

# MINUTES

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## ORDINARY COUNCIL MEETING

HELD ON  
TUESDAY 17 JUNE, 2014  
AT 5.30PM

IN THE COUNCIL BOARD ROOM

**COUNCILLORS:**

Cr Jenny Houlihan (Mayor)  
Cr Dennis Patterson (Deputy Mayor)  
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***



**M I N U T E S  
FOR THE  
ORDINARY COUNCIL MEETING  
HELD ON  
TUESDAY 17 JUNE, 2014 AT 5.30PM**

**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,  
Les Oroszvary, 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**

Nil.

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

That the Minutes of the Ordinary Council Meeting held 20 May 2014 and the Special Council Meeting held 10 June 2014, as circulated, be confirmed.

**CARRIED.**

## 5. DEPUTATIONS AND PETITIONS

### 5.1 Proposed Discontinuance of Andrew Fairley Avenue, Shepparton

#### **Summary**

A petition containing 661 signatures has been received by Council against the proposed closure of Andrew Fairley Avenue.

**Moved by Cr Oroszvary**  
**Seconded by Cr Patterson**

That the Council receive the petition relating to the proposed discontinuance of Andrew Fairley Avenue, Shepparton.

**CARRIED.**

#### **Attachments**

Nil



## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.1 2014 Community Satisfaction Survey 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: Manager Marketing and Communications**

**Proof reader(s): Communications Officer**

**Approved by: Chief Executive Officer**

#### **Executive Summary**

Each year Local Government Victoria (LGV) co-ordinates and auspices the state-wide Local Government Community Satisfaction Survey throughout Victorian local government areas. This co-ordinated approach allows for far more cost effective surveying than would be possible if councils commissioned surveys individually.

Participation in the state-wide Local Government Community Satisfaction Survey is optional and participating councils have a range of choices as to the content of the questionnaire and the sample size to be surveyed, depending on their individual strategic, financial and other considerations.

The main objectives of the survey are to assess the performance of Greater Shepparton City Council (GSCC) across a range of measures and to seek insight into ways to provide improved or more effective service delivery. The survey also provides councils with a means to fulfil some of their statutory reporting requirements as well as acting as a feedback mechanism to LGV.

Greater Shepparton City Council has seen considerable improvements in performance on all five core measures tested in the past twelve months, increasing in some cases as much as 8 index points in performance ratings. Core performance measures include job performance, council direction (improvement or deterioration in performance), consultation and engagement, advocacy, and customer service.

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

#### **Seconded by Cr Oroszvary**

That Council note the 2014 Greater Shepparton City Council Community Satisfaction Survey Results.

**CARRIED.**

#### **Background**

This survey was conducted by Computer Assisted Telephone Interviewing (CATI) as a representative random probability survey of residents aged 18+ years in Greater Shepparton City Council.

Survey sample matched to the Greater Shepparton City Council was purchased from an accredited supplier of publicly available phone records, including up to 10% mobile phone numbers to cater to the diversity of residents in the Council, particularly younger people.

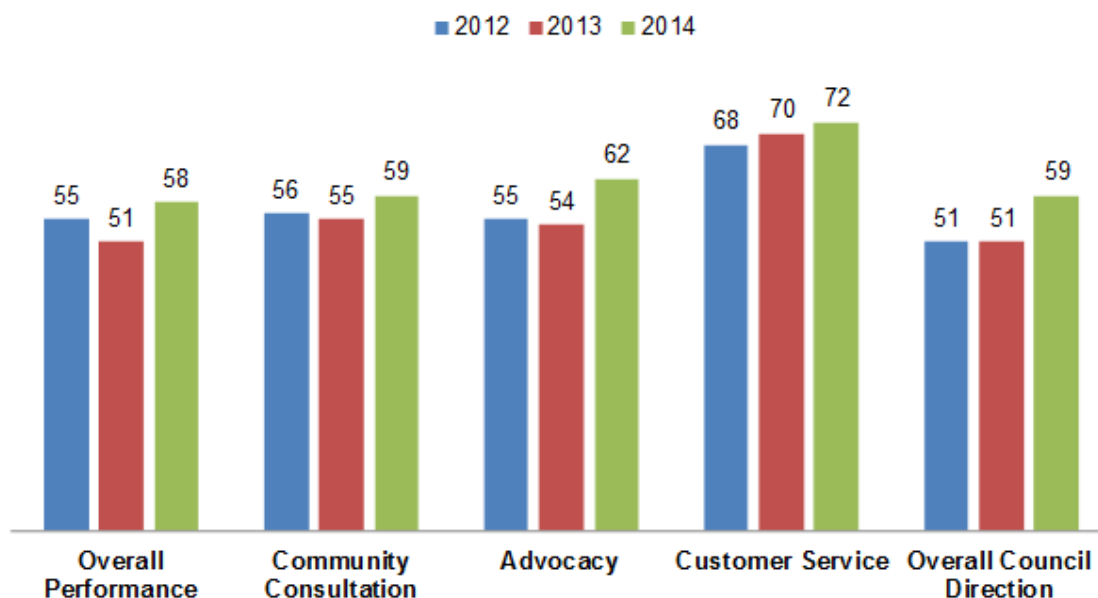
## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.1 2014 Community Satisfaction Survey Report (continued)

A total of 400 randomly selected participants completed interviews for Greater Shepparton City Council. Survey fieldwork was conducted in the period of 31 January – 11 March 2014. The same sample number was used for surveys conducted in 2012 and 2013.

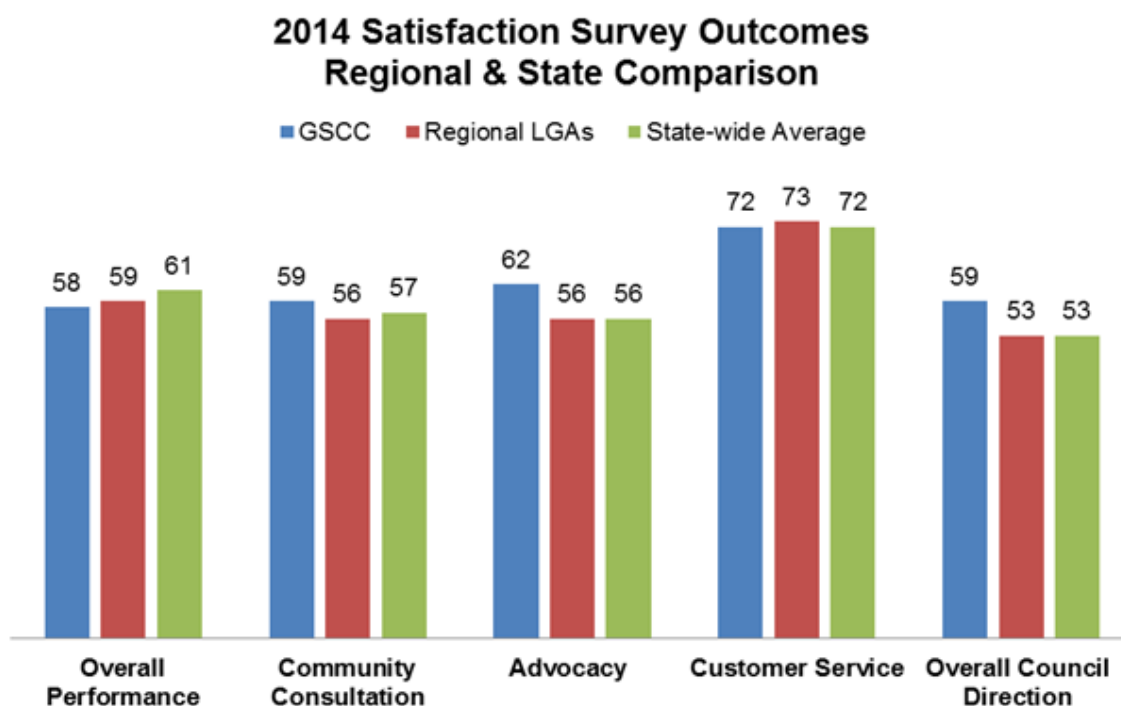
Greater Shepparton City Council has seen considerable improvements in performance on all five core measures tested in the past twelve months, increasing in some cases as much as 8 index points in performance ratings. Core performance measures include job performance, council direction (improvement or deterioration in performance), consultation and engagement, advocacy, and customer service.

### 2014 GSCC Satisfaction Survey Results Summary of Core Measures



## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.1 2014 Community Satisfaction Survey Report (continued)



Council's overall performance rebounded 7 points in the past twelve months, increasing from an index score of 51 to 58 and exceeding 2012 levels (index score of 55). Residents are three times as likely to rate the council's overall performance favourably (45% net good) than unfavourably (15% net poor). It is possible that the increase of 7 points may be attributed to the cohesive and proactive Councillor group, increased organisational transparency and the outcomes of the Good to Great organisational transformation.

Residents are cognizant of improvements in Council performance over time; ratings of overall Council direction increased by 8 points, increasing from an index score of 51 to 59 in the past twelve months. Residents are also twice as likely to describe Council performance as improving (30%) than deteriorating (13%). Half (53%) describe Council performance as staying the same over the past twelve months.

While overall job performance ratings (index score of 58) lag slightly behind regional (59) and state (61) averages, GSCC fares considerably better than the state-wide and regional centres averages for Council direction, with an index score of 59 compared with the respective comparison of 53. It is likely that the community are more aware of Council's direction following the development, communication and implementation of the 2013 – 2017 Council Plan, which may account for the increase in this indicator.

GSCC's ratings are highest for customer service (index score of 72). Following an index score of 68 in 2012, Council has steadily improved by two points each year on this measure. The state (72) and other regional centres (73) fare similarly well when it comes to customer service. As part of the Good to Great initiative there has been a commitment and concerted effort in the organisation being more customer or citizen focussed. Specifically dedicated resources have enabled the Citizen's Services Team better service the community via:

- Managing abandoned calls (and to reduce wait times) by introducing the option for citizens to leave a message and for their call to be returned at a time that suits them.

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.1 2014 Community Satisfaction Survey Report (continued)

- Removing administrative tasks from the area that inhibit the ability to focus on customer interactions.
- Introducing a long 'work time' after each call to ensure that each citizen's matters are finalised before moving on to the next customer.
- Working with each Department to streamline requests to target the right officer the first time which has resulted in a commitment to a new CRM program to manage our requests to create accountability.
- Introducing cross departmental working groups to better manage key Council activities.

In addition the likes of the *Great Services Great People* campaign has aimed to make Council staff more approachable and Council processes less daunting.

Considerable gains were also made in perceptions of Council advocacy, which increased by 8 index points in the past year from 54 to 62 (7 points overall since 2012). Council exceeds state and regional averages by 6 points on this measure. The increase may be attributed to the launch of the Make Shepparton Greater campaign, regular communication of meetings with state and federal Ministers, and the lobbying work undertaken by Council on behalf of SPC Ardmona.

Performance ratings for 'community consultation' improved by four points from 55 to 59. While consultation efforts rate lower than advocacy and customer service, Council still outperforms both the regional (+3 index points) and state-wide averages (+2) on this measure. It is likely that this improvement has been influenced by the extensive consultation undertaken in the formation of the 2013 – 2017 Council Plan, where over 2,400 surveys were received, with 10,000 residents consulted as part of the planning process. In addition as part of Council's community engagement strategy, approximately 20 community based consultations have been undertaken in the development of a range of strategies, community plans and decisions in the last 12 months.

The survey results indicated that there are considerable differences in attitudes by age, with seniors (aged 65+) most favourably disposed and adults aged 35 to 49 least favourable towards the Council on core performance measures.

For example, seniors award the Council an index score of 64 on overall performance (+13 from 2013) while adults aged 35 to 49 award the Council an index score of 52 (-1 from 2013).

Those aged 35 to 49 were also most likely to have contacted the Council in the past year (while seniors were least) and were least satisfied with the customer service they received. This provides some guidance where Council needs to focus its efforts as adults aged 35 to 49 comprise 20.5% of our community. This age group primarily comes into contact with Council in seeking services to assist in meeting the needs of their family and establishing and operating the family home.

In addition, ratings increased significantly among women between this year and last year on almost all core performance measures, with the exclusion of customer service (whose ratings are already significantly higher than these other measures).

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

### **6.1 2014 Community Satisfaction Survey Report (continued)**

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

1. *Active and Engaged Communities (Social)*
  - 1.1 Continue to enhance community capacity building
  - 1.2 Ensure liveability options are always considered in our decision making activities.
  
5. *High Performing Organisation (Leadership and Governance)*
  - 5.1 Develop and implement best practice communication strategies
  - 5.2 Develop strong relationships between Council and State and Federal Governments, local government and non-government partnerships to enhance our position.
  - 5.3 Ensure strong internal systems and process to ensure best practice delivery of services for the community.

#### **Risk Management**

There are no risks identified with this report.

#### **Policy Considerations**

The survey outcomes indicate that many of the initiative introduced by Council are having a positive influence on the organisation's relationship with the community.

The results also highlight that Council needs to focus its efforts as adults aged between 35 to 49 comprise 20.5% of our community. This age group primarily comes into contact with Council in seeking services to assist in meeting the needs of their family and establishing and operating the family home.

#### **Financial Implications**

There are no financial implications associated with this report.

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

There are no Legal/Statutory Implications identified with this report.

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

There are no Environmental/Sustainability impacts associated with this report.

#### **Social Implications**

The survey results indicate that the relationship and interactions between Council and the community have significantly improved. The results reinforce that Council needs to continue to consistent implement its strategies to maintain and increase the level of community satisfaction.

#### **Economic Impacts**

There are no Economic Impacts associated with this report.

#### **Consultation**

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

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **6.1 2014 Community Satisfaction Survey Report (continued)**

#### **Strategic Links**

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

###### **Direction 1: Settlement**

Commitment to growth within a consolidated and sustainable development framework.

###### **Direction 2: Community Life**

Enhance social connectedness, physical and mental health and wellbeing, education and participatory opportunities in order to improve liveability with a greater range of public open spaces, and recreation and community services.

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

There are no strategic links relating to this report.

#### **Conclusion**

The 2014 Community Satisfaction results reinforce that many of the strategies implemented by Council are achieving results and having a positive impact on the organisation's relationship with its community. While there has been an increase in overall satisfaction, the result also serve as a benchmark in terms of the business areas that require further concentration, and the specific cohorts of our community that we need to better service and engage.

The 2014 results will be used to inform business and service planning in 2015 and beyond.

#### **Attachments**

2014 Community Satisfaction Survey Results Page 86

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.2 Contracts Awarded Under Delegation Report - June 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): Acting Manager Corporate Performance**

**Approved by: Acting Manager Corporate Performance**

#### **Executive Summary**

To inform the Council of publicly advertised contracts awarded by the Chief Executive Officer and Directors under delegated authority of the Council during the period March 2014 to May 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 Patterson**

That the Council notes the publicly advertised contracts awarded by the Chief Executive Officer and Directors under delegated authority and tenders that have been advertised but not yet awarded.

**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>
1416	Professional Veterinary Services	Schedule of Rates contract for Veterinary services for a two year contract with a possible two year extension	\$282,644.20	Shepparton Veterinary Clinic

**6. OFFICE OF THE CHIEF EXECUTIVE OFFICER**
**6.2 Contracts Awarded Under Delegation Report - June 2014 (continued)**
**Tendered Contracts Awarded under Delegated Authority by the Director**

<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>
1512	Condition Surveys of Sealed Road Pavement & Surface and Kerb & Channel	Provision of a condition survey for Greater Shepparton City Council's sealed road pavements, surfaces and kerb and channel.	\$146,479.30	Infrastructure Management Group

**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>
1480	Aquamoves Cogeneration Plant	Lump sum contract for the, supply and installation of Cogeneration Plant in the Shepparton Aquamoves Aquatic Centre	Tender closed 26 March 2014. Tenders have been evaluated and will be signed under delegation. Further information was required from consultant and has now been approved and will be awarded with contracts being sent out for signing.
1501	Outsourced Travel and Accommodation Bookings Provider 2014	Provision of a centralised, outsourced travel and accommodation booking process for a three year contract with a possible one year extension.	Tender closed 26 March 2014. Tenders currently being evaluated and will be signed under delegation. Contract being prepared and sent out for signing.
1507	Baldock St Drainage, Dookie	Lump sum contract for the civil works associated with the Baldock Street Drainage Upgrade (Dookie)	Tender closed 23 April 2014. Tenders have been evaluated and will be signed under delegation.
1404	Functional and Detailed Design of the Community Football Complex Shepparton	Provision of Engineering Design Services for the Functional and Detailed Design of the Shepparton Sports Precinct, corner of Numurkah Road and Brauman Street Shepparton.	Tender closed 7 May 2014. Tender will be authorised for signing and sealing by Council.
1526	Powerline Tree Pruning 2014	Lump sum contract for Powerline Tree pruning services in the Shepparton, Mooroopna & Tatura declared areas	Tender closed 7 May 2014 and currently being evaluated and will be signed under delegation.



