

# MINUTES

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## ORDINARY COUNCIL MEETING

HELD ON  
TUESDAY 18 MARCH, 2014  
AT 5.30PM

IN THE COUNCIL BOARD ROOM

**COUNCILLORS:**

Cr Jenny Houlihan (Mayor)  
Cr Dennis Patterson (Deputy Mayor)  
Cr Milvan Muto  
Cr Les Oroszvary  
Cr Michael Polan  
Cr Kevin Ryan  
Cr Fern Summer

***VISION***

***GREATER SHEPPARTON***  
AS THE FOOD BOWL OF AUSTRALIA,  
A SUSTAINABLE, INNOVATIVE  
AND DIVERSE COMMUNITY  
***GREATER FUTURE***



**MINUTES  
FOR THE  
ORDINARY COUNCIL MEETING  
HELD ON  
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**CHAIR  
CR JENNY HOULIHAN**

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## RISK LEVEL MATRIX LEGEND

**Note: A number of reports in this agenda include a section on “risk management implications”. The following table shows the legend to the codes used in the reports.**

Likelihood	Consequences				
	Negligible (5)	Minor (4)	Moderate (3)	Major (2)	Catastrophic (1)
<b>Almost Certain (A)</b> Event expected to occur several times per year (i.e. Weekly)	Low	Moderate	High	Extreme	Extreme
<b>Likely (B)</b> Will probably occur at some stage based on evidence of previous incidents (i.e. Monthly)	Low	Moderate	Moderate	High	Extreme
<b>Possible (C)</b> Not generally expected to occur but may under specific circumstances (i.e. Yearly)	Low	Low	Moderate	High	High
<b>Unlikely (D)</b> Conceivable but not likely to occur under normal operations (i.e. 5-10 year period)	Insignificant	Low	Moderate	Moderate	High
<b>Rare (E)</b> Only ever occurs under exceptional circumstances (i.e. +10 years)	Insignificant	Insignificant	Low	Moderate	High

**Extreme** CEO’s attention immediately required. Possibly avoid undertaking the activity OR implement new controls

**High** Director’s attention required. Consider suspending or ending activity OR implement additional controls

**Moderate** Manager’s attention required. Ensure that controls are in place and operating and management responsibility is agreed

**Low** Operational, manage through usual procedures and accountabilities

**Insignificant** Operational, add treatments where appropriate



**PRESENT: Councillors Jenny Houlihan, Dennis Patterson, Michael Polan, Kevin Ryan and Fern Summer.**

**OFFICERS: Gavin Cator – Chief Executive Officer  
Steve Bowmaker – Director Infrastructure  
Johann Rajaratnam – Director Sustainable Development  
Rosanne Kava – Acting Director Business  
Kaye Thomson – Director Community  
Rebecca Bertone – Official Minute Taker  
Sharlene Still – Deputy Minute Taker**

## **1. ACKNOWLEDGEMENT**

“We the Greater Shepparton City Council, begin today’s meeting by acknowledging the traditional owners of the land which now comprises Greater Shepparton. We pay respect to their tribal elders, we celebrate their continuing culture, and we acknowledge the memory of their ancestors.”

## **2. APOLOGIES**

**Moved by Cr Patterson  
Seconded by Cr Polan**

That the apologies from Crs Oroszvary and Muto be noted and a leave of absence be granted.

**CARRIED.**

## **3. DECLARATIONS OF CONFLICT OF INTEREST**

In accordance with sections 77A, 77B, 78 and 79 of the *Local Government Act 1989* Councillors are required to disclose a “conflict of interest” in a decision if they would receive, or could reasonably be perceived as receiving a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

**Disclosure must occur immediately before the matter is considered or discussed.**

## **4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**Moved by Cr Ryan  
Seconded by Cr Polan**

That the Minutes of the Ordinary Council Meeting held 18 February 2014, as circulated, be confirmed.

**CARRIED.**

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.1 Appointment of Committee Members - Bunbartha Recreation Reserve Committee of Management

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Committees Liaison Officer**

**Proof reader(s): Team Leader Governance, Manager Corporate Performance**

**Approved by: Chief Executive Officer**

#### **Executive Summary**

The term of office for the current members of the Bunbartha Recreation Reserve Committee of Management is due to expire on 19 March 2014. It is therefore necessary to appoint a new committee to manage the facility.

Public notices were placed in the Shepparton News calling for applications from any members of the community interested in joining the committee. Letters were also sent to the six committee members whose membership was due to expire, encouraging them to reapply.

Six application forms have been received from community members interested in being appointed to the new committee.

#### **Moved by Cr Patterson Seconded by Cr Summer**

That the Council:

1. having considered the nominations received for appointment to the Bunbartha Recreation Reserve Committee of Management, appoint the following members for a term of two years commencing on 21 March 2014:

Barry Hinchcliffe  
Brent KARL  
Doug LEES  
Tonietta MACKIN  
Barry RUTHERFORD  
John PETTIGREW

2. resolve that all members (who are not Councillors or nominated Officers) of the Bunbartha Recreation Reserve Committee of Management continue to be exempt from the requirement to complete Interest Returns in exercise of power granted to Council under Section 81(2A) of the *Local Government Act 1989*.

**CARRIED.**



## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.1 Appointment of Committee Members - Bunbartha Recreation Reserve Committee of Management (continued)

#### **Background**

The current members of the Bunbartha Recreation Reserve Committee of Management were appointed at the Ordinary Council Meeting held on 20 March 2012 for a two year term. The appointment of these members is due to expire and it is necessary to appoint a new committee to manage the facility.

An advertisement calling for applications for membership of the Bunbartha Recreation Reserve Committee of Management was placed in the Shepparton News on Friday 7 February and Saturday 15 February 2014. Letters were sent to the six committee members whose membership was due to expire, encouraging them to reapply.

Six application forms have been received from community members interested in being appointed to the new committee. It is recommended that all six applicants be appointed to the committee.

Section 81(2A) of the *Local Government Act 1989* permits Council to exempt members of special committees from the requirement to submit primary and ordinary returns if it determines this is appropriate. These exemptions are reviewed within 12 months following a general election. Council has currently exempted all of its special committees from this requirement with the exception of the Shepparton Show Me Committee and the Development Hearings Panel. It is recommended that this exemption be extended to the new members of the Bunbartha Recreation Reserve Committee of Management.

#### **Council Plan/Key Strategic Activity**

This proposal supports the following goals of the Council Plan 2013-2017:

- Goal 1 – Active & Engaged Community (Social)
- Goal 4 – Quality Infrastructure (Built)
- Goal 5 – High Performance Organisation (Leadership and Governance)

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Governance risk associated with the delegation of Council powers to a committee	Possible	Major	High	The appointment of members by formal resolution of the Council reduces governance risks by ensuring that all members appointed to a committee are covered by Council's public liability insurance.

#### **Policy Considerations**

There are no conflicts with existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.1 Appointment of Committee Members - Bunbartha Recreation Reserve Committee of Management (continued)

#### **Legal/Statutory Implications**

The Bunbartha Recreation Reserve Committee of Management has been established under section 86 of the *Local Government Act 1989* and has been issued with an Instrument of Delegation and Guidelines outlining their powers and responsibilities.

The appointment of members of special committees by formal resolution of the Council ensures that the powers, functions and duties delegated to these committees are able to be exercised legally.

#### **Environmental/Sustainability Impacts**

There are no environmental or sustainability impacts arising from this proposal.

#### **Social Implications**

The appointment of community members to committees helps to build a sense of community by increasing stakeholder participation and giving community members a greater sense of pride and involvement in their local community.

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

Public Notices calling for applications from community members interested in joining the committee were placed in the Shepparton News on Friday 7 February and Saturday 15 February 2014. Letters were also sent to the outgoing members of the committee inviting them to apply for a new term on the committee.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	<ul style="list-style-type: none"> <li>• Newspaper advertisements</li> <li>• Website announcement</li> <li>• Letter to outgoing committee members</li> </ul>
Consult	Informed, listen, acknowledge	Council will consult with its committees prior to making decisions that relate to the relevant facilities.
Involve	Work together. Feedback is an input into decision making.	Committees provide an important source of feedback for Council to manage the facilities.
Collaborate	Feedback will be incorporated into decisions to the maximum level possible.	Council collaborates with its committees prior to making decisions that relate to the relevant facilities.
Empower	We will implement what the public decide.	Committees of Management have delegated powers to make decisions in relation to the day to day management of the facilities that they are responsible for.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **5.1 Appointment of Committee Members - Bunbartha Recreation Reserve Committee of Management (continued)**

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### **a) Greater Shepparton 2030 Strategy**

There are no direct links to the *Greater Shepparton 2030 Strategy*.

##### **b) Other strategic links**

No other strategic links have been identified.

#### **Options for Consideration**

Councillors could choose to not appoint members of the Bunbartha Recreation Reserve Committee but this would leave the facility without a committee of management and thus it would need to be managed by Council officers.

In accordance with the Guidelines Applying to the Instrument of Delegation to the Bunbartha Recreation Reserve Committee of Management, the committee must have at least five members appointed to the committee. Therefore, Councillors could choose to only appoint five of the applicants to the committee.

#### **Conclusion**

It is recommended that all of the nominated applicants be appointed to the committee.

#### **Attachments**

Nil

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.2 Deakin Reserve Advisory Committee - Appointment of Members

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Committees Liaison Officer**

**Proof reader(s): Team Leader Governance, Manager Corporate Performance**

**Approved by: Chief Executive Officer**

#### **Executive Summary**

The Deakin Reserve Advisory committee has 10 community representative members. The term of appointment of five of the current members to the committee expired on 31 December 2013. This report recommends the appointment of new committee members to help provide advice to Council in relation to the management of the facility.

#### **Moved by Cr Patterson**

#### **Seconded by Cr Polan**

That the Council, having considered the nominations received for appointment to the Deakin Reserve Advisory Committee, appoint the following members for a term of office expiring on 31 December 2015:

Greg BEER  
John HYDE  
Mark LAMBOURN  
Chris SMITH

**CARRIED.**

#### **Background**

The Deakin Reserve Advisory committee has 10 community representative members who are appointed for two year terms expiring on 31 December. Each year the term of appointment for five of these positions expire and new members need to be recruited to fill those vacancies.

As five positions on the committee became vacant as of 31 December 2013 an advertisement calling for applications to fill these positions was advertised in the Shepparton News on 31 January and 7 February 2014. Four applications have been received and it is recommended that the following people be appointed to the committee:

- Greg BEER
- John HYDE
- Mark LAMBOURN
- Chris SMITH

The committee and Council officers will continue to seek interest from other members of the community who may be interested in filling the last position at a later date.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.2 Deakin Reserve Advisory Committee - Appointment of Members (continued)

#### **Council Plan/Key Strategic Activity**

This proposal supports the following goals from the *Council Plan 2009-2017*:

- Active and Engaged Community (Social)
- Quality Infrastructure (Built)
- High Performing Organisation (Leadership & Governance)

#### **Risk Management**

By ensuring that committees are established and members appointed in accordance with the *Local Government Act 1989*, Council considerably reduces the governance risks associated with the operation of committees.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Lack of communication between the committee and Council	Possible	Minor	Low	A Councillor is an appointed member of the Deakin Reserve Advisory Committee to provide a communication channel and directions.
Advisory Committee members not covered under Council's insurance policy.	Possible	Minor	Low	Any recommendations made by the committee are referred to Council for final decision.
Non-compliance with Assembly of Councillors requirements under the <i>Local Government Act 1989</i> .	Possible	Minor	Low	Minutes of all meetings of the Committee are submitted to Council in accordance with the Act.

#### **Policy Considerations**

There are no conflicts with existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal.

#### **Legal/Statutory Implications**

This proposal is consistent with the *Local Government Act 1989* and it is necessary to ensure compliance with this Act. As meetings of the committee will fit the definition of an Assembly of Councillors for any meeting at which there is at least one Councillor in attendance, an Assembly of Councillors record will be completed for each qualifying meeting and submitted to the next practicable Ordinary Council meeting for noting.

#### **Environmental/Sustainability Impacts**

There are no environmental or sustainability impacts arising from this proposal.

#### **Social Implications**

Appointing community members to the committee will help to build a sense of community as it increases stakeholder participation and pride in their local community.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.2 Deakin Reserve Advisory Committee - Appointment of Members (continued)

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

Letters were sent to the outgoing members of the Deakin Reserve Advisory Committee encouraging them to reapply for another term on the committee. A public notice calling for applications from community members interested in joining the committee was advertised in the *Shepparton News* on Friday 31 January and Friday 7 February.

Members of the committee and Council officers will continue to liaise with other members of the community who may be interested in joining the committee with a view to filling the last remaining position on the committee.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	<ul style="list-style-type: none"> <li>• Newspapers advertisements</li> <li>• Consultation with committee members</li> </ul>
Involve	Work together. Feedback is an input into decision-making	<ul style="list-style-type: none"> <li>• Council to consult with the Greater Shepparton Aerodrome Advisory Committee in relation to management of the facility.</li> </ul>
Collaborate	Feedback and advice received from the Committee will be incorporated into decisions to the maximum level possible.	<ul style="list-style-type: none"> <li>• Community members to be appointed to advisory committees.</li> <li>• Councillor appointee/s to advisory committees enables ongoing collaborate between the committees and Council.</li> </ul>

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

No strategic links to the *Greater Shepparton 2030 Strategy* have been identified.

##### b) Other strategic links

No other strategic links have been identified.

#### **Options for Consideration**

Council could decide not to appoint any members to the committee and to leave the committee operating with the existing five community representatives. Council could also choose to only appoint some of the applicants to the committee. However, it is recommended that all four applicants be appointed to the committee as it increases the level of community involvement in the ongoing management of Deakin Reserve.

#### **Conclusion**

It is recommended that Council appoint all four applicants to the Deakin Reserve Advisory Committee.

#### **Attachments**

Nil

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.3 Contracts Awarded Under Delegation Report - March 2014

**Disclosures of conflicts of interest in relation to advice provided in this report**  
 Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Procurement Officer**

**Proof reader(s): Manager Corporate Performance**

**Approved by: Chief Executive Officer**

#### **Executive Summary**

To inform the Council of publicly advertised contracts awarded by Officers under delegated authority of the Council during the period 8 January 2014 to 17 February 2014. The report also provides details of the status of requests for tenders that have not yet been awarded.

**Moved by Cr Polan**  
**Seconded by Cr Ryan**

That the Council note the publicly advertised contracts awarded by the Chief Executive Officer and Directors under delegated authority.

**CARRIED.**

#### **Tendered Contracts Awarded under Delegated Authority by the CEO**

<b>Contract Number</b>	<b>Contract Name</b>	<b>Contract details, including terms and provisions for extensions</b>	<b>Value inclusive of GST</b>	<b>Awarded to</b>
1449	Construction of Aquamoves Mechanical Ventilation Upgrade	Lump sum contract for the construction, supply and installation of Mechanical Ventilation System in the Shepparton Aquamoves Aquatic Centre.	\$355,850.00	Burns Airconditioning

**5. OFFICE OF THE CHIEF EXECUTIVE OFFICER**
**5.3 Contracts Awarded Under Delegation Report - March 2014 (continued)**
**Requests for Tenders advertised but not yet awarded**

<b>Contract No.</b>	<b>Contract Name</b>	<b>Contract detail, including terms and provisions for extensions</b>	<b>Status</b>
1448	Provision of Professional Advocacy Services	Provision of Professional Advocacy Services to assist Council to continue to strongly advocate to secure significant funding support from all levels of government	Tenders closed 25 September 2013. Tender evaluated and Contract signed under delegation.
1390	Design of the Sir Murray Bouchier Memorial	Expression of Interest submissions for the design of the Sir Murray Bouchier Memorial to be located in the Queens Park, Shepparton, including art work, project cost estimate, maquette production and involvement in community engagement process for selection of the preferred design.	Tenders closed 30 October 2013. Evaluation of the tenderers by the panel revealed that none of the tenderers provided all of the information required and that a decision has now been made to conduct a review and potentially apply for abandonment of Expressions of Interest
1484	Construction of Murchison Heritage Centre Building Extension	Lump sum Contract for the construction of an extension to the Murchison Heritage Centre	Tender closed 18 December 2013. Tenders currently being evaluated. This contract will be signed under delegation.
1494EOI	Leasing of Shop 1, Shop 2 and Restaurant SPC Ardmona Kidstown Complex	Leasing Opportunity for shops and/or restaurant at Greater Shepparton's Award Winning Regional Adventure Playground - SPC Ardmona KidsTown.	Tender closed 15 January 2014. EOI's are currently being evaluated. This will be awarded under delegation.
1451	Construction of Grassed Arena at Shepparton Showgrounds	Lump sum contract for the construction of the Grassed Arena at Shepparton Showgrounds	Tender closes 22 January 2014. Tenders currently being evaluated. This contract will be signed under delegation
1475	Upgrade of Raftery Road Kialla	Lump sum contract for the upgrade of Raftery Road Kialla between the Goulburn Valley Highway and the Sevens Creek bridge Raftery Road	Tender closes 29 January 2014. Tenders currently being evaluated. This contract will be awarded by Council.



## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.3 Contracts Awarded Under Delegation Report - March 2014 (continued)

#### **Policy Considerations**

Through the *Instrument of Delegation to the Chief Executive Officer* the Council has delegated authority to the Chief Executive Officer to award a contract up to the value of \$750,000 including GST.

The Council through the *Exercise of Delegations Policy* has delegated authority to the Directors to approve a contract up to the value of \$150,000 for goods and services and \$200,000 for works.

#### **Legal/Statutory Implications**

Section 186 of the *Local Government Act 1989* (the Act) establishes the requirements for tendering and entering into contracts.

Section 186(1) of the Act requires that before Council enters into a contract for the purchase of goods or services to the value of \$150,000 or more, or for the carrying out of works to the value of \$200,000 or more, it must give public notice of the purpose of the contract and invite tenders or expressions of interest from any person wishing to undertake the contract.

#### **Conclusion**

It is important that decisions and actions taken under delegation be properly documented and transparent in nature. The report details the publicly advertised contracts awarded by the Chief Executive Officer and Directors under delegated authority of the Council during the period 8 January 2014 to 17 February 2014.

#### **Attachments**

Nil

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.4 Proposed closure of Andrew Fairley Avenue and Sale to SPC Ardmona.

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

The following Council officers and contractors have provided advice in relation to this report and have disclosed a conflict of interest regarding the matter under consideration:

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Manager Corporate Performance**

**Proof reader(s): Team Leader Governance**

**Approved by: Chief Executive Officer**

#### **Executive Summary**

As a result of the recently announced co-investment from the Victorian Government and Coca-Cola Amatil, SPCA has requested the closure of and granting to SPCA of Andrew Fairley Avenue. The closure and granting of this road will allow access to land which is critical to the efficient upgrade of the facility.

**Moved by Cr Polan  
Seconded by Cr Ryan**

That the Council:

1. In accordance with the provisions of section 206 and clause 3 of schedule 10 of the Local Government Act 1989, give public notice of its intention to close Andrew Fairley Avenue between the intersection of Railway Parade and Hawdon Street west of the Seymour –Tocumwal Railway reserve and intersection of Adams Avenue Shepparton and sell the surplus land to SPCA (refer attached plan).
2. Provide a copy of the notice to all relevant infrastructure authorities.
3. Form a committee of “the whole” to:
  - a. consider submissions on the proposed closure with submissions closing at 5.00pm on Monday 21 April 2014; and
  - b. hold a meeting of “the whole” to hear submissions on the proposed closure at 5:30pm on Tuesday 29 April 2014.
4. Appoint the Chief Executive Officer to administer the process.

**CARRIED.**

#### **Background**

Following significant negotiation involving many parties including both the Australian and Victorian Governments SPCA has received co-investment from the Victorian State Government and Coca-Cola Amatil to spend a combined \$100m to upgrade the Shepparton facility.

## **5. OFFICE OF THE CHIEF EXECUTIVE OFFICER**

### **5.4 Proposed closure of Andrew Fairley Avenue and Sale to SPC Ardmona. (continued)**

This co-investment is of considerable importance to Shepparton and surrounding regions specifically and to the general economy.

Council has been approached by SPCA asking that council give consideration to the request that Andrew Fairley Avenue is closed and granted to SPCA as the additional land is critical to the efficient upgrade of the facility.

Should Council endorse the recommendation contained within this report the following process will be undertaken:

- Advertise Councils intention to close the road inviting anyone who objects to the proposal to make submissions to Council within 28 days.
- Provide advice to all authorities who may have infrastructure assets in the affected area.
- Hold a meeting of “the whole” being all councillors to hear from objectors (if necessary),
- Council to consider all objections and if objections cannot be resolved council may consider that the road closure should not proceed. If so the procedure will cease.
- Should Council wish to proceed with the closure then a report will be prepared to obtain Councils consent to close the road.
- If consent obtained then it must be advertised in the Victorian Government Gazette.
- A formal valuation to be obtained.
- Prepare transfer of land for signing and sealing.
- Lodgement of plan of subdivision to consolidate land.

#### **Council Plan/Key Strategic Activity**

The proposal contained within this report supports Councils 2013-2017 Council Plan in relation to the Pillars, Objectives and Strategies contained therein. The long term success of SPCA contributes to all aspects of the current plan either directly or indirectly.

#### **Risk Management**

This report provides for low risk to Council as the closure of the road would result in appropriate alternative traffic management in the affected area.

#### **Policy Considerations**

There are no specific policy considerations relevant to this report.

#### **Financial Implications**

There are no direct financial implications for council as the subsequent process and infrastructure works required to implement closure would be borne by the applicant.

#### **Legal/Statutory Implications**

The closure of this road and granting of the land to SPCA may be undertaken in accordance with the provisions of section 206 and clause 3 of schedule 10 of the Local Government Act 1989.

#### **Environmental/Sustainability Impacts**

The environmental impacts in relation to this proposal primarily concern infrastructure modifications eg drainage, and the rerouting of traffic. These matters will be considered as part of the evaluation of the proposal and be reported back to Council.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **5.4 Proposed closure of Andrew Fairley Avenue and Sale to SPC Ardmona.** **(continued)**

#### **Social Implications**

There will be some social implications resulting from the closure specifically in relation to the movement of traffic in the areas of Fryers Street, Dookie Road and High Street due to increases in traffic flow as a result of the closure.

#### **Economic Impacts**

The closure will support the economic viability of the SPCA operations and the Shepparton community.

#### **Consultation**

Consultation with the community will be undertaken through the public notice indicating councils' intent and providing an opportunity for submissions to be made to council for consideration as part of this proposal. Consultation with infrastructure authorities who may have assets in the area affected by the closure will be undertaken directly.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Open and transparent	Public Notice
Consult	Comply with legislation	Seeking submissions

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

The proposal supports the 2030 strategy through providing support for agriculture and industry.

##### b) Other strategic links

Nil

#### **Options for Consideration**

Council may choose not to advertise its intent to close the road which would have significant implications for the efficient upgrade of SPCA. Not recommended.

