

# MINUTES

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## ORDINARY COUNCIL MEETING

HELD ON  
TUESDAY 21 OCTOBER, 2014  
AT 5.30PM

IN THE TATURA BALLANTYNE CENTRE

**COUNCILLORS:**

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

***VISION***

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



**MINUTES  
FOR THE  
ORDINARY COUNCIL MEETING  
HELD ON  
TUESDAY 21 OCTOBER, 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, Dinny Adem, Les Oroszvary, Michael Polan, Kevin Ryan and Fern Summer.**

**OFFICERS: Gavin Cator – Chief Executive Officer  
Steve Bowmaker – Director Infrastructure  
Amanda Tingay – Acting Director Community  
Stephanie Giankos – Official Minute Taker  
Marianne Conti – 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 Adem**

That the Minutes of the Ordinary Council Meeting held 16 September 2014 and the Special Council Meetings held 23 September 2014 and 6 October 2014, as circulated, be confirmed.

**CARRIED.**

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.1 2013-2014 Annual Report

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

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

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

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

**Author: Team Leader Marketing and Communications**

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

**Approved by: Chief Executive Officer**

#### **Executive Summary**

Section 131 of the *Local Government Act 1989* requires Council to prepare an Annual Report for the financial year just completed. A copy of this report must be provided to the Minister for Local Government within three months of the end of the financial year and the Council must then consider the report at a meeting of the Council within one month of its provision to the Minister. Council's Annual Report for the Financial Year 2013-2014 was forwarded to the Minister on 30 September 2014.

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

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

That the Council receives and considers the Greater Shepparton City Council Annual Report 2013-2014, including the Financial Statements, Standard Statements and Performance Statement, as certified by the Auditor-General

**CARRIED.**

#### **Background**

The Victorian *Local Government Act 1989* requires all councils to present an Annual Report to the Minister by 30 September each year. Importantly, the Annual Report provides an account of Council's performance to our community. It details Council achievements against commitments and our performance against stipulated measures. It also provides an account of Council's financial management during the previous financial year.

The Annual Report is also an opportunity to acknowledge all the great activities that have been happening across the municipality and note the challenges that have marked the year.

The Annual Report 2013-2014 contains:

- A report on the operations of the Council including highlights throughout the year
- Audited Standard Statements, Financial Statements and Performance Statement
- Other general information required by the Local Government (Finance and Reporting) Regulations 2004 and the Local Government Act

On 23 September 2014, Council resolved to approve in principle the Financial Statements, Standard Statements and the Performance Statement for the year ended



## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.1 2013-2014 Annual Report (continued)

30 June 2014, and authorised the Mayor, Cr Jenny Houlihan and Cr Dennis Patterson to sign the statements in their final form after any changes recommended or agreed to by the auditor have been made. These documents were subsequently signed by Cr Houlihan and Cr Patterson.

The Annual Report is following a design template set for last year's report with a view to minimise production costs and maximising its usability. A designed copy of the Annual Report will be made available to Councillors, government Ministers and the community once it is completed.

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

2013-2017 Council Plan – Goal 5 High Performing Organisation

Council will provide open and transparent internal and external communication through the print, verbal and electronic media, to meet the need of the organisation and the community ensuring at all times value for money and continuous improvement approach.

#### **Risk Management**

Any risks associated with this report relate to compliance with the requirements of the Local Government Act.

#### **Policy Considerations**

The Annual Report has been prepared in accordance with relevant Council policies including accounting policies and communication guidelines.

#### **Financial Implications**

The hard copy and electronic designs of the Annual Report and Financial Report have been quoted at \$5,478. The design and printing of the Annual Report forms part of the marketing and communications annual budget.

	2013/2014 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue				
Expense	5,478	5,478		This is the total cost of design (hard copy and electronic formats) for the Annual and Financial Reports. This excludes final printing cost.
Net Result				

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

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

Section 131 of the *Local Government Act 1989* requires Council to prepare an Annual Report for the financial year just completed. A copy of this report must be provided to the Minister for Local Government within three months of the end of the financial year and the Council must then consider the report at a meeting of the Council within one month of its provision to the Minister.

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

There are no environmental/sustainability impacts associated with this report.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.1 2013-2014 Annual Report (continued)

#### **Social Implications**

There are no social implications associated with this report.

#### **Economic Impacts**

There are no economic impacts in relation to this report.

#### **Consultation**

The Executive Team, Senior Leadership Group and Council officers were all consulted in the preparation of the Annual Report.

Officers consider that appropriate consultation has occurred and this matter is now ready for Council consideration.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

The Annual Report is consistent with the Greater Shepparton 2030 Strategy and provides a mechanism for reporting against the achievement of strategic goals.

##### b) Other strategic links

- 2013-2017 Council Plan  
This Annual Report marks the final year of the implementation of the 2009-2013 Council Plan.
- 2013/2014 Marketing Strategy

The Annual Report is consistent with the principles of the 2013/2014 Marketing Strategy. This includes increased communication and transparency.

#### **Options for Consideration**

This is a Statutory process and there are no options for consideration.

#### **Conclusion**

That Council receives and considers the Greater Shepparton City Council Annual Report 2013-2014 for the year ended 30 June 2014, including the Financial Statements, Standard Statements and Performance Statement, as certified by the Auditor-General.

#### **Attachments**

2013-2014 Annual Report

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.2 2014/2015 Christmas Arrangements

#### **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 Team Leader Governance**

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

**Approved by: Chief Executive Officer**

#### **Executive Summary**

The Council Offices close over the Christmas and New Year period each year, with the length of closure varying, depending on when each public holiday falls.

This year, Christmas Eve falls on a Wednesday and it is proposed the offices close from 3.00pm on this day (Wednesday 24 December 2014) and re-open at 8.15am on Monday 5 January 2015.

Directors will make appropriate staffing arrangements to ensure that Council services and programs required to operate during this period continue to do so without interruption.

As has been the practice in previous years, it is also proposed that no ordinary Council meeting be held in January 2015, with the meeting cycle to resume on the third Tuesday of February 2015.

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

That the Council resolves:

1. that the Council offices close at 3.00pm on Wednesday 24 December 2014 and re-open at 8.15am on Monday 5 January 2015
2. no Ordinary Council Meeting be held during January 2015
3. the Ordinary Council Meeting cycle be resumed on Tuesday 17 February 2015.

**CARRIED.**

#### **Background**

##### Council Meetings:

The last Ordinary Council meeting for 2014 will be held on Tuesday 16 December. As in previous years, it is proposed that no ordinary meeting be held in January 2015, with the meeting cycle to resume on the third Tuesday of February 2015.

During the interim period, Special meetings may be called if required to consider any urgent business.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **5.2 2014/2015 Christmas Arrangements (continued)**

It is considered that Councillors will not be required during the public holiday period and will resume Council commitments from Tuesday 27 January 2015.

#### Office Closure:

The period between Christmas and New Year is a very quiet time for the organisation with most businesses and traders in the area closing prior to Christmas and remaining closed well into January.

It is proposed that this year, the Council Offices close at 3.00pm, Wednesday 24 December 2014 and re-open at 8.15am on Monday 5 January 2015. This would require the majority of staff to take four days of leave, with staff involved in delivering essential services and programs continuing to operate throughout this period as required.

In the past, the 3.00pm closing on Christmas Eve has been a popular option with staff as it allows them time to run errands and make last minute preparations prior to the public holiday shut down. In considering equality, it has also been queried whether part time employees should also be permitted to finish two hours earlier than their usual finish time.

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

There are no direct links to the Council Plan.

#### **Risk Management**

There is no risk associated with closing the Council Offices over the Christmas and New Year period. Arrangements will be put in place to ensure programs and services continue to operate during this period.

#### **Policy Considerations**

There are no conflicts with existing Council Policies.

#### **Financial Implications**

There are no financial implications arising from this proposal.

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

This proposal conforms with the *Local Government Act 1989* and all other relevant legislation.

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

There are no environmental or sustainable impacts that will arise from this proposal.

#### **Social Implications**

There are no social impacts by closing the Council Offices over Christmas and New Year.

#### **Economic Impacts**

There are no economic impacts arising from this proposal

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.2 2014/2015 Christmas Arrangements (continued)

#### Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Staff and public will be informed that Council is closing the offices at 3.00pm Wednesday 24 December 2014 and re-open at 8.15am on Monday 5 January 2015.	<u>External Communication:</u> <ul style="list-style-type: none"> <li>• Public Notice</li> <li>• Flyer at Welsford Street main entrance</li> <li>• GSCC Website</li> </ul> <u>Internal Communication:</u> <ul style="list-style-type: none"> <li>• Insite</li> <li>• Email from the CEO</li> <li>• ExecSpeak</li> </ul>

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

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

There are no strategic links to the *Greater Shepparton 230 Strategy*.

##### b) Other strategic links

There are no objective links to the *Council Plan 2013-2017*.

#### Options for Consideration

##### Council Meetings:

1. Commence the Ordinary Council meeting cycle from Tuesday 17 February 2015, relieving Councillors from their regular duties until Tuesday 27 January 2015.

This also provides the opportunity for Council staff to take additional leave over the school holiday period.

2. Commence the Ordinary Council meeting cycle from Tuesday 20 January 2015, relieving Councillors of their regular duties until Monday 12 January 2015.

##### Office Closure:

1. Council offices close at 3.00pm Wednesday 24 December 2014 and reopen at 8.15am Monday 5 January 2015.

This option would require staff to take four days of leave.

2. Council offices close at 3.00pm Wednesday 24 December 2014 and reopen at 8.15am Friday 2 January 2015.

This option would require staff to take three days of leave.

#### Conclusion

##### Council Meetings:

It is recommended that there be no Ordinary Council meeting held in January 2015, as outlined in option 1.

If required, a Special meeting may be called to consider any urgent business arising during this interim period.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **5.2 2014/2015 Christmas Arrangements (continued)**

#### Office Closure:

It is recommended that option 1 provides staff with an adequate break over the festive season with minimal disruption to daily business and services to the public.

#### **Attachments**

Nil

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.3 Contracts Awarded Under Delegation Report - October 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 under delegated authority of the Council during the period September 2014 to October 2014. The report also provides details of the status of requests for tenders that have not yet been awarded.

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

That the Council notes the publicly advertised contracts awarded by the Chief Executive Officer 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>
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.	\$450,000	Corporate Traveller

#### **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>
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. This contract has been abandoned and will be re-advertised.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

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

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1467	Recyclables Acceptance and Sorting	Lump sum contract for Recyclables Acceptance and Sorting	Tender closed 4 June 2014. Tenders currently being evaluated. This contract has been abandoned and will be re-advertised.
1468	Organics Acceptance and Processing	Lump sum contract for Organics Acceptance and Processing	Tender closed 4 June 2014. Tenders currently being evaluated. This contract has been abandoned and will be re-advertised.
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 closed 18 June 2014. Tenders currently being evaluated. This contract will be signed under delegation of the CEO. Contracts have been prepared and sent to the contractor awaiting contract return.
1429	Provision of Temporary Placements and Contractors	Provision of Temporary Placements and Contractors. Panel of Suppliers Contract with an initial contract term of 3 years with a possible 1 x 1 x 1 extension.	Tender closed 9 July 2014. Tenders currently being evaluated. This contract will be awarded at the November Council meeting.
1503	Provision of Early Intervention Services	Provision of Early Intervention Services. Panel of Suppliers Contract with an initial contract term of 1 year with a possible 1 x 1 x 1 extension.	Tender closed 9 July 2014. Tenders currently being evaluated. This contract will be signed under delegation of the CEO. Contracts have been prepared and sent to the contractor awaiting contract return.
1533	Goulburn Valley Collaborative Alliance Service Planning	Lump sum contract for the provision of Goulburn Valley Regional Collaborative Alliance is calling for tenders to develop a service planning framework within the organisations.	Tender closed 23 July 2014. GVRCA board have met to discuss the tenders. Letters of award have been sent and contracts have been prepared and sent to the contractor awaiting contract return.



## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

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

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1536	Road Stabilisation Part-Service & Whole of Service	Council is seeking Expression of Interest responses from suitably qualified companies for the provision of in-situ stabilisation on its road network. Council is seeking appoint a Panel of Suppliers for an Annual Rates contract for Part-Service Works and Whole of Service Works. This will be a three year contract with a possible two year extension.	Expression of Interest closed 6 August 2014. Submissions will be evaluated and a shortlist of preferred candidates will be prepared and invited to submit a tender. Tender closed 29 September, these are currently being evaluated.
1525	Verney Road Upgrade Stage 1 - Ford Road to Hawkins Street, Shepparton	Lump sum contract or upgrade of Verney Road between Ford Road and Hawkins Street, Shepparton.	Tender closed 17 September 2014. To be awarded at the October Council meeting.
1553	Provision of Legal Services for Goulburn Valley Regional Co-operative Alliance	Schedule of Rates contract for Provision of Legal Services for Goulburn Valley Regional Co-operative Alliance	Tender closed 17 September 2014. Tenders are currently being evaluated and will be awarded at the November Council meeting.
1560	Pine Lodge Cemetery Master Plan and Detailed Design Specification (Stage 1)	Lump sum contract for the provision of Pine Lodge Cemetery Master Plan and Detailed Design Specification (Stage 1) services.	Tender closed 8 October 2014. Tenders are currently being evaluated.
1571	Provision of Municipal Valuation Services 2016	Schedule of rates contract for the provision of valuation services for the municipality.	Tender closes 22 October 2014.
1546	Philippine House Restoration - Construction	Lump sum contract for the provision of building works in accordance with the requirements of the Heritage Overlay for two buildings.	Tender closes 29 October 2014.

#### 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.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

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

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 under delegated authority of the Council during the period September 2014 to October 2014.

#### **Attachments**

Nil

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Chas Johnson Reserve - Termination of Lease

#### **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: Project Officer**

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

**Approved by: Director Infrastructure**

**Other: Senior Business and Property Officer**

#### **Executive Summary**

In 2012 Council sold a portion of land at Chas Johnson Reserve to Shepparton Retirement Villages Inc (Shepparton Villages). Council then leased that portion of land from Shepparton Villages for a period of 5 years as they were not ready to commence their proposed development.

The terms of the lease allowed Shepparton Villages to give notice to terminate the lease at any time with 12 months' notice. Shepparton Villages has now asked the Council to terminate the lease one year earlier than expected.

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

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

That the Council authorises the Chief Executive Officer to terminate the lease between Council and Shepparton Retirement Villages Inc over Lot 1 at Chas Johnson Reserve, Shepparton on 29 May 2015.

**CARRIED.**

#### **Background**

At a Council meeting on the 16 November 2010, Council resolved to sell an area of 2.0454Ha of Chas Johnson Reserve to Shepparton Villages. A condition of the sale was that upon settlement, Shepparton Retirement Villages Inc. (Shepparton Villages) would provide a lease of the land to the Council for \$110.00 per annum to enable the continued community use of the site until Shepparton Villages commence development of the site.

On the 17 May, 2012 a lease was executed between Shepparton Villages as the Landlord and Greater Shepparton City Council as the tenant.

The term of the lease was for 5 years and provided that:

*"The Landlord may at any time after the first 3 years have elapsed terminate the lease for the purpose of commencement of development of the premises provided that it gives the Tenant no less than 12 months written notice of its intention to commence development and terminate the lease".*

The three year term does not expire until 29 May 2015 and with the Landlord required to give Council 12 months' notice, Council would not be required to vacate until 29 May 2016.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Chas Johnson Reserve - Termination of Lease (continued)

Shepparton Villages contacted Council on 24 April 2014 asking whether Council would consider terminating the lease 12 months earlier to allow Shepparton Villages to take advantage of available funding which would allow them to commence development earlier.

The area that has been sold to Shepparton Villages is used by the Shepparton Junior Soccer Association. Council has programmed the development of sporting facilities at Shepparton Sports Precinct for this financial year in accordance with the Shepparton Sports Precinct Master Plan, to allow for the junior soccer to be relocated to the Community Football Complex. The Shepparton Sports Precinct development involves a State Funding grant that has an agreed milestone for completion of 30 June, 2015.

The balance of Chas Johnson Reserve is owned by the Council and zoned Public Park and Recreation. The other tenants on the property are GV Football Umpires Association, GV Pigeon Club and the Shepparton & District Dog Obedience Club will all remain at the reserve in their current location as they are not located on the area sold to Shepparton Villages. A plan for the balance of the reserve will be brought to Council for their consideration.

#### Council Plan/Key Strategic Activity

The project supports Council's plan to improve liveability through social and recreational opportunities, a range of inclusive community services and activities, and valuing our diversity.

The project also supports Council's plan to make Greater Shepparton the regional sporting capital of Victoria and a leading sporting destination.

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Limit Shepparton Villages Opportunity to expand	Medium	Medium	Low	
Community Football Complex not completed	Low	Medium	Moderate	

#### Policy Considerations

There are no conflicts with existing Council policy.

#### Financial Implications

There will be no impact on Council budgets as the works to complete Greater Shepparton Regional Sports Precinct, Community Soccer Complex have been budgeted in this current financial year.

	2013/2014 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue				
Expense	110			Annual lease
Net Result				

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

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Chas Johnson Reserve - Termination of Lease (continued)

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

There are no legal or statutory implications in this proposal.

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

There are no conflicts with environmental/sustainability impacts.

#### **Social Implications**

Assisting Shepparton Villages to facilitate the expansion of facilities to better meet the community's requirements align with the best value principles.

#### **Economic Impacts**

This proposal will ensure the long term viability of Shepparton Villages by providing additional land for development into the future.

#### **Consultation**

In 2012, significant community engagement was undertaken for the part sale of Chas Johnson Reserve to Shepparton Villages.

Community Consultation will need to take place with the current sporting user groups of the remaining area of Chas Johnson Reserve, to advise them of the decision by Shepparton Village to terminate the lease. However, the termination of the lease will not affect their use of the remaining reserve.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Current user groups regarding the termination of lease	Meeting
Consult	Shepparton Villages on determination of request	Letter/meeting

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

The proposal is consistent with the key topic Settlement and Housing – commitment to growth within a consolidated and sustainable development framework.

##### b) Other strategic links

Council Plan - Integrated planning is featured in the Council Plan as a process that aims to achieve a whole-of-community approach and sustainable community outcomes. This is achieved by ensuring that the environmental spheres of influence (built/physical, social, economic and natural) are holistically taken into account through a combination of linkages and partnerships in planning, decision-making, implementation and performance.

Also, it is a key strategic objective of the Council Plan to Develop and promote the Shepparton Sports Precinct as a significant regional Victorian multi-sport complex. This has been discussed in line with the proposal throughout the report.

##### Greater Shepparton Community Development Framework

The Community Development Framework was adopted by Council in 2010. This framework outlines Council's commitment to implement a community development

## 6. INFRASTRUCTURE DIRECTORATE

### **6.1 Chas Johnson Reserve - Termination of Lease (continued)**

approach to empower and strengthen communities, encourage cooperative practices and celebrate and embrace diversity of our community.

#### **Options for Consideration**

To do nothing – this would require Shepparton Villages to place on hold any future development on site until May 2016 and jeopardise Shepparton Villages ability to obtain funding and the expansion of services.

#### **Conclusion**

That Council agrees to terminate the lease between Council and Shepparton Villages at Chas Johnson Reserve, Shepparton.

#### **Attachments**

Chas Johnson Plan Page 137

## 7. COMMUNITY DIRECTORATE

### 7.1 Our Sporting Future Funding Round 1 - 2014/2015

#### **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:** Recreation Program and Services Coordinator

**Proof reader(s):** Team Leader Recreation and Strategy, Manager Neighbourhoods

**Approved by:** Director Community

#### **Executive Summary**

Greater Shepparton City Council, Our Sporting Future Funding round received 11 applications for the first round for 2014/2015 – one application in the Majors category (\$15,001 to \$30,000) and ten applications in the Minors category (not exceeding \$15,000). Of the ten applications in the Minors category one was assessed as affording a lower priority for funding. Three other applications were considered by the assessment panel however were considered to need further work on the application to adequately meet the guidelines. Council staff will continue to work with these three groups to help with their applications with a view for them to be resubmitted in the next round which closes in February 2015.

**Moved by Cr Ryan**

**Seconded by Cr Summer**

That the Council approve funding for the following Our Sporting Future projects:

#### **Our Sporting Future – Major Category**

Club	Project	Allocation
Katandra Football Netball Club	Spectator shelter, seating and storage	\$16,285

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

Club	Project	Allocation
Shepparton United Football Netball Club	Solar Panels	\$12,000
Shepparton Lawn Tennis Association	Solar panels and refrigerator upgrade	\$13,636
Shepparton Park Bowls Club	Blinds and Shade for bowlers	\$14,781
Pine Lodge Cricket Club	Upgrade cricket nets	\$2,100
Shepparton Swans Football Netball Club	Netball change area and Cricket pavilion	\$15,000
Mooroopna Recreation Reserve Committee of Management	Solar Panels	\$12,767

**CARRIED.**

## 7. COMMUNITY DIRECTORATE

### 7.1 Our Sporting Future Funding Round 1 - 2014/2015 (continued)

#### Details of each project

##### Katandra Football Netball Club

Funding Category	Majors		
Project	Spectator shelter, seating and storage		
Short project description	<p>The Club would like to erect 2 shelters (8 meters Length x 4 meters deep) at the west ends of the existing Netball courts to cater for spectators as there is no shelter from weather currently and minimal seating. These shelters will also have tiered aluminum seating as seating for spectators is also minimal in this area.</p> <p>At the end of the shelter shed a concrete floor to store such items as goal post padding, score boards and training equipment for the netballers will be added. These assets are currently stored in the middle of the existing social rooms meaning that the rooms cannot be used for their intended benefit.</p>		
Who will benefit from the project	<p>As well as the local Football Netball community all visiting clubs will enjoy the new facilities making a more enjoyable experience for spectators and parents to watch netball.</p> <p>With 4 senior Netball teams (approximately 40 participants) and 4 junior netball teams under the age of 17 (approximately 40 participants) there would be an estimated 1-2 spectators per player giving at least 80-100 spectators throughout the matches on any given home and away fixture.</p> <p>As well as hosting the PDFL(Picola &amp; District Football League) 2nd Semi Final this season, in 2017 Katandra Football Netball Club is scheduled to host the PDFL Grand Final.</p>		
Total Project Cost	\$32,570	Organisation Cash	\$16,285
Requested Council Contribution	\$16,285	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing assistance to community organisations with the implementation of small to medium sized facility development projects.		

##### Shepparton United Football Netball Club

Funding Category	Minors
Project	Solar Panels
Short project description	<p>The club has identified a number of ongoing costs that it is responsible for and in doing so recognise where savings can be made. Through the installation of Solar power to the building it is believed that major savings can be achieved. The current (electricity) costs are in the vicinity of \$15,000 annually. Through this project it will be made possible to alleviate this cost substantially thus allowing funds to be invested in both our playing and nonplaying members.</p>



## 7. COMMUNITY DIRECTORATE

### 7.1 Our Sporting Future Funding Round 1 - 2014/2015 (continued)

Funding Category	Minors		
Who will benefit from the project	<p>The Shepparton United Football Netball Club was established in 1950. It currently has approximately 600 members with playing members in seven football and five netball teams. The club provides facilities and organized structure for physical, recreational and social activities. The club also provides access to community organizations to hire the clubrooms for many and varied activities. Most of these are of a social nature.</p> <p>The clubrooms are currently used for the SEDA (Sports Education and Development Australia) program for VCAL (Victorian Certificate Of Applied Learning) students during the school year. This has been the case for the past eighteen months with an ongoing commitment for further use by the program.</p>		
Total Project Cost	\$24,000	Organisation Cash	\$12,000
Requested Council Contribution	\$12,000	Organisation In-kind	\$0
Recommendation from the Interim assessment team	<p>The project is consistent with the funding criteria in providing assistance to community organisations with the implementation of small to medium sized facility development projects.</p>		

#### Shepparton Lawn Tennis Association

Funding Category	Minors		
Project	Solar panels and refrigerator upgrade		
Short project description	<p>Install a custom cool room in the clubhouse bar and a solar panel energy system on the roof to increase energy efficiency and sustainability by reducing the operating costs of the club.</p>		
Who will benefit from the project	<p>The club has 362 members of all ages, with approximately half of these being juniors, so a large number of parents are also connected with the club. Major events, tournaments, competitions, coaching and social play attracts approximately 2000 visitors to the club annually. Hundreds of tournament players come from outside the region and interstate. All people at the club will benefit from the improvements.</p>		
Total Project Cost	\$29,738	Organisation Cash	\$16,102
Requested Council Contribution	\$13,636	Organisation In-kind	\$0
Recommendation from the Interim assessment team	<p>The project is consistent with the funding criteria in providing assistance to community organisations with the implementation of small to medium sized facility development projects.</p>		

## 7. COMMUNITY DIRECTORATE

### 7.1 Our Sporting Future Funding Round 1 - 2014/2015 (continued)

#### Shepparton Park Bowls Club

<b>Funding Category</b>	<b>Minors</b>		
Project	Blinds and Shade for bowlers		
Short project description	The project's aim is to encourage and protect bowlers all year round by providing a more comfortable environment and easier access to the greens. This will be done by providing wind breaks during the winter, extra shade during the summer and steps to improve access to the greens for bowlers with movement difficulties.		
Who will benefit from the project	Bowlers in both summer and winter, as well as bowlers with restricted movement. In winter usually up to 64 bowlers (the maximum allowable) of all ages (40 to 80 years) and genders, three times a week participating in organised events. In summer there could be up to 160 bowlers of all ages (15 to 80 years) and genders participating in organised events at least four times a week. These numbers do not include non-organised activities and practice sessions. There are currently about 20 members who have difficulty getting on and off the greens, but this number increases during organised events. This group is in the 65 plus age group.		
Total Project Cost	\$29,562	Organisation Cash	\$13,181
Requested Council Contribution	\$14,781	Organisation In-kind	\$1,600
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing assistance to community organisations with the implementation of small to medium sized facility development projects.		