**6. OFFICE OF THE CHIEF EXECUTIVE OFFICER**
**6.2 Contracts Awarded Under Delegation Report - June 2014 (continued)**

<b>Contract No.</b>	<b>Contract Name</b>	<b>Contract detail, including terms and provisions for extensions</b>	<b>Status</b>
1510	Provision of Design and Construction Management of Central Park Recreation Reserve Sewerage System	Lump sum contract for Design and Construction/Management of Central Avenue Sewerage System services.	Tender closed 7 May 2014. Tenders currently being evaluated and will signed under delegation.
1492	Shepparton Show Me - Provision of Marketing &/or Advertising Services	Schedule of rates contract is for the provision of Marketing and Advertising Services – Panel of Suppliers for a three year contract with a possible one year extension.	Tender closed 21 May 2014. Tenders currently being evaluated and will be approved at the July Council Meeting.
1466	Kerbside Waste, Recyclables and Organics Collection	Lump sum contract for Kerbside Waste, Recyclables and Organics Collection	Tender closed 4 June 2014. Tenders currently being evaluated
1467	Recyclables Acceptance and Sorting	Lump sum contract for Recyclables Acceptance and Sorting	Tender closed 4 June 2014. Tenders currently being evaluated
1468	Organics Acceptance and Processing	Lump sum contract for Organics Acceptance and Processing	Tender closed 4 June 2014. Tenders currently being evaluated
1524	GVW Water Main Reticulation - Verney Road Stage 1 - Ford Road to Hawkins Street, Shepparton	Lump sum contract for the relocation & upgrade of GVW water main – Verney road upgrade, Shepparton	Tender closed 4 June 2014. Tenders currently being evaluated
1465	Panel of Suppliers - Home Safety Services	Provision and Installation of Home Safety and Modification Services within the City of Greater Shepparton for an initial one year contract with a possible one year extension.	Tender closed 4 June 2014. Tenders currently being evaluated
1521	Shepparton Library Redevelopment - Construct	Lump sum contract for the construction works associated with the Shepparton Library Redevelopment (Construct).	Tender closed 11 June 2014. Tenders currently being evaluated
1530	Construction of Toilet Block at Deakin Reserve, Harold Street, Shepparton	Lump sum contract for the construction of toilet block at Deakin Reserve, Harold Street, Shepparton	Tender closes 18 June 2014.

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.2 Contracts Awarded Under Delegation Report - June 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 March 2014 to May 2014.

#### **Attachments**

Nil

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.3 Committees of Management - Membership

#### **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:** Acting Committees Liaison Officer

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

**Approved by:** Acting Manager Corporate Performance

#### **Executive Summary**

At the Ordinary Council Meeting held on 15 April 2014 eight members were appointed to the Toolamba Recreation Reserve and Community Centre Committee of Management for a term expiring on 16 April 2016. This report recommends that the three new committee members be appointed for the remaining term concluding at the expiry of the current committee's appointment.

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

#### **Seconded by Cr Oroszvary**

That the Council:

1. having considered the extra nominations received for appointment to the Toolamba Recreation Reserve Committee of Management, appoint the following members for the remaining term concluding on 17 April 2016:
  - John MORRITT
  - Vin WHITE
  - Rhonda WHITE
2. resolve that all members (who are not Councillors or nominated Officers) of the Toolamba Recreation Reserve and Community Centre 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.**

#### **Background**

##### Toolamba Recreation Reserve and Community Centre Committee of Management

The term of office for the current members of the Toolamba Recreation Reserve and Community Centre Committee of Management were renewed at the 15 April 2014 Council meeting.

These additional members have submitted nominations forms indicating their interest in becoming members of the Committees. It is therefore necessary for Council to appoint three new committee members to manage the facility over the remaining appointment.

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **6.3 Committees of Management - Membership (continued)**

A public notice calling for applications from community members who are interested in joining the committee was placed in the Shepparton News on Friday 7 March 2014 and Saturday 15 March 2014. Letters were also sent to the outgoing members of the committee inviting them to apply for another term on the committee.

#### Interest Return Exemption

In accordance with the resolution passed at the Ordinary Council Meeting held on 15 April 2014 it is recommended that the exemption from completing Interest Returns by members of the Toolamba Recreation Reserve and Community Centre Committee of Management be extended to include the new members being appointed to the committees.

#### **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 of 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.

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

All of Council's Committees of Management have been established under section 86 of the *Local Government Act 1989* and have been issued with an Instrument of Delegation and Guidelines outlining their responsibilities.

The appointment and rescission of members of these 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.

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.3 Committees of Management - Membership (continued)

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

A public notice calling for applications from community members who are interested in joining the and the Toolamba Recreation Reserve and Community Centre Committee of Management was placed in the Shepparton News on Friday 7 March 2014 and Saturday 15 March 2014. Letters were also sent to the outgoing members of the committees inviting them to apply for another 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.

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**

Council could choose not to appoint members to Toolamba Recreation Reserve and Community Centre Committee of Management but this would leave the facilities without a committee of management and thus they would need to be directly managed by Council officers.

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **6.3 Committees of Management - Membership (continued)**

Council could also choose not to appoint all of the applicants to either committee. However, in accordance with the Guidelines Applying to the Instrument of Delegation to the committee, there is required to be a minimum of five members appointed to a Committee of Management at any time.

#### **Conclusion**

It is recommended that all of the additional nominated applicants be appointed to the Toolamba Recreation Reserve and Community Centre Committee of Management

#### **Attachments**

Nil

## **7. COMMUNITY DIRECTORATE**

### **7.1 Positive Ageing Advisory Committee - Amendment to Terms of Reference and Appointment of New 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:** Access and Inclusion Officer

**Proof reader(s):** Team Leader Positive Ageing, Manager Neighbourhoods

**Approved by:** Director Community

**Other:** Committees Liaison Officer

#### **Executive Summary**

The Greater Shepparton Positive Ageing Committee (previously known as the Older Person's Advisory Committee) was established by Greater Shepparton City Council in 2011 to promote community participation and awareness of older person's needs within the municipality.

The Advisory Committee have completed a review of their Terms of Reference and have made minor changes. The revised terms are now presented for endorsement by Council.

In addition to this, the Committee are now seeking endorsement of three new nominated community representatives for a three year term, as outlined in the current Terms of Reference.

#### **Moved by Cr Summer Seconded by Cr Oroszvary**

That the Council:

1. endorse the amended Terms of Reference for the Positive Ageing Advisory Committee
2. continue the current appointments of the community members to the Positive Ageing Advisory Committee made at the Ordinary Council Meeting held on 16 April 2013

Current members will continue as per terms of membership until April 2016:  
Lisa McIlfratrick – Service Organisation Representative of Wintringham Homes

Albert Kellock  
Alfred Heuperman  
Christine Wilson  
Dean Walton  
Eric Farrow  
Jeanette Doherty  
Margaret (Peg) Newman  
Terri Wyatt.

## 7. COMMUNITY DIRECTORATE

### 7.1 Positive Ageing Advisory Committee - Amendment to Terms of Reference and Appointment of New Members (continued)

3. having considered nominations received for appointment to the Positive Ageing Advisory Committee, appoint the following members for a term of three years:

Tony Bell  
Kevin Geary  
James Woods.

**CARRIED.**

#### **Background**

At the September 2009 Ordinary Council Meeting, the Council adopted the Greater Shepparton Positive Ageing Strategy. One of the key recommendations in this strategy was the establishment of an Older Person's Advisory Committee (OPAC). On the 21 December 2010 Council adopted the guidelines of the committee and subsequently its first meeting was held in February 2011. The purpose of the committee is to promote community participation and awareness of older person's needs within the municipality. The committee comprises of members from the community, a community based service provider and a Greater Shepparton City Council Councillor. The PAAC is supported by a Senior Council Officer and Council's Access and Inclusion Officer.

In November 2012, the Council formally adopted a title change to the committee, to the Positive Ageing Advisory Committee (PAAC) and also adopted a change to the Terms of Reference to increase the membership from 12 to 16 members.

As specified in the Terms of Reference, the Advisory Committee is required to review its Terms of Reference annually. The Advisory Committee have completed the review and the following amendments have been made:

- Change of template for the Terms of Reference
- Report to be presented annually at the August Ordinary Council Meeting.

Following a number of resignations of existing committee members, an expression of was undertaken encouraging additional community members to become part of the committee. Having considered nominations received, it was determined that three community applicants be appointed as community representatives to the Positive Ageing Advisory Committee.

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

Goal 1 – Active and Engaged Community (Social). Objective 1, 3 and 4: Ensure that the community are consulted and engaged in planning for all ages for future development.  
Goal 4 – Quality Infrastructure (Built). Objective 1 and 2: Consultation with the community to address the needs of older people to enable positive ageing.

#### **Risk Management**

The recommendations focus on minor changes to an existing Terms of Reference, which provides clear roles and objectives for committee members.



## 7. COMMUNITY DIRECTORATE

### 7.1 Positive Ageing Advisory Committee - Amendment to Terms of Reference and Appointment of New Members (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
The PAAC fails to comply with the Assemblies of Councillor's requirement set out in the Local Government Act 1989.	C	3	Moderate	Inclusion of a clause within the Terms of Reference outlining this requirement which will remind the committee of their obligations.
Lack of communication between Committee and Council.	C	4	Low	One Councillor is an appointed member of the committee to provide a communication channel and directions.

#### **Policy Considerations**

The above recommendations do not conflict with any Council Policy.

#### **Financial Implications**

There are no financial implications associated with this report.

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

There are no Legal/Statutory Implications identified with this report.

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

There have been no negative environmental/sustainable impacts identified for this report.

#### **Social Implications**

Appointing new community members to the PAAC will help build a sense of community as it raises the profile of positive ageing within our community.

There are many benefits to consider relating to social implications including:

- Sense of community – stakeholder participation for the older people in our community and social cohesion.
- Community Services – improve the range and quality of services for different groups such as elderly people, improvement of the accessibility of services.
- Community Health and well-being – accessible and inclusive recreation facilities, public safety, health services and facilities or public health implications.
- Education and skills development – number and quality of education options for the community, life-long learning opportunities or meeting the needs of our local community.
- Transport – safety for travellers, emissions of fuel consumption, public transport usage, walking and cycling or transportation needs of the older person.

#### **Economic Impacts**

No Economic Impacts have been identified with this report.

## 7. COMMUNITY DIRECTORATE

### 7.1 Positive Ageing Advisory Committee - Amendment to Terms of Reference and Appointment of New Members (continued)

#### Consultation

Advertisements calling for nominations to the Positive Ageing Advisory Committee were placed in the Shepparton News on 21 and 28 February 2014. A notice calling for nominations was also placed on Council's website for the same period, and also verbally at community organisations and through email distribution. Nominations closed on 21 March 2014. Following the closing date, submissions were reviewed and interviews undertaken with potential members. It was determined that three community applicants be appointed as community representatives to the committee. This recommendation has been made with the support of the Positive Ageing Advisory Committee Members and Council's Governance officers.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed.	Newspaper advertisements Consultation with committee members.
Involve	Work together. Feedback is an input into decision-making.	Council to consult with the committee in relation to matters relating to positive ageing in Greater Shepparton.
Collaborate	Feedback and advice received from the Committee will be incorporated into decisions to the maximum level possible.  Council will give due consideration to implementation of the committee's recommendations.	Advisory Committee consisting of community members to be appointed. A Councillor is appointed to the committee. The committee is supported by the Team Leader Positive Ageing and the Access and Inclusion Officer. Council will consider funding requests where possible to undertake desired projects.

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

#### Strategic Links

a) Greater Shepparton 2030 Strategy

b) Other strategic links

a) Greater Shepparton 2030 Strategy

The proposal is consistent with the Community Life within the strategy.

b) Other strategic links

Greater Shepparton Universal Access and Inclusion Plan 2013 - 2017

#### Options for Consideration

The options for consideration are:

1. Retain the current Terms of Reference.
2. Adopt the revised Terms of Reference.

The recommendations contain the preferred options.

## **7. COMMUNITY DIRECTORATE**

### **7.1 Positive Ageing Advisory Committee - Amendment to Terms of Reference and Appointment of New Members (continued)**

#### **Conclusion**

The Committee has reviewed the Terms of Reference and propose two minor amendments to bring the document up to date. Considerable effort and consultation has gone in to reviewing the terms of reference and the committee are confident the new document will help them complete their functions.

#### **Attachments**

Terms of Reference - Positive Ageing Advisory Committee May 2014 Page 137

## 7. COMMUNITY DIRECTORATE

### 7.2 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - March 2012 - December 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: Cultural Development Officer**

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

**Approved by: Director Community**

#### **Executive Summary**

The Greater Shepparton Cultural Diversity and Inclusion Strategy and associated Action Plan 2012-2015, was adopted by Council at its Ordinary Council Meeting on 20 March 2012. Implementation of the first eighteen months of the Strategy and Action Plan is now complete and a review has been undertaken of the activities and actions carried out. Council Officers, in partnership with local service providers and community members, have been working together towards creating a more inclusive society by implementing the actions from this strategy. Officers will continue to collaborate moving forward to build on and deliver the strategy's actions.

**Moved by Cr Summer**

**Seconded by Cr Oroszvary**

That the Council note the achievements update of the Greater Shepparton City Council Cultural Diversity and Inclusion Strategy and Action Plan 2012-2015.

**CARRIED.**

#### **Background**

Greater Shepparton is a richly diverse region with the 2011 Australian Bureau of Statistics Census revealing that 13.1% of the population identifies as being born in a country other than Australia. An increase of 37.1% in the number of people identifying as coming from a non-English speaking background was identified in the period from 2006 to 2011. 9.9% of the population in Greater Shepparton identified as coming from a non-English speaking background compared with Regional Victoria's statistic of 5.5%. Greater Shepparton's three largest non-English speaking populations come from India, Afghanistan and Iraq. Overall the Greater Shepparton population represents 41 countries in its ancestral histories.

Following extensive community and stakeholder consultation undertaken throughout 2011, Council's first Cultural Diversity and Inclusion Strategy and associated Action Plan was adopted by Council at its Ordinary Council Meeting in March 2012. The development of the strategy was designed to build on the existing positive achievements and relationships of Greater Shepparton City Council with the Culturally and Linguistically Diverse (CALD) community. The strategy guides Council's commitment to supporting and celebrating cultural diversity through best practice. Since the adoption of the plan a number of measures have been achieved or are ongoing under the six strategic directions.

## **7. COMMUNITY DIRECTORATE**

### **7.2 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - March 2012 - December 2013 (continued)**

Local organisations and service providers that Council liaises, consults and partners with include The Ethnic Council Shepparton & District, Shepparton Interfaith Network, Primary Care Connect, Uniting Care Cutting Edge, Relationships Australia, Familycare, Shepparton English Language Centre, Gotafe, Victoria Police, Goulburn Valley Regional Library, The Bridge, Word and Mouth and Rumbalara Co Op, amongst others.

#### **Highlights of the reporting period include:**

##### **Key Strategic Direction 1 – Engagement: Communicate and Educate**

- Council supported the promotion of GOTAFE's interpreter course for Dari speakers. 17 students commenced the course in February 2013 and of these 17, 14 students completed the course.
- The Language Services CEO Directive has been developed in conjunction with Council's Citizen Services Branch. This directive will provide guidance to staff on the use of interpreters, translators and Auslan services to engage with the community.

##### **Key Strategic Direction 2 – Partnership**

- Council's partnership with Shepparton Interfaith Network has strengthened through the collaborative work undertaken in the planning for Refugee Week, the development of the calendar of culturally significant dates and the development of a Multi Faith Prayer and Complementation room to be launched at the Welsford Street offices.
- A representative from Council's Community Strengthening Branch has continued to be a part of the Integrated Settlement Committee. The committee has wide representation from a number of local agencies and focuses on initiatives to support migrant settlement in Shepparton.

##### **Key Strategic Direction 3 – Leadership**

- Council has worked with local media in the promotion of cultural diversity within the region through positive stories relating to Harmony Day, Refugee Week and the Emerge festival.
- Council in partnership with Multicultural Arts Victoria developed a Cultural Leadership Workshop that was held in June 2013. The workshops were delivered to community members and provided training in both leadership and financial sustainability for local cultural groups.

##### **Key Strategic Direction 4 – Celebration**

- Council assisted, promoted and celebrated Greater Shepparton's diverse society by encouraging the participation of CALD community in mainstream events and the promotion of cultural events to the wider community.
- In 2012, a calendar of culturally significant events was developed and distributed to the community for 2013. With such positive feedback, a calendar for 2014 will also be produced.

## 7. COMMUNITY DIRECTORATE

### 7.2 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - March 2012 - December 2013 (continued)

#### **Key Strategic Direction 5 – Advocate**

- Council supported two local businesses (Bunnings and Broker House) to undertake Localities Embracing and Accepting Diversity (LEAD) training, in cultural diversity and awareness of race based discrimination.
- Memorandums of Understanding have been signed by the local Neighbourhood Houses outlining the requirements for funding received from Council. These included a focus to provide opportunities that promote an active, accessible and inclusive community that provides social, economic, educational, sporting, recreational and cultural opportunities for families and individuals to ensure they feel connected, safe and supported within the community.

#### **Key Strategic Direction 6 – Services**

- Council's People Performance Department develop, maintain and coordinate Council's employee training. As part of Council's online compulsory training, a component has been included to increase employees' knowledge of cultural diversity. The LEAD, pro diversity training is a requirement of all new employees to be completed in the first month of commencing with Council.
- Introduction of art to diversify the Council office foyer, included work from the LEAD Art Project and totems with the word "welcome" in a number of languages.

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

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

<b>Objective</b>	<b>Aim</b>	<b>Strategies</b>
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.	<ul style="list-style-type: none"> <li>• Continue to engage and partner with our aboriginal community to support improved opportunities and outcomes in employment and health.</li> <li>• Ensure council's activities and events support and enhance cultural harmony and inclusiveness.</li> <li>• Continue to monitor, review annually and implement the Greater Shepparton City Council Cultural Diversity and inclusion Strategy.</li> <li>• Recognise and take advantage of opportunities to celebrate our diversity.</li> </ul>

#### **Risk Management**

There are no high or extreme risks identified with this report.