#### **Conclusion**

It is recommended that Council advertise its intent to close Andrew Fairley Avenue and grant the land to SPCA as part of the redevelopment of the site to support the upgrade of the site

#### **Attachments**

Aerial Image - Andrew Fairley Avenue, Shepparton Page 110

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.5 People Performance Strategy

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Manager People Performance**

**Proof reader(s): Chief Executive Officer and Team Leader People & Workforce**

**Approved by: Chief Executive Officer**

#### **Executive Summary**

In 2011 the Greater Shepparton Council employed a new Chief Executive Officer. Council provided instructions to the new CEO to examine the organisation, to ensure that it was the most effective and efficient it could be both in terms of the organisational structure but also in its ability to deliver value for money services to our Community.

As the Organisation Greater Shepparton Council has now been through this process and a new Organisational Structure, the next stage of the “Good to Great” journey can be commenced.

This is the development of a People Performance Strategy to guide the development of an Organisation that can meet the challenges that lie ahead for Greater Shepparton City Council both for the community we serve but also as a highly functioning Organisation.

The People Performance Strategy as detailed in this paper, provides the context of what has occurred over the last two years, but also provides the current situation as well as the key directions for the future. Where to from here will set a platform for leadership, accountability, and high performance standards, as well as the delivery to our community of premier citizen services.

CEO Gavin Cator tabled a new version of the People Performance Strategy.

**Moved by Cr Ryan**

**Seconded by Cr Patterson**

That Council receive and Note the People Performance Strategy

**CARRIED.**

#### **Background**

In 2011 the Greater Shepparton Council employed a new Chief Executive Officer. Council provided instructions to the new CEO to examine the organisation, to ensure that it was the most effective and efficient it could be both in terms of the organisational structure but also in its ability to deliver value for money services to our Community.

Upon commencement in January 2012, the CEO commenced a review of the Organisation.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.5 People Performance Strategy (continued)

His first impressions were:

- It was a good organisation
- There was a lot of hard working and dedicated employees
- There was a desire for strong leadership
- Councillors had concerns relating to the effectiveness of the organisation
- The organisation had many improvement opportunities

These improvement opportunities related to changing the organisational focus:

- From outputs to outcomes
- To improve individual management, team and organisational accountability
- To introduce employee performance management which would be sound, consistent and professional
- To ensure that we were servicing the needs of our community and key stakeholders and;
- To create a culture of leadership and support

With the above in mind, a process called an Organisational Scan was developed.

This process was undertaken and completed in June 2012. A new Organisational Structure was released at this time and a Transitional Management Plan was developed. This commenced the 'Good to Great' Journey.

The improvements as identified in the Transitional Management Plan are being implemented and the date for completion of all these improvements has been set as 30<sup>th</sup> December 2014.

Following the release of the transitional management plan, a considerable amount of work has been undertaken for our employees to ensure we have an organisation that is agile to enable GSCC to meet the challenges that lie ahead. Council needs to understand the current and future employment markets and how the issues of technology, the skills gaps that will exist into the future and how the fewer financial resources that will be available will influence our People Performance Strategy.

At the present time council has undertaken a number of initiatives that will support our current employees and to ensure that GSCC is an employer who will be looked favourably upon by prospective employees. These include:

Into the future GSCC is moving into a consolidation of the organisation. This will occur with the introduction of a quarterly staff survey, regular reflection and celebration of improvement in performance. In addition, Council will be a participant in the MAV Workforce Planning Model in which a small number of Council's will work together to improve their workforce planning and develop a model that will be able to be introduced into Local Government across Victoria.

The Goulburn Valley Collaborative Alliance will continue to grow and provide exciting opportunities for our employees to assist neighbouring Councils, but also to grow professionally as they are exposed to a variety of situations that exist in these Councils.

Council will continue to measure the performance of its employees against its requirements and it therefore is incumbent upon it to provide it with the ability to meet these requirements.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **5.5 People Performance Strategy (continued)**

As the Organisation has now been through this process and a new Organisational Structure adopted and now settled, the next stage of the “Good to Great” journey can be commenced. This is the development of a People Performance Strategy to guide the development of an Organisation that can meet the challenges that lie ahead for Greater Shepparton City Council both for the community we serve but also as a highly functioning Organisation.

The People Performance Strategy as detailed in this paper, provides the context of what has occurred over the last two years, but also provides the current situation as well as the key directions for the future. Where to from here will set a platform for leadership, accountability, and high performance standards, as well as the delivery to our community of premier citizen services.

#### **Council Plan/Key Strategic Activity**

Complete a Workforce Development Plan which will enable GSCC to become an employer of choice

Work with Strathbogie and Moira Shires to improve service delivery to our respective communities via the Goulburn Valley Regional Collaborative Alliance

#### **Risk Management**

There are no risks arising from this report.

#### **Policy Considerations**

Staff are required to comply with all Council policies. The People Performance strategy is aimed at providing staff with the tools necessary to achieve this result.

#### **Financial Implications**

All actions and initiatives that are derived from the People Performance Strategy will be from existing budgets. No additional allocation of funds is required

#### **Legal/Statutory Implications**

Council is required to comply with a variety of legislation including but not limited to

- Fair Work Act
- Equal Opportunity Act
- Occupational Health and Safety Act

#### **Environmental/Sustainability Impacts**

While there are not environmental and sustainability implications directly related to the People Performance Strategy an efficient and effective organisation will result in the community better environmental and sustainability outcomes for the community

#### **Social Implications**

While there are not social implications directly related to the People Performance Strategy an efficient and effective organisation will result in the community better social outcomes for the community

#### **Economic Impacts**

While there are not social implications directly related to the People Performance Strategy an efficient and effective organisation will result in the community better environmental and sustainability outcomes for the community

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.5 People Performance Strategy (continued)

#### Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Staff have been informed of the various activities via a variety of means.	Newsletters, emails and staff meetings
	Councillors have been informed	Ordinary meeting reports
	The community have been informed	Ordinary meeting reports
Consult	A variety of consultation has occurred in the activities that have been indicated in the report	This has included, workshops, surveys, ability to respond via email, interviews etc
Involve	Staff have been able to be involved in the decision making as the consultation has lead to amendments being made to draft structures etc	Involvement via workshops, surveys, ability to respond via email, interviews etc

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

There are no strategic links to the *Greater Shepparton 2030 Strategy*.

##### b) Other strategic links

No other strategic links have been identified.

#### Options for Consideration

As this report is for Council to receive and note the report the options are either to

1. Receive and note the report as recommended ; or
2. Do nothing which is not recommended

#### Conclusion

The People Performance Strategy provides Council and the organisation with the background and history of what has occurred in the last two years and also provides the future direction for the organisation.

The staff need to be congratulated on how they have embraced the change process to ensure that we have the most efficient and effective organisation we can, to provide quality, value for money services to the Greater Shepparton Community.

#### Attachments

People Performance Strategy - Past-Present-Future - Workforce Plan 2014



## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Extension of Contract for AGL Gas Supply

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Manager Works**

**Proof reader(s): Director Infrastructure**

**Approved by: Director Infrastructure**

**Other: Procurement Officer**

#### **Executive Summary**

At the Ordinary Council Meeting held on 19 October 2010, Council approved the Gas Supply contract with AGL (contract number 1212/1017) for the period 1 April 2010 to 31 March 2014.

The original contract contained an optional one 2 year extension period that will take the contract term to 31 March 2016.

When Council approved the original contract, it gave no authority for the CEO to enter into an extension of the contract. As such Council needs to approve the extension period.

#### **Moved by Cr Polan**

#### **Seconded by Cr Summer**

That the Council:

1. approve the extension of Contract No. 1518 for the Supply of Natural Gas and Associated Services for one 2 year period
2. note that the value of this contract is approximately \$170,000 per annum
3. note that the original contract number was 1212/1017. This is a Procurement Australia contract number, but for Council purposes the contract is now numbered 1518
4. authorise the Chief Executive Officer to sign the contract extension documentation.

**CARRIED.**

#### **Contract Details**

In 2010 Council entered into a tender process with Strategic Purchasing, who called for tenders for the provision of gas on behalf of Victorian Councils and other organisations. Strategic Purchasing have since changed their name to Procurement Australia.

At the Ordinary Council Meeting held on 19 October 2010, Council approved the Gas Supply contract with AGL (contract number 1212/1017) for the period 1 April 2010 to 31 March 2014. The Council CEO, Phil Pearce signed the contract documents with AGL on 4 November 2010.

## **6. INFRASTRUCTURE DIRECTORATE**

### **6.1 Extension of Contract for AGL Gas Supply (continued)**

The original contract document was for a four year period with one two year optional extension period. Procurement Australia has requested the enactment of the extension period with AGL (in accordance with the terms of the agreement), on agreed market rates.

When Council approved the original contract it did not delegate to the CEO the authority to enact the extension period. As such, Council is required to approve the extension period, should Council wish to do so.

The contract is for the supply of Natural Gas to 23 small market sites and 1 large market site being Aquamoves. The combined cost of small market sites is approximately \$70,000 per annum, while Aquamoves, as the only large market site, uses approximately \$100,000 of gas per year.

The contract number has been updated to reflect Council's contract numbering system. The Procurement Australia contract number 1212/1017 has been replaced with Council's contract number 1518 for Council purposes.

#### **Tenders**

This section is not completed as this report is recommending the extension of an existing contract for a further two year period with AGL for the supply of natural gas.

#### **Tender Evaluation**

This section is not completed as this report is recommending the extension of an existing contract for a further two year period with AGL for the supply of natural gas.

#### **Evaluation Criteria**

This section is not completed as this report is recommending the extension of an existing contract for a further two year period with AGL for the supply of natural gas.

#### **Council Plan/Key Strategic Activity**

Goal 5 - High Performing Organisation

Objective - Develop stronger relationships between council and State and Federal Governments, local government sector and non-government partnerships to enhance the position of Greater Shepparton City Council.

Aim - Council recognises the opportunities available through sector wide collaboration to maximise the improvement opportunities for our community. Equally the opportunities for partnerships with the non-government sector provide a level of opportunity which will be explored to ensure our community receives the best possible services.

Strategy - Seek opportunities for partnerships with the non-government sector to support Greater Shepparton in the delivery of services to our community.

#### **Risk Management**

Risk Management has been completed by Procurement Australia as part of the original contract. There is minimal risk to Council.

#### **Policy Considerations**

By Participating in a Procurement Australia lead contract, Council is compliant with its own Procurement Policy.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Extension of Contract for AGL Gas Supply (continued)

#### **Financial Implications**

Council will receive discounted gas as a result of its membership and participation in the Procurement Australia contract. For small market sites Council's discount is 16% less than regular retail supply. For Council's large site, Aquamoves, we receive a locked in rate that protects Council from market fluctuations for the term of the two year extension. This will see Council's large market site remain consistent for the next two years as gas prices are predicted to increase by more than 20% in the market in that period of time.

#### **Legal/Statutory Implications**

Tender process has been carried out according to the requirements of *Section 186* of the *Local Government Act 1989*.

#### **Environmental/Sustainability Impacts**

Through collective market buying power of all participating Councils party to the Procurement Australia contract with AGL, our Council can improve sustainability through reduced gas rates for the next two years.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

There are no direct links to the Greater Shepparton 2030 Strategy.

##### b) Other strategic links

No other strategic links have been identified.

#### **Options for Consideration**

##### Option 1 – Recommended

Council approve the extension of the AGL Gas Supply contract for a further two years from 31 March 2014 to 31 March 2016.

##### Option 2 – Not Recommended

Council does not approve the extension period of the AGL Gas Supply contract for a further two years. The consequences of not approving the extension are significant. Council currently participates in a state wide contract that has allowed Council's to receive discounted gas through the collective buying power of the majority of Victorian Councils. By withdrawing from the contract, Council will no longer be offered discounted or locked in rates.

Council will also be required to go to tender for gas supply in order to remain compliant with the Local Government Act and Council's Procurement Policy. Council is less likely to receive competitive pricing discounts from gas suppliers as our own market share is not significant enough to warrant major discounting.

#### **Conclusion**

The gas supply contract with AGL has been extended for a further two years up to 31 March 2016. Council has been invited to participate in the extension of the contract and continue to receive discounted gas.

As the contract was approved without Council delegating to the CEO the authority to enter into an extension period, Council is required to approve the extension of the contract and authorise the CEO to sign the contract extension documentation.

#### **Attachments**

Extract from 19 Oct 2010 Council Meeting Page 112

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Upgrade of Raftery Road Kialla

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Projects Officer**

**Proof reader(s): Acting Team Leader Delivery, Manager Projects Department**

**Approved by: Director Infrastructure**

**Other: Acting Team Leader Project Management**

#### **Executive Summary**

The purpose of this report is to provide information to Council to accept the tender submitted by Jarvis Dalahey Contractors of Shepparton for Contract 1475 Upgrade of Raftery Road Kialla

**Moved by Cr Ryan**

**Seconded by Cr Patterson**

That the Council:

1. accept the tender submitted by Jarvis Delahey Contractors of Shepparton for Contract No. 1475 Upgrade of Raftery Road Kialla for the Lump Sum price of \$854,267.00 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

**CARRIED.**

#### **Contract Details**

This contract is for the upgrade of Raftery Road from the Goulburn Valley Highway to the Seven Creeks.

The re-construction is for the length of 926 metres and the 3 metre widening (1.5 metres each side) of Raftery Road. It involves the full re-construction of 96 meters at the eastern end of Raftery Road, upgrading of the drainage system, construction of a 1.5 meter concrete path on the northern side and the provision of bicycle lanes on Raftery Road.

#### **Tenders**

The contract is for a lump sum contract. The tender was advertised in The Shepparton News, The Age and Tenderlink. Tenders closed the 29<sup>th</sup> January 2014.

Tenderers
Jarvis Delahey Constructions
Mawson Constructions
Morrissy Civil Works

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Upgrade of Raftery Road Kialla (continued)

#### Tender Evaluation

Tenders were evaluated in accordance with the Procurement plan by:

Title	Branch
Manager Projects	Projects Department
Projects Officer Delivery	Projects Department
Coordinator Drainage	Works Department
Acting Procurement Advisor	Procurement Department

#### Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	55%
Price for variations	5%
Previous experience	15%
Environmental	10%
Integrated Management Systems	5%
Works method, works program, capability	10%
Local economic impact	If required

#### Council Plan/Key Strategic Activity

##### a) Greater Shepparton 2030

Infrastructure – The provision and restructure of urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

##### b) Council Plan

Infrastructure strategies

Item No. 28 - Provide affordable and sustainable community infrastructure

Our community enjoys a high standard of infrastructure, which need to be maintained at a standard acceptable to the community.

##### c) Other Strategic Links

Asset Management Strategy 2007 (page 12)

#### **Infrastructure**

Greater Shepparton will provide urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

- Maintain the Council's major asset categories, such as roads, footpaths, kerb and channel, drainage and buildings to meet specified levels of service

These works will improve the level of service currently provided to the community, improve pedestrian and vehicle safety and connectivity to surrounding developments.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Upgrade of Raftery Road Kialla (continued)

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Exceed budget	Likely	Minor	Moderate	Review costs and scope of works
Construction Injury	Unlikely	Major	Moderate	Implement OH&S Policies and SWMS
Vehicle crash	Unlikely	Major	Moderate	Traffic Management
Adverse weather	Almost certain	Negligible	Low	Traffic management Ensure adequate drainage Monitor weather forecast
Damage to assets owned by other authorities	Likely	Moderate	Moderate	Consult with all authorities to identify assets. Dial before you dig results. Experienced contractors. Safety management during construction.

#### Policy Considerations

There are no conflicts with council policy

#### Financial Implications

	2012/2013 Approved Budget for this proposal* \$(exc GST)	This Proposal \$(exc GST)	Variance to Approved Budget \$(exc GST)	Comments
Revenue	0	0	0	
Expense	\$794,307.00	\$776,606.50	\$17,700.50	Upgrade of Raftery Rd Kialla Ledger No. 60308
Net Result	\$794,307.00	\$776,606.50	\$17,700.50	

\* Amount shown in this column may equal one line item in budget or maybe a component of one budget line item.

#### Legal/Statutory Implications

Tender process has been carried out according to the requirements of *Section 186* of the *Local Government Act 1989*.

#### Environmental/Sustainability Impacts

Material excavated from site will be recycled and used to repair Council owned bush tracks in the nearby bush lands.

#### Strategic Links

##### a) Greater Shepparton 2030

Infrastructure – The provision and restructure of urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

##### b) Other Strategic Links

Asset Management Strategy 2007 (page 12)

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Upgrade of Raftery Road Kialla (continued)

#### **Infrastructure**

Greater Shepparton City Council will provide urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

- Maintain the Council's major asset categories, such as roads, footpaths, kerb and channel, drainage and buildings to meet specified levels of service

#### **Options for Consideration**

##### 1. Do Nothing (Withdraw the tender)

###### Positives

- Allocated funds could be considered for other projects
- No disruption to traffic or community.

###### Negatives

- Continued danger to the community, further maintenance works required to keep Raftery Road at an acceptable standard
- The road will appear incomplete without the pedestrian and bicycle connectivity to the rest of Kialla

##### 2. Proceed with the contract

###### Positives

- The street and paths will be reconstructed to provide enhanced level of service to the community.
- The street will blend with the surrounding newly built environment.

###### Negatives

- There will be disruption during the construction period to traffic moving along Raftery Road and surrounding residential areas.

#### **Conclusion**

Jarvis Delahey Contractors have submitted a conforming tender and received the highest overall score.

Jarvis Delahey Contractors is a local contractor who has completed projects for Greater Shepparton City Council. The panel is satisfied that Jarvis Delahey Contractors have established a good performance history in the civil works industry and is considered to have the experience, capability and resources to complete this project within the time period stipulated.

The evaluation panel has determined that Jarvis Delahey Contractors, provide the best value for Council.

#### **Attachments**

Nil.

## 7. COMMUNITY DIRECTORATE

### 7.1 Greater Shepparton Safe Communities Advisory Committee Terms of Reference Amendment

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Community Safety Officer**

**Proof reader(s): Team Leader Community Strengthening, Manager**

**Neighbourhoods**

**Approved by: Director Community**

#### **Executive Summary**

The Greater Shepparton Safe Communities Advisory Committee first convened on 29 September 2011 and has met quarterly since to implement and review the Community Safety Strategy. The Advisory Committee has identified a number of amendments which are required to bring the Terms of Reference in line with its current structure and meeting arrangements.

**Moved by Cr Summer**

**Seconded by Cr Patterson**

That Council approve the amended Greater Shepparton Safe Communities Advisory Committee's Terms of Reference.

**CARRIED.**

#### **Background**

The Greater Shepparton Safe Community Advisory Committee was established in September 2011 to provide feedback and advice on community safety planning and initiatives. The Advisory Committee has a role in assisting with the development and drafting of the community safety strategy while working in partnership to foster community safety planning at a local level.

The Advisory Committee are proposing the following amendments to its Terms of Reference to bring the document up to date with current meeting arrangements:

- Introduction – Minor amendment to remove reference to the World Health Organisation (WHO) International Network for Safe Communities Guidelines due to the decision that this initiative would not be progressed. Also updated reference to Council Plan and Municipal Public Health and Wellbeing Plan to bring this up to date with current documentation.
- Functions – Review of the functions with minor amendments made to outline more clearly the Advisory Committee's role and remove reference to WHO indicators.
- Sub-Committee – Insert clause permitting the establishment of sub-committees and their governance.
- Reporting – Additional clause to identify reporting requirements for sub-committees to Advisory Committee.
- Membership – Rewording to clearly explain the membership of the Committee and this role together with the addition of a clause to permit a 'rotating chairperson' to be nominated in the event that the 'chairperson' is unavailable. Also, amendment of



## 7. COMMUNITY DIRECTORATE

### **7.1 Greater Shepparton Safe Communities Advisory Committee Terms of Reference Amendment (continued)**

membership from the Victoria Police “Inspector” to “Station Commander” and replacement of “Manager Culture and Community Strengthening” with the “Team Leader Community Strengthening”. Further minor amendment to reflect the name change of the Older Persons Advisory Committee to the “Positive Ageing Advisory Committee” together with removal of reference to the WHO Guidelines.

- Frequency – Meeting schedule changed from quarterly to bi-monthly with additional wording inserted in relation to the requirement to submit an apology if unable to attend meetings.
- Review – Amendment of the review of the Terms of Reference time frame from every three years to annually. The standard review time for Terms of Reference documentation is bi-annually, however, the Committee has determined to review the document annually.
- References – Removal of the WHO Guidelines and Logan City Council Terms of Reference (entire section).
- Annexure One, List of Sub-Committees – Inserted to govern the establishment of the Safer City Camera Network Steering Committee.

#### **Council Plan/Key Strategic Activity**

*Greater Shepparton City Council, Council Plan 2013-2017*

Goal 1: Active and Engaged Communities (Social), Objective 3: Ensure liveability options are always considered in our decision making activities, Strategies: “Develop, deliver and implement community safety initiatives with the State Government, Police, State agencies and the community, including but not limited to CCTV”, and “Review and continue to implement the Greater Shepparton City Council Safer City Strategy”.

#### **Risk Management**

Insignificant to Low risks have been identified and will be addressed at the operational level.

#### **Policy Considerations**

This recommendation supports the delivery of the Safer City Strategy 2011-2014 and is consistent with its objectives.

#### **Financial Implications**

No budget implications are expected as a result of this recommendation. Although time/work load implications will be seen due to the increase in time involved in coordinating the Advisory Committee, and following up the actions which subsequently arise, for the Community Safety Officer these costs will be absorbed in the current budget.

#### **Legal/Statutory Implications**

This recommendation is consistent with the Local Government Act 1989 and does not limit the human rights embodied in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

#### **Environmental/Sustainability Impacts**

There are no identified environmental or sustainability impacts associated with this recommendation.

#### **Social Implications**

There are no adverse social implications associated with this recommendation. This

## 7. COMMUNITY DIRECTORATE

### **7.1 Greater Shepparton Safe Communities Advisory Committee Terms of Reference Amendment (continued)**

proposal supports the development of creating a whole of community approach to community safety whilst enhancing community's health and wellbeing.

#### **Economic Impacts**

There are no identified negative economic impacts associated with this recommendation, however, by improving community safety within Greater Shepparton positive economic impacts may be seen as a result.

#### **Consultation**

All of the changes proposed to the Terms of Reference have been made in consultation with the Greater Shepparton Safe Communities Advisory Committee with advice from Councils Governance and Communications Branches sought as appropriate. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Direction 1 – Settlement and Housing

Direction 2 – Community Life

Direction 4 – Economic Development

Direction 5 - Infrastructure

##### b) Other strategic links

Greater Shepparton City Council - Safer City Strategy 2011-2014

Greater Shepparton City Council - Health and Wellbeing Plan

Greater Shepparton City Council – Community Development Framework

Greater Shepparton City Council – Community Engagement Strategy

#### **Options for Consideration**

<b>Options for Consideration</b>	<b>Outcome</b>
Status quo	The Terms of Reference would remain inaccurate and not reflect the operation of the Advisory Committee. This would affect the effective operation of the Advisory Committee and would potentially impact on membership and attendance.
Endorse the Terms of Reference as presented	The Terms of Reference are formally endorsed at a Council meeting with the document accurately reflecting the operations, purpose and role of the Advisory Committee.

#### **Conclusion**

Over a number of meetings the Greater Shepparton Safe Communities Advisory Committee has reviewed the Terms of Reference and proposed a number of amendments to bring the document in line with the current operations, purpose and role of the Committee. It is recommended that these changes be endorsed by Council. In order for the Terms of Reference document to be useful as a governance tool for the committee.

