

MINUTES

for the ordinary meeting of council
held in the council chambers on
Monday, 21 July 2008, commencing at 6:00pm.

The Mayor opened the meeting with the Statement of Acknowledgement of the traditional land owners.

Present

Cr R Wangman (Mayor)
Cr B Wicks (Deputy Mayor)
Cr J De Kruiff
Cr J Hanuska
Cr L Mahood
Cr J Mahony
Cr A Speedie

Apologies

Nil

In Attendance

Mr M Gobel	Acting Chief Executive Officer and Director Investment Attraction
Mr T Ierino	Director Business Services
Mr R Henderson	Director City Infrastructure
Ms P Harrington	Director Community Development
Mr J Louw	Director Sustainable Development



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1. Documents to be Tabled

1.1 Minutes of the Ordinary Meeting of Council held on Monday 23 June 2008

1.2 Instruments of Appointment and Authorisation

1.3 Municipal Early Years Plan

1.4 Wodonga Planning Scheme Amendment C57, including the Municipal Strategic Statement and Local Policies.

1.5 Panel Report: Wodonga Planning Scheme Amendment C57

2. Declarations of Interest or Conflict of Interest

Cr Speedie declared a conflict of interest in relation to Item 10.3 Amendment C57 Wodonga Planning Scheme – Municipal Strategic Statement and Local Policies. Cr Speedie advised that she had an indirect pecuniary interest relating to land holdings in which her (domestic) partner has an interest and also an interest from land in the Baranduda Springs area which is owned by her father.

3. Confirmation of Minutes

RECOMMENDATION

That the Minutes of the ordinary meeting of council held on Monday, 23 June 2008, copies of which were circulated to all councillors, be taken as read and confirmed.

Councillors Wicks/Mahood

That the Minutes of the ordinary meeting of Council held on Monday, 23 June 2008, copies of which were circulated to all councillors, be taken as read and confirmed.

CARRIED 2008-84

4. Petitions

Nil.

5. Chief Executive Officer's Report

5.1 *Update on the Wodonga Livestock Exchange Expression of Interest Process*

The following report was tabled at the meeting.

Expressions of Interest for the Wodonga Livestock Exchange (WLE) were invited in December 2007 and closed on the 28th of March 2008. Council received several strong expressions of interest for the WLE.

Subsequent to the receipt of the proposals:

- Council established a WLE evaluation panel to evaluate the proposals received based on the evaluation criteria established within the Invitation to Expression of Interest Document.
- The evaluation panel has convened to narrow the proposals down to two preferred bidders as expressed in the report to Councillors on the WLE EOI process at both the April and June Council meetings.
- The WLE evaluation panel invited the two preferred proponents to present to the Evaluation Panel and stakeholder groups.
- The evaluation panel met with the WLE Advisory Committee to discuss findings resulting from the two proponents' presentations.

Following a review of the proposals and presentations of the two preferred proponents and following feedback from the WLE Advisory Committee, the evaluation panel has selected a preferred proponent.

It is proposed that Council request the preferred proponent to sign a Terms of Negotiation Agreement before formal negotiations commence relating to the sale of the WLE business, lease of the existing site, and sale of land at North Barnawartha.

RECOMMENDATION

1. That the Terms of Negotiations Agreement with the preferred proponent be signed.
2. That the Wodonga Livestock Exchange Expression of Interest Process as adopted in the August 2007 Council Meeting continue.

Councillors Mahony/Speedie

That standing orders be suspended, the time being 6.16 PM, for the purpose of discussing Item 5.1 and for dealing with a number of questions on this item submitted by members of the public.

CARRIED 2008-85

Question time:

The following questions submitted by members of the public gallery all related to Item 5.1. In each instance the Mayor gave a brief outline of Council's position on the matter. The Mayor noted that many of these matters would be addressed in discussions with the preferred proponent or through the update of the Huefner report. He also advised that a formal written response would be provided to all questions as a part of Council's commitment to consult with all interested parties.

1. Alan Maslen submitted the following questions:
 - i. How much consultation and involvement has Council had from agents, producers, buyers, carriers, and other beneficiaries over the period 2005 – May 2008 when making the decision to shift to Barnawartha?
 - ii. Has a survey or research been done on what effect the relocation will have on local businesses?
2. Colin Rapsey submitted the following questions:
 - i. Why doesn't Council sell the Wodonga Saleyards as a going concern at this current site?
 - ii. If the residents surrounding the proposed saleyards site do not want them located there and the population of Wodonga along with the Livestock industry are happy with the current location, why are we shifting?
3. Ian Coghlan submitted the following question:
 - i. To what extent has Council formally commissioned and considered any independent assessment of the proposed relocation of saleyards. Any assessment should be independent, objective, credible and consider the interests of all stakeholders.

-
4. Warwick Margery submitted the following question:
- i. We are having environmental problems now from Logic in regard to drainage and stormwater. The majority of drainage will flow through our properties in different areas if the yards are located at Barnawartha. What impact studies have been done, if so what are the plans and what's stopping us preventing this pollution entering our properties?
5. Dawn & Graeme Macaulay submitted the following question:
- i. We are having environmental problems now from Logic in regard to drainage and stormwater. The majority of drainage will flow through our properties in different areas if the yards are located at Barnawartha. What impact studies have been done, if so what are the plans and what's stopping us preventing this pollution entering our properties?
6. Jean Whitla submitted the following question:
- i. Does signing a Negotiating Agreement with the preferred proponents mean that the Council will not retain ownership under any circumstances regardless of the expressed wishes of the ratepayers?
7. M Byatt submitted the following questions:
- i. From Council's financial records what is the current asset value of all land, buildings, fixtures, fittings, plant and machinery at Wodonga saleyard?
 - ii. Will the sale of the business and goodwill to private enterprise and disposal of the WLE Bandiana Assets (at 08/09 estimates) exceed the current asset book value?
8. Jackie Elliott submitted the following questions:
- i. Livestock related industry regards Wodonga Saleyards as one of the best if not the best. Why pull them down?
 - ii. The Wodonga Saleyards are a part of its history and regularly return profits of around \$600,000 - \$700,000 a year. Apart from rates what other Council enterprises generate similar or better income?
-

9. Greg Margery submitted the following questions:
- i. Given the slow growth of the Logic centre as a transport hub and the indication by the Council of their intentions to sell off the Logic centre complex, do you think that the proposed position of the Livestock exchange at Barnawartha north will restrict the use by other industries such as food processing / packaging and therefore limiting the sales appeal of Logic to prospective buyers?
 - ii. Given that the Council profit from last financial year for the present saleyards operation was quoted as being \$800,000 and given that the estimated costs of the proposed new LSE is \$30M, equating to a profit margin of 2.66% can the Council and new owners guarantee that yard fees will not rise above the CPI? From these figures it seems as though a profit margin of this much is not viable for any business, therefore how can the business run at a profit without raising fees 400%?

Councillors De Kruiff/Speedie

That standing orders be resumed, the time being 6.57 PM.

CARRIED 2008-86

Councillors Wicks/De Kruiff

1. That the Terms of Negotiations Agreement with the preferred proponent be signed.
2. That the Wodonga Livestock Exchange Expression of Interest Process as adopted in the August 2007 Council Meeting continue.

CARRIED 2008-87

At this point, the time being 6.58 PM, the Mayor advised there would be a two minute recess to allow people in the public gallery who wished to leave the meeting to do so.

The meeting resumed at 7.00 PM with consideration of item 5.2.

5.2 *Appointment of Authorised Officers*

Section 224 (1) of the local government Act provides that “a Council may appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council”.

Recent staff appointments necessitate the appointment of the following officers as authorised officers of Council:

Waste Transfer Station

With the increased usage of the transfer station, it is important that all goods suitable for recovery or re-use are extracted. This includes providing good advice and information to visitors and on some occasions, issuing directions regarding the placement of materials, the non removal of other materials or directions of a safety/traffic measure or otherwise.

It is necessary for Council to appoint Jason Perna, Alex Hanusyn, and Greg Harrison as authorised Officers in accordance with the tabled schedule.

Civic Services

To meet the needs of our Service Charter with regard to parking, litter and animal control, we have secured two part time civic service officers, who have the necessary skills and experience to undertake enforcement duties. For the Officer to fully undertake all those duties, it is necessary for Council to appoint Heather Blampied and Jacqueline Walters in accordance with the tabled schedule.