#### **Policy Considerations**

This report supports existing Council policies including but not limited to Council's Language Services CEO Directive.

## 7. COMMUNITY DIRECTORATE

### 7.2 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - March 2012 - December 2013 (continued)

#### Financial Implications

	2011/2012 Approved Budget for this proposal*\$	2012/2013 Approved Budget for this proposal*\$	1 July 2013 to 31 December 2013 Approved Budget for this proposal*\$
Revenue	\$28,565.63	\$14,192.16	\$21,284.20
Expense	\$73,296.25	\$57,643.85	\$37,639.33
Net Result	\$44,730.62	\$43,451.69	\$16,355.13

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

#### Legal/Statutory Implications

There has been no legal/statutory implication in the past eighteen months and at this stage none foreseeable in the future.

#### Environmental/Sustainability Impacts

There has been no environmental/sustainability impacts in the past eighteen months and at this stage none foreseeable in the future.

#### Social Implications

Greater Shepparton has been the destination for migrants and refugees and patterns of immigrations are likely to continue as new emerging communities seek settlement in Australia.

The Cultural Diversity and Inclusion Strategy is designed to build on the existing positive achievements of the Council and continue the commitment to support and celebrate cultural diversity through best practice to achieve a cohesive and inclusive society.

#### Economic Impacts

No economic impacts have been assessed in the compilation of this report.

#### Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Public and local organisations were informed by various techniques regarding the development of the strategy's consultation and an invitation for feedback.	Public notice in the Shepparton News, media release, community radio and direct mail.
Consult	Council consulted broadly in the development of the strategy and action plan with many emerging and established cultural communities as well as sector organisations.	Individual public forums for different cultures with interpreters, Council's website, invitation for feedback and translation of draft strategy for comment.
Involve	Partnerships with local sector organisations have played a crucial role in the delivery of a number of the actions outlined in the key strategic directions.	Committees, meetings, networking.

## 7. COMMUNITY DIRECTORATE

### **7.2 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - March 2012 - December 2013 (continued)**

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Collaborate	Council has collaborated with both community members and local sector organisations to complete a number of actions within the plan.	Community meetings, committees. Involving communities within or through the completion of the Action Plan, advocate to combat prejudice and race-based discrimination and continue to address the specific needs of CALD communities.

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

#### **Strategic Links**

a) Greater Shepparton 2030 Strategy

Direction 2 – Community Life

b) Other strategic links

Greater Shepparton City Council – Community Development Framework

#### **Options for Consideration**

- Review and note the first year of the Cultural Diversity and Inclusion Strategy and Action Plan

#### **Conclusion**

Over the past eighteen months, Officers in partnership with local service providers have been working towards creating a more inclusive society by implementing the actions from the Cultural Diversity and Inclusion Strategy. Many positive outcomes have been achieved and ongoing work continues to drive this strategy forward. Officers will continue to collaborate with service providers and the community to deliver high quality outcomes. The strategy will be reviewed regularly to note and recognise achievements moving forward.

#### **Attachments**

1. Cultural Diversity and Inclusion Strategy and Action Plan Page 142
2. Cultural Diversity - Key Strategic Directions Pdf Page 168



## 8. BUSINESS DIRECTORATE

### 8.1 May 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: Acting Manager Finance and Rates**

**Proof reader(s): Acting Director Business**

**Approved by: Acting Director Business**

#### **Executive Summary**

The report presents Council's actual financial performance compared to the budget for the eleven months ended 31 May 2014.

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

#### **Seconded by Cr Oroszvary**

That the Council receive and note the May 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 of \$3.9 million, mainly due to transfers to restricted investments of \$3.46 million to be considered for re-budgeting in 2014/2015.

On 20 May 2014, Council adopted the 2013/2014 March Quarter Budget Review with revenue of \$115.3 million and expenditure of \$111.1 million and an operating surplus of \$4.2 million. The forecast decrease in operating surplus of \$923,000 was largely due to \$1 million in Building Better Regional Cities program rebates expenditure being brought forward from future years. The 2013/2014 March Quarter Budget Review also provided for \$33.8 million in capital works, a forecast decrease of \$3.1 million, mainly due to

## 8. BUSINESS DIRECTORATE

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

transfers to restricted investments of \$1.9 million to be considered for re-budgeting in 2014/2015 and expenditure savings of \$1.2 million.

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.

#### **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 May 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 eleven months ended 31 May 2014.

#### **Attachments**

May 2014 Monthly Financial Report Page 180

## 8. BUSINESS DIRECTORATE

### 8.2 Draft 2014/2015 Budget

#### **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: Acting Manager Finance and Rates**

**Proof reader(s): Acting Director Business**

**Approved by: Acting Director Business**

#### **Executive Summary**

The report presents to Council the Draft Budget for the financial year ending 30 June 2015. It is proposed that public notice be given inviting submissions on any proposal contained in the Draft 2014/2015 Budget.

The *Local Government Act 1989* requires the Council to give public notice of the preparation of the budget and a person has a right to make a submission on any proposal contained in the budget. Submissions will be received until 5.00pm Friday 18 July 2014.

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

That the Council:

1. endorse the Draft 2014/2015 Budget as presented;
2. authorise the Chief Executive Officer to:
  - a. give public notice of the preparation of the Draft 2014/2015 Budget in accordance with section 129 of the *Local Government Act 1989*;
  - b. invite submissions in accordance with section 223 of the *Local Government Act 1989*; and
  - c. administer the section 223 process.
3. hold a Special Council Meeting on Tuesday 22 July 2014 at 5.30pm to hear any person wishing to be heard in support of their submission on any proposal contained in the Draft 2014/2015 Budget in accordance with section 223 of the *Local Government Act 1989*.
4. consider all written submissions on any proposal contained within the Draft 2014/2015 Budget.
5. consider a recommendation to adopt the 2014/2015 Budget at Special Council meeting to be held at 5.30pm on Tuesday 5 August 2014.

**CARRIED.**

## 8. BUSINESS DIRECTORATE

### 8.2 Draft 2014/2015 Budget (continued)

#### **Background**

The Draft 2014/2015 Budget has been prepared in accordance with the requirements of the *Local Government Act 1989*.

Council has updated its Strategic Resource Plan for the ten years from 2014 to 2024 as part of its corporate planning framework to assist in preparing a budget within a longer term framework. The Draft 2014/2015 Budget reflects year one of the updated Strategic Resource Plan and takes into account the activities and initiatives which contribute to achieving the strategic objectives specified in the Council Plan. The Strategic Resource Plan highlights the significance of rates and charges as a source of revenue and guides Council on the amount required to be raised to maintain services, renew existing assets and invest in new and upgraded assets.

As provided for within the Strategic Resource Plan the Draft 2014/2015 Budget proposes a 4.95 per cent increase in rates and charges, excluding supplementary valuations, which will generate \$63.44 million. The proposed rating structure for the 2014/2015 year has been informed by the Rating Strategy 2013-2017 which took into account the recommendations of the Rating Strategy Reference Group and subsequent public comment received regarding what is an equitable distribution of the rates burden between categories of ratepayers.

Due to proposed changes to the rating structure the rates paid by some property types will increase while the rates paid by other properties will decrease as detailed in the table below which shows the impacts of changes on median valued properties from the 2013/2014 annualised figures:

<b>RATES AND CHARGES</b>	<b>Median CIV</b>	<b>Total Declared 2014/2015</b>	<b>Change from 2013/2014 Annualised</b>		<b>Per week</b>
RESIDENTIAL UNIMPROVED LAND	\$116,000	\$785	\$64	9%	\$1.23
RESIDENTIAL IMPROVED LAND	\$230,000	\$1,565	\$125	9%	\$2.40
FARM LAND	\$374,000	\$1,825	\$86	5%	\$1.65
RURAL RESIDENTIAL LAND	\$343,000	\$2,098	\$177	9%	\$3.40
COMMERCIAL UNIMPROVED LAND	\$369,000	\$3,717	\$789	27%	\$15.17
COMMERCIAL IMPROVED 1 LAND	\$310,000	\$3,410	(\$208)	(6%)	(\$4.00)
COMMERCIAL IMPROVED 2 LAND	\$880,000	\$8,536	(\$1,016)	(11%)	(\$19.54)
COMMERCIAL IMPROVED 3 LAND	\$145,500	\$1,610	\$39	2%	\$0.75
INDUSTRIAL UNIMPROVED LAND	\$231,500	\$2,421	\$371	18%	\$7.13
INDUSTRIAL IMPROVED 1 LAND	\$336,000	\$3,470	(\$103)	(3%)	(\$1.98)
INDUSTRIAL IMPROVED 2 LAND	\$1,430,000	\$13,722	(\$2,450)	(15%)	(\$47.12)
INDUSTRIAL IMPROVED 3 LAND	\$206,500	\$2,185	\$104	5%	\$2.00
RECREATIONAL LAND	\$1,380,000	\$4,987	\$473	10%	\$9.10

The Draft 2014/2015 Budget provides for an Operating Surplus of \$9.24 million.

The 2014/2015 Schedule of Fees and Charges was adopted by Council at its Ordinary Meeting on 20 May 2014. It is budgeted that the adopted fees and charges will raise \$20.68 million during the 2014/2015 financial year. A list of amendments to the adopted Schedule of Fees and Charges is included in the Draft 2014/2015 Budget as Appendix F.

## 8. BUSINESS DIRECTORATE

### **8.2 Draft 2014/2015 Budget (continued)**

To improve the understanding of the range and cost of the functions performed by Council the Draft 2014/2015 Budget incorporates a Program Budget which details purpose, influences, challenges, Council Plan links and service reduction/growth areas for each Council function. This is included in the Draft 2014/2015 Budget as Appendix D.

The Draft 2014/2015 Budget provides for a \$37.42 million capital works program. Funding sources include \$23.53 million from Council operations, cash reserves and investments and \$5.89 million from external grants and cash contributions.

An additional \$2 million in borrowings is proposed in the Draft 2014/2015 Budget to fund Council's contribution to the Greater Shepparton Regional Sports Precinct project.

The proposed capital works program includes:

#### *Roads and Drains*

- Verney Road – Ford Road to Balaclava Road \$2.11 million
- Roads to Recovery Program \$1.45 million
- Urban and Rural Drainage renewal program \$0.80 million
- Kerb and Channel Renewal works \$0.58 million
- Aquamoves Car Park Redevelopment \$0.40 million
- Nixon Street and Welsford Street intersection works \$0.37 million

#### *Open space & Recreation*

- Shepparton Sporting Precinct redevelopment \$5.31 million
- Katandra West Community Centre \$1.3 million
- Mooroopna Recreation Reserve Power Upgrade \$0.32 million
- Mooroopna Community Storage Shed \$0.30 million

#### *Buildings*

- Building renewal works \$2.30 million
- Tatura Park Outdoor Arena Roof Structure \$0.63 million
- Philippine House Restoration \$0.30 million

#### *Other*

- Plant Purchases \$3.31 million
- Information Technology equipment renewals \$1.07 million
- Saleyards upgrades and renewals \$0.54 million
- Pine Lodge Cemetery Expansion \$0.50 million
- Ferrari Park, Mooroopna and Toolamba Public Toilets \$0.47 million

Incorporated in the capital works program is \$18.79 million for renewal works. As part of the further development of its asset management system, Council is continuing to move from allocating renewal funding based on accounting depreciation expense to the prioritisation of renewal works based on assessed condition.

### **External Influences**

In preparing the Draft 2014/2015 Budget, a number of external influences have been taken into consideration, as they impact significantly on the services delivered by the Council in the budget period. These include:

- Consumer Price Index (CPI) of 2.9 per cent per annum (as at March 2014)
- MAV Local Government cost index of 3.4 per cent per annum for 2013/2014

## 8. BUSINESS DIRECTORATE

### 8.2 Draft 2014/2015 Budget (continued)

- Average growth within Greater Shepparton of one per cent per annum which impacts the demand on Council services, infrastructure and Council costs associated with residential developments.
- State and Federal grants decreasing in real terms as the current trend of grants being indexed to CPI or less continues and in some cases indexation is even being frozen. This means that each year government grants are not keeping pace with the cost to Council of delivering services.
- Increase of 10 per cent (or \$2.70 per tonne) in the levy payable to the State Government upon disposal of waste into landfill, resulting in additional waste tipping costs. The municipal levy has increased from \$7 per tonne in 2008/2009 to \$29.30 per tonne in 2014/2015 (318 per cent increase in 6 years). The industrial levy has increased from \$13 per tonne in 2008/2009 to \$51.30 per tonne in 2014/2015 (295 per cent increase in 6 years).
- Fuel and associated products pricing expected to remain high based on worldwide demand
- Prevailing economic conditions faced across the community
- Potential additional employer contributions to the defined benefit superannuation scheme. An amount of \$350,000 will be set aside each year to offset any future calls should they arise.
- From 1 July 2014 the Superannuation Guarantee will increase from 9.25 per cent to 9.5 per cent progressively rising to 12 per cent by 2023.
- From 1 July 2013, the Victorian Government introduced the Fire Services Property Levy to be collected by Council and immediately passed on to the Victorian Government. The levy is payable by all rateable and non-rateable property owners.
- Council also collects other fees of behalf of the State including Building Permit Levy's and some Aged Services.

#### **Internal Influences**

As well as external influences, there are a number of internal influences which have a significant impact on the preparation of the Draft 2014/2015 Budget. These matters have arisen from events occurring in the 2013/2014 year resulting in variances between the forecast actual and budgeted results for that year and matters expected to arise in the 2014/2015 year. These matters and their financial impact are set out below:

- The Council's Strategic Resource Plan provides strategic direction on financial sustainability and guides the development of the 2014/2015 Budget. This will assist Council to maintain a low risk financial sustainability rating as assessed by the Victorian Auditor General.
- 4.95 per cent rates and charges increase on the existing capital improved value of properties to fund services and infrastructure.
- As included in the Council's Strategic Resource Plan, discretionary user fees and charges collected are projected to increase by 3.5 per cent annually, which includes inflation of 2.5 per cent and growth of 1 per cent.
- Negotiations are currently being held for a new Enterprise Bargaining agreement to replace the existing agreement which increases 30 June 2014. In lieu of this agreement, the budget is based on strategic resource plan projections of 3.25% for

## 8. BUSINESS DIRECTORATE

### 8.2 Draft 2014/2015 Budget (continued)

an Enterprise Bargaining increase from 1 July 2014. The budget also takes into account banding level increments and additional staff resources to meet growth and demand.

- The estimated average annual infrastructure renewal required is over \$23 million per year, which is \$4 million greater than the budgeted 2014/2015 renewal funding of \$18.8 million.

#### **Council Plan/Service Performance Outcome and Financial Performance Indicators**

The Draft 2013/2014 Budget is consistent with the five strategic goals of the Council Plan which include:

1. Active & Engaged Community (Social)
2. Enhancing the Environment (Natural)
3. Economic Prosperity (Economic)
4. Quality Infrastructure (Built)
5. High Performing Organisation (Leadership & Governance)

The Draft 2014/2015 Budget also includes 13 Service Performance Outcome indicators and 12 Financial Performance indicators as required by the *Local Government (Planning and Reporting) Regulations 2014 No. 17*. The final outcomes of these indicators will be reported in the 2014/2015 audited annual report.

#### **Risk Management**

A well planned budget will reduce the risk that Council will not be able to provide the services expected and required by the community.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to comply with the Local Government Act 1989	Unlikely	1	High	Recommendation for Council to authorise the provision of public notice for the Draft 2013/2014 Budget
Operating surplus not achieved	Possible	3	Medium	Monthly and Quarterly Budget Reviews reported to Council
Capital works budget not delivered within the financial year	Possible	3	Medium	Project bids and cost estimates have been reviewed

#### **Policy Considerations**

There are no conflicts with Council policy. The annual budget resources the Council Plan to enable the outcomes in the Council Plan to be achieved, including Council policies.

#### **Financial Implications**

The full financial implications are outlined in the background section of this report and within the attachments.



## 8. BUSINESS DIRECTORATE

### 8.2 Draft 2014/2015 Budget (continued)

	2013/2014 Forecast	2014/2015 Draft Budget	Variance \$	Comments
Revenue	115,300,000	119,973,000	4,673,000	4.1 per cent increase
Expense	111,109,000	110,729,000	380,000	0.3 per cent decrease
Net Result	4,191,000	9,244,000	5,053,000	121 per cent increase

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

The Draft 2014/2015 Budget has been prepared in accordance with the requirements of the *Local Government Act 1989 (Act)* and the *Local Government (Planning and Reporting) Regulations 2014 No. 17*.

In accordance with section 127 of the Act, Council must prepare a Budget for each financial year. The Council must ensure that the budget contains:

- a) the standard statements in the form and containing the matters required by the regulations;
- b) a description of the activities and initiatives to be funded in the budget;
- c) a statement as to how the activities and initiatives will contribute to achieving the strategic objectives specified in the Council Plan;
- d) separately identified Key Strategic Activities to be undertaken during the financial year and performance targets and measures in relation to each Key Strategic Activity;
- e) any other details required by the regulations.

Sections 9 and 10 of the *Local Government (Planning and Reporting) Regulations 2014 No. 17* further stipulates:

#### 9 The financial statements

For the purposes of section 127(2)(a) of the Act, the financial statements included in a budget or revised budget must—

- (a) contain a statement of capital works for the financial years to which the financial statements relate; and
- (b) be in the form set out in the Local Government Model Financial Report.