#### **Attachments**

Terms of Reference - Greater Shepparton Safe Communities Advisory Committee March 2014

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## 7. COMMUNITY DIRECTORATE

### 7.2 Smoke free Outdoor Dining Trial - Interim Report

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Health and Wellbeing Project Officer**

**Proof reader(s): Team Leader Community Strengthening, Manager Neighbourhoods**

**Approved by: Director Community**

#### **Executive Summary**

Council endorsed the recommendation to implement a trial of smoke free outdoor dining areas in Greater Shepparton at the May 2013 Ordinary Council Meeting. All local businesses who held an outdoor dining licence at the time of this decision received an option to continue their outdoor dining licence permit with amended terms and conditions. The trial commenced 1 July 2013 and will cease 30 June 2014.

During the initial month of the trial Council was contacted by businesses and community members seeking clarification of the trial. These enquiries were responded to both over the phone and with onsite visits. More recently there have been far fewer enquiries, however complaints do continue regarding local businesses not complying.

Following recent onsite inspections throughout January 2014 to all local businesses holding an outdoor dining licence, an interim report is provided to demonstrate the community and business feedback so far. The vast majority of local businesses are demonstrating support of the smoke free trial and are adhering strictly to the amended terms and conditions of their outdoor dining licence permit.

Council can now consider the data provided in determining whether a local law is to be drafted. It is recommended that an extension to the current smoke free trial be considered to avoid further disruption to local businesses whilst allowing time for a comprehensive review.

**Moved by Cr Summer**

**Seconded by Cr Patterson**

That the Council:

1. note the Interim Report – Greater Shepparton smoke free outdoor dining trial; and
2. support the continuation of the existing smoke free trial period (post 30 June 2014) to allow for the development of an appropriate local law.

**CARRIED.**

## 7. COMMUNITY DIRECTORATE

### 7.2 Smoke free Outdoor Dining Trial - Interim Report (continued)

#### **Background**

Council endorsed the introduction of a smoke free trial at its ordinary council meeting 21 May 2013 effective from 1 July 2013 to 30 June 2014.

In March 2012, a total of 42 local businesses completed an initial survey for local business holding an outdoor dining licence permit with Council. This survey focused on any cost associated with establishing an outdoor dining area and whether they would support the introduction of a smoke free trial. 9 businesses completed the survey, with results indicating 67% felt they would not support the introduction of a smoke free trial, 44% of respondents answered question 7 indicating they felt they would lose business. 56% indicated that they obtained their permit generally to cater for smoking patrons and 44% spent more than \$4,000 (up to \$10,000) establishing their outdoor dining area.

During a community consultation period from December 2012 to January 2013 feedback was gathered from local businesses, health professionals and the broader community through a variety of consultation methods to gauge the community's expectations for a smoke free outdoor dining trial in Greater Shepparton. The results of this survey included 277 responses with a higher amount of respondents stating that they prefer no smoke near them when they are eating or drinking in an outdoor dining area, regardless of being smokers or not (78.8%). The majority of respondents (73.6%) also indicated that they believe all outdoor dining areas should be smoke free.

There are a total of 50 local businesses currently participating in the smoke free trial. Since the commencement of the trial five businesses have closed, four totally and one closure of an outdoor dining area due to anti-social behaviour.

Council have provided participating businesses with aluminium table top signs, adhesive signs affixed to the majority of outdoor dining area barrier screens, with some businesses requiring specially ordered metal signs due to the construction of their barrier screens. A total of 320 table top signs and 120 adhesive signs were purchased and installed.

A further 20 metal information signs for promotional purposes and to assist visitors to the Municipality were purchased and installed on existing Council sign posts or new posts, including at entry points to Shepparton and surrounding towns.

Public information sessions were held at the commencement of the trial period encouraging local businesses and community members to clarify details of the smoke free trial along with information kits delivered to all businesses.

Ongoing feedback opportunities have continued on the external website throughout the trial period.

Onsite inspections were undertaken during January 2014 with a Council Officer attending each local business participating in the trial and undertaking a feedback survey form with the business operator. Both positive and negative responses were encouraged to fully understand any impact of the trial. Feedback indicated a range of related issues that will need to be addressed in the future, such as bin locations for butting-out, smoke drift from public bins into shops and levels of compliance from businesses. Many extra table top signs and adhesive signage for barrier screens were replaced during the visits – predominantly these signs had been stolen.

## 7. COMMUNITY DIRECTORATE

### **7.2 Smoke free Outdoor Dining Trial - Interim Report (continued)**

A final evaluation report will continue to utilise both quantitative and qualitative methods of analysis to present the findings and capture any impact of the smoke free trial in outdoor dining areas at the end of trial period 30 June 2014.

In regard to establishing a local law, only one other Council, being Baw Baw, have established a local law. It would be necessary to commence research on the process, considerations and expectations in advance to properly consider its purpose. Further resources may be required for the lengthy process in developing or amending a local law; possibly a consultant or legal expert. Other Councils have previously developed a local law in house, utilising the skills and expertise of their Governance branch.

#### **Discussion: Interim Report – smoke free outdoor dining trial**

A total of 50 local businesses remain in the smoke free outdoor dining trial.

*It should be noted that five local businesses have closed permanently since the commencement of the trial and one local business has opened, with one local business closing the outdoor dining area due to anti-social behaviour.*

During January 2014 onsite visits were completed at all businesses operating under the outdoor dining licence, with amended terms and conditions. These visits were an appropriate time to capture any feedback regarding the trial period to date.

Some businesses expressed positive impacts on their business, such as less manpower required to empty ash trays and outdoor dining areas are cleaner. A range of related issues were also highlighted, including:

- Extra signage required due to those damaged or predominantly stolen.
- Some bin locations were concerning business owners due to the smoke drift and these matters have been referred to the Waste Management team for further consideration of minor location changes. Both bins designs with a cigarette butt out on the side or those with a metal butt out on the top have caused concern.

There were strong negative comments received from one local business owner who has provided a written submission regarding their concerns, including:

- Business impact to patrol smoking area
- Reduction in trade
- Suggested timed smoking bans not a complete ban.

#### **Onsite Visits**

A Council Officer attended each local business to capture feedback of any impact of the trial. *Please refer attachment 'Feedback survey – January 2014'.*

In summary;

- 17 businesses reported seeing positive benefits throughout the trial including a decrease in smoking related litter, an increase in trade as customers are not deterred by the drift of smoke when entering businesses, positive feedback from tourists to the area, and a decrease in loitering by smokers to use ashtrays and not purchasing from the businesses.
- Of the 17 businesses that reported positive benefits, five businesses also listed some concerns but mainly these were in regards to the compliance of customers with the trial.
- 14 businesses raised concerns regarding the trial. These concerns centred on the lack of support from customers in assisting businesses comply with

## 7. COMMUNITY DIRECTORATE

### 7.2 Smoke free Outdoor Dining Trial - Interim Report (continued)

the trial, but many reported this has since improved. Some reported concern in decreasing trade potentially related to diners been unable to smoke.

#### **Compliance**

The majority of local businesses are clearly able to meet the amended terms and conditions of the outdoor dining licence permit. *Please refer attachment 'Summary of onsite visits – January 2014'.*

At the commencement of the trial 42 business were assisted to implement the smoke free dining initiative, five businesses have since ceased trading but throughout this time other businesses have commenced outdoor dining resulting in 50 businesses currently participating in the trial. Of these traders 41 are continuing to demonstrate compliance of the amended terms and conditions during the trial period.

There are four local businesses, three in Shepparton and one in Tatura, that are not able to fully comply due to a range of issues; regular patrons being defiant, younger age group ignoring requests to move out of area, staff unable to manage areas during busier times and owners wanting to retain regular clientele or leaving ash trays on table that encourage smoking. Local Laws have reported similar observances.

It is evident through the number of compliant local businesses that have reported little or no impact on their business, that the community supports the smoke free trial in comparison with those experiencing a reduced trade which are having difficulty complying with the amended terms and conditions.

#### **Extra Signage**

An extra 75 table top signs were delivered to participating business.  
An extra seven adhesive barrier screen signage decals were replaced.

#### **Community Feedback Received**

Throughout the trial a total of 15 community feedback submissions have been recorded from residents or visitors to Greater Shepparton. In summary there were a total of seven objections to the trial, and eight submissions from community members expressing their support of the trial and either reporting non-compliance or complimenting Council for their decision. These results are indicative of a passive response from the community as Council has not actively sort community feedback since commencing the trial. The online feedback form has continued to be available for the wider community by Council Officers have been focus on supporting business to implement the smoke free trial.

#### **Related Issues**

A number of related issues that impact on local businesses being able to comply have been rectified and some matters are still being dealt with: bin location was significant, signage replacement assisted and further consideration of bin locations is continuing.

#### **Council Plan/Key Strategic Activity**

Under the *Active and Engaged Communities – Social Environment* of the Council Plan 2013-2017 and goal 3 *Ensure liveability options are always considered in our decision*

## 7. COMMUNITY DIRECTORATE

### 7.2 Smoke free Outdoor Dining Trial - Interim Report (continued)

*making activities* the development of a Municipal Health and Wellbeing Action Plan is specifically listed as a key strategy:

‘Develop, adopt and implement the Greater Shepparton City Council Municipal Health and Wellbeing Action Plan’.

#### **Health and Wellbeing Action Plan 2013-14**

A specific health and wellbeing target contained in this action plan states Council will work toward:

‘Increase community awareness of tobacco control health prevention initiatives that encourage clean, safe, smoke free environments that contribute to a reduction in tobacco related illness and associated diseases.’

Performance measures include Evaluation of smoke free outdoor dining trial.

#### **Risk Management**

A summary of risks is provided associated with creating such community change that influences behaviour of individuals and community to consider lifestyle choices, clean environments and health benefits to reduce the burden of disease and on health services:

Risks	Likelihood	Consequence	Rating	Mitigation Action
Stakeholders unhappy with trial	Unlikely	Moderate	Medium	Extensive consultation occurred prior to implementation and majority of community and Business respondents favoured decision.
Decrease local business	Unlikely	Minor	Low	Council has provided signage and information through a variety of sources to help educate the public and support businesses to implement the trial.
Business owners unable to meet amended terms and conditions, particularly if trial period extended further	Unlikely	Moderate	Medium	Steps to complete onsite inspections, approach business owners, formal advice in writing and to revoke outdoor dining licence permit are considered.
Community unable to adapt to behavioural change	Unlikely	Moderate	Medium	Further marketing on health benefits could increase community acceptance and support for businesses providing smoke free social spaces.

## 7. COMMUNITY DIRECTORATE

### 7.2 Smoke free Outdoor Dining Trial - Interim Report (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Lack of outdoor dining areas for smoking residents	Very Unlikely	Minor	Low	Individuals are able to move outside barrier screens to smoke and business owners need to comply with this as part of their outdoor dining licence permit.

#### Policy Considerations

There are no conflicts with existing policies, most policies support a collaborative approach to addressing local health and wellbeing initiatives.

#### Financial Implications

Council's Health Plan budget for the Neighbourhoods Department has been spent as follows:

	2012/2013 Approved Budget *\$	Actual \$	Variance to Approved Budget \$	Comments
Revenue				Further funding options considered.
Expenses: Advertising and Media	2,000	0	2,000	Provide support to local businesses to create change.
Signage	10,000	6,630	3,370	Providing signage in partnership demonstrates commitment to health and wellbeing initiative. \$2,825 - Barrier screen signage. \$3,804.80 - table top smoke free zone signs  Also allowed extra budget for further signs and/or marketing.
Weekend/out of hours inspection	2,000	0	2,000	** Random weekend inspections will be undertaken through March and April, administration to co-ordinate and follow up of any complaints have been included in budget but not utilised.



## 7. COMMUNITY DIRECTORATE

### 7.2 Smoke free Outdoor Dining Trial - Interim Report (continued)

	2012/2013 Approved Budget *\$	Actual \$	Variance to Approved Budget \$	Comments
				Local law officers have included ad hoc inspections in routine daily activities.
Net Result	14,000	6,630	7,370	Encourage smooth transition and third party support.

\* Amount shown in this column may equal one line item in budget or maybe a component of one budget line item.

#### **Legal/Statutory Implications**

Council are obligated to consider health and wellbeing initiatives that maximise health outcomes in our local community for all.

#### **Environmental/Sustainability Impacts**

There are clear environmental and sustainable benefits from considering any expansion of smoke free environments in public spaces.

#### **Cigarette Butts**

An increase in cigarette butts is highly rated in the top ten rubbish items commonly found recognised as a major pollutant, a significant nuisance to residents, businesses, the environment, waterways and wildlife.

There is a concern that further smoking bans may increase the cigarette litter as smokers are forced away from public spaces that provide cigarette bins, particularly on footpaths. Excessive cigarette bins appear to negatively impact on streetscapes.

#### **Enforcement**

Manager Sustainability and Environment raised the issue of enforcement and regular out of hours inspections would be difficult with current resources. Consultation is being undertaken with Manger Citizen Services to assist local laws staff to enforce the trial.

#### **Exposure to second hand smoke**

Smoke-free outdoor – A resource kit for Local Governments, page one demonstrates evidence suggests that there are links between exposure to second hand smoke and a range of serious life threatening health impacts including heart disease, lung cancer, asthma, irritation of the eyes/nose and other respiratory problems. This includes children at increased risk of sudden death infant syndrome (SIDS), acute respiratory infections and ear problems.

#### **Social Implications**

Encouraging clean open spaces and providing smoke free social engagement opportunities assists individuals to reduce their smoking habits and “de-normalise” smoking behaviour. Communities can greatly influence the health and wellbeing and contribute toward improving health outcomes through supportive environments and recognising cues for smokers or anti-social behaviour.

## 7. COMMUNITY DIRECTORATE

### 7.2 Smoke free Outdoor Dining Trial - Interim Report (continued)

#### **Economic Impacts**

A collaborative approach to health and wellbeing initiatives can promote economic growth, expand tourist attractions and opportunities, encourage new events, increase business development, encourage employment opportunities, advocate for new health services, provide fairer access to outdoor dining facilities and demonstrate concern for residents with health concerns or vulnerable and disadvantaged residents in the Municipality and improved workplace conditions and environments for staff and patrons.

#### **Impact on Health Services**

As reported by Quit Victoria and the Heart Foundation smoking remains a major cause of preventable death in Victoria and Council's introduction of smoke free areas can impact on the demand on local health services.

#### **Consultation**

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Prior to trial and during trial to keep all residents informed	<ul style="list-style-type: none"> <li>• Media release</li> <li>• External website</li> <li>• Social Media</li> <li>• Newspaper</li> <li>• Information Display</li> <li>• Public Information Session</li> <li>• Flyers and Posters</li> </ul>
Consult	Collate impact of trial and community opinion	<ul style="list-style-type: none"> <li>• Letter to local businesses affected by such a decision</li> <li>• Vox pop survey in local businesses offering outdoor dining</li> <li>• On line survey</li> <li>• Interim Report</li> <li>• Final Evaluation report</li> </ul>
Involve	Provide feedback choices and opportunities	<ul style="list-style-type: none"> <li>• Online surveys</li> <li>• Email</li> <li>• Telephone</li> <li>• Integrate Council considerations</li> <li>• Survey options</li> <li>• Feedback opportunities</li> <li>• Partnering stakeholders</li> </ul>
Collaborate	Integrate Council approach to support community change	<ul style="list-style-type: none"> <li>• Onsite visits</li> <li>• Use local knowledge and experiences to consider realistic approach</li> <li>• Evaluate feedback</li> </ul>
Empower	Behaviour change Support local businesses to create change	<ul style="list-style-type: none"> <li>• Council to provide leadership and support management with ad-hoc inspections and information</li> </ul>

## 7. COMMUNITY DIRECTORATE

### 7.2 Smoke free Outdoor Dining Trial - Interim Report (continued)

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Topic: Community Life

Direction: Enhance social connectedness, physical and mental health and wellbeing, education and participatory opportunities in order to improve liveability and a greater range of community services.

Themes:

- Health and social services
- Education and learning
- Recreation and open space
- Safe and accessible environments.

##### b) Other strategic links

- Greater Shepparton Municipal Health and Wellbeing Plan.

#### **Options for Consideration**

##### Option 1- Do nothing

This option would not be preferred as Council have put considerable time into establishing the trial and to progress past the trial will require preparation of a local law.

##### Option 2 – Approve part of the recommendations only.

This option would not be preferred.

The whole recommendation is required to ensure that a prepared approach can allow time for the final evaluation to be considered rather than disrupt business owners and effect the change of community behaviour by ceasing the trial and several months later expecting them to reinvigorate the smoke free outdoor dining areas in the Municipality. This would also be more disruptive and expensive to Council as signage would need to be removed and there is potential for it to be re-installed.

##### Option 3 – Approve the recommendations in full (preferred option).

That Council note the:

1. Interim report - smoke free outdoor dining trial
2. Support the continuation of the existing smoke free trial period (post 30 June 2014) to allow for a proper evaluation of the trial to occur, including development of a proposed local law.

This option would demonstrate a well-planned approach with least disruption to business, less demand on resources and reduced expense for Council.

#### **Conclusion**

The interim report provides an insight into the feedback, impact and planning options created by the smoke free trial.

Evidence has demonstrated that community behaviour has changed over the trial period to date, represented by the volume of feedback and the support demonstrated by the wider community and business implementing the trial and seeking support to enforce the trial.

## 7. COMMUNITY DIRECTORATE

### **7.2 Smoke free Outdoor Dining Trial - Interim Report (continued)**

There is also significant support displayed by the vast majority of local businesses able to fully comply with the terms and conditions of the trial period, in fact 41 out of 45 local businesses currently operating are able to comply. Feedback provided during recent onsite visits in January 2014 also confirmed that although there were a number of local businesses not in favour of the trial, or a little reserved due to the anticipated impact, they since have identified the positive aspects in relation to cleaning and staff safety have been beneficial.

Council is now in a more informed position to begin drafting a local law to permanently implement smoke free outdoor dining for businesses holding a Council outdoor dining permit and support the achievements of the local business community in implementing this trial for the benefit of a healthier community.

This interim report will inform a final evaluation at the cessation of the trial before a local law is finalised.

#### **Attachments**

1. Feedback survey - January 2014 Page 122
2. Summary of onsite visits - January 2014 Page 124

## 7. COMMUNITY DIRECTORATE

### 7.3 Final Annual Review and Evaluation of Greater Shepparton Public Health Plan 2009-2013

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Health and Wellbeing Project Officer**

**Proof reader(s): Team Leader Community Strengthening, Manager Neighbourhoods**

**Approved by: Director Community**

#### **Executive Summary**

This report presents to Council the Final Annual Review and Evaluation 2013 of the Greater Shepparton Public Health Plan 2009-2013.

Every Council has a statutory obligation to conduct an annual review and a final evaluation of each Municipal Public Health Plan (MPHP) under the Health Act 1958 and Public Health and Wellbeing Act 2008.

The Greater Shepparton Health and Wellbeing Advisory Committee (HWBAC) have received the findings of this report. Although these committee members were not part of the development of the previous Municipal Public Health Plan, they remain very active partner stakeholders working toward addressing local health and wellbeing matters to maximise health outcomes in our local community and inform future health planning and public health policy decisions.

#### **Moved by Cr Summer**

#### **Seconded by Cr Patterson**

That the Council note the Final Annual Review and Evaluation 2013 report for the *Greater Shepparton Public Health Plan 2009-2013*.

**CARRIED.**

#### **Background**

As specified in the Health Act 1958 and Public Health and Wellbeing Act 2008 each Council is required to develop appropriate programs to address the health problems of its local community including advocating for changes to public health standards on behalf of isolated, vulnerable and disadvantaged population groups. Identification of actual and potential public health dangers, local health trends, health status data and appropriate systems to maximise health outcomes are expected to be considered. The development of a Health Status Report 2012 (HSR) captured our local health and wellbeing indicators, public health status and unique aspects of our local community to meet these requirements.

An annual review of the MPHP has been completed in 2010, 2011, 2012 and 2013. A summary of each review is provided in the Final Annual Review and Evaluation 2013 report enclosed.

## 7. COMMUNITY DIRECTORATE

### 7.3 Final Annual Review and Evaluation of Greater Shepparton Public Health Plan 2009-2013 (continued)

The final evaluation was mostly completed during the development phase of the current HWB Action Plan which replaces the previous MPHP. In conjunction with the widespread community engagement opportunities during the development of the Council Plan, the foundations of the HWB Action Plan were formed and the involvement of widespread community members strengthened the result. The final evaluation included consideration of:

- Feedback and accountability to assess how programs were used or understood
- The level of impact and how effective strategies appeared
- Resource allocations and whether targets were achieved to inform future resource planning
- Policy development that may have occurred or that has been influenced during the term of the MPHP
- Which strategies worked or were unable to be met.

#### **Council Plan/Key Strategic Activity**

Under the previous Council Plan all aspects relate to health and wellbeing matters in various environments impacting on the health status of our local community. Including but not limited to:

- Continue to lobby, advocate and prioritise the needs of vulnerable and disadvantaged citizens and advocate on their behalf
- Monitor and appropriately support the provision of quality services within the municipality
- Continue to engage and partner with our aboriginal community to support improved opportunities and outcomes in employment and health.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Stakeholders unhappy with progress	Unlikely	Moderate	Medium	Extensive consultation occurred during development.
Inadequate completion of targets	Unlikely	Moderate	Low	Cross-sector partnership effort and commitment should remain strong.

#### **Policy Considerations**

There are no conflicts with existing policies, most policies support a collaborative approach to addressing local health and wellbeing initiatives.

#### **Financial Implications**

Council's Health Plan budget is part of the Neighbourhoods Department as follows:

## 7. COMMUNITY DIRECTORATE

### 7.3 Final Annual Review and Evaluation of Greater Shepparton Public Health Plan 2009-2013 (continued)

	2012/2013 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$ 624			
Expense	- \$20,721			Over the three financial year period a total of \$61,688 has been spent on health plan initiatives.
Net Result	- \$20,097			

\* Amount shown in this column may equal one line item in budget or maybe a component of one budget line item.

#### **Legal/Statutory Implications**

Council are required to complete a review and evaluation of each Municipal Health and Wellbeing Action Plan to meet their statutory requirements.

#### **Environmental/Sustainability Impacts**

There are clear environmental and sustainable benefits from completing an annual review and final evaluation of each Municipal Public Health Plan while monitoring achievements made and recognising contributions of all partners toward maximising health outcomes for our local community.

#### **Social Implications**

Upon review of the MPHP Council demonstrated its commitment to advocate for a cross-sector partnership approach to improve and influence health and wellbeing matters measured in many aspects:

- Sense of community
  - developing a better understanding of cultural activities, events and significant landmarks
  - work in a cross-sector partnership
  - conserve our cultural heritage, significant landmarks, natural environments and environmental assets
  - demonstrates our social cohesive behaviour and liveability
  - create healthy environments when planning new or refurbished open spaces, places and developments to improve lifestyle choices and behaviour in safe, socially inclusive, culturally sensitive and accessible environments for all.
- Community services
  - consider range and quality of services for different population groups (children and families, young people, elderly people and people with disabilities),
  - accessibility of health services or cost of services and understanding/health literacy
  - concern for community health and wellbeing and social connection opportunities
  - universally accessible and culturally acceptable improvements to recreation facilities and sporting grounds
  - public safety and influence of anti-social behaviour

## 7. COMMUNITY DIRECTORATE

### 7.3 Final Annual Review and Evaluation of Greater Shepparton Public Health Plan 2009-2013 (continued)

- public health implications, access to immunisations with provisions for translation services.
- Education and skills development
  - number and quality of education options for the local community
  - encourage life-long learning opportunities and return to local area
  - cross-sector partnership effort in identifying local needs and offering developed understanding of emerging employment opportunities.
- Transport
  - considering safety for travellers
  - emissions and fuel consumption
  - considering impact of public transport options, reliability and access distance for residents
  - walking and cycling or transportation needs of all people
  - universal/ pedestrian access and manoeuvrability throughout Municipality.