Environmental Health Officer

With one of Councils Environmental Health officers taking maternity leave 2 months ago, we have secured the services of a replacement to ensure we continue to undertake the tasks required of Council, eg tobacco control, septic tank installations, Food Act premises inspections etc

In order to undertake relevant enforcement action, it is necessary for Council to appoint Haley Carmichael, as an Authorised Officer in accordance with the tabled schedule.

Building Services

In order to undertake building site inspections it is necessary for Council to appoint Steven Costoglou as an Authorised Officer in accordance with the tabled schedule.

RECOMMENDATION

In the exercise of the powers conferred by section 224 of the *Local Government Act* 1989 and the other legislation referred to in the tabled instruments of appointment and authorisation, Council resolves that -

1. Jason Perna, Alex Hanusyn, Greg Harrison, Heather Blampied, Jacqueline Walters, Haley Carmichael, and Steven Costoglou be appointed and authorised as set out in the tabled instruments of appointment.
2. The instruments come into force immediately the common seal of Council is affixed to the instruments.
3. The instruments be sealed.

Cr Mahony was absent from the meeting while Item 5.2 was considered and voted on. He returned to the meeting during consideration of Item 5.3 and voted on that item.

Councillors Mahood/De Kruiff

In the exercise of the powers conferred by section 224 of the *Local Government Act* 1989 and the other legislation referred to in the tabled instruments of appointment and authorisation, Council resolves that -

1. Jason Perna, Alex Hanusyn, Greg Harrison, Heather Blampied, Jacqueline Walters, Haley Carmichael, and Steven Costoglou be appointed and authorised as set out in the tabled instruments of appointment.
2. The instruments come into force immediately the common seal of Council is affixed to the instruments.
3. The instruments be sealed.

CARRIED 2008-88

5.3 Proposed Road Name Change – Kendall Street to Chapple Street (R50.0019)

At the April 2008 Council meeting, Council agreed to proceed with the statutory process of renaming the above road. Public consultation was sought by sending letters to Emergency Service Organisations, utility companies, landowners abutting the road and a public notice was published in the Border Mail. From this consultation only two responses were returned with no objection.

RECOMMENDATION

That Council rename Kendall Street (between Osburn Street and Chapple Street, Wodonga) as an extension of Chapple Street and proceed with gazettal and notifications of the name change.

Councillors Mahood/De Kruiff

That Council rename Kendall Street (between Osburn Street and Chapple Street, Wodonga) as an extension of Chapple Street and proceed with gazettal and notifications of the name change.

CARRIED 2008-89

5.4 Proposed Road Name Change – Jenkinson’s Road as a Continuation of Kendall Street (R50.0019)

At the April 2008 Council meeting, Council agreed to proceed with the statutory process of renaming the above road. Public consultation was sought by sending letters to Emergency Service Organisations, utility companies, landowners abutting the road and a public notice was published in the Border Mail. From this consultation only two responses were returned with no objection.

RECOMMENDATION

That Council rename Jenkinson’s Road, Wodonga as a continuation of Kendall Street and proceed with gazettal and notifications of the name change.

Councillors Wicks/Mahood

That Council rename Jenkinson’s Road, Wodonga as a continuation of Kendall Street and proceed with gazettal and notifications of the name change.

CARRIED 2008-90

6. Business Services Director's Report

6.1 *Finance Report*

The Finance Report is submitted for council's information (attached as **Appendix A**).

RECOMMENDATION

For information only.

7. City Infrastructure Director's Report

7.1 Metered sites / Electricity Supply

Council works through the company, *Strategic Purchasing* in a co-operative arrangement with other LGA's to obtain competitive pricing for a range of products, including electricity supply.

Strategic Purchasing has recently completed the tendering process for the contract 1106/0607 Electricity Supply to Metered Sites – Victoria, on behalf of 73 Victorian Councils.

Annually Council electricity expenditure is in the order of \$290,000 /yr for 'metered sites' which includes council offices, child care, community centres, BBQs, external toilets and other facilities.

This contract is intended to operate from July 2008 and end in June 2011 with two (2) x one (1) year options to extend the contract. Potentially for the five year contract term the total expenditure would be in the order of \$1.5M.

The submissions were evaluated across the selection criteria, compliance (10%), Customer focus (20%), Contractor Performance (15%), Corporate/social responsibility (5%) and price (50%).

The ranking process identified AGL as the preferred tenderer, followed by Origin and then Simply Energy. Strategic Purchasing identified AGL as the preferred tender as they were rated 18% higher than the nearest competitor.

AGL pricing for over 160 MWh sites was six per cent lower and for sites less than 160 MWh was two per cent below the lowest pricing from Simply Energy and Origin, respectively.

AGL was clearly identified as the preferred supplier as they provided significant benefits in the key area of Value for Money, Price competitiveness and certainty. By purchasing electricity through Strategic Purchasing, Council will achieve the most competitive price for the supply of power for its buildings and facilities.

RECOMMENDATION

That Council agree to enter into a contract with AGL for contract 1106/0607 for the supply of electricity to metered sites owned by the City of Wodonga through Strategic Purchasing and all necessary documentation be signed and sealed.

Prior to the recommendation being moved, it was noted that as with the electricity resolution adopted at the Council meeting of 19 May 2008 (Resolution 2008-62), it was assumed that this contract also included a 25% green power component.

Councillors Wicks/Speedie

That Council agree to enter into a contract with AGL for contract 1106/0607 for the supply of electricity to metered sites owned by the City of Wodonga through Strategic Purchasing and all necessary documentation be signed and sealed.

CARRIED 2008-91

7.2 Tender for the Construction of Yarralumla Drive

INTRODUCTION

The construction of Yarralumla Drive between Beechworth Road and Castle Creek Road forms the first stage in a key link in the cities outer ring road via Yarralumla Drive and Melrose Drive which will ultimately link South Wodonga and the Leneva Valley to the Hume Freeway.

Tender documents were advertised in the Border Mail and The Age on 17 May 2008 and closed at 2.00 p.m. on Tuesday 10 June 2008, for the completion of the construction of this section of road.

The following report provides the results of the tender process and the recommendations for the award of a contract.

BACKGROUND

Council has allocated funding from its capital works budget for the construction of Yarralumla Drive from the Beechworth Road roundabout to just west of Castle Creek Road. The majority of the bulk earthworks have previously been completed under separate works where Council funded the placement and compaction of free clay filling that was obtained from developers and home builders. Fill material surplus to White Box estate was also utilised to complete the road formation.

The works in this contract include pavement construction for two dual lane carriageways with a central median, extensive drainage works including stormwater treatment, public lighting and landscape works.

TENDERS RECEIVED

Fifteen (15) tender documents were issued. Three (3) tenders were received.

All tenders received were conforming tenders.

NAME/COMPANY	Price (incl. GST)
1. Cut and Fill Pty Ltd	\$787,336.60
2. Walsh Earthmoving Pty Ltd	\$528,522.10
3. A.P. Delaney Pty Ltd	\$592,253.00

Both Walsh Earthmoving and A.P. Delaney have completed similar projects for Council and are capable of completing this project. Cut and Fill are a large Melbourne based organization that have not previously tendered or undertaken works for Council and upon review of previous works completed they too are considered capable of completing this project.

All contactors are seen to be equivalent in terms of experience, capability and safety record.

Tenders were evaluated in accordance with Council's "Tender Evaluation Methodology Policy

Value for Money calculation results are detailed in Attachment 1 and show the best value for money to be the tender from Walsh Earthmoving Pty Ltd at a cost of \$528,522.10 including GST.

THE BUDGET

Council has provided funding in the 2007/2008 financial year of \$400,000 excluding GST (\$440,000 including GST) for this project.

Additional to the contract works the following items also need to be undertaken to complete the project. Purchase and installation of feature lighting columns and lights is estimated to cost \$8,000, and landscape works is estimated to cost \$65,000, bringing the total project cost to \$601,522.10 including GST. The additional \$161,522.10 to fully fund the project will be funded from Council's developer contribution scheme for Yarralumla Drive. Council is also seeking funding towards this major road project from VicRoads.

RECOMMENDATION

- a. That the tender for contract No 081110 being for the construction of Yarralumla Drive from the Beechworth Road roundabout to Castle Creek Road be awarded to Walsh Earthmoving Pty Ltd for the amount of \$528,522.10, including GST.
- b. That the contract period be 12 weeks from a mutually agreed start date.

Councillors Wicks/De Kruiff

- a. That the tender for contract No 081110 being for the construction of Yarralumla Drive from the Beechworth Road roundabout to Castle Creek Road be awarded to Walsh Earthmoving Pty Ltd for the amount of \$528,522.10, including GST.
- b. That the contract period be 12 weeks from a mutually agreed start date.