#### 10 Other information to be included

(1) For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates—

- (a) a detailed list of capital works expenditure—
  - (i) in relation to non-current assets classified in accordance with the model statement of capital works in the Local Government Model Financial Report; and
  - (ii) set out according to asset expenditure type;
- (b) a summary of funding sources in relation to the capital works expenditure referred to in paragraph a), classified separately as—

## 8. BUSINESS DIRECTORATE

### 8.2 Draft 2014/2015 Budget (continued)

- (i) grants; and
  - (ii) contributions; and
  - (iii) Council cash; and
  - (iv) borrowings;
- (c) a statement of human resources;
- (d) a summary of expenditure in relation to the human resources referred to in the statement of human resources, categorised according to the organisational structure of the Council and classified separately as—
- (i) permanent full time; or
  - (ii) permanent part time;
- (e) a summary of the number of full time equivalent Council staff referred to in the statement of human resources, categorised according to the organisational structure of the Council and classified separately as—
- (i) permanent full time; and
  - (ii) permanent part time;
- (f) a list of grants by type and source, classified as—
- (i) recurrent grants to be used to fund operating expenditure; or
  - (ii) recurrent grants to be used to fund capital expenditure; or
  - (iii) non-recurrent grants to be used to fund operating expenditure; or
  - (iv) non-recurrent grants to be used to fund capital expenditure;
- (g) the total amount borrowed as at 30 June of the financial year compared with the previous financial year;
- (h) the following information in relation to borrowings (other than borrowings to refinance existing loans)—
- (i) in a budget that has not been revised, the total amount to be borrowed during the financial year compared with the previous financial year; or
  - (ii) in a revised budget, any additional amount to be borrowed compared with the budget or the most recent revised budget (as applicable);
- (i) the total amount projected to be redeemed during the financial year compared with the previous financial year.

In accordance with Section 158 of the Act Council must ensure that the budget also contains the amount which the Council intends to raise by general rates, municipal charges, service rates and service charges. In accordance with section 161(2) of the Act, if Council declares a differential rate for any land, the Council must:

- (a) specify the objectives of the differential rate which must include the following:

## 8. BUSINESS DIRECTORATE

### 8.2 Draft 2014/2015 Budget (continued)

(i) a definition of the types or classes of land which are subject to the rate and a statement of the reasons for the use and level of that rate in relation to those types or classes of land;

(ii) an identification of the types or classes of land which are subject to the rate in respect of the uses, geographic location (other than location on the basis of whether or not the land is within a specific ward in the Council's municipal district) and planning scheme zoning of the land and the types of buildings situated on it and any other criteria relevant to the rate;

(iii) if there has been a change in the valuation system, any provision for relief from a rate for certain land to ease the transition for that land; and

(b) specify the characteristics of the land which are the criteria for declaring the differential rate.

(2A) A Council must have regard to any Ministerial guidelines made under subsection

(2B) before declaring a differential rate for any land.

(2B) The Minister may, by notice published in the Government Gazette, make guidelines for or with respect to-

(a) the objectives of differential rating;

(b) suitable uses of differential rating powers;

(c) the types or classes of land that are appropriate for differential rating.

(3) A Council which declares a differential rate must ensure that copies of the following information are available on its Internet website and for public inspection at the Council office:

(a) the definition of the types or classes of land which are subject to the rate;

(b) the objectives of the differential rate;

(c) the rate and amount of rates payable in relation to each type or class of land and what proportion of the total rates and charges this represents;

(d) any other information which the Council considers it necessary to make available.

(4) On the recommendation of the Minister, the Governor in Council may by Order in Council prohibit any Council from making a declaration of a differential rate in respect of a type or class of land, if the Minister considers that the declaration would be inconsistent with any guidelines made under subsection (2B).

(5) The highest differential rate in a municipal district must be no more than 4 times the lowest differential rate in the municipal district.

Section 10 of the *Local Government (Planning and Reporting) Regulations 2014 No. 17* further stipulates:

(2) For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates—

## 8. BUSINESS DIRECTORATE

### 8.2 Draft 2014/2015 Budget (continued)

- (a) if Council declares general rates under section 158 of the Act, the rate in the dollar to be levied for each type or class of land;
- (b) the percentage change in the rate in the dollar to be levied for each type or class of land compared with the previous financial year;
- (c) the estimated amount to be raised by general rates in relation to each type or class of land compared with the previous financial year;
- (d) the estimated amount to be raised by general rates compared with the previous financial year;
- (e) the number of assessments in relation to each type or class of land compared with the previous financial year;
- (f) the number of assessments compared with the previous financial year;
- (g) the basis of valuation to be used under section 157 of the Act;
- (h) the estimated value of each type or class of land compared with the previous financial year;
- (i) the estimated total value of land rated under section 158 of the Act compared with the previous financial year;
- (j) the municipal charge under section 159 of the Act compared with the previous financial year;
- (k) the percentage change in the municipal charge compared with the previous financial year;
- (l) the estimated amount to be raised by municipal charges compared with the previous financial year;
- (m) the rate or unit amount to be levied for each type of service rate or charge under section 162 of the Act compared with the previous financial year;
- (n) the percentage change for each type of service rate or charge compared with the previous financial year;
- (o) the estimated amount to be raised by each type of service rate or charge compared with the previous financial year;
- (p) the estimated total amount to be raised by service rates and charges compared with the previous financial year;
- (q) the estimated total amount to be raised by all rates and charges compared with the previous financial year;
- (r) any significant changes that may affect the estimated amounts referred to in this subregulation to be raised.

Section 129 of the *Local Government Act 1989* requires the Council to give public notice of the preparation of the budget and a person has a right to make a submission on any proposal contained in the budget.

## 8. BUSINESS DIRECTORATE

### **8.2 Draft 2014/2015 Budget (continued)**

Section 11 of the *Local Government (Planning and Reporting) Regulations 2014 No. 17* further stipulates:

For the purposes of section 129(3)(a) of the Act, a public notice under section 129(1) of the Act must contain the following information—

- (a) the date on which Council will meet to adopt its budget or revised budget;
- (b) in the case of a revised budget, a summary of reasons for the preparation of the revised budget.

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

Environmental and sustainability impacts have been considered when developing the Draft 2014/2015 Budget.

#### **Social Implications**

The Draft 2014/2015 Budget provides resources for the implementation of various strategies, plans, works and the delivery of services required to achieve the objectives of the Council plan including an active and engaged community.

#### **Economic Impacts**

The boost from the Greater Shepparton Regional Sports Precinct Project is important with \$5.31 million of infrastructure works proposed for the 2014/2015 financial year to encourage economic activity.

#### **Consultation**

The Draft 2014/2015 Budget has taken into account the goals and strategies of the Council Plan 2013-2017 and the strategic directions of the Strategic Resource Plan.

It is proposed that public notice be given in the Shepparton News on Friday 20 June 2014 that Council's Draft 2014/2015 Budget has been prepared and is available for inspection on Council's website, or at Council's offices in Welsford Street and Doyles Road and that written submission are invited in accordance with Section 223 of the *Local Government Act 1989*.

Submissions are to be received by 5.00pm Friday 18 July 2014.

In addition to this statutory notice a number of budget community forums will be held in the following towns:

- Shepparton
- Mooroopna
- Tatura
- Dookie

It should also be noted that the Draft 2014/2015 Budget provides funding for nominated projects and where appropriate further community consultation will occur throughout the year specific to each project.

## 8. BUSINESS DIRECTORATE

### 8.2 Draft 2014/2015 Budget (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	<ul style="list-style-type: none"> <li>• Media Releases</li> <li>• Social Media</li> <li>• Radio</li> <li>• Council Website</li> </ul>
Consult	Inform, Listen, Acknowledge	<ul style="list-style-type: none"> <li>• Information forums</li> <li>• Public submissions</li> <li>• Hearing of submissions</li> </ul>

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

The Draft 2014/2015 Budget is linked to the *Greater Shepparton 2030 Strategy* via the Council Plan 2013-2017.

##### b) Other strategic links

The Draft 2014/2015 Budget is linked to the Council Plan by the funding of the Strategic Objectives contained in the Council Plan.

#### Options for Consideration

1. That the Council authorise the Chief Executive Office to invite public submissions on any proposal contained in the Draft 2014/2015 Budget. Recommended.

Authorisation will enable the Council to provide public notice to citizens that it has prepared its budget and allow submissions on proposals contained in the Draft 2014/2015 Budget to be received, heard and considered.

2. That the Council not authorise the Chief Executive to commence a public consultation process. Not recommended.

Section 130 of the Act provides that Council may adopt a budget if it has complied with all of the relevant requirements of the Act. Section 129 of the *Local Government Act 1989* requires the Council to give public notice of the preparation of the budget, and a person has a right to make a submission on any proposal contained in the budget.

#### Conclusion

The Draft 2014/2015 Budget is presented for consideration and if appropriate public notice will be given inviting submissions on any proposal contained in the Draft 2014/2015 Budget.

#### Attachments

Draft 2014/2015 Budget Page 200

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Greater Shepparton Cycling Strategy 2013 - 2017

#### **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 and Manager Planning**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The purpose of this report is to adopt the Greater Shepparton Cycling Strategy 2013 – 2017 (the strategy). The Greater Shepparton Cycling Strategy is reviewed periodically in response to the Greater Shepparton 2030 Strategy, Council Plan 2013-2017 and Shepparton CBD Strategy.

The strategy replaces the Greater Shepparton Bicycle Strategy 2006 (GSBS 2006) and sets the direction for cycling in Greater Shepparton and incorporates the vision for the next ten years.

A review of the cycling facilities that were implemented since adoption of the GSBS 2006 indicates that there has been a significant level of investment by Council and developers of new subdivisions. These facilities could broadly be considered to be those which could be easily accommodated within the built environment. Despite this, significant pinch points and missing links still remain.

The strategy provides a framework and vision for a cycling network (see section 6.4) that illustrates existing and future facilities. Section 9 of the strategy proposes an action plan to enable these facilities to be implemented. The strategy action plan is all about setting the basis for delivering the proposed bicycle network and supports sports/ tourism cycling facility development as outlined in sections 6 to 8 of the strategy.

Since the endorsement of the Draft Greater Shepparton Cycle Strategy 2013 – 2017 by Council in 2013, officers have completed the final consultation. There were 26 submissions received. After assessment of the submissions the project steering group approved 12 amendments. As a result of the amendments, the relevant council departments revised the estimates for delivering their actions and reviewed development contribution projections.

To this end, capital projects have been incorporated into Council's IPM system and are part of future capital budget bids. Operating budget bids by Council departments will be considered as part of the yearly budgeting and business case process. The strategy will also provide a strategic platform for seeking external grant funding and guiding investment using Council's Developer Contributions.

The Greater Shepparton Cycling Strategy 2013-2017 (attachment 1) is recommended for adoption.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Greater Shepparton Cycling Strategy 2013 - 2017 (continued)

**Moved by Cr Summer**  
**Seconded by Cr Oroszvary**

That the Council adopt the Greater Shepparton Cycling Strategy 2013 – 2017.

**CARRIED.**

#### **Background**

The current Greater Shepparton Bicycle Strategy (GSBS 2006) was adopted in June 2006 with a ten year implementation plan.

Since adopting the GSBS 2006, Council has achieved extensions and improvements to the cycle network that include:

- New Shared Paths – 5.1km, in addition to significant network extensions within new developments. Projects include Verney Rd Shared Path (1.6km) and Railway Reserve path between Hogan St and Park St, Tatura
- New On-Road bike lanes – 11.6km. Projects include Welsford St bike lane (1.3km) and Albert St Tatura bike lanes (900m)
- Rail Trails
  - Dookie - 4.8km
  - Murchison – 55m long Heritage Bridge
- Shared-Path Bridge renewal/replacement
  - 85m long steel bridge over the Broken River connecting Kialla Lakes to Colliver Road
  - 5 No. timber bridges replaced on the Yanha Gurtji (Goulburn River) path.

After six years many of the high priority projects have been completed but a review was needed to:

- Reassess the transport objectives for commuter and recreational cyclists within the plan.
- Reassess the project priorities within the previous implementation plan.
- Review the scope and classification of the actions contained in Section 9 of the Greater Shepparton Bicycle Strategy 2006.
- Extend the strategy to include recreational sport (e.g. Mountain Bike, BMX, etc.) and tourism cycling.

There are many opportunities to improve the cycling network in Greater Shepparton. Key improvement opportunities include connectivity between existing cycle paths to and from major destinations, accessibility, safety and improving the attractiveness to users.

The key objectives for the Greater Shepparton Cycle Strategy 2013 – 2017 are:

1. To increase use of bicycles for commuting and recreation as an alternative to motorised traffic by:
  - Reviewing the achievements of the GSBS 2006 strategy.
  - Assessing the existing cycling network and facilities within Greater Shepparton.
  - Establishing new directions with consideration of the State and National Strategies.
  - Identifying barriers to cycling and community expectations through analysis of the Bike Scope survey and the community engagement process.
  - Improving the continuity, safety and accessibility of cycling facilities.
  - Improving linkages to key destinations within the major towns.
  - Improving route planning in development corridors and review the development contributions required provided in the planning scheme for bicycle infrastructure.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Greater Shepparton Cycling Strategy 2013 - 2017 (continued)

2. To undertake a review of sports and tourism cycling facilities within Greater Shepparton which:
- Identifies both perceived and real risks to both sports and tourism cyclists
  - Identifies linkages to other regions and program which will increase cycling tourism visitation to Greater Shepparton
  - Identifies barriers and provide solutions to increase sports cycling and cycling tourism
  - Identifies future opportunities to actively encourage participation in all disciplines of cycling in Greater Shepparton.

The proposed 42 actions (refer to Section 9) provide a framework for extending our cycling facilities in response to these objectives. The actions provide a range of initiatives that:

- Encourage all ages to consider a bicycle instead of a car for community, especially for trips less than 5km.
- Improve the network of Shared Paths for commuter and recreational riders
- Provide more end of trip facilities such as bicycle parking and change facilities.
- Improve the training and touring routes for groups of cyclists.
- Address the needs of Cycling Sports.
- Encourage Cycle Tourism and Events.

The indicative costs in the action plan are to fund engineering surveys of individual project alignments, feasibility assessment of options and agency reports by specialist consultants (eg. Cultural Heritage Management Plan). Council should note that many of the proposed Shared Paths are in a Regional Park or on VicTrack land. Other actions involve establishing a regular cycle count program including participating in the Super Tuesday program, master plans for standalone sports cycle facilities and scoping recreational facilities for tourism cycling.

Completing concept designs and project scoping delivered by these actions will ensure council is ready to promptly respond to external grant program opportunities. This is in addition to new infrastructure already funded by Development Contribution Plans (refer attachment 2)

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

*Council Plan 2013 – 2017:*

Community Life, Action 9: *“Promote riding and walking as viable and attractive alternatives to driving”*

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
That the expectations of the stakeholders are not represented in the strategy.	C	3	Moderate	An extensive consultation process was undertaken in developing the strategy
Insufficient funds available to deliver the action plan.	C	4	Low	Extend the development of the implementation plan beyond 5 years.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Greater Shepparton Cycling Strategy 2013 - 2017 (continued)

#### **Policy Considerations**

The *Greater Shepparton Cycle Strategy 2013 – 2017* is consistent with the *Council Plan 2013 – 2017* and the *Greater Shepparton 2030 Strategy*.

#### **Financial Implications**

An operational budget of \$15,000 was made available for implementing the strategy action plan in the 2013/14 Budget.

This included the following projects which have now commenced:

- Undertake bicycle user count program (action 1). 2014 commuter cyclist count.
- Shepparton Cycling Club and BMX Club business plans (action 27 and 30 stage 1)

An operating budget bid of \$30,000 has been made for the 2014/15 Budget. The strategy envisages an allocation of this amount be made on an annual basis for 10 years to complete the actions in the strategy however, this will need to be considered on an annual basis having regard to other Council priorities and commitments in any given financial year.

In 2014/15, the following tasks are proposed for actioning subject to budget approval:

- Prepare, print and distribute an updated version of the 'Cycling in Greater Shepparton Guide booklet. (action 33)
- Develop master plans for Shepparton Cycling Club and BMX club facilities (actions 27 and 30, stage 2)

Funding for capital works that are generated by the resulting implementation plan will be pursued by the responsible departments. This funding will be sourced from the capital budget, development contributions and external grant programs.

The current capital expenditure with future commitment from Development Contributions Plans is summarised in Attachment 2.

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

Officers will be limited to powers provided in the *Local Government Act 1989* and the *Road Safety Regulations 1999*.

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

Reducing Environmental impacts:

As bike riding does not emit any greenhouse gases, any shift from motorised transport modes to cycling should see a reduction in greenhouse emissions. This can be significant when it is considered that transport currently generates 15% of Australia's carbon emissions.

#### **Social Implications**

Community Health and well-being benefits:

Cycling is considered to be a preventative health measure, especially in terms of heart disease, type 2 diabetes and some cancers. It has also been found to lead to a reduction in depression, numbers of sick days, and stress and anxiety levels in individuals.

Employees cycling to work take on average one day less of sick leave per year than employees who do not cycle, saving organisations about \$61.9 million each year (2013 – 23 Victorian Cycling Strategy pp. 8).

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Greater Shepparton Cycling Strategy 2013 - 2017 (continued)

#### Economic Impacts

The development of cycling facilities generates additional jobs and markets. The Commonwealth stimulus package of \$40 million for cycling, when coupled with the additional \$60 million invested by local governments, generated an additional 1,314 jobs in Australia. Also, the bike and accessories market is estimated at \$1 billion per year with a work force of 10,000 in Australia. The continued increase in cycling within Greater Shepparton will generate ongoing demand for bicycles and accessories from the Bicycle Retailers.

