy sector as well as international influences on local government at region-wide scales. The Forum also aims to prompt lively discussion about some of the country’s most vulnerable household types – metro- and non-metro – and the crucial service delivery role and pressures at the local government level.

Preliminary Program

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:30am</td>
<td>ALGA President’s Welcome</td>
</tr>
</tbody>
</table>
| 9:40am   | Keynote Address – Observations of Australian economic development trends and regional impacts/challenges  
            Saul Baker, Leading Australian Economist  
            Katherine O’Regan, Executive Director, Cities Leadership Institute |
| 10:30am  | Government Address – The Hon Dr John McVeigh MP,  
            Minister for Regional Development, Tumut and Local Government        |
| 11:00am  | Morning Tea                                                              |
| 11:29am  | Regional Showcase 2018 State of the Regions Report Launch –  
            Snapshot of programs/initiatives that have benefited from region-scale collaboration  
            Metro to non-metro vulnerable household types and challenges ahead |
| 12:30pm  | Panel Session – State of the Regions Q&A                                 |
| 12:45pm  | Lunch                                                                    |
| 1:45pm   | Workshop – A practical, fast-paced workshop exploring tools to assist region-scale collaboration (metro and non-metro), led by Collaboration Impact Facilitators |
| 3:00pm   | afternoon tea                                                           |
| 3:30pm   | Opposition Address – Mr Stephen Jones,  
            Regional Services, Territorial and Local Government (invited)        |
| 4:00pm   | ALGA President’s Close                                                  |
A number of the presenters made their presentations available: [https://alga.asn.au/?ID=16239](https://alga.asn.au/?ID=16239)

Keynote Address: The Case of Gender Diversity and Local Government

Virginia Haussegger - Australian Journalist, Media Commentator and Television Presenter

**Women in politics**

<table>
<thead>
<tr>
<th></th>
<th>WOMEN as % of Total</th>
<th>Total Parliamentarians</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commonwealth</td>
<td>31.8</td>
<td>150</td>
</tr>
<tr>
<td>NSW</td>
<td>27.4</td>
<td>135</td>
</tr>
<tr>
<td>Vic</td>
<td>39.8</td>
<td>128</td>
</tr>
<tr>
<td>Qld</td>
<td>32.3</td>
<td>93</td>
</tr>
<tr>
<td>WA</td>
<td>30.9</td>
<td>94</td>
</tr>
<tr>
<td>SA</td>
<td>26.1</td>
<td>69</td>
</tr>
<tr>
<td>Tas</td>
<td>50</td>
<td>40</td>
</tr>
<tr>
<td>ACT</td>
<td>56</td>
<td>25</td>
</tr>
<tr>
<td>NT</td>
<td>48</td>
<td>25</td>
</tr>
</tbody>
</table>
Women in local government

To date Wodonga Council has

- Participated in the development and implementation of a Hume Region violence against women and children strategy
- Spoke out in the media against behaviours and attitudes that stereotype or portray women in a negative way
- Advocated and supported White Ribbon Day
- Adopted a Women’s Charter for the Prevention of Violence against Women
- Developed a Workplace Gender Equity Directive and Strategy for the organisation that includes actions to reduce gender pay gaps and promote and support women’s advancement
- We have recently launched the Reflect/Respect social marketing campaign which is being really well received
- Our Enterprise Agreement provides great support for women in the workforce – breastfeeding breaks, flexible working hours, maternity leave, family leave and return to work arrangements all support young women with their careers as well as being mothers. It also includes support and extra leave entitlements for people suffering family violence
- Our youth services target young women in both the junior and senior leadership programs to assure equity in representation
- We continue to upgrade sporting facilities in the region as the interest from women in a wide range of sports continues to grow
8.1 - Tender - pavers for High Street landscaping

**Purpose of report**

To seek the council’s determination in awarding the tender W1301-18 High Street (south) landscape works – supply of pavers.

**Background**

The reconstruction of High Street south is another and final component to creating a city heart for Wodonga, revitalising the central business area (CBA).

The project will improve traffic and pedestrian linkages around the central business area, contributing to Wodonga’s central business area becoming a destination in its own right and supports local business.

This project is part of the National Stronger Regions Funding (NSRF) program.

This report deals only with the supply of pavers to be used for the landscaping project in High Street south.

**Response, evaluation and scoring**

Tenders were advertised in the Border Mail and via TenderSearch on Saturday April 7, 2018 and closed at noon on Tuesday, May 1, 2018.

Four tender documents were issued. Three submissions were received. There were no late or non-conforming tenders received. Tenders were received from:

1. Wilmid Pty Ltd
2. Building Innovation Centre (Albury) Pty Ltd t/as Buildpro Albury Wodonga
3. Wan Jia Australia t/as Glory Marble and Granite

It should be noted that for this report the dollar value of each tender has not been provided for commercial in confidence reasons.

Tenderers were able to provide a schedule of rates for any, or all, types of the pavers listed for the project. All tenderers provided prices for all types of listed pavers.

A comparison of the overall pricing by each tender is therefore a true reflection of the priced submissions.

At the time of tendering, council reserved the right to award the tender to more than one party therefore providing a greater value for money return for council.

The evaluation team members were: Matthew Fleet, Landscape Architect, Anne Visser, Team Leader Projects & Design, and Steven Larkin, Infrastructure Officer.

The following selection criteria were used as advertised in the tender document.
8.1 - Tender - pavers for High Street landscaping (cont’d)

<table>
<thead>
<tr>
<th>Evaluation criteria</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Methodology</td>
<td>15 %</td>
</tr>
<tr>
<td>Ability to meet timeframes</td>
<td>10 %</td>
</tr>
<tr>
<td>Relevant experience</td>
<td>20 %</td>
</tr>
<tr>
<td>Capability</td>
<td>20 %</td>
</tr>
<tr>
<td>Resources</td>
<td>10 %</td>
</tr>
<tr>
<td>Benefit to the local region</td>
<td>10 %</td>
</tr>
<tr>
<td>Environmental sustainability</td>
<td>5 %</td>
</tr>
<tr>
<td>Occupational Health &amp; Safety</td>
<td>10 %</td>
</tr>
<tr>
<td>Total</td>
<td>100 %</td>
</tr>
</tbody>
</table>

The following point scoring was applied to the criteria:

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

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

The Process

All tenders were evaluated in adherence with council’s tendering and procurement policy and guidelines.

All tenderers are known to council from previous tendering processes, for similar works. Previous works include Urban Square, The Promenade, Elgin Boulevard, and the High Street projects.

Both Wilmid Pty Limited and local company Building Innovation Centre (Albury) Pty Ltd t/as Buildpro provided satisfactory submissions and provided responses to all the requirements in the tender and priced all paver types. Due to the recent increases in price for supply, the prices tendered were generally 10% higher than previous tenders.

Wan Jia Australia t/as Glory Marble and Granite also provided a satisfactory submission and priced all paver types. The tender price provided by Wan Jia...
8.1 - Tender - pavers for High Street landscaping (cont’d)

Australia t/as Glory Marble and Granite was substantially cheaper than the other two tenders.

Due to the highly competitive price Wan Jia Australia t/as Glory Marble and Granite was able to offer, council requested samples of the product to be provided and undertook due diligence procedures by checking all referees. Wan Jia Australia t/as Glory Marble and Granite were able to provide very high quality samples of product and there were no issues with any of their referees based on previous works.

As part of the detailed analysis it was identified that Wan Jia Australia t/as Glory Marble and Granite had priced an incorrect paver and was asked to review their pricing. As a result there was an increase in their overall price although it was still significantly lower than the two other suppliers.

The evaluation team therefore accepted the submission for further consideration from Wan Jia Australia t/as Glory Marble and Granite, having followed a significant due diligence evaluation process.

Following completion of the earlier High St landscape works, it was identified that there were surplus pavers and these could be utilised for the next stage of landscape works in High St. A revised schedule of quantities was shared with the three tenderers and amended prices were submitted by all three suppliers.

Following the final value for money assessment it was determined to split the contract. The Austral Bricks – ‘Firestone Red’ Clay Pavers – 230x114x50mm should be supplied by Building Innovation Centre (Albury) Pty Ltd t/as Buildpro and the balance of the pavers to be provided by Wan Jia Australia t/as Glory Marble and Granite.

Value for money

The value for money indicator for each tender is shown below.

<table>
<thead>
<tr>
<th>Name / Company</th>
<th>Value for money</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Wilmid Pty Limited</td>
<td>978</td>
</tr>
<tr>
<td>2. Building Innovation Centre (Albury) Pty Ltd t/as Buildpro Albury Wodonga</td>
<td>840</td>
</tr>
<tr>
<td>3. Wan Jia Australia t/as Glory Marble and Granite</td>
<td>1001</td>
</tr>
</tbody>
</table>

After an extensive assessment, the panel considered that the tender submission from Wan Jia Australia Pty Ltd t/as Glory Marble and Granite provided the best value for money, based on the quality of product and very competitive price for both the natural stone and red clay brick pavers.

However, the price quoted by Building Innovation Centre (Albury) Pty Ltd t/as Buildpro for the red clay bricks justified splitting the contract to achieve better value for money for council.
8.1 - Tender - pavers for High Street landscaping (cont’d)

Council Plan

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy areas</th>
<th>Actions</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>Integrated and well-connected transport network</td>
<td>Implement cycling and pathway improvements promoting linkages to the central business area</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

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

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>Materials not supplied on time may delay the commencement and completion of the landscape works and the overall projects as a whole.</td>
<td>2</td>
<td>C</td>
<td>S</td>
<td>Award the supply contract and strictly stipulate delivery dates and undertake regular checks to ensure timeframes are met.</td>
</tr>
</tbody>
</table>

Financial implications

These works are co-funded through the National Stronger Regions Funding Program. Council has a total budget of $11,938,511 for this project of which $6,672,111 has been allocated within the 2017-2018 budget and $5,266,400 allocated within the 2018-2019 budget.

<table>
<thead>
<tr>
<th>Income</th>
<th>2018-2019 approved budget</th>
<th>This proposal $ (Ex GST)</th>
<th>Variance to approved budget</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$5,266,400</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expense</td>
<td>$2,368,647</td>
<td>$284,564</td>
<td>This Contract</td>
<td></td>
</tr>
<tr>
<td>Expense</td>
<td>$1,243,575</td>
<td></td>
<td>Landscape contract awarded.</td>
<td></td>
</tr>
<tr>
<td>Expense</td>
<td>$77,501.50</td>
<td></td>
<td>Street Furniture</td>
<td></td>
</tr>
<tr>
<td>Expense</td>
<td>$1,163,112.50</td>
<td></td>
<td>Other landscape items, including trees, bollards, lighting, etc.</td>
<td></td>
</tr>
<tr>
<td>Expense</td>
<td>$129,000</td>
<td></td>
<td>Project Management</td>
<td></td>
</tr>
<tr>
<td>Net result</td>
<td>$0</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
8.1 - Tender - pavers for High Street landscaping (cont’d)

Environmental implications

Not applicable

Social / cultural implications

Based on the responses to this mandatory criteria:

Building Innovation Centre (Albury) Pty Ltd t/as Buildpro Albury Wodonga is a locally based business employing locally based staff.

Both Wilmid Pty Ltd & Wan Jia Australia t/as Glory Marble and Granite are not locally based and offer limited opportunities to the local community as this project is for supply of goods only.

Legislative implications

The successful contractors are required to have suitable insurance and to conduct their activities within State and Federal legislation, local laws, Australian Standards, codes of practice, as well as VicRoads and council standards, specifications, supplier and industry standards.

Community engagement and internal consultation

There is a full engagement process underway for the reconstruction of High Street South.

Options for consideration

Option One – Do nothing.

This is not recommended as the council has committed to finalise the reconstruction of High Street as part of the National Stronger Regions Funding program. These works are contributing to the creation of a city heart for Wodonga and revitalising the central business area.

Option Two – Award the supply contract.

Accept the recommendation and award the tender in two parts:

Wan Jia Australia t/as Glory Marble and Granite – All pavers tendered from items 1-7 inclusive = $233,564 (excluding GST).

Building Innovation Centre (Albury) Pty Ltd t/as Buildpro – item 8 only, Red Clay Pavers = $51,000 (excluding GST)
Conclusion

Three conforming tenders were lodged, in which two of the tender prices were very similar but the third was considerably cheaper in price.

Due to the difference in pricing it was determined that a detailed product and supplier investigation was required to determine if the cheaper price reflected the best value to Council.

Contact was made with the contractor and it was requested that a full set of required paving samples be sent to council officers for visual inspections, contact was also made with all the supplied professional referees.

After council’s investigation and in accordance with council’s evaluation and tendering procedures, the best value to council has been determined. Accordingly it is recommended that the council pursue Option 2.

Attachments

Nil

Tabled papers

Nil

Declaration of conflict of interests

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

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

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

Manager Infrastructure and Projects - Theo Panagopoulos
In providing this advice, I have no interests to disclose in this report.

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

Landscape Architect - Matthew Fleet
In providing this advice as the report author, I have no interests to disclose in this report.
8.1 - Tender - pavers for High Street landscaping (cont’d)

**Recommendation**

That:

1. The tender from Wan Jia Australia t/as Glory Marble and Granite and Building Innovation Centre (Albury) Pty Ltd t/as Buildpro be jointly awarded contract W1301-18 High Street, South Landscape Works – Supply of Pavers, based on the schedule of rates provided as follows:
   - Wan Jia Australia t/as Glory Marble and Granite – All pavers tendered from items 1-7 inclusive, for the value of $233,564 (excluding GST);
   - Building Innovation Centre (Albury) Pty Ltd t/as Buildpro – item 8 only, Red Clay Pavers, for the value of $51,000 (excluding GST);
   - Being a joint contract total of $284,564 (excluding GST)

2. The pavers to be delivered to Wodonga by October 1, 2018.

**Motion**

Crs John Watson / Ron Mildren

That the recommendation be adopted.

Carried
8.2 - Public Liability Insurance Renewal

Purpose of report

The purpose of this report is to present the renewal of the council’s public liability insurance through the Municipal Association of Victoria (MAV) Liability Mutual Insurance (LMI) Scheme for Council’s consideration.

Background

The Council takes out public liability insurance annually to protect the organisation against the financial risk of being found liable to a third party for death or injury, loss or damage of property or economic loss resulting from potential Council negligence.

Through the ministerial approved Mutual Liability Insurance Scheme, our provider the MAV is able to source competitive insurance policies for Council.

The LMI premium proposed by the MAV for the 2018-2019 financial year is $202,807 (ex GST). This requires Council approval as the amount exceeds the Chief Executive Officer’s delegation.

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>Provide council services and projects with a strong financial planning framework</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

The implementation of council public liability insurance policy supports the ongoing effectiveness of the council Risk Management 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 is uninsured for public liability insurance.</td>
<td>2</td>
<td>B</td>
<td>H</td>
<td>Accept the MAV LMI Scheme for Public Liability</td>
</tr>
<tr>
<td>Reputational damage both locally, potentially nationally if the required insurances are not in place and a claim occurred.</td>
<td>2</td>
<td>C</td>
<td>H</td>
<td>Accept the MAV LMI Scheme for Public Liability</td>
</tr>
<tr>
<td>Council could be in contravention of the Local Government Act 1989 by not accepting this insurance.</td>
<td>2</td>
<td>B</td>
<td>H</td>
<td>Accept the MAV LMI Scheme for Public Liability</td>
</tr>
</tbody>
</table>
8.2 - Public Liability Insurance Renewal (cont’d)

Financial implications

The council’s renewal of public liability insurance has funding allocated in the 2018-2019 budget.

Environmental implications

There are no environmental implications identified.

Social / cultural implications

There are no social or cultural implications identified.

Legislative implications

Under the Local Government Act 1989 Section 76A, the council must take out and maintain insurance cover against:

a) Public liability for an amount of at least $30 million or such higher amount as may be fixed by Order In Council; and

b) Professional Liability for an amount of at least $5 million or such high amount as may be fixed by Order In Council.

A council may comply by becoming a member of, or participating in, a scheme approved by the Minister (i.e. LMI – Liability Mutual Scheme).

Community engagement and internal consultation

Community consultation is not undertaken within the insurance renewal process.

Options for consideration

1. Do not accept the renewal terms for the LMI offering – this is not the preferred option as this will render the council uninsured for public liability risks and in breach of the Local Government Act 1989.

2. Accept the recommendation to renew the council’s public liability insurance, through the LMI Scheme, as provided by the MAV.

Conclusion

It is essential that the Council controls financial risks pertaining to third party liability through the use of robust insurance policies. This supports the financial sustainability of the Council to deliver services and strategies that strengthen our community.
8.2 - Public Liability Insurance Renewal (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.

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

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

Recommendation

That the payment of $202,807 (ex GST) for renewal of council’s public liability insurance policy in 2018-2019 through the MAV LMI Scheme be approved.

Motion

Crs Danny Lowe / Libby Hall
That the recommendation be adopted.

Carried
8.3 - Councillor Briefing Policy

Purpose of report

The purpose of this report is for the Council to adopt a policy for councillor briefings.

Background

At its meeting of May 14, 2018 the Council resolved:

*That effective from August 2018 councillor briefings be open to the public, subject to the CEO presenting a report to the July council meeting recommending an appropriate policy and / or guidelines around public attendance at councillor briefings.*

A draft policy is attached for the consideration of Council. The policy addresses:

- Attendance – councillors and staff
- Public attendance
- Administration
- Purpose
- Conduct
- Meeting procedure

A typical format for briefings could be:

8.30am – 9am  Confidential briefings
- Councillors and CEO update
- Briefing reports and presentations

9am - 11am  Public briefings
- Councillors and CEO update
- Briefing reports and presentations

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

This is a new policy.
8.3 - Councillor Briefing 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>A Councillor Briefing Policy is not adopted leading to uncertainty with report writing, confidentiality, councillor and staff behaviour, etc.</td>
<td>2</td>
<td>D</td>
<td>S</td>
<td>Adopt the policy and / or guidelines.</td>
</tr>
</tbody>
</table>

Financial implications

There are no financial implications associated with this report.

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 draft policy notes the relevant legislation.

Community engagement and internal consultation

There has been no community engagement.

Options for consideration

1. Adopt the draft policy, as attached.
2. Amend the draft policy and adopt it.

Conclusion

The Council has determined that councillor briefings be open to the public, subject to the adoption of an appropriate policy and / or guidelines.

This report fulfils the requirement for an appropriate policy, and its adoption will allow councillor briefings to be open to the public effective from August 2018.

Attachments

The following documents are attached to this report:

- Attachment A: Draft Councillor Briefing Policy
8.3 - Councillor Briefing Policy (cont’d)

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.

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

Governance Officer - Kevin Scully
In providing this advice as the report author, I have no interests to disclose in this report.
8.3 - Councillor Briefing Policy (cont’d)

Recommendation

That the Councillor Briefing Policy, as attached, be adopted.

Motion

Crs Anna Speedie / Ron Mildren

That:

1. The resolution of May 14, 2018 - that effective from August 2018 councillor briefings be open to the public, subject to the CEO presenting a report to the July council meeting recommending an appropriate policy and / or guidelines around public attendance at councillor briefings - be rescinded.

2. The CEO and councillors conduct a comprehensive review of how the Council conducts its processes and procedures at both Council meetings and councillor briefings to improve their transparency, efficiency and effectiveness for informing the community;

3. The review include consideration of:
   a. A draft policy for councillor briefings;
   b. The provision of all information, including timeframes, to councillors and the public;
   c. Models of debate permitted under the Meeting Procedure Local Law;
   d. Best practice within the local government sector to make council more transparent with its practices at council meetings and councillor briefings, including options for public participation; and
   e. A timeline for either the adoption of a new Meeting Procedure Local Law under the Local Government Act 1989 (the Act), or adoption of a Governance Rule as prescribed by the Local Government Bill 2018 and which is currently before State Parliament; and

4. A report on the review to be submitted to a future council meeting, but no later than November 2018.

Carried
Councillor Briefings Policy

1. Purpose

The purpose of this policy is to provide a clear process for the operation of councillor briefings.

2. Scope

2.1 The policy applies to:

   2.1.1 All councillors, and operates in conjunction with Council's Councillor Code of Conduct; and

   2.1.2 Council staff who attend a councillor briefing, and operates in conjunction with Council's Staff Code of Conduct.

The policy is to be applied during all councillor briefings.

3. Legislative framework

   Assembly of councillors

3.1 Where a majority of councillors and at least one staff member are present, a councillor briefing may constitute an 'assembly of councillors' under the Local Government Act 1989 (the Act) and, as such, councillors may be bound by the relevant provisions of the Act.

   Conflicts of interest and confidential information

3.2 Without limiting the generality of paragraph 3.1 above, councillors must:

   3.2.1 Disclose any conflict of interest in a matter before the councillor briefing and leave the councillor briefing, in accordance with section 80A(3) and (4) of the Act; and

   3.2.2 Respect and maintain the confidentiality of any confidential information (as designated under section 77 of the Act) before and after a councillor briefing.

4. Policy

4.1 Attendance

Councillor briefings are open to all councillors on a voluntary basis.

Generally, the Chief Executive Officer (CEO), directors and any other members of Council staff who may be required due to their involvement in a matter which is listed on the agenda will attend.
Persons external to the Council may be invited to attend from time to time. Their attendance will be noted on the agenda for the relevant councillor briefing.

4.2 Public attendance

Councillor briefings will be open to the public. Persons who attend a briefing are there as observers only, and there is no opportunity to question councillors or contribute to the discussions. Persons will be requested to leave the councillor briefing if their behaviour is disruptive.

Audio, video and still image recording is not permitted during councillor briefings.

The public and media will be excluded from councillor briefings for those items that contain confidential information as prescribed at section 77 of the Act.

4.3 Administration

Councillor briefings will be scheduled by the CEO as required. The CEO will determine the schedule in consultation with the Mayor and councillors.

The preferred time for briefings is on a Monday between 8.30am and 12noon.

The CEO will determine the agenda in consultation with the Mayor and councillors.

A copy of the agenda and any officer reports will be circulated to councillors at least three days prior to a briefing.

The following information will be published on Council’s website:

- The place, date and time at which the councillor briefing will be held;
- The matters to be discussed with the public present;
- The matters to be discussed with the public excluded, where confidential information is to be discussed, including the reason for excluding the public.

Officer reports are not public documents and will not be published.

Where the councillor briefing constitutes an Assembly of Councillors a written record will be submitted to the next council meeting.

Minutes will not be taken at councillor briefings as no decisions are made. Officers may choose to take notes to assist with subsequent report writing.

4.4 Purpose

The purpose of councillor briefings is to provide:
- Councillors with information on matters coming to Council for resolution, and to allow them to request further information or additional research.

- Councillors with information about complex or controversial issues that will be dealt with by officers under the powers delegated by the Council.

- An opportunity for councillors and the CEO to discuss strategic issues, particularly with respect to political advocacy and business development.

- An opportunity for councillors to raise community issues, where it is not appropriate for these to be dealt with through the Council’s customer request system. Community issues should not be raised during the councillor briefing when the public is in attendance if it would reveal personal or confidential information.

There are no formal decisions made at councillor briefings nor are they to be used to endorse the actions of staff.

Matters are listed on the agenda for discussion only and not for the purpose of debating or building consensus.

Any matter requiring a Council decision (i.e. those that are not to be dealt with by a member of Council staff with the appropriate delegated authority) will be presented to a meeting of the Council.