#### Pine Lodge Cricket Club

<b>Funding Category</b>	<b>Minors</b>		
Project	Upgrade cricket nets		
Short project description	Resurface and upgrade the two synthetic training wickets.		
Who will benefit from the project	The community north of Shepparton as it's the only training wicket north of Shepparton (Dookie, Caniambo, Cosgrove, Lemnos, and Pine Lodge). Lemnos Primary School who have mixed gender children between the ages of 5 and 12 years old, local and transient fruit pickers who quite often join training. The Pine Lodge Cricket Club junior teams which last year consisted of an U12s grade and an U14s grade and totaled approximately 35 kids. Majority of the kids playing are siblings of younger children, who will soon be young cricketers. This could total up to 6 different cricket sides at Pine Lodge for the 2014/2015 season.		
Total Project Cost	\$3,466	Organisation Cash	\$1,366

## 7. COMMUNITY DIRECTORATE

### 7.1 Our Sporting Future Funding Round 1 - 2014/2015 (continued)

Funding Category	Minors		
Requested Council Contribution	\$2,100	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing assistance to community organisations with the implementation of small to medium sized facility development projects.		

#### Shepparton Swans Football Netball Club

Funding Category	Minors		
Project	Netball change area and Cricket pavilion		
Short project description	The project will provide a change area and locker area for netball and cricket participants playing at Princess Park.		
Who will benefit from the project	During the netball season, a projected 120 female participants on Saturday for home games. Tuesday and Thursday night from late January through to late September there are around 60 participants that would gain from the project. Age ranges of the participants are from 14 through to 30's and the majority of the participants are from the Shepparton area. During the cricket season on match days, up to 60 junior & senior participants could use the venue for getting changed and storing personal equipment away from spectators.		
Total Project Cost	\$35,902	Organisation Cash	\$14,902
Requested Council Contribution	\$15,000	Organisation In-kind	\$6,000
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing assistance to community organisations with the implementation of small to medium sized facility development projects.		

#### Mooroopna Recreation Reserve Committee of Management

Funding Category	Minors		
Project	Solar Panels		
Short project description	The Committee plan to install solar panels on the Sir Ian McLennan Centre (SIMC) roof to reduce the power charges. In addition to reducing the overall power charges, during the summer months the main users of the SIMC, use the Centre during the day and usually require air conditioning. The installation of solar panels will generate the most power when it is needed the most, reducing load on the network at times of peak demand.		
Who will benefit from the project	The SIMC is used by a wide range of people in the local community. The local sporting clubs using the Centre are: Mooroopna Football Netball Club, Mooroopna Lawn Tennis Club, Mooroopna Junior Football Club and Mooroopna Cricket Club.		

## 7. COMMUNITY DIRECTORATE

### 7.1 Our Sporting Future Funding Round 1 - 2014/2015 (continued)

Funding Category	Minors		
	<p>Community groups who also regularly use the SIMC are: Religious Functions/Services, Country Music/Theatre Groups, Funeral Services, Mooroopna Secondary College Exams and Dual Ware Industries Fundraising.</p> <p>In addition to the above users the Centre is also hired on a casual basis and the Committee of Management have kept the hiring charges as low as possible to assist the local community. The Centre is a nonprofit organisation and all income is used for expenses, upkeep and improvements.</p>		
Total Project Cost	\$25, 535	Organisation Cash	\$12,768
Requested Council Contribution	\$12,767	Organisation In-kind	\$0
Recommendation from the Interim assessment team	<p>The project is consistent with the funding criteria in providing assistance to community organisations with the implementation of small to medium sized facility development projects.</p>		

#### **Background**

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

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

The program also assists with development programs for new and developing sporting organisations throughout Greater Shepparton. Clubs such as the reformation of the Shepparton Rowing Club and the Shepparton Rugby Union Club have benefited from the Sports Aid program.

The funding program provides three categories for funding:

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

The Minor and Sports Aid applications are assessed in two rounds annually, with the first round closing at the end of July each year and the second round closing in February each year.

## 7. COMMUNITY DIRECTORATE

### 7.1 Our Sporting Future Funding Round 1 - 2014/2015 (continued)

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

- Recreation Program and Services Coordinator
- Team Leader Events and Promotions
- Youth Development Officer
- Team Leader Recreation and Strategy
- Coordinator Sports Fields and Premier Places.

The Our Sporting Future Funding Program is available for all sporting/recreational groups with the municipality. The program has been advertised this year thru the 'Great Services, Great People' campaign promoted in the Shepparton News in May. A grants forum was held by Council in June attracting over 100 participants from the community. The program is also promoted on council's external website with a testimonial from a previous recipient of funding. ValleySport, the Goulburn Valley's regional sports assembly, actively advertise the funding program through their network of known local community sport and recreation groups. ValleySport advertise the program in their monthly newsletter that is distributed to over 640 recreation and sporting contacts in the Greater Shepparton Region. ValleySport also recommend the funding program to groups that contact them throughout the year looking for funding opportunities.

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

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

The endorsement of the Our Sporting Future Funding program is intrinsically linked to the Council Plan 2013-2017. The main objective or goal that the Our Sporting Future Funding program will be meeting is the Active and engaged communities, in particular continuing to enhance community capacity building.

#### **Risk Management**

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

#### **Policy Considerations**

There are no conflicts with existing Council policy.

#### **Financial Implications**

	2014/2015 Approved Budget	Funds previously committed in 2014/2015	Funds requested this round	Balance remaining from budget allocation
<b>Majors</b>	\$80,000	\$-	\$16,285	\$63,715
<b>Minors</b>	\$110,000	\$-	\$70,284	\$39,716

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

## 7. COMMUNITY DIRECTORATE

### 7.1 Our Sporting Future Funding Round 1 - 2014/2015 (continued)

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

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

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

There are no environmental/sustainability impacts from this project.

#### **Social Implications**

These projects will support on going community participation in sporting activity.

#### **Economic Impacts**

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

#### **Consultation**

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Ensure that the information about the application process was widespread	Media Release Website Social media
Consult	Council staff available to consult, in person or via telephone or email to all community groups	Meetings with applicants.
Involve	Recreation Program and Services Coordinator to provide assistance to community groups	Consultation on an individual basis with the application process
Collaborate	Community groups will be responsible for the planning and implementation of projects.	Successful applicants will drive their own initiatives.
Empower	Whilst decision making regarding the successful grant applications is made by Council, community groups will be responsible for the planning and implementation of projects.	Community groups will drive the delivery of their projects.

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

These proposals support the community and infrastructure objectives of the Greater Shepparton 2030 Strategy. Direction 2 – Community Life

##### b) Other strategic links

Council Plan 2013 – 2017

Goal 1 – Active and Engaged Communities (social)

Greater Shepparton City Council – Community Development Framework

Greater Shepparton City Council – Community Engagement Strategy

Greater Shepparton City Council – Community Plan Implementation Policy

## **7. COMMUNITY DIRECTORATE**

### **7.1 Our Sporting Future Funding Round 1 - 2014/2015 (continued)**

#### **Options for Consideration**

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

#### **Conclusion**

The applications for funding through the Our Sporting Future Funding Round one 2014/2015 were reviewed by an internal Assessment Team and they have recommended that the above applications be funded. The projects meet eligibility requirements for the Majors and Minors categories for Our Sporting Future Funding. Council Officers will continue to work with the unsuccessful applicants to ensure that future applications will meet the requirements and eligibility of the Our Sporting Future Funding program.

#### **Attachments**

Nil

## 7. COMMUNITY DIRECTORATE

### 7.2 Community Matching Grants Round One 2014/2015

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

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

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

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

**Author: Community Development Officer**

**Proof reader(s): Neighbourhood Planning Coordinator,**

**Team Leader Community Strengthening and Manager Neighbourhoods**

**Approved by: Director Community**

#### **Executive Summary**

Greater Shepparton City Council launched the Community Matching Grants Scheme in September 2011. Since that time there have been 78 projects funded over five Rounds. The Community Matching Grants scheme has a total budget of \$75,000 for the 2014/2015 financial year.

Round One 2014/2105 opened on 16 June 2014 closing on 25 July 2014 with a total of nine applications being received. One application was referred to Council's Our Sporting Futures Grant program. The remaining eight applications were assessed by an internal review panel based on the approved guidelines and application process. One application was not recommended as the project didn't meet the grant criteria. The panel have recommended seven projects be funded. All of the recommended projects meet eligibility requirements and all aim to build or strengthen the Greater Shepparton community.

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

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

That the Council approve the recommendations of the Grant Assessment Panel to fund seven projects as detailed below to the total value of \$13,930 representing Round One of the 2014/2015 Community Matching Grant Scheme.

<b>Organisation</b>	<b>Project</b>	<b>Allocation</b>
Codgers Capers Men's Group	Gentle Exercise Program	\$2000
Lions Club of Tallygaroopna and District	Restoration of Memorial Artefact	\$2000
Tatura Girl Guides	Power to the People	\$2500
Tatura SES	It's More Than a Draw – Vehicle Storage System Upgrade	\$1260
Turatton Music Company	Gas Heater	\$2500
Shepparton High School	Beacon Work Readiness Program	\$1170
Undera Primary School	We Shall Remember Them	\$2500

**CARRIED.**



## 7. COMMUNITY DIRECTORATE

### 7.2 Community Matching Grants Round One 2014/2015 (continued)

#### **Background**

Greater Shepparton City Council launched the Community Matching Grants Scheme in September 2011. Community Matching Grants are designed to support projects from the Greater Shepparton community which:

- Build new social connections and partnerships within communities, or reinforce those that already exist
- Allow participation in a community activity, at all stages of the project from planning to completion
- Enable community members to acquire or develop a new skill
- Create, renew or revitalise places and spaces within the community.

Grants are available to a maximum of \$2500 with each project required to provide a matching component of the total project cost, either through a cash or in-kind (material or labour) contribution. The scheme wishes to be as flexible as possible regarding matching funding so there are no concrete rules about the size of the matching contribution. As a guide, however, it is anticipated that the group applying will contribute around half of the total project cost, with no more than half of the applicant's contribution being in-kind. The ability of an organisation to provide financial and in-kind support to a project is taken into account during the review process to ensure a fair distribution of grant funds.

Round One 2014/2105 opened on 16 June 2014 closing on 25 July 2014 with a total of nine applications being received. Grants were submitted via the online application process (Smartygrants).

The program has been advertised this year through the 'Great Services, Great People' campaign promoted in the Shepparton News in May. The program was also promoted on council's external website with a testimonial from a previous recipient of funding.

The 'Grant and Fundraising in the Community' Forum was held on Thursday 16 June 2014 which attracted over 100 participants from the community. All of Council's grant programs were promoted on the day. The Forum was funded with the remainder of funds from the Community Matching Grant budget for 2013/2014. Overall feedback from the community was positive and there were suggestions for further workshops on improving their organisations project planning and grant writing skills. Planning has commenced for a workshop / forum in November.

A total number of nine applications were received, eight were considered at a meeting of the Grant Review Panel on Wednesday 20 August 2014. One application was referred to the Our Sporting Future Grant program during the pre-eligibility check process. This application was more appropriate for the Our Sporting Future grant program because the amount requested exceeded that available through the Community Matching Grant Scheme. Of the eight assessed one application was not recommended as the project did not meet the grant criteria. The Assessment panel included representation from a range of internal Council Departments. A Community Development Officer was in attendance to support the process.

The Panel recommended that seven applications should receive funding under Round One of the Community Matching Grant Scheme 2014/2015. All recommended applications meet the eligibility requirements. The Grant Review Panel recommended that one application receive a reduced amount of funding from the requested amount as some items of expenditure were considered to be linked to the core business of the organisation applying.

## 7. COMMUNITY DIRECTORATE

### 7.2 Community Matching Grants Round One 2014/2015 (continued)

Organisation	Codgers Capers Men's Group		
Project	Gentle Exercise Program		
Short project description	A program to improve the health and wellbeing of men in the community. Participation in different exercise modalities will give the men the confidence to engage in other groups in the community. Includes Tai Chi, Meditation, Qi Qong and Better Breathing Exercises.		
Requested Council Contribution	\$2000	Organisation Cash/in-kind	\$4750
Recommendation from the Assessment panel	Recommended		

Organisation	Lions Club of Tallygaroopna and District		
Project	Restoration of Memorial Artefact		
Short project description	The Lions Club of Tallygaroopna & District will restore the 'Light Minenwerfer' Cannon displayed on the Parapet of the Tallygaroopna Soldiers Memorial Hall. The community are proud custodians of this piece of wartime history which has deteriorated and is in urgent need of repair.		
Requested Council Contribution	\$2000	Organisation cash/in-kind	\$2000
Recommendation from the Assessment panel	Recommended		

Organisation	Tatura Girl Guides		
Project	Power to the People		
Short project description	The Tatura Guides require an electrical upgrade and hot water service at the Guide Hall in Albert Street Tatura		
Requested Council Contribution	\$2500	Organisation Cash/in-kind	\$3180
Recommendation from the Assessment panel	Recommended		

Organisation	Tatura SES		
Project	It's More Than a Draw – Vehicle Storage System Upgrade		
Short project description	The Unit is going to purchase a rear draw system for the cargo area of their vehicle. This will improve the functionality of the vehicle as well as safety for volunteers using the vehicle.		
Requested Council Contribution	\$1260	Organisation Cash/in-kind	\$1160
Recommendation from the Assessment panel	Recommended		

## 7. COMMUNITY DIRECTORATE

### 7.2 Community Matching Grants Round One 2014/2015 (continued)

Organisation	Turaton Music Company		
Project	Gas Heater		
Short project description	The Turaton Music company spend many hours rehearsing for community events and the heater will encourage more members to attend winter rehearsals.		
Requested Council Contribution	\$2500	Organisation In-kind	\$1209
Recommendation from the Assessment panel	Recommended		

Organisation	Shepparton High School		
Project	Beacon Work Readiness Program		
Short project description	The Beacon Foundations High Impact Program aims to help young people prepare for a successful future through developing their competencies in a range of skills and community connections.		
Requested Council Contribution	\$1628/\$1170	Organisation Cash/In-kind	\$1250
Recommendation from the Assessment panel	The panel determined that the Program was part of the core business of the school, but recommended a reduced amount to support the broader community involvement necessary for the success of the program. Recommended \$1170		

Organisation	Undera Primary School		
Project	We Shall Remember Them		
Short project description	A Memorial Wall and Garden will be built at the Undera Primary School to create space to remember and honour the service men and women of the district and hold ongoing memorial events. There is no memorial at St Germain's, Gillieston, Coomboona and Undera. Honour boards associated with the closed schools are not able to be found. Undera Brownies and local historians are working on the project, together with the school. Life stories of the servicemen and women who are recognised on the plaques are being researched by school children and relatives of those who served.		
Requested Council Contribution	\$2500	Organisation In-kind	\$4500
Recommendation from the Assessment panel	Recommended		

Round Two Community Matching Grants 2014/2015 will open immediately following the administration of round one. This will be an earlier opening date than previous rounds to address feedback gained at Council's grant forum that groups need extended time to

## 7. COMMUNITY DIRECTORATE

### 7.2 Community Matching Grants Round One 2014/2015 (continued)

prepare their grants. The increased application time, coupled with the November grants workshop/forum, will allow time for Council staff to assist community members in preparing their applications. It is anticipated this will increase the number of grant applications received and awarded.

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

The endorsement of the Community Matching Grants is intrinsically linked to the Council Plan 2013 – 2017. The majority of applicants have identified that their project meets one or more of the objectives of:

Goal 1 - Active and engaged communities, in particular  
Continue to enhance community capacity building.

Applicants have also noted projects that are linked to the following objectives:

Goal 4 - Quality Infrastructure - Ensure that communities have access to high quality facilities.

#### **Risk Management**

Insignificant to low risks have been identified and will be addressed at the operational level. All grantees will be required to consult fully with Council representatives prior to, and during their projects to identify any potential adverse consequences, and to devise a strategy to minimise any risks. Applicants have been asked to confirm that they have the necessary public liability insurances for projects where activities are being undertaken by the Grantees themselves. This will be confirmed prior to the release of any funds. The risk of conflict of interest to the Review panel members has been addressed with the inclusion of a Conflict of Interest Declaration on the Grant Assessment Form.

#### **Policy Considerations**

Approval of the Community Matching Grant recommendations supports existing Council policies.

#### **Financial Implications**

Council has committed a total of \$75,000 for the 2014//2015 financial year for the Community Matching Grant Scheme. It is recommended that \$13,930 is approved for seven projects in Round One. Each of the seven grants incorporates a matching component where the community group share the costs with Council. This matched contribution may be financial or in-kind (labour or materials).

Any GST implications have been considered as part of the recommendation of this report.

	2014/2015 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	N/A	N/A	N/A	There is no revenue associated with Community Matching Grants
Expense	\$75000  R1: \$13930	R1: \$13930	0	Allocated budget is \$75000

## 7. COMMUNITY DIRECTORATE

### 7.2 Community Matching Grants Round One 2014/2015 (continued)

	2014/2015 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Net Result	\$61070	R1: \$13930	0	\$61,070 will be available in Round Two. This Round will open early on 27 October 2014 to allow more time for the community to plan their projects and submit applications.

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

#### Legal/Statutory Implications

The Community Matching Grants Scheme is consistent with the *Local Government Act 1989* and the *Victorian Charter of Human Rights and Responsibilities Act (2006)*.

#### Environmental/Sustainability Impacts

The approval of the recommendations for the Community Matching Grants will not have any environmental impacts.

#### Social Implications

Projects recommended for approval in this round will support the valuable contribution of volunteers in our community. This includes volunteers in emergency services, youth organisations who are building leaders of tomorrow and those ensuring the history of our community are preserved and passed on to future generations. Two projects will improve community infrastructure that will enable greater use of facilities by the broader community. Four projects will benefit small towns in the municipality and will strengthen their community connections.

#### Economic Impacts

Some of the project expenditure to purchase materials and services will support local business.

#### Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Ensure that the information about the application process was widespread	Media Release Website Social Media
Consult	Grants and Fundraising Forum	Presentation of Council Grants programs over two sessions
Involve	Community Development Officers provided assistance to community groups	Consultation on an individual basis during the application process
Collaborate	Successful community groups/members will be responsible for the implementation of their projects which will provide the opportunity for community capacity building.	Successful applicants will drive their own community initiatives.

## 7. COMMUNITY DIRECTORATE

### 7.2 Community Matching Grants Round One 2014/2015 (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Empower	Whilst decision making regarding successful grant applications is made by Council, community groups will be responsible for the delivery of projects.	Community groups will drive the delivery of their projects

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

Council Plan 2013 – 2017

Goal 1 - Active and Engaged Communities (Social)

Goal 2 - Enhancing the Environment (Natural)

Goal 3 - Economic Prosperity (Economic)

Goal 4 - Quality Infrastructure (Built)

Greater Shepparton City Council – Community Development Framework

Greater Shepparton City Council – Community Engagement Strategy

Greater Shepparton City Council – Community Plan Implementation Policy

One application was linked to the Undera Community Plan.

#### Options for Consideration

##### Option 1 – Council only approve some of the applications recommended by the Grant Review Panel

The Grant Review Panel has extensively reviewed the grant applications and made informed recommendations. To only fund some of the applications would limit Council's potential to take advantage of the communities commitment to the projects listed and the opportunities created for community capacity building.

##### Option 2 – Approve the recommendations made by the Grant Review Panel

That Council approve the recommendations made by the Grant Review Panel regarding the funding of seven projects for Round One of the 2014/2015 Community Matching Grants Scheme. All of the recommended projects meet the intent of the funding as well as all of the other eligibility requirements

#### Conclusion

The applications for funding through the Community Matching Grants Round One 2014/2015 have been reviewed by an internal Grant Review Panel and they have recommended seven projects to be funded. All of these projects meet eligibility requirements and all aim to build or strengthen the Greater Shepparton community. All recommendations should be approved to ensure that Council takes advantage of the communities commitment to the projects listed.

#### Attachments

Guidelines - Round One 2014 2015 Community Matching Grants Page 139

## 7. COMMUNITY DIRECTORATE

### 7.3 Kialla Lakes Neighbourhood Plan

#### **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: Neighbourhood Planning Coordinator**

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

**Approved by: Director Community**

#### **Executive Summary**

Greater Shepparton City Council is committed to developing Community Plans for the small towns, neighbourhoods and localities within the municipality. Council Officers invited the Kialla Lakes Residents Group to work in partnership with Council to develop a neighbourhood plan for their area. Over recent months the Kialla Lakes Residents Group in partnership with Council have consulted with the people of Kialla Lakes on their vision for Kialla Lakes future and the priorities that will assist them to achieve this vision. Following the consultation period the draft Kialla Lakes Neighbourhood Plan was developed and presented to the wider community for comment. The Kialla Lakes Neighbourhood Plan has now been finalised and is being presented to Council for endorsement.

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

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

That the Council:

1. endorse the Kialla Lakes Neighbourhood Plan
2. acknowledge the valuable contribution Kialla Lakes residents have made to the development of their neighbourhood plan.

**CARRIED.**

#### **Background**

Greater Shepparton City Council has been working with its small towns to develop and implement Community Plans for small towns over many years. With all small towns now having a Community Plan, Council is focusing on moving into working with neighbourhoods and localities within the municipality. Neighbourhood Planning will see the development of community based plans within self-formed neighbourhoods in the city of Shepparton. As Council has endorsed the Seven Creeks Neighbourhood Community Plan, Kialla Lakes will be the second Neighbourhood Plan that has been developed in partnership with the neighbourhood and Council.

## 7. COMMUNITY DIRECTORATE

### 7.3 Kialla Lakes Neighbourhood Plan (continued)

See map below which is the community's definition of the Kialla Lakes neighbourhood.



Greater Shepparton City Council invited Kialla Lakes Residents Group to work with Council Officers to develop a Neighbourhood Plan for their area. The Kialla Lakes Residents Group, incorporating Kialla Lakes Landcare network have been an active community group over the past 12 - 14 years.

The Kialla Lakes Residents Group has assisted in overseeing the consultation process towards the development of the neighbourhood plan. Extensive community consultation was undertaken to ensure that as many people as possible had the opportunity to contribute to the development of the plan. The original consultation period was extended for another month to allow more community members the opportunity to provide feedback into the development of the plan.

Consultation methods included:

- Community surveys
- Independent units – Kialla Gardens
- One on ones at the lake
- Free coffee van
- Pop up shop.

Approximately 66 surveys were submitted as part of the initial consultations, with over 40 people attending the one on one interview, coffee van consultation and pop up shop.

The community created the following vision for Kialla Lakes, 'a safe, peaceful and cohesive community with enhanced facilities for all residents that promote healthy activity and interaction of the community, based on our lakes and open environment.'



## 7. COMMUNITY DIRECTORATE

### 7.3 Kialla Lakes Neighbourhood Plan (continued)

The 28 goals to achieve this vision are:

- A range of community activities to increase social connections and interactions (outdoor cinema, exercise in the park, walking groups, Christmas events)
- Identify strategies to address speeding in the neighbourhood
- Investigate and seek funding for greater use of the lakes through bird hides, jetty's and canoes
- Install an art mural on the back of the Kialla Lakes shop overlooking the village green
- Community space for groups and locals to meet
- Investigate support for establishing a community garden
- Advocate for neighbourhood clean-up and anti-graffiti methods and investigate a neighbourhood watch committee.
- Investigate support for a playgroup
- Increasing water quality of the lakes and overall maintenance
- More indigenous trees planted and reduction of non-indigenous plant species
- Increase vegetation in and around the lakes and islands, erosion control and landscaping
- Maintain our open spaces
- Advocacy for new businesses in the area (post office) and businesses to occupy the vacant shops
- Advocate for greater public transport
- Advocate for a Primary School closer to the area
- Provision of an exit road between Waranga Drive and the highway.
- Facilities for the community i.e. BBQ and toilets
- Additional infrastructure around the lake such as seats and drinking fountains
- Walking track to Riverside Plaza.
- Expand playground areas – including more adventurous facilities and shade over play areas.
- Install lights around Kialla Lake (lake 1) to light the footpaths (as per other lakes)
- Walking paths along Archer Road
- Encourage responsible dog ownership through removal of waste, more dog bins and/or off leash dog park
- More exercise equipment around the lake/s
- Welcome signs at neighbourhood entrances
- Signs detailing 'East' leg and 'West' leg of Waranga Drive
- Support residential development in the growth area in the south of Kialla Lakes. Including provision of facilities, shops, playgrounds, BBQ's, walking tracks etc.
- Increased sporting facilities.

The draft Neighbourhood Plan was released for public consultation for three weeks, closing Friday 5 September. The draft plan was available at the Kialla Lakes Shop, Pizzeria, Kialla Gardens and on Council's website. A one page information sheet, including details of the initial 27 proposed actions were distributed to 1200 houses within the neighbourhood. Residents were asked to prioritise their top three priorities, which informed the priorities within the Neighbourhood Plan. Over 65 people provided feedback in this priority setting exercise.