#### **Economic Impacts**

A collaborative approach to achieving health and wellbeing initiatives can strengthen future funding applications, promote economic growth, expand tourist attractions, encourage sustainable community events, increase business development, encourage employment opportunities, advocate for new health services, provide fairer access to health services and consider alternatives for the most vulnerable or disadvantaged residents in the Municipality.

#### **Consultation**

Throughout the life of the MPHP, there were a number of consultation opportunities undertaken through its development, implementation and review. These included:

Level of public participation	Promises to the public/stakeholders	Examples of techniques used
Inform	Keep informed	<ul style="list-style-type: none"> <li>● External website</li> <li>● Information Display</li> <li>● Public Information Session</li> <li>● Network Meetings.</li> </ul>
Consult	Informed, listen, acknowledge	<ul style="list-style-type: none"> <li>● Public comment</li> <li>● Focus groups</li> <li>● On line surveys</li> <li>● Public Health advisory meetings</li> <li>● Annual Reviews</li> <li>● Final Evaluation report.</li> </ul>
Involve	Work together Collate Feedback Involve community in decision-making processes	<ul style="list-style-type: none"> <li>● Workshops</li> <li>● Partnership effort toward achievement of each target</li> <li>● Online surveys</li> <li>● Email</li> <li>● Telephone</li> <li>● Integrate Council Plan considerations</li> <li>● Feedback opportunities.</li> </ul>



## 7. COMMUNITY DIRECTORATE

### 7.3 Final Annual Review and Evaluation of Greater Shepparton Public Health Plan 2009-2013 (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques used
Collaborate	Feedback incorporated into development of each MPHP	<ul style="list-style-type: none"> <li>• Citizen participation and feedback opportunities</li> <li>• Partnership effort and problem solving techniques utilised.</li> <li>• Partner contribution to achieving health and wellbeing targets.</li> </ul>

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

###### Community Life

Direction: Enhance social connectedness, physical and mental health and wellbeing, education and participatory opportunities in order to improve liveability and a greater range of community services.

###### Themes:

- Health and social services
- Education and learning
- Recreation and open space
- Safe and accessible environments.

##### b) Other strategic links

No other strategic links have been identified.

#### **Options for Consideration**

##### Option 1- Do nothing

This option would not be preferred as Council are required to demonstrate achievements and monitor progress of each Municipal Public Health Plan to meet statutory obligations of the Health Act 1958 and Public Health and Wellbeing Act 2008 for our Municipality.

##### Option 2 – Approve part of the recommendations only.

This option would not be preferred.

To partly approve this option would not satisfy our statutory obligations and require further work to be done.

##### Option 3 – Approve the recommendations (preferred option).

This option would be preferred.

That Council endorse the Final Annual Review and Evaluation 2013 to satisfy Council's statutory obligations under the Health Act 1958 and Public Health and Wellbeing Act 2008 for our Municipality.

Final endorsement will remain with Council and the Department of Health.

## 7. COMMUNITY DIRECTORATE

### 7.3 Final Annual Review and Evaluation of Greater Shepparton Public Health Plan 2009-2013 (continued)

#### **Conclusion**

Endorsement of the Final Annual Review and Evaluation 2013 of the *Greater Shepparton Public Health Plan 2009-13* will satisfy Council's statutory obligations under the Health Act 1958 and Public Health and Wellbeing Act 2008.

#### **Attachments**

Annual Review 2013 and Final Evaluation - Municipal Public Health Plan  
2009-13

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## 7. COMMUNITY DIRECTORATE

### 7.4 Our Sporting Future Funding - Round 2 2013/2014 - Minor and Sports Aid

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author:** Program and Services Coordinator

**Proof reader(s):** Team Leader Recreation & Strategy, Manager Recreation & Parks

**Approved by:** Director Infrastructure

#### **Executive Summary**

Council received two applications for the second round of funding for the 2013/2014 Our Sporting Future Funding Program – Minor Facilities and Sports Aid Category:

1. Shepparton Rugby Club – Juniors Program
2. Tatura Amateur Basketball Association Inc. – Scoreboard Replacement

All applications have been considered by the assessment team and recommendations are now made to Council in relation to funding allocations.

A number of other enquiries have been received for the program. Council officers are working with these groups to progress project plans to meet program guidelines and enable future applications to be made.

One further funding round is planned for the 2013/14 financial year. A total of \$54,000 remains in the current budget for allocation in the final round. Council officers will work closely with Communications to undertake advertising for the next funding round to be completed by the end of February 2014.

It will be a mandatory condition that successful grant recipients ensure recognition of Council contribution (for example signage) and ensure assets purchased are protected to remain in the recipient's ownership. Specific requirements and conditions will be included in the letter of offer and is required to be signed by the grant recipient.

**Moved by Cr Patterson**  
**Seconded by Cr Summer**

That Council approve funding for the following projects:

#### **Our Sporting Future – Minor Facilities Category**

Club	Project	Allocation
Tatura Amateur Basketball Association Inc.	Scoreboard Replacement	\$3,334

#### **Our Sporting Future – Sports Aid Category**

Club	Project	Allocation
Shepparton Rugby Union Club	Junior Program	\$5,000

**CARRIED.**

## 7. COMMUNITY DIRECTORATE

### 7.4 Our Sporting Future Funding - Round 2 2013/2014 - Minor and Sports Aid (continued)

#### Details of each project

##### **Tatura Amateur Basketball Association Inc.**

Funding Category	Minor		
Project	Scoreboard Replacement		
What will the project achieve	<p>The existing scoreboard currently in place at the Tatura Stadium needs replacing.</p> <p>The existing scoreboard is known to malfunction, particularly during play. The wiring of this model has been “repaired” on numerous occasions. The wiring at times is considered an OHS risk, especially to umpires who need to move quickly past the front of the score desk.</p> <p>The plan that TABA committee have agreed upon is to replace the existing board with the Blue Vane Industries Millennium model. This particular one suits the requirements of our growing association. This model has a wireless controller and is commonly used and admired at other stadiums. This model would be wall mounted and replace existing one.</p>		
Total Project Cost	\$6,668	Organisation Cash	\$3,334
Requested Council Contribution	\$3,334	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing facility upgrade. The project is recommended for funding with an allocation of \$3,334.		

##### **Shepparton Rugby Union Club**

Funding Category	Sports Aid		
Project	Junior Program		
What will the project achieve	<p>The real benefit of establishing a junior program in the sport of rugby is for the increase number of children from the age of 5 - 14 wanting to play rugby and increase number of youth from the age of 15 - 17 who also want to play the sport but no clubs in 50km of Shepparton who offer it. We would like to begin a Junior program for these age brackets and give them a chance to play a sport of their choice rather than play a sport that they have to because there is nothing else. For the age bracket of 15 - 17, the benefits of offering them the sport of Rugby in Shepparton will give them the opportunity to occupy their time wisely and in a positive way. We have noticed that there is a growing trend of teenagers skipping school and finding the lake area as a place of entertainment both during the day and evening and getting up to no good. With the growing concerns of parents who are currently involved in the Rugby Club - offering Rugby to them (because it is a sport they played before moving to Shepparton) will help change these new trends and hopefully provide them</p>		

## 7. COMMUNITY DIRECTORATE

### 7.4 Our Sporting Future Funding - Round 2 2013/2014 - Minor and Sports Aid (continued)

	with the opportunity to have a better future than the one they currently are indulging in.		
Total Project Cost	\$7,890	Organisation Cash	\$2,890
Requested Council Contribution	\$5,000	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing access and participation opportunities. The project is recommended for funding with an allocation of \$5,000.		

#### **Background**

The Our Sporting Future Funding Program has been established to assist community organisations with the implementation of small to medium sized facility development projects. The types of projects that may be funded include:

- Sports surface development
- OHS and public safety improvements
- Lighting upgrades
- Pavilion upgrades
- Shade for participants
- Disability Access

The program also assists with development programs for new and developing sporting organisations throughout Greater Shepparton.

The funding program provides three categories for funding:

- Major facility development – for projects on a \$1 for \$1 basis but not exceeding \$30,000
- Minor facility development – for projects on a \$1 for \$1 basis but not exceeding \$15,000
- Sports Aid - funding between \$500 and \$5,000 (without matching contributions) for special sports projects that provide support to new and developing sporting organisations, or for special access and participation projects.

The Minor and Sports Aid applications are assessed in three rounds, with the second round closing on Friday 29 November 2013.

A cross department interim assessment team has been developed to improve the assessment of applications. The team consists of the following members:

- Program and Services Coordinator
- Team Leader Events and Promotions
- Youth Development Officer
- Healthy Communities Coordinator
- Grants, Statistics and Economic Research Officer

The Our Sporting Future Funding Program is available for all sporting/recreational groups with the municipality. The program is promoted on council's external website, advertised in SportsConnect (a Council newsletter) and by word of mouth. ValleySport, the Goulburn Valley's regional sports assembly, actively advertise the funding program

## 7. COMMUNITY DIRECTORATE

### 7.4 Our Sporting Future Funding - Round 2 2013/2014 - Minor and Sports Aid (continued)

through their network of known local community sport and recreation groups. ValleySport also recommend the funding program to groups throughout the year.

The Our Sporting Future Funding Program is being reviewed as part of a Council wide review of all external grants and donations programs for 2013/2014.

The Our Sporting Future Funding has an acquittal process at the completion of the project. Community Organisations receive 80% of the funding for the project when they sign the funding agreement and will only receive the final 20% when the project is completed and a written funding acquittal form is completed including supporting documentation of invoices and photographs of installation. A Recreation and Parks Branch member also goes on site to check that the project has been completed.

#### **Council Plan/Key Strategic Activity**

Recommended projects are supported by the Council's Sport 2050 Strategic Plan.

#### **Risk Management**

Consideration has been given to risk management issues during the assessment of all applications for funding support.

#### **Policy Considerations**

There are no conflicts with existing Council policy.

#### **Financial Implications**

2013/2014 Approved Budget	Funds Previously Committed in 2013/2014	Funds Requested this Round	Balance Remaining for Future Rounds
\$110,000	\$47,126	\$8,334	\$54,540

#### **Legal/Statutory Implications**

All project applicants must comply with planning, building and health legislative and statutory requirements prior to commencement of projects and/or release of the Council's funds.

#### **Environmental/Sustainability Impacts**

There are no environmental/sustainability impacts arising from these projects.

#### **Social Implications**

These projects will support community participation in sporting activity.

#### **Economic Impacts**

There is expected to be a minor regional economic stimulus arising from the construction works.

#### **Consultation**

Council staff have discussed projects with many applicants and have assisted in the formal application process. All applicants have been reminded that projects will not be funded retrospectively.

## 7. COMMUNITY DIRECTORATE

### **7.4 Our Sporting Future Funding - Round 2 2013/2014 - Minor and Sports Aid (continued)**

A number of other inquiries have been made by community organisations. Council officers will continue to work with these groups to develop plans and projects in anticipation of an application being made in a future round.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### **a) Greater Shepparton 2030 Strategy**

This proposal supports the community and infrastructure objectives of the Greater Shepparton 2030 Strategy

##### **b) Other strategic links**

This proposal supports the community and infrastructure objectives of the Municipal Health and Wellbeing Plan.

#### **Options for Consideration**

1. Not fund the projects  
Not recommended as projects will ensure that community assets are renewed and facilities modernised.
2. Fund the projects  
Agree to fund the projects - Recommended.

#### **Conclusion**

Council officers recommend the allocation of funding to project applications submitted through Councils Our Sporting Futures Funding Program

Recommended projects under the second round of the 2013/2014 Our Sporting Future Program support Council's vision to improve liveability through social and recreational opportunities, a range of inclusive community services and activities, and valuing our diversity.

#### **Attachments**

Nil

## 8. BUSINESS DIRECTORATE

### 8.1 February 2014 Monthly Financial Report

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Team Leader Corporate Accounting**

**Proof reader(s): Chief Executive Officer**

**Approved by: Chief Executive Officer**

#### **Executive Summary**

The report presents Council's actual financial performance compared to the budget for the eight months ended 28 February 2014.

CEO Gavin Cator advised of two corrections to the February 2014 Monthly Financial Report:

- Page 4, paragraph 2: Actual year to date operating surplus is \$651,000 less than (amend to 'more than')
- Capital Works – Aquamoves project is on track.

#### **Moved by Cr Polan**

#### **Seconded by Cr Patterson**

That the Council receive and note the February 2014 Monthly Financial Report.

**CARRIED.**

#### **Background**

The 2013/2014 Budget was adopted by Council at its meeting on 20 August 2013. The 2013/2014 Budget provided for an operating surplus of \$8.8 million with revenue of \$108.3 million and expenditure of \$99.5 million. The 2013/2014 Budget also provided for capital works of \$36.2 million.

On 26 November 2013, Council adopted the 2013/2014 September Quarter Budget Review with revenue of \$110.4 million and expenditure of \$104.1 million resulting in an operating surplus of \$6.3 million for the full financial year. The lower forecast surplus was mainly due to an increase in depreciation expense of \$2.19 million resulting from the revaluation of infrastructure assets. The 2013/2014 September Quarter Budget Review also included \$40.76 million in capital works, a forecast increase of \$4.55 million mainly due to re-budgeted prior year projects of \$3 million.

On 18 February 2014, Council adopted the 2013/2014 Mid-Year Budget Review with revenue of \$114.8 million and expenditure of \$109.7 million and an operating surplus of \$5.1 million. The forecast decrease in operating surplus of \$1.2 million which included a \$346,000 non-cash item for the write down of infrastructure assets. The 2013/2014 Mid-Year Budget Review also provided for \$36.9 million in capital works, a forecast decrease



## **8. BUSINESS DIRECTORATE**

### **8.1 February 2014 Monthly Financial Report (continued)**

of \$3.9 million, mainly due to transfers to restricted investments of \$3.46 million to be considered for re-budgeting in 2014/2015.

Council's actual financial performance compared to the budget is presented to Council on a monthly basis.

Council's forecast financial performance is reviewed and updated based on any known changes to the number of factors which influence the budget. The revised forecast is submitted to Council for approval as part of the quarterly budget review process. The March Quarter Budget Review will be presented to Council for consideration at its Ordinary Meeting on 20 May 2014.

#### **Monthly Financial Report**

The monthly financial report incorporates the following sections which are presented for Council's consideration:

- Financial Report
- Income Statement
- Balance Sheet
- Cash Flow Statement
- Operating Budget
- Capital Budget
- Investment Summary
- Rates Debtors Report
- Sundry Debtors Report
- Councillor Expense Report

#### **Council Plan/Key Strategic Activity**

The report is consistent with the leadership and governance goal "High Performing Organisation as included in the *Council Plan 2013-2017*.

#### **Risk Management**

No risks have been identified in providing this financial report.

#### **Policy Considerations**

There are no conflicts with existing Council policies.

#### **Financial Implications**

The full financial implications of this report are outlined within the attachment.

#### **Legal/Statutory Implications**

Section 137 of the *Local Government Act 1989* provides that Council maintain a budgeting and reporting framework that is consistent with the principles of sound financial management. In addition Section 138 requires that at least every 3 months a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a Council meeting which is open to the public. This report satisfies that requirement.

#### **Environmental/Sustainability Impacts**

No Environmental or Sustainability impacts have been identified.

#### **Social Implications**

No Social implications have been identified.

## 8. BUSINESS DIRECTORATE

### 8.1 February 2014 Monthly Financial Report (continued)

#### **Economic Impacts**

No Economic impacts have been identified.

#### **Consultation**

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Options for Consideration**

This report is for information purposes only and does not present any options for consideration.

#### **Conclusion**

The report provides details of Council's financial performance compared to the budget for the eight months ended 28 February 2014.

#### **Attachments**

February 2014 Monthly Financial Report Page 143

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Policy and CEO Directive for Distribution of Council Grants

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Grants Coordinator**

**Proof reader(s): Manager Investment Attraction**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

Council has awarded grants to the local community for many years and has an annual grant distribution of approximately \$435,000. There is currently no formal process in place to manage this grant process.

A policy and attached CEO Directive have been developed to implement a sound management structure around awarding and recording grants to reduce some of the risks associated with grants management.

With a policy in place, Council can ensure it provides key outcomes that respond to the objectives of the Council Plan. The policy is being presented to the Council for adoption.

**Moved by Cr Patterson**

**Seconded by Cr Summer**

That the Council adopt the Grant Distribution Policy 43.POL1

**CARRIED.**

#### **Background**

Council has awarded grants to the local community for many years and has an annual grant distribution of grants of approximately \$435,000.

Council is currently committed, but not limited to, the following grant programs:

- Community Matching Grants
- Community Events Grants
- Arts in the Community Fund Grants
- Our Sporting Future:
  - Major
  - Minor
  - Sports Aid
- Small Towns Festive Grants.

There is no formal process in place to manage these grants. To provide a standards process for the application and distribution of grants a policy has been developed for adoption by Council.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.1 Policy and CEO Directive for Distribution of Council Grants (continued)**

The policy has been developed in order to introduce an open and transparent process and sound management structure around the way Council awards and records grants to reduce some of the risks associated with grant management.

The policy outlines Council's role, responsibilities for grants, the grant categories, and funding criteria. The policy provides direction for the CEO Directive, which outlines the process for staff.

All grant guidelines will be based on the policy and CEO Directive and made available in a format suitable for the general community.

In addition to the policy, a new online grant application system which allows applicants to lodge their applications via Council's website will be introduced in December 2013. The system is set up to improve and facilitate transparency, record keeping and follow up on financial acquittals. It is important to note that this new system will be rolled out in conjunction with an education and assistance program so that potential applicants are not daunted by or disadvantaged by the new system.

All grant guidelines and information about each program will be made available on Council's website when updated.

Acquittal reports will be presented to Councillors after the completion of each funding round.

Grants that are monitored externally to Council and the Mayor's sponsorship fund are not included in this policy.

#### **Council Plan/Key Strategic Activity**

##### **Goal 1: Active and Engaged Communities (Social)**

Objective 1: Continue to enhance Community Capacity Building.

*We will work with all our communities to assist them to create opportunities whereby the community can develop, implement and sustain actions which allow them to exert greater control over their physical, social, economic and cultural environments.*

Objective 5: Embrace and Strengthen cultural harmony and diversity.

*That council respects and acknowledges the diversity of the Greater Shepparton Community and encourages opportunities for all cultures to share and celebrate their values in the community.*

Objective 6: Value Arts Culture and Heritage as an integral part of our dynamic community.

*We recognise that a vibrant and broad ranging arts and culture program is important in making the municipality a dynamic and appealing place to live, work, play and visit, builds social capital and contributes to education and economic development opportunities.*

*We will encourage and deliver a diverse range of artistic, cultural and heritage activities that are accessible to as many people as possible across the municipality.*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Policy and CEO Directive for Distribution of Council Grants (continued)

#### **Goal 3: Economic Prosperity (Economic)**

Objective 1: Maximise opportunities to ensure Greater Shepparton leads Victoria, retaining and attracting education and industry.

*Council will actively participate in the economic growth of Greater Shepparton including development of human capital, critical infrastructure, regional competitiveness, environmental sustainability, social inclusion, health, safety, literacy and other initiatives.*

Objective 3: Make Greater the regional sporting capital of Victoria and a leading sporting destination.

*Through ongoing development of high quality sporting infrastructure throughout Greater Shepparton and facilitating the conduct of regional, intrastate, interstate and national sporting events within Greater Shepparton we will become the sporting capital of Victoria.*

#### **Risk Management**

Awarding grants to the local community provides many opportunities in terms of social and economic benefits and it promotes innovation, capacity building and long term sustainability.

The risks associated with grants involve financial reporting and how Council can ensure that the money is expended in an appropriate way that create benefits to the local community.

This policy has been developed in order to implement a sound management structure around the way Council is awarding and recording grants and to reduce some of the risks associated with grants management.

Insignificant to Low risks have been identified and will be addressed at the operational level.

#### **Policy Considerations**

No conflict with any other policy have been identified.

#### **Financial Implications**

Council currently has an annual financial commitment to the dissemination grants of approximately \$435,000. This amount is determined on an annual basis and may vary from year to year.

#### **Legal/Statutory Implications**

Council is expected to comply with privacy regulations and government record management legislation in relation to keeping grant records. The introduction of the policy and a more efficient record keeping system will improve Council's ability to show auditors how a decision was reached, the process from initial application to assessment and all other associated correspondence to the application.

#### **Environmental/Sustainability Impacts**

The policy and guidelines includes the recommendation that all grant applications will be managed via an online system, which reduces the use of paper based forms.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Policy and CEO Directive for Distribution of Council Grants (continued)

#### **Social Implications**

Adopting a policy on the management of grant programs will provide ongoing social benefits to the local community. With a policy in place, Council can ensure it does provide key outcomes that respond to the active and engaged (social) objectives of the Council Plan. These objectives include:

- enhance community capacity building
- strengthen cultural harmony and diversity
- value arts, culture and heritage as an integral part of our dynamic community.

Council's grant programs are designed to build capacity within the local communities as they promote matched funding and/ or in-kind contributions to be made.

#### **Economic Impacts**

Adopting a policy on the management of grant programs will provide ongoing economic benefits to the local community. With a policy in place, Council can ensure it does provide key outcomes that respond to the economic prosperity objectives of the Council Plan.

These objectives include:

- improved community infrastructure
- improved sporting facilities

Through awarding grants to the local community, the Council contributes to improved financial sustainability as the in-kind component of grants will often maximise the outcome.

#### **Consultation**

The policy has been developed as an internal document. The Greater Shepparton Council Plan 2013-2017 has been used as a reference point to establish the priorities of the community in relation to the policy.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Topic: Community Life

Theme: Health and Social Services

To encourage and implement activities that will strengthen community spirit.

##### b) Other strategic links

NA

#### **Options for Consideration**

1. Do nothing
2. Adopt the Policy without changes
3. Adopt the Policy with changes

## **9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

### **9.1 Policy and CEO Directive for Distribution of Council Grants (continued)**

#### **Conclusion**

Adopting a policy on the management and distribution of grants will ensure that Council's grant programs provide ongoing economic and social benefits to the local community. It will also strengthen Council's accountability and reduce risks associated with grant management. It is recommended that the Council adopt the Grant Distribution Policy 43.POL1.

#### **Attachments**

1. Grant Distribution Policy 43.POL1 Page 164
2. CEO Directive Process for Grant Distribution 43.CEOD1 Page 169

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C155 (Riverside Plaza Expansion) - Consideration of Submissions**

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Strategic Planner (Amendments)**

**Proof reader(s): Team Leader Strategic Planning, Manager Planning**

**Approved by: Director Sustainable Development**

**Other: Principal Strategic Planner**

#### **Executive Summary**

Amendment C155 to the Greater Shepparton Planning Scheme is a combined planning permit and planning scheme amendment facilitating the expansion of the existing Riverside Plaza neighbourhood activity centre.