4.5 Conduct

Councillors will:

- Treat other councillors, members of Council staff and external persons invited to attend a councillor briefing with courtesy and respect at all times; and

- Adhere to the Councillor Code of Conduct, to the extent that its terms are relevant, and can be applied to councillor briefings.

Council staff will:

- Treat councillors, other members of Council staff and external persons invited to attend a councillor briefing with courtesy and respect at all times; and

- Adhere to the Staff Code of Conduct.

All discussion and questions are to be directed through the Chair.

4.6 Meeting procedure

Councillor briefings will be chaired by the Mayor, or in the absence of the Mayor, the Deputy Mayor or other councillor by agreement.

Councillor briefings are not subject to Council’s Meeting Procedure Local Law.
This means that councillor briefings offer a less formal environment in which councillors can:

- Be provided with more detailed information about matters for determination without the time constraints that apply to an ordinary Council meeting;

- Ask more general questions of Council staff and others in relation to matters coming up for a Council decision; and

- Discuss matters with other councillors and Council staff without the formality associated with a Council meeting.

While councillor briefings are not subject to the Local Law, it is important that they are conducted in an orderly and timely fashion.

The Chair will:

- Ensure that the timeframes specified in the agenda are adhered to;

- Call on councillors, who indicate that they have a question, to ask it;

- Direct that questions or comments that are irrelevant to the matter being considered are to be disregarded;

- Direct that the councillor briefing move to the next item on the agenda;

- Ask that councillors refrain from behaviour that might contradict the Councillor Code of Conduct; and

- Reduce or extend the time allocated for agenda items, if he / she considers it appropriate to do so.

5. Attachments

Nil.

6. Related policies

Councillor Code of Conduct

Human Rights Policy

Privacy Policy

Staff Code of Conduct
7. Related legislation

*Freedom of Information Act 1982*

*Local Government Act 1989*

*Meeting Procedures Local Law (no. 1 of 2009)*

*Privacy and Data Protection Act 2014*

*Public Records Act 1973*

8. References

Nil.

9. Review

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

Purpose of report

To seek Council’s determination on donation requests submitted by Tots2teens for the amount of $2000 and by Border Trust for the amount of $2000.

Background

In accordance with Councils sponsorship donations policy, sponsorship is any financial or in kind assistance that is provided by Council to any individual, group, organisation to support a service, program or initiative.

The council will only pursue sponsorship and donation opportunities that clearly deliver one or more of the following outcomes:

- Provide opportunities to drive social, environmental, cultural and economic outcomes;
- Provide a net benefit to the community with no detriment to the public interest;
- Support agencies or groups that help address issues affecting the community; and,
- Deliver strong engagement opportunities, enabling the council to connect with its community in a meaningful and relevant way that would not be possible without sponsorship or a donation.

The Chief Executive Officer has delegated authority to approve sponsorship request up to $1000. All other requests, require Council approval.

Project background

1. **Tots2teens: Albury Wodonga Great Shoe Shuffle**

Tots2teens is a local charity that supports disadvantaged children and youth experiencing homelessness, living in home care or kinship care, by purchasing a pair of school shoes and/or running shoes. Provision of shoes supports these young people to participate in sports and education, have well supported feet and fit in with their peers at a time that they are experiencing vulnerability. The donation for $2000 will provide shoes for up to 40 local young people experiencing hardship. Tots2teens works closely with Upper Murray Family Care, Junction Support Services, local schools and The Department of Health and Human Services.

2. **Border Trust Community Foundation for the Albury Wodonga Region: Foundation Builder Contribution**

Border Trust is a local, independent, charitable organisation, established in 2005 to create a strong, sustainable financial base that can be drawn on to meet the needs of Albury Wodonga. Border Trust raises funds through donations and community events and invests that money for important community initiatives.
Border Trust is seeking donation to support administrative capacity, enabling local activities such as: continued delivery of Community Grants, Back to School Programs and local Workplace Giving Program. The donation will also help secure further external philanthropic funds not otherwise available for the community and create certainty to build and maintain a sustainable well managed and regulated community asset.

**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>
<tr>
<td>Improve the health and social outcomes for all people in Wodonga to create a healthy, safe, equitable and inclusive community.</td>
<td>Families, children and young people</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

At the ordinary council meeting on November 20, 2017, the council resolved to adopt the sponsorship policy requiring all requests for donations or sponsorships over $1,000 to be determined by resolution of the council.

The sponsorship and donations program needs to align with the Council Plan, the community vision 2033 and relevant adopted strategies and plans of the council.

Separate to this report the councillors have been provided with a copy of the application form.

**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>Applicants disagree with sponsorship / donation outcomes.</td>
<td>4</td>
<td>C</td>
<td>M</td>
<td>Policy and guidelines provide consistent and transparent process for decision making.</td>
</tr>
<tr>
<td>Community approach councillors / council officers directly for donations and sponsorship.</td>
<td>4</td>
<td>C</td>
<td>M</td>
<td>Policy and guidelines provide information regarding the relevant process to inform community of eligibility and application process and timelines.</td>
</tr>
<tr>
<td>Sponsorship funds are used in a way that is detrimental to the public interest or to council’s reputation.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>Council’s policy provides a position on appropriate sponsorship/donations activities.</td>
</tr>
</tbody>
</table>
Financial implications

<table>
<thead>
<tr>
<th>Grant program</th>
<th>2017-2018 approved budget $</th>
<th>YTD actuals</th>
<th>YTD Remaining funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponsorship/Donations</td>
<td>$20,000.00</td>
<td>$0</td>
<td>$20,000.00</td>
</tr>
</tbody>
</table>

Request and past contributions

Tots2teens request is $2,000. The total project cost is $6,000. Tots2teens has not received previous financial support from council.

Border Trusts request is $2000. The total project cost is $10,000. From 2012 to 2016 Council contributed $1,000 annually to Border Trust, in 2016 and 2017 council also contributed $2,000 each year. Border Trust receives $2,000 from Albury City and $1,000 from other surrounding LGA’s annually.

Environmental implications

There are no environmental impacts identified at this time.

Social / cultural implications

Positive implications of the initiative include:

- Net benefit to the community;
- Support for vulnerable community members
- Support agencies or groups that help address issues affecting the community

Legislative implications

Section 195A of the Act.
Section 3C (1), 3C (2) (b), 3D (2) (c), of the Act.

Community engagement and internal consultation

Not applicable.

Options for consideration

1. Award Tot2teens donation request of $2000;
2. Partially fund Tot2teens (amount to be determined by the council); or
3. Decline the donation request for Tot2teens.
8.4 - Donation Requests (cont’d)

and;

1. Award Border Trust donation request of $2000;

2. Partially fund the donation request submitted by Border Trust (amount to be determined by the council); or

3. Decline the donation request for Border Trust.

Conclusion

Council provides sponsorship and donations to a diverse range of individuals, groups and organisations aimed at improving social, environmental, cultural and economic outcomes for Wodonga residents.

The council acknowledges that it is accountable to the community for the responsible and prudent management and disbursement of its funds and that this must be undertaken in a fair, transparent, and equitable manner that maximises community benefit.

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

Manager Community Planning and Well-Being - Claire Taylor
In providing this advice, I have no interests to disclose in this report.

Community Planning and Development Co-ordinator - Anthea Maher
In providing this advice as the report author, I have no interests to disclose in this report.
**Recommendation**

That the council make a determination of the donation request from:

1. Tots2teens of $2,000; and  
2. Border Trust of $2,000.

**Motion**

Crs Kat Bennett / Danny Lowe

That the donation requests from Tots2teens of $2,000 and Border Trust of $2,000 be approved.  

Carried
Purpose of report

The purpose of the report is to present to the council a request from Parklands Tennis Club Incorporated, regarding the council resolution made at the Ordinary council meeting held, March 18, 2018.

Background

The resolution, as listed below, relates to Parkland Tennis Club, with the support of Wodonga Middle Years College, seeking approval and support from Wodonga Council to upgrade four of the hard tennis courts situated at Birallee Park.

At the Ordinary council meeting held on March 18, 2018 the council resolved:

That the Parkland Tennis Club proposal to redevelop the Birallee Park Tennis courts be supported with a financial contribution of $5,000 subject to:

1. Four courts being available for free public access;

2. Successful funding from Tennis Australia; and

3. Commitment of Parkland Tennis Club for ongoing maintenance of the courts.

Further correspondence

Two letters dated April 9 and May 24, 2018 has been received from Parklands Tennis Centre Incorporated outlining concerns with the resolution.

In the letter dated April 9, 2018 Parklands Tennis Club raises concerns that in the past, due to public access of the courts they have been responsible for the ongoing maintenance of the courts and have paid the costs to repair and/or rectify issues relating to the:

- Regular littering of the courts by the public;
- Incorrect footwear not being worn damaging the courts; and
- Damage to nets, surfaces and surrounds.

Parklands have indicated in their letter that they are the main contributor to the redevelopment of the site and are opposed to the public use of the proposed synthetic courts. Concerns are raised regarding the potential damage to nets and the synthetic surfacing that will result in Parklands being financially responsible for repair costs and could render the courts unusable for play.

Parkland are proposing that newly developed 3 synthetic courts are accessible only to the school and Parkland club members with the remaining 1 court being freely accessible to members of the public.
In the letter dated May 24, 2018, the club proposes three options and one comment for council’s consideration:

**Option 1:**
Three synthetic courts (closed to the public) and 1 hard court open to the public on the current site. This requires both Tennis Australia ($15,000) and council funds ($5,000);

**Option 2:**
Three synthetic courts (closed to the public) and 2 hard courts open to the public on the current site. This option requires further council funding, in addition to the $5,000, as the club is unable to fund the redevelopment of the second hard court.

**Option 3:**
Relocation of the 4 courts within Middle Years College grounds comprising of 3 synthetic courts and 1 hard court open to the public. This option requires significant funding and support from the council for the full redevelopment and the building of a new clubhouse within the grounds of the Wodonga Middle Years College. This option allows council to open up the thoroughfare as described on the Wodonga Council master plan for this precinct.

Listed as **option 4** in the letter the following comment: ‘The club would like to mention about the safety of the public on the courts and that Wodonga Council would need to take responsibility for any injuries, and that Parklands Tennis Club and Wodonga Middle years are not liable’.

**Governance arrangements**

The current tennis courts are located on both Wodonga Council and Department of Education land. A Deed of Agreement exists between Wodonga Middle Years College and the council on the provision of the tennis courts. This agreement is due to expire in December 2020.

However, if Parklands Tennis Club is wanting exclusive use of the three courts then it is recommended that the following occurs:

- Parklands enters into a lease agreement with the council for use of council land for the purposes of a tennis court;
- Parklands enters into an agreement with the school for the use of land for the purpose of a tennis court; and
- An agreement is drawn up between the school and the council for use of the school’s land for the purposes of a tennis hard court.

It is proposed that Parklands be placed on a 3 year lease agreement for the exclusive use of the 3 synthetics courts including the ongoing responsibility for the maintenance of the courts.

The existing clubhouse will be under licence to the club for storage. It is important to note that there are no plans or budget to upgrade this facility and the licence will
be subject to this condition. The master plan identified that these courts including the clubhouse would be decommissioned.

**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>Being active</td>
<td>Plan and deliver appropriate, well-planned and sustainable infrastructure and improvements to sporting and recreation precincts across the city</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

The following policy implications still exist with the new options presented in this report.

The options presented by the club are not supported by council’s current master plans for both Birallee Park and the Wodonga Sports and Leisure Centre. This masterplan is currently in the process of being updated to reflect the changes that have occurred in this precinct being the redevelopment of the hockey courts and the development of a regional cricket hub.

A *Wodonga Tennis Facilities Review* completed in 2015-16 outlined that “due to the close proximity of the Wodonga Tennis Centre and its large number of courts and quality of facilities, there is no business case for Council investment in replacement of courts and facilities for a single tennis club with relatively low active membership. There may however be a case to consider a partnership with the adjacent public school and the Council to develop shared community/school multi-use facilities”.

**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>Variation of the adopted master plans</td>
<td>3</td>
<td>D</td>
<td>L</td>
<td>The proposed project does not impact the timing of masterplan implementation.</td>
</tr>
<tr>
<td>Capacity of the club complete the proposed works</td>
<td>4</td>
<td>C</td>
<td>M</td>
<td>Utilisation of contractors to complete project. Partnership with the school provides further expertise.</td>
</tr>
<tr>
<td>That works to the courts are not to standard and issues arise with deterioration of the surface before the intended lifespan falls due.</td>
<td>3</td>
<td>B</td>
<td>S</td>
<td>Plans and scope of works to be approved by the council.</td>
</tr>
<tr>
<td>Costs to undertake the works is far greater than anticipated and budgeted for by the club</td>
<td>3</td>
<td>B</td>
<td>S</td>
<td>Plans and scope of works to be approved by the council.</td>
</tr>
</tbody>
</table>
The two biggest risks for this project are the surfacing of the courts and the cost of the project.

**Surfacing of the courts**

There is concern that the works to the courts may not be developed to standard and therefore the potential lifespan and compliance not be achieved. Should the appropriate testing of the sub soil and an appropriate standard of surfacing not be undertaken, deterioration of the courts could occur quicker than anticipated and as a result reduce the potential benefits to the club and community. Council officers recommend that any resolution to approve this redevelopment be subject to the following conditions of works.

Prior to any works being undertaken, that council approves:

- The proposed scope of works – Specifically what the contractor will do on both the synthetic and hard courts and the finished surface of the hard court;
- Details of any investigations or testing (e.g. soil geotechnical tests) that support this scope of works is suitable for the site;
- A site plan which outlines the 3 synthetic courts and the hard court, runoffs and any remaining works on the site, to ensure easy access for all.

**Costings**

There is concern regarding the current condition of the courts in that the funds available through the club will not be adequate enough to cover the cost of the redevelopment works. Additionally the club may invest a significant amount of funds into a redevelopment that may not give them the longevity of tenure they are wanting. Council officers will work closely with the club in order to help facilitate the best outcome.

**Financial implications**

The initial proposal outlined that the club would undertake the surface upgrade works. The club would seek a contribution from Tennis Australia to assist in the delivery of works with the club contribution at approximately $100,000. However, recent discussions with the club has confirmed that not being successful in obtaining a grant from Tennis Australia will not prevent the club from undertaking the project.

The club is seeking assistance from council to fund repairs to the existing tennis court fencing. Proposed works include the installation of a new gate into the school, the replacement and re-tensioning of wires and repairs to the existing gates. It is estimated that these costs would be up to $5000.

There are a range of financial implications to each of the options presented in Parklands Tennis Club proposal (see earlier listed options):
8.5 - Birallee Park tennis courts (cont’d)

**Option 1:** $5,000 council contribution providing free public access to one hard court;

**Option 2:** $5,000 council contribution *in addition* to the cost of redeveloping an extra hard court, providing free public access to two hard courts;

**Option 3:** These costs have not been determined, however, the costs would be significant.

**Environmental implications**

As the project involves replacing an existing surface it is envisioned that there would not be any environmental impacts at the site.

**Social / cultural implications**

The completion of this project will provide opportunity for increased usage of the space behind the Wodonga Sports and Leisure Centre which is currently an unattractive walkway. This will allow increased community surveillance and use of this area which is currently unutilised.

Provision of free tennis courts offers the ability for community members of all ages to participate in tennis at no cost. The proposal from Parklands Tennis is requiring exclusive use of the synthetic courts and offers one hard court for public access.

**Legislative implications**

Not applicable

**Community engagement and internal consultation**

In late 2015 extensive community engagement and consultation occurred to develop the current master plans for Birallee Park and the Wodonga Sports and Leisure Centre. The current master plans are due for review.

Through the completion of the Wodonga Tennis Facilities Review (2015-16) further consideration was also given to the redevelopment of the tennis courts at Birallee Park.

Parkland Tennis Club has continued to maintain a position that they wish to operate at Birallee Park. This report has been prompted by the club who have developed this proposal in partnership with the adjoining school.

**Options for consideration**

After considering the new proposal presented by Parklands Tennis club, the following options for council’s consideration have been developed by council officers.
Option 1 – Do nothing.

There is currently a resolution that has been made by the council on March 18, 2018 for council officers to action. Council can decide to not rescind this resolution and the actions stand.

Option 2 – That the council:

- Rescind the resolution of March 18, 2018;
- Support the redevelopment of the Birallee Park Tennis courts and provide a financial contribution of up to $5,000 subject to:
  - One hard court being available for free public access;
  - Commitment from Parkland Tennis Club to enter into a lease for the use and ongoing maintenance of the courts;
  - Negotiation of a successful agreement between Wodonga Middle Years, Parklands Tennis Club and Wodonga Council; and
  - Plans and the scope of works be approved by the council prior to any redevelopment occurring.

This would allow the club to build and develop its operations at Birallee Park. This option also minimises the risk of undue damage to the courts whereby the club will be financially responsible. The club would hold a lease for use of the courts and be responsible for future maintenance of the facility. There is a risk that if the works undertaken are not to standard that the surface may potentially breakdown before its intended lifespan. Plans and scope of works being approved by council prior to any works being undertaken would assist in mitigating this risk.

Option 3 – That the council:

- Rescind the resolution of March 18, 2018;
- Does not provide any financial contribution;
- Supports the redevelopment of the Birallee Park Tennis courts subject to:
  - One hard court being available for free public access;
  - Commitment from Parkland Tennis Club to enter into a lease for the use and ongoing maintenance of the courts;
  - Negotiation of a successful agreement between Wodonga Middle Years, Parklands Tennis Club and Wodonga Council; and
- Plans and the scope of works be approved by the council prior to any redevelopment occurring.

Wodonga Council could provide approval to progress with the project without any financial contribution and on the basis that public access is provided to one hard court. This would allow the club to build and develop its operations at Birallee Park and the club would be responsible for future maintenance of the facility.

Without the council’s financial support towards reconfiguration of the fencing, Parkland Tennis Club will need to find alternate ways to fund the fencing improvements as part of the project.

Option 4 - That the council:

- Rescinds the resolution of March 18, 2018; and
- Support the outcomes of the Birallee masterplan for this precinct and not redevelop the courts.

This option supports the current masterplan. Although the masterplan needs updating to acknowledge changes to the hockey courts and the development of the regional cricket hub, there were no further changes anticipated. The council could then consider decommissioning the courts and look at options for council’s land.

Conclusion

Parkland Tennis Club Inc has submitted a letter opposing the council’s previous resolution relating the redevelopment of the tennis courts at Birallee Park. The letter is requesting that the council reconsider their previous decision.

The tennis club argue that the risk of damage to the proposed new synthetic courts is high; with the responsibility of repair falling to the club. As the club is a major financial contributor to the project they maintain that the use of the new synthetic tennis courts should be of exclusive use to their members and the Wodonga Middle Years School.

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.
8.5 - Birallee Park tennis courts (cont’d)

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

Active Communities Officer - Liona Edwards
In providing this advice, I have no interests to disclose in this report.

Sport and Recreation Officer - Nigel Cunningham
In providing this advice as the report author, I have no interests to disclose in this report.

**Recommendation**

That:

1. the resolution of March 18, 2018 be rescinded;

2. the redevelopment of the Birallee Park Tennis courts be supported and a financial contribution of up to $5,000 be provided, subject to:
   - One hard court being available for free public access;
   - Commitment from Parkland Tennis Club to enter into a lease for the use and ongoing maintenance of the courts;
   - Negotiation of a successful agreement between Wodonga Middle Years, Parklands Tennis Club and Wodonga Council; and
   - Plans and the scope of works be approved by the Council prior to any redevelopment occurring.

**Motion**

Crs Ron Mildren / Kat Bennett

That the resolution of March 18, 2018 be rescinded and that the council land comprised in the Birallee Park Tennis Courts be dealt with in accord with the overall Birallee Park Master Plan.

Carried

**Casting Vote**

The Mayor adjourned the meeting for two minutes from 6.45pm to 6.47pm to seek advice on the use of the casting vote.

This motion was carried on the casting vote of the Mayor.
8.6 - Domestic Animal Management Plan

Purpose of report

To request that council adopt the attached Domestic Animal Management Plan (DAMP) 2017-2021.

Background

The purpose of the DAMP is to provide council with a strategic framework that delivers services, programs and policies the Council has established to address the administration of the Domestic Animal Act 1994. It also details the management of dog and cat issues in our community for a four year period to meet the requirements of the Act.

The plan will ensure Council meets its obligations under the Act and will use a mix of educational and regulatory approaches to promote the notion of responsible pet ownership and gain compliance with the Act.

The process in developing the plan has given the community and stakeholders an opportunity to express their views on matters relating to animal management and provides a formal framework to guide programs and improve animal management in the municipality.

Increasing numbers of pets, an increasing reluctance to pay registration fees, new national laws for outdoor eating areas which permit dog entry and a number of other issues will partly drive the need to adopt changes to the existing plan. The implementation of a local law order in 2015 for the effective control of dogs, also requires reviewing. This report makes recommendations in response to the public comments made to council via both surveys and stakeholder engagements.

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

Council is required to adhere to its requirements under the Domestic Animal Act 1994 and submit a plan to the state government every four years.

Council is also responsible for collecting annual registration fees for domestic pets. Part of that fee, $3.60 per dog, is forwarded to the State Government as a levy. Fees are also collected for the inspection of any domestic animal business (DAB) located within the municipality. A domestic animal business is a pet shop that sells dogs and/or cats, but excludes those other pet shops that sell other pets only eg birds, fish, reptiles etc.
Council’s authorised officers have a delegated authority under the Act. They are further authorised as Inspectors under the *Prevention of Cruelty to Animals Act (POCTA) 1986*, a delegation issued by the Department of Environment, Land, Water and Planning (DELWP) and Department of Economic Development, Jobs, Transport and Resources (DEDJTR).

The implications are that council is responsible for managing these services without any direct funding from the state. However, council receives the majority of the animal registration fees received annually and also retains all of the infringement fines that are issued to offenders, which in-turn partly funds compliance activities as well as ranger services.

### Risk management implications

<table>
<thead>
<tr>
<th>Risks</th>
<th>Likelihood</th>
<th>Consequence</th>
<th>Rating</th>
<th>Mitigation Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaints received regarding lack of community or</td>
<td>B</td>
<td>2</td>
<td>High</td>
<td>Invite community and stakeholder comment to address concerns</td>
</tr>
<tr>
<td>stakeholder input</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plan not updated</td>
<td>D</td>
<td>3</td>
<td>Medium</td>
<td>Update plan</td>
</tr>
<tr>
<td>Unregulated domestic animal issues</td>
<td>B</td>
<td>2</td>
<td>High</td>
<td>Seek comment on initiatives to gain public and stakeholder support and ownership of arising issues.</td>
</tr>
<tr>
<td>Community expectations exceed budget and business plan</td>
<td>A</td>
<td>3</td>
<td>High</td>
<td>Clearly set out parameters and likely limitations</td>
</tr>
<tr>
<td>Increased demand for services and responses</td>
<td>A</td>
<td>3</td>
<td>High</td>
<td>Prepare suited budget allocations over the longer term.</td>
</tr>
</tbody>
</table>

### Financial implications

Domestic animal ownership is increasing across the municipality in line with population growth. The cost of the provision of the service, generally funded through animal registration fees and fines issued, is expected to rise in line with that growth. This may result in an increase of the number of unregistered animals which may impact on the provision of animal management services. Income and various functions may suffer if unregistered pets are not claimed by their owners.