## 7. COMMUNITY DIRECTORATE

### 7.3 Kialla Lakes Neighbourhood Plan (continued)

Some of these actions are capital projects and will require access to future capital budget bidding. Others are smaller community based projects and require more operational funds. The Kialla Lakes Residents Group will seek access to funds through community resources, Council and other state and federal government funding streams. Some items are advocacy related and not the responsibility of Council to deliver. In this circumstance the group will investigate measures to advocate for these items.

Consultation has also occurred with a number of Council departments regarding the draft Neighbourhood Plan including, Projects, Parks and Works, Investment Attraction, Neighbourhoods, Strategic Planning, Statutory Planning and Environmental Health to identify opportunities for cross collaboration.

The Neighbourhood Plan has been developed by the Kialla Lakes community in partnership with Council Officers.

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

The endorsement of the Kialla Lakes Neighbourhood Plan is intrinsically linked to the Council Plan 2013 – 2017, in particular the following objective:

Goal 1 – Active and Engaged Communities (Social)

Continue to enhance community capacity building.

#### **Risk Management**

The endorsement of the Kialla Lakes Neighbourhood Plan will strengthen community planning and result in reduced risk for Council.

#### **Policy Considerations**

The endorsement of the Kialla Lakes Neighbourhood Plan will support existing Council policies.

#### **Financial Implications**

The endorsement of the Kialla Lakes Neighbourhood Plan is set within the Council context of existing financial constraints. Community planning priorities requiring funding will be assessed through the existing Community Planning Implementation budget, external government departments and /or philanthropic trusts.

	2014/2015 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	N/A	N/A	N/A	There is no revenue associated with the development of a neighbourhood plan
Expense	\$5000 (Total budget allocation for neighbourhood plan development)  Total expense \$1800 includes printing and promotion of the consultation and consultation activities	\$0	0	The costs of creation of the neighbourhood plan aligns with allocated budget

## 7. COMMUNITY DIRECTORATE

### 7.3 Kialla Lakes Neighbourhood Plan (continued)

	2014/2015 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Net Result	\$3200	\$0	0	Cost of implementing actions within the Kialla Lakes Neighbourhood Plan will be subject to individual project proposals

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

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

The Kialla Lakes Neighbourhood Plan development is consistent with the *Local Government Act 1989* and the *Victorian Charter of Human Rights and Responsibilities Act (2006)*.

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

The plan identifies environmental benefits such as utilising and caring for one of the neighbourhoods greatest assets, the lakes. Some of the actions include increasing vegetation in and around the lakes, erosion control and increasing the water quality of the lakes.

#### **Social Implications**

The Kialla Lakes Neighbourhood Plan has been developed in consultation with the wider community ensuring that the plan is reflective of the needs and aspirations of the local community, with community members identifying and developing priorities for their neighbourhood, aligning with the assets already located within the area. This demonstrates asset based community development and ensures that there is an ongoing commitment to the implementation of the plan, driven by the people that live in that community. The plan identifies many social benefits from connectivity through to activities and facilities such as community events, investigating support for a playgroup and community garden as well as strategies to address speeding and anti-graffiti.

#### **Economic Impacts**

The Kialla Lakes Neighbourhood Plan includes initiatives such as encouraging business development in the neighbourhood.

#### **Consultation**

The Kialla Lakes Neighbourhood Plan has been developed from extensive consultation with the Kialla Lakes community. Methods of consultation include:

- Community surveys
- Independent units – Kialla Gardens
- One on ones at the lake
- Free coffee van
- Pop up shop.

Over 1200 houses are located within the neighbourhood. Throughout the consultation period a number of flyers and information sheets were delivered to every house. To raise further awareness of the consultation that was being undertaken a VMS board was

## 7. COMMUNITY DIRECTORATE

### 7.3 Kialla Lakes Neighbourhood Plan (continued)

placed at each entrance to the neighbourhood which encouraged residents to have their say throughout the consultation.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keeping the community informed about the development of the neighbourhood plan	Surveys Flyers Mail box drop VMS board
Consult	Discuss ideas for future priorities for the neighbourhood	Community consultation events such as free coffee van, pop up shop
Involve	Feedback is important to contribute to decision making	Three week feedback period for community members to make comment on the draft Neighbourhood Plan
Collaborate	Feedback will be incorporated into decision making to the maximum level possible	Partnerships between Council and the Kialla Lakes Residents Group Collaboration through meetings.
Empower	The Kialla Lakes community have ownership of this plan and will actively drive the implementation of the priorities within it.	Plan is endorsed not adopted by Council thus creating ownership.

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

Greater Shepparton City Council – Community Engagement Strategy

Greater Shepparton City Council – Community Plan Implementation Policy

#### **Options for Consideration**

##### **1. Do not endorse the Kialla Lakes Neighbourhood Plan**

This option would not be preferable as the community has been driving the development of the plan and committed to commence the implementation of the plan.

##### **2. Endorse the Kialla Lakes Neighbourhood Plan**

Endorsing the Neighbourhood Plan will demonstrate Council's commitment to supporting the Kialla Lakes community to implement their Neighbourhood Plan. It will also acknowledge the extensive work undertaken by residents to develop the plan.

## 7. COMMUNITY DIRECTORATE

### 7.3 Kialla Lakes Neighbourhood Plan (continued)

#### **Conclusion**

The development of the Kialla Lakes Neighbourhood Plan has been driven by the Kialla Lakes community and developed through widespread consultation with the local community. The Kialla Lakes Neighbourhood Plan contains the vision and associated actions and priorities for the area. Officers recommend the endorsement and future support of the plan.

#### **Attachments**

Kialla Lakes Neighbourhood Plan Page 146

## 7. COMMUNITY DIRECTORATE

### 7.4 RECOGNISE Campaign

#### **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: Aboriginal Partnerships Officer**

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

**Approved by: Director Community**

#### **Executive Summary**

The RECOGNISE campaign, facilitated by Recognition Australia, supports the people's movement for Constitutional Recognition of Aboriginal and Torres Strait Islander people (ATSI). RECOGNISE is topical for Greater Shepparton as we enjoy one of the largest Indigenous populations outside metropolitan Melbourne. Greater Shepparton is reported to be home to more than 2000 ATSI people, however anecdotally the number is believed to be much higher than this.

In supporting RECOGNISE, organisations join a national movement calling for a referendum to vote on proposed changes to the constitution. A Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander people has been formed and a report has been compiled on the steps that can be taken to progress towards a referendum that includes constitutional recognition of Aboriginal and Torres Strait Islander people.

Organisations who support RECOGNISE join the 'Journey to Recognition' and can demonstrate their support through local events and utilising the RECOGNISE branding and promotional material in their business. Greater Shepparton City Council currently undertakes a number of events where this branding could be displayed, these include Kidsfest, Emerge festival and National Reconciliation week events.

**Moved by Cr Adem**

**Seconded by Cr Summer**

That the Council join the "Journey to Recognition" RECOGNISE Campaign demonstrating support for constitutional Recognition of Aboriginal and Torres Strait Islander people through the following initiatives;

1. continued support for local RECOGNISE Initiatives
2. feature the campaign logo on our website.

**CARRIED.**

## 7. COMMUNITY DIRECTORATE

### 7.4 RECOGNISE Campaign (continued)

#### Background

##### **What the Constitution currently says:**

The Australian Constitution was written more than a century ago. At which point Aboriginal and Torres Strait Islander people had lived on this land for more than 40,000 years, keeping alive the world's oldest continuous culture. However Australia's founding document did not detail the first chapter of our national story. Aboriginal people were mentioned in the original constitution but not in a positive way. For example, the original Constitution stated that Aboriginal people would not be counted in determining the size of the Australian population and the Commonwealth could not make laws for them.

The 1967 Referendum amended the Constitution and removed these discriminatory references to Aboriginal people. However, now the Constitution does not mention Aboriginal and Torres Strait Islander peoples at all.

Our Constitution also includes racist provisions. For example, Section 51 part 26 (the 'race power') allows for laws to be made for "the people of any race for whom it is deemed necessary to make special laws" and section 25 allows State Governments to prevent particular racial groups from voting.

##### **What changes are proposed?**

An expert panel was appointed by the Prime Minister in December 2010. This panel consisted of Indigenous community, community leaders, people with legal expertise, parliamentary members and was co-chaired by Professor Patrick Dobson and Mr Mark Leibler AC.

The expert panel was given the task of consulting with the community and preparing recommendations for constitutional change. They presented their report to Parliament in January 2012 with the finding that Australia should vote in a referendum to;

- Remove Section 25 – that allows States to ban people from voting based on their race.
- Remove Section 51 (xxxi) - that can be used to pass laws that discriminate against people based on their race.
- Insert a new section 51A - to recognise Aboriginal and Torres Strait Islander people and to preserve the Australian Government's ability to pass laws for the benefit of Aboriginal and Torres Strait Islander peoples.
- Insert a new section 116A - banning racial discrimination by Government.
- Insert a new section 127A - recognising Aboriginal and Torres Strait Islander languages were this country's first tongues while confirming that English is Australia's national language.

##### **What's happening with these recommendations?**

On 13<sup>th</sup> February 2013 the parliament passed the *Act of Recognition*. This Act has a 2-year sunset clause which has been used to build community awareness and support for Constitutional change before a Referendum in the first quarter of 2015.

The Government has provided \$10 million in funding to support this campaign through RECOGNISE which is part of Reconciliation Australia. Their work which includes the 'Journey to Recognition' has been to build up community support in favour of constitutional change.

## 7. COMMUNITY DIRECTORATE

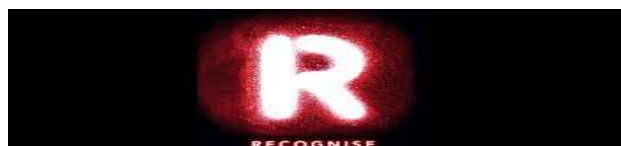
### 7.4 RECOGNISE Campaign (continued)

#### Local Initiatives

Locally a Constitutional Recognition working group has been formed to increase awareness of the RECOGNISE Campaign through events and initiatives. Members of this working group include representatives from Greater Shepparton City Council, Shepparton Region Reconciliation Group, Rumbalara Aboriginal Co Operative, Yorta Yorta Nation, Reconciliation Victoria and the Academy of Sport Health and Education.

To demonstrate its support Greater Shepparton City Council can implement the following initiatives;

- Continued support for local RECOGNISE initiatives through either in kind or financial support.
- Feature the campaigns logo on our website.



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

This proposal aligns with the 2013-2017 Council Plan.

Priority 1 – Active and engaged communities (Social).

Objective 1.5 ‘Embrace and strengthen cultural harmony and diversity’.

#### **Risk Management**

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

Risks	Likelihood	Consequence	Rating	Mitigation Action
Reputation – If Council does not demonstrate support of the Recognise Campaign.	C - Not generally expected to occur but may under specific circumstances.	3 - Moderate	Medium	APO and Team Leader Community Strengthening to monitor feedback from community

#### **Policy Considerations**

This proposal conforms with all relevant Council Policies.

#### **Financial Implications**

There are no financial implications in signing up in support of RECOGNISE. However if Council does join there may be an opportunity to support local events and initiatives through either in kind or financially. This can be provided through the Aboriginal Partnerships Officer role and councils operational budget for Aboriginal Partnerships.

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

There are no legal/statutory implications relating to this proposal.

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

There are no environmental/sustainability implications relating to this proposal.



## 7. COMMUNITY DIRECTORATE

### 7.4 RECOGNISE Campaign (continued)

#### **Social Implications**

By supporting the RECOGNISE initiative in conjunction with the community, it will provide an increased sense of community and social cohesion as many other local organisations are also in favour of this campaign leading to a more harmonious community.

Furthermore, supporting this campaign demonstrates a willingness from Council to advocate on behalf of our local Aboriginal community.

The impacts of Council not supporting this initiative could send a negative message to our community that Council does not support the Constitutional Recognition of Aboriginal and Torres Strait Islander peoples.

#### **Economic Impacts**

There are no economic impacts relating to this proposal.

#### **Consultation**

The RECOGNISE working group consists of members from Greater Shepparton City Council, The Shepparton Region Reconciliation Group, Rumbalara Aboriginal Co Operative, Yorta Yorta Nation, Reconciliation Victoria and the Academy of Sport Health and Education. This group has met to discuss its joint effort to promote the RECOGNISE campaign.

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Priority 1 – Active and engaged communities (Social).

Objective 1.5 'Embrace and strengthen cultural harmony and diversity'.

##### Actions

- Continue to engage and partner with our Aboriginal community to support improved opportunities and outcomes in employment and health.
- Ensure Council's activities and events support and enhance cultural harmony and inclusiveness.

##### b) Other strategic links

Aboriginal Partnerships 6 Point Plan

Objective 6 – To actively promote the Reconciliation process through the development of a statement of commitment.

#### **Options for Consideration**

Option 1: Do nothing

This option would not be preferred as it sends a message to the community that Council does not support the Constitutional Recognition of Aboriginal and Torres Strait Islander people. This would be detrimental to Council's work in the Aboriginal portfolio as Council has been working hard to establish strong working relationships with our local Aboriginal community.

Option 2: Council to support the RECOGNISE Campaign

This option is preferred as it demonstrates strongly to the community that Council believes Aboriginal and Torres Strait Islander people should be recognised within our Constitution. These actions from Council will continue to build social cohesion within our community.

## **7. COMMUNITY DIRECTORATE**

### **7.4 RECOGNISE Campaign (continued)**

In demonstrating its support Greater Shepparton City Council can implement the following initiatives;

- Continued support for local RECOGNISE initiatives through either in kind or financial support.
- Feature the campaigns logo on our website.

#### **Conclusion**

The RECOGNISE Campaign aligns with actions from the 2013-2017 Greater Shepparton Council Plan and the Aboriginal Partnerships 6 Point Plan. This campaign also supports other initiatives Council has been working on within the Aboriginal portfolio such as continuing to develop strong and meaningful relationships and advocating on behalf of our local Aboriginal Community. The RECOGNISE Campaign allows Council to support a national initiative and continue to highlight the work that Council is already doing. These actions from Council will continue to provide an increased sense of community and social cohesion within the community as many other local organisations are also in favour of this campaign. As the main form of support is through utilising the RECOGNISE branding Council is in a strong position to be able to support this initiative via its website.

#### **Attachments**

**Nil**

## 7. COMMUNITY DIRECTORATE

### 7.5 Community Arts Grants Round 1

#### **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 Performing Arts and Conventions**

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

**Approved by: Director Community**

**Other: Acting Senior Curator Shepparton Art Museum**

#### **Executive Summary**

Greater Shepparton City Council's Community Arts Grants received eight applications for the first round for 2014/2015. All applications were considered for eligibility using the Smarty Grants assessment process and an assessment panel met subsequently to determine eligibility in order of priority, the availability of funds to meet applications received, and to recommend quantum for each application. Seven applications were considered eligible for part or full funding dependent upon the extent to which the applicants met the criteria. One application was considered to be unsuitable for funding and communication will occur with organisation as to future applications.

The intention of the funding is to facilitate projects which achieve some or all of the following objectives:

- Enhance the wellbeing of the community through artistic activities and pursuits which create cultural wealth;
- Encourage participation in arts and cultural activities for individuals, groups and the broader community;
- Encourage, support and promote innovation and skill development in the arts.
- Celebrate local and emerging culture and identity;
- Promote and encourage enduring and sustainable arts activities including those which may generate cultural tourism or income generating opportunities for artists.

Funded projects must be able to demonstrate that they are inclusive, have wide community support, and, where appropriate, are sustainable following Council's funding. Funding may be used to conduct arts events and festivals, establish or develop artistic or cultural projects and workshops, build artistic capacity, enable artistic development and innovation or promote excellence in the arts.

The assessment panel consisted of Manager Investment Attraction, Manager Performing Arts and Conventions and the Senior Curator Shepparton Art Museum. These officers represent council departments with related programs and they collectively assessed economic, performing arts and visual arts parameters. The assessment panel meeting panel was convened by the council's Grants Officer who oversaw compliance with grants guidelines.

## 7. COMMUNITY DIRECTORATE

### 7.5 Community Arts Grants Round 1 (continued)

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

That the Council supports the following projects being presented for Community Arts Grants funding:

Applicant	Project	Grant Sought	Recommendation*
Turaton Music Company	Turaton Treads the Timeline	\$1850	\$1400
Splinters Contemporary Artists	Virtual Forest	\$1600	\$900
Shepparton East Primary School	Shepparton East Community Murals	\$2500	\$2500
Shepparton Textile Artists	Grown, Picked, Packed!	\$2500	\$500
Tatura Anglican Church	Easter Arts Expo	\$1000	\$1000
Out in the Open Festival (UCCE)	Out in the Open Festival Rainbow Band and Band Camp	\$2500	\$2000
Shepparton Police	Community Integration Art Mural	\$1500	\$1500

**CARRIED.**

\*Where the recommendation is less than the grant sought, explanations are provided in the report background.

#### **Background**

The Community Arts Grant was established as part of the 2014/15 Council budget to enhance community wellbeing and the development of skills and innovation through artistic pursuits and participation.

Funded projects must be able to demonstrate inclusiveness and community support and, where applicable, become sustainable subsequent to receiving Council funding.

The assessment panel reviews each application based on given criteria and recommends that grants be provided in full or in part or not at all if the criteria are not met.

## 7. COMMUNITY DIRECTORATE

### 7.5 Community Arts Grants Round 1 (continued)

Details of each project and a summary of the extent it met selection criteria are provided here:

Project	Turaton Treads the Timeline
Project description	The Music Company proposes putting on an event to celebrate the 70th anniversary of the existence of the group. It will comprise invited guests from past performances as well as the current choir and soloists.
Who will benefit from the project	All attendees will enjoy two hours of enjoyable music and singing and hear a brief history of Tatura Male Choir/Turaton woven throughout the performance.
Recommendation	The project is financially sound and should receive partial funding of \$1400. The panel recommend the grant request less \$450 be approved as: the costs of paying an accompanist appear excessive and could potentially be provided by the groups own accompanist and the use of social media rather than traditional media could reduce advertising costs.

Project	Virtual Forest
Project description	During the Shepparton Festival, they will work with the community to create a temporary arboreal art installation in the Maude Street Mall. This will be a celebration of the forested river country of the Goulburn Valley and they will use biodegradable and recycled materials for the project. Splinter members will collect and provide small branches that have a distinctive tree shape for people to decorate and place in a designated place in the Mall. By the end of the day the community will have created a virtual forest.
Who will benefit from the project	This will bring people into the Mall and thus may benefit local traders. As it is in a busy commercial hub, the virtual forest will attract spectators as well as those who take part in creating their own art work on their tree. People who may not think of themselves as creative will benefit from a creative act and from the opportunity to work alongside others in a collaborative way.
Recommendation	The project is temporal rather than sustainable and includes an annual fee (liability insurance) in the application. Annual fees are not eligible for funding and the recommended grant is \$900 so as to exclude this fee.

Project	Shepparton East Community Murals
Project description	To engage a local artist to work with students and teachers to create four murals to be positioned outside, along walkways throughout the school. The murals would represent the visions and ideals of the students with a particular focus on the school and the local community. The local artist 'TANK' has been identified as a suitable artist having successfully conducted a similar project with another local Primary School. His artwork is in part inspired and influenced by his rural upbringing; it is

## 7. COMMUNITY DIRECTORATE

### 7.5 Community Arts Grants Round 1 (continued)

Project	Shepparton East Community Murals
	both vibrant and thought provoking and provides a somewhat humorous approach to cultural issues and human interactions.
Who will benefit from the project	The project would engage students across the curriculum from prep to grade 6 which includes a total of 176 students. The broader school community (parents and friends) would be encouraged to attend the launch to officially unveil the artwork. Key stakeholders and council representatives would be welcome to attend.
Recommendation	As this is a very cost-effective project with a strong engagement focus and which establishes a durable art product, it is recommended that full funding of \$2500 be granted.

Project	Grown, Picked, Packed!
Project description	'Grown, Picked, Packed!' is the title of Shepparton Textile Artists' 2015 Exhibition, which encourages exhibitors to stretch their skills and produce innovative responses to the theme. As usual, our exhibition of exceptional textile art enhances community wellbeing by stretching the minds, delighting the eyes, and uplifting the spirits of the hundreds of people who experience the exhibition. A Saturday opening is planned for this year, to give more working people the opportunity to gain greater insight into the intricacies of textile art by listening to the speakers, and to deepen their experience of the art by talking about it with their friends. The low cost community workshops they plan to run alongside the exhibition encourage participation in arts activities.
Who will benefit from the project	They envisage that a wide variety of interested people from the local and wider community will attend - at least 500 people. As many of their audience are from out of town, they will be spending money in Greater Shepparton while they attend. They anticipate about 30 exhibitors, from Greater Shepparton and the wider Goulburn North East Region - many of the latter come to Shepparton with their families and friends to view the exhibition, and will lunch and shop in Shepparton. They encourage artists from different ethnicities and backgrounds to participate in both the exhibition and the workshops.
Recommendation	Although this applicant has a proven record of delivering well-attended exhibitions, they receive regular council funding and do not seem to be nearing a sustainable financial model over time (e.g. through corporate support or other funding.) The application includes \$2000 as an expense for venue hire at the Eastbank Centre (they have a confirmed booking for this project) but expenses to cover subsidised hire of council venues is ineligible. As the grant application is for \$2500 deducting this expense leaves a maximum allowable grant of \$500 and this is the recommended amount.

## 7. COMMUNITY DIRECTORATE

### 7.5 Community Arts Grants Round 1 (continued)

Project	Easter Art Expo
Project description	To create an inter-active community art / creative work exhibition that will both engage community individuals and groups in the creation of art work, while also using the cultural festival of Easter to build awareness of the Christian Easter story - thus creating an opportunity for the cultural wealth of the community's Christian heritage to be passed on to younger and newer members of the community. The aim would be to get different schools, art, community groups, care groups, service clubs etc. throughout the Tatura and wider Goulburn Valley area engaged in the expo by giving them a part of the Easter story, and a room within the facility that they could decorate in whatever style suited them. Each room would have some form of interactive element so those who come through the display would also be able to participate in the ongoing creative story (i.e. engaging in various art or craft activities that become part of a developing display.)
Who will benefit from the project	The schools, groups, clubs, art groups etc. who participate will benefit by having an organised expo within which they can participate, this will enable them to have a place to advertise their services to the community, and also - particularly for children, be the first place their art is displayed. The wider Tatura community will benefit from foot traffic / café spending with people coming from a wider area to see the display. Over the 5 days of the expo we would be hoping for 100 people a day to come through the doors, meaning 500 people benefit from being a part of it. The church community would benefit from having a project to work together on, and hosting something of tangible benefit to the community.
Recommendation	The project is financially sound, delivers outcomes for the wider community and encourages broad participation. It offers economic benefits and is therefore very cost-effective on a small budget. As the application is only for \$1000 and will generate income from other sources, full funding is recommended.
Project	Out in the Open Festival (Melbourne Rainbow Band) & Band Camp
Project description	The Melbourne Rainbow Band (MRB) will come to Shepparton to support and participate in the Out in the Open Festival on 15 November 2014, and incorporate this day into the MRB's first "Band Camp" in 8 years. The MRB intends to stay at Dookie Campus of Melbourne Uni, where they will hold both music rehearsals and activities to develop interpersonal relationships. The MRB exists to provide an opportunity for musicians to develop their musical abilities in an environment free of prejudice and discrimination and to promote the GLBTI (Gay/Lesbian/Bisexual/Transgender/Intersex) community to the wider population. They've been around for 19 years and have 35 members, all volunteers

## 7. COMMUNITY DIRECTORATE

### 7.5 Community Arts Grants Round 1 (continued)

Project	Out in the Open Festival (Melbourne Rainbow Band) & Band Camp
Who will benefit from the project	GV Pride group/members (Shepparton social group) will benefit by being supported by a metro-Melbourne based GLBTI group. The Diversity Group (Shepparton's same sex attracted, sex and gender diverse young people's social support group) will benefit through community engagement and exposure to visible GLBTI-proud role models and activities. Shepparton community in general, by enriching the Out in the Open Festival's celebration of community diversity. The Out in the Open festival's carnival day runs from approx. 10.30am to 4pm on 15/11/14, and is a free event for the community to enjoy and participate in. It will also generate local and social media attention & tourism income. Township of Dookie, by attracting tourism to Dookie. University of Melbourne's Dookie Campus, by MRB choosing to stay at their campus
Recommendation	The project promotes universal acceptance and celebration. As this is a pilot program with longer term sustainable objectives, funding is recommended. As the project could reasonably secure corporate funding or community contributions, partial funding of \$2000 is recommended.

Project	Community Integration Art Mural
Project description	Outside the Shepparton Police Station there is a series of painted murals that represent different things within our community. They represent local council initiatives, police and community, Aboriginal art work that acknowledges the traditional land owners and shows police partnerships, and they have two final murals to be painted they will represent family violence awareness and last but not least cultural/community integration. The project that they are putting forward in this grant relates to the community integration. The design shows community integration without race, age, gender or wealth
Who will benefit from the project	Locally all the community will benefit from the art work, in particular the Culturally and Linguistically Diverse communities will see the art work and know that the Community/Local Council/Police see everybody as being equal. Greater Shepparton City Council has previously funded other art murals on this wall and already has a logo amongst the work and this painting will be part of that work.
Recommendation	As this is a very cost-effective project with a strong visibility and establishes a durable art product, it is recommended that full funding of \$1500 be granted.

Applicants receiving grants will be informed of the amount of the grant and the reason full or partial funding was provided.



## 7. COMMUNITY DIRECTORATE

### 7.5 Community Arts Grants Round 1 (continued)

Unsuccessful applicants will be informed of the reason their application was not successful and recommendations made for future applications.