CARRIED 2008-92

8. Community Development Director's Report.

8.1 *Municipal Early Years Plan*

In order for children to thrive and realise their potential they require the support and involvement of all levels of government as well as the broader community.

International and national evidence highlights the importance of providing this support as early as possible in a child's life – starting before birth and continuing through the early months and years of life. Such support is vital for children's health and well being, the development of their learning and emotions and their later education, health and psychosocial success and well being.

There are more than 4600 children aged up to eight years of age in Wodonga, with many more visiting our municipality each year for services, recreation and educational activities.

Council plays a substantial role in providing support to families through the provision of services and activities such as maternal and child health, immunisation, occasional childcare, playgrounds, kindergartens, community centres, literacy program and events, libraries, parenting programs and support groups and community activities including the revitalisation of High Street, the annual Wodonga Children's Fair and the Gorf adventure program.

In addition, council works in partnership with other government and community organisations to provide education, additional health, community care and recreational services for children and families. The primary care partnerships provide the foundation for collaboration of local service networks and supports, thus providing a supportive environment for children and families.

Wodonga Council has developed the *Municipal Early Years Plan: creating a family-friendly city* as a framework to inform local planning and guide future developments to improve support for children and families throughout our city.

Family-friendly communities which support and encourage healthy families provide the best possible environments for children's early development and learning. Implementation of the various recommendations and measured outcomes contained within the early years plan will assist the community in developing strategic approaches to address the needs of local children, families and service providers.

RECOMMENDATION

That the Municipal Early Years Plan, as tabled, be adopted.

Councillors Speedie/Hanuska

That the Municipal Early Years Plan, as tabled, be adopted.

CARRIED 2008-93

8.2 *Playground Strategy*

Wodonga Council has 63 public playgrounds across the city.

Currently, there exists many opportunities to be creative whilst improving our planning and design of playgrounds

Over the last 20 years, council has placed modular units on sites identified for playgrounds, which has seen the development of playgrounds with similar play features providing only limited social value for children and their carers.

Although playground stock is maintained, capital replacement funds have not kept up with the aging infrastructure. In addition, the play value and interest offered by the city's playgrounds are generally below what should be expected and what could be provided with contemporary materials and design approaches.

Playgrounds are not only important for childhood play, but are valuable places for community and social interaction. The design of playgrounds has a direct impact on the quality of the users experiences and the extent to which the area is utilised.

This new strategy aims to build on work previously done and provides a way forward for the playground network system in Wodonga to be creative and take into account the needs of both neighbourhood and regional play spaces that will be accessed across our city.

This strategy aims to provide a framework to meet five key objectives in providing quality play spaces across the city. A team of council staff from related areas were active in contributing to the development of this strategy as well as input from Playground and Recreation Victoria.

RECOMMENDATION

That the Playground strategy, attached as appendix B be adopted.

Councillors Hanuska/Mahood

That the Playground strategy, attached as appendix B be adopted.

CARRIED 2008-94

8.3 Wodonga Sports and Leisure Centre and New Aquatic Facility Management – EOI Evaluation Process A20.0963

The Wodonga Sports and Leisure Centre and New Aquatic Facility Management EOI process commenced on the 14th of June and closed on the 8th of July.

With the EOI's now in, Council has to evaluate the proposals. The key criteria for assessment will be centred around the key criteria set out in the EOI documentation. The key criteria include:

- Previous history and performance with other local government aquatic and leisure facilities
- Development, implementation, and investment in community engagement strategies and programs
- Identification of, and adherence to, key performance criteria
- Demonstration of asset protection and renewal
- Demonstration of community satisfaction
- Demonstration of increased community participation
- Demonstration of financial viability
- Demonstration of user group engagement and satisfaction
- Demonstrated excellence in business and operational planning,
- Development and implementation of innovative programs and services
- Demonstration of ability and capacity to develop opportunities within a regional context
- The transition of the existing business arrangements in a new contract environment
- Detailing options for contract models and management structures

An evaluation panel is required to assess the merits of each proposal against the key criteria . The composition of the panel is to be made up of Council officers and an aquatic and leisure facility industry specialist.

The evaluation panel will also make recommendation on proponents considered to be the most suitable to proceed to a tender process which will provide even more detailed information

The evaluation panel will determine if management by an external organisation will provide better quality services, greater value for money, and more improved outcomes for the community beyond the contract management arrangements.

Further to this, it is envisaged that the evaluation panel, during the tender process will provide an opportunity for user group and staff representatives to be present at presentations by selected proponents for opinion relating to particular aspects of proponents bids. Any issues relating to legal

aspects of the proponents bids will be referred to Maddocks Solicitors as Council's legal advisers.

The intended process and timetable associated with the evaluation of EOI's and tender of bids is as follows:

Action	Date
Establish Evaluation Panel	Early July
Evaluation Panel Meets	Mid July
Evaluation of all bids, including presentations by proponents to be completed	End of July
Selection of preferred proponent(s) to move to tender phase	End of July
Conduct of Tender phase	Early August
Briefing of Councillors on evaluation progress and outcomes	Mid August
If Decision to proceed with Process:	
Further negotiations and submissions from preferred proponent	Mid to late August
Selection of successful proponent for recommendation to Councillors	End of August
Council Resolution	September Council Meeting

RECOMMENDATION

1. That Councillors endorse the establishment of an evaluation panel to evaluate the EOI and Tender proposals.
2. That Councillors endorse the evaluation process and timetable.

Councillors De Kruiff/Wicks

1. That the establishment of an evaluation panel to evaluate the EOI and Tender proposals be endorsed.
2. That the evaluation process and timetable be endorsed.

CARRIED 2008-95

9. Investment Attraction Director's Report

9.1 Wodonga Civic Centre – Report on 2007-2008 Activities



Review

Two years ago Wodonga Civic Centre was brought back within Council operations with the intent of better facilitating community use of the venue, after being operated by external contractors.

The past year has seen the venue host over 251 separate events, with an audience of approximately 46,791; an increase of 6,500 from the previous year. This strong patronage demonstrates the communities need for an accessible venue and their commitment to featuring product in our CBD, despite the present venue condition.

The past twelve months has seen the venue broaden activities and developments including:

- Attraction of annual support funds from Arts Victoria, with a triennial memorandum of understanding now in place
- Continued implementation of a two tiered pricing structure that fosters both community and commercial use
- The continued employment of permanent staffing levels to facilitate safe and successful use of the venue
- Revised operational systems and risk management practice
- New commercial and community hirers introduced to the venue
- Increase in services available – ie. installation services, catering and event management, AV equipment, technical support for conferences and functions
- Strengthening of hirers confidence in the venue and relationships with venue staff
- Improved community perception of the venue
- Development of a performing arts program tailored to specific audiences
- Initiation of a programming memorandum of understanding with HotHouse Theatre and Albury Performing Arts Centre

- Work towards the redevelopment including business planning, scoping study, build and operational budgets, architectural plans, concept estimates and a funding proposal

2007/08

Visitation Figures	46,791
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** Door counters presently not installed*

Events Held	251
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Performances	19
Seminar/Workshops	51
Forum	11
Dinner/Dance	46
Expo	13
Festival	16
Examinations/Training	30
Weddings	0
CWA	19
Immunisation	20
Other	26

Organisational Usage	
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Commercial	39
Not for Profit	114
Government	73
Educational	25

Of the 46,791 audience passing through the venue 22,977 people attended cultural based activities.

Future Upgrade

The future upgrade of the venue proposes to redevelop the Wodonga Civic Centre into a Performing Arts Centre that can host:

- Community cultural activities and events
- A quality performing arts program complimentary to both HotHouse Theatre and Albury Performing Arts Centre
- Commercial conferences and functions

Funding discussions regarding the redevelopment are continuing with Arts Victoria and Regional Development Victoria.

The redevelopment will address the persistent and problematic lack of a sizeable performing arts venue in Wodonga. It will reflect the ambitions

and demands of the community in terms of having a public performing arts venue that can host touring product, locally produced productions, dance and musical performances, workshops, forums, exhibitions and a presentable space for commercial events, conferences and community celebrations.