Cycling has a modest initial start-up cost and negligible running costs (approximately 5% of a motor car). Alternatively, the private motor car has a high initial cost, and in terms of running costs, ranges between 40 and 85 cents per kilometre.

Greater Shepparton has hosted 59 significant cycling events between 2010 and 2012. These events attracted 25,900 visitors (including participants and supporters) resulting in \$14.3 million direct expenditure. (Calculation based on Tourism Victoria data).

#### Consultation

In order to understand how the community perceives the current cycling environment in Greater Shepparton and where they want to see it head into the future, a range of targeted consultation mechanisms were developed by the Neighbourhoods Department. These enabled the steering committee to extract the relevant information from various groups for consideration and identification of the most feasible cycling facilities and initiatives. In this regard, information received revolved around new facilities, the maintenance and condition of existing facilities, and safety concerns.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Community were well informed about the development strategy	A dedicated cycling strategy page on the website was developed and a discussion paper was made available for public comment. A press release was issued resulting in the two newspaper articles and two television news stories
Consult	Broad community input was gained to inform community expectations	Paper based and online surveys were distributed to involve community members and schools in the development of the strategy. This feedback was used in the development of the strategy. BikeScope user surveys and annual cyclist counts informed current conditions.
Involve	Feedback was an input into decision-making	Workshops were held with seven small town planning committees and nine bicycle groups in which feedback was gathered and incorporated into the strategy. A public workshop was held with in excess of 50 community members in attendance. Feedback was provided by cycling clubs and user groups on the discussion paper. This has been incorporated as applicable.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Greater Shepparton Cycling Strategy 2013 - 2017 (continued)

The draft strategy was released for public comment in mid 2013 in accordance with the consultation plan endorsed by Council. There were 26 submissions received. After assessment of the submissions the steering group met a number of times to consider their response to the submissions. The steering group approved 12 amendments to the draft strategy. As a result of the amendments the relevant departments revised the estimates for delivering their actions, reviewed development contribution projections and priorities for a 10 year program. Some high priority actions that were commenced in 2013/14 have been submitted to the 2014/15 budget for consideration. The strategy is now ready for adoption by Council.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Traffic and Transport Systems section states the following objective and actions:

“To develop Walking/Bicycle and Public Transport networks that provide accessibility options to segments of the community who have not or prefer not to use a motor car”.

- 5.1 Encourage appropriate developments *that are accessible by public transport and bicycles*.
- 5.3 Encourage new subdivision and developments to promote walking and cycling between facilities, such as between homes and schools, open spaces and shops.
- 5.4 Provide road reservation widths to accommodate bicycle lanes on appropriate routes.

##### b) Other strategic links

##### Shepparton CBD Strategy – 2008

Objective: To encourage greater bicycle usage as a transport option to the Shepparton CBD for commuter and recreational cyclists.

Action: Encourage cycling as a transport option for recreational and commuter cyclists by providing adequate paths and end-of-trip facilities in the CBD and linking the CBD cycle network with the existing cycle network.

##### Victorian Cycling into the Future 2013-23

Released in December 2012, the strategy states it will:

- “..... Develop a more co-ordinated strategic approach to cycling that responds to the diversity of cycling needs.”
- “.... Better targeted investment in urban networks, regional trails and specialist cycle sport infrastructure.”

#### **Options for Consideration**

1. Adopt the Greater Shepparton Cycling Strategy 2013 – 2017 incorporating the action plan (Preferred option).
2. Not to support all or some of the actions within the Greater Shepparton Cycling Strategy 2013 – 2017 (Non-preferred option).

#### **Conclusion**

As a result of extensive consultation the Greater Shepparton Cycling Strategy 2013 – 2017 action plan has responded to the community and cycling stakeholders’ vision for the next five to 10 years.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Greater Shepparton Cycling Strategy 2013 - 2017 (continued)

Council's budget already supports cycling through activities and projects delivered by Events and Tourism, Infrastructure and Sustainable Development Directorates. The action plan will guide the development of a capital projects implementation plan, re-establish priorities and support applications for government grants. Selection of candidate projects for government grant applications will take into account those:

- Which are likely to meet new funding program criteria
- That address critical missing links on routes within the bicycle network.
- That are a priority in Community Plan programs.

The Greater Shepparton Cycling Strategy 2013 - 2017 provides the basis for achieving a cycling network that supports commuter, recreational, sports and tourism cycling in Greater Shepparton.

It is proposed that the *Greater Shepparton Cycle Strategy and Action Plan 2013 – 2017* be adopted.

#### **Attachments**

- |  |          |
|--|----------|
| 1. Greater Shepparton Cycling Strategy 2013 - 2017 - Final report                | Page 202 |
| 2. Greater Shepparton Cycling Strategy 2013 - 2017 - Capital Budget Implications | Page 336 |

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Planning Policy Framework, Integration Version March 2014 - Council Submission**

#### **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: Senior Strategic Planner**

**Proof reader(s): Director of Sustainable Development, Manager Planning & Development, Team Leader Strategic Planning**

**Approved by: Director of Sustainable Development**

#### **Executive Summary**

The Minister for Planning established an Advisory Committee to review the State Planning Policy Framework (SPPF) in July 2013. In October 2013, the terms of reference of the Committee were expanded to review ways in which Local Planning Policy Frameworks (LPPF) could be better aligned with the SPPF.

The Advisory Committee has prepared a document called the draft Planning Policy Framework (PPF), which shows how a revised format for the SPPF and LPPF could work.

The draft Planning Policy Framework has been drafted to:

- drive a fundamental change in the way planners make decisions to a facilitation approach rather than a regulation approach
- be more user friendly by being easier to read, understand and navigate
- include more graphics to show spatial policies effectively
- link state, regional and local policy to better align policy matters ensuring local policy retains its important role.

The proposed structure aims to increase clarity and reduce repetition, resulting in an easier to read document and better alignment with state and regional policy.

The PPF went out on consultation from 14 March 2014 to 23 May 2014.

The Planning Department made a submission to the PPF on behalf of the Council (**Attachment 1**) on Friday 23 May 2014. This submission responded to five key questions raised by the Committee relating to the PPF.

Some notable positives of the PPF relating to GCSS include:

- The inclusion of local policy and allowance to include the 'story' part of consolidated Municipal Strategic Statements.
- Removal of references to other towns and cities (such as Bendigo, Ballarat and Latrobe City) within the document (*which the Planning Department commented upon in the 'inception draft' version which was released in November 2013*).
- Inclusion of an infrastructure section (*not included in the 'inception draft' version*).

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Planning Policy Framework, Integration Version March 2014 - Council Submission (continued)

Council's submission expresses the following concerns:

- Need for further guidance and advice relating to commercial and retail use developments.
- Support the development of freight and logistics precincts in strategic locations along key regional freight transport corridors (GV Link).
- The PPF must recognise and support the key infrastructure works proposed within the Hume Region (Goulburn Valley Corridor, Shepparton Bypass).

All submissions will be now reviewed by the Committee before they prepare a report for consideration by the Minister for Planning.

The purpose of this report to Members is to:

- Update councillors on the proposed changes to the planning framework.
- Outline the key aspects of the Council's submission
- Seek endorsement by Council of the submission made on 23 May 2014.

#### **Moved by Cr Polan Seconded by Cr Summer**

That the Council endorse the Greater Shepparton City Councils submission made by the Planning Department on the Planning Policy Framework, Integration Version (March 2014).

**CARRIED.**

#### **Background**

The Advisory Committee has prepared a document called the draft Planning Policy Framework (PPF), which shows how a revised format for the SPPF and LPPF could work. Working closely with council planners, state government departments and statutory authorities, and industry stakeholders, the Committee has:

- Identified opportunities to make the SPPF easier to navigate
- Removed redundant (outdated) policy
- Updated the policy framework to reflect the draft Plan Melbourne (October 2013), regional growth plans and reformed zones
- Developed a system which enables state, regional and local policy on specific themes to sit together to form a cohesive policy narrative, rather than be split across different, unconnected parts of the planning scheme

The Planning Department have undertaken a detailed review of the Framework. Overall the content is supported and it is considered it will have a positive impact upon the future plan making and decision making process for Greater Shepparton City Council.

This submission follows from earlier comments submitted by the Planning Department on 15 November 2013 in relation to the proposed content and structure of the revised SPPF ('foundation draft' version). Several recommendations made such as reducing specific references to certain towns and cities and the inclusion of an infrastructure section have been incorporated into this version.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Planning Policy Framework, Integration Version March 2014 - Council Submission (continued)**

Council officer's submission responded to the following five key questions raised by the Advisory Committee:

1. Are there errors or omissions in the draft PPF?
2. What change is needed to accommodate local policy in the proposed structure?
3. What further changes could improve navigation?
4. Are there other specific regions or thematic areas (such as coastal areas) that should be identified for separate policy?
5. What maps would you want to include and can you see a logical place for them?

The submission raises the following key points:

- Local Policy should be included within the PPF and Council request that any future revisions of the PPF provide this information. The PPF has omitted any details relating to local policy, which forms an important part of the overall plan.
- 
- Sufficient funding is made available to deal with the necessary policy change (review and translation costs, legal review etc).
- Any amendments to the PPF are undertaken in accordance with Section 20(4) of the *Planning and Environmental Act 1987*. This would enable changes to be fast-tracked by a Ministerial amendment process and avoid a formal exhibition stage.
- Additional strategies from the Hume Regional Growth Plan should be incorporated within the PPF. The strategies are devised from a detailed and evidence-based assessment of the Hume Region, and will strengthen the overall policy and provide further clarity on how each objective will be delivered.
- The '20 minute neighbourhoods' approach is too generalised for regional locations, and needs to be reviewed against the locality in which it will be implemented.
- The PPF should also include a Regional Policy for Commercial and Retail Uses. The planning system can play a major role in influencing private sector investment decisions in relation to commercial development, which also influence economic output and employment growth.
- That the Goulburn Murray Irrigation District is a key investment area within the Hume Region, and therefore the PPF should recognise this region and afford appropriate planning policy to strengthen and underpin this important state resource.
- 
- The Hume Corridor, Goulburn Valley Corridor and the Shepparton Bypass should be referenced as key highway schemes.
- 
- The PPF must acknowledge the importance of the proposed high speed rail link between Melbourne and Brisbane.
- It would be beneficial if a series of maps or diagrams were produced indicating where investment or policy objectives would be focused. This would make the PPF user friendly and easier to interpret.

A copy of the submission is provided.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Planning Policy Framework, Integration Version March 2014 - Council Submission (continued)

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

The Planning Policy Framework, Integration Version (March 2014) supports many objectives of the Council Plan 2013-2017. It seeks to guide growth patterns for the state as a whole and provide a sustainable development framework.

#### **Risk Management**

Council Officers have prepared a submission to the PPF, which does not make any commitments on behalf of the Council. It is considered that there is minimal risk associated with making a submission to address the key questions asked by the Advisory Committee.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Not making a formal submission to the PPF would result in a missed opportunity to include specific policies to the PPF that could benefit Greater Shepparton.	Unlikely	Moderate-High	Moderate	That the Council endorse the submission to the PPF

#### **Policy Considerations**

The PPF will provide an integrated version of state, regional and local policy to replace the SPPF and LPPF and provide a more streamlined and easy to interpret presentation of policy.

It should be noted that there is an opportunity through making a submission on the plan to promote investment in Greater Shepparton's regional infrastructure and to support future growth.

#### **Financial Implications**

The recommendation to endorse the PPF submission does not have any financial or budgetary implications for Council. There is no impact on Council's budget, and all costs in the preparation of the plan have been borne by DTPLI.

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

The PPF will be incorporated into the Planning Scheme, which is a legal document.

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

The PPF seeks to establish a framework for strategic land use and settlement planning that can sustainably accommodate growth and identify important economic, environmental, social and cultural resources to be preserved, maintained or developed.

#### **Social Implications**

Greater Shepparton has the capacity to accommodate more businesses and more residents who can enjoy an outstanding lifestyle in strong and vibrant communities. Higher population levels in Greater Shepparton will make a positive economic and social contribution to the state of Victoria and help address population pressures in Melbourne. However significant investment in enabling infrastructure, programs and resources to support growth is required, such as additional childcare, hospital services and other important social infrastructure. In this respect ongoing monitoring of social determinants is essential to ensure that services match the needs of the existing and growing community.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Planning Policy Framework, Integration Version March 2014 - Council Submission (continued)

#### **Economic Impacts**

The PPF provides direction for accommodating growth and change including employment, industrial, commercial, agriculture and other rural activities. The PPF supports economic and sustainable development within the region.

#### **Consultation**

The PPF has undertaken significant stakeholder and community consultation, including a series of workshops which took place at regional locations across Victoria to examine the PPF in detail. The PPF was published on the 14 March 2014 and was on consultation until 23 May 2014.

No consultation was initiated, or considered necessary, by Council officers. However, officers believe that appropriate consultation has taken place.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

The Planning Policy Framework, Integration Version supports the directions within Greater Shepparton 2030 which was to develop a blueprint to manage expected growth.

##### b) Other strategic links

The Planning Policy Framework, Integration Version supports a number of the Council's strategies, including the CBD Strategy, structure plans for growth areas and the Sports 2050 Strategic Plan.

#### **Options for Consideration**

1. Not endorse the submission made to on the Planning Policy Framework, Integration Version March 2014.
2. Endorse the submission made by the Planning Department on the Planning Policy Framework, Integration Version March 2014. (preferred).

#### **Conclusion**

The Planning Policy Framework, Integration Version (March 2014) has been prepared by the Advisory Committee and shows how a revised format for the SPPF and LPPF could work. The PPF will provide an integrated version of state, regional and local policy to provide a more streamlined and easy to interpret presentation of policy.

The Planning Department submitted a response (**Attachment 1**) to the latest version of the PPF and is requesting it to be endorsed by Council.

The submission focused on a variety of issues, including the necessity for regional guidance on commercial and retail uses and new strategies to help deliver the objectives for the Hume Region. The submission also acknowledges the strategic importance of The Goulburn Murray Irrigation District and the key transport networks within the Region.

The formal deadline for comment has passed (23 May 2014). However, if Council wish, a revised version including any comments/edits can be forwarded to the Advisory Committee for their information.

Given the importance of the document at a State Government level, it is recommended that Council endorse the submission made by the Planning Department.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Planning Policy Framework, Integration Version March 2014 - Council Submission (continued)

#### **Attachments**

1. Draft GSCC submission to the Planning Policy Framework, Integration Version (March 2014) Page 338
2. Planning Policy Framework, Integration Version March 2014 Page 344

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Support the Redevelopment of the SPCA Site in Shepparton

#### **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), Team Leader Strategic Planning**

**Proof reader(s): Manager Planning**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

Coca-Cola Amatil (Aust) Pty Ltd (CCA), together with the Victorian Government, recently announced a new \$100 million investment plan to assist the future of SPC Ardmona Pty Ltd (SPCA) and the Goulburn Valley.

SPCA was preparing to redevelop the Shepparton site to expand the current factory building to accommodate an additional processing area. This proposal sought to provide a new product stand area over Andrew Fairley Avenue. The closure of Andrew Fairley Avenue was the subject of a separate Council report under the *Local Government Act 1989* which Council considered on 10 June 2014.

At this meeting, Council resolved to keep Andrew Fairley Avenue open. As Council is aware, as part of the powers available to him, the Minister for Planning can choose to use a Road Closure Overlay (RXO) to discontinue the road. The provisions of the *Planning and Environment Act 1987* will then apply to the closed road. Council officers understand that the Government is not intending to exercise this power.

This notwithstanding, the original proposed redevelopment of the site was to be actioned via an amendment to the Greater Shepparton Planning Scheme to provide specific planning controls for the SPCA site. This was proposed via a two-stage process:

1. Short-term: amend the Schedule to Clause 52.03 Specific Sites and Exclusions of the Greater Shepparton Planning Scheme and an associated incorporated document.
2. Long-term: rezone the land to the Special Use Zone with a new schedule to the Special Use Zone and associated Master Plan.

If the road was closed it was expected that the first stage of development would be progressed immediately as an interim measure to facilitate the upgrades to the facility prior to the next peak season. SPCA had made a request to the Minister for Planning to expedite the proposed planning scheme amendment to meet this timeframe.

The Minister for Planning can become the planning authority in accordance with Section 8 of the *Planning and Environment Act 1987* (the Act) and exempt himself from the notice requirements of a planning scheme amendment under Section 20(4) of the Act - this effectively fast tracks the planning scheme amendment process. SPCA had decided to use this approach and had sent a request for a Section 20(4) planning scheme amendment to the Minister.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Support the Redevelopment of the SPCA Site in Shepparton (continued)

However, Council's decision of 10 June 2014 regarding Andrew Fairley Avenue has resulted in a number of downstream impacts which need to be brought to Council's attention. Firstly, in discussions between the CEO and Peter Kelly (CEO of SPCA), SPCA has advised that they are reconsidering the future of the site and future investment in Shepparton. Secondly, the previous amendment was drafted on the basis of a road closure and therefore will need to be potentially revisited.

SPCA has advised further that they still wish to have the ability, and support, of Council to request that the Minister for Planning become the planning authority. However, they are as yet unclear as to what form of development is likely to occur, if any development is to occur at all having regard to the decision on Andrew Fairley Avenue.

Officers recommend that Council provide in principle support for the redevelopment of the SPCA site and the request for a s20(4) planning scheme amendment on the basis that the expansion will facilitate the longevity of SPCA's operation in Shepparton subject to SPCA clarifying, in writing, its plans for future development of the area through the incorporated document. The status of this document has now become unclear as it was drafted on the basis of the closure of Andrew Fairley Avenue.