Amendment C155 applies to land at 72A Riverview Drive, Kialla (part of Lot 2 on PS633121) and 8025 Goulburn Valley Highway, Kialla (Lot 1 on PS633121).

The amendment proposes to rezone a portion of the land from the Residential 1 Zone (R1Z) to the Commercial 1 Zone (C1Z). It also proposes to amend the *Shepparton South Growth Corridor Outline Development Plan* (July 2003) and the *Shepparton North and South Growth Corridors, Development Contributions Plans – December 2002* (updated October 2003).

The permit application is for use and development of the land for restricted retail premises, indoor recreation facility (go kart track) and amusement parlour in the C1Z and Land Subject to Inundation Overlay, removal of water and drainage easements, erection and display of internally illuminated pylon business identification signage, reduction in car and bicycle parking requirements and the re-subdivision of land (see *Attachment 1 – Draft Planning Permit and Drawings*).

Amendment C155 was exhibited to land owners and occupiers, referral authorities and prescribed Ministers. Eleven submissions were received by Council. Seven of these submissions were from referral authorities, who do not object to the combined planning permit and planning scheme amendment. One late submission was received from VicRoads and did not object to the proposal, but requested minor wording changes to the traffic conditions in the planning permit. The remaining three submissions object to all or part of the proposal for various reasons. The content of these submissions are detailed within the 'Background' section of this report.

Council officers are now seeking Council's:

- Consideration of the submissions received during the exhibition process.
- Endorsement of Council officers' views in response to the matters raised in submissions. These views on the matter are to be presented to the Panel Chair as Council's position.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Amendment C155 (Riverside Plaza Expansion) - Consideration of Submissions (continued)

Once the Independent Planning Panel has considered all views and provided a report including recommendations, this will be reported back to Council for a final decision on the amendment.

#### **RECOMMENDATION**

That, having considered the submissions to Amendment C155 to the Greater Shepparton Planning Scheme in accordance with Section 96B of the *Planning and Environment Act 1987*, Council endorse the Council officers' position at the Panel Hearing as outlined in this report.

#### **Moved by Cr Polan Seconded by Cr Ryan**

That, having considered the submissions in relation to proposed Amendment C155 to the Greater Shepparton Planning Scheme and the concurrent planning permit applications (in accordance with Section 96B of the *Planning and Environment Act 1987*), Council endorses the Council officers' position as outlined in this report and confirms that representations are to be made to the independent planning panel appointed in relation to this proposal generally in accordance with this report.

**CARRIED.**

#### **Background**

Amendment C155 to the Greater Shepparton Planning Scheme was prepared and exhibited following the Ordinary Council Meeting held on 20 August 2013 (see *Attachment 2 – August Ordinary Council Meeting minutes extract*).

#### Submissions

The amendment was formally exhibited from 7 November 2013 until 23 December 2013.

In January 2014, Council officers became aware that some occupiers of land that may be affected by the proposal may not have received notification during the exhibition of the amendment. As a result, a second round of notification was issued on 22 January 2014 to all occupiers that may be affected by the proposal. This second exhibition period extended until 24 February 2014, during which time submissions could be made regarding the amendment.

Further details on the extent of notice given are outlined in the 'Consultation' section of this report.

During exhibition, eleven submissions were received by Council. Seven of these submissions were received from referral authorities and did not object to the exhibited amendment. A further four submissions were received that either objected to or requested changes to the exhibited amendment. These include:

1. Submission #4 – the consultant acting on behalf of the proponent does not object to the intent of Amendment C155 but requests changes to the traffic conditions included within the exhibited planning permit (Condition 10). The submission states that the works proposed through this condition are unreasonable and will create safety and traffic issues.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C155 (Riverside Plaza Expansion) - Consideration of Submissions (continued)**

2. Submission #7 – a neighbouring land owner welcomes the proposed development but raises concerns regarding overshadowing and visual amenity. The submission queries the location and height of the proposed building and any overshadowing that may result from this. The submission also requests “screen planting” along the fence line with species to complement the Broken River environs to provide a visual barrier.
3. Submission #10 – the consultant acting on behalf of the owner of the current Harvey Norman site, objects to the proposed amendment for various reasons including traffic and car parking, economic impacts, flooding, inconsistencies and inadequacies in the exhibited documentation, and CFA access.
4. Submission #11 (late submission) – VicRoads does not object to the proposal subject to minor changes to the traffic conditions included within the exhibited planning permit (Condition 10). The submission requests that part of Condition 10 refers to a drawing and requires any traffic works to be designed in accordance with this drawing (see *Attachment 3 – Drawing No. R G9-5(1)*).

#### Council officers' assessment

Council officers have met individually with those objecting to all or part of the proposed planning permit and planning scheme amendment. Some of the changes requested through submissions could not be accommodated. As a result, Amendment C155 has been referred to an Independent Planning Panel.

Council officers provide the following views on the four submissions that request changes to the exhibited documentation:

1. Submission #4 – The changes proposed to condition 10 of the planning permit are not supported by VicRoads and, therefore, are not supported by Council officers. Condition 10 requires only minor wording changes to clarify the works required.
2. Submission #7 – An overshadowing analysis was undertaken and demonstrated that any overshadowing caused by the proposed building would not conflict with minimum standards for residential amenity within the planning scheme. The proponent has agreed to additional tree planting and to amend condition 7 of the planning permit to reflect this.
3. Submission #10 – Traffic and car parking, economic impacts, flooding and CFA access have been assessed through the planning process and are deemed to be acceptable. The Goulburn-Broken Catchment Management Authority and the Council Fire Authority were notified during the exhibition process and did not object to the proposal. The amendment documentation and associated plans have been updated and all documentation will be revised to reflect this. No major discrepancies exist within the exhibited documentation.
4. Submission #11 – Council officers support VicRoads' submission and agree to minor wording changes to Condition 10 of the planning permit.

The Council officers' detailed assessment of each submission received to date is detailed in *Attachment 4 – Submissions Recorder*.

#### Mediation

Council officers held several meetings with the proponent and the consultants acting on their behalf (Submission #4) in December 2013 and January 2014. These meetings were attended by the traffic expert who prepared the Traffic Impact Assessment Report (Paffrath Consulting Pty Ltd) and the traffic expert who prepared the peer review (Traffic Works Pty Ltd) on behalf of Council, as well as representatives from VicRoads. Prior to the receipt of the late submission from VicRoads (Submission #11) dated 14 February

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C155 (Riverside Plaza Expansion) - Consideration of Submissions (continued)**

2014, agreement on the quantum of traffic works required to the surrounding road network remained outstanding.

Council officers met with the neighbouring land owners (Submission #7) to address concerns raised in the submission. Council officers provided the neighbouring land owners with a copy of further information that prepared in response to Submission #7, being an overshadowing analysis and landscaping changes. Following this meeting, the neighbouring land owners provided additional written advice to the Independent Planning Panel for consideration. They have not requested to be heard at the Panel Hearing.

Council officers met with the owners of the current Harvey Norman site (Submission #10) to address concerns raised in this submission. Following this meeting, the owners of the current Harvey Norman site provided additional written advice to the Independent Planning Panel for consideration. They have not requested to be heard at the Panel Hearing.

Council officers issued the late submission (Submission #11) to the proponent of Amendment C155 for their consideration. The proponent has agreed to the traffic conditions required by VicRoads and stated that the issues raised in their original submission (Submission #4) are no longer outstanding. The proponent provided further written advice to the Panel to outline minor wording changes required to the planning permit for clarification. This includes the revision of Condition 1 of the planning permit to ensure the revised drawings and elevations are referred to. The proponent has not requested to be heard at the Panel Hearing.

#### Panel Hearing

An Independent Planning Panel has been appointed by the Minister for Planning. The Panel Hearing is to be held on 20 March 2014.

The Independent Planning Panel will hear all parties that have requested to be heard and will consider all written submissions. The Independent Planning Panel will provide a report to Council including recommendations regarding the proposed planning scheme amendment and planning permit within four weeks of the Panel Hearing.

Council is then required to consider the recommendations included within the Independent Planning Panel's report. Council will have three options following the receipt of this report:

1. Adopt Amendment C155 with changes recommended by the Independent Planning Panel.
2. Adopt Amendment C155 without changes recommended by the Independent Planning Panel.
3. Abandon Amendment C155.

If the Council adopt Amendment C155 (with or without changes), this position will be considered by the Minister for Planning prior to final approval.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Amendment C155 (Riverside Plaza Expansion) - Consideration of Submissions (continued)

#### **Council Plan/Key Strategic Activity**

##### Goal #3 – Economic Prosperity (Economic)

Objective #2 – ‘Ensure that retail strategies deliver appropriate outcomes for the community’.

Aim – ‘Council is committed to provide assistance to the retail sector with an ultimate goal of identifying how the businesses intend to offer their products or services to consumers and how to attract optimal consumer interest’.

##### Goal #4 – Quality Infrastructure (Built)

Objective #3 – ‘Encourage sustainable municipal growth and development’.

Aim – ‘Greater Shepparton City Council, as one of Australia’s fastest growing inland regional cities, recognises that it is important to manage growth in a structured and sustainable manner.

In consultation with the Victorian Government and community stakeholders, we will continue to develop a planning framework that ensures that our growth and development does not compromise our enviable lifestyle’.

#### **Risk Management**

A risk assessment has been undertaken for this amendment. All risks associated with the amendment are considered to be manageable.

Risks	Likelihood	Impact	Rating	Action
Amendment not approved by the Minister for Planning.	Unlikely	Major	Moderate	The amendment is consistent with the Greater Shepparton Planning Scheme and was prepared in accordance with the <i>Planning and Environment Act 1987</i> . All environment, social and economic impacts have been minimised.
Amendment not finalised within timelines.	Possible	Minor	Low	Exemptions from the Ministerial timelines for planning scheme amendments can be sought and the impacts of this are minor. Council officers are taking all necessary action to ensure the timely progression of this amendment.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Amendment C155 (Riverside Plaza Expansion) - Consideration of Submissions (continued)

Risks	Likelihood	Impact	Rating	Action
Adverse traffic impacts.	Unlikely	Moderate	Moderate	A traffic impact assessment report was undertaken and has been peer reviewed. Any traffic impacts resulting from the proposed development have been assessed and minimised, as necessary.
Adverse economic impacts.	Unlikely	Moderate	Moderate	An economic impact assessment report was undertaken and has been peer reviewed. Any economic impacts resulting from the proposed development have been assessed and minimised, as necessary.
Flood risks and impacts.	Unlikely	Moderate	Moderate	A model of flood behaviour was prepared as part of the preliminary assessment of this proposal. Any flooding impacts resulting from the proposed development have been assessed and minimised, as necessary. The Goulburn Broken Catchment Management Authority have been consulted throughout the preparation and exhibition of this amendment and have not lodged an objection.

All stages in the planning scheme amendment process will be undertaken in accordance with the *Planning and Environment Act 1987*.

#### **Policy Considerations**

This amendment is consistent with existing Council policy. The amendment supports Council policy on Economic Development.

#### **Financial Implications**

The proponent of this amendment will be required to meet all costs associated with the planning permit and planning scheme amendment process. The costs associated with an Independent Planning Panel may be in the vicinity of \$15,000 and would also be met by the proponent of this amendment, not Council.

Council officers have engaged the Rural Council Planning Flying Squad to meet the costs associated with the preparation of Council's submission at the Panel Hearing. This will be in the vicinity of \$15,000.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C155 (Riverside Plaza Expansion) - Consideration of Submissions (continued)**

The developer of the land will be required to meet all costs associated with the future development, including any infrastructure costs. This includes infrastructure for traffic management, drainage and essential services. The ongoing maintenance costs associated with this public infrastructure will be met by Council.

#### **Legal/Statutory Implications**

All procedures associated with this amendment comply with the legislative requirements of the *Planning and Environment Act 1987* (the Act). The amendment has been assessed in accordance with the Act and the Greater Shepparton Planning Scheme. The assessment is considered to accord with the *Victorian Charter of Human Rights and Responsibilities Act 2006* (the Charter) – no human rights have been negatively impacted upon throughout the process.

The Charter recognises that reasonable restrictions may be placed on the use and development of land, and that there may on occasion be reasonable and acceptable offsite impacts on others. Provided these issues are properly considered, it would be a rare and exceptional case where the exercise of a planning decision in accordance with the regulatory framework is not Charter compatible.

#### **Environmental/Sustainability Impacts**

See *Attachment 1 – August Ordinary Council Meeting minutes extract* for a full discussion of any potential environmental/sustainability impacts.

As part of the exhibition of this amendment, the Environment Protection Agency, Department of Environment and Primary Industries and the Goulburn Broken Catchment Management Authority were issued with formal notification. None of these authorities objected to the proposed development.

No concerns have been raised through submissions regarding environmental or sustainability impacts.

There are no significant adverse environmental/sustainability impacts associated with this amendment.

#### **Social Implications**

See *Attachment 1 – August Ordinary Council Meeting minutes extract* for a full discussion of any potential social implications.

There are no significant adverse social implications associated with this amendment.

#### **Economic Impacts**

See *Attachment 1 – August Ordinary Council Meeting minutes extract* for a full discussion of any potential social implications.

There are no significant adverse economic impacts associated with this amendment.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Amendment C155 (Riverside Plaza Expansion) - Consideration of Submissions (continued)

#### Consultation

Amendment C155 was exhibited for six weeks from 7 November 2013 to 23 December 2013. Exhibition included the following:

- Letters to affected landowners;
- Letters to referral authorities;
- Letters to prescribed ministers;
- Notice in the Shepparton News;
- Notice in the Victorian Government Gazette;
- Hard copy available in the foyer of the Welsford Street Council office;
- Exhibited on Council's website; and
- Exhibited on the Department of Transport, Planning and Local Infrastructure website.

The second exhibition period extended for four weeks from 23 January 2014 to 24 February 2014. This exhibition included the following:

- Letters to affected occupiers of land;
- Hard copy available in the foyer of the Welsford Street Council office;
- Exhibited on Council's website; and
- Exhibited on the Department of Transport, Planning and Local Infrastructure website.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

Topic: Economic Development

Theme: Retail/Commercial Centres

Objective 1: *'To provide increased opportunities for local job creation'*

Objective 4: *'To have a hierarchy of viable commercial/retail centres by retaining local and visitor spending within the municipality'*

Objective 5: *'To agglomerate peripheral sales and highway services nodes in accessible and appropriately serviced locations'*

##### b) Other strategic links

No other strategic links have been identified.

#### Options for Consideration

1. Endorse the Council officers' position at the Panel Hearing (preferred).
2. Do not endorse the Council officers' position at the Panel Hearing and instruct officers to provide an alternative view. Significant changes to the officer's position may result in increases in preparation times. Council is required to comply with the requirements of Ministerial Direction No. 15 (in accordance with section 12(2)(a) of the *Planning and Environment Act 1987*) in relation to progress of the planning scheme amendment.

#### Conclusion

Amendment C155 to the Greater Shepparton Planning Scheme has been exhibited in accordance with the *Planning and Environment Act 1987*. At the time of writing this report, three submissions request changes to the amendment that cannot be accommodated. As a result, the amendment has been referred to an Independent Planning Panel.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Amendment C155 (Riverside Plaza Expansion) - Consideration of Submissions (continued)

Council should consider the submissions received and endorse the Council officers' position at the Panel Hearing.

#### **Attachments**

- |  |          |
|--|----------|
| 1. Draft Planning Permit and Drawings              | Page 178 |
| 2. August Ordinary Council Meeting Minutes Extract | Page 198 |
| 3. Drawing RG9-5(1)                                | Page 212 |
| 4. Submissions Recorder                            | Page 213 |



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Greater Shepparton Heritage Advisory Committee - Revised Terms of Reference

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Principal Strategic Planner**

**Proof reader(s): Team Leader Strategic Planning, Manager Planning**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

Council authorised the formation of the Heritage Advisory Committee (the Committee) on the 17 January 2012. As part of the resolution, Council adopted Terms of Reference (TOR) to guide the future operation of the Committee.

The primary purpose of the Committee is to act as an advocate for all cultural heritage matters within the municipality.

The Committee has recently reviewed and revised the TOR and now seeks the adoption of the revised TOR by Council.

#### **Moved by Cr Ryan**

#### **Seconded by Cr Polan**

That the Council adopt the amended Terms of Reference for the Greater Shepparton Heritage Advisory Committee.

**CARRIED.**

#### **Background**

Council authorised the formation of the Heritage Advisory Committee (the Committee) at the Ordinary Council Meeting held on the 17 January 2012. As part of the resolution, Council adopted Terms of Reference (TOR) to guide the future operation of the Committee.

The TOR outline the primary purpose of the Committee to advise Council on the future development of cultural heritage matters across Greater Shepparton. The TOR also include a list of roles that the Committee fulfils within Council. These roles include but are not limited to the provision of the best possible advice to Council on how to conserve and promote the unique cultural heritage of Greater Shepparton and to act as an advocate for all cultural heritage matters within the municipality.

Council adopted an amended TOR for the Committee at the Ordinary Council Meeting on 17 April 2012. The amendments included:

- The insertion of bullet point 1(k) to cater for the possibility of an annual or biennial Cultural Heritage Awards ceremony hosted by Council in conjunction with the Heritage Advisory Committee.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Greater Shepparton Heritage Advisory Committee - Revised Terms of Reference (continued)**

- The revision of bullet point 2(a)(v) to reflect the public nomination process for the community positions on the Committee, to stipulate a fixed tenure length and the selection criteria used by the Committee to select candidates.

The Committee has recently reviewed the TOR and agreed to amend it further. The revisions now sought include:

- Minor formatting, numbering, descriptive and grammatical changes throughout the TOR.
- Revise the review date to March 2016.
- At bullet point 2(k), update the date of the Burra Charter to reflect the recent adoption of the revised Burra Charter by Australia ICOMOS (International Council on Monuments and Sites) in 2013.
- At bullet point 3(a), outline voting and non-voting members of the Committee and text to reflect the process through which the ten member organisations community positions nominate voting members to the Committee.
- Insert a new section 6 Assemblies of Councillors to update the Committee's TOR to Council's current Terms of Reference template for advisory committees.
- Insert a new section 7 Review to update the Committee's TOR to Council's current Terms of Reference template for advisory committees.

#### **Council Plan/Key Strategic Activity**

The revised TOR for the Heritage Advisory Committee is consistent with the following goals and objectives outlined in the *Greater Shepparton City Council Council Plan 2013-2017*:

Goal 1: Active and Engaged Communities (Social):

- Objective 1: Continue to enhance Community Capacity Building.
- Objective 4: Provide sustainable community services to our community.
- Objective 6: Value Arts Culture and Heritage as an integral part of our dynamic community.

The adoption of the revised TOR is also consistent with the following objectives outlined in the *Council Plan 2009-2013*:

- Strategic Objective 3 - Point 18: Identify and respect our significant cultural and environmental assets.
- Strategic Objective 6 - Point 31: Engage our community when making decisions.

#### **Risk Management**

Failure to adopt the revised TOR for the Heritage Advisory Committee would reduce the Committee's ability to operate effectively and jeopardise its core purpose to act as an advocate for all cultural heritage matters within the municipality.

#### **Policy Considerations**

There are no conflicts with any Council policies arising from the adoption of the revised TOR for the Heritage Advisory Committee.

#### **Financial Implications**

There are no financial implications relating to the adoption of the revised TOR for the Heritage Advisory Committee.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Greater Shepparton Heritage Advisory Committee - Revised Terms of Reference (continued)**

#### **Legal/Statutory Implications**

The proposal conforms with the provisions of the *Local Government Act 1989* and all other relevant legislation.

#### **Environmental/Sustainability Impacts**

The adoption of the amended TOR for the Heritage Advisory Committee will not have any negative environmental or sustainability impacts.

#### **Social Implications**

The adoption of the amended TOR for the Heritage Advisory Committee will allow the Committee to continue to operate effectively as an advocate for all cultural heritage matters in the municipality. The Committee will continue to raise awareness within the community of cultural heritage conservation.

#### **Economic Impacts**

The adoption of the amended TOR for the Heritage Advisory Committee will not result in any economic impacts.

#### **Consultation**

The TOR were revised by the Greater Shepparton Heritage Advisory Committee and agreed up at the Committee's meeting held on 03 February 2014. The Committee consists of a diverse range of organisations and community representatives from across the municipality.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### **a) Greater Shepparton 2030 Strategy 2006**

The revised TOR for the Heritage Advisory Committee is consistent with the objectives, strategies and actions outlined in the Environment Section of the *Greater Shepparton 2030 Strategy 2006*.

##### **b) Other strategic links**

##### ***Greater Shepparton Heritage Study Stage IIB 2013***

The revised TOR for the Heritage Advisory Committee will also develop and implement one of the key recommendations of the *Greater Shepparton Heritage Study Stage IIB 2013*.

#### **Options for Consideration**

The options for consideration are:

1. Retain the current Terms of Reference.
2. Adopt the revised Terms of Reference. The revised Terms of Reference enable the Committee to operate more effectively.

#### **Conclusion**

The above recommendation is to adopt the revised Terms of Reference for the Greater Shepparton Heritage Advisory Committee. Officers have not identified any negative implications that would result from the adoption of the revised Terms of Reference for the Committee by Council.

**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.3 Greater Shepparton Heritage Advisory Committee - Revised Terms of Reference (continued)**

**Attachments**

1. Greater Shepparton Heritage Advisory Committee - Revised Terms of Reference

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## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Amendment C92 - Introduce the Activity Centre Zone

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Principal Strategic Planner**

**Proof reader(s): Team Leader Strategic Planning, Manager Planning**

**Approved by: Director Sustainable Development**

**Other: Strategic Planner - Amendments**

#### **Executive Summary**

Amendment C92 proposes to implement the findings and recommendations of the *Shepparton CBD Strategy October 2008* and correct the unintended consequences of the State Government's recent reforms of the commercial zones (see Attachment 1 - *Shepparton CBD Strategy October 2008*). The strategy was adopted by Council at the Ordinary Council Meeting held in October 2008.

The amendment proposes a number of changes to the Greater Shepparton Planning Scheme. The most significant is the proposed rezoning of the Central Business District (CBD) and surrounding areas to an Activity Centre Zone (ACZ) (see *Figure 1 – Proposed Zone Changes*).

The ACZ aims to simplify planning controls applying to the Shepparton CBD. It proposes to create a 'one stop shop' to replace the various zones and overlays currently applying to the CBD area. The introduction of the ACZ will make the planning controls clearer and provide greater planning certainty for all stakeholders in the Shepparton CBD area. Streamlining the planning controls and creating greater certainty is a clear direction stemming from the *Shepparton CBD Strategy October 2008*. This will assist Council in continuing to support the business community and attracting investment.

Spiire Pty Ltd has assisted Council by preparing the planning scheme amendment documentation to implement the *Shepparton CBD Strategy October 2008* into the planning scheme.

#### **Moved by Cr Summer**

#### **Seconded by Cr Patterson**

That, in accordance with the *Planning and Environment Act 1987* (the Act) for proposed Amendment C92 to the Greater Shepparton Planning Scheme, Council:

1. seek authorisation from the Minister for Planning to prepare the Amendment; and
2. exhibit the Amendment in accordance with Part 3 Division 1 of the Act.