It will also:

- Address the fact that Wodonga is the only regional city in Victoria without a Performing Arts Centre
- Position Wodonga as a destination in its own right through the delivery of a significant program of diverse performing arts, community activities and commercial events
- Add significant new public infrastructure in the heart of the Wodonga CBD that will create a new identity for the city and act as an attractor to future potential businesses
- Take advantage of the opportunity to develop the Performing Arts Centre in parallel with the adjacent private cinema development and the in-kind contribution to the façade entrance of the venue
- Leverage further commercial investment in the Wodonga CBD through demonstrating the success of public/private partnership proposals that can deliver advantages for both parties
- Foster and attract new arts activity in the region
- Provide opportunities for the city to secure additional major events and conferences that can take advantage of the new facility that offers flexible flat floor adaptation

RECOMMENDATION

That the Wodonga Civic Centre continue to be endorsed and promoted as a key service for the Wodonga community, and that key government stakeholders be lobbied for funding towards the venue redevelopment.

Councillors Mahood/Speedie

That the Wodonga Civic Centre continue to be endorsed and promoted as a key service for the Wodonga community, and that key government stakeholders be lobbied for funding towards the venue redevelopment.

CARRIED 2008-96

10. Sustainable Development Director's Report

10.1 June 2008 Building Report

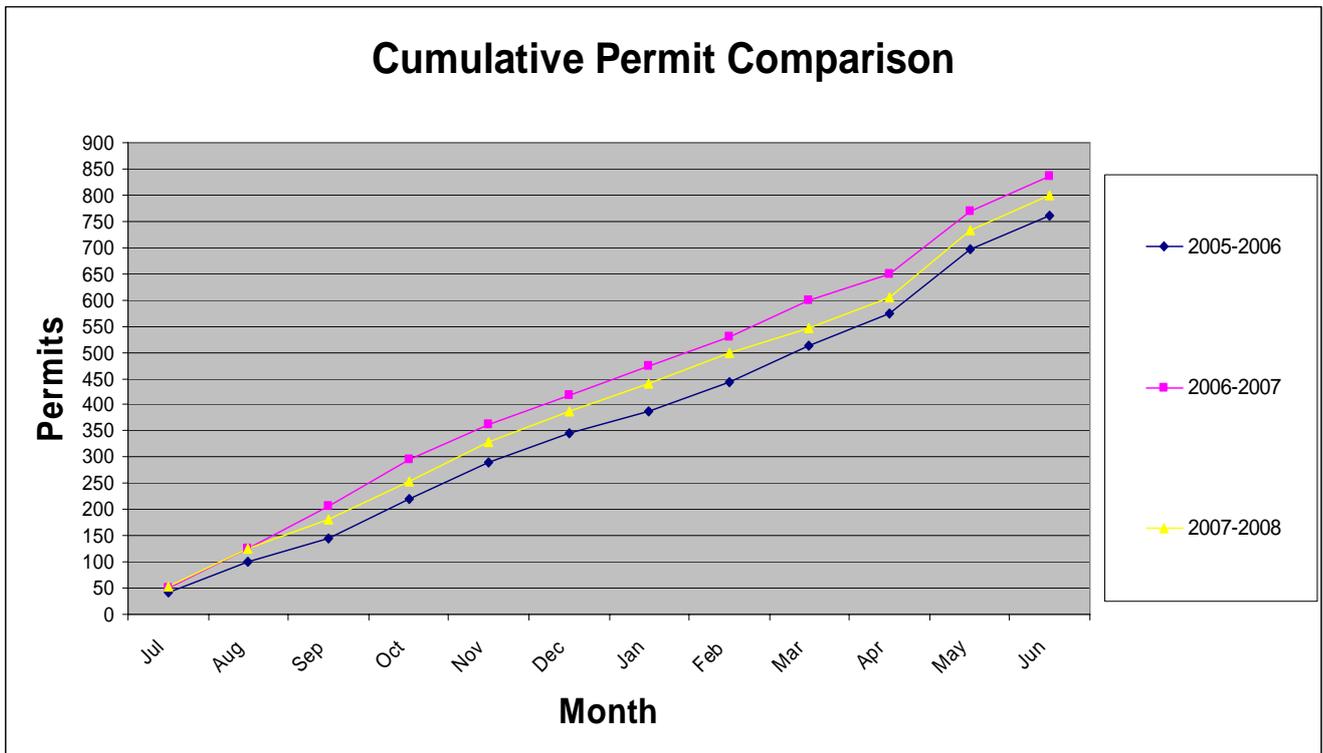
The value of building permits issued in Wodonga from 1st June 2008 to the 30th June 2008 is \$4,333,866.14. Details of the building approvals in excess of \$100,000.00 are as follows:

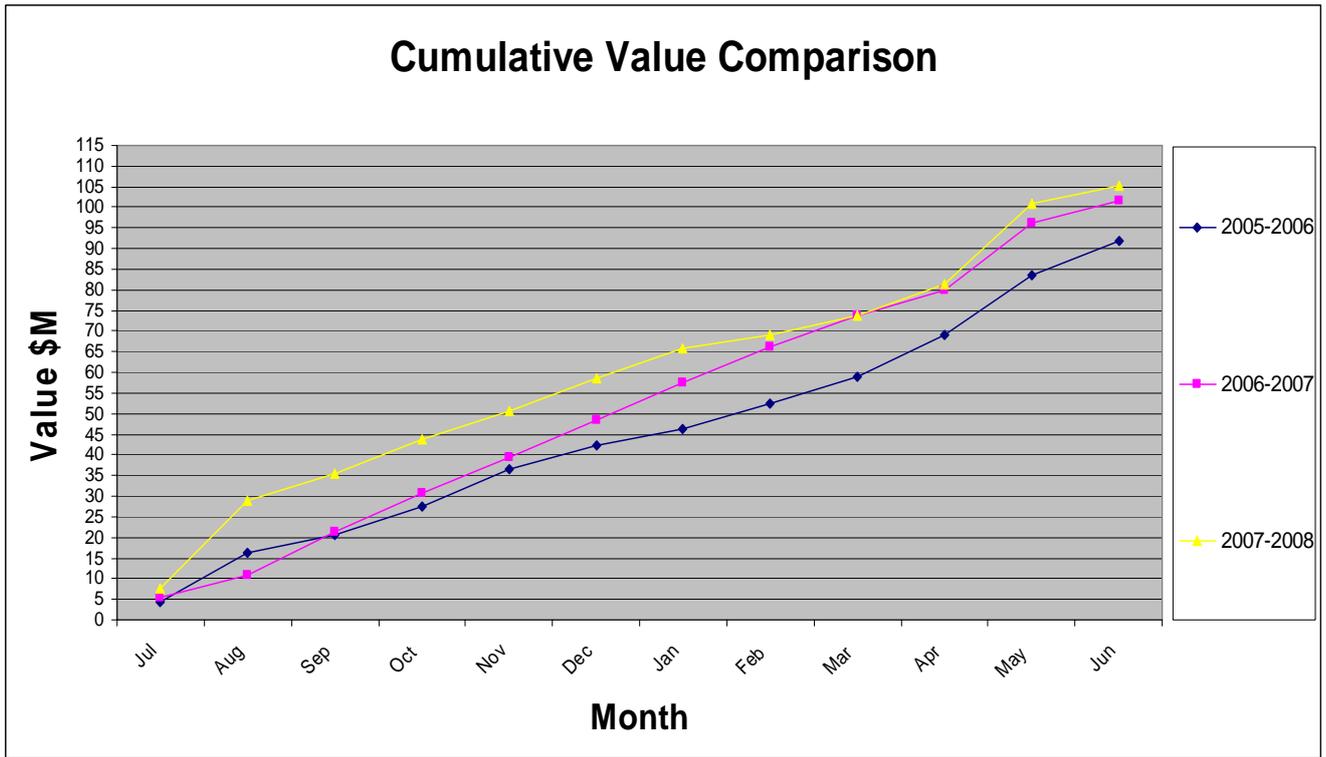
Permit No	Value	Construction	Address
2007/396/DWELL	\$152,827	DWELLING	114 DOCKING STREET WODONGA
2008/128/DWELL	\$251,535	DWELLING	44 CRAIG CIRCUIT LENEVA
2008/162/DWELL	\$289,390	DWELLING	9A THOMAS MITCHELL DVE WODONGA
2008/181/DWELL	\$220,000	DWELLING	5 AHERN COURT WODONGA
2008/191/DWELL	\$160,000	DWELLING	28 CRAIG CIRCUIT LENEVA
2008/50/PBSCOM	\$240,000	CHAPEL	1 BOWMAN COURT WEST WODONGA
2008/83/PBSDWL	\$210,000	DWELLING	356 BEECHWORTH ROAD WODONGA
2008/105/PBSDWL	\$230,000	DWELLING	2 CASTLETON STREET WODONGA
2008/115/PBSDWL	\$184,584	DWELLING	17 BOYD COURT BARANDUDA
2008/116/PBSDWL	\$300,000	DWELLING	9 BINDER CRESCENT WODONGA
2008/120/PBSDWL	\$230,917	DWELLING	6 CORELLA WAY WODONGA
2008/121/PBSDWL	\$230,120	DWELLING	239 LAWRENCE STREET WODONGA
2008/126/PBSDWL	\$343,529	DWELLING	378 BEECHWORTH ROAD WODONGA
2008/129/PBSDWL	\$178,900	DWELLING	24 CRAIG CIRCUIT LENEVA
2008/125/PBSUTS/1	\$299,157	2 DWELLING UNITS	14 WHITELY CIRCUIT BARANDUDA

Building activity in the City of Wodonga – June 2008

(May 08)

- Total number of building permits issued in Wodonga. 66 (60)
- Total number of dwellings approved in Wodonga (Dwellings & Units). 14/2 (13/6)
- Total number of permits relating to commercial & industrial works in Wodonga. 9 (7)
- Percentage of work approved by Council 78.79% (66.66%)
- Number of permits approved outside Wodonga - Victoria 1 (0)
- Number of permits approved outside Wodonga - NSW 0 (0)





RECOMMENDATION

For information only.