### Environmental implications

The DAMP promotes responsible pet ownership and the welfare of dogs and cats in the community. It also ensures and protects the community and the environment from nuisance dogs and cats.
8.6 - Domestic Animal Management Plan (cont’d)

There should be a noticeable decrease in the number of stray pets and also feral dogs and cats, partly driven by the increased focus on de-sexing most pets. This should lead to a reduction in the death of various native species that are prone to dog and cat attack.

The deposit of pet waste, often left in public places, is likely to decrease with increased education and enforcement. Moving to a fully computerised registration system will greatly reduce paper usage.

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 sensible planning is undertaken to ensure responsible pet ownership, community safety and healthy living. The DAMP takes into account legislation and community perceptions and desires.

Changes in legislation relating to outdoor eatery areas have occurred nationally, which now allows for dogs to be in those places in Wodonga. The previous DAMP identified a lack of law to control these dogs which is now addressed.

Council has since implemented an order as a result of previous public consultation and now has an ‘Effective Control’ order law. This was a direct result of community consultation after the release of the previous draft DAMP 2014-17.

The current DAMP 2017-2021, responds to community consultation and feedback gained from the community regarding potential initiatives. These include considering discounting registrations for dogs as a reward for good and positive responsible pet ownership.

The plan is required to be dated 2017 -2021 as it aligns with all councils across the state. An exemption allowing greater time to completing the DAMP was provided due to some major legislative changes occurring across the state.

Legislative implications

Council must operate under the provisions of the Domestic Animals Act 1994. Part 5A – Domestic Animal Management Plans and in particular Section 68A requires Councils to prepare domestic animal management plans and as such is required to have a plan (the DAMP) in place. This plan must be updated every four years and an evaluation of the plan must be published in the council’s annual report.

Changes in state legislation now permits restricted breeds to be registered in the State of Victoria. In line with those changes, a review of Wodonga Council’s stance on the banning of dangerous dogs being registered within the municipality is required.
Community engagement and internal consultation

There has been considerable consultation within the various units of council likely to be directly impacted, namely recreation, community safety, parks and compliance. This has been supplemented with three community discussions where-in limited respondents replied to council’s survey.

This was followed by a survey of over 200 households during the door knock program. An overwhelmingly majority of people surveyed support the current draft DAMP. The operation of the pound service being in NSW was raised but is the subject of a separate report which will be presented to Council shortly.

**RSPCA**

The RSPCA were also invited to comment on the DAMP, and the following response (as summarised) states:

‘The City of Wodonga DAMP 2017-2021 has been successful in providing a clear and positive plan to improve animal management in the municipality. We believe that a multifaceted approach is required to increase registrations and improve animal management outcomes, and it is excellent to see this reflected in your DAMP. We are pleased that 3 out of 4 of our DAMP Project Partner initiatives are already included in your plan and we encourage you to consider inclusion of our final initiative, implementing 84Y agreements with vets. We would be happy to provide you with support for any of these initiatives by way of resources and templates, as well as advice and guidance by phone, email and in person.’

The RSPCA further commented that they support a 24 hour cat curfew, which the local community are not supportive of. However it is agreed more responsible pet ownership education should be a priority for cat owners. Staff will continue to investigate the merits or otherwise of entering into section 84Y agreements with vets.

**Natural Resource Planner**

A detailed and specialist report has been received from Council’s Natural Resource Planner particularly addressing cat issues. That report notes that council could implement a range of actions which might include:

- Increased and targeted community awareness programs designed to encourage a culture of cat containment;
- Targeted cat trapping in sensitive areas;
- Better integration of domestic animal management and environmental management programs – including resources to support implementation of targeted cat control programs;
- Incentives for responsible cat ownership (such as sterilization, enclosures etc.)
- Proactive enforcement of cat curfews and
- Increased regulation of cat ownership (curfews or exclusion).
Ordinary meeting – July 16, 2018

Officers reports for determination

8.6 - Domestic Animal Management Plan (cont’d)

Staff acknowledge the concerns of both the aforementioned writers, together with some very recent media articles relating to cats. Due to the formal commentary received from both the RSPCA and the Natural Resource Planner, it is recommended that the proposed DAMP be endorsed but that staff undertake an in-depth investigation into the matters raised. This review should include all impacts and implications derived from cats, with particular reference to the environmental benefits of a greatly enhanced cat control program.

Survey outcomes

All comments received have been documented and detailed in a report to be tabled. However the major issues are condensed below and provide a good overview of community sentiment.

In summary it reveals that:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Officers recommended response</th>
</tr>
</thead>
<tbody>
<tr>
<td>63.18% support council’s current Dangerous Dog policy</td>
<td>No change</td>
</tr>
<tr>
<td>88.18% believe council should designate specific ‘on and off’ leash areas</td>
<td>A number of areas have been identified as suited for off-leash areas. Other areas have significant environmental sensitivity such as WRENS reserves, that council should designate as ‘restricted access’ for dogs. The dog park could be increased in size with separate areas for small and big dogs. There has also been feedback requesting for more gated dog parks. This is supported and will be investigated.</td>
</tr>
<tr>
<td>74.77% support the current ‘Effective Control order’</td>
<td>No change</td>
</tr>
<tr>
<td>79.37% support the current cat curfew</td>
<td>Some believe it should be tailored to day light savings and standard time periods. i.e., 6pm to 6am winter and 8pm to 6am. No change recommended.</td>
</tr>
<tr>
<td>95.96% believe council should encourage the rehoming of abandoned cats</td>
<td>Supported in the plan.</td>
</tr>
<tr>
<td>13.82% of people have lost their dog in the past 4 years and 5.15% have lost their cat</td>
<td>Focus on pet registration is documented in the plan.</td>
</tr>
<tr>
<td>78.57% of people have not had their pet picked up by rangers,</td>
<td></td>
</tr>
<tr>
<td>19.05% of pets impounded were not returned directly by the ranger upon pickup</td>
<td>Focus on pet registration is documented in the plan.</td>
</tr>
<tr>
<td>8.24% of people have had their dog returned by someone else other than a</td>
<td>Supported. The use of pet tags, Facebook and alternate retrieval system not requiring</td>
</tr>
</tbody>
</table>
The majority of comments related to the current cat curfew and the community want the cat curfew policed and more education regarding pet ownership. Quite a few comments were received regarding a reduction of pet registrations fees which is not supported as the full costs of animal control should be covered by registration fees, not council rates generally. The lifetime registration as provided in NSW was also raised but is not negotiable as it is current Victorian state law.

A small number believe consideration should be given to re-locating the pound service back to Wodonga as well as upgrades to the dog park or more dog parks and for different size dogs. There should also be an emphasis on education and microchipping days.

All these issues are suitably addressed in the proposed DAMP.

**Identified priorities**

The attached DAMP has identified a number of priorities for council to consider over the next four years. It was important to highlight the initial recommendations for public consultation, which the community has supported. There were four main identified categories for community consultation which are as follows:

**Education**

- Increased emphasis on public education,
- Re-introduction of a pet awareness event such as 'Paws in the Park', and,
- Review social media channels and introduce an electronic newsletter.

These comments are supported and addressed in the proposed DAMP.

**Fee reduction for responsible pet ownership**

- Increased incentives for good compliance with pet registrations and considering options such as reducing annual fees or other forms of incentive, and
- Review the current cat registration fees, which are the same as dog registration fees.

Both comments are supported and will be investigated for cost implications etc.
Infrastructure

- Conduct a review for the need for more gated off-leash dog parks, and
- Whether to continue with the current tender contract for pound services.

Comment one is supported and noted in the proposed DAMP for further assessment.

Comment two will be addressed in a separate report to a councillor briefing in August.

Council Orders

- Review Council’s “Removal of Dangerous Dog” policy, and
- Review/maintain the hours of the Cat Curfew.

An overwhelming majority of the surveyed community support the current ‘Dangerous Dog Policy’ and also the current cat curfew.

Options for consideration

Option One: Do nothing


Conclusion

The DAMP provides a framework for a responsive animal management service which takes into account the natural environment, the protection of public amenity, and public safety. It maintains a fair balance between meeting the needs of pets, the need of pet owners and the needs of others in the community who are negatively impacted by domestic animals.

The Plan is a requirement under legislation but will also be a valuable contribution towards the council’s vision of ‘Wodonga is a progressive, well-planned, growing city that is affordable, offers an abundance of opportunities and led by strong, empathetic stewardship’ and supports our mission of ‘strengthening our community in all that we do’.

The comments from the community and specialists clearly indicate a need to further investigate the best methods to control the impacts of cats on the environment. As noted previously, an in depth investigation into this issue is strongly supported but is not suited for amendments to the attached plan at this stage.

Staff recommend the adoption of the attached DAMP 2017-2021 as presented.
8.6 - Domestic Animal Management Plan (cont’d)

Attachments
Nil

Tabled papers

The following documents will be tabled at the meeting:
- Document A: Domestic Animal Management Plan

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.

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

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

Team Leader Compliance - Craig McClanahan
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That the 2017-2021 Domestic Animal Management Plan, as tabled, be adopted.

Motion

Crs Kat Bennett / Ron Mildren
That the recommendation be adopted. Carried
8.7 - Wodonga Industrial Land Strategy

Purpose of report

To seek a council resolution to adopt the Wodonga Industrial Land Strategy (the Strategy).

Hard copies of the Strategy have previously been provided to the councillors and the document is tabled.

Background

Project context and objective:

The Wodonga Growth Strategy (WGS), adopted by council in 2016, is Wodonga Council’s long term strategic planning document, and was prepared in response to the State Government’s Hume Regional Growth Plan. The WGS’s main function is to set out the direction for the city’s growth over the next three to five decades, with the key themes of “Liveability and Prosperity”.

An action of the WGS is to undertake an Industrial Land Use Strategy to consider the above matters and to ensure the continuous provision of suitable industrial zoned land to meet the needs of emerging businesses as a way to facilitate the above outcome.

Project status

At the council meeting on March 19, 2018, the Council reached a resolution to commence a one month public consultation period on the Strategy.

Public consultation was subsequently undertaken, closing on April 20, 2018, with five submissions to the Strategy received.

The key comments raised in the feedback are:
1. Supportive of the Strategy as a whole;
2. Allocation of different types of industries should be based on their proximity to the complementary infrastructure;
3. Issues associated with the Hume Freeway/McKoy Street interchange;
4. Measures to encourage development of vacant industrial land; and
5. Planning for appropriate interface between competing land uses.

An analysis of the feedback and officer’s response to the feedback is tabled as document B.

A full set of the community’s feedback is provided with tabled document C.

In summary, most of the comments have been addressed by the Strategy.

Necessary changes have been made to some of the proposed Action and Recommendations section of the Strategy to reflect the community’s feedback (see tabled document D for the updated Actions and Recommendations).
Next steps:

- Officers seek the Council’s resolution to approve and adopt the Strategy; and
- Following adoption of the Strategy, officers will undertake stage two of the Wodonga Industrial Land Strategy to develop an Implementation Plan, in accordance with the Recommendations and Action section of the Strategy.

Council Plan

Strategy 11 of the Wodonga Council Plan 2017-2018 to 2020-2021 states that council will ensure strategic planning practices are undertaken to effectively manage growth, maintain liveability and foster appropriate development.

It further states at strategy 11.2 that council will develop the Wodonga Industrial Land Strategy to set out the future provision of industrial land across the city for the next 10 to 15 years.

Council policy / strategy implications

In its Council Plan the Council has undertaken to ensure that future demands for industrial land are met over the next 10 to 15 years. The Strategy builds on and forms part of the implementation of a variety of council’s strategic projects, including:

- Wodonga Planning Scheme Amendment C123 – Planning Scheme Rewrite (approved in December 2016); and
- Wodonga Growth Strategy 2016

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 Strategy is not approved by council, preventing implementation of recommendations and actions</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>Submit the Strategy to council for approval.</td>
</tr>
</tbody>
</table>

Financial implications

<table>
<thead>
<tr>
<th></th>
<th>2017-2018 approved budget</th>
<th>This proposal</th>
<th>Variance to approved budget</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Expense</td>
<td>$20,000</td>
<td>$20,800</td>
<td>($800)</td>
<td>Minor variation to the original contract with the consultant engaged to incorporate the community’s feedback into the final Strategy as a result of the public consultation.</td>
</tr>
<tr>
<td>Net result</td>
<td>$20,000</td>
<td>$20,800</td>
<td>($800)</td>
<td></td>
</tr>
</tbody>
</table>
Environmental implications

The Strategy is formulated to address environmental issues as a result of the current land uses, such as:
- Proposed measures to tackle potential / existing interface issues between competing land uses; and
- Identified areas or precincts appropriate for long term industrial and employment generating developments.

Social / cultural implications

The Strategy will provide positive social benefits by facilitating and promoting new industrial and employment generating developments in Wodonga.

Legislative implications

There are no recognised legislative implications associated with the recommendations set out within this report.

Community engagement and internal consultation

Extensive community and internal consultation has been undertaken as part of the Strategy.

A series of targeted external Stakeholder consultation and industry workshops have been undertaken. There were also internal stakeholder workshops conducted to collect ideas and feedback from council officers.

A 28-day public exhibition period on the Draft Wodonga Industrial Land Strategy was conducted in March 2018. The final Strategy has been updated to reflect the most appropriate feedback.

Following this consultation, Stage 2 of the process entails the production of a Wodonga Industrial Land Implementation Plan, based on the outcomes of the engagement and consultation process.

Options for consideration

**Option 1:** Do nothing. This is not supported as the outcomes of the Council Plan will not be met; this would prevent the progression of the Wodonga Industrial Land Implementation Plan to implement the recommendations and actions proposed by the Strategy.

**Option 2:** Approve the Wodonga Industrial Land Strategy and commence the second stage of the Strategy. This is the recommended option.

Conclusion

The Wodonga Industrial Land Strategy has been developed in accordance with the
Council Plan and the Wodonga Growth Strategy. It establishes the overall vision and objectives for industrial lands in Wodonga. It provides strategic directions on a precinct by precinct basis to support future planning and development of industries and employment-generating uses.

Stakeholder consultation, industry workshops and public consultation sessions have informed this Strategy.

Officers seek Council’s approval of the final Wodonga Industrial Land Strategy which enables officers to implement the recommendations and actions proposed in the Strategy.

Attachments
Nil

Tabled papers
The following documents will be tabled at the meeting:
- Document A: Wodonga Industrial Lands Strategy
- Document B: Analysis Feedback
- Document C: Submissions
- Document D: Updated Action Matrix

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.

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

Recommendation
That the Wodonga Industrial Land Strategy, as tabled, be adopted.

Motion
Crs Danny Lowe / John Watson
That the recommendation be adopted.
8.8 - Tender - Richardson Park Construction

Purpose of report

To seek the council’s determination in awarding tenders W1356-18, W1357-18 and W1358-18 for the various components of the construction contract for Richardson Park.

These three tenders deal with the following construction components:

W1356-18 – Landscape Works;
W1357-18 – Civil Works; and
W1358-18 – Electrical Works

Background

The redevelopment of the old Wodonga rail yard precinct has brought about the provision of a number of public open spaces and areas where the Wodonga community can gather and recreate.

To date, Junction Square and The Promenade have been completed, with Richardson Park and Sidings Park still to be delivered in accordance with the Development Victoria approved master plan.

In a 2017 agreement signed by Development Victoria (DV) and the Wodonga Council, council would call for the tenders to deliver Richardson Park and project manage the construction aspects of the project before it gets handed to council as a council asset.

The design and documentation for Richardson Park was undertaken by Central Place Pty Ltd – the appointed developer of the old Wodonga rail yard precinct and co-funded by Development Victoria and the Federal Government’s National Stronger Regions Fund. Apart from the in-house management of the construction program, council is a non-funding partner to these works.

Response

Tenders were advertised in the Border Mail and on TenderSearch on Saturday, 19 May 2018, and closed at 2pm on Tuesday, 12 June 2018. A total of seven documents were submitted in response to the advertisements as follows:

W1356-18 – Landscape Works

Tenders received

<table>
<thead>
<tr>
<th>Name / company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stuart Gordon Landscaping &amp; Paving Specialist</td>
</tr>
</tbody>
</table>

This was the only tender submitted.
Evaluation team members

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Luftensteiner</td>
<td>Design Engineer</td>
</tr>
<tr>
<td>Matt Fleet</td>
<td>Landscape Architect</td>
</tr>
<tr>
<td>Steve Larkin</td>
<td>Technical Officer</td>
</tr>
</tbody>
</table>

Evaluation

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

<table>
<thead>
<tr>
<th>Evaluation criteria</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Methodology</td>
<td>20%</td>
</tr>
<tr>
<td>Ability to meet timeframe</td>
<td>10%</td>
</tr>
<tr>
<td>Relevant experience</td>
<td>20%</td>
</tr>
<tr>
<td>Capability</td>
<td>10%</td>
</tr>
<tr>
<td>Quality</td>
<td>20%</td>
</tr>
<tr>
<td>Benefits to local region</td>
<td>10%</td>
</tr>
<tr>
<td>Environmental sustainability</td>
<td>5%</td>
</tr>
<tr>
<td>Occupational health and safety</td>
<td>5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100 %</strong></td>
</tr>
</tbody>
</table>

The process

This tender was evaluated in adherence with the council’s tendering policy and guidelines.

As there were no competitive submissions, the evaluation panel used previous, council-managed landscape projects to effect a cost comparison.

As this tenderer has completed a range of high-value, high-profile projects for council, their capabilities, work quality and value-for-money outcomes are well known to the panel.

In the case of this project, the scope of the works had to be down-scaled as the total of the submitted tenders exceeded the funding available for the project. The changed scope of works is discussed later in this report.

W1357-18 – Civil Works

Tenders received

<table>
<thead>
<tr>
<th>Name / company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excell Gray Bruni Pty Ltd</td>
</tr>
<tr>
<td>AP Delaney Pty Ltd</td>
</tr>
<tr>
<td>Longford Civil</td>
</tr>
</tbody>
</table>

The lowest tender submitted for W1357-18 – Civil Works was $156,834, while the highest was $223,831.
It should be noted that for this report the dollar value of each tender has not been provided for commercial-in-confidence reasons.

**Evaluation team members**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Luftensteiner</td>
<td>Design Engineer</td>
</tr>
<tr>
<td>Matt Fleet</td>
<td>Landscape Architect</td>
</tr>
<tr>
<td>Steve Larkin</td>
<td>Technical Officer</td>
</tr>
</tbody>
</table>

**Evaluation**

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

<table>
<thead>
<tr>
<th>Evaluation criteria</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Methodology</td>
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</tr>
<tr>
<td>Ability to meet timeframe</td>
<td>20%</td>
</tr>
<tr>
<td>Relevant experience</td>
<td>20%</td>
</tr>
<tr>
<td>Capability</td>
<td>20%</td>
</tr>
<tr>
<td>Benefits to local region</td>
<td>10%</td>
</tr>
<tr>
<td>Environmental sustainability</td>
<td>5%</td>
</tr>
<tr>
<td>Occupational health and safety</td>
<td>5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100 %</strong></td>
</tr>
</tbody>
</table>

**The process**

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

Three tenders were received which allowed the evaluation panel to undertake a full and detailed assessment.

In the case of the civil works, both Excell Gray Bruni Pty Ltd and AP Delaney are well known to the evaluation panel and both companies have previously completed civil engineering works for the council.

In the case of Excell Gray Bruni Pty Ltd, they have satisfactorily completed a number of high-profile projects, including reconstruction works to major roads within the Wodonga CBA. This firm scored well in the technical analysis and would be able to satisfactorily complete this project. This firm is based in Wodonga.

AP Delaney Pty Ltd are based in Albury. While also having successfully completed works for the council in the past, they have recently been unsuccessful in winning projects with the council – this largely as a result of their tender prices being higher than the competition.

They have however been successful in winning a number of projects for private developers within the city and have undertaken these works to a high standard. This firm scored well in the technical analysis and would be able to satisfactorily complete this project.
Longford Civil is largely unknown to the evaluation panel and has not undertaken any recent projects for the council. They are based in Howlong and their submission sets out a number of smaller, recently completed projects in Albury, Howlong and Rutherglen. Their technical capabilities set out in their submission were considered to be of lesser standard than the other two submissions, but it was considered that they would likely still be able to complete this project.

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

<table>
<thead>
<tr>
<th>Name / company</th>
<th>Value for money</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excell Gray Bruni Pty Ltd</td>
<td>600</td>
</tr>
<tr>
<td>AP Delaney Pty Ltd</td>
<td>428</td>
</tr>
<tr>
<td>Longford Civil</td>
<td>574</td>
</tr>
</tbody>
</table>

The final assessment re-enforced that the lowest tender was in fact the preferred supplier.

Therefore, after all assessments, the evaluation panel considered that the tender submission from AP Delaney Pty Ltd provided the best value for money option for the council.

**W1358-18 – Electrical Works**

**Tenders received**

<table>
<thead>
<tr>
<th>Name / company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Watters Electrical, Albury</td>
</tr>
<tr>
<td>GPE Electrical &amp; Communications Contractor Pty Ltd</td>
</tr>
<tr>
<td>Torney &amp; Allen Pty Ltd</td>
</tr>
</tbody>
</table>

The lowest tender submitted for W1358-18 – Electrical Works was $146,636, while the highest was $168,881.

It should be noted that for this report the dollar value of each tender has not been provided for commercial-in-confidence reasons.

**Evaluation team members**

<table>
<thead>
<tr>
<th>John Luftensteiner</th>
<th>Design Engineer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matt Fleet</td>
<td>Landscape Architect</td>
</tr>
<tr>
<td>Andrew Kelly</td>
<td>Graduate Engineer</td>
</tr>
</tbody>
</table>

**Evaluation**
The following selection criteria were used as advertised in the tender document.
Evaluation criteria | Weighting
---|---
Methodology | 20%
Ability to meet timeframe | 10%
Relevant experience | 20%
Capability | 10%
Quality | 20%
Benefits to local region | 10%
Environmental sustainability | 5%
Occupational health and safety | 5%
Total | 100%

The process

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

Three tenders were received which allowed the evaluation panel to undertake a full and detailed comparative assessment.

The submission from Watters Electrical, Albury was of a reasonable standard and provided the evaluation panel with all the necessary information to undertake the assessment. This firm has been in business for approximately 30 years and has undertaken a number of projects for council, although none of these were listed in their submission. They did however list a number of lighting projects for the Shepparton City Council and works for the Bendigo Council as recent, similar works.

This firm is located in Albury.

The submission made by GPE Electrical & Communications Contractor Pty Ltd was of a high standard, with considerable supporting documentation provided. This firm has also recently celebrated its 30-year existence and has also undertaken a number of projects for council – listing their recent works to South Street/Bond Street, The Promenade and Urban Square as some of these projects.

This firm’s head office is located in Albury and also has an office in Wagga Wagga.

Torney & Allen Pty Ltd’s tender submission was of a comparable standard to the other two submissions, also demonstrating their capacity and capability of undertaking the proposed works.

They have listed council-managed works to the Bonegilla Migrant Centre, works to the Albury Railway Station and work to the Deniliquin Police Station as recent, similar projects.

This firm has been existence for 60 years and is located in Albury.

Value for money
The value for money indicator for each tenderer is shown below:
The final assessment re-enforced that the lowest tender was in fact the preferred supplier.

Therefore, after all assessments, the evaluation panel considered that the tender submission from Watters Electrical, Albury provided the best value for money option for the council.