All grant recipients will be required to provide an acquittal of their project.

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

The Community Arts Grant program is intrinsically linked to the Council Plan 2013-2017 by encouraging an active and engaged community. Council aims to improve liveability through social and recreational opportunities, a range of inclusive community services and activities and by valuing our community. (Goal 1)

Council valued arts, culture and heritage as an integral part of our dynamic community. (Priority 1.6) “We recognise that a vibrant and broad ranging arts and culture program is important in making the municipality a dynamic and appealing place to live, work, play and visit, builds social capital and contributes to education and economic development opportunities. We will encourage and deliver a diverse range of artistic, cultural and heritage activities that are accessible to as many people as possible across the municipality.”

#### **Risk Management**

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

#### **Policy Considerations**

This report and its recommendations complies with existing Council grants policy and guidelines.

#### **Financial Implications**

	2014/2015 Approved Budget for this proposal \$	This Proposal \$	Fund previously committed in 2014/15 \$	Balance remaining from budget allocation and available for Round 2 applications
Expense	\$20000	\$9800	\$0	\$10200

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

There are no known legal or statutory implications for Council. Applicants are required to hold suitable public liability insurance.

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

Where applicable, environmental and/or sustainability impacts have been considered by the applicants.

#### **Social Implications**

These projects support positive social outcomes.

#### **Economic Impacts**

Minor economic benefits are expected from projects where indicated.

## 7. COMMUNITY DIRECTORATE

### 7.5 Community Arts Grants Round 1 (continued)

#### Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Grants information is easily accessible through council's external website and public information sessions were conducted.	Media release Website Information sessions
Consult	Council staff available to consult, in person or via telephone or email to all community groups	Information sessions and follow up advice for applications as required
Involve	Grants involve community participation by their nature and scope.	Approved projects include community participation as a required outcome.
Collaborate	Community groups will be responsible for the planning and implementation of projects.	Successful applicants will drive their own initiatives.
Empower	Community groups will be responsible for the planning and implementation of projects.	Community groups drive and delivery their projects.

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

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

Community Life: Encouraging Arts in the Community, City of Greater Shepparton.

##### b) Other strategic links

Council plan 2013-17 as outlined above

#### Options for Consideration

1. Not fund the projects  
Not recommended as projects are supported by council's grants policy and associated guidelines.
2. Fund the projects  
Agree to fund the projects - Recommended

#### Conclusion

The applications for funding through the Community Arts Grant Round one 2014/2015 were reviewed by an internal assessment team which has recommended that the above applications be funded. Accordingly, the projects meet eligibility requirements for grants under this initiative.

#### Attachments

Nil

## 7. COMMUNITY DIRECTORATE

### 7.6 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 Neighbourhoods

**Approved by:** Acting Director Communities

#### **Executive Summary**

In accordance with Greater Shepparton City Council CEO Directive 07.CEOD2, Section 86 Committees of Management (Special Committees), Section Four – committee members can only be appointed by a formal resolution of Council. As the term of office for current members of the below Committee expired on 21 September 2014, it is necessary that a new Committee be appointed to manage the facility. This report recommends the following appointments to the Lemnos Recreation Reserve Committee of Management for a two year term:

**Moved by Cr Adem**

**Seconded by Cr Patterson**

That the Council:

1. having considered the nominations received for appointment to the Lemnos Recreation Reserve Committee of Management, appoint the following members for a term of two years commencing on 22 October 2014:
  - Vivienne JEFFERY
  - Jill GUERRA
  - Ronald COBBLEDICK
  - Leonard DARCY
  - Annette ELLIS
  - Rob WATERS
  - Matthew WALKER
2. resolve that all members (who are not Councillors or nominated Officers) of the Lemnos recreation Reserve Committees 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**

##### Lemnos Recreation Reserve Committee of Management

At the Ordinary Council Meeting held on 18 September 2012, five applicants were appointed to the Lemnos Recreation Reserve Committee of Management for a term of two years. One additional member was later appointed at the Ordinary Council meeting 16 April 2013.

## 7. COMMUNITY DIRECTORATE

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

As the term of office for these members has now expired, it is necessary that a new committee be appointed to manage the facility.

This report recommends that a new committee be appointed to the Lemnos Recreation Reserve for a two year term, commencing on 22 October 2014.

#### Interest Return Exemption

In accordance with the resolutions passed at previous Ordinary Council Meetings, it is recommended that all newly appointed members of Section 86 Committees also be exempt from the requirement of completing Interest Returns.

#### **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 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 of members to this committee 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.

## 7. COMMUNITY DIRECTORATE

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

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

A public notice was placed in the Shepparton News on Friday 19 September 2014, Friday 26 September 2014, calling for applications from community members who are interested in joining these Committees of Management.

Letters were also sent to the outgoing members of the committees inviting them to apply for another term.

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 to appoint all, part of, or none of the members outlined in the recommendation.

In doing so, Council should note that in accordance with Guidelines applying to the Instrument of Delegation to the committee, there is a requirement to appoint a minimum of five members to a Committee of Management.

## 7. COMMUNITY DIRECTORATE

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

Choosing not to appoint all or some members would leave some facilities without a committee of management, which would result in the facility becoming directly managed by Council officers.

#### **Conclusion**

It is recommended that all of the nominated applicants be appointed to their respective Committees of Management.

#### **Attachments**

Nil

## 8. BUSINESS DIRECTORATE

### 8.1 Hardship Policy

#### **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 Team Leader Rates**

**Proof reader(s): Manager Finance and Rates**

**Approved by: Acting Director Business**

#### **Executive Summary**

Council's Rating Strategy 2013-2017 was adopted at the Ordinary Council meeting held on Tuesday 20 August 2013. Section 9.5 of the Strategy outlined the assistance available to ratepayers who are experiencing difficulty in paying their rates. This report presents a policy that provides a consistent and objective approach, which is practical, sensitive and responsive to people's needs when considering how to assist them.

Section 171A of the Local Government Act (1989) allows councils to waive rates or interest in cases of financial hardship. While some Councils have implemented options to waive rates and interest, the Municipal Association of Victoria (MAV) Hardship Policy Guidelines November 2013 state "Councils will not generally waive rates or interest. This is to ensure that financial hardship assistance proffered to one ratepayer does not have a distributional effect on the rate base".

In the development of this policy, Council officers have proposed payment arrangements and deferred arrangement for payments, consistent with Section 170 of the Local Government Act 1989. This policy is consistent with the MAV Guidelines ie: Council officers are not proposing to waive rates or interest.

#### **RECOMMENDATION**

That the Council adopt the Hardship Policy 34.POL2.

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

That the matter lay on the table.

**LOST.**

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

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

That the Council adopt the Hardship Policy 34.POL2 and that it be reviewed annually by the Council.

**CARRIED.**

## 8. BUSINESS DIRECTORATE

### 8.1 Hardship Policy (continued)

#### **Background**

Rates constitute the majority of Council's income (53% in the Draft 2014/2015 Budget). The timely payment of rates by residents is crucial to the effective operation of the ongoing services and capital works projects that Council provides for community benefit. When considering the rating strategy for the municipality, Council considers the principles of fairness, transparency and equity. The consideration of hardship is consistent with these principles.

Council's Rating Strategy 2013-2017 was adopted at the Ordinary Council meeting held on Tuesday 20 August 2013. Section 9.5 of the Strategy outlined the assistance available to ratepayers who are experiencing difficulty in paying their rates. This report presents a policy that provides a consistent and objective approach, which is practical, sensitive and responsive when considering how best to assist ratepayers in meeting their financial obligations.

The purpose of this Rates and Charges Hardship Policy is to provide Council with a policy framework to provide financial relief to individuals who need assistance with paying their rates. This policy will apply to residential ratepayers in relation to their primary residence. The policy also provides ratepayers with a clear, transparent understanding of the options and assistance available if they are currently experiencing, or are at risk of experiencing hardship.

#### **Definitions**

The *Local Government Act 1989* unfortunately does not provide a definition of Financial Hardship.

The Municipal Association of Victoria's (MAV) Hardship Policy Guidelines November 2013 provides a simple description of Financial Hardship as 'a customer or ratepayer who wants to pay but cannot'.

The guidelines note other criteria which could assist Councils in addressing financial hardship in a fair and equitable manner such as whether hardship assistance should be provided to business owners or investment property owners.

After consideration of this criteria, and for the purposes of the policy, 'Financial Hardship' has been defined as:

*'a ratepayer who is living in their primary residence and who wants to pay the rates on their primary place of residence but cannot due to financial difficulty in meeting basic living costs. The ratepayer reasonably expects to be able to pay if payment arrangements were changed. The hardship may be short or long term.'*

#### **Discussion Points**

- In the development of this policy, Council officers have proposed payment arrangements and deferral of payments, consistent with Section 170 of the Local Government Act 1989.
- Section 171A of the Local Government Act (1989) allows councils to waive rates or interest in cases of financial hardship. While some Councils have implemented options to waive rates and interest, the Municipal Association of Victoria Hardship Policy Guidelines state "Councils will not generally waive rates or interest. This is to ensure that financial hardship assistance proffered to one ratepayer does not have a



## 8. BUSINESS DIRECTORATE

### 8.1 Hardship Policy (continued)

- distributional effect on the rate base". Council officers are therefore not proposing rate waivers.
- A review of the other rural Councils in the Hume region plus Bendigo and Ballarat revealed:
    - all offer payment arrangements;
    - four offer rate deferrals; and
    - three offer rate waivers (in extreme circumstances)
  - The proposed Hardship policy has been developed for rates debtors only.
  - A review of other metropolitan Councils, many of which have substantial movements in CIV from valuation to valuation, has identified alternative strategies for hardship relief which are not recommended but are included for information:
    - Waiver of Rates – for example:
      - Knox up to \$1000 by the CEO;
      - Greater Dandenong up to \$500 by Director;
      - Port Phillip up to \$1000 by CFO;
      - All waivers are reported to Council;
    - Deferral Arrangements for Commercial properties – Dandenong (maximum of two years);
    - Reduced interest rate on Deferred Arrangements – either 50% of Penalty Interest rate (Port Phillip) or Market Interest instead of Penalty Interest (Knox, Dandenong);
    - Council funded addition to the State Pensioner Concession Rebate that is capped at \$208 (Port Phillip);
    - Payment Arrangements are interest free for pensioners and self-funded retirees (Port Phillip);
    - Pensioners and low income households which have a CIV increase of over 50% due to the revaluation have the increase phased in over two years (Geelong).

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

This proposal is in line with the following strategic goal of the Council Plan:

#### High Performing Organisation (Leadership & Governance)

*"Greater Shepparton City Council will provide value for money services, best practice internal systems and processes and an organisational continuous improvement culture to maximise council performance in delivering service to meet the needs of the Community".*

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Economic downturn which results in more ratepayers facing hardship	C	4	Low	Opportunities to mitigate risk are low in consideration of external factors which influence the risk likelihood. Development of the Hardship Policy will provide assistance to those impacted by such a risk.

## 8. BUSINESS DIRECTORATE

### 8.1 Hardship Policy (continued)

#### **Policy Considerations**

The proposed Hardship Policy will provide guidance to staff to allow for a consistent, transparent, sensitive and responsive approach when considering requests for assistance from ratepayers who are experiencing financial hardship.

Council recognises that managing hardship is a shared responsibility and therefore seeks to provide best practice arrangements for the collection of rates and charges, including offering flexible arrangements for ratepayers experiencing financial hardship.

#### **Financial Implications**

The recommended option which allows for payment arrangements and payment deferral for ratepayers who have met the financial hardship criteria reflects and formalises current practice.

This acknowledges efforts by Council to increase the likelihood of rates and charges revenue being collected as per the planned budgets in a practical, sensitive and responsive manner.

There will be small costs involved in improving processes e.g. communication costs, updating the website, simplifying forms. It is anticipated that the costs will be offset by streamlining staff practices e.g. accepting verbal payment arrangements.

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

The following legislative provisions apply with regard to the deferral and waiver of rates, charges and interest.

##### *Local Government Act 1989*

Section 170. **Deferred Payment** – A Council may defer in whole or in part the payment by a person of any rate or charge which is due and payable for a specified period and subject to any conditions determined by the Council if it considers that an application by that person shows that the payment would cause hardship to the person.

Section 171. **Waiver** – The Council may waive the whole or part of any rate or charge or interest.

Section 171A. Waiver by application – A person who

- (a) is suffering financial hardship; or
- (b) would suffer financial hardship if that person paid the full amount of a rate or charge for which he or she is liable may apply to a Council for the waiver of the whole or part of any rate or charge or of any interest imposed for late payment.

##### *Fire Services Property Levy Act 2012*

##### *State Concessions Act 2004*

##### *Penalty Interest Rates Act 1983*

##### *Cultural and Recreational Lands Act 1963*

##### *Information Privacy Act 2000*

##### *Charter of Human Rights and Responsibilities Act 2006*

Any decisions regarding the deferral, waiver or payment arrangements must be considered in light of, and be compatible with, relevant Charter rights, in particular, the rights to privacy and the right to protection of families and children.

## 8. BUSINESS DIRECTORATE

### **8.1 Hardship Policy (continued)**

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

There are no environmental or sustainability impacts with this proposal.

#### **Social Implications**

Council recognises that there are situations where a ratepayer is unable, because of prolonged illness, unemployment or other reasonable cause, to discharge their financial obligation to Council and the ratepayer reasonably expects to be able to discharge those obligations if payment arrangements were changed.

#### **Economic Impacts**

No economic impacts have been identified.

#### **Consultation**

Officers believe that appropriate consultation has occurred through the Rating Strategy Reference Group and public submission process for the Rating Strategy 2013-2017 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

This policy has been developed in line with Section 9.5 of Council's Rating Strategy 2013-2017;

Applications for consideration of financial hardship will be treated as strictly confidential in accordance with Council's Privacy policy

#### **Options for Consideration**

Option 1 – Do nothing (not recommended). The Rating Strategy 2013-2017 confirms the recommendation from the Rating Strategy Reference Group that Council develop a hardship policy.

Option 2 – Adopt the Hardship Policy 34.POL2 as attached.

#### **Conclusion**

To meet the aspirations of Section 9.5 of Council's Rating Strategy 2013-2017, a draft Hardship policy has been proposed.

#### **Attachments**

Hardship Policy 34.POL2 Page 160

## 8. BUSINESS DIRECTORATE

### 8.2 Itinerant Traders Policy

#### **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 Citizen Services**

**Proof reader(s): Manager Citizen Services**

**Approved by: Director Business (Acting)**

**Other: Manager Investment Attraction, Team Leader Environmental Health,  
Team Leader Regulatory Services**

#### **Executive Summary**

As a result of the review of Council's Policies, a revised Itinerant Traders Policy is proposed.

The overall objective of the Policy is to provide a simple, consistent and coordinated process for the assessment of applications for itinerant traders within the municipality. It is the intention of this policy to provide a transparent framework for assessing temporary business operations within the municipality; to avoid the creation of adverse traffic, pedestrian and general public safety conditions; to ensure existing local businesses are not significantly disadvantaged; to regulate the level and intensity of vendor activities on road reserves and other public places; to provide services that enhance the visitor/resident experience and that do not compromise the amenity of the area.

The Policy provides guidelines for the identification of appropriate sites. A CEO Directive will be developed to provide some indicative locations for traders, but any nominated site will need to be assessed against the policy guidelines taking into account the form/type and timing of itinerant trading proposed by the applicant.

It is proposed that Council move from the existing annual Expression of Interest process to set fees to allow any interested parties to apply at any time of the year. These fees would be considered by Council each year as part of its annual review of fees and charges for Council services and facilities.

It is further proposed that Victoria Park Lake not be excluded as a site for Itinerant Trading.

#### **RECOMMENDATION**

That the Council:

1. revoke the Itinerant Traders Policy 58.POL3 (Version 1.0) previously adopted by Council on 18 September 2012
2. adopt the Itinerant Traders Policy 58.POL1
3. adopt the following GST inclusive fees for Itinerant Traders for 2014-2015

## 8. BUSINESS DIRECTORATE

### 8.2 Itinerant Traders Policy (continued)

- a. Application Fee of \$50
  - b. Single Day Permit Fee of \$70
  - c. Seasonal Permit (6 months only) \$1,200
  - d. Weekend Permit (Friday to Sunday only) \$1,500 per annum
  - e. Full permit \$2,000 per annum
  - f. Power charge of \$5 per day, where available
4. allow consideration of suitable sites at Victoria Park Lake for Itinerant Trading.

#### **Moved by Cr Summer Seconded by Cr Adem**

That the Council:

1. revoke the Itinerant Traders Policy 58.POL3 (Version 1.0) previously adopted by Council on 18 September 2012
2. adopt the Itinerant Traders Policy 58.POL1 as attached
3. adopt the following GST inclusive fees for Itinerant Traders for 2014-2015
  - a. Application Fee of \$50
  - b. Single Day Permit Fee of \$50
  - c. Seasonal Permit (6 months only) \$400
  - d. Weekend Permit (Friday to Sunday only) \$500
  - e. Full permit \$600 per annum
  - f. Power charge of \$5 per day, where available
4. allow consideration of suitable sites at Victoria Park Lake for Itinerant Trading.

**Cr Houlihan vacated the Chair to move the following amendment.  
Cr Patterson assumed the Chair.**

#### **Moved by Cr Houlihan Seconded by Cr Polan**

That the Council:

1. revoke the Itinerant Traders Policy 58.POL3 (Version 1.0) previously adopted by Council on 18 September 2012
2. adopt the Itinerant Traders Policy 58.POL1 as attached
3. adopt the following GST inclusive fees for Itinerant Traders for 2014-2015
  - a. Application Fee of \$50
  - b. Single Day Permit Fee of \$50
  - c. Seasonal Permit (6 months only) \$600
  - d. Weekend Permit (Friday to Sunday only) \$750
  - e. Full permit \$1,000 per annum
  - f. Power charge of \$5 per day, where available
4. allow consideration of suitable sites at Victoria Park Lake for Itinerant Trading.

**LOST.**

## 8. BUSINESS DIRECTORATE

### 8.2 Itinerant Traders Policy (continued)

Cr Houlihan resumed the Chair.

The motion was carried.

Cr Houlihan called for a division.

Those voting in favour of the motion: Cr Oroszvary, Cr Adem, Cr Patterson, Cr Ryan and Cr Summer.

Those voting against the motion: Cr Houlihan and Cr Polan.

#### **Background**

As part of Transition Plan Items 55 and 73, an organisation wide review of all existing Council policies and procedures commenced in July 2013. These documents have since been assessed on their content and purpose, and then formatted into newly adopted templates.

The Itinerant Traders Policy, previously adopted by Council on 18 September 2012 (copy at Attachment 1), has been reviewed both in terms of its format and its content.

Officers have taken into account lessons from experience to date in the operation of this policy; input from Councillors at a Workshop Session during a Councillor Briefing in August 2014; as well as an extensive review of similar policies in other Councils to identify best practice in this area.

The revised policy includes an expanded purpose and list of objectives that address aspirations raised by Councillors at the Workshop session including providing business opportunities, invigorating areas and providing late night services. Other sections cover traffic and food safety concerns, the need not to disadvantage existing permanent businesses, the protection of Council assets and amenity of the area including keeping sites tidy and rubbish removed.

There is provision also in the policy for those traders wishing to renew their permit each year to have first right of refusal, subject to satisfactory compliance with their permit conditions.

#### **Application Process**

The current Itinerant Traders Policy endorses an Expression of Interest application process for Itinerant Traders to operate in the municipality. This process is undertaken annually and therefore locks any additional requests from traders to operate, out of the market, for the remainder of the year. To address the complaints from prospective traders about having to wait another year to apply, it was decided to run a second EOI process in 2013-14. However neither of the successful applicants took up the opportunity to commence operation.

A year round opportunity for traders to apply to operate would be preferable to allow applications to be assessed for short term and annual trade in a less administrative and restrictive manner. It is important to note that there are currently only three operators who provide goods and services under the itinerant trader permit arrangement across the municipality.

## 8. BUSINESS DIRECTORATE

### **8.2 Itinerant Traders Policy (continued)**

To provide improved service opportunities for the community and visitors and business opportunities for itinerant traders it is proposed that permits should be available for single day, for a weekend (Friday to Sunday) and for the full year.

- Single day permits would be for occasional and 'one off' traders not wanting to take up a regular position.
- Week-end permits would cover those that wish to trade on Friday, Saturday and Sunday only
- Seasonal permits should cover October to March and April to September six-month periods and may be the preferred option for seasonal traders, for example, ice-cream vans.

#### **Fees**

The current policy allows operators to 'nominate' the annual fee they are happy to pay to be afforded the opportunity to operate at a particular location. Fees are currently set at \$1,500 per annum level, although one seasonal trader pays \$1,000. The intent of the current practice is to provide a competitive environment and the highest offer is accepted. This is neither equitable nor transparent for each operator and only provides opportunities to enter the market when Expressions of Interest are called.

It is proposed that the current arrangement be replaced with an annual fee structure determined by Council each year, in line with other fees and charges.

To gauge how Council's fees compare with others, information was obtained from a number of other Victorian Councils (see Attachment 3). It should be noted that many Councils choose not to allow Itinerant Trading in their municipalities. Of those that do, attention was paid particularly to Greater Bendigo City Council as it has many similarities to Greater Shepparton City. Greater Bendigo has set fees that are considerably higher and more site specific than those currently applying in this municipality, but may provide a useful framework for future fees if the number of itinerant traders increased significantly from the current three traders.

#### **Proposed Permit Fees:**

To provide maximum flexibility whilst being mindful of current fees paid and recognising the low number of applicants currently working as itinerant traders in the Greater Shepparton area the following range of fees are proposed for 2014-15:

- Application Fee of \$50 (regardless of length of permit)
- Single Day Permit Fee of \$70
- Seasonal Permit (6 months only) \$1,200
- Weekend Permit (Friday to Sunday only) \$1,500 per annum
- Full permit \$2,000 per annum

Provision of power to an Itinerant Trader vehicle, where available, has been estimated to be approximately \$5 per day and would be an additional charge.

#### **Locations**

A range of potentially suitable locations will be included in a CEO Directive, including locations in Shepparton CBD, the outskirts of town, Mooroopna, Tatura and Congupna. However, permit approval for any location would be subject to compliance with the principles and requirements of the Itinerant Traders Policy.

## 8. BUSINESS DIRECTORATE

### 8.2 Itinerant Traders Policy (continued)

The locations currently utilised for itinerant trading are not necessarily conducive to encouraging this type of trade. There are a number of limitations in the CBD, including parking restrictions and competition for local businesses that pay substantial rent and rates to operate out of an established premises in a commercial zone

Locations that are approved for the CBD would generally be restricted to operation outside normal business hours (and outside parking restriction time frames ie: 5.30pm) to avoid unfair competition with nearby rate-paying businesses and to capitalise on the opportunity that is presented by reduced trade after these times in the CBD. Therefore CBD locations would generally be available between 5.30pm and 5.30am to provide take away food and to support entertainment precinct areas, and if located in the vicinity of the Maude Street Mall, would initially be limited to the north and south extremities of the Mall to promote safety of vendors and customers, to avoid obstructing CCTV, and to reduce the likelihood of vandalism and damage to council and private property.

#### **Victoria Park Lake**

Victoria Park Lake is currently not an approved location for operation by itinerant traders. Over time, this has been the most requested location by itinerant traders and a source of great frustration for operators.

It is proposed that Council consider Victoria Park Lake as a location for itinerant trading, on the following conditions:

- That trade be restricted to short stopping times only during daylight hours for ice cream vans and take away food, bearing in mind that previous community consultation saw submissions from large fast food outlets objecting to operation at the Lake, which were upheld by Council.
- That subject to future budget considerations a small number of gravelled or sealed sites be erected at Victoria Park Lake for use by short stay itinerant traders, to protect the amenity of the location and that fees be set accordingly for these premier site(s).

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

*Goal 5.3. High Performing Organisation (Leadership & Governance)*

Ensure strong internal systems and processes to ensure best practice delivery of services for the community.

#### **Risk Management**

Council's overall objective is to ensure as far as practicable, the safety of all members of the community, at all times, on or nearby Itinerant Trader locations.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Risk to public, ie: tripping hazards, health	Unlikely	Minor	Low	Addressed in Draft Policy 5.3.1-3
Traffic Hazards	Rare	Moderate	Low	Addressed in Draft Policy 5.3.1
Damage to Council Property	Possible	Minor	Low	Addressed in Draft Policy 5.4.5
Littering, rubbish left at site	Possible	Minor	Low	Addressed in Draft Policy 5.3.3



## 8. BUSINESS DIRECTORATE

### 8.2 Itinerant Traders Policy (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Political- eg: backlash from local businesses	Likely	Minor	Moderate	Itinerant traders to operate outside of regular business hours in the CBD.

#### Policy Considerations

This review has been undertaken in accordance with the CEO Directive *Management of Policies and CEO Directive Documents*. This CEO Directive has been prepared to ensure consistency of the review of all Council Policies and CEO Directives.

#### Financial Implications

Costs associated with setting up a permanent site at Victoria Park Lake could be in the vicinity of \$10,000 per site, including a concrete slab to accommodate the traders vehicle, a customer standing area and lockable bollards. Additional costs could be incurred if a concrete or other driveway access to the space is required depending on placement. Access to power would be a further cost if Council decided to offer powered sites.

#### Legal/Statutory Implications

The policy covers the need to have processes in place to ensure that mobile food vans are meeting health regulation as per Health Act 1958 and Public Health and Wellbeing Act 2008.