10.2 Planning Report – Delegated Planning Permits (PPA.001)

The Manager Statutory Planning has approved 13 permits including 2 permit amendments by delegation from 1st June 2008 to 30th June 2008. Significant applications considered in the last month include:

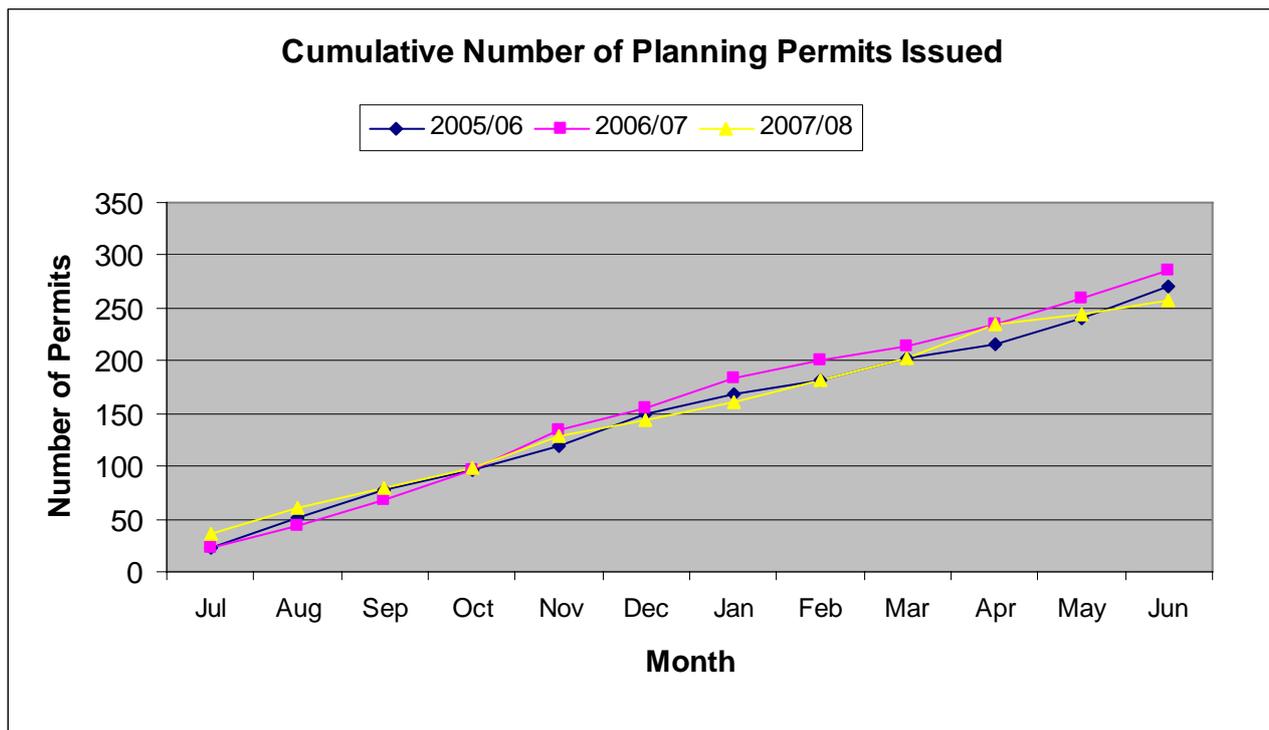
Permits approved in June 2008

Permit No	Use/Development	Applicant	Site Address
2007/180	293 lot residential subdivision, 14 development parcels, removal of native vegetation, and associated buildings and works	EDM Group	115 Kinchington Road, Leneva VIC 3691
2008/8	Development of professional offices and variation to car parking requirements	Elgin Nominees Pty Ltd	11 Elgin Boulevard, Wodonga VIC 3690
2008/88	Native vegetation removal (removal of two locally indigenous trees)	Amtoft Holdings Pty Ltd	13 Kendall Street, Wodonga VIC 3690

Permits refused in June 2008

None

Comparison of monthly permits/amendments issued for previous years



RECOMMENDATION

For information only.

10.3 Amendment C57 Wodonga Planning Scheme – Municipal Strategic Statement and Local Policies

At this point, the time being 7.48pm, and prior to consideration of Item 10.3, Cr Speedie declared a conflict of interest in relation to Item 10.3 – Amendment C57 Wodonga Planning Scheme - Municipal Strategic Statement and Local policies. Cr Speedie advised that she had an indirect pecuniary interest relating to land holdings in which her (domestic) partner has an interest and also an interest from land in the Baranduda Springs area which is owned by her father.

Amendment C57 introduces a revised version of the Municipal Strategic Statement (MSS) replacing the current version that was introduced on 9 September 1999. The amendment replaces clause 21 being the MSS and clause 22, which is the local policy section of the Wodonga Planning Scheme. The revised version of the MSS reflects a series of recent strategic work including the review of the Central Area Master Plan, an assessment of industrial land requirements, extensive urban structure planning of the residential growth areas, and environmental studies.

In replacing clause 22 – Local Planning Policies, an updated set of local planning policies is provided. Many of the former policies have been deleted or have been updated to ensure the local policy content is relevant and applicable. The revised policies will act as guide for how the City of Wodonga will apply its discretion in regard to specific planning applications. The total number of policies has been reduced from 27 to 18.

The amendment also sought to introduce a requirement for residential subdivision to provide a 10 percent public open space contribution. The Council in considering submissions lodged has agreed to reduce this requirement to a 5 % contribution requirement.

The key changes made to the MSS are:

Increased focus on Urban Design – The Council previously concluded that the former MSS worked well in planning for the general structure of the City, however it needed to pay more attention to urban design. Both the built form and structural elements of urban development influence the social, economic and environmental impacts and performance of the City. The view was taken that development in Wodonga could be improved to deliver more sustainable outcomes and a higher level of social, economic and environmental performance. The new version of the MSS pays greater attention to the built form and design of development and links this to an objective of ensuring that development is more sustainable and socially responsive. Greater recognition is provided to the importance of the public realm and the need for development to acknowledge its responsibility to the public realm. This is expressed throughout the MSS and will influence planning directions for the CBD, residential growth areas and other major development in the City.

Central Business Area - The State and Federal Governments have committed funding to the removal of the Melbourne to Sydney rail line from central Wodonga. The removal of railway line will result in 19 hectares of land being made available for sale and development in the CBA. The MSS deals with the certainty that the railway line is relocating and locks in the vision the Council has for the revitalisation of the central business area. The removal of the railway line provides an opportunity to revitalise the CBA. The MSS seeks to guide this opportunity and provide Wodonga with a vibrant and attractive mixed use town centre. The MSS will also provide important strategic direction for the built form of the CBA to ensure that future development is consistent with guidelines prepared for new development in the CBA.

Sustainability & Environment - The current version of the MSS has led some positive change in terms of minimising the impacts of development on the environment. There have been major improvements with the protection of waterways and their catchments in addition to the protection of key landscape elements such as the hills surrounding Wodonga. A focus is provided in the proposed MSS toward achieving a balance between protecting the environment and facilitating development. An emphasis is placed on addressing environmental issues early in the planning process, to protect areas of high conservation value ahead of potential development pressures emerging. Improvements in sustainable development outcomes will be delivered through better urban structuring with an aim of producing structure plans that will reduce average travel distances per household (compared with conventional sprawl based urban development).