**Council Plan**

<table>
<thead>
<tr>
<th>Strategic objective</th>
<th>Strategy</th>
<th>Key priority activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Protect, enhance and manage our unique natural and built environments, planning for growth, demonstrating leadership and stewardship now and into the future.</td>
<td>Open spaces</td>
<td>Ensure appropriate levels of usable and suitable open space is allocated in new developments that will contribute to the liveability of the city and our community’s quality of life</td>
</tr>
</tbody>
</table>

**Council policy / strategy implications**

Over the past number of years, and with the removal of railway infrastructure due to the relocation of the Melbourne to Sydney railway line out of the Wodonga CBA, approximately 10ha of centrally located land became available for development.

Through a number of processes and partnerships with the development agencies of the State Government, a range of public open spaces was agreed to be located within this development parcel, replacing public land associated with, and adjacent to, the old Stanley Street pool site (now known as CBD West).

Following the formal adoption of the master plan for the development of the old railway precinct and the allocation of funding by Development Victoria and through the National Stronger Regions Fund, design concepts were presented to council for consideration and feedback.

Final landscape designs, civil and electrical designs, bills of quantities and specifications for the works were completed and submitted to council for tender advertisement. During this time, an agreement was reached with Development Victoria which saw council formally tender, project manage and deliver this project. This ensured a timely delivery and an acceptable public amenity and one which council would manage and maintain into the future.

**Risk management implications**

A number of risks have been identified, as set out in the table below.
8.8 - Tender - Richardson Park Construction (cont’d)

### Risk description

<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>Unsafe work practices resulting in death or injuries of workers or members of the public.</td>
<td>1</td>
<td>C</td>
<td>H</td>
<td>Safe Worth Method Statements for job activities created and used. Continued monitoring of worksite by Project Manager. OHSMS received and checked as part of tender conditions.</td>
</tr>
<tr>
<td>Insufficient budget to undertake or complete the project.</td>
<td>2</td>
<td>C</td>
<td>H</td>
<td>Monitor work progress and variations against tender documentation and report any variances to council.</td>
</tr>
<tr>
<td>Project delivery delays due to latent defects or inclement weather.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>Monitor work progress and report on any delays as they are quantified.</td>
</tr>
<tr>
<td>Contractors unable to complete works for any given reason.</td>
<td>3</td>
<td>D</td>
<td>M</td>
<td>Recommended contractors are well-established and will provide financial guarantees to limit damages to council.</td>
</tr>
</tbody>
</table>

### Financial implications

The table below sets out the financial implications for the entire project, comprising the landscaping, civil and electrical contracts. It should be noted that no council funding is allocated to these works.

<table>
<thead>
<tr>
<th></th>
<th>2018-2019 approved budget $</th>
<th>This Proposal $</th>
<th>Variance to approved budget $</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>2,135,000</td>
<td>2,135,000</td>
<td>0</td>
<td>Original NSRF allocation to Richardson Park – no council contribution (see notes below)</td>
</tr>
<tr>
<td>Expense</td>
<td>1,200,000</td>
<td>1,200,000</td>
<td>0</td>
<td>Project costs for landscaping, civil and electrical works (see notes below)</td>
</tr>
<tr>
<td>Net result</td>
<td>2,135,000</td>
<td>1,200,000</td>
<td>935,000</td>
<td>Balance directed to Sidings Park</td>
</tr>
</tbody>
</table>

The NSRF allocation to the projects on the old Wodonga railway land is as set out below:

<table>
<thead>
<tr>
<th>Project Components</th>
<th>Project Allocation $</th>
<th>Project Expenditure $</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Promenade</td>
<td>1,837,000</td>
<td>1,329,800</td>
<td>Project complete. $507,200 to be used on Richardson Park and Sidings Park.</td>
</tr>
<tr>
<td>Richardson Park</td>
<td>2,135,000</td>
<td>$62,000</td>
<td>Design costs spent to date.</td>
</tr>
</tbody>
</table>
Ordinary meeting – July 16, 2018

Officers reports for determination

Planning and Infrastructure

8.8 - Tender - Richardson Park Construction (cont’d)

Post the Council/Development Victoria/Central Place Pty Ltd project delivery agreement signed in November 2017, the following project allocations, based on a total of $2,400,000 being available, were made:

<table>
<thead>
<tr>
<th>Project Components</th>
<th>Project Allocation $</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richardson Park</td>
<td>950,000</td>
<td>This allocation has, with the tender process now completed, proven to be inadequate. A scope change has now been undertaken and the landscaping component re-costed.</td>
</tr>
<tr>
<td>Design</td>
<td>80,000</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td><strong>1,030,000</strong></td>
<td></td>
</tr>
<tr>
<td>Sidings Park</td>
<td>1,010,000</td>
<td>This project component is being designed, tendered and delivered by Central Place Pty Ltd. They are the project owner and all infrastructure will vest with them.</td>
</tr>
<tr>
<td>Goods Shed carpark</td>
<td>180,000</td>
<td>There will be no ongoing maintenance liabilities for council.</td>
</tr>
<tr>
<td>Station carpark</td>
<td>100,000</td>
<td></td>
</tr>
<tr>
<td>Design</td>
<td>80,000</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td><strong>1,370,000</strong></td>
<td></td>
</tr>
</tbody>
</table>

As shown above, the allocation for the Richardson Park component of the project was limited to $950,000. The lowest total tendered project costs were $1,497,452 or approximately $550,000 more than the budget allocated to the project.

In a number of discussions with Development Victoria, it was confirmed that the allocated budget would be increased to 50% of the project cost, capped to a total of $1,200,000, including design ($80,000) and project management. The total available construction budget is thus capped at $1,120,000.

Council officers then undertook a revision of the landscaping design and were able to remove some design elements which would not necessarily materially impact the practicality or useability of the park. This revision also enabled council officers to undertake a revision of the landscape tender sum, reducing this to $830,000 – a significant reduction, largely based on the removal of costly retaining walls, a small amphitheatre and a sandpit, all originally included within the design.

While not yet undertaken, it is proposed to negotiate with the recommended civil and electrical contractors to reconsider their tendered sums in recognition of the amended landscaping design. It is envisaged that appreciable savings would be achieved.

Based on the above, it can be shown that the revised total project cost, based on the lowest tendered sums at this time is $1,133,470, marginally above the budget.

Environmental implications

The site upon which Richardson Park is proposed to be constructed is still in the ownership of Development Victoria. During circa 2014, significant environmental investigations were undertaken to determine the levels or existence of contamination within the old railway precinct.
Investigations undertaken and a Statement of Environmental Audit, prepared by a person appointed by the Environmental Protection Authority, has concluded that "…………..the site is suitable for the beneficial uses associated with high and medium density residential, recreational/open space, commercial and industrial land uses, subject to the following condition attached thereto:

- The owner/occupier of the site must manage soil and groundwater at the site in accordance with the auditor-endorsed Soil Contamination Management Plan (SCMP) attached to this statement.

- Groundwater is polluted and must not be used for the extractive uses: potable use, primary contract recreation, stock watering…………..unless verified by testing as being suitable for these uses.”

The SCMP was provided to the tenderers and it can be confirmed that a soil hygienist will be on site to ensure that any contamination is dealt with as per the SCMP. Should contamination be found, and should this have to be removed and disposed of, these costs would be treated as variations to the contract.

**Social / cultural implications**

The completion of Junction Square and The Promenade has brought high visitation numbers to the old railway precinct. This coupled with the restaurants, bars and pop-up coffee, food and ice cream offerings has proved to be a destination for residents and visitors to the city.

The construction and completion of Richardson Park will add to this amenity, adding a significant green space to the precinct, where families will be able to gather and recreate.

**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, it is confirmed that all three recommended tenderers are based in the Albury/Wodonga region and have set out within their tender submissions that upwards of 80% of their staff live within the region, and all have indicated that materials will be sourced locally, if available locally.

**Legislative implications**

There are no known legislative implications associated with the consideration of this tender and the award of the construction works.
**8.8 - Tender - Richardson Park Construction (cont’d)**

An application for a planning permit is being prepared and will be submitted.

**Community engagement and internal consultation**

No community engagement is proposed.

Internal consultation has occurred throughout the external design processes.

The current businesses utilising the old carparks fronting Elgin Boulevard will be advised of the impending works and redirected to the new, already-constructed Goods Shed and Station carparks.

**Options for consideration**

**Option one** – Do nothing. This is not recommended as funding has been allocated to the project and a commitment made to the Wodonga community that Richardson Park will be constructed.

**Option two** – Accept the recommendation and award the tender. This option will include that council staff continue to refine the civil and electrical design components of the project to better align with the revised landscape design and continue to negotiate with these recommended tenderers to recognise and acknowledge the revised design.

Also, council staff will continue to pursue other possibly cost savings to enable these savings to be used to enhance where possible, the landscape outcomes. This could include adjustments to the scope of works with associated project cost implications. In this event, and to ensure expediency of project delivery, council will be requested to delegate this scope change with costs to the Chief Executive Officer.

This is the preferred option.

**Conclusion**

Following a project delivery agreement reached between council, Development Victoria and Central Place Pty Ltd, a consultant team was appointed by the latter to progress the design of Richardson Park through to tender stage, upon which council staff undertook the tender and evaluation phases of the project.

The construction tenders received were well in excess of the allocated budgets and following negotiations with Development Victoria, agreement was reached to increase the allocation to a design inclusive budget of $1,200,000.

Council officers then commenced a revision of the landscape design and were able to remove some costly retaining wall structures, the small amphitheatre and the sand play area without compromising the practicality or useability of the park.

This landscape revision resulted in a revised tender price being negotiated with the
8.8 - Tender - Richardson Park Construction (cont’d)

landscape tenderer which more closely aligns the project costs with the allocated budget.

Accordingly it is recommended that the council pursue the following construction tender awards:

1. Tender W1356-18 – Landscape Works be awarded to Stuart Gordon Landscaping & Paving Specialist in the revised tender sum of $830,000 excluding GST;

2. Tender W1357-18 – Civil Works be awarded to AP Delaney Pty Ltd in the tender sum of $156,834 excluding GST or such revised tender sum as negotiated; and

3. Tender W1358-18 – Electrical Works be awarded to Watters Electrical, Albury in the tender sum of $146,636 excluding GST or such revised tender sum as negotiated.

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 - Patience Harrington
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 the construction tenders for Richardson Park be awarded as follows:

1. Tender W1356-18 – Landscape Works to Stuart Gordon Landscaping & Paving Specialist in the revised tender sum of $830,000 excluding GST;

2. Tender W1357-18 – Civil Works to AP Delaney Pty Ltd in the tender sum of $156,834 excluding GST or such revised tender sum as negotiated;

3. Tender W1358-18 – Electrical Works to Watters Electrical, Albury in the tender sum of $146,636 excluding GST or such revised tender sum as negotiated;

4. The contract period for all three contracts be from Monday, 23 July 2018 to Friday, 14 December 2018, or as negotiated;

5. That council officers continue to seek project savings which could further be used to enhance the landscape outcomes and that any such scope changes and associated costs, limited to $200,000, be delegated to the Chief Executive Officer for approval.

Motion

Crs John Watson / Kat Bennett

That the recommendation be adopted.  

Carried

Conflict of interest disclosure

Prior to the commencement of item 8.8 Cr Mildren disclosed a conflict of interest in that item, the details of which are recorded in these minutes at item 5.

Cr Mildren left the meeting at 7.01pm. Cr Mildren returned to the meeting room at 7.08pm after the resolution for item 8.8 was carried.
8.9 - Planning permit for 17 Krueger St, Baranduda

**Purpose of report**

To seek council approval to issue a Notice of Decision to Grant a Planning Permit for application (PP98/2017) at 17 Krueger St, Baranduda – identified as Lot 26 on Plan of Subdivision 645687L.

The application is for Buildings and Works for the construction of two (2) dwellings and the subdivision of land into two (2) lots, including a variation to the easement E1. Permission is also sought for a variation to a Section 173 Agreement.

The matter is brought to council as more than 5 objections had been received to the proposal, requiring a determination by council. While the variation of an agreement under s.173 of the Planning and Environment Act, 1987 is currently delegated to council officers, it is clearly coupled to the current planning application. As such both decisions have been placed before council for determination.

**Proposal**

The proposed development is shown in the Cavalier Homes plans submitted with the amended application on 10th April 2018 (see tabled document A).

17 Krueger Street (the subject land) has an area of 956 square metres and is located toward the south-western area of Baranduda on an elbow bend of Krueger Street (see site context plan below). It has a natural slope from south to north and substantial cut and fill has occurred on the land to provide a relatively flat construction pad that sits below the level of Krueger St.

**Site Context Plan**
The subject land is best described as a corner allotment, as it effectively has two street frontages. In broad terms, the proposed development incorporates:

- The subdivision of the land into two lots, with proposed Lot 1 comprising of an area of 469sqm and Lot 2, 487sqm. Each lot will contain one dwelling;
- Dwelling 1 (on proposed Lot 2) is located on the corner of Krueger St and contains 3 bedrooms, 2 bathrooms, combined living rooms and double garage in a split level design;
- Dwelling 2 (on proposed Lot 1) contains 3 bedrooms, 2 bathrooms, combined living rooms and double garage in a single level design; and
- Both dwellings front the longer section of Krueger St that runs in an east - west direction.

Background

On 9th August 2017, council received a planning application from Cavalier Homes Albury/Wodonga Pty Ltd for a two lot subdivision of the subject land. The application was placed on public notice and attracted 14 objections. Two further submissions were received; however as they were anonymous they were not considered to be objections under section 57 of the Planning and Environment Act 1987.

Officer assessment of the original, proposed subdivision concluded that the application did not demonstrate sufficient planning merit to warrant support. This assessment was made primarily on the basis that it was unclear how a dwelling could be constructed on each of the proposed lots that met the siting requirements (ResCode) of the Victorian Building Regulations 2018.

The applicant submitted an amended permit application on the 10th April 2018 by amending the description of what the permit allows to read "Buildings and works for the construction of two dwellings and the subdivision of the land into two lots, including a variation to the easement E1 and submitting plans indicating the proposed construction. At the same time, the landowner proposed to vary the section 173 agreement that burdens the land to allow for construction that varied from the design requirements of the agreement.

The application was notified again to adjoining and adjacent landowners and occupiers on the 27th April 2018. To assist with clarity of the proposal, the planning application and request to amend the section 173 agreement were notified within the same letter. Eight objections were received.

It was later determined that the amendment to the section 173 agreement was required to be notified to all of the beneficiaries of the agreement and so further notification of the proposed amendment to the agreement was undertaken to a wider audience.

An additional six objections were received to the amendment of the section 173 agreement.
In summary, the original application for the subdivision of the land received 14 objections and the re-notification of the application for the development and subdivision of the land received a total of 14 objections.

A detailed summary of the objections and response to each matter raised is provided in tabled document B.

Planning controls

The subject land is zoned General Residential Zone (GRZ1), as is the majority of the surrounding area. The Bushfire Management Overlay (BMO) applies to the subject site, due to its proximity to remnant bushland located approximately 90m to the south.

A planning permit is triggered for the following reasons:

- Subdivision of GRZ1 land.
- Building and works for the construction of two or more dwellings on GRZ1 land.
- Building and works for the construction of a building used for accommodation on land within the BMO.
- Subdivision of land within the BMO.
- Variation of an easement under the Subdivision Act.

The planning scheme sets out the applicable decision guidelines as follows:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the GRZ1.
- The decision guidelines of Clause 52.02 Easements, Restrictions and Reserves.
- Clause 52.47 Planning for Bushfire
- For the construction of two or more dwellings, the objectives, standards and decision guidelines of Clause 55.
- For subdivision of land for residential development, the objectives and standards of Clause 56.
- The decision guidelines of Clause 65.

The assessing officer has completed a delegate report that provides an assessment of the proposal against all of the relevant decision guidelines listed above.

Key Planning Issues

Clause 52.02 – Easements, Restrictions and Reserves

The applicant proposes to reduce the length by 1 metre of Easement E1 that burdens the land and must proceed under section 23 of the Subdivision Act 1988.

The ‘owner’ of the easement is North East Water which has provided written permission, dated 8th February 2018 for the easement to be so varied.
Clause 55 – Two or More Dwellings on a lot

At its essence, the proposed development has to meet the objectives of clause 55 of the planning scheme. Clause 55 sets out 35 separate ‘objectives’ that the proposed dwellings must comply with. The 35 objectives are broken up into six sub-groups as follows:

- Neighbourhood and site description and design response
- Neighbourhood character and infrastructure;
- Site layout and building massing;
- Amenity impacts;
- On-site amenity and facilities; and
- Detailed design

To assist in this assessment, each objective contains a prescriptive ‘standard’ that the proposal should meet. A detailed assessment of the proposal against the relevant provisions of the clause 55 is contained in the assessing officer’s delegate report (see tabled document C for further information). The following points are of particular relevance:

**Neighbourhood and site description.**

Notwithstanding various objections raised by the objections to this application, the development and subdivision of this land is not considered to be out-of-character with the existing neighbourhood character.

Several similar sized lots are located in close proximity to the subject site and housing in the area is, with one exception, single storey in nature. Whilst many of the surrounding lots have larger areas of private open space (POS) than the proposed development, others have similar POS to this proposal.

**Design response.**

Design response refers to the plans and other material lodged with the application that indicate how the proposed development responds to the constraints and opportunities of the subject site.

Whilst the objections express a view that the design response is not appropriate to the land, the assessment against Clause 55 and 56 has found the application to be well supported by the planning scheme.

The proposed dwellings are well articulated and are site responsive. Being single storey dwellings they provide no opportunity for overlooking or overshadowing. The setting of the garage on dwelling 1 being set forward of the main facade of the dwelling is a reasonable response to the site’s constraints.

In summary, officers consider that the proposal complies with the relevant objectives of Clause 55.
Section 173 Agreement Variation

The section 173 agreement on the subject land has been applied to all lots within the Glenwood Estate. The agreement contains provisions that relate primarily to dwelling design.

The proposed design of Dwelling 1 (corner lot) varies from the requirements of clauses 6.1, 6.2 and 6.16 of the agreement.

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Covenant</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.1</td>
<td>In respect of any Corner Lot, all dwellings will have a Primary Façade and a Secondary Façade.</td>
</tr>
<tr>
<td>6.2</td>
<td>Garages and /or carports will be recessed no less than 500mm behind the nearest Front Building Line. (The front building line is defined as &quot;...the front wall of any room of the building (including a garage but excluding an entry way up to 2.0 metres in width). For the purpose of this definition, nib walls, porticos, verandahs and other architectural features are not defined as a wall.)</td>
</tr>
<tr>
<td>6.16</td>
<td>All buildings or structures must be constructed in accordance with the Design Guidelines and only varied with the written approval of Council.</td>
</tr>
</tbody>
</table>

Clause 56 – Residential Subdivision

While the proposal includes the subdivision of the land into two lots, the primary focus of the assessment is the development of two dwellings on the subject site. A development that meets the general requirements of the SPPF, LPPF, GRZ1 and the particular provisions of Clause 55 will in turn (subject to Clause 56) meet the planning scheme’s requirements for the subdivision of land. A detailed assessment of the proposal against the provisions of Clause 56 has been undertaken and is contained in the assessing officer’s delegate report.

Planning for Bushfire

Within the BMO, a permit is required for the subdivision of land and building and works for accommodation uses. The specific assessment criteria for both the subdivision of land and building and works within the BMO are contained in the decision guidelines of clause 52.47 - Planning for Bushfire.

The proposed development complies with the general requirements relating to bushfire in the SPPF and LPPF and the decision guidelines contained in Clause 52.47 – Planning for Bushfire. The application was referred to the Country Fire Authority for its recommendation, who in turn provided its consent to the proposed development subject to certain conditions, including the requirement that a s.173 agreement be placed on the land to satisfy the mandatory requirement of this overlay.

State Planning Policy Framework (SPPF)

The proposal is supported by the following State Planning Policy clauses:
8.9 - Planning permit for 17 Krueger St, Baranduda (cont’d)

- 11.07-1 Distinct and diverse regional settlements,
- 11.12-3 Planning for growth,
- 13.05-1 Bushfire planning,
- 15.01-1 Urban design,
- 15.02-1 Energy and resource efficiency,
- 16.01-1 Integrated housing, and
- 16.01-4 Housing diversity.

Local Planning Policy Framework (LPPF)

The following clause from the Municipal Strategic Statement is the only relevant statement and is supportive of the proposal:

- 21.08-1 Residential development

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>Being active</td>
<td>Plan and deliver appropriate, well-planned and sustainable infrastructure and improvements to sporting and recreation precincts across the city</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

These applications are placed before council for deliberation in accordance with council’s Instrument of Delegation retaining unto itself the power, duty and responsibility to determine applications attracting six or more objections.

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 development of two lots on this block will have an adverse impact on neighbourhood character</td>
<td>4</td>
<td>D</td>
<td>L</td>
<td>There are already a number of dwellings on smaller lots within the vicinity of the site.</td>
</tr>
<tr>
<td>Council refuses the current application and request to vary the section 173 agreement</td>
<td>4</td>
<td>D</td>
<td>L</td>
<td>Officers believe the application complies with the relevant provision of the Wodonga Planning Scheme</td>
</tr>
<tr>
<td>Objectors seek to appeal a council Notice of decision</td>
<td>4</td>
<td>C</td>
<td>S</td>
<td>Officers believe the application complies with the relevant provision of the Wodonga Planning Scheme</td>
</tr>
</tbody>
</table>
Financial implications

The costs associated with the preparation of the amendment to the current section 173 agreement will be borne by the applicant.

In the event that council’s decision is appealed by the applicant or an objector, council staff would represent council at a VCAT hearing. While council would incur expenses in such an exercise, at this stage, those costs are not anticipated to exceed $1000.

<table>
<thead>
<tr>
<th></th>
<th>2017-2018 approved budget $</th>
<th>This Proposal $</th>
<th>Variance to approved budget $</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>45000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expense</td>
<td></td>
<td>1000</td>
<td>(1000)</td>
<td>Expenses associated with officers preparing and attending potential VCAT action.</td>
</tr>
<tr>
<td>Net result</td>
<td>45000</td>
<td>1000</td>
<td>(1000)</td>
<td></td>
</tr>
</tbody>
</table>

Environmental implications

The proposal lies within the BMO, and the proposal meets the relevant considerations of the planning scheme, with the CFA confirming that it is satisfied with the proposal.

Social / cultural implications

While various concerns were raised by local residents about the appropriateness of two dwellings on the site and whether these dwellings complied with the relevant clauses of the Wodonga Planning Scheme, officers are satisfied that the application meets the necessary standards and that the proposal would not create material detriment to any other person.

Legislative implications

The site is covered by a section 173 agreement which sets out a number of urban design standards to be met by any development on the site. The application seeks to delete some of these standards so that the proposal will comply with the section 173 agreement.

Specifically the proposal seeks a variation to clauses 6.1, primary and secondary facades, 6.2 garages and/or carports and clause 6.16 all structures to be in accordance with the [Glenwood] Design Guidelines. Officers are satisfied that amending the section 173 agreement will not lead to a design outcome that would cause material detriment to any other party.
8.9 - Planning permit for 17 Krueger St, Baranduda (cont’d)

Community engagement and internal consultation

The application was notified on two occasions due to changes made to the application. The application was first notified on the 5th September 2017, with 14 objections received. The application was notified again on 27th April 2018, with 14 objections received.

A detailed summary of the objections received with officer’s comments is provided at tabled document B.