#### Environmental/Sustainability Impacts

The policy includes requirements for the Itinerant trader to maintain a clean and tidy site and ensure the removal of all waste. There are also requirements that cover maintaining the amenity of the site.

#### Social Implications

Availability of a range of itinerant traders, including after hours food vans adds to the ambiance of the CBD entertainment district and may support extended use of entertainment venues and promote increased social interaction. The same may be said of the Victoria Park Lake, if allowed, particularly on weekends and holiday times. Greater use of facilities and amenities may be made due to the added possibility of purchasing food nearby.

#### Economic Impacts

The policy will facilitate the entry and operation of those wishing to operate an itinerant trading business. The policy provides mechanisms to addresses possible negative economic impacts on CBD businesses by itinerant traders, through for example distances from existing businesses, and specification of the location and timing of operations.

#### Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Current permit holders to be informed of changes in policy	Letter to existing permit holders. Advertise permit availability in newspaper and on website.

## 8. BUSINESS DIRECTORATE

### **8.2 Itinerant Traders Policy (continued)**

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Consult	Meetings to be held with current permit holders and others who have previously expressed an interest in itinerant trading.	Individual and group discussions to explain changes and new opportunities.

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 with the Greater Shepparton 2030 Strategy.

##### b) Other strategic links

The Itinerant Traders Policy relates in general terms to the CBD Strategy.

#### **Options for Consideration**

Option 1. That the Council revoke the Itinerant Traders Policy 58.POL3 (Version 1.0) adopted by Council in September 2012 and adopt the revised Itinerant Traders Policy 58.POL1 as attached and that Fees be set Council as proposed (recommended).

Option 2. Changes to the Policy could be accepted, altered or rejected (not recommended).

#### **Conclusion**

Council should adopt the revised Itinerant traders Policy for those itinerant traders who wish to operate in the Greater Shepparton municipality.

There is scope for Council to permit operation of Itinerant Traders at Victoria Park Lake for those who are providing itinerant trade with no fixed location (eg ice cream vans). If so inclined, Council could consider as part of the next budget process the construction of one or more permanent sites for occasional use by Itinerant traders at Victoria Park Lake to protect the amenity of this premier location.

Council should consider adopting the fees and charges that are recommended to ensure an equitable, flexible and affordable service including charges for power where available.

Council should note that the CEO Directive will provide indicative locations for itinerant trader operation but that each application would be subject to an assessment of the location proposed for the particular type of trade against the Itinerant Traders Policy.

#### **Attachments**

1. Itinerant Traders Policy 58.POL3 (Sept 2012) Page 165
2. Itinerant Traders Policy 58 POL1 Page 168
3. Itinerant Traders - Costing Information Page 181

## 8. BUSINESS DIRECTORATE

### 8.3 September 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 Management Accountant**

**Proof reader(s): Manager Finance and Rates**

**Approved by: Chief Executive Officer**

#### **Executive Summary**

The report presents Council's actual financial performance compared to the draft budget for the three months ended 30 September 2014.

**Moved by Cr Adem**

**Seconded by Cr Oroszvary**

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

**CARRIED.**

#### **Background**

The Draft 2014/2015 Budget was prepared by Council on 17 June 2014. Public notice was given on 20 June 2014 and submissions invited until 18 July 2014. Council considered all submissions received and adopted the 2014/2015 Budget at a Special meeting on 6 August 2014.

The 2014/2015 Budget provides for an operating surplus of \$9.24 million with revenue of \$119.97 million and expenditure of \$110.73 million. The 2014/2015 Budget also provides for capital works of \$37.42 million.

The September 2014 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*.

## 8. BUSINESS DIRECTORATE

### **8.3 September 2014 Monthly Financial Report (continued)**

#### **Risk Management**

No risks have been identified in providing this financial report.

#### **Policy Considerations**

There are no conflicts with existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal.

#### **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.

#### **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 three months ended 30 September 2014.

#### **Attachments**

September 2014 Monthly Financial Report Page 183

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 2014 Planning Scheme Review 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: Senior Strategic Planner**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The Planning Scheme is a legal document prepared by a local authority and approved by the Minister for Planning. To ensure that the Planning Scheme is up to date and relevant, Council is required to review the Greater Shepparton Planning Scheme every four years. Monitoring, auditing and reporting of the Planning scheme is now a mandatory requirement under the *Planning and Environmental Act 1987*.

The Greater Shepparton Planning Scheme Review ('the 2014 Review') has been prepared in accordance with the Departure of Sustainability and Environment Review (now DTPLI) of Planning Scheme Practice Note (February 2006).

Once adopted by Council, this report will constitute the formal 'Planning Scheme Review' of the Greater Shepparton Planning Scheme as required under Section 12B of the *Planning and Environment Act 1987*.

There has been considerable and significant changes at the state and local level since the last planning scheme review.

The 2014 Review has confirmed that the basis of the Greater Shepparton Planning Scheme is fundamentally sound and does not need to be significantly changed. The 2014 Review has made recommendations regarding the type of strategies/documents that need to be undertaken to explore the identified land use planning policy gaps.

Ordinarily, if a Council's strategic framework is sound, then stakeholders have a clear understanding of whether a proposal is likely to be supported or not. In Greater Shepparton, there is anecdotal evidence to support the proposition that, as a result of pre-application discussions, intending applicants are reluctant to proceed given the clarity and robustness of the strategic direction in the planning scheme, especially the MSS.

The following recommendations for statutory and strategic planning work have been made:

#### **Statutory Work Program**

In terms of prioritising a statutory work program, the following specific recommendations are made:

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 2014 Planning Scheme Review Report (continued)

#### **High Priority (Now)**

##### Planning Policy Framework Amendment

- Prepare an amendment to implement the new Planning Policy Framework (PPF) based on a 'policy neutral' translation of the existing Municipal Strategic Statement.

#### **Medium Priority (Within 12 months)**

##### Modified Planning Policy Framework Amendment

- Edit and reformat the modified 'PPF' amendment to insert completed strategic work.
- Ensure the revised PPF has careful regard to the directions articulated in the *Council Plan* and the *Health and Wellbeing Plan* and its list of Actions.
- Insert other adopted strategic work into the revised PPF.

#### **Zone and Overlay Amendment(s) and Specific Provisions**

- Rewrite zone schedules in accordance with the review report to ensure that they are achieving their intended purpose.
- Rewrite overlay schedules in accordance with the review report to ensure that they are achieving their intended purpose.
- Rewrite schedules to the Specific Provisions in accordance with the review report to ensure that they are achieving their intended purpose.
- Prepare an amendment to implement zones and overlays (with schedules) arising from the report and the new PPF.

#### **Strategic Work Program**

In terms of prioritising a strategic work program, the following specific recommendations are made:

#### **Immediate Priority (Now)**

- Implementation of the 2014 Review.
- Update the Greater Shepparton Planning Scheme to reflect the format of the new Planning Policy Framework.

#### **Medium Priority (Within 12 months)**

A number of projects have been identified through the review project including at workshops with staff and other key stakeholders. The future works program will need to include the following projects:

##### Implementation of the actions outlined within the following documents

- Implementation of Industrial Land Review (Amendment C162)
- Implementation of Infrastructure Design Manual (Amendment C112)
- Implementation of Sustainability Strategy
- Implementation of Destination Management Plan
- Implementation of Access and Inclusion Plan
- Implementation of Cycling Strategy
- Implementation of Council Plan
- Implementation of Municipal Public Health & Wellbeing Plan

##### Need to Commission

- Gaming Strategy (Commission)
- Rural Heritage Strategy (Commission)
- Identification of Resource Recovery Precinct (Commission)
- Review of Floodplain Development Plans in conjunction with CMA (Commission).

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 2014 Planning Scheme Review Report (continued)

#### Need to Complete

- Commercial Activity Centre Strategy (Underway)
- GV Equine and Greyhound Precinct (Underway)
- Implement the Shepparton East Investigation Areas in the MSS (Proposed)

#### **Moved by Cr Summer Seconded by Cr Adem**

That the Council:

1. adopt the report as recommended by the Planning Scheme Review Report pursuant to section 12B (1) of the *Planning and Environment Act 1987*.
2. submit the report to the Minister for Planning as required by section 12B (5) of the *Planning & Environment Act 1987*.

**CARRIED.**

#### **Background**

Section 12B of the *Planning and Environment Act 1987* requires Council to regularly review the planning scheme. On the 25 September 2007, section 12B of the *Planning and Environment Act* was changed to provide a timeframe in which a Planning Scheme (and not only the MSS) must be reviewed. Clause 12B(1) of the *Planning and Environment Act 1987* now states that a planning authority must review its planning scheme:

- (a) *no later than one year after each date by which it is required to approve a Council Plan under section 125 of the Local Government Act 1989; or*
- (b) *within such longer period as is determined by the Minister.*

As a result of changes made in the *Planning and Environment (General Amendment) Act 2004*, the Minister now requires the 'Review Report' to address the entire planning scheme and not just the MSS.

The '*Continuous Improvement Review Kit 2006*' (Department of Planning and Community Development, now DTPLI) identifies a range of issues which must be included within a Review Report. A summary of these issues can be found within Attachment 1.

A complete version of the 2014 Review can also be found in Attachment 2.

The 2014 Review prepared by John Keaney on behalf of Council provides:

- An overview of the performance of the Greater Shepparton Planning Scheme;
- An understanding of what policy changes have occurred since the last review; and
- A program for future action.

The 2014 Review contains five key sections covering:

- Strategic Context
- Planning Scheme Performance Audit
- Review consultation
- Future Strategic Work Program
- Conclusions and Recommendations

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.1 2014 Planning Scheme Review Report (continued)**

The following is a brief summary of the major conclusions which have emerged from the review of the Greater Shepparton Planning Scheme.

#### Strategic Context

The 2014 Review has confirmed that the basis of the Greater Shepparton Planning Scheme is fundamentally sound and does not need to be significantly changed. It is apparent from the 2014 Review that there are further gaps within the strategic work that need to be completed or adopted by Council.

The only changes required relate to the need to restructure the 'front end' of the planning scheme to align with the new state government PPF structure. The new PPF will streamline planning policy, and provide a more clear and transparent approach. Therefore it is important to ensure the Planning Scheme is compliant with the new PPF.

#### Planning Scheme Performance Audit

There have been considerable and significant changes at the state and local level since the last planning scheme review.

The on-going commitment by Council to 'rolling' planning scheme changes has meant that significant 'content' changes to the planning scheme have already been absorbed via a number of Amendments. This includes:

- Amendment C93 Implementation of the Activity Centre Zone
- Amendment C108 Introduce a new MSS and delete all the existing Local Planning Policies
- Amendment C110 Implementation of the recommendations of the Greater Shepparton Heritage
- Amendment C121 Implementation of the recommendations from the Farming Zone Strategy
- Amendment C151 Implementation of the recommendations of the Greater Shepparton Planning Scheme Strategic Review of Tatura Industrial Land

Numerous local strategies have also been absorbed into the scheme since the last review. While current strategic work will need to be absorbed, the rolling program of approval means that Council has a reasonably 'fresh' MSS in terms of content, although not in terms of structure.

One of the most important aspects of the planning scheme review is the degree to which this adopted strategic work has been critical in Council's decision making process. This has assisted Council to make decisions based upon relevant and up to date planning policies.

This clarity of direction has assisted in decision making and has already gained support at the Tribunal where (for example), VCAT rejected an application for a dwelling in a Farming Zone (*I. and R. Jaksic v. Greater Shepparton City Council – P2062/2013*) noting the level of policy support in the scheme:

*The proposal is for a single dwelling on a small rural lot of 8000m<sup>2</sup> in an important agricultural area of Greater Shepparton. There is no policy support for it. Rather, it is a use and development specifically discouraged following the implementation of a Campaspe, Greater Shepparton and Moira Regional Rural Land Use Strategy by Amendment C121. Council decision to refuse the application is thus affirmed.*



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.1 2014 Planning Scheme Review Report (continued)**

Similarly, in *134<sup>th</sup> Larena Pty Ltd. V. Greater Shepparton City Council (P1417/2013)*, in an application for a broiler farm on rural land near Murchison, the Tribunal analysed the RRLUS, Amendment C121 and the new Clause 21.06 in detail and noted:

*...we find that strategically, the scheme seeks to encourage further investment in agriculture, especially in growth and consolidation areas...*

#### Review Consultation

In the preparation of the 2014 Review, general and targeted consultation involved a series of workshops with Council officers, engagement with agencies and stakeholders and a review of the consultation outcomes from the 2008 review.

A list of the prescribed ministers, stakeholders and referral authorities who were notified of the Review can be found within Appendix 3.

A diverse range of issues were identified during the consultation phase. During the consultation there was limited feedback about the overall structure of the Planning Scheme. However issues identified generally related to existing zones and overlays, along with comments relating to the emerging state policy.

#### Future Strategic Work Program

An array of strategic research and analysis had been undertaken or commissioned by Council since the last scheme review in 2008.

The Council Plan (2013-2017) has committed to undertaking further strategic work on a variety of issues of relevance to the Planning Scheme.

Council have identified that there are a number of pieces of 'Further Strategic Work' that need to be undertaken.

The current MSS and local policies identify several strategic land use issues in Greater Shepparton. The 2014 Review identifies a number of new or emerging issues that are apparent and will require attention including:

- Gaming
- Resource recovery areas
- Equine precinct
- Sustainability
- Rural heritage
- Bushfire protection

Overall the 2014 Review has confirmed that the basis of the Greater Shepparton Planning Scheme is fundamentally sound and does not need to be significantly changed. The 2014 Review has made recommendations regarding the type of strategies/documents that need to be undertaken to explore the identified land use planning policy gaps.

A complete list of the statutory and strategic work program can be found within the Executive Summary.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 2014 Planning Scheme Review Report (continued)

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

The 2014 Review is consistent with the Council Plan 2013 - 2017 and will ensure that Council's long term strategic vision for Greater Shepparton remains relevant and accurate.

#### **Risk Management**

It is envisaged that there is minimal risk associated with adopting the 2014 Review.

#### **Policy Considerations**

The 2014 Review has undertaken a detailed assessment of all relevant planning policy reports and strategic documents. This Review has been carried out in accordance with Section 12B of the *Planning and Environment Act 1987* which requires Council to regularly review the planning scheme.

#### **Financial Implications**

There are no direct financial implications associated with the adoption of the 2014 Review. Officers are discussing how future strategic work will be funded through the yearly budget process or incorporated into the long term financial plan and/or integrated project management system.

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

Council is required under Section 12B of the *Planning and Environment Act 1987* to undertake a review of its Municipal Strategic Statement every four years. Once this report is adopted by Council, it will constitute the formal 'Planning Scheme Review' of the Greater Shepparton Planning Scheme.

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

The 2014 Review supports all environmental and sustainable improvements identified with existing strategic documents/plans prepared by Council.

#### **Social Implications**

There are no direct social implications associated with the adoption of the Planning Scheme Review.

#### **Economic Impacts**

The 2014 Review supports the proposed economic developments identified within existing strategic documents/plans prepared by Council.

#### **Consultation**

A range of consultation has taken place throughout the preparation of the 2014 Review. Council officers have been involved in a series of discussions with agencies and stakeholders. A review of the consultation outcomes from the 2008 Review were also considered.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

The Planning Scheme Review will not negatively impact upon the delivery of the Greater Shepparton 2030 Strategy.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 2014 Planning Scheme Review Report (continued)

#### Options for Consideration

1. Adopt the report as recommended by the Planning Scheme Review Report pursuant to section 12B (1) of the *Planning and Environment Act 1987*, and submit the report to the Minister for Planning as required by section 12B (5) of the *Planning & Environment Act 1987*.
2. Do not adopt the report as recommended by the Planning Scheme Review Report pursuant to section 12B (1) of the *Planning and Environment Act 1987*, or submit the report to the Minister for Planning.

#### Conclusion

Under the *Planning and Environmental Act 1987* Council is required to review the Greater Shepparton Planning Scheme every four years.

The 2014 Review prepared by John Keane on behalf of Council provides:

- An overview of the performance of the Greater Shepparton Planning Scheme;
- An understanding of what policy changes have occurred since the last review; and
- A program for future action.

The 2014 Review confirms that The Greater Shepparton Planning Scheme remains a sound basis for decision making on land use and development in the municipality.

The main reason that it has remained sound has been the on-going commitment by Council to 'rolling' planning scheme changes which has meant that significant 'content' changes to the planning scheme have been absorbed via Amendments C108, C121, C79, C93, C92 and C151 (among others). Numerous local strategies have also been absorbed into the scheme since the last review. While current strategic work will need to be absorbed, the rolling program of approval means that Council has a reasonably 'fresh' MSS in terms of content, although not in terms of structure.

One of the most important aspects of the review of the Greater Shepparton Planning Scheme is the degree to which this adopted strategic work has been critical in Council's decision making process. In the absence of the adopted strategic projects (and amendments) Council would have been most unlikely to have had the policy framework to make contemporary planning decisions.

These amendments have provided Council with a contemporary strategic platform meaning that Council has a reasonably 'fresh' MSS in terms of content, although not in terms of structure. The most significant of the recommended changes arising from the Planning Scheme review relates to the need to restructure the 'front end' of the planning scheme to align with the new state government PPF structure. Assistance should be sought from the state government's 'Flying Squad' program to help introduce this restructure and Council is very well placed to be a 'model' scheme for implementation.

#### Attachments

- |  |          |
|--|----------|
| 1. Continuous Improvement Review Kit - Planning Scheme Review requirements | Page 203 |
| 2. 2014 Planning Scheme Review Report                                      | Page 204 |
| 3. Notification list for the 2014 Planning Scheme Review Report            | Page 270 |

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Draft RiverConnect Paths Master Plan

#### **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: RiverConnect Project Officer**

**Proof reader(s): Team Leader Sustainability and Environment,  
Manager Environment**

**Approved by: Director Sustainability Development**

#### **Executive Summary**

Various community, Council and regional plans have highlighted the need for an increase in physical linkages between Shepparton and Mooroopna. The Shepparton and Mooroopna communities have expressed a desire to be more connected with the natural and cultural environments that separate them. Extending the shared paths network has been identified as being key to these desires.

Following a range of community and agency discussion, funding was sought through Regional Development Victoria, Putting Locals First Program and Greater Shepparton City Council to engage a consultant to develop the RiverConnect Paths Master Plan.

After review of quotation submissions, Spiire, was appointed as the successful consultant for the development of the RiverConnect Paths Master Plan. The Draft RiverConnect Paths Master Plan (Attachment 1 – Draft RiverConnect Paths Master Plan) has been developed with expert advice and input from various community and agency representatives who comprise the RiverConnect Paths Focus Group and RiverConnect Paths Stakeholder Group.

Officers are satisfied the Draft RiverConnect Paths Master Plan is ready for release for community consultation and is seeking Council endorsement to commence the formal consultation phase. Subsequent to this, the plan will be referred to Council for a final decision.

**Moved by Cr Patterson**

**Seconded by Cr Oroszvary**

That the Council endorse the Draft RiverConnect Paths Master Plan to be released for public consultation for a period of 28 days, commencing on Friday 24 October 2014 and concluding at 5.00pm, Friday 21 November 2014.

**CARRIED.**

#### **Background**

Greater Shepparton City Council has been implementing sections of the existing shared path network within the Shepparton Regional Park between Shepparton and Mooroopna since the 1980's, with the most recent works being delivered during the late 2000's. The existing shared path network is highly utilised by locals and visitors and has been recognised for the benefits it provides the Greater Shepparton region.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Draft RiverConnect Paths Master Plan (continued)

Extending the Shared Path network is a key action within the RiverConnect Strategic Plan. Under the Connecting Community area, action 1 is *Shared Path network enhancements* which includes:

1. Northern Connection: from Mooroopna to Shepparton Weir area, including a bridge over the Goulburn River
2. Southern Connection: Paths linking Mooroopna to Kialla landfill and connecting to Shepparton path network
3. KidsTown to Gemmills Swamp shared path
4. Gemmills to Reedy Swamp link – crossing Goulburn River adjacent to future G.V. Freeway Bridge, linking to existing path network at Tassicker's via path along river adjacent to Golf Club.

Various discussions with the RiverConnect Implementation Advisory Committee, local Probus groups, recreational clubs, general community and agency stakeholders over the past three years has resulted in initial project planning and draft concept developments. A range of community and agency discussions identified that a Master Plan was required to guide future implementation works and that external funding would be required to complete this Master Plan.

In order to achieve the Shared Path network enhancement action, RiverConnect submitted a Project Proposal to Regional Development Victoria (RDV), Putting Locals First Program, seeking \$2:\$1 funding of \$30,000 for project planning for the RiverConnect Paths Master Plan. A Greater Shepparton City Council contribution of \$15,000 was confirmed in the 2013/2014 final budget released in July 2013. In-kind contributions of \$1,600 from partner agencies and community groups was also confirmed.

The overall objective of the project is to develop a Master Plan which meets community needs and expectations regarding connectedness to the floodplain environments between Shepparton and Mooroopna. The RiverConnect Paths Master Plan will give Greater Shepparton City Council a strategic document to further extend the shared path network. This Master Plan will take into consideration the environmental, cultural and financial sensitivities of these areas.

Specific objectives of the project include:

- An increased opportunity for a greater appreciation and understanding of the natural and cultural environments
- A greater opportunity for physical activity through walking and cycling
- An increased connectedness of communities within Shepparton and Mooroopna
- An increase in tourism opportunities
- Improved community wellbeing

The RiverConnect Paths Master Plan will provide Greater Shepparton City Council with:

- Viable options for extending paths between Shepparton and Mooroopna
- Identify constraints and opportunities
- Cultural Heritage Management Plans and Environmental assessments
- Outline staged priority options with detailed plans for future implementation works
- the capacity to meet community expectations and increase satisfaction.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Draft RiverConnect Paths Master Plan (continued)

Due to the significant number of stakeholders involved in this project, officers invited representatives from Greater Shepparton City Council, Parks Victoria, Yorta Yorta Nation Aboriginal Corporation and community groups to join the RiverConnect Paths Focus Group in January 2014. The intent of this Focus Group is to provide expert advice, guidance and assistance with the development of the RiverConnect Paths Master Plan.

Spiire worked with Greater Shepparton City Council officers, RiverConnect Focus Group members, partner agencies and community stakeholders to ensure the Draft RiverConnect Paths Master Plan is an accurate reflection of community and agency expectations.

The Draft RiverConnect Path Master Plan will provide long-term, strategic path extension options for implementation as funding becomes available.

Officers are satisfied the Draft RiverConnect Paths Master Plan is ready for release for community consultation.

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

The Greater Shepparton City Council Plan 2013 – 2017:

- Goal 1: Active and Engaged Communities
  - Ensure liveability options are always considered in our decision making activities
- Goal 2: Enhancing the Environment
  - Ensure that the environment is a major priority in planning for the future
- Goal 4: Quality Infrastructure
  - Ensure that the community has access to high quality facilities
  - Ensure that the community has access to appropriate transportation infrastructure
- Goal 5: High Performing Organisation
  - Develop stronger relationships between Council and State and Federal Governments, local Government sector and non-government partnerships to enhance the position of Greater Shepparton City Council.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Social connectedness and improvements to community health and wellbeing is not achieved	C	3	Moderate	Ensure comprehensive community consultation is conducted with community, organisations and agency groups and stakeholders. Promotion of shared path extensions through existing and new networks.
Potential significant budget implications at implementation stage.	D	4	Moderate	Implementation works will be staged and potential funding sources have been identified in draft Master Plan

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Draft RiverConnect Paths Master Plan (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Potential environmental implications	B	3	Moderate	On site assessments and comprehensive consultation with community and agency experts. Representation on the Paths Focus Group.
Potential cultural implications	C	3	Moderate	On site assessment and comprehensive consultation with community and agency experts. Representation on the Paths Focus Group.
Potential licencing issues with Parks Victoria for existing and new infrastructure.	B	3	Moderate	Ensure close liaison with Parks Victoria as project develops. Representation on the Paths Focus Group.

#### **Policy Considerations**

The above recommendations do not conflict with any Council Policy.

#### **Financial Implications**

The Draft RiverConnect Paths Master Plan is a conceptual plan that has no associated financial implications.

The final RiverConnect Master Plan will have recommendations and costings for staged implementation. At this stage estimated costings for each of the proposed routes are outlined below:

- Route 1 – Gemmills Swamp to North Shepparton - \$1,375,000
- Route 2 – KidsTown to Gemmills Swamp – \$475,000
- Route 3 – The Flats – \$107,500
- Route 4 – Mooroopna to Australian Botanic Gardens Shepparton – \$265,000
- Route 5 – Bridge over Broken River to Australian Botanic Gardens Shepparton – \$879,500

All above estimated costs include all relevant assessments including Cultural Heritage Management Plan assessments, path construction expenses, signage and seating provision and labour. It should be noted that costs are estimated based on today's figures.

It is anticipated that funding for future works will be sought largely through external sources.

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

The Draft RiverConnect Paths Master Plan conforms with the *Local Government Act 1989* and other relevant legislation.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Draft RiverConnect Paths Master Plan (continued)

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

Environmental Assessments have been conducted and further work will be required in the detailed design phase.

The recommendations outlined in the Draft RiverConnect Paths Master Plan have been designed to minimise environmental impacts. Where possible, existing disturbed footprints will be utilised for new alignments.

Educational signage will improve community awareness of key native species, floodplains, wetlands and rivers. This will lead to an increase in community value of the floodplain due to an increase in use and greater sense of custodianship of the area.