**CARRIED.**

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Amendment C92 - Introduce the Activity Centre Zone (continued)**

#### **Background**

The *Shepparton CBD Strategy October 2008* aims to guide change to future land use, built form, access and public spaces in the Shepparton CBD up to 2030. The strategy contains a vision for the area that will be achieved through the implementation of 11 key priorities. Following adoption of the strategy in 2008, Council officers have begun implementing the actions identified within the strategy. This has included the review and development of supporting strategic work, and capital improvement programs.

A number of issues in recent years have hindered the performance of Shepparton's CBD, including:

- high retail vacancy rates within the CBD (currently at approximately 13%);
- competition from other commercial centres;
- changes to the agricultural processing industry impacting upon the overall regional economy including tourism; and
- the State Government's recent reforms to the commercial zones.

To mitigate these issues, Council officers are proposing to rezone the CBD and surrounding areas to the ACZ.

The ACZ was introduced by the State Government through Amendment VC59 to the Victorian Planning Provisions in September 2009. It is the preferred zone to apply to activity areas in Metropolitan Melbourne and major regional centres in Victoria which perform CBD type roles. The ACZ can implement the strategic objectives envisaged for such areas in a more effective and efficient manner. Following the introduction of the ACZ, the Department of Transport, Planning and Local Infrastructure (DTPLI) focussed on the introduction of the zone in metropolitan areas. The Department has recently been supportive of the introduction of the ACZ in regional centres.

The ACZ aims to simplify the planning process by consolidating all zones and overlay controls within the CBD into one zone with a single schedule. This allows Council to tailor the accompanying Schedule to the ACZ to provide for the mix of uses and development envisaged within the *Shepparton CBD Strategy October 2008*. The ACZ aims to make the planning controls clearer and provide greater planning certainty for all stakeholders in the CBD. Streamlining the planning controls and creating greater certainty is a clear direction stemming from the *Shepparton CBD Strategy October 2008*. This will assist Council in continuing to support the business community and attracting investment.

Council officers have worked with the Department of Transport, Planning and Local Infrastructure (DTPLI) since the adoption of the *Shepparton CBD Strategy October 2008* to prepare the Schedule to the ACZ for the Shepparton CBD and surrounding area (see Attachment 2 – *ACZ Schedule*). The latest version of the schedule has taken a number of years to realise as it has undergone a number of revisions as a result of extensive consultation with DTPLI officers. The current version of the Schedule to the ACZ is supported by DTPLI.

There is now an added urgency to finalise this planning scheme amendment in order to address the unintended consequences of the recent reforms to the commercial zones. The five previous business zones have been reduced to two commercial zones. The reformed zones have included all land formerly within the Business 1 Zone (B1Z) and Business 5 Zone (B5Z) within a new Commercial 1 Zone (C1Z). The B5Z was designed to accommodate offices and multi-dwelling units. It effectively acted as a transition zone

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Amendment C92 - Introduce the Activity Centre Zone (continued)**

between the core CBD area and adjacent residential areas. The C1Z is intended to accommodate CBD functions.

The new commercial zones aimed to broaden the range of activities that land can be used for without the need for a planning permit. However, these reforms have exponentially increased the size of Shepparton's CBD area. If this unintended consequence is not addressed, it will result in the dilution of the Shepparton CBD. It would eventually lead to the erosion of the core retail area of the CBD.

Amendment C92 proposes to apply the ACZ to approximately 69 hectares of land within the Shepparton CBD and surrounding area, see *Figure 1 – Proposed Zone changes to introduce the Activity Centre Zone*. The area is currently included within the:

- Commercial 1 Zone (previously the Business 1 and Business 5 Zones);
- Mixed Use Zone;
- Industrial 3 Zone;
- Residential 1 Zone; and
- Public Use Zone (PUZ1, PUZ2, PUZ3 and PUZ4).

**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.4 Amendment C92 - Introduce the Activity Centre Zone (continued)**



Figure 1: Proposed Zone Changes.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Amendment C92 - Introduce the Activity Centre Zone (continued)

The amendment seeks to make the following changes to the Greater Shepparton Planning Scheme:

- Rezone the CBD and surrounding area to the Activity Centre Zone (ACZ);
- Include a new Schedule 1 to the Activity Centre Zone (ACZ) at Clause 37.08 *Activity Centre Zone*. This schedule creates eight precincts that provide for the mix of uses and development envisaged within the *Shepparton CBD Strategy October 2008*;
- Changes the road hierarchy within the CBD area to ensure that the strategic importance of these routes are protected. They include:
  - Apply the RDZ2 to acknowledge the importance of strategic freight and vehicular routes; and
  - Remove the RDZ2 from Fryers Street between Welsford Street to North Street to implement the strategy objectives for this food and dining precinct
- Amend the relevant clauses of the Municipal Strategic Statement to include the objectives of the *Shepparton CBD Strategy October 2008* in the scheme.

Please see Attachment 3 – *Draft Explanatory Report* and Attachment 4 – *Summary of Key Issues* for a detailed summary of the key issues associated with proposed Amendment C92.

#### **Council Plan/Key Strategic Activity**

The Council Plan 2013-2017 includes the vision of “*a thriving economy in the food bowl of Victoria with excellent lifestyles, innovative agriculture, a diverse community and abundant opportunities*”. It also includes strategic goals around an active and engaged community, and economic prosperity. The implementation of the *Shepparton CBD Strategy October 2008* via the introduction of the ACZ and minor consequential changes to the planning scheme is consistent with the Council Plan’s vision and strategic goals. In particular, it implements the following key objectives:

- 3.1 - Maximise opportunities to ensure Greater Shepparton leads Victoria, retaining and attracting education and industry.
- 3.2 - Ensure that retail strategies deliver appropriate outcomes for the community.
- 4.2 - Ensure that the community has access to appropriate transportation infrastructure.

#### **Risk Management**

A risk assessment has been undertaken for this amendment and relevant risks are considered in the following table.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Amendment not approved by Minister	Possible	Major	Medium	Work with DTPLI throughout the process to ensure the need for the amendment is understood and supported.
Submissions from the public	High	Moderate	Medium	Extensive consultation proposed should reduce the number of submissions on the amendment.  If required, all submissions will

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Amendment C92 - Introduce the Activity Centre Zone (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
				be referred to an Independent Planning Panel for consideration.
Amendment not finalised within timelines	Medium	Moderate	Medium	Funding for the amendment is tied to the Flying Squad timeframes, careful adherence is required.

All stages in the amendment process will be undertaken in accordance with the *Planning and Environment Act 1987*.

Prior to sending this amendment to the Minister for Planning for final approval, Council will be required to consider any recommendations of an Independent Planning Panel (if required), and to consider and adopt the final amendment.

#### Policy Considerations

This amendment does not conflict with any existing Council policy.

The amendment supports Council policy including the Greater Shepparton City Council *Council Plan 2013-2017* and the *Greater Shepparton Strategy 2030 2006*.

The *Draft Hume Regional Growth Plan 2013* directs that major urban growth and development should be focussed on Shepparton. The proposed amendment will assist in attracting, retaining, and providing for commercial and mixed use growth and development in the CBD.

#### Financial Implications

The preparation of Amendment C92 up to the exhibition stage of the planning scheme amendment process has been funded through the 'Regional Flying Squad' program. The costs associated with an Independent Planning Panel, if required, would be funded by Council unless further DTPLI funding becomes available.

#### Legal/Statutory Implications

All procedures associated with this amendment comply with the legislative requirements of the *Planning and Environment Act 1987* (the Act). The amendment has been assessed in accordance with the Act and the Greater Shepparton Planning Scheme.

The assessment is considered to accord with the *Victorian Charter of Human Rights and Responsibilities Act 2006* (the Charter) – no human rights have been negatively impacted upon through the process.

The Charter recognises that reasonable restrictions may be placed on the use and development of land, and that there may on occasion be reasonable and acceptable off-site impacts on others. Provided these issues are properly considered, it would be a rare and exceptional case where the exercise of a planning decision in accordance with the regulatory framework is not Charter compatible.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Amendment C92 - Introduce the Activity Centre Zone (continued)

#### **Environmental/Sustainability Impacts**

There are minor areas of the proposed ACZ that are subject to the Land Subject to Inundation Overlay or Floodway Overlay. These overlays will not be removed as part of this amendment and any future development proposal must meet the requirements of these overlays.

There are two small areas within the ACZ area that are included within areas of cultural heritage sensitivity. This is due to their close proximity to parts of the Goulburn River environs and Victoria Park Lake. Under the *Aboriginal Heritage Act 2006* a Cultural Heritage Management Plan is required if all or part of the proposed activity is in an area of cultural heritage sensitivity, and all, or part of the activity is a high impact activity. The ACZ and proposed schedule does not change this required assessment. There are no indigenous cultural heritage impacts associated with this amendment.

There is no significant native vegetation within the ACZ area and no significant vegetation is expected to be removed as part of this development.

Environmentally sustainable design is an objective of the ACZ Schedule. There are a number of built form criteria addressing these principles and these would be used in the assessment of any proposed development.

There are no significant adverse environmental/sustainability impacts associated with this amendment.

#### **Social Implications**

The amendment is intended to achieve a positive social outcome by implementing objectives of the *Shepparton CBD Strategy October 2008*. Proposed precincts encourage the establishment of a core retail area, office precincts with secondary retail and food outlets with medium density housing, and peripheral residential precincts with a higher level of amenity but higher density and built form. The Shepparton Tertiary Education Precinct is also supported.

Consolidating and grouping compatible uses should attract more consumers and residents to the ACZ area improving access, as well as actual and perceived safety. Complementary development and improved streetscape projects will enhance outdoor life and quality of spaces.

There are no significant adverse social implications associated with this amendment.

#### **Economic Impacts**

The Parking Overlay Precinct 1 applies to the proposed ACZ area and will remain in place. This allows consolidation of contributions for parking that cannot be provided on site and efficient provision by Council of new on and off street parking areas.

The implementation of the proposed ACZ and accompanying schedule would be expected to deliver some economic benefit by providing additional planning certainty over the location and built form of commercial uses, including some additional commercial areas in peripheral areas and the consolidation of the retail core. It may also stimulate investment by reducing the need for planning permit requirements.

There are no adverse economic impacts associated with this amendment.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Amendment C92 - Introduce the Activity Centre Zone (continued)**

#### **Consultation**

The *Shepparton CBD Strategy October 2008* was adopted following a considerable consultation exercise with landowners, occupiers and stakeholders.

Before Council exhibits the amendment, officers intend to present to the Shepparton Show Me Committee and the Chamber of Commerce to inform both bodies of the objectives of the amendment.

The ACZ is not currently used in the Greater Shepparton Planning Scheme. It is important for all stakeholders to understand the purpose of the ACZ and the outcomes it is seeking to achieve. Consultation on the amendment is proposed to be in excess of the standard amendment notification process and will include:

- Direct notice to all affected owners and occupiers including an information brochure explaining the changes to the planning controls in the area (see Attachment 5 – *Consultation Flyer and Fact Sheet*);
- Community drop in sessions with Council representatives and consultants;
- Notice in the local newspaper; and
- The exhibition period will extend for two months to allow sufficient time for the community to consider and respond to the amendment (the standard exhibition period is four weeks).

The consultation process may also include sessions with property stakeholders as required. This may include real estate agents, valuers, solicitors and surveyors to provide them with an understanding of the changes and the implications for property development.

This amendment will be exhibited as necessary to comply with the requirements of the *Planning and Environment Act 1987*. This will include notice to all affected landowners and occupiers, referral authorities and prescribed Ministers. The amendment will be advertised in the local newspapers and on Council's website.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### **a) Greater Shepparton 2030 Strategy 2006**

The application of a common zone to the CBD and surrounding area with clear directions for use and development is consistent with the premise of the *Greater Shepparton 2030 Strategy* for continued sustainable development.

##### **b) Greater Shepparton Housing Strategy 2011**

The *Greater Shepparton Housing Strategy 2011* (GSHS) was developed to respond to existing and future housing needs in the municipality up to 2031. It includes objectives, strategies and actions to guide housing delivery, and sets a long-term direction for future residential growth. The application of the ACZ supports the GSHS by encouraging increased residential densities in strategic locations close to the CBD which have access to a range of commercial, community and transport services.

##### **c) Greater Shepparton Heritage Study Stage IIB 2013**

The *Greater Shepparton Heritage Study Stage IIB 2013* (HSIIB) comprehensively reviewed each of the properties within the CBD and assessed whether they met the threshold of local significance. The study determined that a number of places of cultural significance existed and recommended that a range of properties and a new precinct

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Amendment C92 - Introduce the Activity Centre Zone (continued)**

centred along Fryers Street be included in the planning scheme. This study was prepared in conjunction with the *Shepparton CBD Strategy October 2008* to ensure that the recommendations contained within both studies would not conflict with one another. Amendment C110 to the Greater Shepparton Planning Scheme implemented the findings and recommendations of HSIIB and was gazetted in October 2013. The ACZ does not conflict with the findings of the HSIIB and does not contravene any heritage controls outlined within planning scheme policy or the provisions of the Heritage Overlay.

#### d) Draft Hume Regional Growth Plan 2013

The *Draft Hume Regional Growth Plan 2013* identifies Shepparton as a key urban centre for major urban growth and development in the Hume Region. The proposed amendment and ACZ Schedule will assist Shepparton in accommodating future growth and ensure it continues “to develop its role as a business, retail and services hub for the region”. The plan identified that “redevelopment of the central business district and infill housing development will reinvigorate the centre of the city”. The ACZ will assist in achieving this by providing clarity on where specific use and development is to be located.

#### **Options for Consideration**

1. Agree to the preparation and exhibition of the planning scheme amendment (Preferred Option).
2. Do not agree to the preparation and exhibition of the planning scheme amendment. The consequences associated with this include:
  - The continuation of extensive areas of the CBD being included in the C1Z within the city centre and surrounding areas. This will result in dispersed retail and commercial development;
  - The loss of a core retail area;
  - The lack of a coordinated approach to CBD planning and the continuation of a number of zones and overlays with a variety of planning controls; and
  - The possibility for more vacant shops, falling rents, etc.

#### **Conclusion**

Proposed Amendment C92 seeks to apply the ACZ and accompanying schedule to the extended CBD area. This is an important step in implementing the adopted *Shepparton CBD Strategy October 2008*. It can be expected to deliver positive economic and social benefits to the community, while increasing planning certainty and improving outcomes. This report recommends that Council prepare and exhibit an amendment to the Greater Shepparton Planning Scheme. All stages of the planning scheme amendment process will be undertaken in accordance with the *Planning and Environment Act 1987*.

#### **Attachments**

- |   |          |
|---|----------|
| 1. Shepparton CBD Strategy 2008           | Page 220 |
| 2. Schedule 1 to the Activity Centre Zone | Page 360 |
| 3. Draft Explanatory Report               | Page 389 |
| 4. Summary of Key Issues                  | Page 396 |
| 5. Consultation Flyer and Fact Sheet      | Page 400 |

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Greater Shepparton Freight and Land Use Study

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report:**

**Author: Strategic Transport Engineer**

**Proof reader(s): Team Leader Strategic Planning, Manager Planning**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The purpose of the Greater Shepparton Freight and Land Use Study (GSFLUS) (attachment 1) is to identify and assess relevant industry, freight and land use trends in the Greater Shepparton municipal area. It seeks to inform road and rail infrastructure network planning decision making and prioritisation.

There are a number of issues in Greater Shepparton which are currently curtailing the potential of the area as an important and growing hub for freight related activity. The issues include:

- The current freight related land uses are located in an agglomeration cluster to the north-east of the Shepparton CBD. This area is served by the Shepparton Alternative Route for which its current design is not suitable for the volume and type of heavy vehicle movement it attracts.
- The existing freight activity generates a high demand for east-west movement that is concentrated through the Shepparton CBD. This continues to increase creating significant amenity and safety issues for the businesses and their customers.
- Increased congestion due to the lack of east-west route options for freight vehicles.
- The uncertainty around the delivery of the Shepparton Bypass and GV Link which discourages industry to relocate despite the issues associated with the Shepparton Alternative Route.
- Most freight is moved by road due to a lack of feasible rail options for producers.

These issues have been identified by a review of existing strategic documents which has been complemented by extensive stakeholder consultation with government and industry. The Greater Shepparton Freight and Land Use Study provides a framework plan with 22 short, medium and long term actions. The actions are detailed in Section 6.4 of the report.

Since endorsement of the GSFLUS consultation draft officers have completed the consultation as endorsed by Council. After assessment of the submissions the GSFLUS document has been amended and reviewed by the project Steering Group members. The resulting actions in the framework plan (Sec.6.4) recommend:

- Freight capacity upgrades for seven roads including five arterial road intersection reconstructions. The eight arterial road projects are dependent on VicRoads programing and funding.
- A plan to advocate for funding of arterial road projects by the state and federal governments.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Greater Shepparton Freight and Land Use Study (continued)

- Advocating for rail improvements to support the freight logistic chains of local manufactures.
- Advocating for the Melbourne – Brisbane inland rail freight route through Shepparton.

This study report can now be utilised to advocate to State and Federal Governments for funding the priority actions.

It is recommended that the Greater Shepparton Freight and Land Use Study be adopted.

**Moved by Cr Ryan  
Seconded by Cr Patterson**

That the Council adopt the Greater Shepparton Freight and Land Use Study.

**CARRIED.**

#### **Background**

The Greater Shepparton City Council is experiencing population growth and a significant investment in irrigation infrastructure, which is likely to result in future growth of already substantial agricultural and manufacturing outputs. This coupled with the demand from the expanding industrial and commercial sector will put increased pressure on the freight transport routes and freight infrastructure. To ensure Greater Shepparton is well placed to accommodate this increased demand and minimise the impacts on the community there is a clear need to strategically identify and safeguard current and future freight transport corridors and links. It is also necessary to identify and prioritise future infrastructure investments and road freight network improvements for the municipality.

In June 2012 the Department of Transport (DoT) invited the Council to undertake the GSFLUS and following agreement to their terms and conditions, the Council was successful in securing \$40,000 from DoT for this project.

The objectives of this study were to:

- Ensure Greater Shepparton is well placed to accommodate increased freight demand whilst minimising impacts on the community.
- Safeguard strategically important freight transport corridors and links to facilitate delivery of future infrastructure projects.
- Integrate transport and land use so there are direct and efficient routes that connect key industrial land uses, there is an efficient use of land and to support ongoing investment into manufacturing and freight related industries.

A steering group comprising representatives from Council, DoT, VicRoads and Department of Transport, Planning and Local Infrastructure (DTPLI) provided direction to AECOM Australia Pty Ltd who was appointed to undertake the study.

The Steering Group met three times. It first confirmed the study brief and ensured that all organisations represented on the group were in agreement to the study outcomes sought. The first meeting also communicated the need for coordination with the Hume Region Planning for Freight Pilot (HRPFP). Stakeholder consultations were undertaken in November 2012 involving 17 freight generators and freight operators.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Greater Shepparton Freight and Land Use Study (continued)**

The GSFLUS has been undertaken in parallel with the HRPFP which evaluated Freight Impacted local road networks and established future strategic freight routes. Greater Shepparton submitted 18 freight network upgrade projects for inclusion in the regional priority list. Three of these projects have recently been shortlisted for a 'Rapid Appraisal' analysis and regional funding consideration. The GSFLUS has taken into account the HRPFP outcomes that will be presented for endorsement at an upcoming Council meeting.

The GSFLUS has identified and examined future industrial/commercial and community freight interests and trends. It builds on previous studies that have focussed on addressing land use and transport issues in Greater Shepparton.

Officers initiated public consultation on the endorsed GSFLUS in accordance with the consultation plan adopted at the Council meeting on the 16 July 2013 (refer to attachment 2). This included an invitation to each of the 17 freight generator/operators whose interview summaries were included in the draft GSFLUS. Submissions were received from the Department of Transport Planning and Local Infrastructure (DTPLI) and VicRoads. No submissions were received from the community or industry stakeholders.

After assessment of the submissions the study document was amended and reviewed by the project steering group members. The changes to the draft have included:

- Numerous corrections to terms and misstated facts.
- Amendments addressing errors in the freight generators consultation summaries (section 5.2).
- Amended Figure 6 including amendments to the legend, the description for Land Use item 3 and changed the boundary for investigation area 4. Also, amended Figure 9 by providing a table of strategic intervention projects and removing one route option.
- Redesign of the Framework Plan (section 6.4) to provide a clearer presentation of the actions.

The final study report was approved by DTPLI on 20 November 2013.

The Study recommends 22 short to long term actions that provide transport network improvements. These improvements will support the continuing growth in the existing freight network and the future shift in freight movements when both GV Link and Shepparton Bypass are operational.

The relative timing for the delivery of GV Link and staging of the Shepparton Bypass will influence greatly the impact of freight growth on the Peter Ross Edwards Causeway, Welsford St, High St/Benalla Rd, Shepparton Alternative Route and Central Ave/Lemnos Rd Link. Some of the key findings are related to the timing of major infrastructure improvements to the road freight network (Refer to Sec. 5.2.10 & 5.3). The earlier a commitment is given to the Shepparton Bypass and GV Link the less investment will be needed for local road network upgrades to service freight movements to and from the east Shepparton industrial precinct. The longer it takes to deliver the Shepparton Bypass and GV Link the greater the investment will be needed on the existing road network to service growing industries and warehousing, which continue to be established in the east and north-east of Shepparton.

Having funding certainty will enable the road network investment to reflect the movement of freight warehousing operations from east to west of the Goulburn River. Until this is



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Greater Shepparton Freight and Land Use Study (continued)

known, investment into upgrading Welsford St, Shepparton Alternative Route, Old Dookie Rd and Central Ave/Lemnos Rd is critical.

The Hume Region Planning for Freight Pilot project has also short listed Old Dookie Rd, Lemnos North Rd/Central Ave Link and Welsford St as regionally significant local road projects.

The final GSFLUS report is ready for adoption.

#### Council Plan/Key Strategic Activity

Council Plan 2013–17:

Economic Development, Action 20

- *Establish the Goulburn Valley Freight Logistics Centre to improve the efficiencies and competitiveness of regional business*

Infrastructure, Action 25

- *Pursue construction of the Shepparton bypass and second river crossing on the Goulburn Valley Highway*

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
That the expectations of the stakeholders are not represented in the draft study report.	C (Possible)	3 (Moderate)	Moderate	Summaries of stakeholder interviews were provided to each freight company for review. Released the final draft study report for all stakeholders and government agencies to consider.
That the Framework Plan actions for the arterial road network are not supported by the state government.	C (Possible)	2 (High)	Major	Engage with VicRoads and seek support from the Hume Region Forum and DTPLI.
That insufficient funds are available to deliver the actions within the recommended timeframes.	C (Possible)	3 (Moderate)	Moderate	Prepare business cases to attract funding for delivering the Framework Plan actions.

#### Policy Considerations

The Greater Shepparton Freight and Land Use Study responds to the objectives and strategies of the Greater Shepparton 2030 Strategy and Shepparton CBD Strategy.