Options for consideration

Option 1: Do nothing.

Council has a duty to consider and determine the planning application and request to vary the section 173 agreement.

Option 2: Approve the planning application, with conditions and request to vary the section 173 agreement. (Recommended Option)

Officers have assessed the current proposals and believe that the amended design response will result in an acceptable outcome in keeping with the neighbourhood character of the area and complying with the relevant standards of the Wodonga Planning Scheme.

Option 3: Refuse the current planning application and refuse the request to vary the existing section 173 agreement covering the land.

Officers have assessed the current proposal and are satisfied that it meets the relevant requirements of the Wodonga Planning Scheme and consider that the proposed variation to the section 173 agreement will not result in material detriment to surrounding properties.

Conclusion

When making decisions council must balance relevant policy objectives to ensure development is sustainable and achieves a net community benefit. In this context, the proposed development is considered appropriate given the following:

- The proposed development generally complies with the requirements of the General Residential Zone – schedule 1, Clause 52.02 – Easements, Restrictions and Reserves, Clause 55 - Two or More Dwellings on a lot, Clause 56 – Residential Subdivision and the Bushfire Management Overlay.

- The proposal is consistent with the relevant State and local planning policies.

Subject to conditions, the development can provide additional housing within a developing area of Baranduda while ensuring the amenity of occupants and adjoining residents is not compromised.
The amendment of the agreement under section 173 of the Planning and Environment Act 1987 is required to facilitate the approval of the proposed development.

**Attachments**

Nil

**Tabled papers**

The following documents will be tabled at the meeting:

- Document A: Development Plans
- Document B: Objections and analysis
- Document C: Clause 55 summary

**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.

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

- Statutory Planner - Peter Hawkins
  In providing this advice as the report author, I have no interests to disclose in this report.
Recommendation

That Council, having considered all relevant matters as required by section 178B of the Planning and Environment Act 1987, issue a Notice of Decision to Amend section 173 Agreement AJ912927F by deleting clauses 6.1, 6.2 and 6.16 of the agreement to facilitate the granting of a permit for the proposed design contained in the Cavalier Homes plans contained in tabled document A.

That Council, having considered all relevant matters as required by section 60 of the Planning and Environment Act 1987, issue a Notice of Decision to Grant a Planning Permit for “Building and works to construct two dwellings and the subdivision of the land into two lots, including a variation to the easement E1” at Lot 26 on PS645687; 17 Krueger St, Baranduda in accordance with the following conditions:

Subdivision

Amendment of Section 173 agreement AJ912927F

1. Prior to a plan of subdivision being lodged for certification or any buildings and works commencing on the land, the agreement pursuant to section 173 of the Planning and Environment Act 1987, identified with dealing number AJ912927F must be amended by the deletion of Clauses 6.1, 6.2 and 6.16 and evidence of that amendment must be provided to Wodonga Council.

Endorsed Plans – Subdivision

2. The subdivision must be generally in accordance with the endorsed plans forming part of this permit and must not be altered without the prior written consent of the Responsible Authority.

Section 173 Agreement

3. Should the subdivision of the land be undertaken before the development of the lot, then prior to the issue of a Statement of Compliance, an Agreement under section 173 of the Planning and Environment Act 1987 must be entered into with the responsible authority.

The 173 Agreement must provide for the following matters:

a. Development of the lot must be in accordance with the endorsed plans forming part of this planning permit.

The agreement may be ended wholly or in part or as to any part of the land by the Responsible Authority and all persons who are bound by any covenant in the agreement.

The agreement will bind the applicant as the owner and must run with the land so that all successors in title are bound by the agreement.
The agreement must be prepared at the applicant’s cost and to the satisfaction of the Responsible Authority, and must be registered on the title in accordance with Section 181 of the Planning and Environment Act 1987.

Drainage Easement

4. The plan of subdivision submitted for certification must show a drainage easement in favour of City of Wodonga over any new stormwater line as required.

Mandatory condition – Subdivision in BMO

5. Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

   - State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Wodonga Planning Scheme.
   - Incorporate the plan prepared in accordance with Clause 52.47-2.4 of this planning scheme and approved under this permit.
   - State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement (see condition 17).

Easement Variation

6. The plan of subdivision submitted for certification must indicate a variation to Easement E1 that shows the width of the easement on proposed Lot 2 as being not less than 2 metres in width and located a minimum of 1 metre from the end of the proposed Termination Maintenance Shaft.

Mandatory telecommunications

7. The owner of the land must enter into an agreement with:

   a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and

   b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in
Ordinary meeting – July 16, 2018

8.9 - Planning permit for 17 Krueger St, Baranduda (cont’d)

accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

8. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

   a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and

   b. a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Agreements with Relevant Authorities

9. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority’s requirements and relevant legislation at the time.

10. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

11. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Development

Endorsed Plans – Development

12. The development must be generally in accordance with the endorsed plans forming part of this permit and must not be altered without the prior written consent of the Responsible Authority.

Drainage

13. Prior to commencement of construction or certification of any proposed plan of subdivision an engineering plan showing any existing and/or proposed
stormwater management for the development must be submitted for approval. All works are to be designed by a suitably qualified engineering consultant to the approval of the Responsible Authority. In Particular;
   a. The developer is required to provide a house drain connection to proposed Lot No 2, including extending the storm water main as required, to Council standards. Drainage connections to the kerbing within the road network will not be permitted.
   b. All connection to existing services/roads to be done under Council supervision and this should be noted on all plans.

Landscape Plan

14. Prior to the commencement of construction on the land a landscape plan must be submitted to the responsible authority for approval. Once found to be suitable the landscape plan will be endorsed and form part of the permit. The plan must be drawn to scale by a suitably qualified person. The plans must indicate:
   a. Buildings, outbuildings and other structural features on the land that influence the landscape design,
   b. Natural features that influence the landscape design
   c. Planting within and around the perimeter of the site comprising trees and shrubs.
   d. The proposed design features such as paths, paving, lawn and finished surfaces.
   e. A schedule of all proposed vegetation (trees, shrubs and ground covers) which includes botanical names, common names, pot size, mature size and total quantities of each plant.
   f. Means of watering the landscaped area.

Landscaping prior to the commencement of the use

15. Prior to the occupation of buildings approved by this permit, the site shall be landscaped in accordance with the endorsed landscape plan and shall be thereafter maintained to the satisfaction of the Responsible Authority.

Vehicular Access

16. The location and details of vehicular access and driveway to the proposed dwellings must be shown on the engineering plan and must be approved by the responsible authority. The approved vehicular crossing and driveway must be constructed to the Council’s standard. A Road Reserve Works Permit must be obtained from the relevant authority.

17. Any existing vehicular crossings and/or driveways not required or deemed obsolete shall be removed and the footpath, kerb & channel, roadway and nature strip shall be reinstated to the satisfaction of the Responsible Authority.

Existing Assets

18. The location of any existing Council assets (including street trees) shall be
identified on the engineering plan. The protection, alteration, relocation or reinstatement of any such assets will be at the developers cost.

Construction to follow Sediment Control Principles

19. Construction must follow sediment control principles outlined in ‘Construction Techniques for Sediment Pollution Control’ (EPA, 1991). Specifically, the applicant must ensure:

a. Grading, excavation and construction must not proceed during periods of heavy rainfall.

b. Sediment traps must be designed, installed and maintained to maximise the volume of sediment trapped from the site during development and construction.

c. Disturbed areas must be stabilised and revegetated following the completion of works.

Mandatory condition – Buildings and works in the BMO

20. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Country Fire Authority condition

21. The Bushfire Management Plan submitted with the application (prepared by Habitat Planning and dated 03/04/2018) must be endorsed to form part of the permit, be included as an annexure to the section 173 agreement and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

Time for starting and Completion of Development

22. This permit will expire if one of the following circumstances applies:

a. The development is not started within two years of the date of this permit.

b. The development is not completed within four years of the date of this permit.

c. If the subdivision has not been certified within two years of the date of this permit; or

d. The subdivision is not completed within five years of the certification of the plan of subdivision under the Subdivision Act 1988.
### 8.9 - Planning permit for 17 Krueger St, Baranduda (cont’d)

The Responsible Authority may extend the period for certification of a plan for any stage if a request is made in writing before the permit expires, or thereafter, within the period allowed by section 69 of the *Planning and Environment Act* 1987.

The Responsible Authority may extend the periods for development referred to if a request is made in writing before the permit expires or within six months afterwards.

The Responsible Authority may extend the time for the completion of the development component of the permit, if an application is received within 12 months after the permit expired and the permit was lawfully commenced prior to the expiry of the permit.

**Permit note:**

1. The permit requirements for provisions to be placed within a new agreement pursuant to section 173 of the *Planning and Environment Act* 1987 must be aggregated into one new agreement, separate to agreement AJ912927F.

### Motion

Crs John Watson / Kat Bennett

That the recommendation be adopted.

*Carried*

### Conflict of interest disclosure

*Prior to the commencement of item 8.9 Cr Hall disclosed a conflict of interest in that item, the details of which are recorded in these minutes at item 5.*

*Cr Hall left the meeting at 7.08pm. Cr Hall returned to the meeting room at 7.17pm after the resolution for item 8.9 was carried.*
9.1 - Finance Report for June 2018

Purpose of report

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

Background

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

- Income Statement
- Capital Works
- Balance Sheet
- Treasury (cash management)

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>Review and enhance our financial management and reporting system to ensure relevant and timely financial advice</td>
</tr>
</tbody>
</table>

Council policy / strategy implications

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

Risk 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>Inability to achieve current budget due to tight budgets and unforeseen events and needs being higher than budgeted.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>Conservative financial management.</td>
</tr>
<tr>
<td>Inability of cash funds to cover mandatory reserves and deposits.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>Regularly review budget. Take corrective action for unbudgeted expenditure.</td>
</tr>
<tr>
<td>Inability of council to deliver the adopted capital budget and re-budget items.</td>
<td>3</td>
<td>C</td>
<td>S</td>
<td>Regularly review the capital budget status against target dates.</td>
</tr>
</tbody>
</table>
9.1 - Finance Report for June 2018 (cont’d)

Financial implications

This is contained in the body of the report.

Environmental implications

Within the parameters of the council’s investment policy and directive a proportion of funds invested are held in investments with Responsible Investment Association Australia members and/or investment products certified by them. See Table 3 – Funds Invested below for percentage of Responsible Investments.

Social / cultural implications

Not applicable

Legislative implications

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

Community engagement and internal consultation

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

Options for consideration

Not applicable

Conclusion

Not applicable
Contents
1. Financial Statements
   a. Income Statement
   b. Balance Sheet
   c. Capital Program Summary
   d. Variance Explanations
   e. Treasury Report

1. Financial Statements

This is a draft 2017-18 financial report. Further accounts processing is to be completed.

Key financial highlights and overview

Key Points

- The figures in this report are preliminary as the processing of June invoices, accruals, prepayments and other year-end financial adjustments have not been completed. Depreciation has been included as the current forecast pending final fixed assets calculations. While these entries will have an impact on the currently reported results, they are not the only reason for variances, with some other factors also identified below. The impact of internal charges is also still to be removed.

- The overall results in the Operating and Capital programs are showing an under-spend to forecast, however, once accruals have been included, results are anticipated to be more closely aligned to forecast.

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

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

- As in 16/17, the Federal Government has brought forward payment of half of the estimated 2018/19 Financial Assistance Grant (Grants Commission) allocation to Victorian councils. For Wodonga Council this was $2,228,697 and was paid on the 21st of June 2018. This is reflected in the Full Year Revised Budget.
### 9.1 - Finance Report for June 2018 (cont’d)

<table>
<thead>
<tr>
<th>Key financial summary</th>
<th>Year to Date – June 2018</th>
<th>Full Year</th>
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<tr>
<td></td>
<td>Actual</td>
<td>Revised Budget</td>
</tr>
<tr>
<td>Recurrent Income</td>
<td>62,344,942</td>
<td>61,421,888</td>
</tr>
<tr>
<td>Total Expenditure</td>
<td>53,539,524</td>
<td>57,595,965</td>
</tr>
<tr>
<td>Net Operating Surplus/(Deficit)</td>
<td>8,805,418</td>
<td>3,825,923</td>
</tr>
<tr>
<td>Capital Works</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Expenditure</td>
<td>20,280,195</td>
<td>26,556,589</td>
</tr>
<tr>
<td>Closing cash &amp; investments</td>
<td>29,123,840</td>
<td>16,452,488</td>
</tr>
</tbody>
</table>
### 9.1 - Finance Report for June 2018 (cont’d)

#### a. Income Statement

This is a draft 2017/18 financial report. Further accounts processing is to be completed.

<table>
<thead>
<tr>
<th>Category</th>
<th>Note</th>
<th>Year to Date – June 2018</th>
<th>Full Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Actual</td>
<td>Revised Budget</td>
</tr>
<tr>
<td><strong>Income</strong></td>
<td></td>
<td></td>
<td>(b)</td>
</tr>
<tr>
<td>Rates</td>
<td>0</td>
<td>44,947,095</td>
<td>44,953,452</td>
</tr>
<tr>
<td>User Charges</td>
<td>1</td>
<td>6,126,785</td>
<td>5,544,303</td>
</tr>
<tr>
<td>Interest Income</td>
<td>2</td>
<td>636,776</td>
<td>455,000</td>
</tr>
<tr>
<td>Grants</td>
<td>3</td>
<td>10,183,413</td>
<td>9,813,202</td>
</tr>
<tr>
<td>Internal Income</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Income</td>
<td>4</td>
<td>450,872</td>
<td>655,931</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td></td>
<td>62,344,942</td>
<td>61,421,888</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Expenditure</strong></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Costs</td>
<td>5</td>
<td>23,464,410</td>
<td>25,058,723</td>
<td>(1,594,313)</td>
<td>25,058,723</td>
<td>24,747,090</td>
</tr>
<tr>
<td>Internal Expend.</td>
<td>2</td>
<td>2,607</td>
<td>(5,240)</td>
<td>7,847</td>
<td>(5,240)</td>
<td>43,586</td>
</tr>
<tr>
<td>Materials</td>
<td>6</td>
<td>18,599,089</td>
<td>20,896,603</td>
<td>(2,297,514)</td>
<td>20,896,603</td>
<td>18,736,008</td>
</tr>
<tr>
<td>Interest Exp.</td>
<td>1</td>
<td>1,340,538</td>
<td>1,414,041</td>
<td>(73,503)</td>
<td>1,414,041</td>
<td>1,524,220</td>
</tr>
<tr>
<td>Depreciation</td>
<td>9</td>
<td>9,233,718</td>
<td>9,197,875</td>
<td>35,843</td>
<td>9,197,875</td>
<td>9,075,000</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>8</td>
<td>899,164</td>
<td>1,033,963</td>
<td>(134,799)</td>
<td>1,033,963</td>
<td>1,056,626</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td></td>
<td>53,539,524</td>
<td>57,595,965</td>
<td>(4,056,440)</td>
<td>57,595,965</td>
<td>55,182,530</td>
</tr>
</tbody>
</table>

| Surplus/(Deficit) | 8,805,418 | 3,825,923 | 4,979,494 | 3,825,923 | 1,496,675 |

Note:
- b. Includes approved 1st, 2nd and 3rd quarter adjustments. Also includes recognises the bringing forward of ½ of the 18/19 FAG payments.
Ordinary meeting – July 16, 2018

Officers reports for noting

Business Services

9.1 - Finance Report for June 2018 (cont’d)

b. Balance Sheet

This is a draft 2017/18 financial report. Further accounts processing is to be completed.

<table>
<thead>
<tr>
<th>Category</th>
<th>Note</th>
<th>June 2018</th>
<th>June 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assets</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Current Assets</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash assets</td>
<td></td>
<td>29,123,840</td>
<td>27,601,491</td>
</tr>
<tr>
<td>Receivables 7</td>
<td></td>
<td>2,929,514</td>
<td>2,159,089</td>
</tr>
<tr>
<td>Inventories</td>
<td></td>
<td>29,008</td>
<td>29,008</td>
</tr>
<tr>
<td>Other 8</td>
<td></td>
<td>427,828</td>
<td>641,069</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td></td>
<td>32,510,190</td>
<td>30,430,657</td>
</tr>
<tr>
<td><strong>Non-Current Assets</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fixed assets</td>
<td></td>
<td>540,778,895</td>
<td>531,610,627</td>
</tr>
<tr>
<td><strong>Total Non-Current Assets</strong></td>
<td></td>
<td>540,778,895</td>
<td>531,610,627</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td></td>
<td>573,289,085</td>
<td>562,041,284</td>
</tr>
<tr>
<td><strong>Liabilities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Current Liabilities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payables &amp; provisions 9</td>
<td></td>
<td>2,948,946</td>
<td>4,067,301</td>
</tr>
<tr>
<td>Employee benefits</td>
<td></td>
<td>4,349,213</td>
<td>4,367,516</td>
</tr>
<tr>
<td>Interest bearing liabilities</td>
<td></td>
<td>0</td>
<td>1,748,464</td>
</tr>
<tr>
<td>Trust deposits</td>
<td></td>
<td>1,023,719</td>
<td>1,132,438</td>
</tr>
<tr>
<td><strong>Total Current Liabilities</strong></td>
<td></td>
<td>8,321,878</td>
<td>11,315,719</td>
</tr>
<tr>
<td><strong>Non-Current Liabilities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee benefits</td>
<td></td>
<td>636,480</td>
<td>603,232</td>
</tr>
<tr>
<td>Interest bearing liabilities</td>
<td></td>
<td>22,126,333</td>
<td>22,126,333</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>3,222,375</td>
<td>2,856,487</td>
</tr>
<tr>
<td><strong>Total Non-Current Liabilities</strong></td>
<td></td>
<td>25,985,189</td>
<td>25,586,052</td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td></td>
<td>34,307,067</td>
<td>36,901,771</td>
</tr>
<tr>
<td><strong>Net Assets</strong></td>
<td></td>
<td>538,982,018</td>
<td>525,139,513</td>
</tr>
<tr>
<td>Represented by:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accumulated surplus</td>
<td></td>
<td>321,842,304</td>
<td>321,842,304</td>
</tr>
<tr>
<td>Reserves</td>
<td></td>
<td>203,517,466</td>
<td>203,297,209</td>
</tr>
<tr>
<td>Current year earnings</td>
<td></td>
<td>13,622,248</td>
<td>0</td>
</tr>
<tr>
<td><strong>Equity</strong></td>
<td></td>
<td>538,982,018</td>
<td>525,139,513</td>
</tr>
</tbody>
</table>
9.1 - Finance Report for June 2018 (cont’d)

c. Capital Program summary

This is a draft 2017/18 financial report. Further accounts processing is to be completed.

<table>
<thead>
<tr>
<th>Revenue / Expenditure</th>
<th>June 2018 YTD Actual</th>
<th>Full Year Revised Budget(b)</th>
<th>Full Year Adopted Budget(a)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buildings</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bridges</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>CBD</td>
<td>3,120,000</td>
<td>702,123</td>
<td>702,123</td>
</tr>
<tr>
<td>Drainage</td>
<td>40,336</td>
<td>27,500</td>
<td>0</td>
</tr>
<tr>
<td>Footpaths</td>
<td>100,000</td>
<td>0</td>
<td>110,000</td>
</tr>
<tr>
<td>Landscaping</td>
<td>3,800</td>
<td>25,000</td>
<td>25,000</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>8,000</td>
<td>8,000</td>
<td>0</td>
</tr>
<tr>
<td>Plant</td>
<td>111,038</td>
<td>100,000</td>
<td>100,000</td>
</tr>
<tr>
<td>Playgrounds</td>
<td>40,670</td>
<td>40,670</td>
<td>0</td>
</tr>
<tr>
<td>Recreation Reserves</td>
<td>426,287</td>
<td>1,208,132</td>
<td>1,083,000</td>
</tr>
<tr>
<td>Roads</td>
<td>1,048,192</td>
<td>862,212</td>
<td>430,000</td>
</tr>
<tr>
<td>Street Lighting</td>
<td>148,148</td>
<td>55,502</td>
<td>0</td>
</tr>
<tr>
<td>Traffic Management</td>
<td>116,342</td>
<td>146,842</td>
<td>210,000</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>20,300</td>
<td>20,300</td>
<td>0</td>
</tr>
<tr>
<td>LOGIC</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Baranduda Industrial Estate</td>
<td>131,280</td>
<td>73,680</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>5,314,393</strong></td>
<td><strong>3,269,961</strong></td>
<td><strong>2,660,123</strong></td>
</tr>
<tr>
<td><strong>Expenditure</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building</td>
<td>1,804,914</td>
<td>2,960,656</td>
<td>2,190,000</td>
</tr>
<tr>
<td>Bridges</td>
<td>193,000</td>
<td>276,000</td>
<td>276,000</td>
</tr>
<tr>
<td>Car Parking</td>
<td>178,746</td>
<td>171,000</td>
<td>171,000</td>
</tr>
<tr>
<td>CBD</td>
<td>5,957,484</td>
<td>6,947,111</td>
<td>6,315,235</td>
</tr>
<tr>
<td>Drainage</td>
<td>77,868</td>
<td>219,759</td>
<td>72,000</td>
</tr>
<tr>
<td>Footpath</td>
<td>406,775</td>
<td>623,737</td>
<td>702,950</td>
</tr>
<tr>
<td>Gateway</td>
<td>445,746</td>
<td>499,068</td>
<td>0</td>
</tr>
<tr>
<td>I.T.</td>
<td>609,253</td>
<td>815,119</td>
<td>759,000</td>
</tr>
<tr>
<td>Kerb &amp; Channel</td>
<td>131,710</td>
<td>179,000</td>
<td>179,000</td>
</tr>
<tr>
<td>Landscaping</td>
<td>711,376</td>
<td>805,790</td>
<td>810,000</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>58,256</td>
<td>280,907</td>
<td>324,000</td>
</tr>
<tr>
<td>Plant</td>
<td>362,769</td>
<td>400,000</td>
<td>400,000</td>
</tr>
<tr>
<td>Playgrounds</td>
<td>545,496</td>
<td>638,624</td>
<td>422,000</td>
</tr>
<tr>
<td>Recreation Reserves</td>
<td>3,065,867</td>
<td>5,403,659</td>
<td>3,053,000</td>
</tr>
<tr>
<td>Roads</td>
<td>3,271,943</td>
<td>3,251,392</td>
<td>2,819,180</td>
</tr>
<tr>
<td>WSLC</td>
<td>152,946</td>
<td>350,000</td>
<td>350,000</td>
</tr>
<tr>
<td>Street Lighting</td>
<td>76,397</td>
<td>73,184</td>
<td>110,000</td>
</tr>
<tr>
<td>Traffic Management</td>
<td>194,471</td>
<td>602,518</td>
<td>524,500</td>
</tr>
<tr>
<td>Debt Servicing</td>
<td>1,670,162</td>
<td>1,676,307</td>
<td>1,566,128</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>362,784</td>
<td>382,758</td>
<td>0</td>
</tr>
<tr>
<td>LOGIC</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Baranduda Industrial Estate</td>
<td>2,232</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td><strong>20,280,195</strong></td>
<td><strong>26,556,589</strong></td>
<td><strong>21,043,993</strong></td>
</tr>
<tr>
<td><strong>Net Capital Income / (Expenditure)</strong></td>
<td><strong>(14,965,802)</strong></td>
<td><strong>(23,286,628)</strong></td>
<td><strong>(18,383,870)</strong></td>
</tr>
</tbody>
</table>

Note:

a. Original budget as adopted in June 2017.
b. Includes approved 1st, 2nd and 3rd quarter adjustments.
**d. Variance Explanations**

This is a draft 2017/18 financial report. Further accounts processing is to be completed.