#### **Social Implications**

There will be improvements to community health and wellbeing through the creation of passive recreational opportunities as outlined in the Draft RiverConnect Paths Master Plan (Attachment 1). This will provide the opportunity for increased connectedness with the natural environment and others sharing that environment and will enable community expectations to be met.

#### **Economic Impacts**

Cycling and rail trails continue to grow in popularity across Victoria. The potential tourism opportunities through implementation of the RiverConnect Paths Master Plan are quite significant, attracting visitors, growing regional economies and creating jobs in associated ecotourism industries.

#### **Consultation**

There was a strong emphasis on community engagement in the development of the Draft RiverConnect Paths Master Plan. The Engagement Strategy (Attachment 3 – Community Engagement Plan – RiverConnect Paths Master Plan) was developed according to the guidelines and requirements of the Greater Shepparton Community Engagement Strategy and Community Engagement Toolkit and outlines various consultations undertaken to date. These include:

- Ten facilitated sessions and presentations to community and agency stakeholders between June 2010 and December 2013.
- Four facilitated sessions at RiverConnect Focus Group meetings
- Regular update emails to a wider RiverConnect Paths stakeholder group (over 50 people)
- Updates on the RiverConnect website
- Pre-drafting stage Stakeholder Workshop (28 people from a range of agency and community groups attended)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	“We will keep you informed and up to date with project proceedings.”	Emails Presentations, briefings Council/RiverConnect Website Media Release RiverConnect Newsletter/Chough-Chat



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Draft RiverConnect Paths Master Plan (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Consult	"We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision."	Meetings with stakeholders Focus groups/workshops Briefings Presentations/information sessions to stakeholders and community groups
Involve/Collaborate	"We will look to you for advice and innovation in formulating solutions and if appropriate, incorporate your advice and recommendations into the decisions to the maximum extent possible. We will work with you to ensure that your concerns and issues are reflected in the alternatives developed and provide feedback on how public input influenced the decision. Council will ultimately make the final decision."	Meetings with key stakeholders/focus group Workshops with key stakeholders (internal/external). Feedback/reporting

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Outcomes:

- 4.3.4 The Municipality is More Attractive
- 4.3.7 The Municipality is Greener
- 4.3.10 The Municipality is Healthier
- 4.3.13 The Municipality is more active

##### b) Other strategic links

RiverConnect Strategic Plan (the whole document, but specifically)

- CC1: Shared Path Network Enhancements

Mooroopna Community Plan 2010 - 2020:

- More events and activities to attract visitors
- Mooroopna's Aboriginal History and Heritage is shared and celebrated
- Gemmills Swamp will be developed
- The River area will be welcoming for locals and visitors
- Community members will spend more time outdoors enjoying Mooroopna's natural environment

Hume Region Significant Tracks and Trails Strategy 2013 - 2022:

- Track 22: Shepparton to Seymour River Trail

Greater Shepparton Cycling Strategy 2013 – 2017:

- Shepparton Bypass – SN1
- Native Flora and Fauna Reserve – between The Boulevard and McFarlane Rd – SN22

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Draft RiverConnect Paths Master Plan (continued)**

- Goulburn River – north side between Howitt Rd and Kittles Rd – SN23
- Native Flora and Fauna Reserve – between Midland Hwy and McFarlane Rd – SN34
- Broken River – South side between rail line and Goulburn Valley Hwy – SS17

#### **Options for Consideration**

1. Council endorse the Draft RiverConnect Path Master Plan for public consultation in accordance with the Council's Community Engagement Strategy.
2. Not endorse the Draft RiverConnect Path Master Plan for public consultation.

The Draft RiverConnect Path Master Plan will provide long-term, strategic path extension options for implementation as funding becomes available.

The recommendations contain the preferred options.

#### **Conclusion**

There has been discussion between a variety of stakeholders regarding extensions to the existing path network on the floodplain between Shepparton and Mooropna. The positive social, health and wellbeing benefits to the local community and its visitors are considerable, as economic impacts to the Greater Shepparton region. These positive outcomes have been outlined in numerous community, Council and regional plans and strategies.

Detailed consultation with relevant Council departments, agencies and stakeholder groups ensures the Draft RiverConnect Paths Master Plan meets community and agency needs and expectations.

The Draft RiverConnect Path Master Plan will provide long-term, strategic path extension options for implementation as funding becomes available.

#### **Attachments**

1. Draft RiverConnect Paths Master Plan Page 273
2. Community Engagement Plan - RiverConnect Paths Master Plan Page 309
3. Draft RiverConnect Paths Master Plan Appendices - 27 August 2014 Page 313

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Small Town Festive Grant Program 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:** Acting Grants Coordinator

**Proof reader(s):** Team Leader Business Development,  
 Manager Investment Attraction

**Approved by:** Director Sustainable Development

#### **Executive Summary**

The Small Town Festive Grants program provides communities with a population of less than 10,000 people with the opportunity to apply for grants of up to \$2,000 to create a festive atmosphere within their town by purchasing and installing festive decorations.

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

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

That the Council approve the allocation of funding under the Small Town Festive Grants Program to the following applicants who satisfy council's requirements as specified in the grant application documentation:

Applicant	Township	Application amount	Recommended for approval
Mooroopna Mens Shed	Mooroopna	\$ 1,962.61	\$ 1,962.61
Arcadia Committee of Management	Arcadia	\$ 1,409.00	\$ 1,409.00
Katandra West Community Facilities Committee of Management	Katandra West	\$ 2,000.00	\$ 2,000.00
Undera Community Group Inc	Undera	\$ 1,973.59	\$ 1,973.59
Congupna/Tallygaroopna Landcare Group	Tallygaroopna	\$ 2,000.00	\$ 2,000.00
Congupna/Tallygaroopna Landcare Group	Congupna	\$ 2,000.00	\$ 2,000.00
<b>Total</b>		<b>\$ 11,345.20</b>	<b>\$ 11,345.20</b>

**CARRIED.**

#### **Background**

The Greater Shepparton City Council Small Town Festive Grants program provides a total allocation of \$20,000 funding which is made available to townships with a population of less than 10,000 people. To ensure a consistent allocation of funds a limit of \$2,000 applies to each grant application with a total of 10 grants available.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Small Town Festive Grant Program 2014 (continued)

Guidelines limit funding to the purchase and installation of festive decorations and associated costs. Events and activities cannot be funded by this program and the majority of grant funds are required to be allocated to the purchase of decorations in an effort to increase the township's stock of decorations.

Applications for the Small Town Festive Grants opened on 2 June 2014. Advertisements were placed within the Shepparton News.

Guidelines and applications were emailed to past recipients of the Small Town Festive Grant and also a database of contacts for community organisations located in small towns within the Greater Shepparton region. This database was accessed through the Neighbourhoods department.

Applications closed on 25 July 2014 and a total of six applications were received. Details are as follows:

Applicant	Township	Application amount	Recommended for approval
Mooroopna Men's Shed	Mooroopna	\$ 1,962.61	\$ 1,962.61
Arcadia Committee of Management	Arcadia	\$ 1,409.00	\$ 1,409.00
Katandra West Community Facilities Committee of Management	Katandra West	\$ 2,000.00	\$ 2,000.00
Undera Community Group Inc	Undera	\$ 1,973.59	\$ 1,973.59
Congupna/Tallygaroopna Landcare Group	Tallygaroopna	\$ 2,000.00	\$ 2,000.00
Congupna/Tallygaroopna Landcare Group	Congupna	\$ 2,000.00	\$ 2,000.00
Total		\$ 11,345.20	\$ 11,345.20

Note: The original application received from Mooroopna Men's Shed identified a request for funds of \$1,742.61 however there appeared to be a discrepancy in the application. This has since been rectified and it has been confirmed that the applicant is actually seeking \$1,962.61. This is reflected in the above table.

Applications were assessed by a panel of 4 council officers.

	Council Officer	Position
1.	Steve Bugoss	Administration Assistant
2.	Heather East	Community Development Officer
3.	Courtney Hamill	Acting Grants Co-ordinator
4.	Michael Carrafa	Team Leader Business and Industry

Consideration was given to applications which detailed the purchase or creation of festive decorations, offers of in-kind donations by applicants and the inclusion of a detailed budget. Storage considerations, information relating to specific locations for installations and reference to future use of the proposed decorations were of particular importance to the viability of each application.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Small Town Festive Grant Program 2014 (continued)

On 19 August 2014, Councillors adopted guidelines to allow successful applicants to utilise funds for community events associated with the Festive season and to require successful applicants to provide a copy of receipt as proof of purchase. Adopted guidelines will pertain to all applications commencing from 2015/2016 program.

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

1. Active & engaged Community (Social) – Objective 1. Continue to enhance community capacity building.

5. High Performing Organisation (Leadership & Governance) – Objective 1. Develop & implement best practice communication strategies.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Climbing risk & fall from heights	C	3	Moderate	Discuss the requirement to limit direct access to the decorations which present this risk. Risk management measures can be discussed with affected towns.
Injury during the creation of decorations	C	4	Minor	Assist the towns with the creation of a Job Safety Analysis. Creation of a JSA will assist applicants to consider the safest way to complete their task and assessment of the associated risks.
Injury during the install or removal of festive decorations	C	3	Moderate	Assist the towns with the creation of a JSA. Creation of a JSA will assist applicants to consider the safest way to complete their task and assessment of the associated risks.
Injury due to falling festive decorations	D	4	Minor	Discuss with applicants the use of qualified tradespersons to assist with install/removal or engage persons with appropriate skills.

#### **Policy Considerations**

There are no identified conflicts with Council policies.

#### **Financial Implications**

Any GST implications have been considered as part of the recommendation of this report.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Small Town Festive Grant Program 2014 (continued)

	2013/2014 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	Nil	Nil	Nil	
Expense	\$20,000	\$ 11,345.20	(\$8,654.80)	10 applications were available for funding however only 6 applications were received and approved
Net Result	\$20,000	\$ 11,345.20	(\$8,654.80)	

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

#### Legal/Statutory Implications

This proposal conforms with all relevant legislation.

#### Environmental/Sustainability Impacts

This proposal does not present any negative environmental/sustainable impacts.

#### Social Implications

Through the establishment of the Small Town Festive Grants program, council seeks to provide the community with an opportunity to play a significant and positive role in ensuring the Greater Shepparton region has an exciting festive atmosphere. A sense of community spirit can be achieved through the participation of community members, especially if they feel they have actively influenced decisions which affect their town.

#### Economic Impacts

Several applications received will have a positive effect on the local economy due to the purchase of materials and acquisition of services from local businesses. This includes the process of the creation, installation and removal of the proposed festive decorations.

#### Consultation

Council officers liaised with community organisations to provide clarification and guidance to assist them to submit a viable application.

Should Council approve the recommended applications further consultation with the community organisations will be necessary to ensure they deliver their proposed projects as detailed in their applications. Consultation with the Neighbourhoods Department within council provided a valuable resource towards reaching active community organisations within townships which in the past have not submitted Small Town Festive Grants applications.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	Following the decision of Council, applicants will be contacted regarding the status of their application. Once confirmation is received from applicants that their project has been delivered we would seek to publicly promote this initiative and the concerted efforts of the community.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Small Town Festive Grant Program 2014 (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Involve	Work together	Provide communities with the opportunity when completing acquittal documentation to provide feedback on how we can improve the delivery of this program in the future.

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Topic: Community Life

Theme: Health and Social services

Objective 2. To encourage and implement activities that will strengthen community spirit.

##### b) Other strategic links

No other strategic links have been identified.

#### **Options for Consideration**

1. Council determine to not approve the applications for the Small Town Festive Grants. This is not recommended as a delay in approval may reduce the township's ability to deliver their projects due to time constraints.
2. Council determine to only approve a selected number of applications for a Small Town Festive Grants against the recommendations by council officers. This is not recommended as selected townships would not be in a position to deliver their project without funding.
3. Council determine to approve all applications for a Small Town Festive Grant as recommended by council officers. This is the recommended option to ensure all townships are supplied with funding to deliver their project and within an acceptable timeframe.

#### **Conclusion**

It is proposed that Council approve all six applications for funding through the Small Town Festive Grants Program at a total cost of \$11,345.20.

#### **Attachments**

- |   |          |
|---|----------|
| 1. Congupna Small Town Festive Grants Application 2014      | Page 403 |
| 2. Arcadia Small Town Festive Grants Application 2014       | Page 407 |
| 3. Tallygaroopna Small Town Festive Grants Application 2014 | Page 411 |
| 4. Undera Small Town Festive Grants Application 2014        | Page 415 |
| 5. Mooroopna Small Town Festive Grants Application 2014     | Page 419 |
| 6. Katandra Small Town Festive Grants Application 2014      | Page 423 |
| 7. 2014 Small Town Festive Grants Guidelines 2014           | Page 427 |

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla)

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

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

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

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

**Author: Statutory Planner**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The application seeks planning approval to use and develop land at 100 River Road and 780 Archer Road, Kialla (the land) for a caravan park. The proposal includes 15 caravan sites, 131 re-locatable home sites, 20 camping sites, community centre, putting green, managers residence and on site amenities.

The land is within Farming Zone 2 (FZ), Urban Floodway Zone (UFZ), Floodway Overlay (FO) and Land Subject to Inundation Overlay. The land is not within an area of cultural heritage significance, therefore the proposal does not trigger the need for a Cultural Heritage Management Plan.

Based on planning scheme definitions a caravan park is defined as: *Land used to allow accommodation in caravans, cabins, tents, or the like.* A residential village which is a prohibited use in the FZ is defined as *Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.*

Council should note that although the applicant has applied for use and development of land for a caravan park, officers consider that the use of land is more accurately characterised as a residential village given tenancy arrangements allow for permanent residence, community facilities are aimed at recreation uses, the dwellings contain all features normally associated with a dwelling and it is unlikely the dwellings will be regularly moved. A longer explanation of the reasons behind this characterisation can be found in the body of this report.

In defining the use and development as a Residential Village, based on the information provided by the applicant, officers consider that the proposal is prohibited in the FZ and no permit should issue.

Issues associated with the definition of the land use notwithstanding, Council's Housing Strategy locates the land within an area described as *Investigation Area 1*. The purpose of Investigation Area 1, is to plan for the future of the racing precinct and to ensure future land uses do not compromise the use of the land for this purpose. This investigation is currently being undertaken by Council and an issues paper is due to be provided to Council shortly.

Officers have advertised the application and six objections to the proposal have been lodged with Council.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)

The application was referred to Vic Roads and Goulburn Broken Catchment Management Authority. None of the authorities objected to the proposal.

As Council will now be aware the most significant policy concern associated with the application are the policy statements in the Municipal Strategic Statement which seek to ensure incremental developments do not occur before the completion of the strategic investigations.

As outlined previously, the most significant issue associated with the proposal is that it is currently defined as a residential village and therefore is prohibited in the FZ.

Unlike the application for a caravan park at 215 Mitchell Road, this application seeks to accommodate permanent residents and in turn provides facilities to cater for permanent residents in the form of swimming pool, bar, putting green, gym and boat / caravan store. These points of difference result in this application being characterised as a residential village rather than a caravan park.

Officers recommend that Council oppose the granting of a permit.

#### **RECOMMENDATION**

In relation to Planning Application 2014-112, 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 a planning permit on the following grounds:

1. The proposed use of land as a residential village is prohibited in the Farming Zone 2.
2. The application is contrary to 21.04-1 of the Local Planning Policy Framework which specifically discourages the approval of development within investigation areas until the such time that the investigation is complete

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

That the motion lay on the table.

**CARRIED.**

#### **Property Details**

Land/Address	100 River Road and 780 Archer Road, Kialla
Zones and Overlays	Farming Zone 2 Urban Floodway Zone Land Subject to Inundation Overlay Floodway Overlay Abuts Road Zone Category 1

**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)**

<p>Why is a permit required</p>	<p>Use of land for caravan park in the FZ2 – 35.07-1          Development in the FZ2 – 35.07-4          Development in the LSIO – 44.04-1          Business identification signage - 52.05-10          Liquor licence – 52.27          Creation of access to a RDZ1 – 52.29</p>
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Plan of the Proposed Development



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)

Locality Plan



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)**

#### **Proposal in Detail**

The planning application form describes the proposal as *'staged planning application for use and development of caravan park, business signage, on-premises liquor licence and creation of access to Road Zone Category 1'*.

The application consisted of:

- Traffic Impact Assessment Report prepared by Traffic Works
- Detailed planning drawings
- Acoustic Report prepared by Land Management Surveys
- Preliminary Site Assessment prepared by Shane Muir Consulting Engineers
- Full and up to date copies of titles
- Planning Report prepared by Land Management Surveys
- Infrastructure Provision Plan prepared by Land Management Surveys

Details of the application are summarised as follows:

- 15 van sites and 20 camping sites within the first stage of the development
- 131 relocatable homes sites, stage one of the development will consist of 47 permanent cabins and 5 temporary cabins
- Managers residence
- The development will be connected to reticulated sewerage
- Two lakes abutting River Road
- Licensed community centre including pool, gym and bar. Liquor is proposed to be served between 11.00am to 11.00pm
- Caravan and boat storage
- Putting green
- On site amenities such as toilets, showers and BBQ's
- Community garden
- Business identification signage with dimensions of 2m by 0.8m
- Landscape screens
- The application is a staged development over three stages and according to the application form has a construction cost of \$3.5 million.

The applicant has described the occupancy arrangements as:

- The park is a general purpose park to cater for tourists and permanent residents
- More permanent residents (over 55's) will be located closer to the community centre in relocatable homes
- Back packers and orchard workers could be accommodated in the fruit season
- The land tenure arrangement is that residents will own dwellings and lease the land

Officer's assessment found that the application at 215 Mitchell Road, Kialla was a caravan park. The key differences between the 215 Mitchell Road application and this application are:

- Permanency of accommodation. The 215 Mitchell Road application provides for short term accommodation of between six to ten days whereas this application largely provides permanent accommodation
- Standard of accommodation. 215 Mitchell Road provides accommodation largely within cabins, which are a lower standard of accommodation than Neat Line homes which are proposed within this application.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)

- Cabins such as proposed as part of 215 Mitchell Road are commonly found in caravan parks whereas more formal relocatable homes are normally associated with a residential village.

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

- The application seeks planning permission to use and develop the land for a caravan park, business identification signage, on premise liquor licence and creation of vehicle access to River Road.
- Officers have formed the view based on information provided by the applicant that the substantive purpose of the use of land is a residential village which is a prohibited use in the FZ. Therefore no permit should issue.
- The application has been advertised and six objections lodged. Grounds of objection relate to detrimental impacts on traffic safety, amenity impacts of liquor licence, visual impact of business identification signage and flooding impacts.
- The application has been referred to the relevant authorities, all of whom consented to the grant of a permit subject to various conditions.
- Council local planning policy at clause 21.04-1 has included the land within an investigation area relating to the future uses and expansion of the Greyhound and Harness Racing Clubs. Council has engaged consultants who are currently and actively undertaking the investigation study into the area.
- Council's local planning policy states that incremental approvals should not be permitted in investigation areas until the investigation is completed. The application should therefore be refused as the application is premature and should await the outcome of the investigation.

#### **Background**

A pre-application meeting between the permit applicant and planning officers was held on 12 March 2014. Following this meeting planning officers provided information to the applicant in writing on 17 March 2014.

Officers informed that the land was within investigation area 1 and that development approvals should occur following the completion of the strategic investigation.

A subsequent letter was provided to the applicant on 9 April 2014, informing the applicant that the access road should be shifted so that it was not within the Urban Floodway Zone. The applicant was also informed that their accompanying information should clearly set out how the use is properly characterised as a caravan park rather than a residential village, as the latter is prohibited within the FZ.

The application was made with Council on 2 May 2014.

Council sought additional information on 19 May 2014 to which a response was provided on 27 May 2014.

The application has placed on public notice on 6 June 2014 which resulted in six objections being lodged.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)

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

##### Farming Zone 2 (FZ)

Under the FZ accommodation other than bed and breakfast, caravan park, dependent persons unit, dwelling, group accommodation, host farm and residential hotel are prohibited uses.

The application describes the use as a caravan park.

Clause 74 defines a camping and caravan park as:

*Land used to allow accommodation in caravans, cabins, tents, or the like.*

Residential Village (prohibited) is defined as:

*Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.*

In *National Lifestyle Villages v Wyndham City Council* VCAT 798 Justice Morris considered the differences between a camping and caravan park and residential village. Justice Morris established four key differences between the two uses being:

<b>Key Differences</b>	<b>Description of Differences</b>	<b>Officer's Comment</b>
Permanency of residence	If accommodation is occupied on a permanent basis, more likely use will be a residential village	<p>The applicant has informed that within stage one of the development, 47 of the 52 relocatable home sites will be for permanent residents. It is likely that 20 camping sites and 15 caravan sites will be for temporary accommodation.</p> <p>The application states that stage 2 and 3 will operate as stage 1, therefore the vast majority of relocatable home sites will be made available to permanent residents thereby lending weight to the argument that the use is best characterised as a residential village.</p>
Accommodation standard and size	The higher the standard of accommodation the more likely the use will be a residential village	<p>The proposal seeks to accommodate most residents within Neatline Homes, which is a transportable building specialist.</p> <p>The proposed dwellings are either two or three bedroom dwellings that contain all features that a typical dwelling has such as living area, kitchen, laundry, bedrooms, bathrooms and robes.</p> <p>Stage one of the proposal also incorporates 15 caravan bays and 20 camping sites, which is considerably lower standard of accommodation than the Neat Line Homes.</p>

**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)**

Key Differences	Description of Differences	Officer's Comment
		<p>The majority of accommodation sites on the land relates to a higher standard of accommodation being a transportable dwelling that contains all features that would be found in a typical dwelling in residential streets in Shepparton or in other similar residential villages such as Lifestyle Communities on Channel Road.</p> <p>As the accommodation standard is generally higher officers consider that the majority of the land will be used as a residential village.</p>
Moveability of accommodation units	Accommodation that is permanent i.e. brick and mortar the more likely the use is a residential village	<p>The caravan accommodation and camping sites is a highly mobile style of residence.</p> <p>The Neatline Homes are also movable however would require the use of lifting equipment such as a forklift.</p> <p>Even though the Neatline Homes are capable of being moved it is unlikely the homes would be regularly moved given that homes respond to the road network, are connected to services including sewerage and the need to employ lifting equipment to move the dwellings.</p> <p>It is acknowledged that the camping sites and caravans are highly movable forms of accommodation. However of the 166 accommodation sites only 35 are set aside for caravans or tents, the remaining 131 sites are for Neatline Homes which are unlikely to be regularly moved.</p> <p>Therefore the substantive use is a residential village.</p>
The nature of communal facilities	If the communal facilities is aimed at providing cooking and bathing facilities the use will be a caravan park	<p>Community facilities include:</p> <ul style="list-style-type: none"> <li>• BBQ's</li> <li>• Toilet and shower block</li> <li>• Putting green</li> <li>• Van and boat storage</li> <li>• Community garden</li> <li>• Community centre incorporating pool, gym and bar</li> <li>• Walking paths</li> </ul>

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)

Key Differences	Description of Differences	Officer's Comment
		<p>No medical facilities are described within the proposal.</p> <p>The community facilities on the whole are designed for recreation rather than cooking and bathing. The provision of van and boat storage indicates that long term residents will be able to secure high value possessions whilst residing at the village.</p> <p>Officers considered that as community facilities are aimed at recreational activities rather than cooking and bathing the use is most likely to be a residential village.</p>

Officers conclude that based on the information provided, the use of land is a residential village for the following reasons:

- The proposal seeks to allow the largest proportion of residents to live permanently at the village
- The standard of accommodation within the re-locatable homes is considerable higher than a caravan or camping site as each of the re-locatable homes contains all features to what is normally expected within a dwelling
- Whilst it is acknowledged the caravans and camping sites are highly moveable, most of the accommodation sites are for Neatline homes which in reality are unlikely to be regularly moved
- Community facilities are aimed at providing recreation activities within the site rather than providing for cooking and bathing only.

#### 21.04-1 Urban Consolidation and Growth

Planning scheme amendment C93 implemented the strategies of the Housing Strategy into the planning scheme. C93 was subject to an Independent Planning Panel which supported Council's proposal to include the racing precinct within an investigation area, which is now known as investigation area 1.

Investigation Area 1 is described as:

*Investigation Area 1 – Kialla Paceway and Shepparton Greyhound Racing environs. This area surrounds and includes the greyhound and trotting facilities and is directly adjacent to the Shepparton South Growth Corridor. There is potential to extend services to this land. However, future residential development within this area will be dependent on amenity issues such as lighting, noise, odour and dust being addressed to ensure that the long term interests of the racing facilities are protected.*



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)**

A strategy of Council's local planning policy at 21.04-1 is to:

*Avoid incremental approvals and development in identified investigation areas until an integrated investigation and has been completed to assess and resolve future land opportunities and constraints, land use, development opportunities, subdivisional layout and servicing for the area.*

Given the land is within an investigation area and the investigation is actively being undertaken, it is considered that significant development approvals such as this application should await the outcome of the investigation. This position is in keeping with Council's local planning policy at 21.04-1.

Good planning dictates that strategic planning should be undertaken to ensure the most appropriate land use outcomes are provided not just for the short term but also for the future. The investigation that is currently being undertaken provides for future orderly planning of the racing precinct and the investigation should run its course before significant developments are approved within the racing precinct.

The panel report into C93 foreshadowed the development pressures that Council would face in the investigation areas and stated that it would be premature to make decisions until the appropriate investigations are completed.