Inner City Residential Development - This issue is clarified with the vision for the central area of Wodonga being expressed and more direction provided on the character, density and scale of development in and around central Wodonga. The new MSS in the interests of sustainability and promoting a more vibrant central business area is promoting an increased residential density.

Retail Activity Strategy - Again with a sustainability focus the Council has acknowledged that the restriction placed on retail development outside the CBD is no longer appropriate and there is a legitimate role for minor activity centres to be located in the suburban areas of Wodonga. The revision of the MSS clarifies the retail hierarchy of the City, emphasizing the primacy role of the Wodonga CBD and identifying key locations for small centres and trading clusters, such as bulky goods.

Social and Community Planning - The current MSS did not deal effectively with social and community land use planning issues. The proposed MSS provides a more effective land use context to address social and community planning issues.

Industrial Land Strategy - The MSS describes the role and future planning objectives for each of the major industrial land resources of the City. This includes Logic, Baranduda/Bandiana, Enterprise Park and East-Side Wodonga. This is an improvement on the more general descriptions provided in the current MSS.

Rural Living and Low Density Residential Development – The strategy for these forms of rural residential development is changed. There is less emphasis on providing land for rural living development in Wodonga, due to the amount of land it will need and the potential for this type of development to impinge on the future urban development requirements of the City. In a further revision to the MSS the Council wishes to promote the Low Density Residential Zone as a preferred option for the City's rural residential land supply. This would mean that all future rural residential development will be serviced with both town water and reticulated sewerage.

Public Exhibition & Consultation Processes – Prior to the formal exhibition process for Amendment C57 a working draft was sent to each of the Government Agencies and offered them the opportunity to meet to discuss any issues through March and April of last year. This process proved to be valuable in making a number of corrections to the documents.

During this process meetings were held with:

- North East Catchment Management Authority.
- Goulburn Murray Water.
- North East Water
- Telstra
- CFA
- DSE
- Regional Office of DPCD

In accordance with the Council's resolution of 20 November 2006, authorisation to prepare the amendment was sought from the Minister for Planning on 16 March 2007 and granted on 14 May 2007. Amendment C57 was then taken through an extensive public consultation and exhibition phase that included the following:

- One on one consultation with key Government agencies and servicing authorities.
- Extensive media coverage including press releases and formal advertisements in 6 editions of the Border Mail.
- Two key stakeholder sessions, held on 5 and 12 September 2007.
- A community information session on 4 October 2007.
- Articles in the September edition of City Life.
- Telephone and counter inquiries from just over 50 interested individuals.
- A two month formal public exhibition period extending from the 16 August 2007 until 22 October 2007.

As a result of the public exhibition process a total of 20 submissions have been received by the due date. A number of late submissions were also

received well after the due date for submission in relation to subdivision proposals at Patricevale and from VicRoads and the Albury Wodonga Corporation. As a result of these submissions being received the Council at its meeting November 2007, resolved to seek the appointment of a Panel to provide further consideration to the submissions received and to provide recommendations on the form and content of the planning scheme amendment.

The Panel Report

The Panel conducted its hearing from 8 – 10 April 2008 and submitted its report on 2 June 2008. A copy of the Panel's report is attached for further reference.

The Panel has found that the amendment to the planning scheme represents a significant improvement on the current version of the MSS and local policies and that it should be adopted with modifications. The Panel also congratulated the Council on its consultative efforts and depth of strategic work undertaken to support the Municipal Strategy. The directions and recommendations provided through the Panel report are an endorsement of the Council's land use strategic position

A summary of the Panels findings is provided in the following sections:

Form and Content

Although generally complying with the form and content directed through State policy directions the Panel has suggested the MSS is lengthy and at times repetitious. In particular clause 21.04 has been singled out for further review. Clause 21.04 provides a profile of the City of Wodonga and the Panel suggest there is too much information in this section that does not in any way add to the strategic directions in the document.

The Panel have not agreed with the statements in the MSS that suggest certain outcomes will not be supported or where a numerical limit for development is specified such as the limit for floor space in a particular neighbourhood activity centre. Whilst the Panel agree with the strategic directions they have recommended that where this occurs the section be re-written to describe the strategic intentions/outcomes.

Central Area Master Plan

The Panel supported the Master-Plan, including the strengthened urban design directions and the primacy role of the CBD in the retail hierarchy of Wodonga.

Minor changes are recommended to the supporting reference documents undertaken by Macro-plan to ensure consistency between the versions of plans.

Activity Centres Strategy – Enterprise Park/ North West Wodonga

The Panel agreed that the development of the North West Wodonga Centre should not risk any erosion to the viability of development in the CBD and that there is an issue of timing, in terms of the when it is appropriate to allow the centre to expand beyond a small scale. The Panel also acknowledge the great opportunity the North West Wodonga centre offers as a niche centre for the TAFE and university precinct.

Given the comments of the Panel on the manner in which the size of activity centres can be controlled, the Council needs to reconsider how it provides a limitation on the size of centres as expressed through the Activity Centres Strategy. Further discussion with the Department of Planning and Community Development has led to the introduction of schedules to the Business 1 Zone and Mixed Use Zone being used as part of this amendment. This is possible given the strategic support for the limitations being provided by the Panel.

The only difference from what was intended through the MSS is how the floor space limitation is expressed. The State requirements refer to a gross leaseable area (GLA), rather than a net trade-able floor space as intended through the MSS. This means that the reference expressed in the MSS to 3000 square metre limit, needs to be expressed as 4000 GLA in the schedules to the zones. The difference being that GLA includes storage areas, offices, toilets, loading docks etc. These suggested changes maintain the integrity and consistency in approach applied by the Council in terms of the activity centres outside the CBD. The suggested changes also support the form and content requirements of the State in terms of how floor space limits can be applied through a planning scheme.

Rural Living and Low Density Residential Strategy

The Panel fully supported the Council's direction of ensuring that future urban development land is protected from rural residential subdivision and that Council is correct in being cautious in its approach toward identifying and rezoning land for Rural Living development. The Panel appreciate that it would be wasteful of the Council to focus its rural residential living options on the Rural Living Zone, because there is simply not the land available.

The Panel support the Council in its endeavours to undertake further strategic work to identify future rural residential living options within the City of Wodonga. The Panel have suggested that the section on rural living development be retitled Rural Living and Rural Residential Development and that rather than nominating whether land is in a Rural Living Zone or Low Density Residential Zone that they be changed to "Rural Residential Area".

Valley Views Estate

The Panel support the Council in amending the planning scheme to include the Valley Views Estate in a Rural Living Zone as a measure to address the issue concerning the implementation of the Section 173 Agreement. The Panel also suggest that the MSS should clarify what the long term plan for the Valley Views Estate is beyond 2015.

Patricevale Estate

The Panel endorse the Council's intentions of undertaking an Enquiry – by - Design process and agreed that further work is required to be undertaken before any definitive zone can be selected for the potential rezoning of the Ashworth property. The Panel agreed with the changes made to the map supporting the Rural Living Strategy for the Patricevale area to be nominated as a future investigation area.

Medium Density Housing Policy

Parts of the former Albury Wodonga Corporation developments are affected by a local policy which effectively prohibits medium density development. The policy is a carry over from the time when the Albury Wodonga Corporation was the planning authority and used the planning scheme to prohibit unit development rather than restrictive covenants. The policy was introduced in 1999 to provide some continuity with the previous AWC controls and to honour the basis on which many residents purchased land within these estates. The Panel have indicated that the policy is inconsistent with State Policy and cannot be maintained in its current form.

Nordcon Land - Coyles Road Wodonga West

Nordcon made representations to the Panel to have the land rezoned or included in the growth strategy as a future residential at the rear of the Visy plant at West Wodonga.

The panel concluded that there is insufficient justification for this change to be made at this point in time.

Albury Wodonga Corporation

The MSS sought to address a number of zoning anomalies with AWC land to ensure land not required for development in the foreseeable future is rezoned in line with the growth strategy plan. Conversely the Corporation made representations to the Panel to maintain its urban zoned parcels and for reference to the zoning of land being an issue to be deleted from the MSS. The panel provided support for the Council's position on this matter.

Baranduda Town Centre

The Panel supports the proposed zoning changes of the centre and strengthening of the MSS to allow a small format supermarket to be developed near the current Baranduda community centre.