<table>
<thead>
<tr>
<th>Note</th>
<th>Category</th>
<th>Explanation</th>
<th>Expected variance (P)ermanent (T)iming</th>
</tr>
</thead>
</table>
| 1    | User Charges $582k | **Income – higher than budget:**  
- Fees General, $47k is held by The Cube in ticket clearing, $60k favourable due to increased Waste Transfer Station income.  
- Rent and Leases are $69k more than budget. Timing related - some rents/leases raised in advance for the full year. Grazing licences higher than budgeted.  
- Inspection fees are more than budget for Project & Design $57k and Building Services $112k. | P/T |
| 2    | Grants $370k | **Income – higher than budget:**  
- Safer Communities grant for Alcohol Harm Reduction $112k and ICE Action $25k received and is unbudgeted.  
- Civic Services $50k unbudgeted School Crossings program grant.  
- $49k Preschools higher than budget. | P |
| 3    | Interest income $182k | **Income – higher than budget:**  
- Cash is higher than budgeted so due to investment of excess cash interest income is higher than budget for the 17/18 year. | P |
| 4    | Other income $(205k) | **Income – higher than budget:**  
- Contributions $85k higher than budget, predominantly Projects and Design.  
- Gain on sale $21k from sale of Works vehicles.  
- WRENS end of year recovery transfer not yet completed, $(311k). | P/T |
| 5    | Employee Costs $(1,594k) | **Expenditure – lower than budget:**  
- Salary and wages are $(665k) favourable to budget due to a number of temporarily vacant positions, People and Workplace $(69k), Strategic Asset Management $(55k) Street Litter $(52k), Youth Services $(63k), Communications $(31k) and Parks and Gardens $(157k), Funded Community Projects $(41k).  
- Long Service Leave $112k favourable due to staff resignations.  
- Budget includes $400k to be retained for a potential future Defined Benefits Superannuation Fund call-up. This amount is not expensed, the cash is set aside at year end in a reserve.  
- Travel and accommodation $(48k) less than budget, across most cost centres.  
- Staff development $(26k) less than budget due to of timing of invoices, accruals pending.  
- Workcover claim costs are $(25k) less than budget. | P/T |
| 6    | Materials $(2,297k) | **Expenditure – lower than budget:**  
- Utilities are $(177k) less than budget. Timing of invoice processing, and some saving through LED lights.  
- Legal expenses are $(24k) less than budget. | P/T |
### 9.1 - Finance Report for June 2018 (cont’d)

<table>
<thead>
<tr>
<th>Note</th>
<th>Category</th>
<th>Explanation Year to Date Actual v Year to Date Budget</th>
<th>Expected variance (P)ermanent (T)iming</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Insurance is $(176k) less than budget, year-end wash up when invoices received.</td>
<td>T / P</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Consultancies in Strategic Planning $(214k), Directorate Business Services $(74k), Funded Community Projects $(38k) and Economic Development $(66k), Asset Management $(49k) less than budget.</td>
<td>T</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Marketing expense is $(93k) favourable to budget due to timing of invoice payments.</td>
<td>P/T</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contract payments $(543k) favourable to budget, $(159k) Projects and Design timing of invoices received, $(199k) Waste Management contractor charges, $(127k) Works through capitalisation of expenses, $(90k) Waste Transfer Station.</td>
<td>T</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Strategies &amp; Plans in Economic Development $(50k), Youth $(61k), Early Home Learning Study $(74k), and Early Years Co-Ordination $(91k) less than budget year-to-date.</td>
<td>T</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Events and Festivals is favourable for Events Program $(61k) and Arts Development $(20k) through timing of invoices for programming. Accruals still to come.</td>
<td>T</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maintenance $(50k) favourable to budget predominantly due to timing of Bonegilla Migrant Experience remedial works.</td>
<td>T</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Materials $(209k) less than budget, large movements are $(111k) in Maternal and Child Health – increased funding allocation, and $(35k) in Street Garbage due to bin replacement timing.</td>
<td>T</td>
</tr>
</tbody>
</table>

### Balance sheet (differences with June 2017)

<table>
<thead>
<tr>
<th>Note</th>
<th>Category</th>
<th>Explanation Year to Date Actual v June 2017</th>
<th>Expected variance (P)ermanent (T)iming</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Receivables $0.7m</td>
<td><strong>Current Assets – Higher than June 2017:</strong> Year-end movements still in progress.</td>
<td>T</td>
</tr>
<tr>
<td>8</td>
<td>Other Current Assets $(213k)</td>
<td><strong>Current Assets – Lower than June 2017:</strong> This reduction relates to the year-end prepayments adjustments booked at the end of June 2017 being expensed in 2017/18, and prepayments for 17/18 not being finalised yet.</td>
<td>T</td>
</tr>
<tr>
<td>9</td>
<td>Payables and Provisions $(1,118k)</td>
<td><strong>Current Liability – Lower than June 2017:</strong> This reduction relates to the year-end creditors run for 17/18 not being finalised yet.</td>
<td>T</td>
</tr>
</tbody>
</table>
9.1 - Finance Report for June 2018 (cont’d)

This is a draft 2017/18 financial report. Further accounts processing is to be completed.

Graph 1 – Capital Works (expenditure only) compared to Budget and Prior Year

[Graph showing capital works expenditure from July to June compared to budget and prior year.]

This graph illustrates the actual expenditure compared to the revised budget and prior year for each month from July to June, highlighting the increasing expenditure throughout the year.
This is a draft 2017/18 financial report. Further accounts processing is to be completed.

The following table details the variances between the Cash Held and the Revised Budget.

Table 1 – Cash Held reconciliation

<table>
<thead>
<tr>
<th>Item</th>
<th>$’000’s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash Held - Invested (Table 3 below)</td>
<td>28,430</td>
</tr>
<tr>
<td>Cash Held - Not Invested (Council &amp; WREN)</td>
<td>694</td>
</tr>
<tr>
<td>Cash as per Balance Sheet (Graph 2 below)</td>
<td>29,124</td>
</tr>
<tr>
<td>Cash as per Revised Budget (Graph 2 below)</td>
<td>16,452</td>
</tr>
<tr>
<td><strong>Variance</strong></td>
<td><strong>12,672</strong></td>
</tr>
</tbody>
</table>

Variance comprises:
- Actual v Revised Budget YTD – Operating (excludes non-cash dep., asset sales) | 4,944
- Actual v Revised Budget YTD – Capital                                    | 6,276
- Other (net movement in debtors/creditors/deposits etc.)                 | 1,452

Variance as above | 12,672

The following table details the main components of the current Cash as per Balance Sheet.

Table 2 – Cash Commitments

<table>
<thead>
<tr>
<th>Item</th>
<th>$ millions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notional reserves and deposits (Table 5 below)</td>
<td>7.0</td>
</tr>
<tr>
<td>Grants received in advance of expenditure</td>
<td>0.4</td>
</tr>
<tr>
<td>Rates income received in advance of expenditure</td>
<td>0</td>
</tr>
<tr>
<td>Working capital</td>
<td>21.7</td>
</tr>
<tr>
<td><strong>Cash commitments</strong></td>
<td><strong>29.1</strong></td>
</tr>
</tbody>
</table>
9.1 - Finance Report for June 2018 (cont’d)

Treasury (cont.)

This is a draft 2017/18 financial report. Further accounts processing is to be completed.

Table 3 – Funds Invested

<table>
<thead>
<tr>
<th>Institution</th>
<th>Type</th>
<th>Product</th>
<th>Lodged</th>
<th>Maturing</th>
<th>Yield</th>
<th>$</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beyond Bank</td>
<td>Bank</td>
<td>TD</td>
<td>15/03/18</td>
<td>13/07/18</td>
<td>2.41%</td>
<td>2,000,000</td>
<td>7.0%</td>
</tr>
<tr>
<td>ME Bank</td>
<td>Bank</td>
<td>TD</td>
<td>15/01/18</td>
<td>16/07/18</td>
<td>2.60%</td>
<td>2,000,000</td>
<td>7.0%</td>
</tr>
<tr>
<td>ME Bank</td>
<td>Bank</td>
<td>TD</td>
<td>12/02/18</td>
<td>13/08/18</td>
<td>2.55%</td>
<td>2,000,000</td>
<td>7.0%</td>
</tr>
<tr>
<td>Beyond Bank</td>
<td>Bank</td>
<td>TD</td>
<td>27/02/18</td>
<td>27/08/18</td>
<td>2.50%</td>
<td>3,000,000</td>
<td>10.6%</td>
</tr>
<tr>
<td>ME Bank</td>
<td>Bank</td>
<td>TD</td>
<td>08/05/18</td>
<td>05/09/18</td>
<td>2.60%</td>
<td>2,000,000</td>
<td>7.0%</td>
</tr>
<tr>
<td>ME Bank</td>
<td>Bank</td>
<td>TD</td>
<td>17/04/18</td>
<td>16/10/18</td>
<td>2.70%</td>
<td>2,000,000</td>
<td>7.0%</td>
</tr>
<tr>
<td>Mystate Bank</td>
<td>Bank</td>
<td>TD</td>
<td>08/06/18</td>
<td>05/12/18</td>
<td>2.83%</td>
<td>2,000,000</td>
<td>7.0%</td>
</tr>
<tr>
<td>Rural Bank</td>
<td>Bank</td>
<td>TD</td>
<td>13/06/18</td>
<td>16/01/19</td>
<td>2.83%</td>
<td>2,000,000</td>
<td>7.0%</td>
</tr>
<tr>
<td>Mystate Bank-WREN</td>
<td>Bank</td>
<td>TD</td>
<td>20/06/18</td>
<td>23/01/19</td>
<td>2.83%</td>
<td>3,000,000</td>
<td>10.6%</td>
</tr>
<tr>
<td>Westpac</td>
<td>Bank</td>
<td>Maxi</td>
<td>At</td>
<td>Call</td>
<td>1.55%</td>
<td>6,930,000</td>
<td>24.4%</td>
</tr>
</tbody>
</table>

Total Invested

| Total Invested | 28,430,000 | 100% |
| Responsible Investments | | 75.6% |

Table 4 - Loans

<table>
<thead>
<tr>
<th>Institution</th>
<th>Date Borrowed</th>
<th>Original Value $</th>
<th>Term Years</th>
<th>Maturing</th>
<th>% Rate</th>
<th>Balance Owing $</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westpac</td>
<td>21-Dec-05</td>
<td>15,668,624</td>
<td>25</td>
<td>21/12/30</td>
<td>6.50%</td>
<td>10,809,531</td>
<td>49%</td>
</tr>
<tr>
<td>BNY Trust</td>
<td>30-Aug-07</td>
<td>14,800,000</td>
<td>25</td>
<td>30/08/32</td>
<td>Float</td>
<td>6,873,925</td>
<td>31%</td>
</tr>
<tr>
<td>NAB</td>
<td>20-Jun-13</td>
<td>7,900,000</td>
<td>10</td>
<td>20/06/23</td>
<td>5.06%</td>
<td>4,442,877</td>
<td>20%</td>
</tr>
</tbody>
</table>

Total Loans

| Total Loans | 22,126,332 | 100% |
9.1 - Finance Report for June 2018 (cont’d)

This is a draft 2017/18 financial report. Further accounts processing is to be completed.

Table 5 - Notional reserves and provisions

<table>
<thead>
<tr>
<th>NOTIONAL RESERVES AND PROVISIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Categories</strong></td>
</tr>
<tr>
<td><strong>Trust funds and deposits</strong></td>
</tr>
<tr>
<td>Refundable roads/drains deposits</td>
</tr>
<tr>
<td>Refundable footpaths deposits</td>
</tr>
<tr>
<td>Refundable soil and water deposits</td>
</tr>
<tr>
<td>Road reserve permit deposits</td>
</tr>
<tr>
<td>Landscaping / VOMP deposits</td>
</tr>
<tr>
<td>Other refundable deposits</td>
</tr>
<tr>
<td><strong>Sub-total trust funds and deposits</strong></td>
</tr>
<tr>
<td><strong>Notional reserves</strong></td>
</tr>
<tr>
<td>Environmental land (WREN)</td>
</tr>
<tr>
<td>Reserves for community facilities, open space, car parking, roads and drainage</td>
</tr>
<tr>
<td>Landfill provision</td>
</tr>
<tr>
<td>Defined Benefits Superannuation call reserve</td>
</tr>
<tr>
<td><strong>Total Reserves</strong></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

Graph 2 – Cash Held
Ordinary meeting – July 16, 2018

9.1 - Finance Report for June 2018 (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.

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

Team Leader Financial Accounting - Nicola Gleeson Coopes
In providing this advice as the report author, I have no interests to disclose in this report.

Accountant - Michael Caton
In providing this advice as the report author, I have no interests to disclose in this report.

Recommendation

That the finance report for June 2018 be received and noted.

Motion

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

Carried
### 9.2 - Planning report for June 2018

Between June 1 and June 30, 2018, the planning unit determined 16 planning permits under delegation. Determined applications are summarised below:

<table>
<thead>
<tr>
<th>Permit No</th>
<th>Use / Development</th>
<th>Site address</th>
</tr>
</thead>
<tbody>
<tr>
<td>31/2018</td>
<td>Subdivide the land into three lots and development of two dwellings</td>
<td>26 Murray Way West Wodonga</td>
</tr>
<tr>
<td>50/2018</td>
<td>Buildings and Works (shade structure over a swimming pool) in association with the existing use of the land for a motel</td>
<td>11-13 High St Wodonga</td>
</tr>
<tr>
<td>51/2018</td>
<td>Buildings and works in association with a motor racing track (Kart Storage and First-aid building)</td>
<td>102 Sheathers Road, Wodonga</td>
</tr>
<tr>
<td>63/2018</td>
<td>Buildings and Works (shed extension)</td>
<td>221-225 Beechworth Road, Wodonga</td>
</tr>
<tr>
<td>72/2018</td>
<td>Buildings and Works (farm shed)</td>
<td>426 Spring Gully Road, Huon Creek</td>
</tr>
<tr>
<td>75/2018</td>
<td>Advertising Signage in the ACZ1</td>
<td>Station Building Tenancy 3/46 Elgin Boulevard Wodonga</td>
</tr>
<tr>
<td>76/2018</td>
<td>Buildings and works (store)</td>
<td>401 Spring Gully Road, Huon Creek</td>
</tr>
<tr>
<td>84/2018</td>
<td>Building and works within the prescribed setback (within 100 metres of a waterway) for the construction of ancillary outbuilding (shed)</td>
<td>50 Coyles Road, West Wodonga</td>
</tr>
<tr>
<td>86/2018</td>
<td>Works to construct a fence in the Heritage Overlay (HO)</td>
<td>155 Lawrence St Wodonga</td>
</tr>
<tr>
<td>91/2018</td>
<td>Development of a single dwelling in the Significant Landscape Overlay (SLO) and within the prescribed setback to a waterway (100m) in the Farming Zone (FZ)</td>
<td>337A Castle Creek Road, Leneva</td>
</tr>
<tr>
<td>92/2018</td>
<td>Buildings and works to construct a shed in the Bushfire Management Overlay (BMO)</td>
<td>168 Wodonga-Yackandandah Road, Baranduda</td>
</tr>
<tr>
<td>93/2018</td>
<td>Development associated with a single dwelling in the Bushfire Management Overlay (BMO)</td>
<td>525 Whytes Road, Baranduda</td>
</tr>
<tr>
<td>94/2018</td>
<td>Development associated with a single dwelling in the Bushfire Management Overlay (BMO)</td>
<td>18 Ponting Way, Baranduda</td>
</tr>
<tr>
<td>95/2018</td>
<td>Building and works in the Commercial 1 Zone (CZ1)</td>
<td>81 Victoria Cross Parade, Wodonga</td>
</tr>
<tr>
<td>104/2018</td>
<td>Development associated with a single dwelling in the Bushfire Management Overlay (BMO)</td>
<td>5 Bertrand St, Baranduda</td>
</tr>
<tr>
<td>107/2018</td>
<td>Development associated with a single dwelling (carport on common property) in the General Residential Zone 1 (GRZ1)</td>
<td>Common 7 Waratah Way, Wodonga</td>
</tr>
</tbody>
</table>
9.2 - Planning report for June 2018 (cont’d)

Comparison of monthly permits/amendments issued for previous years

<table>
<thead>
<tr>
<th>Year</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>June</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013/14</td>
<td>13</td>
<td>28</td>
<td>34</td>
<td>53</td>
<td>68</td>
<td>74</td>
<td>79</td>
<td>91</td>
<td>106</td>
<td>121</td>
<td>139</td>
<td>150</td>
</tr>
<tr>
<td>2014/15</td>
<td>12</td>
<td>35</td>
<td>47</td>
<td>73</td>
<td>93</td>
<td>111</td>
<td>124</td>
<td>154</td>
<td>162</td>
<td>182</td>
<td>202</td>
<td>211</td>
</tr>
<tr>
<td>2015/16</td>
<td>18</td>
<td>35</td>
<td>55</td>
<td>69</td>
<td>77</td>
<td>85</td>
<td>91</td>
<td>104</td>
<td>113</td>
<td>122</td>
<td>136</td>
<td>153</td>
</tr>
<tr>
<td>2016/17</td>
<td>18</td>
<td>35</td>
<td>48</td>
<td>62</td>
<td>78</td>
<td>91</td>
<td>104</td>
<td>136</td>
<td>130</td>
<td>139</td>
<td>147</td>
<td>153</td>
</tr>
<tr>
<td>2017/18</td>
<td>17</td>
<td>38</td>
<td>48</td>
<td>61</td>
<td>71</td>
<td>87</td>
<td>100</td>
<td>123</td>
<td>146</td>
<td>174</td>
<td>189</td>
<td>205</td>
</tr>
</tbody>
</table>

Attachments
Nil

Tabled papers
Nil

Declaration of conflict of interests

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

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

Team Leader Statutory Planning - Simon Maughan
In providing this advice, I have no interests to disclose in this report.
### Subdivision Planner - Antonia Wiltjer

In providing this advice as the report author, I have no interests to disclose in this report.

#### Recommendation

That the planning report for June 2018 be received and noted.

#### Motion

Crs Danny Lowe / Libby Hall

That the recommendation be adopted.

**Carried**

#### Conflict of interest disclosure

*Prior to the commencement of item 9.2 Crs Bennett and Mildren each disclosed a conflict of interest in that item, the details of which are recorded in these minutes at item 5.*

*Crs Bennett and Mildren left the meeting at 7.20pm. Crs Bennett and Mildren returned to the meeting room at 7.21pm after the resolution for item 9.2 was carried.*
The value of building permits issued in Wodonga from 1 June to 30 June 2018 was $9,237,911. 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>2018/287/Coa</td>
<td>$125,000</td>
<td>Sushi Bar</td>
<td>Shop2/119 High Street Wodonga</td>
</tr>
<tr>
<td>2018/254/Dwell</td>
<td>$198,000</td>
<td>Dwelling</td>
<td>21 Hampshire Boulevard Leneva</td>
</tr>
<tr>
<td>2018/255/Dwell</td>
<td>$198,000</td>
<td>Dwelling</td>
<td>9 Canon Street Leneva</td>
</tr>
<tr>
<td>2018/273/Dwell</td>
<td>$499,500</td>
<td>Dwelling</td>
<td>1d Howards Road Baranduda</td>
</tr>
<tr>
<td>2018/277/Dwell</td>
<td>$305,159</td>
<td>Dwelling</td>
<td>12 Hearst Court Wodonga</td>
</tr>
<tr>
<td>2018/295/Dwell</td>
<td>$180,000</td>
<td>Dwelling</td>
<td>18 Ponting Way Baranduda</td>
</tr>
<tr>
<td>2018/298/Dwell</td>
<td>$376,108</td>
<td>Dwelling</td>
<td>11 Hearst Court Wodonga</td>
</tr>
<tr>
<td>2018/306/Dwell</td>
<td>$222,329</td>
<td>Dwelling</td>
<td>6 Ashburton Circuit West Wodonga</td>
</tr>
<tr>
<td>2018/307/Dwell</td>
<td>$275,170</td>
<td>Dwelling</td>
<td>11 Henricks Street Killara</td>
</tr>
<tr>
<td>2018/309/Dwell</td>
<td>$244,400</td>
<td>Dwelling</td>
<td>5 Darling Street West Wodonga</td>
</tr>
<tr>
<td>2018/312/Dwell</td>
<td>$227,980</td>
<td>Dwelling</td>
<td>84 Cuthbert Street Killara</td>
</tr>
<tr>
<td>2018/313/Dwell</td>
<td>$425,000</td>
<td>Dwelling</td>
<td>20 Woodbridge Street Killara</td>
</tr>
<tr>
<td>2018/13/Pbsdwl</td>
<td>$286,310</td>
<td>Dwelling</td>
<td>4 Montclair Avenue West Wodonga</td>
</tr>
<tr>
<td>2018/73/Pbsdwl</td>
<td>$272,226</td>
<td>Dwelling</td>
<td>8 Chatham Road Leneva</td>
</tr>
<tr>
<td>2018/152/Pbsdwl</td>
<td>$290,000</td>
<td>Dwelling</td>
<td>10 Keyser Way Wodonga</td>
</tr>
<tr>
<td>2018/167/Pbsdwl</td>
<td>$160,000</td>
<td>Dwelling</td>
<td>11 Lexcen Street Baranduda</td>
</tr>
<tr>
<td>2018/169/Pbsdwl</td>
<td>$261,000</td>
<td>Dwelling</td>
<td>14 Blackwood Avenue West Wodonga</td>
</tr>
<tr>
<td>2018/173/Pbsdwl</td>
<td>$365,630</td>
<td>Dwelling</td>
<td>11 Ripponlea Avenue Wodonga</td>
</tr>
<tr>
<td>2018/182/Pbsdwl</td>
<td>$344,836</td>
<td>Dwelling</td>
<td>3 Woodbridge Street Killara</td>
</tr>
<tr>
<td>2018/184/Pbsdwl</td>
<td>$160,000</td>
<td>Dwelling</td>
<td>12 Keyser Way Wodonga</td>
</tr>
<tr>
<td>2018/185/Pbsdwl</td>
<td>$220,000</td>
<td>Dwelling</td>
<td>9 Bellflower Court Baranduda</td>
</tr>
<tr>
<td>2018/188/Pbsdwl</td>
<td>$317,190</td>
<td>Dwelling</td>
<td>19 Hampshire Boulevard Leneva</td>
</tr>
<tr>
<td>2018/190/Pbsdwl</td>
<td>$270,000</td>
<td>Dwelling</td>
<td>13 Callus Street Killara</td>
</tr>
<tr>
<td>2018/193/Pbsdwl</td>
<td>$220,000</td>
<td>Dwelling</td>
<td>6 Catmint Place Baranduda</td>
</tr>
<tr>
<td>2018/194/Pbsdwl</td>
<td>$300,912</td>
<td>Dwelling</td>
<td>16 Erlandsen Circuit Wodonga</td>
</tr>
<tr>
<td>2018/195/Pbsdwl</td>
<td>$220,000</td>
<td>Dwelling</td>
<td>6 Alyssum Court Baranduda</td>
</tr>
<tr>
<td>2018/196/Pbsdwl</td>
<td>$220,000</td>
<td>Dwelling</td>
<td>2 Catmint Place Baranduda</td>
</tr>
<tr>
<td>2018/197/Pbsdwl</td>
<td>$292,990</td>
<td>Dwelling</td>
<td>5 Throssell Crescent Wodonga</td>
</tr>
<tr>
<td>2018/181/Pbsuts</td>
<td>$249,135</td>
<td>Dwelling Unit - Unit 1</td>
<td>Unit1/1 Peacock Avenue West Wodonga</td>
</tr>
<tr>
<td>2018/201/Pbsuts</td>
<td>$249,135</td>
<td>Dwelling Unit - Unit 2</td>
<td>Unit2/1 Peacock Avenue West Wodonga</td>
</tr>
<tr>
<td>2018/202/Pbsuts</td>
<td>$153,046</td>
<td>Dwelling Unit - Unit 1</td>
<td>Unit1/78 Lawrence Street Wodonga</td>
</tr>
<tr>
<td>2018/203/Pbsuts</td>
<td>$153,046</td>
<td>Dwelling Unit - Unit 2</td>
<td>Unit2/78 Lawrence Street Wodonga</td>
</tr>
<tr>
<td>2018/204/Pbsuts</td>
<td>$153,046</td>
<td>Dwelling Unit - Unit 3</td>
<td>Unit3/78 Lawrence Street Wodonga</td>
</tr>
</tbody>
</table>
9 - Officers reports for noting

9.3 - Building report for June 2018 (cont’d)

| 2018/146/Pbscoa | $228,806 | Bupa – Internal Works | 19 Melrose Drive, West Wodonga |

BUILDING ACTIVITY

- Total number of building permits issued in Wodonga: 63 (89)
- Total number of dwellings approved in Wodonga (Dwellings & Units): 27/5 (43/4)
- Total number of permits relating to commercial & industrial works in Wodonga: 4 (4)
- Percentage of work approved by Council: 50.79% (62.92%)
- Number of permits approved outside Wodonga – Victoria: 13 (13)
- Number of permits approved outside Wodonga – NSW: 10 (9)

*** Registered Building Practitioner, Registration No: BS-U 1369
#
Accredited Certifier, Registration No: BPB 0368
Building Professionals Board, Sydney

Building Permit Values - Cumulative
9.3 - Building report for June 2018 (cont’d)

![Building Permit Numbers - Cumulative](image)

**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.

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

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.