#### Financial Implications

The Greater Shepparton Freight and Land Use Study has been fully funded by the Department of Transport (DoT) in 2012 – 2013.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Greater Shepparton Freight and Land Use Study (continued)

	2012/2013 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	40,000	40,000	0	DoT grant
Expense	40,000	46,139	6,139	
Net Result	0	6,139	6,139	

\* Amount shown in this column may equal one line item in budget or maybe a component of one budget line item.

The project has exceeded the budget due to additional work comprising bridge assessments for the Hume Region Planning for Freight Pilot and additional traffic modelling for Welsford Street. This additional expenditure was funded from the 2012-13 budget.

The Framework Plan actions (section 6.4 of the report) requiring further planning and investigation will be progressively funded from the operating budget on a cost sharing basis between Council, VicRoads and DTPLI. Two projects have had budget working papers prepared for inclusion in the 2014/15 draft budget that will respond to the 'Arterial Road Intersection upgrade' action (\$10,000 council) and the 'North Shepparton Arterial – East-West Link' action (\$10,000 council). The first project will be delivered by council and the latter project by VicRoads.

#### Legal/Statutory Implications

Officers will be limited to powers provided in the *Local Government Act 1989*, *Road Management Act 2004* and the *Transport Integration Act 2010*.

#### Environmental/Sustainability Impacts

The study report acknowledges the following potential environmental/sustainability impacts:

- High use of heavy vehicles due to the lack of an attractive and viable rail freight option that results in traffic safety impacts.
- Emissions/noise impacts generally, and in those areas where there are network pinch points.
- Noise impact of heavy goods vehicles during night operations.

#### Social Implications

The study report acknowledges the potential impact on the amenity of urban areas due to:

- Heavy vehicle traffic travelling through Shepparton CBD, residential and commercial areas of our towns resulting in emission of pollutants and threats to pedestrian safety.
- Congestion on the Shepparton Alternative Route limiting access to some potential users.
- The Shepparton Alternative Route not being designed for its current level of activity and type of use causing severance and amenity issues for the local community.

#### Economic Impacts

Agricultural production has a strong historical connection with our municipality. Greater Shepparton is a major regional hub for the collection, production, value adding and packaging of raw materials for export from the region to national and international markets. As such, local, regional and interstate freight routes play a significant role in the

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Greater Shepparton Freight and Land Use Study (continued)

collection, manufacturing and distribution of local products. A strong and flexible road and rail network is of great significance to the continued economic prosperity of the region. Network performance issues that are affecting the economic prosperity are listed in Section 6.3 ('Transport Integration Act Principles') of the study report.

#### **Consultation**

Major freight generators and transport service providers have been consulted during the preparation of the study. A number of candidate freight generators and transport service providers were identified by the study project steering group for inclusion in the consultation process. Seventeen candidates were identified for an interview on the basis of their levels of activity, their national freight network access requirements and the potential benefits they may receive from the delivery of any infrastructure proposals that are identified in this study. Details of the freight generators and providers included in the stakeholder consultation are presented in Appendix A of the Study Report.

Summaries of the consultation outcomes for these companies are provided in Section 5 of the study report.

Level of public participation	Promises to the public/stakeholders	Examples of techniques used
Inform	Freight stakeholders both local and regional advised and involved.	Steering group formed and freight industry advised of the project. Discussion paper considered by the steering committee and industry.
Consult	Local and regional input to inform project outcomes. Invite community comment on draft study.	Freight industry companies interviewed. Regional input received from HRPFP project and three government agencies.
Involve	Feedback from relevant industry, government agencies and regional input.	17 freight companies reviewed the summaries of their interviews for inclusion in study report. Government agencies provided feedback in writing and teleconferencing with consultant.

Following endorsement of the draft GSFLUS report officers implemented the final consultation (refer attachment 2) seeking comments from government stakeholders, industry stakeholders and the community. A public notice invited submissions by 16 August 2013 and industrial stakeholders were individually emailed a link to the web page containing the draft report. DTPLI and VicRoads were forwarded an amended study report which responded to their submissions. The final response from DTPLI agreeing to final report was received on 20 November 2013. The DTPLI project completion report and final study report was forwarded to DTPLI on 18 December 2013.

The final consultation has now been completed in accordance with the agreed plan and the final study document is now available for adoption.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Greater Shepparton Freight and Land Use Study (continued)

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

The Traffic and Transport Systems section of this strategy states the following objectives and action:

- *Objective 1* - "To promote linkages with other regional cities to cater for traffic movements which include freight movements that distribute products, particularly farm products to depots and warehouses for further distribution to markets and regional logistics centres."
- *Objective 2* - "To improve the efficiency and safety of regional based freight handling and traffic."
- *Action: 2.2* - "Encourage the development of freight networks that reduce the intrusion of freight transport on the local traffic network".

##### b) Other strategic links

*Shepparton CBD Strategy – 2008:*

*Objective* – "Manage the short-term operation of the CBD road network to redirect freight and non-local through traffic to alternative routes prior to development of the Shepparton Bypass."

*The Northern Victoria Regional Transport Strategy – 2009.*

*Industrial Land Review – 2011.*

#### **Options for Consideration**

1. Adopt the Greater Shepparton Freight and Land Use Study incorporating the Framework Plan actions (Preferred option)
2. Not to adopt the Greater Shepparton Freight and Land Use Study report.

#### **Conclusion**

The Greater Shepparton Freight and Land Use Study Framework Plan actions will support the continuing growth in the current supply chain routes and the future shift in freight movements when both GV Link and Shepparton Bypass are operational. The longer it takes to deliver the Shepparton Bypass and GV Link the greater the investment will be needed on the existing local road network to service growing industries and warehousing, which continue to be established in the east and north-east of Shepparton.

Consideration can now be given to delivering some short term actions in the 2014 – 15 financial year. It is expected with the support of the DTPLI two of the actions may be delivered in 2014-15.

It is recommended that the Greater Shepparton Freight and Land Use Study be adopted.

#### **Attachments**

1. Greater Shepparton Freight and Land Use Study - Final report
2. Greater Shepparton Freight and Land Use Study - Public consultation period outline. Page 415

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Implementation of New Residential Zones (Planning Scheme Amendment)

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author:** Team Leader Strategic Planning

**Proof reader(s):** Manager Planning

**Approved by:** Director Sustainable Development

#### **Executive Summary**

In July 2013 reformed residential zones for Victoria were introduced with the intention of better responding to present-day planning requirements and provide greater clarity around the form of development that can be expected in residential areas. The new zones seek to:

- Improve the range of residential zones to better manage growth and protect and maintain liveability and neighbourhood character;
- Simplify requirements with greater certainty and clearer rules; and
- Allow a broader range of activities to be considered in residential areas.

The new residential zones include:

- The Residential Growth Zone
- The General Residential Zone
- The Neighbourhood Residential Zone

Officers intend to use the Greater Shepparton Housing Strategy to apply the zones. The table below outlines the alignment between the new zones and the areas specified in Council's strategy.

**Table 1: Translation of 'Housing Change Areas' into New Residential Zones**

Housing Change Area (as per Housing Strategy)	Proposed, New Residential Zones	Purpose of New Zone
Minimal Change Area	Neighbourhood Residential Zone	"To limit opportunities for increased residential development." For example, single dwellings and some dual occupancies.
Incremental Change Area	General Residential Zone	"To encourage development that respects the neighbourhood character of the area." For example, single dwellings and some medium density housing.
Substantial Change area	Residential Growth Zone	"To provide housing at increased densities." For example, medium density housing.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Implementation of New Residential Zones (Planning Scheme Amendment) (continued)

Please see 'Attachment – Housing Change Areas (Maps)' for more information identifying the specific change areas as per the Housing Strategy.

The new zones were introduced into the Victorian Planning Provisions under Amendment V8. Councils now have until 1 July 2014 to introduce the zones into their local planning schemes (see Attachment 1 - New Residential Zones).

The new zones will be consistent with the policy direction of the approved Greater Shepparton Housing Strategy (2011), which is a reference document in the Planning Scheme.

The Minister for Planning has appointed a Standing Advisory Committee to support councils in implementing the zones into their respective planning schemes (see Attachment 2 - Letter from Minister for Planning). This is significant given the timeframe that has been imposed.

The 'Residential Zones Standing Advisory Committee (RZSAC)' will advise the Minister on the suitability of the residential zones and the method proposed by each Council. The approach is called the 'fast-track Ministerial Amendment process'.

A notification period of 20 days will take place for all Councils wishing to use this method on 20 March 2014. Any submissions received during this period will be referred to the Committee for their consideration. It is anticipated that the Committee will then finalise their reports for the Minister in mid-May to allow for amendments to be ready for gazettal by July 2014.

Planning Panels Victoria and DTPLI has advised Council officers to take advantage of the RZSAC amendment approach (see Attachment 3)

Council officers are now seeking to commence this Planning Scheme Amendment via the RZSAC process. It is important to note that Councils wishing to take advantage of this approach must be ready to submit the amendment to the Standing Advisory Committee by 20 March 2014. The benefits of using this approach are:

- Council would not be required to pay the costs associated with the Advisory Committee.
- An expediated timeframe, given the Advisory Committee anticipates finalising its report to the Minister in mid-May and the gazettal of amendments by July 2014.

**Moved by Cr Summer**  
**Seconded by Cr Polan**

That the Council:

1. support the Planning Scheme Amendment to replace the existing Residential 1 Zone with the reformed residential zones using the 'fast-track Ministerial Amendment process'
2. note the amendment is in accordance with the approved Greater Shepparton Housing Strategy (2011) and that the translation of the new residential zones into the Planning Scheme is based on this strategy.

**CARRIED.**

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Implementation of New Residential Zones (Planning Scheme Amendment)** **(continued)**

#### **Background**

On 5 March 2013 the Minister for Planning announced reforms to Victoria's residential planning zones. This was in response to the recommendations of the 'Reformed Zones Ministerial Advisory Committee'.

In July 2013 the State Government endorsed a residential zone reform package. This seeks to:

- Improve the range of residential zones to better manage growth and protect and maintain liveability and neighbourhood character;
- Simplify requirements with greater certainty and clearer rules; and
- Allow a broader range of activities to be considered in residential areas.

Amendment V8 introduced the new residential zones with the intention to replace the existing Residential Zones 1, 2 and 3.

#### Amendment Proposed by Officers

In order to translate the changes arising from Amendment V8 Council officers recommend that council employ the recommended 'fast-track' approach which is being overseen by the 'Residential Zones Standing Advisory Committee'.

The amendment seeks to implement the new residential zones, which include:

- The Residential Growth Zone
- The General Residential Zone
- The Neighbourhood Residential Zone

It also seeks to carry out some 'housekeeping' changes where textual references in the Planning Scheme need to be updated. These include changes to:

- Clause 21.08, *General Implementation*
- Clause 43.02, *Schedule 7 to the Design and Development Overlay (Kialla Park Boulevard Precinct)*
- Clause 43.04, *Schedule 15 Development Plan Overlay (Emerald Bank Development Plan)*
- Clause 44.04, *Land Subject to Inundation Overlay (Schedule)*

These changes seek to remove specific references to the Residential 1 Zone and replace with the new General Residential Zone, Neighbourhood Residential Zone and Residential Growth Zone as appropriate.

The changes are administrative only and will not change the requirements or objectives of the overlays currently in the scheme.

#### Policy Document to be used as Guidance for the Amendment

The new residential zones will be applied in a manner which is consistent with the policy direction of the Greater Shepparton Housing Strategy (GSHS) (2011).

The Housing Strategy has been approved by Council and has undergone an extensive community consultation process (see Consultation section). It is also a reference document within the Greater Shepparton Planning Scheme, featuring in Clause 21.04 *Settlement* and Clause 21.09 *Reference Documents*.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Implementation of New Residential Zones (Planning Scheme Amendment)** **(continued)**

During the preparation of the Housing Strategy, the future implementation of the new residential zones into the Planning Scheme was anticipated. As such, the Strategy identifies three types of 'Housing Change Areas'. These are as follows:

#### Minimal Change Area

Minimal Change Areas are established residential areas that for a number of reasons have limited capacity to accommodate future residential development. Minimal Change Areas do not prohibit all residential development, but seek to allow limited residential development that is generally consistent with the type, scale, style and character of the area.

The 'Minimal Change Area' is similar in its aspirations to the 'Neighbourhood Residential Zone'. It is therefore proposed to apply this zone to these areas.

#### Incremental Change Area

Incremental Change Areas are established residential areas that over time have the capacity to accommodate a moderate level of residential development. This development will mostly include extensions to existing dwellings, new single or double storey dwellings on existing lots, and low rise medium density housing. It is expected that the general character of Incremental Change Areas will evolve over time as new types and more intense development is accommodated.

The 'Incremental Change Area' is similar in its aspirations to the 'General Residential Zone'. It is therefore proposed to apply this zone to these areas.

#### Substantial Change

Substantial Change Areas are established residential areas that have significant capacity to accommodate substantial residential development. These areas will support increased housing diversity by encouraging a variety of housing types, styles and configurations in areas that are close to activity centres, public transport, employment opportunities and open space.

Substantial Change Areas will support increased residential densities to maximise the amount of people who can take advantage of these desirable locations. It is expected that the character of these areas will change significantly in the future.

The 'Substantial Change Area' is similar in its aspirations to the 'Residential Growth Zone'. It is therefore proposed to apply this zone to these areas.

#### Implementation Approach

DTPLI has established a 'fast-track amendment process' for Councils that have completed adequate strategic policy work. This means Councils can implement the new residential zones by applying to the Standing Advisory Committee, which has been setup to assist in introducing the new zones across Victoria.

At the RZSAC Briefing session (28 March 2014), it was advised by Planning Panels Victoria and DTPLI that Greater Shepparton should take advantage of the RZSAC approach.

The Standing Advisory Committee constitutes housing and planning experts and representatives of local government. Amendments will be referred to this committee for



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Implementation of New Residential Zones (Planning Scheme Amendment)** **(continued)**

their independent review and a notification period of 20 days will be allowed for interested parties to make a submission directly to the Committee. The Committee will then make a recommendation to the Minister on how each Council's amendment should be applied.

For an amendment to be considered for the 'fast track' process by the Standing Advisory Committee, it will need to be submitted by 20 March 2014. It is anticipated that the Committee will finalise reports to the Minister in mid-May to allow amendments to be ready for gazettal by July 2014.

On 6 February 2014, Planning Panels Victoria (PPV) requested that Councils wishing to use the Standing Advisory Committee make a request in writing to the Chief Panel Member. Council officers have submitted a request to the Panel pending Council's consideration of the matter. This can be withdrawn should Council elect to adopt the normal amendment process to implement the requirements of the new zones and the Housing Strategy.

As inferred above, Council may, at its discretion, chose to not adopt the fast track process. The implications of doing so are that the General Residential Zone will be introduced across Greater Shepparton with subsequent multiple applications for planning scheme amendments required in order to implement the requirements of the Housing Strategy. This in turn will result in a significant investment in additional time and budget resources being expended by Council for little realistic gain.

It should also be noted that the fees associated with undertaking the normal amendment process would apply. This would be an additional financial cost to Council which would not occur through the fast-track process.

#### **Council Plan/Key Strategic Activity**

The proposed amendment is consistent with the Council Plan 2013 - 2017. It seeks to implement the new residential zones and implement the strategic base work completed by the Greater Shepparton Housing Strategy.

#### **Risk Management**

The implementation of the new residential zones will ensure that residential growth occurs in accordance with the adopted Greater Shepparton Housing Strategy. As stated previously, the Minister requires all municipalities to introduce the new zones by 1 July 2014. If this does not occur, all residential zones within a municipality will be replaced with the General Residential Zone by default.

The General Residential Zone and the existing Residential 1 Zone are similar. However, the introduction of this zone only would not allow the implementation of the preferred direction for residential development across Greater Shepparton as identified in the Housing Strategy. This would result in inconsistencies between the zoning and local provisions within the Planning Scheme.

Furthermore, an opportunity for cost savings for fees normally incurred during the planning scheme amendment process would be lost. As would the possibility of expediting the amendment via the fast-track process.

The use of the fast-track amendment process will ensure this amendment can be completed prior to 1 July 2014.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Implementation of New Residential Zones (Planning Scheme Amendment) (continued)

**Table 3: Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Not proceeding with amendment	Unlikely	Major	Moderate	To proceed with the amendment, in line with advice provided by PPV and DTPLI officers.
Not proceeding with 'fast-track' amendment option	Unlikely	Major	Moderate	To proceed with the fast-track option, as advised by DTPLI officers.
Amendment not approved by Minister	Unlikely	Major	Moderate	Discussion has taken place with regional and head office DTPLI planners. This was with a view to understand the level and type of information that should be included with the amendment,
Amendment not finalised within timelines	Unlikely	Minor	Low	Planning officers have taken all necessary steps to ensure timely progression of the amendment.
Submissions from public	Unlikely	Minor	Low	The fast-track process allows for submissions to be made to the Residential Zones Steering Advisory Committee for their consideration. The Committee will assess each submission before making a recommendation to the Minister for Planning.

#### **Policy Considerations**

This amendment does not conflict with any existing Council Policy. The amendment supports the existing Greater Shepparton Housing Strategy.

#### **Financial Implications**

The introduction of the new zones is part of the implementation of the GSHS, which has been budgeted for in the 2013-2014 Financial Year. As the amendment is proposed to be processed via the 'Residential Zones Standing Advisory Committee' there will be no costs for Council for an Independent Panel Hearing.

#### **Legal/Statutory Implications**

All procedures associated with this amendment comply with the legislative requirements of the *Planning and Environment Act 1987* (the Act). The amendment has been assessed in accordance with the Act and the Greater Shepparton Planning Scheme.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Implementation of New Residential Zones (Planning Scheme Amendment)** **(continued)**

#### **Environmental/Sustainability Impacts**

The Greater Shepparton Housing Strategy sets out the direction for future residential growth and development throughout the municipality. This is expected to happen in a manner that is sustainable and considers the natural environment. The planning scheme amendment will assist in promoting residential growth in a controlled and environmentally conscious manner.

#### **Social Implications**

The proposed planning scheme amendment will ensure that residential land is developed in a manner which enhances the lifestyle opportunities of current and future residents of Greater Shepparton.

#### **Economic Impacts**

The Greater Shepparton Housing Strategy identifies large amounts of land for various levels of future residential development. The development of these areas will, over time, enhance economic activity and vitality within the municipality.

#### **Consultation**

##### **Housing Strategy Consultation and Amendment C93**

Extensive community consultation was undertaken in the preparation of the Greater Shepparton Housing Strategy, which was subsequently approved by Council and implemented into the Greater Shepparton Planning Scheme via Amendment C93.

Extensive community consultation and exhibition has been undertaken for both the *Greater Shepparton Housing Strategy 2009* and Amendment C93 through the following processes:

- Stage 1: Greater Shepparton Housing Strategy preparation (September/October 2007).
- Stage 2: Draft Greater Shepparton Housing Strategy Exhibition (October/November 2008).
- Stage 3: Initial Amendment C93 consultation period (November 2009 – August 2010).
- Stage 4: Formal (Statutory) consultation period for Amendment C93 (16 September 2010 – 15 November 2010).

Council formally notified all relevant departments, agencies and land use consultants of the Amendment C93 exhibition.

A total of 54 submissions were received in relation to Amendment C93. All the submissions were referred to an independent panel. The panel supported the intent of the *Greater Shepparton Housing Strategy 2009* and the accompanying amendment documentation. The Panel subsequently recommended that the amendment be adopted by Council, subject to changes.

Council formally adopted the Housing Strategy in August 2009, which was then updated in May 2011. The Strategy was formally integrated into the Greater Shepparton Planning Scheme on 21 June 2012.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Implementation of New Residential Zones (Planning Scheme Amendment)** **(continued)**

#### **Strategic Links**

##### **a) Greater Shepparton 2030 Strategy**

The proposed amendment is consistent with the directions within Greater Shepparton 2030 which seek to develop a blueprint to manage growth.

#### **Options for Consideration**

1. Do not proceed with the Planning Scheme Amendment via the fast-track approach (not the preferred option)

This option is not recommended as it will not allow the full implementation of the Housing Strategy and would result in conflict between adopted policies and zone provisions. It would also be considered as a lost opportunity to take advantage of the 'fast-track Ministerial Amendment process', which would result in cost and time savings for Council.

2. Proceed with the Planning Scheme Amendment via the fast-track approach (preferred option)

#### **Conclusion**

The proposed planning scheme amendment and intention to use the fast-track approach is considered appropriate. This is due to the introduction of the new zones reflecting the preferred policy direction for future residential and housing growth in Greater Shepparton.

The new zones will improve the operation of the Greater Shepparton Planning Scheme and will help to achieve the outcomes of the Greater Shepparton Housing Strategy. It is considered that this would be to the benefit of the wider community and residents of Greater Shepparton.

#### **Attachments**

- |   |          |
|---|----------|
| 1. New Residential Zones  | Page 417 |
| 2. Letter from Minister for Planning (Standing Advisory Committee)    | Page 420 |
| 3. Planning Panels Victoria - Email Advice to Use Fast-track Approach | Page 422 |
| 4. Housing Change Areas (Maps)  | Page 423 |

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Reforms to Regional Waste Management Groups (Resource GV)

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Manager Environment**

**Proof reader(s): Director Sustainable Development**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

To update the Council on the impending regulatory changes to Regional Waste Management Groups (RWMG) such as Resource GV and the actions required to maintain involvement in the new Goulburn Valley Waste and Resource Recovery Group.

**Moved by Cr Patterson**

**Seconded by Cr Summer**

That the Council:

1. advise Resource GV that Cr Fern Summer is nominated as its representative to the Goulburn Valley Local Governments' Waste and Resource Recovery Forum and may nominate for a position on the Goulburn Valley Waste and Resource Recovery Board
2. advise Resource GV that Manager Environment is nominated as its advisory Member to the Goulburn Valley Local Governments' Waste and Resource Recovery Forum
3. note the draft operating guidelines for the Goulburn Valley Local Governments' Waste and Resource Recovery Forum.