#### Rural Strategy

The Regional Rural Land Use Strategy October 2008 (RRLUS) included the land within the Niche area, now known as the Farming Zone 2.

Table 10-2 of the RRLUS (P.108) states the ancillary tourism is allowed in the FZ2 but is to be 'carefully managed to prevent conflict and impact on agricultural operations'.

Table 10-2 also states that dwellings can be allowed 'where it can be demonstrated it is to support the productive use of the land consistent with the direction of the area'.

Based on the policy direction in the RRLUS it is deemed that the FZ2 is the most appropriate FZ schedule for this type of use.

It is also acknowledged that given the development of the wider area with dwellings and rural lifestyle farming lots it is unlikely that the use would significantly affect nearby agricultural operations.

On this basis it is acknowledged that the application is not unreasonable when considered against the FZ2 or the RRLUS.

#### Tourism

State and local planning policy seeks to *encourage the provision of tourism facilities and services including short term and home hosted accommodation, host farms and similar facilities.*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)**

Strategies of this policy include:

- *Promote the unique tourism opportunities of the irrigated rural landscape and the food growing and processing industries.*
- *Encourage the integration of tourist and agricultural activities where there are no adverse impacts on the operation of rural industries.*

It is accepted that the proposed use and development creates a tourism opportunity for the municipality and therefore responds positively to this policy direction.

#### Flooding

The development site is partly within the Urban Floodway Zone and Land Subject to Inundation Overlay.

Goulburn Broken Catchment Management Authority (CMA) in their capacity as a recommending referral authority has consented to the use and development in the UFZ and LSIO.

The CMA has required conditions be attached to any permit issued including that the access road to the land be located to the west of the Urban Floodway Zone.

Based on the consent from the CMA, officers are satisfied that the use and development achieve acceptable flooding outcomes.

#### Signage

Under the FZ a planning permit is required for business identification signage.

The proposed sign is located within the lands frontage to River Road and is 1.6sqm in size. The sign contains the business name and logo and is not illuminated.

The sign is modest in size and provides reasonable opportunity to identify and locate the site. The signage is considered to be appropriate for the land.

#### Licensed Premises

52.27 of the Greater Shepparton Planning Schemes triggers the need for a planning permit for a liquor licence.

This application seeks planning permission for the service of liquor within the community centre between 11.00am to 11.00pm Sunday to Saturday.

The proposed community centre is located centrally within the site and well setback to neighbouring properties. The impact on amenity as a result of this proposed licensed premise given its hours of operation and patronage is likely to be low and unlikely to result in alcohol fuelled violence.

Therefore it is considered the proposed liquor licence results in acceptable planning outcomes.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)

#### Access to Road Zone Category 1

Vehicle access to the land is from River Road which is a Vic Roads controlled road. The application was supported by a traffic engineering report which recommends the following road works:

- A left turn lane to access the land
- A channelised right turn lane to access the land
- Construction of a sealed driveway

Vic Roads in the capacity of a determining referral authority consented to the proposed road works and required that the works be undertaken before the occupation of stage one of the development.

Based on the consent of Vic Roads, officers are satisfied that the proposal provides for a safe road environment.

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

Council Plan 2013-2017

Section 4.3

Encourage sustainable municipal growth and development

#### **Aim**

Greater Shepparton City Council, as one of Australia's fastest growing inland regional cities, recognises that it is important to manage growth in a structured and sustainable manner. In consultation with the Victorian Government and community stakeholders, we will continue to develop a planning framework that ensures our growth and development does not compromise our enviable lifestyle.

#### **Strategies**

- Review Council's Municipal Strategic Statement.
- Ensure Developer Control Plans minimise Council's requirement for expenditure within developments.
- Continue to develop structure plans for our growth corridors.

#### **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 Council's decision on the application.
Traffic	A	5	Low	Vic Roads as a referral authority have required road works be undertaken to ensure a safe road environment is maintained.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)

#### **Policy Considerations**

The application has been considered against the policies contained within the Greater Shepparton Planning Scheme and found to achieve unacceptable planning outcomes.

#### **Financial Implications**

This planning application has no significant financial implications on Council.

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

Should either the applicant or objector be dis-satisfied with Council's decision an application for review can be lodged at 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.

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 not within an area of cultural heritage sensitivity therefore the application does not trigger the need for a cultural heritage management plan.

#### **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.*

Whilst this application does not raise social issues that warrant the refusal of the application, officers have identified that the land is remote to services, public transport and shared paths resulting in the creation of a car based development. Additionally officers are concerned that private developments such as is proposed have limited access to social support services such as meals on wheels.

#### **Economic Impacts**

Should Council decide to oppose the application; the investment associated with the application may be lost.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)

#### Referrals/Public Notice

External Referrals Required by the Planning Scheme:

Section 55 - Referrals Authority	List Planning clause triggering referral	Determining or Recommending	Response
Goulburn Broken CMA	44.04-5	Recommending	Consents to proposal subject to conditions
Vic Roads	52.29	Determining	Consents to proposal subject to conditions
Public Transport Victoria	52.36-1	Determining	Consents without the need for conditions

External Notice to Authorities:

Section 52 - Notice Authority	Response
Powercor	No response provided
GVW	Consents subject to conditions including that the site be connected to reticulated sewerage
GMW	Consents subject to conditions
APA	No response provided
CFA	No response provided

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site.

The applicant provided a signed declaration stating the signs on site were erected between 7 June to 22 June 2014.

The Council has received six objections to date.

All objectors were issued with an acknowledgment letter. Additionally the permit applicant's written response to the objections was provided to objectors on 24 July 2014.

The key issues that were raised in the objections are as follows:

Ground of Objection	Officer's Response
De-valuation of land	It is well known and accepted that property de-valuation as a result of planning applications is not a relevant planning consideration.
Detrimental impact on traffic safety as a result of the vehicle access point to the land from	The application was supported by an expert traffic report which was reviewed by Vic Roads acting as a determining referral authority.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)

Ground of Objection	Officer's Response
River Road	Vic Roads consented to the new vehicle access subject to road works being undertaken to construct left and right turn lanes.
Liquor licence and potential off site impacts	<p>The proposed liquor licence relates to the proposed community centre and will not operate after 11.00pm. The community centre will only be open to residents and guests of the village and not the wider public.</p> <p>As a result of the controlled nature of the community centre the associated liquor licence will not result in detrimental amenity outcomes.</p>
Visual impact of business identification sign	The sign is modest in size and significant smaller than the maximum size of 3sqm. The sign is un-illuminated and displays a simple message of identifying the proposed use and development.

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

###### Section 8 Tourism

*Greater Shepparton is part of the Goulburn Murray Waters tourism region, which also comprises the towns of Kerang, Echuca, Cobram and Yarrawonga. Visitors to the tourism region in the 12-month period to March 2003 comprise 2.5 million day trip visitors and 1.5 million overnight visitors, staying an average of 2.4 nights. Only 23,000 international visitors came to the region during the period, compared with 1.2 million international visitors to Melbourne.*

*The key objectives for this subtopic are:*

**Objective 1:** *To ensure a sustained level of growth in tourism, including promotion of the unique tourism opportunities of the irrigated rural landscape and the food growing and processing industries.*

**Objective 2:** *To provide tourist services which suitably meet the needs of visitors to the municipality.*

##### Greater Shepparton Housing Strategy 2011

The Housing Strategy is a reference document in the planning scheme under 21.09. The Housing Strategy was implemented into the scheme by way of C93. The preparation of the Housing Strategy was undertaken in accordance with direction from the GS2030.

These two reference documents have been used as the basis of planning scheme amendments to update local policy under C69 and C93.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Use and Development of Land for a Caravan Park (100 River Road and 780 Archer Road, Kialla) (continued)**

Clearly the tourism policy with GS2030 provides support to developments such as is proposed.

The Housing Strategy provides strategic support to allow planning for future growth of key locations within the municipality such as the racing precinct before development approvals that could compromise key sites.

On balance as set out within this report it is considered that the directions of the Housing Strategy which are set out in Council's local planning policy (21.04) should be followed to allow the completion of the investigation study to ensure development approvals do not detrimentally affect the future growth of the racing precinct.

#### **Options for Consideration**

1. That Council adopted the recommendation contained within this report.
2. That Council resolve to issue a notice of decision to grant a permit subject to appropriate conditions

#### **Conclusion**

Officers having undertaken an assessment of the application has decided that the application is prohibited given the substantive use of the land is a residential village. Even if this threshold issue could be resolved the application fails to achieve acceptable planning outcomes when assessed against policy and therefore no permit should issue.

#### **Attachments**

Site Plan Page 430

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Adoption of Amendment C134 to the Greater Shepparton Planning Scheme - Rezoning of Cosgrove 3 Landfill

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

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

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

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

**Author: Strategic Planner (Amendments)**

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

**Approved by: Director Sustainable Development**

**Other: Principal Strategic Planner**

#### **Executive Summary**

Amendment C134 to the Greater Shepparton Planning Scheme seeks to rezone the Cosgrove 3 Landfill site from the Farming Zone to the Public Use Zone 6 (Local Government). This zone will better reflect the public use and ownership of the land.

The proposed amendment facilitates development of the site for a municipal landfill.

A Community Information Session was held at the Cosgrove Golf Club on 24 March 2014 to provide information to the community regarding the proposed landfill expansion as well as the proposed planning scheme amendment.

Amendment C134 was exhibited from 29 May 2014 to 30 June 2014 in accordance with the *Planning and Environment Act 1987*. Letters were sent to all affected owners and occupiers of land, referral authorities and prescribed ministers. Notice also appeared in the Victorian Government Gazette and the Shepparton News. Seven submissions were received by Council. None of these submissions objected to the proposed amendment.

The amendment is consistent with the Greater Shepparton Planning Scheme, the *Council Plan 2013-2017*, the *Greater Shepparton 2030 Strategy 2006* and the *Greater Shepparton City Council Waste & Resource Recovery Management Strategy 2013-2023* and does not conflict with any existing Council policies.

Council is now required to adopt the amendment prior to the amendment being sent to the Minister for Planning for approval. Following approval, the amendment will be published in the Victorian Government Gazette, at which point it is included in the Greater Shepparton Planning Scheme.

**Moved by Cr Polan**

**Seconded by Cr Summer**

That the Council:

1. adopt Amendment C134 to the Greater Shepparton Planning Scheme in accordance with Section 29 of the *Planning and Environment Act 1987* (the Act); and
2. submit Amendment C134 to the Greater Shepparton Planning Scheme to the Minister for Planning for approval in accordance with Section 31 of the Act.

**CARRIED.**



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

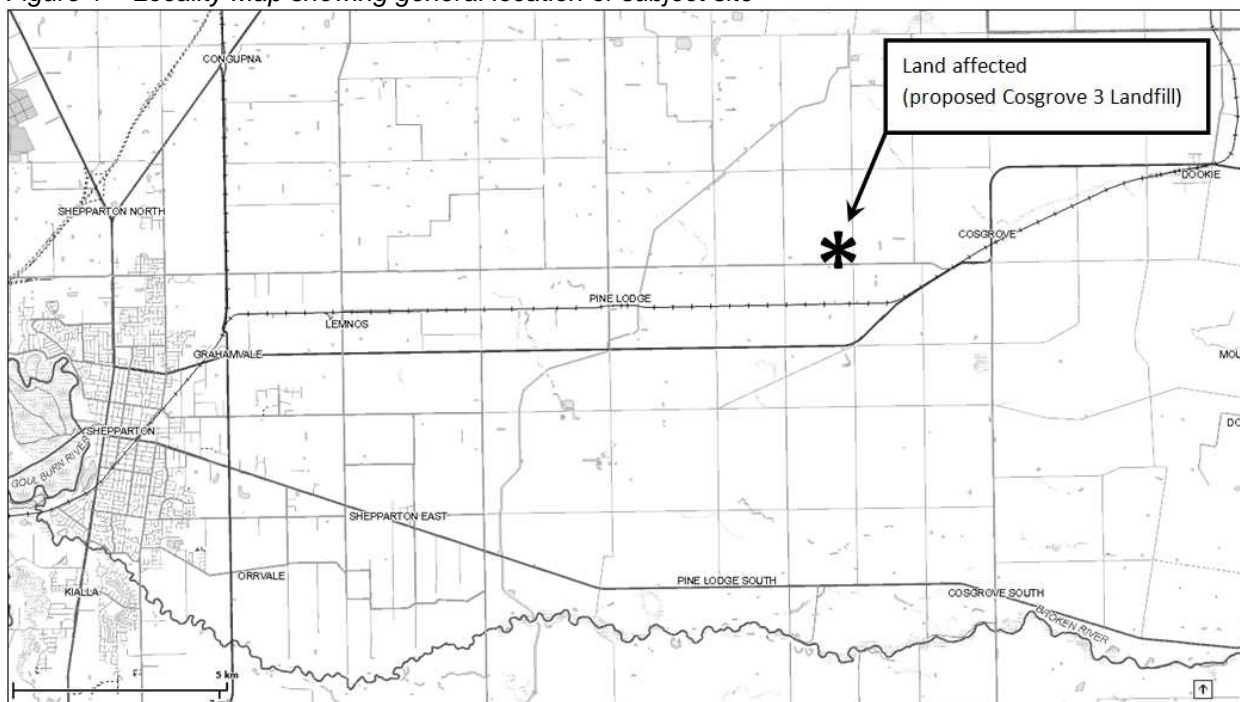
### 9.5 Adoption of Amendment C134 to the Greater Shepparton Planning Scheme - Rezoning of Cosgrove 3 Landfill (continued)

#### **Background**

The existing Cosgrove 2 Landfill is nearing the end of its functional life and is due to cease operations in mid-2015, based on current estimates. It is proposed to expand the existing landfill into the adjoining quarry at 205 Quarry Road (see *Figure 1*, below). The new site is being termed the Cosgrove 3 Landfill.

The proposed expansion will increase the functional life of the site and allow it to develop into a facility catering for a regional catchment area.

*Figure 1 – Locality Map showing general location of subject site*

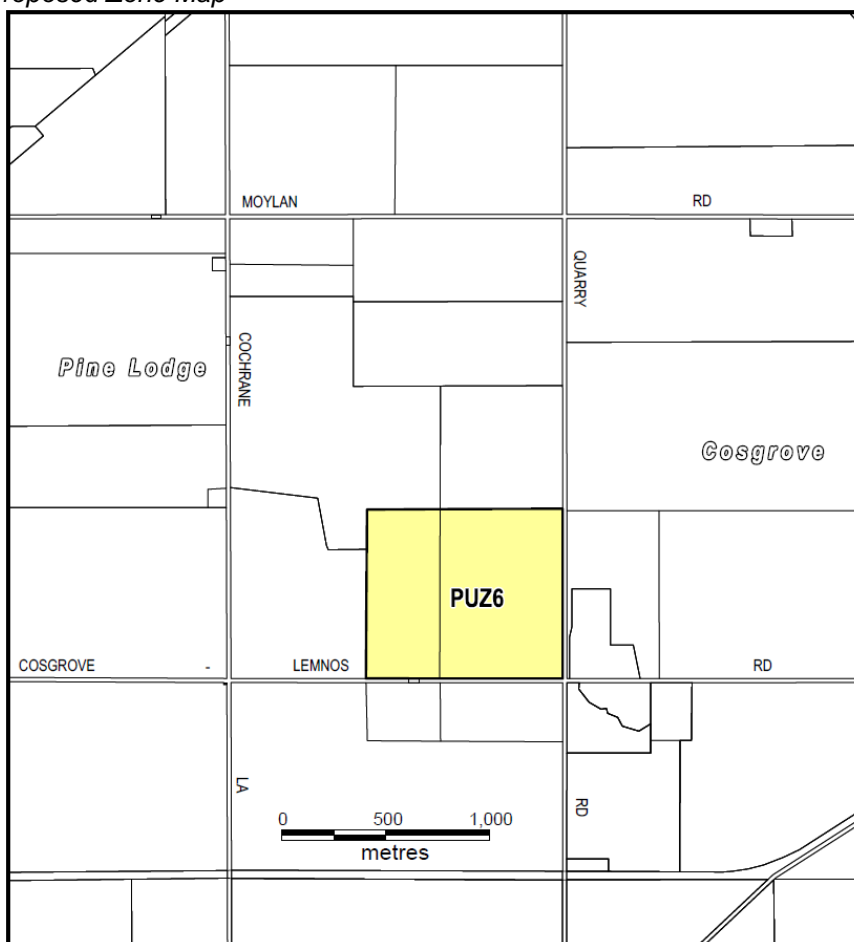


A landfill is defined as 'refuse disposal' in the planning scheme. The use of land for refuse disposal is not prohibited in the Farming Zone, but does require a planning permit. Because the land is to be used by Council, the Public Use Zone 6 (Local Government) is considered to be a more appropriate zone for the land. The subject amendment facilitates this zone change (see *Figure 2*).

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Adoption of Amendment C134 to the Greater Shepparton Planning Scheme - Rezoning of Cosgrove 3 Landfill (continued)

Figure 2 – Proposed Zone Map



Once rezoned, 'refuse disposal' will become an 'as of right' use and will no longer require a planning permit. This will facilitate the development of the landfill and avoid the requirement for multiple development applications over the lifetime of Cosgrove 3. Any amenity issues will be addressed through the works approval process, which is being undertaken through the Environment Protection Authority.

The Cosgrove 2 site has been used as a landfill for some time. As such, there is an established 'refuse disposal' use in the area. Council owns a portion of the surrounding land and there are a limited number of dwellings in the area.

The amendment was exhibited from 29 May 2014 to 30 June 2014 in accordance with the *Planning and Environment Act 1987* (see *Attachment 2 – Draft Explanatory Report*). No objections were received by Council (see *Attachment 3 – Submissions Recorder*). An Independent Planning Panel is not required to consider submissions. Council is now required to adopt the amendment prior to the amendment being sent to the Minister for Planning for approval. Following approval, the amendment will be published in the Victorian Government Gazette, at which point it is included in the Greater Shepparton Planning Scheme.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Adoption of Amendment C134 to the Greater Shepparton Planning Scheme - Rezoning of Cosgrove 3 Landfill (continued)

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

Under the heading of 'Goal 2: Enhancing the Environment (Natural)', the following strategy is listed in the current *Council Plan 2013-2017*:

*"review, adopt and commence implementation of the Waste Management Strategy".*

Section 6 (Future Directions) of the *Greater Shepparton City Council Waste & Resource Recovery Management Strategy 2013-2023* states the following:

*"Waste Disposal  
Council will:*

*Undertake the necessary planning and licensing steps for the future development of the Cosgrove 3 landfill site in accordance with Best Practice well before the Closure of the Cosgrove 2 site".*

On the basis of the above, it is considered that the proposed amendment is supported by the *Council Plan 2013-2017*.

#### **Risk Management**

The primary risk associated with the planning scheme amendment is not meeting the timelines required through Ministerial Direction No. 15 'The Planning Scheme Amendment Process'. This Ministerial Direction requires each stage of the planning scheme amendment process to be undertaken within set timeframes.

In accordance with Ministerial Direction No. 15, Council must make a decision on the amendment within 60 business days of the closing date of submissions. Following this, an adopted amendment must be submitted to the Minister for Planning within 10 business days of the date the amendment is adopted by Council.

#### **Policy Considerations**

The following Council policy documents have been considered in the preparation of Amendment C134 to the Greater Shepparton Planning Scheme:

- *Council Plan 2013-2017;*
- *Greater Shepparton City Council Waste & Resource Recovery Management Strategy 2013-2023;* and
- *Greater Shepparton Planning Scheme.*

The *Greater Shepparton Planning Scheme* designates the site for expansion under Clause 21.07-4 (Strategic Work Program) of the Municipal Strategic Statement, which states:

*"provide for the future expansions of the Cosgrove landfill site by identifying a Public Acquisition Overlay".*

Given that the site is already in Council ownership, the application of the Public Acquisition Overlay is not required. However, the expansion of the facility is clearly identified in the Greater Shepparton Planning Scheme. Rezoning to the Public Use Zone 6 (Local Government) will better reflect the public use and ownership of the land, and will assist with the future expansion of the landfill operations.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Adoption of Amendment C134 to the Greater Shepparton Planning Scheme - Rezoning of Cosgrove 3 Landfill (continued)

#### **Financial Implications**

Council incurred no costs for the preparation of this planning scheme amendment. The initial stages of the project, including the preparation of draft amendment documentation, were undertaken by a consultant (SPIIRE Pty Ltd). The cost of this work was funded by the State Government via the Rural Council Planning Flying Squad.

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

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

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

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

Amendment C134 to the Greater Shepparton Planning Scheme proposes to rezone the land from the Farming Zone to the Public Use Zone 6 (Local Government) to better reflect the public use and ownership of the land.

There are no environmental/sustainability impacts associated with this planning scheme amendment. However, the impacts associated with the landfill itself will be considered by the Environment Protection Authority when Council applies for a works approval licence. This process is being undertaken separately through Council's Environment Department and is subject to a separate public notice process.

No submissions received during the exhibition of Amendment C134 to the Greater Shepparton Planning Scheme raised any environmental/sustainability concerns.

#### **Social Implications**

Given that an existing landfill is already *in situ* on the adjoining Cosgrove 1 (closed) and Cosgrove 2 (operational) sites, and considering the limited number of dwellings in the area, it is not expected that the proposal will result in significant social implications.

No submissions received during the exhibition of Amendment C134 to the Greater Shepparton Planning Scheme raised any social concerns.

#### **Economic Impacts**

No adverse economic impacts will result from the preparation of this planning scheme amendment. However, costs associated with the construction of a landfill can be considerable. The costs associated with this element of the project will be met by the Environment Department and are not associated with this planning scheme amendment.

No submissions received during the exhibition of Amendment C134 to the Greater Shepparton Planning Scheme raised any economic concerns.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Adoption of Amendment C134 to the Greater Shepparton Planning Scheme - Rezoning of Cosgrove 3 Landfill (continued)**

#### **Consultation**

A Community Information Session was held at the Cosgrove Golf Club on 24 March 2014. At this session, Council officers provided information to the community regarding the proposed landfill expansion, the proposed planning scheme amendment and responded to any questions and concerns raised by the community.

Amendment C134 to the Greater Shepparton Planning Scheme was exhibited in accordance with the *Planning and Environment Act 1987*. This included the following:

- Notice in the Shepparton News on 27 May 2014;
- Notice in the Victorian Government Gazette on 29 May 2014;
- Letters to affected land owners and occupiers on 27 May 2014;
- Letters to relevant referral authorities on 27 May 2014;
- Letters to prescribed ministers on 27 May 2014;
- Documentation on display at the Council offices at 90 Welsford Street, Shepparton;
- Documentation available on the Department of Transport, Planning and Local Infrastructure website; and
- Documentation available on the Greater Shepparton City Council website.

The exhibition period was open for four weeks and submissions closed on 30 June 2014.

No objections were received by Council. Seven submissions were received from referral authorities. Submissions were received from:

- Goulburn Broken Catchment Management Authority;
- Goulburn Valley Water;
- Environment Protection Authority;
- Department of Environment and Primary Industries;
- VicRoads;
- Goulburn Murray Water; and
- Country Fire Authority.

None of the referral authorities objected to or raised any concerns regarding the proposed amendment (see *Attachment 3 – Submissions Recorder*). As a result, an Independent Planning Panel is not required to consider submissions.

#### **Strategic Links**

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

Section 10 of the *Strategic Resource Plan* incorporated in the *Greater Shepparton 2030 Strategy* concerns waste management. Strategic Directions include:

*“Adopt the Greater Shepparton City Council Waste Management Strategy following community consultation”.*

Section 6 (Future Directions) of the *Greater Shepparton City Council Waste & Resource Recovery Management Strategy 2013-2023* states the following:

*“Waste Disposal  
Council will:*

*Undertake the necessary planning and licensing steps for the future development of the Cosgrove 3 landfill site in accordance with Best Practice well before the Closure of the Cosgrove 2 site”.*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Adoption of Amendment C134 to the Greater Shepparton Planning Scheme - Rezoning of Cosgrove 3 Landfill (continued)**

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

As outlined above, the proposed planning scheme amendment, which will facilitate the expansion of the existing landfill, is supported by the following policy documents:

- *Council Plan 2013-2017*;
- *Greater Shepparton Planning Scheme*; and
- *Greater Shepparton City Council Waste & Resource Recovery Management Strategy 2013-2023*.

#### **Options for Consideration**

1. Council adopts Amendment C134 to the Greater Shepparton Planning Scheme and submits it to the Minister for Planning for approval (preferred); or
2. Council does not adopt Amendment C134 to the Greater Shepparton Planning Scheme and does not submit it to the Minister for Planning for approval. This outcome could jeopardise the future of the Cosgrove 3 Landfill, which may result in the provision of inadequate landfill facilities for the municipality.

#### **Conclusion**

Amendment C134 to the Greater Shepparton Planning Scheme has been undertaken to rezone the Cosgrove 3 Landfill site from the Farming Zone to the Public Use Zone 6 (Local Government).

The amendment was exhibited in accordance with the *Planning and Environment Act 1987*.

No objections have been received by Council. An Independent Planning Panel is not required to consider any submissions.

The proposed amendment is consistent with the Greater Shepparton Planning Scheme, the *Council Plan 2013-2017*, the *Greater Shepparton 2030 Strategy 2006* and the *Greater Shepparton City Council Waste & Resource Recovery Management Strategy 2013-2023*, and does not conflict with any existing Council policies.

All stages of the planning scheme amendment process, including preparation, authorisation, exhibition and consideration of submissions have been undertaken in accordance with the *Planning and Environment Act 1987*.