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

Building Administrative Officer - Emma Sharp
In providing this advice as the report author, I have no interests to disclose in this report.
9.3 - Building report for June 2018 (cont’d)

**Recommendation**

That the building report for June 2018 be received and noted.

**Motion**

Crs Danny Lowe / John Watson

That the recommendation be adopted.  

Carried

**Conflict of interest disclosure**

Prior to the commencement of item 9.3 Cr Hall disclosed a conflict of interest in that item, the details of which are recorded in these minutes at item 5.

Cr Hall left the meeting at 7.21pm. Cr Hall returned to the meeting room at 7.22pm after the resolution for item 9.3 was carried.
9 - Officers reports for noting

9.4 - Competitive Services Report for June 2018

<table>
<thead>
<tr>
<th></th>
<th>June</th>
<th>YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quotation / tenders issued</td>
<td>34</td>
<td>178</td>
</tr>
<tr>
<td>Contracts awarded to local suppliers</td>
<td>25</td>
<td>151</td>
</tr>
<tr>
<td>Value of contracts awarded</td>
<td>$1,705,293.16</td>
<td>$33,011,211.24</td>
</tr>
</tbody>
</table>

**Tenders advertised / quotations issued**

| W1347-18                      | Rates for Miscellaneous Removal and Replacement of Kerb and Channel 2018-2019 |
| W1348-18                      | Rates for Reseal Preparation Works – Pavement Dig outs and Stabilisation Program 2018-2019 |
| W1350-18                      | Rates for Crack Sealing services 2018-2019 |
| W1351-18                      | Provision of 2018-2019 Asphalt Program |
| W1352-18                      | Provision of 2018-2019 Surface Preservation & Rejuvenation Program |
| W1365-18Q                     | Refurbishment of City Office Ground Floor East Wing- Demolition works |
| W1387-18Q                     | Pat Parker Athletics Park - Athletics Pavilion change room reconstruction - demolition and concreting |
| W1388-18Q                     | Pat Parker Athletic Park - Athletics Pavilion change room reconstruction - plumbing |
| W1389-18Q                     | Pat Parker Athletic Park - Athletics Pavilion change room reconstruction - carpentry |
| W1390-18Q                     | Pat Parker Athletics Park - Athletics Pavilion change room reconstruction - electrical |
| W1391-18Q                     | Pat Parker Athletics Park - Athletics Pavilion change room reconstruction - mechanical |
| W1392-18Q                     | Pat Parker Athletics Park - Athletics Pavilion change room reconstruction - internal lining |
| W1398-18                      | Provision of technical services and consumables (including both Equipment and Technical support) |
| W1403-18Q                     | Pat Parker Athletics Park - Athletics Pavilion change room reconstruction - tiling |
| W1404-18Q                     | Pat Parker Athletics Park - Athletics Pavilion change room reconstruction - painting |
| W1406-18Q                     | High Street South Landscape Works - Design, Construct & Install Parking Arbors & Bollards |
| W1408-18Q                     | Panel for the supply of street trees for planting year 2018 - 2019 Parks and Gardens |
| W1416-18                      | Footpath Renewal Program 2018-2019 |
| W1417-18                      | Recreational Path Renewal Program 2018-2019 |
| W1418-18                      | Baranduda Path connection works from Pro Hart Drive to Westmont Aged Care Facility |
| W1423-18Q                     | Construction of new footpath at three locations |
| W1424-18Q                     | Construction of new footpath at two locations |
### 9.4 - Competitive Services Report for June 2018 (cont’d)

<table>
<thead>
<tr>
<th>W1432-18Q</th>
<th>Provision of consultancy services for Master Plan Update, Project Brief and Consult Plan for Birralee and Kelly Parks</th>
</tr>
</thead>
<tbody>
<tr>
<td>W1381-18</td>
<td>Provision of Architectural Services for a new Wodonga Gallery and Library</td>
</tr>
</tbody>
</table>

#### Tenders / quotations under evaluation

| W1240-18   | Operation of the re-use retail shop at the Wodonga Waste Transfer Station                                  |
| W1301-18   | High Street South Landscape Works - Supply of Pavers                                                     |
| W1319-18Q  | Construction of pram crossing                                                                           |
| W1356-18   | Richardson Park - Landscape Works                                                                       |
| W1357-18   | Richardson Park - Civil Works                                                                           |
| W1358-18   | Richardson Park - Electrical Works                                                                      |
| W1393-18Q  | Supply of Australian Animal Illustrations for Aboriginal Picture Book                                    |
| W1396-18Q  | Environmental Auditor for verify the reports of the old Wodonga landfill, Beechworth Road Wodonga        |
| W1408-18Q  | Panel for the supply of street trees for planting year 2018 - 2019 Parks and Gardens                    |
| W1414-18Q  | Demolition of residences and outbuildings on Lemke Road Gateway Island                                  |

#### Contracts awarded

| W1260-18   | 2018-19 Insurance Renewal                                                                               |
| W1285-18   | Provision of path defects and condition survey                                                         |
| W1288-18Q  | Provision of chain mesh fencing and gates for new Baranduda reserve cricket nets                        |
| W1289-18Q  | Provision of concrete and drainage for new Baranduda reserve cricket nets                               |
| W1290-18Q  | Provision of synthetic turf and soft nets for new Baranduda reserve cricket nets                        |
| W1292-18Q  | Supply of Small Plant and Machinery                                                                     |
| W1303-18Q  | High Street South Landscape Works - Supply of Plant Materials                                           |
| W1311-18Q  | Designs and Installation Photovoltaic Systems (Solar Systems)                                           |
| W1333-18   | Supply and delivery of one truck 14,000 GVM 20,000 GCM with attached tipping body                       |
| W1337-18Q  | Panel of suppliers for the Provision of Turf Grass                                                     |
| W1338-18Q  | Servicing of Junction Square's water features, water treatment system                                  |
| W1339-18Q  | Provision of Services for Pest control in Parks and Reserves                                            |
| W1340-18Q  | Supply and provision of Fertilizer, Seed and Sports Ground Chemicals for use within Wodonga Parks and Ovals |
| W1341-18Q  | Provision of panel of suppliers for plumbing and irrigation works for backflow testing and maintenance and repair of fire hydrants |
| W1342-18Q  | Provision of Slope Mowing                                                                               |
| W1344-18Q  | Provision of suppliers for Rural fencing and bollard installation, repair and maintenance works         |
9.4 - Competitive Services Report for June 2018 (cont’d)

<table>
<thead>
<tr>
<th>Contract #</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>W1345-18Q</td>
<td>Supply and installation of five street lights at Terminal Road Logic</td>
</tr>
<tr>
<td>W1346-18Q</td>
<td>Engage an Environmental Auditor (registered landfill Auditor) to execute the works as per PC PAN</td>
</tr>
<tr>
<td>W1355-18Q</td>
<td>Installation of five bus shelters at various locations</td>
</tr>
<tr>
<td>W1361-18Q</td>
<td>Supply and install street sweeping shed</td>
</tr>
<tr>
<td>W1395-18Q</td>
<td>Provision of Consultancy Services for the purpose of Volunteer Management Policy Review</td>
</tr>
<tr>
<td>W1397-18Q</td>
<td>The Cube Wodonga Audio System Management and Paging System Design</td>
</tr>
</tbody>
</table>

**Contracts not awarded**

<table>
<thead>
<tr>
<th>Contract #</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>W1353-18Q</td>
<td>Design services for the replacement of the Heating, Ventilation and Air Conditioning system at the Wodonga Sports and Leisure Centre</td>
</tr>
</tbody>
</table>

**Contracts awarded to local suppliers**

<table>
<thead>
<tr>
<th>Month</th>
<th>83%</th>
<th>67%</th>
<th>87%</th>
<th>87%</th>
<th>68%</th>
<th>57%</th>
<th>86%</th>
<th>88%</th>
<th>92%</th>
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<tbody>
<tr>
<td>Jul-17</td>
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<td>Apr-18</td>
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</tbody>
</table>

**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.

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

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

<table>
<thead>
<tr>
<th><strong>Recommendation</strong></th>
<th></th>
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<tbody>
<tr>
<td>That the <em>Competitive Services Report for June 2018</em> be received and noted.</td>
<td></td>
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<table>
<thead>
<tr>
<th><strong>Motion</strong></th>
<th></th>
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<tbody>
<tr>
<td>Crs John Watson / Kat Bennett</td>
<td></td>
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<tr>
<td>That the recommendation be adopted.</td>
<td><strong>Carried</strong></td>
</tr>
</tbody>
</table>
Pursuant to Section 139 of the *Local Government Act 1989* and the Wodonga Council *Audit Committee Charter*, the Audit Committee met on May 24, 2018.

**Attachments**

The following documents are attached to this report:
- Attachment A: Audit Committee Meeting - May 2018 - 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.

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

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

**Recommendation**

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

**Motion**

Crs Danny Lowe / Libby Hall
That the recommendation be adopted.

*Carried*
Audit Committee Meeting - May 24, 2018

Meeting items

1.1 Previous minutes
Minutes of the meeting held March 22, 2018 were confirmed.

2.2 VAGO Interim Management Letter 2017-18
Danielle MacKenzie presented the VAGO Interim Management Letter 2017-18, to the Audit Committee.

The interim phase of the financial report audit of council identified one new finding relating to the need of a purchase order system at council.

The audit also identified four unresolved findings from previous audits relating to the following:

- External data transfers;
- Excessive leave balances;
- Internal audit review of Assets Valuation Policy; and,
- Performance statement reporting.

The committee discussed IT related risks relating to external data transfers and identified existing controls for review.

3.3 Procurement Review
Ryan Schischka from Johnsons MME presented an update to the findings from the draft Procurement Review presented at the previous Audit Committee meeting.

As part of this review the auditor reviewed transactions processed outside of the council’s procurement management system (eBMS).

During the period of January 1, 2017 to November 30, 2017 the auditor identified that there were six payments with an individual value of over $15,000, totaling $171,000 that did not comply with council procurement guidelines. These included the failure to obtain three written quotes as required for purchases over $15,000.

This finding further supports the recommendation that council staff be reminded of the procurement guidelines requirements for purchases over $15,000 in value.

The report update was received and noted by the committee.
4.4 Internal Audit Scope and Objectives – Emergency Management

Ryan Schischka presented the scope and objectives of the proposed Emergency Management Review to the Audit Committee.

The objective of the review is to ascertain whether Council has established appropriate emergency management procedures in respect to its preparedness, response and recovery capacity in the event of an emergency.

5.5 Budget for 2018 – 2019

Narelle Klein presented the draft budget for 2018-2019 to the committee. The budget has been developed by council staff and further developed through a series of workshops with councilors. The draft budget was presented at the May council meeting and is currently out for community consultation.

The proposed rate increase is 2.25 per cent, in line with the Victorian Government rate cap, but the 4.8 per cent reduction in the Waste Management Levy means an overall increase of 1.5 per cent for the average residential ratepayer. No new borrowings are proposed for 2018-2019.

The expected operating result for 2018-2019 is a surplus of $13.4 million. The underlying result when contributions and capital grants are excluded is a $5.4 million surplus.

The committee made queries into cash flow statements and how these are displayed, fees and charges and the timeframe to correct the waste management levy as per the Ombudsman report findings. It was suggested by the committee that council could add commentary to the budget document that outlines why council will correct the waste levy charge over two years instead of immediately.

The draft budget was received and noted by the committee.

6.6 Shell Financial Accounts 2017 – 2018

Narelle Klein presented the Shell Financial Accounts 2017-2018 to the committee.

The main changes to the LGV model financial report are:
- Certification by the council moved to the front of the accounts
- Instead of note 1 containing all accounting policies, the policies are now split across the relevant notes
- There is an effort by LGV to simplify the format and the language to make it easier for users to understand.

7.7 Treasury Report

Narelle Klein presented the Treasury Report.

At Friday 11 May 2018 investments totaled $23,358,992 ($30,268,000 –March 2018). Since the last Audit Committee meeting:
- one investment ($2.0 million with Bendigo Bank) was redeemed
- two investments were rolled over ($4.0 million with ME Bank)
- With the exception of our Westpac Maxi account, all other investments in this period are held in Responsible Investment Association of Australasia endorsed or fossil fuel free financial institutions.

Additional information will be forwarded to the committee members after the meeting.
### 8.8 Finance Report
Narelle Klein presented the Finance Report for April 2018.

### 9.9 Review 2018 – 2019 Internal Audit Program
The Audit Committee reviewed the 2018 - 2019 internal audit program and discussed any potential changes to the program. The committee suggested that the accounts payable review be pushed back to review a potential purchase order system being implemented. It was also suggested that a review of council budgeting processes be reviewed at a future date.

### 10.10 Risk Management Quarterly Report
Spencer Rich presented the Risk Management Quarterly Report to the committee.

Highlights included:
- Commenced Annual Insurance Renewal FY2018-19;
- Completed Stage/Group 1 MAV WorkCare National Self-Insurer OHS Management System Audit Tool (NAT);
- Procurement and Payroll risk assessments performed; and
- Risk and Workplace Safety Officer attended MAV Insurance and Risk Conference.

The committee suggested to review the strategic risk register in light of the Ombudsman’s waste levy report, and focus on reputational and compliance risks. The report was received and noted by the Audit Committee.

### 11.11 Audit Committee Self-Assessment
The Audit Committee is required to conduct a self-assessment of its performance once every three years. The committee members were forwarded a list of survey questions to evaluate the committee’s performance. This survey was discussed with the following recommendations made:
- Cr Quilty to request feedback from the other councilors on the committee’s performance;
- Detail of the Audit Committee meeting minutes to improve to document committee member discussions; and,
- The CEO to be invited to the September meeting annually.

### 12.12 Audit Committee Charter Review
As outlined in the Audit Committee Charter, the committee conducted a review of the charter. The committee discussed changing the committee to an Audit and Risk Committee. It was suggested to wait until the revised Local Government Act is implemented to guide this proposed change. The committee also suggested to conduct a review of independent committee member remuneration.

### 13.13 Forward Planner / Outstanding Items Register
The committee reviewed the forward planner and outstanding items register.

The Outstanding Items Register has seen eight new audit items added to the register, and nine audit items completed since the previous Audit Committee meeting.
General Business

Nil

Committee members to meet without staff present

Next Meeting Date

Is scheduled for Thursday September 13, 2018, 1:00pm.
Council Chamber, 104 Hovell Street, Wodonga.
9.6 - Rating Strategy Reference Group

This report is to provide an update on the formation of the Rating Strategy Reference Group.

Following the council resolution on 14 May, advertisements were placed calling for interested persons to make application to participate on the Group.

An interview panel, comprising Crs Hall and Quilty, the Director Business Services, Narelle Klein, and the Governance Officer, Kevin Scully have been co-opted to run the process. Interviews are expected to be held during the first ten days of August 2018.

At this time the interview process and reference checking will not be completed until the council meeting scheduled for 20 August 2018.

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.

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

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

Recommendation

That the report on the membership of the Rating Strategy Reference Group, scheduled for July 2018, be deferred until the August 2018 council meeting.

Motion

Crs Libby Hall / Ron Mildren

That the recommendation be adopted.

Carried
10 - Officers reports for information

10.1 - Assemblies of councillors

Under section 3 of the *Local Government Act 1989* an assembly of councillors (however titled) means a meeting of an advisory committee of the Council, if at least one councillor is present, or a planned or scheduled meeting of at least half of the councillors and one member of Council staff which considers matters that are intended or likely to be:

a. the subject of a decision of the Council; or

b. subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

An assembly of councillors does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.

The written record of each assembly is, as soon as possible, required to be incorporated in the minutes of the council meeting. The written records of the assemblies recently held are attached.

**Attachments**

The following documents are attached to this report:
- Attachment A: Written record of assemblies of councillors

**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.

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

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

This report is for information only.
Written record of assemblies of councillors – report to July 16, 2018 council meeting

Councillor briefing of Monday, June 25, 2018, commencing at 8.50am and concluding at 12.15pm.

Venue: Council Chamber, ground floor, Council Offices, Hovell Street, Wodonga.

In attendance:
- Anna Speedie: Mayor and Councillor
- Kat Bennett: Councillor
- Libby Hall: Councillor
- Danny Lowe: Councillor
- Ron Mildren: Councillor
- Tim Quilty: Councillor
- John Watson: Councillor
- Patience Harrington: Chief Executive Officer
- Narelle Klein: Director Business Services
- Debra Mudra: Director Community Development
- Leon Schultz: Director Planning & Infrastructure
- Kevin Scully: Governance Officer
- Claire Taylor: Manager Community Planning & Wellbeing
- Amber McSwiney: Junction Support Services
- Rachel Habgood: Junction Support Services
- Tim Wallis: Junction Support Services
- Nicola Gleeson Coopes: Acting Manager Finance
- Katrina Lappin: Revenue Administrator
- Simon Carracher: LG Valuation Services
- Marcus Hann: LG Valuation Services

Conflict of interest disclosures:

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Item</th>
<th>Did the councillor leave the meeting?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ron Mildren</td>
<td>Item 3 – that part dealing with Sport and Recreation Victoria Funding Programs listed on the ordinary council meeting agenda.</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. Review of agenda for ordinary council meeting
4. Briefing reports were provided on the following:
   a. Councillor Briefing Policy
   b. Junction Support Services presentation
   c. LG Valuation Services presentation
   d. VicRoads Declared Road Network
Councillor briefing of Monday, July 9, 2018, commencing at 8.30am and concluding at 12.45pm.

Venue: Council Chamber, ground floor, Council Offices, Hovell Street, Wodonga.

In attendance

<table>
<thead>
<tr>
<th>Name</th>
<th>Role/Position</th>
<th>Item Discussed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anna Speedie</td>
<td>Mayor and councillor</td>
<td></td>
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<tr>
<td>Kat Bennett</td>
<td>Acting Mayor and councillor</td>
<td>Item 4a</td>
</tr>
<tr>
<td>Libby Hall</td>
<td>Councillor</td>
<td>Item 4b</td>
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<tr>
<td>Danny Lowe</td>
<td>Councillor</td>
<td>Item 4c</td>
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<tr>
<td>Ron Mildren</td>
<td>Councillor</td>
<td>Item 4d</td>
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<tr>
<td>Tim Quilty</td>
<td>Councillor</td>
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<td>John Watson</td>
<td>Councillor</td>
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<tr>
<td>Patience Harrington</td>
<td>Chief Executive Officer</td>
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<tr>
<td>Spencer Rich</td>
<td>Acting Director Business Services</td>
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<td>Debra Mudra</td>
<td>Director Community Development</td>
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<tr>
<td>Leon Schultz</td>
<td>Director Planning &amp; Infrastructure</td>
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<tr>
<td>Kevin Scully</td>
<td>Governance Officer</td>
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<tr>
<td>Nigel Cunningham</td>
<td>Sport and Recreation Officer</td>
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<tr>
<td>Adam Wiseman</td>
<td>Manager Economic Development</td>
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<tr>
<td>Andrew Cole</td>
<td>Delivery Manager South – Inland Rail</td>
<td>Item 4c</td>
</tr>
<tr>
<td>Lauren McKenzie</td>
<td>Stakeholder Relations Manager – Inland Rail</td>
<td>Item 4c</td>
</tr>
<tr>
<td>Ken Chan</td>
<td>Team Leader Strategic Planning</td>
<td>Item 4d</td>
</tr>
<tr>
<td>Simon Maughan</td>
<td>Team Leader Statutory Planning</td>
<td>Item 4e</td>
</tr>
<tr>
<td>Peter Hawkins</td>
<td>Statutory Planner</td>
<td>Item 4e</td>
</tr>
<tr>
<td>Mark Verbaken</td>
<td>Manager Environment &amp; Community Protection</td>
<td>Item 4h</td>
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<tr>
<td>Craig McClanahan</td>
<td>Team Leader Compliance</td>
<td>Item 4h</td>
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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>Libby Hall</td>
<td>Item 4e Application to subdivide land into 2 lots at 17 Krueger Street, Baranduda</td>
<td>Yes</td>
</tr>
<tr>
<td>Libby Hall</td>
<td>Item 4g Proposed North Leneva Playing Fields - Ongoing Developer Contributions</td>
<td>Yes</td>
</tr>
<tr>
<td>Danny Lowe</td>
<td>Item 3 – that part of the discussion about 35 Huon Creek Road.</td>
<td>Yes</td>
</tr>
<tr>
<td>Ron Mildren</td>
<td>Item 2 – that part of the discussion about discussions with Albury Council on Nexus</td>
<td>Yes</td>
</tr>
<tr>
<td>Ron Mildren</td>
<td>Item 4f Richardson Park - Tender Report to Award Construction Contracts</td>
<td>Yes</td>
</tr>
<tr>
<td>Ron Mildren</td>
<td>Item 4g Proposed North Leneva Playing Fields - Ongoing Developer Contributions</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Items discussed

1. The Acting 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 draft agenda for ordinary council meeting
4. Briefing reports were provided on the following:
   a. Parkland Tennis Club Incorporated - Request to re consider the proposal to
10 - Officers reports for information  |  Item 10.1 - Attachment A

- redevelop courts at Birallee Park
- Two Cities One Community Action Plan Progress Report
- Inland Rail presentation
- Wodonga Industrial Land Strategy
- Application to subdivide land into 2 lots at 17 Krueger Street, Baranduda
- Richardson Park - Tender Report to Award Construction Contracts
- Proposed North Leneva Playing Fields - Ongoing Developer Contributions
- Domestic Animal Management Plan 2017-2021
10.2 - Status report on council meeting resolutions

The attached report provides an update on the status of council resolutions from previous meetings.