Officers also recommend that Council continue to support SPCA in the development of a Master Plan and Schedule to the Special Use Zone. Stage Two will be implemented once these documents have been finalised and at a later date.

#### **RECOMMENDATION**

That Council:

1. Request SPC Ardmona Pty Ltd to clarify the extent of development in the incorporated document to be included in the Schedule to Clause 52.03 of the Greater Shepparton Planning Scheme, to the Chief Executive Officer's satisfaction and having regard to Council's resolution of 10 June 2014 to keep Andrew Fairley Avenue, Shepparton open;
2. Support, in principle and subject to Part 1 above, SPC Ardmona Pty Ltd's request to the Minister for Planning to become the planning authority under Section 8 of the *Planning and Environment Act 1987* (the Act) and, in accordance with Section 20(4) of the Act, exempt himself from the notification requirements of the Act to expedite a planning scheme amendment to facilitate the development of the existing SPC Ardmona Pty Ltd site in Shepparton;
3. Continue to work with SPC Ardmona Pty Ltd on the preparation of a long-term Master Plan and Schedule to the Special Use Zone, which will subsequently form the basis of a second planning scheme amendment;

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Support the Redevelopment of the SPCA Site in Shepparton (continued)

**Moved by Cr Ryan  
Seconded by Cr Patterson**

That the Council:

1. request SPC Ardmona Pty Ltd to clarify the extent of development in the incorporated document to be included in the Schedule to Clause 52.03 of the Greater Shepparton Planning Scheme, to the Council's satisfaction and having regard to Council's resolution of 10 June 2014 to keep Andrew Fairley Avenue, Shepparton open;
2. continue to work with SPC Ardmona Pty Ltd on the preparation of a long-term Master Plan.

Cr Houlihan sought an extension of time for Cr Ryan to speak to the motion.

**GRANTED**

**Moved by Cr Polan**

That the Council:

1. request SPC Ardmona Pty Ltd to clarify the extent of development in the incorporated document to be included in the Schedule to Clause 52.03 of the Greater Shepparton Planning Scheme, to the Council's satisfaction and having regard to Council's resolution of 10 June 2014 to keep Andrew Fairley Avenue, Shepparton open;
2. continue to work with SPC Ardmona Pty Ltd on the preparation of a long-term Master Plan;
3. Support, in principle and subject to Part 1 above, SPC Ardmona Pty Ltd's request to the Minister for Planning to become the planning authority under Section 8 of the *Planning and Environment Act 1987* (the Act) and, in accordance with Section 20(4) of the Act, exempt himself from the notification requirements of the Act to expedite a planning scheme amendment to facilitate the development of the existing SPC Ardmona Pty Ltd site in Shepparton.

**THE MOTION LAPSED FOR WANT OF A SECONDER**

**The motion was put and carried.**

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Support the Redevelopment of the SPCA Site in Shepparton (continued)**

#### **Background**

Coca-Cola Amatil (Aust) Pty Ltd (CCA) together with the Victorian Government recently announced a new \$100 million investment plan to assist the future of SPC Ardmona Pty Ltd (SPCA) and the Goulburn Valley.

CCA welcomed the decision by the Victorian Government to invest \$22 million over three years and will invest \$78 million into safeguarding the future of SPCA.

The total combined \$100 million package will be invested over a three year period into efficiency measures and innovation at SPCA, which is the last remaining major fruit and vegetable processor in Australia.

It is estimated that, in the Goulburn Valley region, more than 2,500 jobs are reliant on the ongoing operations of SPCA and this recent funding is a vote of confidence in the region's future economy.

Aurecon Group Pty Ltd has been engaged to facilitate the redevelopment of the current SPCA site in Shepparton. This required two amendments to the Greater Shepparton Planning Scheme to streamline the planning process and allow SPCA flexibility to expand the existing facilities at the Shepparton site.

SPCA originally sought to undertake two planning scheme amendments to facilitate the proposed redevelopment.

1. Short-term: amend the Schedule to Clause 52.03 Specific Sites and Exclusions of the Greater Shepparton Planning Scheme and an associated incorporated document.
2. Long-term: rezone the land to the Special Use Zone with a new Schedule to the Special Use Zone and associated Master Plan.

However, the short term solution outlined above will now require reconsideration having regard to Councils decision to keep Andrew Fairley Avenue open.

#### **Stage One (short-term):**

SPCA had made a request to the Minister for Planning to expedite a planning scheme amendment for the subject site. This will be an interim measure to allow SPCA flexibility to redevelop the site.

In accordance with Section 8 of the *Planning and Environment Act 1987*, the Minister for Planning can become the planning authority. He may then exempt himself from the notice requirements of Sections 17, 18 and 19 of the Act in accordance with Section 20(4) of the Act. This will fast-track the planning scheme amendment process.

This initial planning scheme amendment proposes to amend the Schedule to Clause 52.03 Specific Sites and Exclusions of the Greater Shepparton Planning Scheme to include exclusions for the SPCA site. The purposes of Clause 52.03 include:

- *To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.*
- *To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.*

It is proposed to identify the SPCA site in the Schedule to Clause 52.03 of the Greater Shepparton Planning Scheme. This will allow the site to be used and developed in accordance with specific controls contained in an associated incorporated document.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Support the Redevelopment of the SPCA Site in Shepparton (continued)**

These specific controls can allow use/development that is usually restricted or prohibited in the scheme.

This would have provided SPCA with an interim measure allowing flexibility for redevelopment while the necessary documents for Stage Two are prepared.

Given Council's decision to keep Andrew Fairley Avenue open, the details of the incorporated document will need to be reconsidered as it was drafted on the basis of closing Andrew Fairley Avenue.

#### Stage Two (long-term):

The second stage will occur after SPCA has worked with Council to develop a site specific Schedule to the Special Use Zone and an associated Master Plan. This will enable use and development provisions to be tailored to ensure compatibility between the industrial needs of the company and the neighbouring land uses.

This model, using the Special Use Zone (SUZ) with a Master Plan, has already been applied to the Tatura Milk Industries Pty Ltd site in Tatura and work is currently being undertaken to apply it to the Unilever Pty Ltd site in Tatura.

The application of the SUZ with a Master Plan process seeks to achieve the following:

- Provide certainty regarding SPCA's future investment plans;
- Eliminate third party rights from the planning scheme as they relate to SPCA's property;
- Streamline the planning permit process by confirming the information requirements to be submitted to Council for approval prior to development occurring;
- Bring together key agencies and authorities that have statutory responsibility associated with development approvals, providing for openness and transparency and an appreciation for the planning process; and
- Provide greater flexibility to SPCA as a key regional Victorian business to facilitate significant investment at the Shepparton site.

The outcomes SPCA is seeking are:

- Consolidation and rationalisation of processing activities, infrastructure, equipment and labour.
- Improved flexibility, reliability and agility.
- The ability of SPCA to produce market leading snack food.
- A step change reduction in operating costs.
- An open solution that provides a platform for future options and long term growth.
- A staged approach delivering progressive benefits with staging dependencies understood.

#### Summary of redevelopment proposal:

The original proposal provided to council is detailed below. Council should note that the details outlined below will require reconsideration in light of the decision to keep Andrew Fairley Avenue open.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Support the Redevelopment of the SPCA Site in Shepparton (continued)**

It was proposed to relocate the processing of tomatoes from SPCA's Mooroopna facility to the Shepparton site, and integrate the operation into the existing processing facility. This was to comprise the following (noting comments above regarding Andrew Fairley Avenue):

- Expansion of the current main factory building to accommodate an additional processing area. The expansion will extend from the current northern elevation to within close proximity of the Andrew Fairley Avenue road reserve, east of the "Shepparton Preserving Company" facade. A product stand area will be provided over the current Andrew Fairley Avenue road reserve;
- Demolition of the canteen building, modification to the adjoining car parking area and removal of the existing fence to Andrew Fairley Avenue.
- Servicing of the new facility by heavy vehicles for the purpose of delivering fresh tomatoes. While fresh fruit supplies are currently delivered and stored in the cool store at the western end of the Shepparton site and transported to the main factory building via tractor, the tomatoes will be delivered by B double vehicles directly to the processing facility. This will require the ability for trucks to navigate through the site from the north, across the (current) Andrew Fairley Avenue road reserve, before unloading to the new tomato processing facility, and exiting the site in a forwards direction via Old Dookie Road and Lockwood Road.

#### Canteen building within the Heritage Overlay:

The site redevelopment proposal seeks to strike a balance between the need to conserve the cultural heritage significance of this place, and the need to improve the efficiency of industrial operations on this site.

The canteen building is considered to be of limited local cultural heritage significance on the basis that it has undergone a number of alterations including external extensions that detract from the original architectural intent of the building.

Key sightlines to the industrial signage located on the main factory building and the packing house will be retained from the western side of the railway line, and the dominance of these significant industrial buildings will continue to be conserved.

The proposed closure of Andrew Fairley Avenue will also allow for the removal of the existing industrial fence which will ultimately improve the public's view of the industrial significance of this place. The administration building, cool store, broiler house and packing house will not be impacted by the Stage One proposal.

#### Proposed road closure:

Council's resolution of 10 June 2014 was to keep Andrew Fairley Avenue open.

The proposed incorporated document discussed previously will require reconsideration in light of the above and as outlined in the recommendation to this report.

The above notwithstanding, the Minister for Planning has the ability to exercise his powers to close the road through the planning scheme amendment process through the application of a Road Closure Overlay (RXO). Council officers understand that the Government is not intending to exercise this power, however for the Council's information, the process involves publishing a notice in the Government Gazette to confirm approval of the amendment and has the effect of bringing the land under the *Transfer of Land Act 1958* (if the land is not already under this Act). If this occurs, the

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Support the Redevelopment of the SPCA Site in Shepparton (continued)**

land will be vested to Council under the provisions of Section 44 of the *Planning and Environment 1987*.

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

Goal 3: *Economic Prosperity*

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

Therefore, the proposed amendment achieves the objectives of the Council Plan.

#### **Risk Management**

The Minister for Planning will be responsible for preparing the proposed planning scheme amendment. This process ensures risk to Council is minimised.

If this proposed planning scheme amendment is not progressed, the future redevelopment of the SPCA site may be jeopardised, potentially resulting in significant economic and social implications for the region.

#### **Policy Considerations**

The proposal supports existing Council policy regarding economic development.

#### **Financial Implications**

The *Planning and Environment (Fees) Further Interim Regulations 2013* sets out the statutory fees associated with the planning scheme amendment process. The fee for a planning scheme amendment under Section 20(4) of the *Planning and Environment Act 1987* (the Act) is \$2,120. The Minister exempts himself from exhibition of the planning scheme amendment under this section of the Act. This means, no submissions can be received or considered regarding the proposal. As a result, there will be no Independent Planning Panel and no fees associated with such a Panel.

As a result of the proposed planning scheme amendment, there will be a reduction in planning permit applications for use and development of the subject land. This will be a favourable outcome, resulting in less resource costs for Council.

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

This Planning Scheme Amendment will be assessed in accordance with the requirements of the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

No human rights will be negatively impacted upon through the amendment 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. There is an emphasis on performance based policies, objectives and guidelines that deal with a range of potential amenity impacts on a person's privacy and home. Provided these issues are properly considered, it would be a rare and exceptional case where the exercise of a planning discretion in accordance with the regulatory framework is not compatible with the Charter.

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

The proposed closure of Andrew Fairley Avenue and demolition of the canteen building have been discussed in the 'Background' section of this report.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Support the Redevelopment of the SPCA Site in Shepparton (continued)

As the site is already being utilised for SPCA operations, it is not expected that the proposed planning scheme amendment will have any significant sustainability/environmental impacts.

#### **Social Implications**

As the site is already being utilised for SPCA operations, it is not expected that the proposed planning scheme amendment will have any adverse social implications.

Essentials Economics Pty Ltd prepared a report in June 2013 on the *Economic Impact of the Potential Withdrawal of SPC Ardmona from the Greater Shepparton Region*. Some of the main findings of this report include:

- *“If SPCA were to withdraw from the GV Region, then approximately 560 businesses would be directly impacted on through lost contracts and this represents approximately 6% of business located in the Greater Shepparton and Moira municipalities. Many more business would be impacted indirectly through multiplier (or flow-on) effects associated with the supply chain.*
- *SPC Ardmona currently employs 360 Full Time Equivalent (FTE) staff in the GV Region, with most staff located in Shepparton. Additionally, approximately 1,050 or so seasonal workers are employed on a temporary basis during the peak processing period. In reality, more than the 360 jobs would be lost as some of these FTE positions are likely to involve some part-time staff.*
- *The loss of 360 FTE jobs would represent a major adverse impact for the labour market in the GV Region where significantly high unemployment levels prevail. In December 2012 Greater Shepparton had an unemployment rate of 8.6%, with 7.1% unemployment in the region. Assuming no jobs (direct and indirect) were replaced, the loss of SPCA operations in the GV Region would result in Greater Shepparton’s unemployment rate increasing from 8.6% to 11.0%, and with the region’s unemployment rate increasing from 7.1% to 7.4%”*

Therefore, if the redevelopment of the SPCA site is not supported, Shepparton and the wider region will experience a rise in unemployment. Investment in SPCA is also an investment in local jobs in Greater Shepparton, and creates much needed job security for the members of our community.

#### **Economic Impacts**

As the site is already being utilised for SPCA operations, it is not expected that the proposed planning scheme amendment will have any adverse economic impacts.

As outlined above, SPCA is a major employer in Greater Shepparton and the Goulburn Valley. The *Economic Impact of the Potential Withdrawal of SPC Ardmona from the Greater Shepparton Region* by Essential Economics Pty Ltd outlined the following negative economic impacts if SPCA were to withdraw from the region:

- Immediate job losses;
- Increased unemployment;
- Reduction in industry training opportunities;
- Reduction in regional economic output;
- Reduced viability for proposed major infrastructure projects;
- Reduction in construction investment;
- Reduced Council rates revenue;
- Reduced community donations; and
- Increase in vacant industrial land supplies.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Support the Redevelopment of the SPCA Site in Shepparton (continued)**

It is important that Council continue to support SPCA, including the redevelopment of the Shepparton site. This will improve economic stability, and secure employment and investment in the region.

#### **Consultation**

In accordance with Section 20(4) of the *Planning and Environment Act 1987* (the Act), the Minister for Planning may expedite a planning scheme amendment and exempt himself from the notice requirements of the Act.

#### **Strategic Links**

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

Direction 4: Economic Development – Promote economic growth, business development and diversification, with a focus on strengthening the agricultural industry.

Theme: Industry.

Objective 1: To sustain a growing and diverse industrial base.

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

Nil.

#### **Options for Consideration**

1. Council supports the request made by SPCA to the Minister for Planning to become the planning authority under Section 8 of the *Planning and Environment Act 1987* (the Act) to expedite a planning scheme amendment to facilitate the development of the existing SPC Ardmona Pty Ltd site in Shepparton (preferred option).

Council supports the preparation of a long-term Master Plan and Schedule to the Special Use Zone, which will subsequently form the basis of a second planning scheme amendment (preferred option).

2. Council does not support SPCA's request to the Minister for Planning to become the planning authority under Section 8 of the *Planning and Environment Act 1987* to expedite an amendment to the Greater Shepparton Planning Scheme to facilitate the development of the existing SPC Ardmona Pty Ltd site in Shepparton.

Council does not support the preparation of a long-term Master Plan and Schedule to the Special Use Zone to inform the basis of a second planning scheme amendment.

#### **Conclusion**

As a result of the recent funding provided to SPCA, it is proposed to redevelop the existing factory site in Shepparton. This requires a planning scheme amendment to allow SPCA flexibility to redevelop the Shepparton site.

The planning scheme amendment process can be fast tracked if SPCA requests the Minister for Planning to become the planning authority in accordance with Section 8 of the *Planning and Environment Act 1987* (the Act) and to use his powers under Section 20(4) of the Act to expedite an amendment to the Greater Shepparton Planning Scheme.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Support the Redevelopment of the SPCA Site in Shepparton (continued)

#### **Attachments**

- |   |          |
|---|----------|
| 1. SPCA Main Factory Extension Concept Plan April 2014  | Page 474 |
| 2. SPCA Letter to Council Requesting Support for Planning Scheme Amendment, May 2014                            | Page 475 |
| 3. Heritage Advice - Demolition of the Canteen Building May 2014  | Page 477 |
| 4. Economic Impact of withdrawal of SPC Ardmona from Greater Shepparton (Essential Economics Report, June 2013) | Page 488 |

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Development Hearings Panel - process for appointing Independent Qualified Persons**

#### **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 Statutory Planning**

**Proof reader(s): Manager Planning**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

At the 2014 Ordinary February Council Meeting Council resolved to establish a new Development Hearings Panel (DHP) and include two Independent Qualified Persons (IQP's) on this DHP.

In order for this resolution to be actioned and the new DHP to commence, Council must now undertake the recruitment and appointment of the IQP's. In addition, the resolution requires minor changes to the Guidelines for the DHP to ensure that Council's intent and the guidelines governing the DHP are consistent. The nature of these changes is outlined in the greater detail in the body of this report.

The purpose of this report is therefore to:

- Inform Council of the intent to commence recruitment for the IQP's through an expression of interest process.
- Inform Council of the selection criteria to be used in the recruitment process.
- Inform Council of the members of the selection panel for the IQP's
- Readopt the Guidelines for the DHP to ensure consistency with Council's resolution of 18 February 2014.