**CARRIED.**

#### **Background**

In August 2014 the Minister for the Environment, Ryan Smith MP announced the outcomes of the Ministerial Advisory Committee responsible for making recommendations around the Waste and Resource Recovery Governance Reforms. Key reform outcomes affecting RWMG's included:

- Amalgamation of twelve RWMG's into six larger organisations. The North East, Goulburn Valley and Gippsland Groups will retain their current boundaries.
- Assigning RWMG's with a clear statutory role to plan for all waste streams.
- Enabling RWMG's to facilitate joint procurement by local governments to enable realisation of economies of scale and potential cost savings.
- Establishing a new board structure for the RWMG's that recognises the joint interest of the State and Local Governments. The board will be comprised of four Local Government representatives and four expertise based nominees of the Minister.
- The Chair will be from Local Government and will be selected by the Minister.
- Statutory functions of the groups will be aligned with *Getting Full Value* and to

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Reforms to Regional Waste Management Groups (Resource GV) (continued)

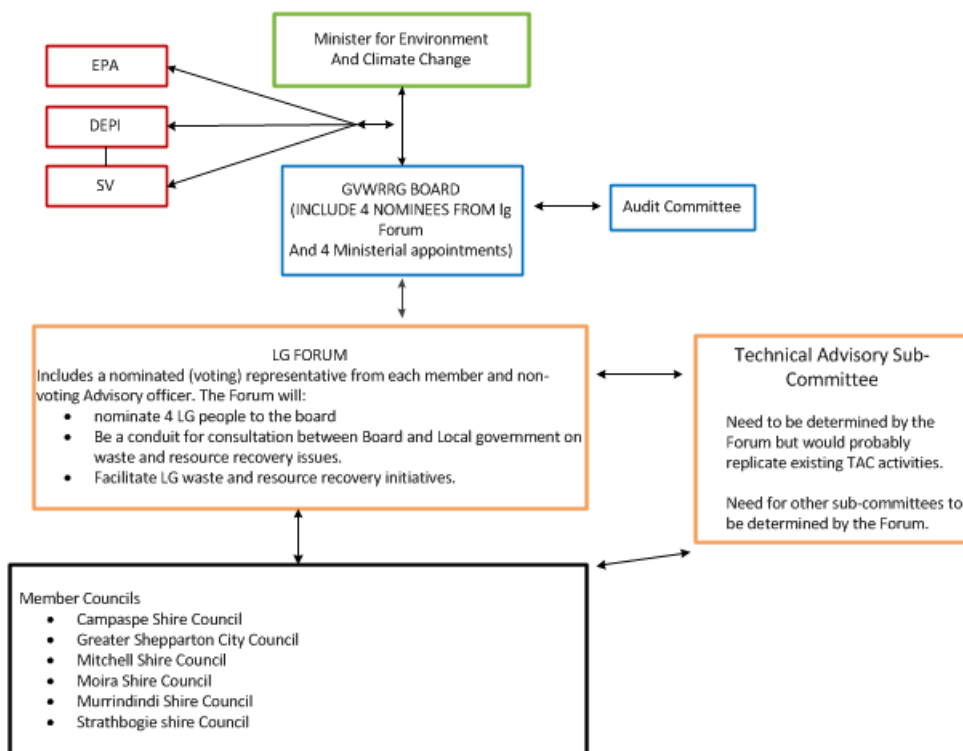
reduce duplication in the delivery of market development, waste education and data management function.

- The joint and several liability will be removed from Local Government and liability will sit with the State Government.

The government's intention, as outlined in the Draft *Environment Protection and Sustainability Victoria Amendment Bill 2014*, is to establish a Goulburn Valley Waste and Resource Recovery Region which includes the current members of Resource GV. The draft bill would also enable the wind up of current the Regional Waste Management Groups (Resource GV) and the commencement of a new Goulburn Valley Waste and Resource Recovery Group.

The Minister has recently issued directions to the Resource GV Chair to commence preparations to facilitate the cessation of the current Goulburn Valley RWMG (Resource GV) operations by the 31 July 2014. The Minister also directed that the Chair work with local governments in the proposed Goulburn Valley Waste and Resource Recovery Region to conduct preliminary preparations for the change in governance structure to a Waste and Resource Recovery Group by the 1st of August 2014.

The new Goulburn Valley Waste and Resource Recovery Group will have an altered structure. The Group will have a Board and Forum as illustrated below:



In order for this structure to become operational, the chair of the GVRWMG, Cr. Greg Toll, has sought a nomination from Council. Officers have made recommendations for suitable nominees for council's endorsement as listed in the recommendation section of this report.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Reforms to Regional Waste Management Groups (Resource GV) (continued)

#### **Council Plan/Key Strategic Activity**

Goal 2: Enhancing the Environment

Strategy: Review, adopt and commence implementation of the Waste and Resource Recovery Management Strategy.

#### **Risk Management**

To ensure Council's ongoing involvement in regional waste and resource recovery strategies and plans, these recommendations must be adopted.

Risks	Likelihood	Consequence	Rating	Mitigation Action
No action	C	2	High	Endorse recommendations

#### **Policy Considerations**

This process will ensure Council is complying with its Waste and Resource Recovery Strategy and also the State Government's Waste and Resource Recovery Strategy.

#### **Financial Implications**

The draft amendment to the legislation does not allow the new organisation to be a successor to Goulburn Valley Regional Waste Management Group (T/A Resource GV). The current Goulburn Valley Regional Waste Management Group constitution states:

*In the event of the Group being wound up:-*

- *any items to be sold shall be offered first to any successor organisation or organisations; secondly, at the same price, to any Member and thirdly, for sale by auction or public tender; and*
- *the Group's assets and liabilities shall be apportioned amongst Members in the same proportion as their contributions made pursuant to Part 7 of this Constitution.*

The Department of Environment and Primary Industry (DEPI) is currently coordinating a financial audit of the twelve existing groups across the State including Resource GV to determine the estimated position of each group at 31 July 2014. Further advice will be provided by DEPI on options to wind up the organisation and their assets in the coming months.

The Resource GV Chair wrote to the Council in December 2013 advising that the new organisation would still have the legislative function and ability to deliver priority regional projects through member contributions and advising that the new organisation would be seeking member contributions at the same level as 2013-2014 for the 2014-2015 financial year in August 2014.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Reforms to Regional Waste Management Groups (Resource GV) (continued)

	2013/2014 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$13,013	Nil	Nil	No impact on current year budget.
Expense	\$29,013	Nil	Nil	No impact on current year budget.
Net Result	\$16,000	Nil	Nil	No impact on current year budget.

\* Amount shown in this column may equal one line item in budget or maybe a component of one budget line item.

#### Legal/Statutory Implications

The passing of the draft legislation will result in the following statutory implications for the Council:

- Upon wind up of Resource GV the joint and several liability for the organisation will be removed from the Council and returned to the State.
- All members in the waste and resource recovery region may nominate to the Forum, but only four members will represent the region on the Board.

#### Environmental/Sustainability Impacts

Many of the roles that Resource GV currently play in the region will remain relatively unchanged in the new arrangements; however the altered functions of the new group will deliver a range of additional benefits to regional waste and resource recovery including:

- The ability to facilitate collaborative procurement for waste and resource recovery service and facilities.
- The responsibility to plan for the management of waste and resources from commercial sources, including a responsibility to promote best practice to business and industry.

#### Social Implications

The draft amendment to the legislation allows for existing staff of Resource GV to transfer directly to the new Goulburn Valley Waste and Resource Recovery Group. There are no identified social impacts on the Council or its community.

#### Economic Impacts

The new Waste Management Group structure may lead to increased funding opportunities through State Government channels which may lead to increased employment opportunities.

#### Consultation

A letter from the Minister for Environment and Climate Change to the Mayor has been received, outlining the requirement for the Council to make a nomination to the Local Government Forum and consider if it is likely that the Council's nominee will seek a position on the Board.

Due to the tight timelines, all likely nominees will be requested by Department of Environment and Primary Industries to provide completed national police check applications and consent forms, including 100 points of identification and a diversity information and consent form. This will be requested at a later date and is intended to



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Reforms to Regional Waste Management Groups (Resource GV) (continued)

assist in the smooth and timely transition from the current format of the group to the new format.

The Resource GV Chair, Cr. Greg Toll (Shire of Campaspe) has written to the Mayor requesting that each Council consider the draft Goulburn Valley Local Governments' Waste and Resource Recovery Forum Operating Guidelines which were endorsed by the Resource GV Board at its meeting on 28 February 2014. These are provided in **Attachment 1**. The letter from Cr Toll is provided in **Attachment 2**.

Cr Toll has advised that the draft Forum Guidelines will be considered at the first meeting of the forum to be held on the 9 May 2014. Any feedback or proposed changes to the rules are requested to be back with Cr Toll by 10 of April 2014.

The process for nominations are yet to be formalised by the Minister, however if each Council can consider it's nomination now this will enable a representative to be in place for the first meeting of the Forum.

The draft forum operating guidelines allow for one councillor or staff member to be nominated as the Forum Representative. Each member may also nominate an Advisory Member to the Forum. The Advisory Member is able to participate fully in all Forum proceedings and activities but does not hold a vote in the Forum unless acting as a proxy.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Topic: ENVIRONMENT: Conservation and enhancement of significant natural environments and cultural heritage

Theme: Best practice land management

Strategy: 3.1 Foster regional cooperation and resource sharing regarding best practice land management.

Action: Work with the authorities in the preparation of a Environmental Sustainability Strategy to address Waste Management (See also Waste and Resource Recovery Strategy)

##### b) Other strategic links

State Government's Waste and Resource Recovery Strategy – "Getting Full Value"

Greater Shepparton City Council's Waste and Resource Recovery Management Strategy Draft

Draft Statewide Waste and Resource Recovery Infrastructure Plan

Sustainable Decision Making Policy

#### **Options for Consideration**

- Who will be nominated as the representative on the Goulburn Valley Local Governments' Waste and Resource Recovery Forum?
- Is that nominated representative to the Forum likely to nominate to the Board of the Goulburn Valley Waste and Resource Recovery Group?
- Who will be nominated as the Advisory Member to the Goulburn Valley Local Governments' Waste and Resource Recovery Forum?
- Does the Council wish to request that the Forum consider any changes to the draft forum operating guidelines?

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Reforms to Regional Waste Management Groups (Resource GV) (continued)

#### **Conclusion**

It is in Council's interest to continue to be an active member of the Regional Waste Management Group and to enable this to occur, the recommendations, as provided, should be adopted.

#### **Attachments**

- |   |          |
|---|----------|
| 1. Draft Operating Guidelines - Waste and Resource Recovery Governance Reform | Page 439 |
| 2. Letter to Mayors   | Page 446 |

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.8 Submission to Office of Living Victoria Water Bill Reform

#### **Disclosures of conflicts of interest in relation to advice provided in this report**

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest..

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

#### **Council Officers involved in producing this report**

**Author: Manager Environment**

**Proof reader(s): Director Sustainable Development**

**Approved by: Director Sustainable Development**

**Other: Team Leader Sustainability & Environment**

#### **Executive Summary**

Council was recently advised that the State Government, through the Office Of Living Victoria, had begun a review into *the Water Act 1989* and the *Water Industry Act 1994* and consolidate them into a single Act. A document titled Water Bill Exposure Draft – An Explanatory Guide was released to advise the public of the proposed changes.

Council officers prepared a submission to the Office of Victoria, responding to key elements outlined in the Explanatory Guide that are likely to impact on Local Government. The submission was due on February 14. Officers have made a submission to the review on the basis that the council endorsed copy will be forwarded to the Office of Living Victoria upon adoption.

Officers identified the main areas of concern for Local Government was the proposed changes of stormwater management, the potential licencing of aesthetic dams and responsibility of levee banks.

**Moved by Cr Patterson**  
**Seconded by Cr Summer**

That the Council endorse the attached submission to the Office of Living Water review of the Water Act.

**CARRIED.**

#### **Background**

Council received notification of the proposed changes to *the Water Act 1989* and the *Water Industry Act 1994* in January 2014. The Office Of Living Victoria determined that it was timely to review, update and consolidate these Acts into a single Act with the aim of making it easier to use and understand.

Council officers have prepared a submission with comment on the proposed changes that are likely to affect Local Government.

The Office of Living Victoria held a public meeting in Shepparton on February 3 2014. The team leader of Sustainability and Environment represented greater Shepparton City Council. Over 100 local representatives of Local Government, Industry and Landholders attended.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.8 Submission to Office of Living Victoria Water Bill Reform (continued)**

Officers identified the main areas of concern for Local Government was the proposed changes of stormwater management, the potential licencing of aesthetic dams and commentary in relation to handing over the management of levee banks to local government.

Council operations could be impacted through the proposed changes to the ownership of stormwater which will enable councils to store and sell stormwater. The changes provide provision for the establishment of local stormwater areas. Councils within these areas will be able to licence the extraction of the stormwater by other users. It was indicated at the forum that this would affect a few metropolitan councils only at this stage. The draft submission supports this change as it would create a potential revenue stream for councils within the local stormwater areas via selling licences for the extraction of stormwater.

The review highlighted the state government's preference for the implementation of water management schemes including levee banks to be made the responsibility of local government. The State Government will pursue this change separate to the Water Act, however, it was considered prudent to advise the Office of Living Victoria of council's strong opposition to this move. There are potential costs to council which include updating levees to the required standard under the Act along with the ongoing liability for maintenance.

The draft council submission also expressed concern about the possible licencing of new aesthetic dams given the large number of aesthetic dams that council currently manages as part of residential development agreements.

Submissions were due February 14. The short time frame meant that it was not possible to seek council approval prior to making this submission. Council feedback will be incorporated into a new submission and forwarded to the Office of Living Victoria as the Council endorsed position.

#### **Council Plan/Key Strategic Activity**

*Pillar 2* Enhancing the Environment

*Objective 2.1* Ensure that the environment is a major priority in planning for the future

*Strategy 2.1.5.1* Continue to engage the other levels of government in relation to water reform, to ensure that the long-term interest of the Goulburn Valley are protected and enhanced.

#### **Risk Management**

No risk involved in making the submission.

#### **Policy Considerations**

There are no Policy considerations through the submission

#### **Financial Implications**

No Financial implications in preparing and making the submission.

#### **Legal/Statutory Implications**

Depending on the final outcome, there may be increased statutory implications for Council. There are no legal or statutory implications through making the submissions

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.8 Submission to Office of Living Victoria Water Bill Reform (continued)

#### **Environmental/Sustainability Impacts**

Depending on the final outcome of the review, there is a potential positive impact of an increased use and value on stormwater, reducing runoff into waterways and leading to a more sustainable resource.

No environmental impacts resulted from making the submission.

#### **Social Implications**

No social impacts resulted from making the submission

#### **Economic Impacts**

Depending on the final outcome of the review, there is a potential for Council to have a revenue source through licencing stormwater. The more likely impacts will be negative through the licencing of aesthetic dams and the transference of water management schemes such as levees onto Local Government.

No economic impacts resulted from making the submission

#### **Consultation**

Due to time constraints, consultation was restricted to internal consultation with the Manager Planning and Emergency Management Coordinator

External advice was sought from Goulburn Broken Catchment Management Authority – Manager Floodplain.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Nil identified

##### b) Other strategic links

Nil identified

#### **Options for Consideration**

Council endorse the submission made to the Office of Living Victoria

#### **Conclusion**

The opportunity to contribute to State Water Legislative changes is a rare but important event. This submission focuses on the areas of change that are likely to impact on council operations and functions.

Key issues identified by officers were the proposed changes of stormwater management, the potential licencing of aesthetic dams and responsibility of levee banks.

Upon endorsement by Council, the final submission will be forwarded to the Office of Living Victoria as Council's final position on the review.

#### **Attachments**

Submission to Water Bill Exposure Draft Page 448

**10. TABLED MOTIONS**

Nil Received

**11. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES**

Nil Received

**12. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES**

Nil Received

**13. NOTICE OF MOTION, AMENDMENT OR RESCISSION**

Nil Received

**14. DOCUMENTS FOR SIGNING AND SEALING**

Nil Received

## 15. COUNCILLOR ACTIVITIES

### 15.1 Councillors Community Interaction and Briefing Program

**Disclosures of conflicts of interest in relation to advice provided in this report**  
 Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest..

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration

#### **Councillors' Community Interaction and Briefing Program**

From 1 February 2014 to 28 February 2014, some or all of the Councillors have been involved in the following activities:

- Heritage Advisory Committee meeting
- International Students & the Head of the International Students - [La Trobe University]
- Meeting with Professor Richard Speed [La Trobe University]
- Audit Risk Management Committee - Charter Review
- Two Many Chiefs Cider | Showcase [Noble Monks]
- Presentation to Melbourne University Medical Students
- Shepparton Art Museum - Opening of Exhibition 'Play'
- SPCA | Employment Response Session
- Chinese New Year Celebrations
- Country Week Tennis | Mayoral Opening
- GOTAFE Graduation and Trade Awards Dinners | Shepparton & Seymour Campuses
- Meeting | Vice Chancellor John Dewar [La Trobe University]
- Meeting with Shadow Minister, Martin Foley [Minister for Water, Youth and the Arts] and Candy Broad
- Meeting with Shadow Minister, Martin Foley and Candy Broad & External Key Stakeholders - SPC Ardmona discussions
- Saleyards Advisory Committee Meeting
- Media Event | Celebration of Coles 100 Years and Curtis Stone
- Country Week Tennis 2014 | Tennis Victoria Board Members – Event [Shepparton Harness Racing Club]
- Annual 'Apology' Breakfast
- SAM Foundation - Panel Meeting (EOI Application)
- National Premier League Victoria - Football | Press Conference
- Minister Peter Ryan | Pactum Dairy - Announcement of a State Government Grant
- Meeting with Deputy Premier | the Hon Peter Ryan & The Hon Jeanette Powell
- PAAC Meeting
- GMLLEN | Building a New Generation
- ABGS Working Bee | Community Open Day
- Wilmot Road Primary School | Assembly
- Shepparton Show Me Ordinary Meeting
- CEO Performance Appraisal | 'One on One' discussions | Cr Houlihan, Cr Ryan, Cr Oroszvary, Cr Polan and Cr Muto
- Hume Alliance Executive & Vodaphone | Teleconference
- Digital Enterprise Course
- North East Victoria ALGWA | Meeting
- 'Pink Stumps Day' McGrath Foundation | High Tea
- The Victorian Baking Show

## 15. COUNCILLOR ACTIVITIES

### 15.1 Councillors Community Interaction and Briefing Program (continued)

- The Fabric | Jackson Black Films
- La Trobe | Welcome Morning Tea
- Councillors & CEO | Catch Up Meeting
- Induction Ceremony | Mooroopna Secondary College
- Individual Citizenship Ceremony | Matthew Kirk
- Regional Cities Victoria
- Disability Advisory Committee Meeting
- Koori Students | Presentation of Certificates and Speech | Shepparton High School
- Billabong Garden Cafe | Grand Opening – Mayoral Opening

Councillors were also briefed on the following matters:

- Councillor Information session with Maddocks [Kate Oliver]
- Regional Cities Victoria [RCV] update from Chief Executive Officer, Gavin Cator
- Meeting with Shadow Minister, Martin Foley [Minister for Water, Youth and the Arts] and Candy Broad
- Our Sporting Future Funding Round 2 [Minor]
- Development Hearings Panel [DHP]
- Planning Scheme Amendment - 7720 GV Highway
- 'Make Shepparton Greater' Advocacy Campaign
- Strategic Plan Review
- CEO Performance Appraisal | Councillor Workshop
- GS Freight & Land Use Study
- Amendment C92 | Activity Centre Zone
- Status - Growth Corridors within Municipality
- GS Heritage Advisory Committee TOR
- Amendment C155 [Riverside Plaza Expansion]
- Implementation New Residential Zones
- Social Media Policy
- GS Safe Communities Advisory Committee TOR
- 'Smoke Free' Outdoor Dining Trial | Interim Report
- Public Health Plan 2009-2013 Final Review and Evaluation
- Dust Suppression - CEO Directive

In accordance with section 80A of the *Local Government Act 1989* records of the Assemblies of Councillors are attached.

**Moved by Cr Summer**  
**Seconded by Cr Ryan**

That the summary of the councillors' community interaction and briefing program be received.

**CARRIED.**

### **Attachments**

- |  |          |
|--|----------|
| 1. Councillor Briefing Session - 11 February 2014                  | Page 451 |
| 2. Councillor Briefing Session - 25 February 2014                  | Page 453 |
| 3. Meeting Minutes - Heritage Advisory Committee - 2 December 2013 | Page 454 |



## 16. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

Nil Received

## 17. PUBLIC QUESTION TIME

### Question 1 (John Gray)

Congratulations to Council on its "Make Shepparton Greater" campaign particularly its highlighting of Greater Shepparton's dramatic and inequitable shortfall in recent state government infrastructure funding, compared with Geelong, Ballarat and Bendigo, and the intention to engage community support in advocacy to attempt to address this unfair allocation of funds. Is there any good reason why this worthwhile concept has seemingly not been discussed in an open council meeting and what consultation engagement, if any, took place with community members in the selection and adoption of the five advertised priority targets?

### Response

The Make Shepparton Greater advocacy campaign was presented and discussed with Councillors at a Council briefing session in February. The campaign is focussed specifically on the five infrastructure projects that were identified as a clear need to support and sustain the growth of our community. The selection of projects was determined by the 2013-2017 Council Plan, which was developed with the community. Section 4 of the Council Plan relating to Quality Infrastructure, details that the CBD revitalisation, construction of the Goulburn Valley Highway Shepparton Bypass and improved passenger rail services are priorities for our community. The redevelopment of GV Health has been included as a priority as the major health provider in our region urgently requires facilities to be upgraded in keeping up with the demand and meet the specific health needs of our community. Similarly the upgrade to the Shepparton Court House is an imperative as the current facilities do not comply with current legislation and create issues of public safety, privacy, accessibility and overcrowding.

All five projects were priorities in the preceding Greater Shepparton Greater Future initiative and prospectus. These priorities were developed in partnership with key local Greater Shepparton organisations and businesses in 2011.

### Question 2 (John Gray)

What was the EFT overall workforce at January 1st 2012 at Greater Shepparton City Council and how many employees have left the organisation from that date up until the present time?

### Response

As of January 2012 Staff EFT for Council was stated at 491.74 which is inclusive of full time, part time and casual staff.

As at January 2013 this figure was revised to 462.59 EFT employees in a variety of permanent and temporary roles on a full-time, part-time and casual basis.

This was due to Council not having a database that enabled consistent recording of Casual hours to allow for the EFT to be calculated

Over the last two years this has been rectified including the legal process of casual conversion as required by the Local Authorities award.

## 17. PUBLIC QUESTION TIME

Over the last 5 years the turnover is as follows:

2009 – 177 staff  
2010 – 156 staff  
2011 – 139 staff  
2012 – 92 staff  
2013 – 156 staff

As it can be seen these turnover figures have not altered significantly between 2009 and 2013.

### Question 3 (Keppel Turnour)

In the Council Plan Progress Report December 2013 we note on page 91 of 97 under progress comments, "September Quarter Budget Review projects that working capital at the end of the financial year will be \$1.2 million less than budget. This is mainly due to expenditure required to complete the Vaughan Street reconstruction project being \$980,000 more than the adopted budget." This leads to the following questions:

- a) The budget provided for \$2,517,939 for the Vaughan Street reconstruction project. Why is there such a large overrun in the expenditure which equals an increased cost of 38.92%?
- b) Will Council recover this excess or part of it, from the developers who benefit so much from this project?
- c) Is there any connection between this and the sudden resignation of the Director of Business?

### Response

Points a and b: Council is very proud of the transformation of Vaughan Central, one of the key planks in our CBD Revitalisation plans. As the project moved from conceptual design and estimation through to detailed design, the scope of works changed significantly including the works required to ensure the project was tightly integrated into works being undertaken by Lascorp. These changes in scope, along with the contracted sum being higher than our revised estimates, resulted in the project actuals exceeding the budget. These costs are not recoverable from the developer.

Point c: No

## 18. CONFIDENTIAL MANAGEMENT REPORTS

### 18.1 Designation of Confidentiality of Information – Report Attachments

**Moved by Cr Ryan**  
**Seconded by Cr Summer**

In accordance with section 77(2)(b) of the *Local Government Act 1989* (the Act) the Council designates as confidential all documents used to prepare the following agenda items and previously designated by the Chief Executive Officer in writing as confidential under section 77(2)(c) of the Act.

1. Report 6.2: Upgrade of Raftery Road Kialla. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.

**CARRIED.**

**MEETING CLOSED AT 6.48PM**