Attachments

The following documents are attached to this report:
- Attachment A: Status report on council meeting resolutions

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.

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

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

For information only.
### Status report on council meeting resolutions – July 2018

<table>
<thead>
<tr>
<th>Item</th>
<th>Havelock St Valuation (18/01/2016)</th>
</tr>
</thead>
</table>
| **Resolution** | That:  
1. The land identified as Precinct 3, Havelock Street Extension, Wodonga Victoria, 3690 (VicRoads Edition 9 Maps 653 OS) be purchased at valuation; and  
2. The CEO be authorised to sign on the council’s behalf any documents that are required to be signed in connection with the purchase of the land. |
| **Status** | Invoice paid, awaiting finalisation of land titles. |

<table>
<thead>
<tr>
<th>Item</th>
<th>Development options for the old Wodonga Saleyards and adjoining industrial land (18/04/2016)</th>
</tr>
</thead>
</table>
| **Resolution** | That:  
1. An Expression of Interest process for the sale of Wodonga’s old saleyards site and adjoining industrial land at Bandiana be commenced immediately; and  
2. Should the Expression of Interest process not successfully secure a sale, Lot 1 and 2 be listed for sale on the open market. |
| **Status** | Land sale in progress – see report of 14/05/2018. Completed. |

<table>
<thead>
<tr>
<th>Item</th>
<th>Recreational Vehicle and Caravan Parking Study (21/08/2017)</th>
</tr>
</thead>
</table>
| **Resolution** | That:  
1. Long vehicle parking signage in the CBD be improved;  
2. Parking bays and limits for recreational vehicles and caravans be reviewed;  
3. Recreational vehicle overnight car parking not be provided on council owned land in the CBD;  
4. Regional and local tourism and visitation trends continue to be monitored; and  
5. The council liaise with Murray Tourism Board to look at a regional approach to recreational vehicle parking, including data availability. |
| **Status** | The RV Car Park is to be addressed in the Car Parking Study presently out for public comment. |

<table>
<thead>
<tr>
<th>Item</th>
<th>115 Kinchington Road - request to vary section 173 agreement (20/11/2017)</th>
</tr>
</thead>
</table>
| **Resolution** | 1. It is recommended that the following clauses within the existing section 173 agreement for 115 Kinchington Road be changed/reworded to suit:  
7.1 Bears Hill Reserve  
7.2 Public Open Space  
2. It is recommended that the following clauses within the existing section 173 agreement for 115 Kinchington Road be removed:  
7.4.1 Roundabout at the intersection of Beechworth Road and Yarralumla Drive/Streets Road  
7.4.3 Extension of Yarralumla Drive from Huon Creek Road to Beechworth Road  
7.5 Drainage  
7.8 Site Master Plan  
3. It is recommended that the following clauses within the existing section 173 agreement for 115 Kinchington Road not be removed or changed as sought:  
7.3.3 Development Contributions  
7.4.2 Duplication of Beechworth Road from the intersection of Yarralumla Drive to Huon Creek Road  
7.6 Playing Fields  
7.7 Community Facilities  
4. That the property owners of 115 Kinchington Road be advised of council’s decision and a Deed of Variation entered into; and  
5. A report be brought to a future council meeting regarding any similar section 173 agreements which may be impacted by this decision. |
| **Status** | Deed of variation drafted. |

| Item | Wodonga Hills Advisory Group (19/02/2018) |
### Status report on council meeting resolutions – July 2018

| Resolution |  
| --- | --- |
| **Item 10.2** – Attachment A |  
| **Ordinary meeting – July 16, 2018** |  
| **10 - Officers reports for information** |  
| **119 of 133** |  
| **Status report on council meeting resolutions – July 2018** |  
| **Item** | **Energy Procurement Australia 2106/0634 Retail Electricity, Natural Gas and Associated Services (W1244-18) (19/02/2018)** |  
| **Resolution** | That the awarding of the contract, Energy Procurement Australia Tender 2106/0634 Retail Electricity, Natural Gas and Associated Services for the period commencing July 1, 2018 and concluding June 30, 2021 be delegated to the CEO. |  
| **Status** | Approval process for Procurement Australia Energy tender now in place. |  
| **Item** | **Wodonga Planning Scheme Amendment C121 - Leneva - Baranduda Precinct Structure Plan and Development Contributions Plan (19/02/2018)** |  
| **Resolution** |  
| 1. That in accordance with Section 23(1) of the Planning and Environment Act 1987, having considered the submissions received in respect to amendment C121 to the Wodonga Planning Scheme, officers be authorised to refer submissions to a planning panel appointed under Part 8 of the Planning and environment Act 1987; and  
| 2. That officers be authorised to continue to consider and negotiate submissions prior to the planning panel. |  
| **Status** | Hearing has concluded. Awaiting Planning Panel report. In progress. |  
| **Item** | **Proposed sale of Council land - 35 Huon Creek Road (19/02/2018)** |  
| **Resolution** | That:  
| 1. In accordance with sections 189 and 223 of the Local Government Act 1989 (the Act) public notice be given of the council’s intention to sell the parcel of land abutting 35 Huon Creek Road, being part of a public reserve (lot 1, PS317133) and comprising an area of 256m², (refer tabled document A) to the owners of 35 Huon Creek Road for an amount of $33,000 plus GST.  
| 2. The public notice stipulate that persons may make a submission on the proposed land sale in accordance with section 223 of the Act and that written submissions must be received within 28 days of publication of the notice.  
| 3. The Chief Executive Officer (CEO) be authorised to undertake the administrative procedures necessary to enable the council to carry out its functions under section 223 of the Act in relation to this matter.  
| 4. That if submissions are received under section 223 of the Act:  
| a. A special meeting of the council be convened to hear from any person or persons who request to be heard in support of a section 223 written submission, the meeting to be held in March 2018 on a date to be determined; and  
| b. A report on the section 223 process, including a summary of all submissions and of any hearings held, be submitted to the next scheduled ordinary council meeting.  
| 5. If no submissions are received within 28 days of the notice:  
| a. The council resolve to sell the subject land on the terms and condition stipulated in part 1 above, and subject to the owners of 35 Huon Creek Road paying the valuation costs and legal fees of the council; and  
| a) The CEO be authorised to commence the sale process and execute all necessary documentation pertaining to the sale of the land without further resolution of the council. |  
| **Status** | In progress – discussions held with the property owner and public notice to be issued in July. |  
| **Item** | **Park Names (19/03/2018)** |  
| **Resolution** |  
| **Status** |  
| **Page 119 of 133** |
### Status report on council meeting resolutions – July 2018

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Resolution</strong></td>
<td>That: 1. Public notice be given of the council’s intention to put to public comment the proposed naming of 11 parks as described in this report and recommended by the Place Names Advisory Committee. 2. The public notice stipulate that persons may make a submission on the proposed names, and that written submissions must be received on a date that is at least 28 days after the publication of the notice. 3. 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 recommendations be adopted without further resolution of the council, and advice forwarded to the Registrar of Geographic Names to undertake the gazettal procedure.</td>
<td>Report submitted to the June 25 council meeting. <strong>Completed.</strong></td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td>Wodonga Recreation Facilities Governance Review (19/03/2018)</td>
<td>Resolution</td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td>Parkland Tennis Centre - Proposal to redevelop courts at Birallee Park (19/03/2018)</td>
<td>Resolution</td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td>Baranduda Fields Master Plan (19/03/2018)</td>
<td>Resolution</td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td>Draft Wodonga Industrial Lands Strategy (19/03/2018)</td>
<td>Resolution</td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td>Road Names - Central Place (16/04/2018)</td>
<td>Resolution</td>
</tr>
</tbody>
</table>
| **Item** | Speed Limit Review - Various Locations (16/04/2018) | Resolution | That: 1. The proposed speed limit changes detailed within this report be placed on public
Ordinary meeting – July 16, 2018

10 - Officers reports for information

Item 10.2 - Attachment A

Status report on council meeting resolutions – July 2018

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>attachment A</td>
<td>Exhibition closed and feedback to be considered by the Traffic Liaison Committee. In progress.</td>
</tr>
<tr>
<td>2.</td>
<td>attachment A</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>attachment A</td>
<td></td>
</tr>
</tbody>
</table>

Item | Wodonga Planning Scheme Amendment C125 - for adoption (16/04/2018)

<table>
<thead>
<tr>
<th>Resolution</th>
<th>That:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Having considered the Planning Panel’s report under Sect 27(1) of the Planning and Environment Act 1987, Wodonga Planning Scheme Amendment C125 be adopted with changes under Sect 29 of the Act in accordance with Planning Panel recommendations; and</td>
</tr>
<tr>
<td>2.</td>
<td>Officers be authorised to complete and submit the documentation required to seek the formal approval of Amendment C125 to the Minister for Planning under Section 31 of the Act.</td>
</tr>
</tbody>
</table>

| Status | Gazetted. Completed. |

Item | Ombudsman's Report (14/05/2018)

<table>
<thead>
<tr>
<th>Resolution</th>
<th>That:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Victorian Ombudsman’s Report Investigation into Wodonga City Council’s overcharging of a waste management levy, April 2018 be received and noted;</td>
</tr>
<tr>
<td>2.</td>
<td>The Ombudsman’s recommendation relating to Wodonga’s waste management service charge be implemented within two years;</td>
</tr>
<tr>
<td>3.</td>
<td>Council undertake preparatory work with the Essential Services Commission and Local Government Victoria to investigate the implications of the review of the Local Government Act and how the implementation of the Ombudsman’s Report will impact Wodonga; and</td>
</tr>
<tr>
<td>4.</td>
<td>The Municipal Association of Victoria be requested to advocate for an amendment to the Local Government Act 1989 to implement recommendation two from the Ombudsman’s Report.</td>
</tr>
</tbody>
</table>

| Status | The adoption of the 2018-2019 commenced the implementation of the Ombudsman’s recommendation. |

Item | Rating Strategy (14/05/2018)

<table>
<thead>
<tr>
<th>Resolution</th>
<th>1. That:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>A process to review Council’s Rating Strategy be commenced with a view to including the outcomes of such a review in the 2019-2020 Budget process;</td>
</tr>
<tr>
<td>b)</td>
<td>A Rating Strategy Reference Group be established;</td>
</tr>
<tr>
<td>c)</td>
<td>The attached Terms of Reference for the Rating Strategy Reference Group be approved;</td>
</tr>
<tr>
<td>d)</td>
<td>The Chief Executive Officer be authorised to advertise to seek public nominations for membership of the Rating Strategy Reference Group; and</td>
</tr>
<tr>
<td>e)</td>
<td>The CEO provide a report to the July Council Meeting to determine appointments to the Rating Strategy Reference Group.</td>
</tr>
<tr>
<td>2.</td>
<td>That councillors Hall and Quilty be the councillor representatives on the Rating Strategy Reference Group, with the position of chairperson to be determined at the July Council meeting.</td>
</tr>
</tbody>
</table>

| Status | With the Director Business Services on leave, and Cr Quilty on leave of absence interviews will be not be scheduled until early August. It is hoped that the report will be finalised in time for the August council meeting. In progress. |

Item | Domestic Animal Management Plan (14/05/2018)

| Resolution | That the 2017-2021 Domestic Animal Management Plan (DAMP) be placed on public exhibition for 28 days, with a report on the outcomes of the consultation and the adoption of the DAMP to be presented to a future council meeting. |
## Status report on council meeting resolutions – July 2018

### Item 10.2 - Attachment A

**Status**
A report is submitted with this agenda. **Completed.**

<table>
<thead>
<tr>
<th>Item</th>
<th>Proposed sale of former saleyards site (14/05/2018)</th>
</tr>
</thead>
</table>
| Resolution | 1. That Council authorises the Chief Executive Officer to give public notice under ss 189 and 223 of the Local Government Act 1989 of Council's intention to:  
   - sell the following land:  
     Lot 1 on proposed plan of subdivision no. PS816689F, being part of the land contained in certificate of title volume 10114 folio 425 and being (part) 96 Whytes Road, Bandiana, Victoria 3691 (Land).  
   in accordance with the terms of the public notice, being Attachment A, as tabled.  
   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 June 13, 2018.  
   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.  
   4. That Council hold a Special Meeting of Council to hear from any persons who ask to be heard in support of their written submission at a meeting to be held at 3pm on Friday, June 15, 2018 in Council's offices, 104 Hovell Street, Wodonga in relation to the proposed sale of the Sale Land and the proposed grant of option to sell and proposed sale of the Option Land.  
   5. Council further resolves should no submissions be received and having followed all required statutory procedures pursuant to s.189 and s.223 of the Act, to sell part of the former saleyards site to Amerock Holdings Pty.Ltd. |
| Status | Advertised in the Border Mail of 16 May 2018. No submissions were received. In progress. |

<table>
<thead>
<tr>
<th>Item</th>
<th>Wodonga CBA Car Parking Plan for approval and Wodonga Planning Scheme Amendment C98 Car Parking Plan &amp; Parking Overlay (14/05/2018)</th>
</tr>
</thead>
</table>
| Resolution | That:  
   1. The **Wodonga CBA Car Parking Plan**, as tabled be adopted; and  
   2. Officers seek authorisation from the Minister for Planning to prepare and exhibit the Planning Scheme Amendment C98 to the Wodonga Planning Scheme. |
| Status | In progress. |

<table>
<thead>
<tr>
<th>Item</th>
<th>Councillor briefings (14/05/2018)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>That effective from August 2018 councillor briefings be open to the public, subject to the CEO presenting a report to the July council meeting recommending an appropriate policy and / or guidelines around public attendance at councillor briefings.</td>
</tr>
<tr>
<td>Status</td>
<td>A report is submitted with this agenda. <strong>Completed.</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Section 223 submissions and community feedback on the 2018-2019 Budget (25/06/2018)</th>
</tr>
</thead>
</table>
| Resolution | That:  
   1. Having considered all submissions received under section 223 of the *Local Government Act 1989*:  
      a. no adjustments be made to the budget as a result of the section 223 process; and  
      b. submitters be advised of the decision and the reasons for them, as detailed in this report.  
   2. The submission from Victory Lutheran College be referred to the Traffic Liaison Advisory Committee for consideration and a report back to council |
| Status | Advice forwarded to submitters. VLC submission referred to the Traffic Liaison Committee. **Completed.** |
### Status report on council meeting resolutions – July 2018

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.2</td>
<td>Officers reports for information</td>
<td>Item 10.2 - Attachment A</td>
</tr>
<tr>
<td>3.</td>
<td>Appointment of acting Chief Executive Officer (25/06/2018)</td>
<td>That: 1. The Director Planning and Infrastructure, Leon Schultz, be appointed as acting Chief Executive Officer for a three week period when the Chief Executive Officer, Patience Harrington is on leave during July and August 2018, with the CEO to provide written advice to the Mayor of the actual dates of the annual leave; and 2. Mr. Schultz be authorised to exercise all powers and authorities reposed in the position of Chief Executive Officer for the period of the appointment as acting Chief Executive Officer.</td>
</tr>
<tr>
<td>4.</td>
<td>Park Names (25/06/2018)</td>
<td>That: 1. The following park names (location in brackets) be adopted: • Jack Dunstan Park (Jacka Street, Wodonga) • Henrika Kuljurgies Reserve (Charlton Road, Killara) • Ernie May Park (Corner Samantha Terrace &amp; Lighthood Drive, Wodonga) • Kosovar Park (Bandicoot Lane, Bandiana) • Bidgood Park (Between Basil Court and Comfrey Court, Baranduda) • Ida Schubert Park (Corner Jamison Drive &amp; Barton Drive, Baranduda) • Mel Read Park (Simon Lane, Baranduda) • Baranduda Fields (160 Kiewa Valley Highway, Baranduda) • Brian Callanan Park (Elmwood Circuit, Wodonga) • Wilhelm Koschel Reserve (Off Beechworth-Wodonga Road, Wodonga) 2. Advice be forwarded to the Registrar of Geographic Names to undertake the gazettal procedure</td>
</tr>
<tr>
<td>5.</td>
<td>Procurement Policy (25/06/2018)</td>
<td>That following the annual review of the Procurement Policy, the attached policy be adopted.</td>
</tr>
<tr>
<td>6.</td>
<td>Wodonga Hills Advisory Group (25/06/2018)</td>
<td>1. That the terms of reference be amended that membership of the Advisory Group shall comprise: • Representative of Department of Water Environment, Land and Planning • Representative of the local indigenous community • Five members from the Wodonga Community; • Representative of Country Fire Authority • Temporary specialist representation as requested by Council and/or advisory</td>
</tr>
</tbody>
</table>
### Status report on council meeting resolutions – July 2018

<table>
<thead>
<tr>
<th>Item</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Item 10.2</strong></td>
<td>Officer reports for information</td>
<td></td>
</tr>
<tr>
<td><strong>Item 1.2</strong></td>
<td>Attachment A</td>
<td></td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td>Sport and Recreation Victoria Funding Programs (25/06/2018)</td>
<td>That the applications for funding listed in the officer report be supported for the Sport and Recreation Victoria Funding programs for the 2019-2020 financial year.</td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td>Draft Gateway Island Master Plan (25/06/2018)</td>
<td>That the Draft Gateway Island Master Plan be endorsed for formal exhibition for the period 25 June 2018 to 10 August 2018</td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td>Review of the Instrument of Sub-Delegation (25/06/2018)</td>
<td>That the Instrument of Sub-Delegation by the CEO to other staff, as tabled, be received and noted.</td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td>Energy Procurement Australia 2106/0634 Retail Electricity, Natural Gas and Associated Services (W1244-18) (25/06/2018)</td>
<td>That the W1244-18 Energy Procurement Australia 2106/0634 Retail Electricity, Natural Gas and Associated Services report be received and noted</td>
</tr>
<tr>
<td><strong>Item</strong></td>
<td>Refugee Community Sponsorship Program (25/06/2018)</td>
<td>That Wodonga Council: 1. Confirms its supports for an expanded and improved Community Sponsorship Program; and 2. Calls on the federal government to improve and expand the Community Sponsorship Program to ensure the program: a. Does not take places from others in need; b. Provides adequate support and services; c. Limits the costs on sponsors; and d. Allows community, family and businesses to act as sponsors.</td>
</tr>
</tbody>
</table>
11.1 - Circuses and carnivals on council owned land

Purpose of report

In accordance with clause 51.2 of the Meeting Procedure Local Law (no. 1 of 2009) Cr Bennett has submitted the following Notice of Motion.

Attachments

Nil

Tabled papers

Nil

<table>
<thead>
<tr>
<th>Notice of motion</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. That Council officers prepare a report investigating a future ban on circuses and carnivals, that include exotic animals, on council owned land.</td>
</tr>
<tr>
<td>2. The scope of this piece of work:</td>
</tr>
<tr>
<td>a) Only applies to circuses and carnivals requesting permission to operate on council owned land and does not apply to circuses operating on privately owned land; and,</td>
</tr>
<tr>
<td>b) Does not apply to mobile petting farms or mobile animal rides such as pony rides.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crs Kat Bennett / Libby Hall</td>
</tr>
<tr>
<td>1. That council officers prepare a report that provides policy options for the use of Council owned land for the performance and display of exotic animals in circuses and carnivals</td>
</tr>
<tr>
<td>2. The scope of this piece of work:</td>
</tr>
<tr>
<td>a) Only applies to circuses and carnivals requesting permission to operate on council owned land and does not apply to circuses operating on privately owned land; and,</td>
</tr>
<tr>
<td>b) Does not apply to mobile petting farms or mobile animal rides such as pony rides.</td>
</tr>
</tbody>
</table>

Carried
Rationale

Council is committed to managing its open space to promote, encourage and provide for the community’s cultural and social needs and encourages a variety of entertainment including circuses. There is growing local community concern about the use of exotic animals used as entertainment in circuses.

There are many councils in Australia that have placed a ban on having circuses with exotic animals on council owned land. These include: Canterbury-Bankstown Council, Melbourne City Council, and Surf Coast Shire to name a few.

In Australia, there are no national welfare standards for circus animals. Some states have endorsed codes of practice, but even where minimum legal requirements exist in relevant acts and regulations, they primarily only protect animals against acts of cruelty rather than ensuring circus animals have sound welfare.

Exotic animals in circuses are routinely subjected to months on the road confined in cages. As circuses play no meaningful role in education or conservation, the confinement of exotic animals in circuses continues only for the sake of entertainment.

There are only two circuses left in Australia that use exotic animals. Council placing a ban on circuses that use exotic animals, on council owned land, does in no way limit other circuses from visiting Wodonga, and operating on council owned land. Further, placing a ban on circuses that use exotic animals on council owned land does not cost the ratepayers anything to implement.

There were no petitions received for this meeting.
There were no documents requiring the attachment of the council seal.
Clause 23 of the council's Meeting Procedure Local Law (no. 1 of 2009) states:

If the agenda for an Ordinary meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if it:

a) relates to or arises out of a matter which has arisen since distribution of the agenda; or  
b) cannot safely or conveniently be deferred until the next Ordinary meeting or involves a matter of urgent community concern.

There was no urgent business.
Clause 61 of the council's Meeting Procedure Local Law (no. 1 of 2009) states:

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

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

61.3 Questions submitted to Council must be prefaced by the name and address of the person submitting the question and generally be in a form approved or permitted by Council.

61.4 Persons submitting questions must be present in the gallery at the time the question is due to be read, or the question will not be addressed by Council.

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

61.6 If a person has submitted two questions to a meeting, the second question:
   a) may, at the discretion of the Chairperson, be deferred until all other persons who have asked a question have had their questions asked and answered; or
   b) may not be asked if the time allotted for public question time has expired.

61.7 A question may be disallowed by the Chairperson if the Chairperson determines that it:
   a) relates to a matter outside the duties, functions and powers of Council;
   b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
   c) deals with a subject matter already answered;
   d) is aimed at embarrassing a councillor or a member of Council staff;
   e) relates to personnel matters;
   f) relates to the personal hardship of any resident or ratepayer;
   g) relates to industrial matters;
   h) relates to contractual matters;
   i) relates to proposed developments;
   k) relates to matters affecting the security of Council property; or j) relates to legal advice;
   l) relates to any other matter which Council considers would prejudice Council or any person.

61.8 Questions will be answered either at the Council meeting or as soon as possible after the Council meeting, subject to such policy or guidelines that Council may adopt from time to time.

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

There were no questions.
There was no confidential business.
Clause 23 of the council's Meeting Procedure Local Law (no. 1 of 2009) states:

If the agenda for an Ordinary meeting makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of Council and only then if it:

a) relates to or arises out of a matter which has arisen since distribution of the agenda; or

b) cannot safely or conveniently be deferred until the next Ordinary meeting or involves a matter of urgent community concern.

A confidential urgent business item also needs to stipulate the reason for the matter being considered as confidential in accordance with section 89 (2) and section 89 (3) of the Local Government Act 1989.

There was no confidential urgent business.


- Chairperson to close the meeting.

There being no further business the meeting closed at 7.39pm.

Minutes confirmed this ....................... day of ................................. 2018.

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