Maintaining large parcels in the Leneva and Baranduda Growth Corridor

The MSS provided directions to discourage the subdivision of lots under 40 hectares in the Leneva Growth corridor. The panel agrees with the intent of this direction and directed the Council to make statements about what it wants to achieve strategically rather than stating a particular limitation.

The Panels' conclusions and recommendations are attached for reference and provide a positive endorsement of Council's entire strategic intentions.

The main changes that warrants highlighting in this report is the means by which the floor space limitations are addressed in the planning scheme. Through this planning scheme amendment it will be done by the use of a schedule for both the Mixed Use and Business 1 Zones, rather than what was expressed in the exhibited version of the MSS. In addition to the zone schedules there will be a guiding definition provided in the MSS of what constitutes a local activity centre.

The Panel recommendations also include endorsement of the changes the Council agreed to make to the MSS in response to the submissions received, the version of the MSS and Local Policies includes these changes and those recommended by the Panel.

RECOMMENDATION

That the Council adopt the amendment with changes as recommended by the Panel inclusive of the addition of schedules to the Business 1 Zone and Mixed Use Zone to limit the size of specified centres to 4000 square metre of gross leaseable area.

That the amendment be adopted in accordance with Section 29 of the Planning and Environment Act (1987) and submitted to the Department of Sustainability and Environment for approval and inclusion in the planning scheme.

During discussion of this item it was noted that the above report incorrectly states that Council intends undertaking an Enquiry - by - Design process for the Patricevale Estate. However this Enquiry - by - Design process will in fact be undertaken by the developer, not by Council.

Cr Wangman requested that the Minutes reflect that a future Council will need to hold discussions over agreed and planned subdivision changes at Valley Views, prior to the 2015 conditional allowing residential subdivision. This process may in fact be part of the next Municipal Strategic Statement update.

Councillors Mahood/Hanuska

1. That the third paragraph of clause 21.10-12 of the tabled Amendment C57 Wodonga Planning Scheme be deleted and replaced with the following:
“The zoning of the land indicated in Figure 10 remains unchanged. A developer is investigating a further proposal in this area which is subject to Council approval and requires Council’s satisfaction of neighbouring resident support and appropriate use of the land”.
2. That subject to the change at part one above, Council adopt the amendment with changes as recommended by the Panel inclusive of the addition of schedules to the Business 1 Zone and Mixed Use Zone to limit the size of specified centres to 4000 square metre of gross leaseable area.
3. That the amendment be adopted in accordance with Section 29 of the Planning and Environment Act (1987) and submitted to the Department of Sustainability and Environment for approval and inclusion in the planning scheme.

CARRIED 2008-97

At this point, the time being 8.06 PM, Cr Speedie returned to the room after the above resolution was carried.

10.4 Food Sampling E80.0102

Council has legislated food control requirements including the purchase of food samples for analysis to ensure compliance by manufacturers and retailers. In the past quarter the following samples were procured:-

Sample Number	Sample Type	Result
76/0708	Meat Pie	Satisfactory
77/0708	Patties Mini Party Pies	Satisfactory
78/0708	Patties Party Pies	Satisfactory
79/0708	Herbet Adams Party Pie	Satisfactory
80/0708	Elmsbury Party Pies	Satisfactory
81/0708	Minced Beef	Satisfactory
82/0708	Thick Sausages	Satisfactory
83/0708	Sliced ham	Satisfactory
84/0708	Alfalfa Sprouts	Satisfactory
85/0708	Alfalfa Sprouts	Satisfactory
86/0708	Fruit Jelly Cream	Satisfactory
87/0708	Chicken Risotto	Complaint – foreign matter
88/0708	Shaved Roast Beef	Micro Marginal
89/0708	Turkey Breast Roast	Satisfactory
90/0708	Roast Pork	Micro unsatisfactory
91/0708	Chicken Bacon Carbonara Salad	Satisfactory
92/0708	Taboulah Salad	Satisfactory
93/0708	Vegie Burgers	Satisfactory
94/0708	Bocconchini pasta salad	Satisfactory
95/0708	Crunchy Combo snacks	Satisfactory
96/0708	Black Forrest Cake	Satisfactory
97/0708	Chicken & Vegetable Noodle soup	Satisfactory
98/0708	Chicken and pumpkin pie	Satisfactory

The above analysis reports resulted in corrective actions being undertaken at those relevant food premises and legal action was subsequently avoided.

RECOMMENDATION

That in accordance with the requirements of Clause 32 of the *Food Act 1984*, the report on Food Sampling for the second quarter of 2008 be received.

Councillors Wicks/De Kruiff

That in accordance with the requirements of Clause 32 of the *Food Act 1984*, the report on Food Sampling for the second quarter of 2008 be received.

CARRIED 2008-98

10.5 Environment and Community Protection (Amendment) Local Law L90.0015

The City of Wodonga's Environment and Community Protection Local Law (No 3 of 2007) was adopted on 18 June 2007. It has proven to be effective in that it has removed duplications that existed previously, is more user friendly and meets community expectations on matters relating to their neighbourhood and city.

Since its adoption several matters have arisen which have highlighted the need to amend the local law in order to improve its effectiveness. These matters include mobile bill board advertising signs, alcohol consumption on roads (not just parks), a residential parking permit scheme (for use adjacent to the hospital), and the protection of significant trees. The changes also provided an opportunity to correct some typographical errors and a numbering anomaly.

The report attached as Appendix C denotes the proposed changes together with an explanation for those changes. The proposed changes to the Local Law are considered important in order to deal effectively with matters not previously considered.

The Local Government Act requires Council to formally resolve to proceed with a Local Law amendment, and for a public notice to be given which provides that persons affected by the amendment to the local law may make a submission. Following the period of public exhibition it is expected that a further report will follow to the September meeting.

RECOMMENDATION

1. That notice be given of the intention to amend the Community and Environment Protection Local Law.
2. That in accordance with Section 119 and Section 223 of the Local Government Act the draft Environment and Community Protection (Amendment) Local Law (no. 1 of 2008) be placed on public exhibition.

During disc of Item 10.5, Cr Mahood left the meeting at 8.08 PM and returned at 8.09 PM.

Councillors Wicks/De Kruiff

1. That notice be given of the intention to amend the Community and Environment Protection Local Law.
2. That in accordance with Section 119 and Section 223 of the Local Government Act the draft Environment and Community Protection (Amendment) Local Law (no. 1 of 2008) be placed on public exhibition.

CARRIED 2008-99

10.6 Willow Park Master Plan and Management Plan

Council intends trialing a community empowerment process whereby the community will have greater involvement in the planning and management of Willow Park. If successful it is intended to roll the planning and management process out to other parks within Wodonga.

A Steering Committee was formed consisting of Cr Jenny Hanuska, council staff and the Friends of Willow Park (FoWP) to develop a master plan and management plan for Willow Park. The master plan will provide a 25 year vision for Willow Park and a management plan that will guide the future development and management of Willow Park for the next five years

The Steering Committee has developed a scoping document that includes the principles to guide the planning process, the key deliverables, the proposed consultation process and a timeframe for the delivery of the master plan and management plan. A copy of the draft scoping document is included at Appendix D.

It is proposed that the master plan comprise four parts:

1. Introduction and background; the planning process; the policy context; site description
2. Underlying values; principles that guide ongoing development, maintenance and management of Willow Park; vision; summary of assessment and analysis; long-term aims and objectives
3. Key priorities, strategies and responsibilities that will inform implementation
4. How the plan will be monitored and reviewed.

A management plan will be developed as part of the process that is comprised of key actions assigned a responsible party and a timeline for completion.

It is proposed that the master planning process include a community engagement process that engages the surrounding neighbourhood, park users and Wodonga community. The community process could include the following:

- Neighbourhood forums
- Listening posts
- Park user forums
- Website survey
- Interviews
- Workshops
- Feedback on draft master plan and management plan.

It is anticipated that the draft master plan will be completed in March 2009.

RECOMMENDATION

That the scope for the delivery of the Willow Park Master Plan and Management Plan, attached as Appendix D, be endorsed.

Councillors Hanuska/Speedie

That the scope for the delivery of the Willow Park Master Plan and Management Plan, attached as Appendix D, be endorsed.

CARRIED 2008-100

11. Documents to be Signed and Sealed

11.1 Minutes of the Ordinary Meeting of Council held on Monday 23 June 2008

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Monday 23 June 2008 to be signed and sealed.

Councillors De Kruiff/Wicks

That the Minutes of the Ordinary Meeting of Council held on Monday 23 June 2008 to be signed and sealed.