Once the recruitment process has been completed an additional Council report will be prepared to:

- Appoint the IQP's
- Constitute the new DHP

### **RECOMMENDATION**

That the Council:

1. endorse the selection criteria for the two Independent Qualified Members on the Development Hearings Panel
2. note the commencement of recruitment for the two Independent Qualified Members on the Development Hearings Panel
3. endorse the Chief Executive Officer, Director Sustainable Development and Director Infrastructure as the selection panel members for the two Independent Qualified Members on the Development Hearings Panel
4. adopt the new revised guidelines for the Development Hearings Panel.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Development Hearings Panel - process for appointing Independent Qualified Persons (continued)

**Moved by Cr Patterson**  
**Seconded by Cr Oroszvary**

That the Council:

1. endorse the selection criteria for the two Independent Qualified Members on the Development Hearings Panel.
2. note the commencement of recruitment for the two Independent Qualified Members on the Development Hearings Panel.
3. endorse the Chief Executive Officer, Director Sustainable Development, Director Infrastructure and Councillor Oroszvary as the selection panel members for the two Independent Qualified Members on the Development Hearings Panel.
4. adopt the new revised guidelines for the Development Hearings Panel.

**CARRIED.**

#### **Background**

As mentioned above, at the 2014 Ordinary February Council Meeting Council resolved to establish a new Development Hearings Panel (DHP) and include two Independent Qualified Persons (IQP's) on this DHP.

The above resolution necessitates changes to the Guidelines for the DHP. The changes are shown in red in attachment 3 to this report. In summary the guidelines were amended to include a definition for an IQP, include the IQP's as members of the DHP, and confirm the requirements for the DHP chair and panel members in order to ensure a properly constituted meeting. The resolution from Council did not include any reference to remuneration for the IQP's so remuneration has not been included in the guidelines.

The initial term of the IQP's would be for a period of two years. The recruitment process for the IQP's will involve a three week expression of interest period with interested persons required to submit a nomination form (see Attachment 3). It is intended that a selection panel would then review the nominations and make a recommendation to Council on who should be appointed into the two IQP positions. To ensure an independent selection process it is recommended that the selection panel be made up of:

- the Chief Executive Officer
- the Director Sustainable Development
- the Director Infrastructure

The recommended selection criteria for the IQP's are at Attachment 1 of this report. In drafting the criteria officers considered that it was important to balance experience, independence and the availability of potential candidates. As such, and in addition to experienced qualified planners, the criteria gives examples of occupations outside of the planning industry with skill sets similar to those of an experienced planner. It is considered that demonstrated extensive experience in occupations such as those listed in the criteria will ensure an adequate level of skill to allow for balanced decision making. The selection criteria also seeks candidates who are not regular planning permit applicants of the Greater Shepparton City Council or regular advocates for planning permit applicants of the Greater Shepparton City Council.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Development Hearings Panel - process for appointing Independent Qualified Persons (continued)**

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

The recruitment of the IQP's continues the process of constituting the new DHP. This supports Objective 3 under High Performing Organisation (Leadership and Governance) "*ensure strong internal systems and processes to ensure best practice delivery of service for the community*".

#### **Risk Management**

The recruitment of the IQP's begins the process of constituting the new DHP. This will assist in ensuring the DHP will be valid, legal and that planning decisions being made in a timely manner.

#### **Policy Considerations**

The proposed changes to the Guidelines for DHP are in accordance with the Council's Exercise of Delegations policy.

#### **Financial Implications**

There are no direct financial implications arising from commencing the recruitment process.

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

The recruitment of the IQP's begins the process of constituting for the new DHP helping to ensure that future decisions made by the DHP are strictly in keeping with the delegations provided by Council. Legal advice indicates that the new DHP cannot proceed until the two IQP's have been appointed.

Through a recent test of Council's DHP process the Victorian Civil Administrative Tribunal concluded that the DHP had delegated authority to make planning decisions.

Officers consider that the further enhancements undertaken by Council will further validate the use of the DHP in expeditious and transparent decision making.

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

There are no Environmental/Sustainability impacts relating to the proposed recruitment process.

#### **Social Implications**

There are no Social impacts relating to the proposed recruitment process.

#### **Economic Impacts**

The recruitment of the IQP's begins the process of constituting the new DHP. Failure to create the new DHP is likely to lead to delays in decision making on planning permit applications.

Delays in the planning system can impact financially on developers and have flow on economic impacts within the community.

#### **Consultation**

Advertising for the expression of interest period for the IQP's will involve placing a notice in the Shepparton News and the information in Attachments 1 and 2 being placed on the Council website. The notice in the Shepparton News would appear for two consecutive Fridays with nominations closing on the following Friday. Following the closing of the



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Development Hearings Panel - process for appointing Independent Qualified Persons (continued)**

expression of interest period the selection panel would review any nominations and then make a recommendation to Council on who should be appointed into the two IQP positions.

#### **Strategic Links**

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

The report highlights the importance of achieving best practice and reduced time delays.

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

The report highlights the need for performance improvements in line with goal number 5 of the Council Plan – High Performing Organisation.

#### **Options for Consideration**

1. Proceeding with the recommendation of this report. This will begin the process of constituting the new DHP and will help ensure the majority of planning permit applications receives a timely decision.
2. Proceed with the preferred option but with amendments to the selection criteria or selection panel followings discussions at the Executive and Council briefings.
3. Not proceeding with the preferred option. This would mean no DHP. This would impact on service delivery by delaying decision making times on applications. These applications would be tabled at a Council meeting for a decision.

#### **Conclusion**

As Council would be aware, current planning delegations require that planning applications which receive six or more objections or raise an issue of significant public interest, concern or controversy must be referred to Council for a decision.

Through its resolution at the 2014 Ordinary February Council Meeting Council has recognised the benefits in having the DHP to assist in achieving timely decisions on the on planning applications where up to five objections are received or that are recommended for refusal.

Council officers recognise the benefits the IQP's will bring to the DHP in providing open, transparent and independent decision making.

As highlighted in the options for consideration section of this report, not proceeding with the preferred option would lead to unnecessary delays for some planning permit applicants and would impact on service delivery and customer satisfaction.

It is recommended that the recruitment process for the appointment of the Independent Qualified Persons commence as soon as practicable to help ensure the timely commencement of the new Development Hearings Panel.

#### **Attachments**

- |  |          |
|--|----------|
| 1. Selection Criteria Independent Qualified Person (DHP)                             | Page 510 |
| 2. Nomination Form for Appointment to DHP - Independent Qualified Person PDF version | Page 511 |
| 3. Revised DHP Guidelines for Discussion Paper                                       | Page 513 |

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Taking of the Question from the Table - Use of Land for the Storage and Distribution of Swimming Pools

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

Under section 80C of the *Local Government Act 1989*, Council officers and others who are contracted to provide advice or services to the Council must disclose any conflicts of interests they have before any advice they provide is considered. Disclosures must be in writing, to the Chief Executive Officer and must specify the type and nature of the conflict.

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.

At the Ordinary Meeting held on Tuesday 20 May 2014 Cr Polan moved:

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

That the matter lay on the table until the next Ordinary Council Meeting

**CARRIED**

A decision was taken to lay the motion as presented on the table for one month.

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

That the Council resolves to take the question from the table.

**CARRIED**

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use of Land for the Storage and Distribution of Swimming Pools

**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: Statutory Planner**

**Proof reader(s): Team Leader Statutory Planning and Manager Planning**

**Approved by: Director Sustainable Development**

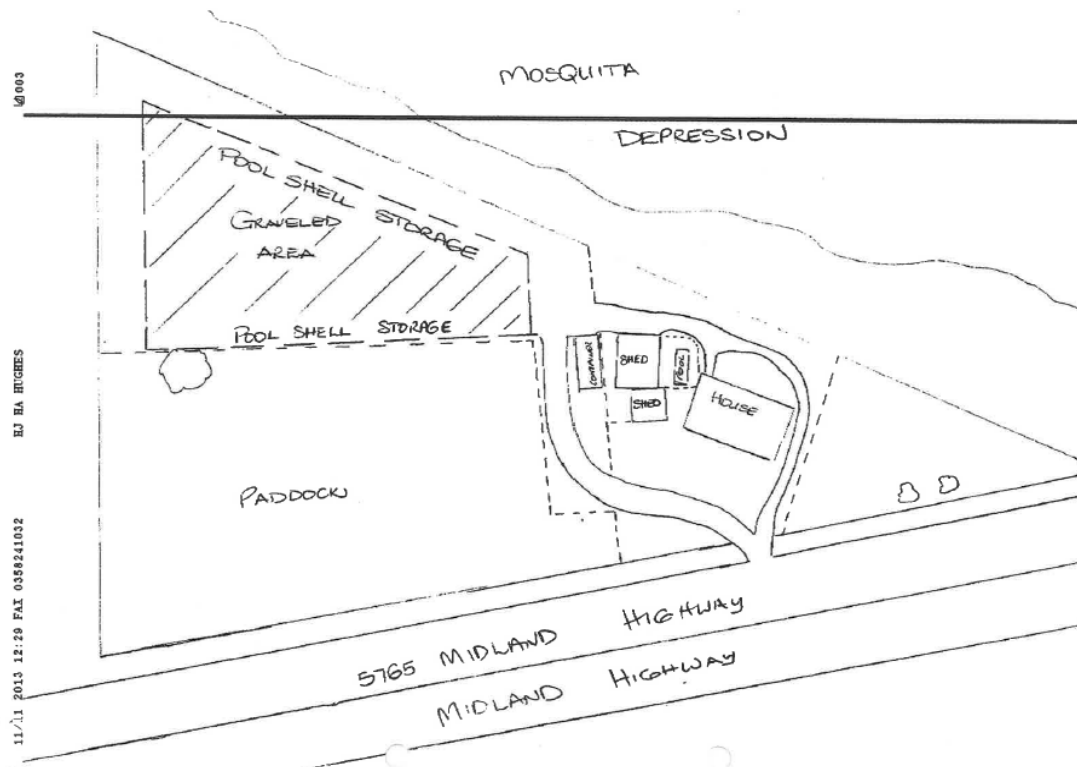
#### **Executive Summary**

The application seeks retrospective approval to use land at 5765 Midland Highway, Tatura (the land) to store and distribute swimming pools. The use of land has been occurring since 2007 without a planning permit.

The land is within the Farming Zone 1 (FZ) and is not affected by any overlays.

Council became aware of the use during an assessment of a proposed subdivision of the land in 2012, which led to enforcement file EF-431 being opened. As a result of the enforcement file an application for planning permit has been made.

A site plan of the proposed use is below:



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use of Land for the Storage and Distribution of Swimming Pools (continued)

Of the 38ha property the area of the proposed use is about 7830sqm.

The application has been advertised and no objections lodged.

Vic Roads and Goulburn Murray Water were notified of the application and did not oppose the grant of a permit (subject to conditions).

The application has been assessed and found to achieve an unacceptable planning outcome for the following reasons:

- The application is contrary to 21.06 of the Local Planning Policy Framework which specifically discourages non-agricultural land uses on rural land unless the use is dependent on a rural location. The proposed use of the land for the storage and distribution of swimming pools is a use well suited to an industrial zone in either Tatura, Mooroopna or Shepparton but not in a Farming Zone.
- The proposed use of land for a non-agricultural use in the Farming Zone undermines the Industrial Land Review and economic feasibility of possible future industrial growth areas developing in Tatura.
- The application is contrary to 14.01-1 of the State Planning Policy Framework as it permanently removes agricultural land of state importance from agricultural production
- The application fails to achieve acceptable planning outcomes when assessed against the relevant planning provisions including the Farming Zone, agricultural policies and the Industrial Land Review by:
  - Removing land within an irrigation district from agricultural production
  - Not supporting or enhancing agricultural production as the use is in no way related to an agricultural use
  - Introducing a non-agricultural use on the Midland Highway may place pressure on existing agricultural uses to cease and therefore allow for an alternative low cost industrial land use precinct

Based on the above reasons officers recommend that the application be refused.

#### **RECOMMENDATION**

That in relation to Planning Application 2013-303, on the basis of the information before Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, Council resolves to refuse to grant planning application 2013-303 for the following reasons:

- The application is contrary to 21.06 of the Local Planning Policy Framework which specifically discourages non-agricultural land uses on rural land unless the use is dependent on a rural location. The proposed use for the storage and distribution of swimming pools is use well suited to an industrial zone in either Tatura, Mooroopna or Shepparton
- The proposed use of land for a non-agricultural use in the Farming Zone undermines the Industrial Land Review and economic feasibility of possible future industrial growth areas developing in Tatura which were identified in North Tatura and Cussen Street due to their location and proximity to existing infrastructure

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use of Land for the Storage and Distribution of Swimming Pools (continued)

- The application is contrary to 14.01-1 of the State Planning Policy Framework by permanently removing agricultural land of state importance from agricultural production
- The application fails to achieve acceptable planning outcomes when assessed against the relevant planning provisions including the Farming Zone, agricultural policies and the Industrial Land Review by:
  - Removing land within an irrigation district from agricultural production
  - Not supporting or enhancing agricultural production as the use is in no way related to an agricultural use.
  - Introducing a non-agricultural use on the Midland Highway may place pressure on existing agricultural uses to cease and therefore allow for an alternative low cost industrial land use precinct

**Moved by Cr Ryan**  
**Seconded by Cr Oroszvary**

1. That in relation to Planning Application 2013-303, on the basis of the information before Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, Council resolves to grant planning permit 2013-303 with the following permission and conditions:

**THE PERMIT ALLOWS:** The use of land for a store (storage and distribution of swimming pools) in the Farming Zone in accordance with the endorsed Plans forming part of this Permit.

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

**1. Specific Operation Requirements**

The use of land must be undertaken in compliance with the following specific operation requirements:

- a) The use must be undertaken in accordance with the endorsed plans under the permit
- b) The land must not be accessible to the general public to view or purchase swimming pools

All of the above must be undertaken to the satisfaction of the responsible authority.

**2. General Amenity**

The use of the land must not adversely affect the amenity of the area, by way of:

- a) processes carried on the land;
- b) the transportation of materials, goods or commodities to or from the land;

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use of Land for the Storage and Distribution of Swimming Pools (continued)

- c) the appearance of any buildings, works or materials;
  - d) the emission of noise, artificial light, vibration, smell, fumes, smoke, steam, soot, ash, dust, waste water, waste products, grit, or oil;
  - e) the presence of vermin
- to the satisfaction of the responsible authority.

#### 3. VicRoads Requirements

Within two months of the date of this planning permit, the existing access must be upgraded to the satisfaction of the Roads Corporation (VicRoads) and at no cost to the Roads Corporation in accordance with standard drawing SD2065 Truck Access to Rural Properties Type B.

#### **Planning Note:**

Separate consent may be required to carry out works within the road reserve under the *Road Management Act*.

#### 4. Permit Expiry

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

- a) The use is discontinued for a period of two years

**CARRIED.**

### Property Details

Land/Address	5765 Midland Highway, Tatura
Zones and Overlays	Farming Zone 1, no Overlays Area of cultural heritage sensitivity
Why is a permit required	Use of land for the storage and distribution of swimming pools under 35.07-1

The land contains an existing dwelling and shed. It is being used for agricultural purposes (raising of cattle) and storage and distribution of swimming pools. The storage of swimming pools is the subject of this application.

The land is located in a FZ with surrounding uses consisting of agricultural activities such as cropping, feed production and grazing.

A photo of the uses occurring on the land is shown below:

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use of Land for the Storage and Distribution of Swimming Pools (continued)



#### **Proposal in Detail**

The applicant has explained the use as:

- Swimming pools are delivered to the land from their place of manufacture in Newcastle
- No works are undertaken on the pools at the land
- The pools are stored on the land normally for short periods and then delivered to the end user
- The delivery of the pools is organised by the permit applicant
- Trucks movements to the land are limited to day time hours
- The use of land employs six persons
- The use would not be viable if forced to relocate to an industrial zoned land. If the use is not permitted to operate at the land it is likely that the business will cease to operate

#### **Summary of Key Issues**

- This application seeks retrospective planning permission to use the land for storage and distribution of swimming pools. The use has operated from the land since 2007 without a planning permit
- The land is within an area of aboriginal cultural heritage sensitivity. Jo Bell Heritage Services reviewed the application and determined that the use does not trigger the need for a Cultural Heritage Management Plan as the use does not result in significant ground disturbance
- The application was advertised and no objections were lodged

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use of Land for the Storage and Distribution of Swimming Pools** **(continued)**

- The relevant authorities being Vic Roads and Goulburn Murray Water did not oppose the grant of a permit (subject to conditions)
- The proposed industrial use in the FZ undermines the Industrial Land Review which provides strategic direction for future industrial uses in the north Tatura Industrial area and the Cussen Street industrial area
- When assessed against the relevant parts of the planning scheme, the application fails to achieve an acceptable planning outcome as the use permanently removes agricultural land from agricultural activities and undermines the Industrial Land Review

#### **Background**

A detailed explanation of the background to this application is included within the attached officer's planning report.

As part of the processing of the application, officers informed the applicant soon after the lodgement that the Planning Department would not support the proposed use.

Prior to September 2013, the use of land would have been prohibited under the FZ. VC 103 allowed a wider range of uses within the FZ subject to the grant of a permit including the use that is proposed as part of this application.

#### **Assessment under the Planning and Environment Act**

A full assessment is provided in the officer's report including a review of relevant Victorian Civil and Administrative Tribunal decisions.

The proposal seeks retrospective planning permission to use the land for a non-agricultural use being the storage and distribution of swimming pools. The use is not related to agriculture and is an opportunistic use of agricultural land for a use that would be most appropriately located in an industrial zone or an area designated for future industrial development under the Industrial Land Review.