CARRIED 2008-101

11.2 Section 173 Agreement – 8 Charles Street, Wodonga (302726)

On 27 July 2007, planning permit 2007/95 was issued for the construction of a two bedroom townhouse, modifications to existing dwelling and two lot subdivision at 8 Charles Street Wodonga.

Condition 10 of the planning permit required that the applicant must enter into an Agreement pursuant to Section 173 of the Planning & Environment Act 1987 if the approved dwelling is not substantially completed prior to a statement of compliance being sought.

The condition requires:

- a) The dwelling will be completed in accordance with the plans approved under Planning Permit 2007/95

Such an Agreement has now been signed by the owner and requires execution by Council.

RECOMMENDATION

That the Section 173 Agreement relating to land known as 8 Charles Street, Wodonga in accordance with the requirements of condition 10 on planning permit 2007/95, be signed and sealed.

Councillors Wicks/Speedie

That the Section 173 Agreement relating to land known as 8 Charles Street, Wodonga in accordance with the requirements of condition 10 on planning permit 2007/95, be signed and sealed.

CARRIED 2008-102

11.3 Section 173 Agreement – 29 Brockley Street, Wodonga (301954)

On 15 June 2006, planning permit 2006/41 was issued for three two storey townhouses and a three lot subdivision at 29 Brockley Street, Wodonga.

Condition 14 & 15 of the planning permit required that the land owner enter into an Agreement pursuant to Section 173 of the Planning & Environment Act 1987. The condition requires the following:

- a) Where a Statement of Compliance is required prior to a state of substantial completion (ie; “lockup” stage) of the buildings and works approved under permit number 2006/41, the developer agrees to complete the development in accordance with the said permit.
- b) That the unmade government road (laneway) to the rear of the site is not to be used for primary access to the land. Any access / egress to and from the subject land on to this laneway which incurs associated construction work or activity to make the road trafficable is to be borne entirely by the owner or in agreement with the owner(s) of other benefiting properties. Council will not make any financial contribution towards the construction of this road. Any crossover is to be constructed to the satisfaction of the Responsible Authority.

Such an Agreement has now been signed by the owner and requires execution by Council.

RECOMMENDATION

That the Section 173 Agreement relating to land known as 29 Brockley Street, Wodonga in accordance with the requirements of condition 4 on planning permit 2006/41, be signed and sealed.

Councillors Wicks/Speedie

That the Section 173 Agreement relating to land known as 29 Brockley Street, Wodonga in accordance with the requirements of condition 4 on planning permit 2006/41, be signed and sealed.

CARRIED 2008-103

11.4 Section 173 Agreement – 111- 113 Hume Street, Wodonga (306507)

On 15 October 2007, planning permit 2007/193 was issued for a six (6) lot subdivision together with common property of five (5) storey office development at 111-113 Hume Street, Wodonga.

Condition 4 of the planning permit required that the land owner enter into an Agreement pursuant to Section 173 of the Planning & Environment Act 1987. The condition requires the following:

- a) That prior to any use or change of use of a building or part of a building in the subdivision, separate town planning consent is required from the Responsible Authority and a building permit must be issued by a Building Surveyor;
- b) Approval to use of occupy any part of the building in the subdivision as a dwelling will require the provision of:
 - (i) smoke and fire detectors and suppression equipment, upgrading of egress and fire separation between the floors and compliance with the Building Code of Australia to the satisfaction of a building surveyor and the Country Fire Authority; and,
 - (ii) payment to council of an amount equivalent to 5% of the unimproved value of the site known as 111-113 Hume Street. This is based upon the rateable value of the land for the financial year at which time the payment is made.
- c) In the event of the City of Wodonga (“Responsible Authority”) providing public car parking in the vicinity of the site within a period of ten (10) years from the date of issue of this permit, the owner must pay on demand to the Council the sum of \$240,000 (being the deficiency of forty-eight parking spaces on the land valued at \$5,000 each) as a cash-in-lieu contribution towards the cost of the provision of parking.
 - (i) “Vicinity of the site” refers to any land owned and / or acquired by Council for the purposes of car parking which falls, whether part thereof or entirely within 300.0 metres of the nearest boundary to the subject land.
 - (ii) Such sum shall be indexed annually to the Consumer Price Index.
 - (iii) In the event that such public car parking is supplied pursuant to the provisions of a separate rate scheme, the said contribution shall be credited against any liability which the property may incur under the provisions of such scheme.

- (iv) If, by the expiration of the said ten (10) year period, such car parking has not been supplied by the Responsible Authority in the vicinity of the site, this agreement will cease and have no force or effect.
- d) Where a Statement of Compliance is required prior to a state of substantial completion (ie; “lockup” stage) of the buildings and works approved under permit number 2005/233/B, the developer agrees to complete the development in accordance with planning permit 2005/233/B.

Such an Agreement has now been signed by the owner and requires execution by Council.

RECOMMENDATION

That the Section 173 Agreement relating to land known as 111-113 Hume Street, Wodonga in accordance with the requirements of condition 4 on planning permit 2007/193, be signed and sealed.

Councillors Speedie/Wicks

That the Section 173 Agreement relating to land known as 111-113 Hume Street, Wodonga in accordance with the requirements of condition 4 on planning permit 2007/193, be signed and sealed.

CARRIED 2008-104

12. Competitive Tendering Report

Competitive Tendering Report

Key Competitive Tendering activities for the month of June 2008

Tenders advertised / quotations issued

081097 - EOI Wodonga Aquatic Centre – Filtration & Water Treatment

081106 - Design & Construction of Sandy Creek Pedestrian/Cyclepath Bridge

081108 - Supply & Delivery of a Diesel Cabover Tipping Truck GVM 24,000kg

081109 - Stanley Street Flood Works

081118 - Wodonga Sustainable Transport Strategy

081120 - Supply & Delivery of Trailer Mounted Drum Brush Chipper 15" Capacity

081121 - Installation of Adshell Bus Shelter to various locations

081122 - Internal Fit out of the Youth Services Bus

081123 - Management & Operation of Wodonga Sports & Leisure Centre & the new Aquatics & Leisure Centre, Wodonga

Tenders / Quotations Under Evaluation

081096 – Construction of Fishing Jetties – Streets Road & Brockley Street

081093 - EOI Wodonga Aquatic Centre – Construction

081100 – Construction of Carpark at 2 Havelock Street, Wodonga

081102 – Installation of Pipes for use of Recycled Water in Lawrence Street

081110 – Construction of Yarralumla Drive from Castle Creek Rd to Beechworth Rd

081115 – Fabrication & Installation of Bus Shelters

081117 - Electricity Supply to All Metered Sites - Contract 1106/0607

EOI – Wodonga Livestock Exchange

Contracts Awarded (by Delegate)

Council

081107 – Provision of Cleaning Services

081116 - Electricity Supply to Public Lighting Victoria - Contract 1107/0614

CEO

081098 – Wodonga Aquatic Centre – Site Works & Drainage

081099 – Construction of Bus Bays in Parkers Road, Wodonga

081101 – Wodonga Sports & Leisure Centre 25m Pool Filter Replacement

Manager Financial Services

081103 - Construction of Carpark at rear of Telstra Exchange on Hume Street

081111 - Provision of Asphalt Program – Areas 3 & 4

081112 - Provision of Asphalt Program – Area 5

081113 - Provision of Asphalt Program – Area 6

081114 - Provision of Asphalt Program – Area 7

081122 - Internal Fit out of the Youth Services Bus

Tenders / Quotations Cancelled or Not Awarded

071075 – Provision of Road Condition Data

Variations / Extensions

RECOMMENDATION

For information only.

Councillors Speedie/Wicks

That standing orders be suspended for the purpose of question time, the time being 8.22 PM.

CARRIED 2008-105

13. Question Time

1. In addition to the questions dealt with earlier at Item 5.1 one further question was received from Jean Whitla regarding:
 - ◇ The provision of car parking for the development at 111 Hume Street, Wodonga.

Although this question was received on the night of the meeting it related to an agenda item (agenda item 11.4) and a verbal response was given confirming that the owners of 111 Hume Street had made a contribution towards car parking.

Presentation to Young Achievers

At this point the Mayor made a presentation to Nida Mollison, Bradley Newell, and Shannon Foden being winners of the Young Achiever Support Scheme for July 2008.

Presentation of Eagle Award

At this point the Mayor made a presentation to Des Milbourne being the Eagle Award winner for July 2008.

Councillors Speedie/Wicks

That standing orders be resumed, the time being 8.36 PM.

CARRIED 2008-106

Meeting Closed at 8.36 PM.

Chairperson

Date