It is acknowledged that the use is no longer prohibited in the FZ. Despite this, clause 31.02 states the following when making decisions about section 2 uses.

*Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the State Planning Policy Framework, the Local Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.*

With regard to access, the location, being on a major east west road, provides some benefits in terms of location and access to transport routes. The direct access to the Midland Highway raises potential road safety issues and therefore Vic Roads has required the existing access to be upgraded. As such, it is considered that the application does lead to any undesirable road safety conditions.

Although the use is visible when travelling on the Midland Highway the use itself is relatively gentle in terms of impact on amenity and visual appearance. This is demonstrated through no negative response to the application from neighbours.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use of Land for the Storage and Distribution of Swimming Pools** **(continued)**

Above issues notwithstanding, officers consider that the failure of the proposed use to comply with the intent of the Farming Zone needs to be given greater weight.

VCAT has considered applications for non-agricultural uses in the rural zones and made the following comments:

In *Fadgyas Planning Associates Pty Ltd v Greater Geelong VCAT 953 24 May 2004*, Member Baird considered an application to a use of land in the Rural Zone which consisted of storing of fabricated products with some assembly of materials and distribution of the products.

In deciding to refuse to grant a permit the following comments were made:

*While I have no criticism of the business operation per se, it has no critical link or nexus with agricultural or rural-based activities locally or further afield. The review site would be used as a store, assembly and distribution centre whose products can loosely be described as being linked with road management or the management of other spaces, being removable bollards, car park products, barrier mesh, lighting and fixed barriers. It cannot be said to be economic development that is related to rural activities.*

*I have not been persuaded that the proposal is acceptable when assessed against the Zone purpose and relevant policies. I am not satisfied that the outcome of this Application is policy neutral, rather, as I have said, the outcome would be an industrial use in a rural zone with the potential to undermine the policy directions of the Scheme.*

Officers consider that the use of land is not related to agriculture and produces unacceptable planning outcomes for the following reasons:

- It is well documented, through the Rural Regional Land Use Strategy and the Planning Scheme, that the municipality is an important food producing region for the state and nation. Therefore it is of critical importance that agricultural land be protected from inappropriate land uses such as that applied for to ensure land is maintained for agriculture and that land prices are not inflated beyond their agricultural value by inappropriate uses
- Council's local planning policy at 21.06 specifically discourages non-agricultural uses on rural land unless the use is dependent on a rural location. This proposed use, the storage and distribution of swimming pools, is a common use found in industrial areas across the municipality and is more appropriate in an industrial zone.
- The proposed use of land for a non-agricultural use in the Farming Zone undermines the Industrial Land Review and economic feasibility of possible future industrial growth areas developing in Tatura which were identified in North Tatura and Cussen Street due to their location and proximity to existing infrastructure.
- Although the loss of agricultural land is minimal the precedent which is likely to be created is undesirable and may lead to a proliferation of like uses in the area and impact on the productive capacity of the surrounding agricultural area by removing land from agricultural production and creating potentially conflicting land uses.
- The use of land is contrary to the purposes of the Farming Zone which seeks to provide, retain and protect productive agricultural land for agricultural pursuits.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use of Land for the Storage and Distribution of Swimming Pools** **(continued)**

- The proposal achieves negative outcomes in terms of the decision guidelines of the FZ by:
  - Removing land within an irrigation district from agricultural production.
  - Not supporting or enhancing agricultural production as the use is in no way related to an agricultural use. The use is an activity that would normally be located within an industrial zone.
  - Introducing a non-agricultural use on the Midland Highway is likely to place pressure on existing agricultural uses to cease and therefore allow for an alternative, de facto, low cost industrial land use precinct

Based on this assessment it is recommended that no permit grant and that the application be refused on the following grounds:

- The application is contrary to 21.06 of the Local Planning Policy Framework which specifically discourages non-agricultural land uses on rural land unless the use is dependent on a rural location. The proposed use for the storage and distribution of swimming pools is use well suited to an industrial zone in either Tatura, Mooroopna or Shepparton
- The proposed use of land for a non-agricultural use in the Farming Zone undermines the Industrial Land Review and economic feasibility of possible future industrial growth areas developing in Tatura which were identified in North Tatura and Cussen Street due to their location and proximity to existing infrastructure
- The application is contrary to 14.01-1 of the State Planning Policy Framework by permanently removing agricultural land of state importance from agricultural production
- The application fails to achieve acceptable planning outcomes when assessed against the relevant planning provisions including the Farming Zone, agricultural policies and the Industrial Land Review by:
  - Removing land within an irrigation district from agricultural production
  - Not supporting or enhancing agricultural production as the use is in no way related to an agricultural use.
  - Introducing a non-agricultural use on the Midland Highway may place pressure on existing agricultural uses to cease and therefore allow for an alternative low cost industrial land use precinct

Should, Council decide to refuse to grant a permit, enforcement action will then need to be undertaken to require that the business relocate and use cease at the land.

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

##### Council Plan

Goal 3 – Economic Prosperity

#### ***Economic Prosperity (Economic)***

*We will promote economic growth through working with existing businesses and industries, encouraging new business development and diversification, attracting and supporting education within our city, and strengthening the agricultural industry.*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use of Land for the Storage and Distribution of Swimming Pools (continued)

*Local entrepreneurs and small businesses are the backbone of our communities equating to 32.2% of the business sector. We will continue to support them to prosper and grow, thus retaining local knowledge, building skills and employment in the region.*

*The region has a strong and well developed economy, based primarily on irrigated agriculture, food processing, retailing and road transport. The Goulburn Valley is responsible for about 25% of Victoria's agricultural production and is often referred to as the "Food Bowl of Australia".*

Whilst it is acknowledged that the refusal to grant a permit will impact negatively on this business, it is important to promote the siting of businesses in appropriate locations and to not disadvantage like businesses which are lawfully located within industrial zones.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Incorrect notification	A	5	Low	The application has been properly advertised which allowed objections to be lodged with the Council. These objectors will be informed of the Council's decision and made party to any future VCAT review.
Traffic	A	5	Low	Comments from Vic Roads inform that subject to the upgrading of the existing vehicle access to the Midland Highway the use will not have a detrimental impact on road safety

#### **Policy Considerations**

As set out within this report the application fails to achieve acceptable planning outcomes against agricultural policies within the scheme.

In *Hastings & Brereton v Pyrenees Shire Council and Anor P2274/2003* Member Cimino considered an engineering workshop in the Rural Zone.

In this case VCAT considered availability of industrial zoned land to accommodate the use, which is an issue raised by the applicant in this matter.

*A further factor to consider is the lack of serviced industrial land available for a business of this type in Avoca. On this point, it is acknowledged in the "Beaufort and Avoca Industrial Land Strategy" report 2002 that by comparison with Beaufort, there have been fewer industrial development initiatives in Avoca over recent years and there is no industrial estate with the potential to provide serviced lots for start up industries. One of Avoca's weaknesses identified in the strategy is that there is a lack of factory buildings available. Some industrial land is available, however, it is not suitable for a venture of this type as it requires redevelopment and the associated costs are beyond those that could reasonably be embraced by a small business venture like that carried out by the applicants.*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use of Land for the Storage and Distribution of Swimming Pools** **(continued)**

*In such circumstances, it seems to me that there should be some scope to allow land within the Rural Zone to be used for an industrial purpose that provides services to the local community.*

Council's Industrial Land Review (ILR) assessed both the demand and supply of industrial land in Tatura. Utilising planning and development data, and existing supply capabilities, the ILR suggests that there is a shortage of available industrial zoned lands within the township. The ILR calculates that there is approximately four hectares of appropriately zoned land for industrial purposes in Tatura equal to approximately two years' worth of supply. The majority of this land is owned by the three large industrial businesses within Tatura:

1. Tatura Abattoirs Pty Ltd;
2. Tatura Milk Industries Ltd; and
3. Unilever Australia Holding Pty Ltd.

This land is effectively reserved for the companies' own expansion needs and is not available for small-scale industrial subdivision for local small-scale businesses.

The ILR undertaken by Council identifies two investigation areas in Tatura for future industrial re-zoning being the:

1. North Tatura Industrial Investigation Area; and
2. Cussen Street Industrial Investigation Area.

It is therefore acknowledged that a shortage of industrial land in Tatura exists.

However, it is considered that if there is to be industrial uses locating in the FZ the most appropriate location for this to occur is within the two investigation areas as there is future strategic direction in existing council document to locate industrial land uses within these areas.

The siting of industrial uses within these investigation areas would ensure ad hoc industrial intrusions do not occur within land that is set aside for farming.

The subject site is currently within an agricultural area with no strategic direction for the land to be used for anything other than agriculture; therefore the use should be disallowed.

#### **Financial Implications**

In the event of an application for review by Victorian Civil and Administrative Tribunal (VCAT), each respective party will be required to bear its own costs.

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

The responsible authority's decision may be subject to an application for review by VCAT.

#### **Cultural Heritage**

The *Aboriginal Heritage Act 2006* provides protection for all Aboriginal places, objects and human remains in Victoria, regardless of their inclusion on the Victorian Aboriginal Heritage Register or land tenure.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use of Land for the Storage and Distribution of Swimming Pools** **(continued)**

The *Aboriginal Heritage Act 2006* introduces a requirement to prepare a Cultural Heritage Management Plan (CHMP) if all or part of the activity is a listed high impact activity, resulting in significant ground disturbance, and all or part of the activity area is an area of cultural heritage sensitivity, which has not been subject to significant ground disturbance.

The land is entirely within an area of cultural heritage sensitivity. The applicant has engaged Jo Bell Heritage Services (Jo Bell) to provide advice if the use triggers the need for a Cultural Heritage Management Plan (CHMP). Jo Bell in a letter dated 12 March 2014 concludes the use will result in no significant ground disturbance, therefore no CHMP is triggered by the use.

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

The use has no detrimental impact on the environment subject to the inclusion of appropriate drainage conditions should it be decided to grant a permit.

#### **Social Implications**

Section 60(1)(f) of the Act states the following:

*Before deciding on an application, the responsible authority, if the circumstances appear to so require, must consider—*

- *Any significant social effects and the economic effects which the responsible authority considers the use or development may have.*

This application does not raise any significant social issues that influence the planning officer's view as the application has not been objected to by any neighbour.

#### **Economic Impacts**

If the application is refused by Council, the applicant has indicated the business will cease to operate which will result in the loss of six jobs associated with the business.

#### **Referrals/Public Notice**

The application was advertised by written notice to adjoining land owners and a sign on site.

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

#### **Strategic Links**

##### **a) Greater Shepparton 2030 Strategy (GS2030)**

GS2030 describes the agricultural sector as:

*In summary, this report demonstrates that the economic performance of Greater Shepparton is largely dependent on the strong rural sector and the associated value adding industries, represented predominantly by the food processors. It is the size and scope of this agricultural sector that makes the municipality a major contributor to the economic wealth of Victoria and Australia.*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use of Land for the Storage and Distribution of Swimming Pools** **(continued)**

GS2030 includes the following strategy:

*Prevent the inappropriate use and development of rural land for the establishment of industrial activities*

GS2030 provides clear direction that agricultural land should be retained for farming activities and discourages the use of Farming Zone land for industrial activities.

#### **Options for Consideration**

The decision on planning permit application 2013-303 for the use of land for the storage and distribution of swimming pools includes the following options:

- a) Refuse to grant the permit as per the officers recommendation
- b) Grant a permit subject appropriate conditions

#### **Conclusion**

The proposed application to use land in the Farming Zone 1 for storage and distribution of swimming pools is a retrospective application as the use has commenced without a permit.

The application fails to achieve acceptable planning outcomes when considered against agricultural policies, therefore no permit should grant.

#### **Attachments**

Delegates Report Page 518

## 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

### 14.1 Land Acquisition for Blackspot Funding Intersection Realignment - Labuan Road/Jubilee Road, Marionvale

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

Under section 80C of the *Local Government Act 1989*, Council officers and others who are contracted to provide advice or services to the Council must disclose any conflicts of interests they have before any advice they provide is considered. Disclosures must be in writing, to the Chief Executive Officer and must specify the type and nature of the conflict.

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.

The following document has been presented for signing and sealing:

- Agreement to Acquire – Acquire 347m<sup>2</sup> of land on the corner of Labuan Road and Jubilee Road, Marionvale

This land has been acquired to allow the realignment of the Labuan Road / Jubilee Road intersection. The works have received VicRoads Blackspot Funding of \$197,000.

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

That the Council authorise the Chief Executive Officer to sign and seal the documents listed above.

**CARRIED.**

## 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*, Council officers and others who are contracted to provide advice or services to the Council must disclose any conflicts of interests they have before any advice they provide is considered. Disclosures must be in writing, to the Chief Executive Officer and must specify the type and nature of the conflict.

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 May 2014 to 31 May 2014 some or all of the Councillors have been involved in the following activities:

- Pactum Dairy Group | Grand Opening
- Meeting with Deputy Prime Minister | The Hon Warren Truss
- BMX Nationals Australia | Mayor Video
- BMX Australia | Welcome and VIP Marquee
- Women's Charter Alliance Advisory Committee meeting
- Community Matching Grants | Meeting and Morning Tea
- Tatura | Monster Garage Sale
- 2014 Subaru BMX National Championships | Tourism Industry Function
- BMX National Series | Awards Night
- IR 'Leon' Williams | AFSM OAM | Community Dinner
- CentaCare | Grandparents Support Group | 10 Year Celebration
- Volunteer Awards 2014 | Meeting for the Judges
- Capital Budget Discussion
- Meeting with Dinny Adem & Victor Qylafi
- Australian Botanic Gardens Walk with RiverConnect Aboriginal Action Group
- GSCC Municipal Emergency Management Planning Committee Meeting
- Andrew Fairley Avenue meeting | Stage 2 Traffic & Costing Report
- Positive Ageing Advisory Committee Meeting
- Mooroopna Football Netball Club | Official Opening Netball Changerooms
- Mother's Day Classic | 4km & 8km Run and Walk | Mayor Starts Race
- Andrew Fairley Avenue | Traffic Stage 2 – Public Session
- St Mel's | Official Opening - New Kindergarten Room & Community Space
- Hume Alliance Executive Group | May 2014 meeting
- Victoria Open | Photo Shoot
- Greater Shepparton Volunteer Recognition Awards
- MAV | State Council Meeting
- IDAHO | Raising the Flag
- St Georges Road | Food Festival
- Goulburn River Valley Tourism | Destination Management Plan
- CEO Conference [4th & 5th June] | Site Visit
- FloodSafe Launch
- Australian Botanic Gardens Shepparton Committee Meeting
- Resource GV | Technical Tour – Melbourne
- Regional Cities Victoria | May 2014 Meeting
- Robotic Dookie Dairy – Dookie
- St Brendan's Debutante Ball



## 15. COUNCILLOR ACTIVITIES

### 15.1 Councillors Community Interaction and Briefing Program (continued)

- Indigenous Ceramic Art Award Official Opening
- National Sorry Day Commemoration
- United Care Cutting Edge's - Reconciliation Action Plan | Launch
- Hearing of Submissions | Andrew Fairley Avenue
- Mayoral Speech | Water Technology Cluster Irrigation & Energy Expo
- Safer City Camera Network Launch
- Reconvened Special Committee Meeting | Adoption of Andrew Fairley Avenue report

Councillors were also briefed on the following matters:

- Public Toilet Workshop - 10 Year Plan
- Greater Shepparton Regional Sports Precinct
- Parking Brief – Update
- 2014/2015 Draft Budget
- Cultural Diversity & Inclusion Strategy - Action Plan
- Positive Ageing Strategy 2009-2014
- Seasonal Pools Review and Strategy
- Committee for Greater Shepparton
- Hearing of Submissions | Andrew Fairley Avenue

In accordance with section 80A of the *Local Government Act 1989* records of the Assemblies of Councillors are attached.

**Moved by Cr Patterson**  
**Seconded by Cr Oroszvary**

That the summary of the councillors' community interaction and briefing program be received.

**CARRIED.**

#### **Attachments**

- |  |          |
|--|----------|
| 1. Minutes Positive Ageing Advisory Committee Meeting 18 November 2013 | Page 536 |
| 2. Disability Advisory Committee Meeting Minutes 29 November 2013      | Page 540 |
| 3. Councillor Briefing Session - 13 May 2014                           | Page 543 |

## **16. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA**

### **16.1 Support the Redevelopment of the SPCA Site in Shepparton**

Cr Polan sought to raise an urgent matter further to the motion passed at item 9.3 'Support the Redevelopment of the SPCA Site in Shepparton'. The Chair ruled that this could not be raised under Urgent and Other Business on the grounds that:

- the issue did not relate to or arise out of a matter which has arisen since the distribution of the agenda

As a result the matter could not be considered in accordance with Local Law No. 2 – Processes of Local Government (Meetings and Common Seal).

## **17. PUBLIC QUESTION TIME**

Nil Received.

## **18. CONFIDENTIAL MANAGEMENT REPORTS**

### **18.1 Designation of Confidentiality of Information**

**Moved by Cr Oroszvary**  
**Seconded by Cr Patterson**

That pursuant to sections 89(2)(a)(d) of the *Local Government Act 1989* the Council meeting be closed to members of the public for consideration of two confidential items.

**CARRIED.**

### **18.2 Taking of the Question from the Table - Chief Executive Officer Performance Review**

### **18.3 Chief Executive Officer Performance Review**

### **18.4 Shepparton Sports Precinct - Functional and Detailed design**

### **18.5 Reopening of the Council Meeting to Members of the Public**

**MEETING CLOSED AT 6.52PM**