Council is now required to make a decision on Amendment C134 to the Greater Shepparton Planning Scheme.

#### **Attachments**

1. Aerial Map showing Cosgrove 1, 2 and 3 Page 432
2. Draft Explanatory Report Page 433
3. Submissions Recorder Page 444

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Goulburn Valley Equine and Greyhound Precinct

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

*A Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Background Discussion Paper, September 2014* (hereby after referred to as the Discussion Paper) has been prepared by Urban Enterprise for the GV Equine and Greyhound Precinct. The main objective of the Background Report is to inform the Feasibility Study and Master Plan, which will be published in the near future and will be subject of a public consultation. This work is in accordance with the actions outlined in *Greater Shepparton Housing Strategy (2011)* and *Greater Shepparton Planning Scheme*.

The Discussion Paper has been informed by existing Council strategies for this site and landowners within and adjoining the investigation area. It has also been informed by several discussions with community stakeholders including the Shepparton Harness and Greyhound Racing Clubs, Shepparton equine clubs and referral authorities.

The Discussion Paper provides a detailed assessment of the strategic context of the site, and an informative background of the existing harness and greyhound activities that currently take place. The Paper also provides a profile of both sectors, with the industry highlighting that growth is expected to take place within the harness and greyhound sectors in the near future.

Three concept plans for the future development of the site have been prepared. Each option considers a range of land use opportunities. Urban Enterprise has identified Option 3 as their preferred option for the precinct. However, it is noted Council alone will have the final decision on which scenario to further develop as part of the final Feasibility Study and Master Plan.

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

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

That the Council:

1. note and endorse the *Goulburn Valley Harness and Greyhound Racing Precinct Feasibility Study and Master Plan – Background Discussion Paper, September 2014*
2. endorse the preferred Option 3 'Growth of the equine precinct, to the south, rural residential to the north and the east' within the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Background Discussion Paper, September 2014*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Goulburn Valley Equine and Greyhound Precinct (continued)

3. proceed with preferred Option 3 and progress the feasibility study and master plan for this option
4. make the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Background Discussion Paper, September 2014* publically available.

**LOST.**

#### **Background**

Council awarded a contract to Urban Enterprise (18 December 2013) to complete a feasibility study and master plan for the 'GV Equine and Greyhound Precinct'. Urban Enterprise was appointed in accordance with Council's procurement policy. The decision making process involved the appointment of an evaluation panel and a selection process.

The project is jointly funded by Greater Shepparton City Council, Regional Development Victoria, Shepparton Harness Racing Club, Shepparton Greyhound Racing Club, Harness Racing Victoria and Greyhound Racing Victoria.

This work is in accordance with the actions outlined in the *Greater Shepparton Housing Strategy (2013)* and *Greater Shepparton Planning Scheme*. Clause 21.04 of the Greater Shepparton Planning Scheme references the Goulburn Valley Equine & Greyhound Precinct and provides the following description:

*'Investigation Area 1 – Kialla Paceway and Shepparton Greyhound Racing environs. This area surrounds and includes the greyhound and trotting facilities and is directly adjacent to the Shepparton South Growth Corridor. There is potential to extend services to this land. However, future residential development within this area will be dependent on amenity issues such as lighting, noise, odour and dust being addressed to ensure that the long term interests of the racing facilities are protected'.*

The Feasibility Study and Master Plan will be used to progress the development of the precinct and provide strategic justification in seeking future funding opportunities. It will also be used to assess future rezoning and development applications within the precinct.

#### Consultation

The consultation process is a vital aspect of the project. An extensive consultation exercise has already been undertaken. Attachment 1 provides a copy of the letters which were sent out the relevant landowners, referral agencies and equine related clubs. Attachment 4 provides a map of all the landowners who were issued a letter as part of the consultation process.

#### Discussion Paper

A Discussion Paper has been prepared by Urban Enterprise. A copy of this Paper can be found within Attachment 2.

The Discussion Paper outlines three concept options for the site. Attachment 3 provides layout plans for each concept option.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Goulburn Valley Equine and Greyhound Precinct (continued)**

#### Concept Options

Based on all the consultation, workshops, planning policy, physical constraints and opportunities, a variety of future land use opportunities have been considered. This includes:

- Residential
- Equine Recreation
- Commercial and tourism uses
- Equine Services

Three concept options for the site have been prepared for discussion, with the aim to confirm an agreed approach to the precinct and surrounding area.

#### Option 1 – Expansion of equine uses to the south, rural residential to the east

Option one is largely centred on the expansion of equine uses to the south of the precinct. This draws on the opportunity for the precinct to house an expanded recreational horse industry area for the following user groups:

- Shepparton Pony Club;
- Shepparton Equestrian Club;
- GV Equestrian Club;
- GV Show Jumping Club;
- Southern Seven Cutting Horse Association.

This option would require purchase of private land to accommodate the equine use expansion of the precinct. This approach proposes commercial uses along the Goulburn Valley Highway and River Road to maximise the benefits of highway exposure and also to provide a buffer from the equine uses within the precinct.

This option would investigate rural living residential uses to the east of the precinct, and also investigate the potential redevelopment of the training facilities at the rear of the harness and greyhound racing precinct.

#### Option 2 – Commercial use to the north, maintain existing use to the south

Option two provides the development of commercial uses to the north of the precinct, notably to provide for equine and greyhound commercial uses. In addition, there will be no major change to the area directly south of the precinct. However, there is potential for tourism uses.

Other uses in the precinct reflect those considered in option one with rural living residential areas to the east, as well as relocating the training track.

Commercial uses will remain along Goulburn Valley Highway and River Road.

#### Option 3 – Growth of the equine precinct, to the south, rural residential to the north and the east

Option three investigates utilisation of a large proportion of the investigation area for future rural residential, commercial and tourism uses.

The option varies from option one and proposes greyhound focused rural allotments to the north west of the site, providing segregation from the equine living land. This replaces the commercial uses identified in option one.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Goulburn Valley Equine and Greyhound Precinct (continued)**

#### Preferred Option

Having prepared and reviewed all concept options, Urban Enterprise has indicated that Option 3 is their preferred option for the following reasons:

- This option would create a strong rural residential lifestyle community.
- There doesn't appear to be a high demand for further highway focused large commercial land in the precinct.
- There is a risk that land would sit idle for a while if it was allocated for commercial use.
- This option still allows for some form of commercial development to come forward (such as an equine supply shop or general store) if there is a demand for this type of provision.

The Discussion Paper provides an informative overview of the existing and future land uses at the GV Equine and Greyhound Racing Precinct. There are a range of existing operations which take place on the site. The three concept options for the future development of the site identify a range of new uses, including commercial and residential development.

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

The Council Plan 2013-2017 contains a strategic goal which seeks to promote economic growth through working with existing businesses and industries, encouraging new business development and diversification, attracting and supporting education within the city, and strengthening the agricultural industry. Implementation of the Masterplan will support economic growth in Shepparton.

The Discussion Paper is consistent with the Council Plan's vision and strategic goals. In particular, it implements the following key objectives:

- 3.3 Make Greater Shepparton the regional sporting capital of Victoria and a leading sporting destination.
- 4.3 Encourage sustainable municipal growth and development

#### **Risk Management**

There are no adverse risks associated with the Discussion Paper.

#### **Policy Considerations**

The Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan supports Council policy including the Greater Shepparton City Council *Council Plan 2013-2017* and the *Greater Shepparton Strategy 2030*.

#### **Financial Implications**

At this stage, the recommendation to endorse an option within the Discussion Paper does not have any financial or budgetary implications for Council. The Council has already made budget provision to complete the project.

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

All procedures associated with the Discussion Paper comply with the legislative requirements. The Discussion Paper has been prepared in accordance with the Greater Shepparton Planning Scheme.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Goulburn Valley Equine and Greyhound Precinct (continued)

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

A large proportion of the Precinct is affected by a Flood Overlay and Land Subject to Inundation Overlay. This will place development constraints in some areas of the site, and flood plain areas could potentially be utilised for open space/recreation trails/horse tracks.

There are no adverse environmental impacts associated with the Discussion Paper.

#### **Social Implications**

The development options outlined in the Discussion Paper will provide positive social benefits. It could potentially expand existing uses and introduce new uses to this part of Shepparton.

It is intended to achieve a positive social outcome by developing on a key strategic site in Shepparton.

There are no adverse social impacts associated with the Discussion Paper.

#### **Economic Impacts**

The development options outlined in the Discussion Paper would provide positive economic benefits. There is an opportunity for a range of new uses to be utilised within this location, which would create employment opportunities and have a positive impact upon the local economy. This would also provide additional planning certainty over the location and built form for a range of uses.

There are no adverse economic impacts associated with the Discussion Paper.

#### **Consultation**

The consultation process is a vital aspect of the project. An extensive consultation exercise has already been undertaken. This has involved:

- Inception Meeting – Initial meeting between Council, consultant team and the steering group to discuss project objectives and scope, provide a review of information requirements and initiate a broad discussion on issues and opportunities and vision for the precinct.
- Letters were sent to landowners within and adjoining the precinct, informing them of the project and inviting them to meet with Urban Enterprise
- Letters were sent to referral agencies and authorities informing them of the project and inviting them to meet with Urban Enterprise.
- Letters were sent to equine related clubs in Greater Shepparton informing them of the project and inviting them to a workshop to be conducted by Council.
- Internal email sent to Council officers within various departments inviting them to attend a meeting with Urban Enterprise to discuss specific issues and opportunities.
- Workshop and site visit with representatives from Greyhound Racing Victoria, Harness Racing Victoria, Shepparton Harness Racing Club, Shepparton Greyhound Racing Club.

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

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Goulburn Valley Equine and Greyhound Precinct (continued)**

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

The future planning and development of this location is consistent with the premise of the *Greater Shepparton 2030 Strategy* for continued sustainable development.

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

The *Greater Shepparton Housing Strategy 2011* (GSHS) was developed to respond to existing and future housing needs in the municipality up to 2031. It includes objectives, strategies and actions to guide housing delivery, and sets a long-term direction for future residential growth. The Discussion Paper supports the GSHS by encouraging residential development in locations appropriate to its intended use. It will also create sustainable living environments which conserve land and energy and are integrated with existing networks and systems.

#### **Options for Consideration**

1. To endorse Option 1 - Expansion of equine uses to the south, rural residential to the east as the preferred option and make the Discussion Paper publically available.
2. To endorse Option 2 - Commercial use to the north, maintain existing use to the south as the preferred option and make the Discussion Paper publically available.
3. To endorse preferred Option 3 - Growth of the equine precinct, to the south, rural residential to the north and the east as the preferred option and make the Discussion Paper publically available.
4. To not endorse any of the three Options and make the Discussion Paper publically available.
5. Any variation of above.

#### **Conclusion**

The *Goulburn Valley Equine and Greyhound Racing Precinct Feasibility Study and Master Plan* provides an opportunity to progress the development of the precinct.

In accordance with the Council's procurement policy, Urban Enterprise was appointed to complete this work.

The Discussion Paper provides a detailed assessment of the strategic context of the site, and an informative background of the existing harness and greyhound activities that currently take place. The Paper also provides a profile of both sectors, with the industry highlighting that growth is expected to take place within the harness and greyhound sectors in the near future.

Three concept plans for the future development of the site have been prepared. Each option considers a range of land use opportunities. Urban Enterprise has identified Option 3 as their preferred option for the precinct.

#### **Attachments**

- |   |          |
|---|----------|
| 1. Letter templates issued by Greater Shepparton City Council   | Page 446 |
| 2. Feasibility Study and Masterplan - Background Discussion Paper<br>September 2014, Goulburn Valley Harness & Greyhound Racing<br>Precinct | Page 452 |
| 3. Three Concept Option Layouts   | Page 526 |
| 4. Landowners Contacted Plan  | Page 529 |

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna**

#### **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: Graduate Statutory Planning Officer**

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

**Approved by: Director of Sustainable Development**

#### **Executive Summary**

The application seeks planning approval for the use and development of the land at the Mooroopna Recreation Reserve for a shed (shared storage facility sports and services clubs). The land is in the Public Park and Recreation Zone (PPRZ) and in the Floodway Overlay (FO).

The proposed storage facility (shed) is centrally located on the corner of Bernie Trevaskis and Graeme "Pee Wee" Young ovals.

The proposed shed is to be 43 x 15 metres in size and includes a verandah on three sides of the shed.

The shed will be used by sporting and community clubs who use the subject site for various functions. The clubs that proposed to utilise the storage shed are as follows: Lions Club of Mooroopna, Rotary Club of Mooroopna, Kiwanis Club of Mooroopna; Mooroopna, Junior Cricket Club, Auskick and Mooroopna Cats Netball Club.

The land is owned by the Department of Environment and Primary Industries (DEPI) and is managed by Greater Shepparton City Council (GSCC). The relevant land manager permissions (DEPI and GSCC) have been obtained to construct the shed in its proposed location.

The application was referred to the Goulburn Broken Catchment Management Authority (GBCMA) who did not object to the issue of a permit.

The 2013 review of the Mooroopna Community Plan, which is a Council endorsed document; identified the need for a community storage shed as a priority project.

The application was advertised and five objections were received. The grounds of objection related to the location of the shed, visual amenity, anti-social behaviour and the removal of planted vegetation.

An onsite meeting was held on 16 June 2014 attended by the applicant, objectors and Council's Planning and Neighbourhood Planning Officers to discuss the concerns raised in the objections. This meeting provided a forum for the applicant, objectors and council staff to discuss the proposal and the objector's concerns in detail. While the meeting did not result in the objector's concerns being resolved, it provided the objectors with

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna (continued)**

clarification on why the proposed location was chosen. Clarification was also provided on use of the verandah for spectators and the finishing colours proposed for the shed.

The shed is proposed to be located in an area of designated open space consequently providing some visual intrusion on the reserve. While there may be less visually intrusive locations for the shed, this must be balanced with the needs of the community, the sporting clubs and the GBCMA. Having landscape screening will assist to negate visual impact.

Based on the Planning Officer's assessment of the application it is concluded the application achieves acceptable planning outcomes for the following reasons:

- The proposed storage facility is associated with the existing use of the land.
- The proposed storage facility is not considered to significantly impact on the risk of floodwaters in the area, based on the comments of the GBCMA.
- The objections do not warrant refusal of the application as the community benefit is considered to outweigh some visual intrusion which will occur from development of the shed.

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

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

That in relation to Planning Application 2013-330, 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 issue a notice of decision for planning permit application 2013-330 subject to the following conditions:

#### **1. Amended Plans Required**

Before the use and development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies (or as specified) must be provided. Such plan must be generally in accordance with the plan submitted with the application but modified to show:

- a) A properly prepared site plan showing current site features and the location of the proposed storage facility in proximity to the internal access road.
- b) Landscape plan showing the provision of landscape screening to the south of the building;
- c) Elevations showing the proposed materials and treatments to the building;
- d) Location of lighting on the building to provide for security;
- e) Plan showing no vehicle parking in front of the two roller doors for the Lions Club and Rotary Club section of the building.

#### **2. Layout Not Altered**

The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna (continued)

#### 3. Specific Operation Requirement

The shed must only be used for the storage of equipment used in association with the use of the public reservation to the satisfaction of the responsible authority.

#### 4. Urban Drainage - Works

Before the building is occupied all stormwater and surface water drainage from the land, buildings and works must be connected to the legal point of discharge by underground pipe drains to the satisfaction of the responsible authority.

#### 5. Landscape Plan

Before the development starts a landscape plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:

- a) the location of any trees to be removed as part of the development
- b) a permanent screen of trees and shrubs with a minimum of two rows using a mixture of local trees and understory species located along the southern façade of the building;
- c) a schedule of all proposed trees, shrubs and ground cover, including the location, number and size at maturity of all plants, the botanical names and the location of areas to be covered by grass, lawn or other surface materials as specified;
- d) the method of preparing, draining, watering and maintaining the landscaped area;

All species selected must be to the satisfaction of the responsible authority.

All trees planted as part of the landscape works must be a minimum height of 2 metres at the time of planting.

Before the use of the development starts or by such a later date as is approved by the responsible authority in writing, landscaping works shown on the endorsed plan must be carried out and completed to the satisfaction of the responsible authority.

#### 6. Concrete Buildings

Before the use begins the pre-cast concrete facades must be painted, treated, textured and maintained thereafter to the satisfaction of the responsible authority.

#### 7. Security Lighting

Prior to the occupation of the building, security lighting shall be installed to all sides of the building to the satisfaction of the responsible authority. Lighting shall be shall be designed, baffled and located, so as to prevent the emission of light onto adjoining land.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna (continued)

#### 8. Construction Phase

All activities associated with the construction of the development permitted by this permit must be carried out to the satisfaction of the Responsible Authority and all care must be taken to minimise the effect of such activities on the amenity of the locality, including:

- a) Avoiding the transport of mud onto roads;
- b) Minimising the generation of dust during earthworks or vehicles accessing site;
- c) The retention of all silt and sediment on the site during the construction phase, in accordance with the sediment control principles outlined in Construction Techniques for Sediment Pollution Control (EPA, 1991)' and;
- d) Maintaining a neat and tidy site.

#### 9. Goulburn Broken Catchment Management Authority Requirements

The longitudinal axis of the proposed storage shed must be aligned in a north-south direction.

#### 10. Time for Starting and Completion

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

- a) the development and use are not started within **two (2) years** of the date of this permit;
- b) the development is not completed within **four (4) years** of the date of this permit.

**CARRIED.**

#### Property Details

Land/Address	13 Echuca Road, Mooroopna
Zones and Overlays	Public Park and Recreation Zone Urban Floodway Zone Floodway Overlay
Why is a permit required	36.02-1 Buildings and works in the Public Park and Recreation Zone 44.03-1 Buildings and works in the Floodway Overlay

#### Proposal in Detail

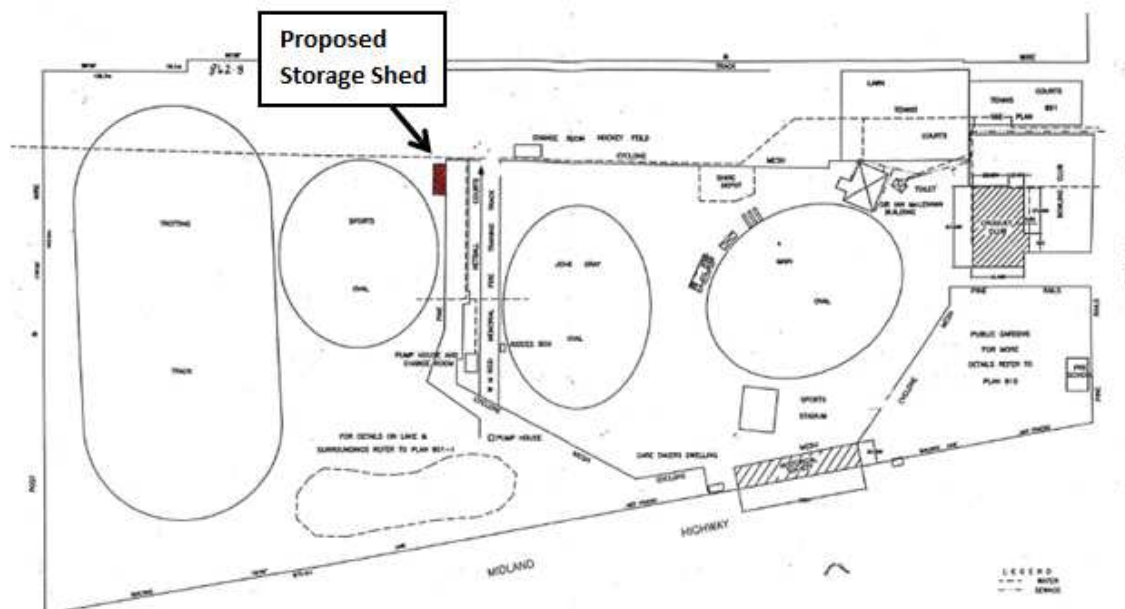
The application seeks planning approval for the use and development of the land at 13 Echuca Road, Mooroopna for a shared storage facility (sports and services clubs) in the Public Park and Recreation Zone (PPRZ) and in the Floodway Overlay (FO).

The proposed storage facility is centrally located on the corner of Bernie Trevaskis and Graeme "Pee Wee" Young ovals as shown on the plan below.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna (continued)



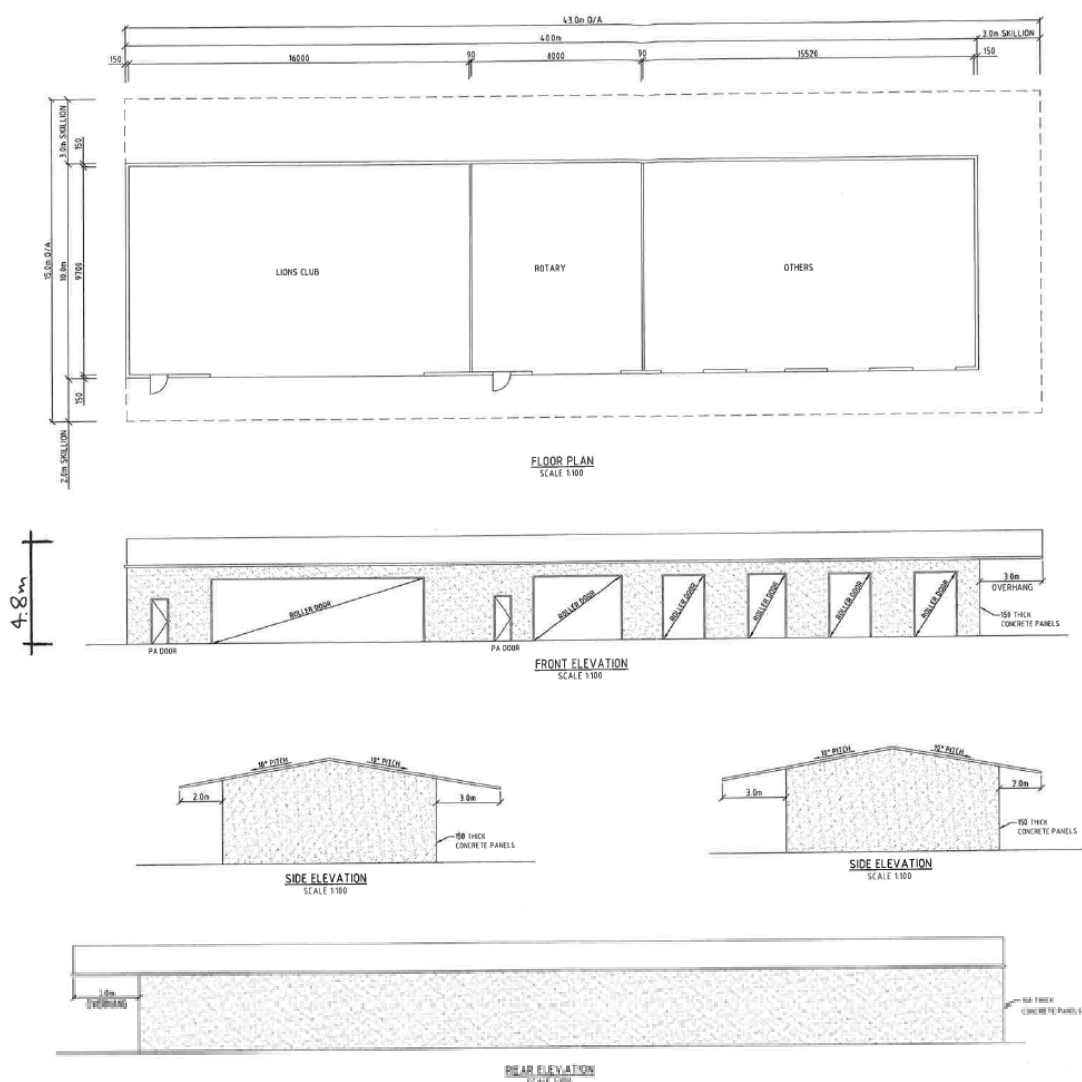
The proposed storage shed measures 40 metres (m) by 10m with an overall area of 400 square metres (sqm). The shed has a pitched roof and with a height of 4.8m.

The storage shed also encompasses a verandah of 2m in width on the eastern side and 3m in width on the north and western sides as per plan below. The purpose of this verandah is to provide a sheltered space for spectators and players during periods of hot, wet or windy weather.

The shed is set back approximately 90 metres from residential zoned land to the north.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna (continued)



The proposed shed will be accessed by six roller doors and two doors the east side of the shed. This will enable a number of occupancies including service clubs and sporting clubs who use the surrounding park land for a range of sporting and community events.

The proposed storage facility will benefit the organisations by securely locating equipment required for events onsite.

It is noted that the shed is proposed to be used as storage only and will not have any amenities associated with the building.

The application required written consent from the Public Land Manager. Both Recreation and Parks Department and Neighbourhood Department held discussions regarding the location of the proposed storage shed. The proposed site was agreed upon and written consent was obtained from the GSCC Chief Executive Officer (CEO). Consent was also obtained from the land owner, DEPI.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna (continued)**

The application for storage shed was initially advertised in the newspaper and to surrounding properties by mail. The application received five objections.

As mentioned in the executive summary, an onsite meeting was held by Council Officers with the applicants and objectors to discuss the proposal and to see if an outcome could be agreed upon. The applicants and objectors did not mutually agree on the location for the proposed shed, however the need for the shed, to provide storage space for the user groups, was not in dispute. Comments from the objectors in relation to the need for landscaping and surface treatment of the shed walls have been taken into consideration in this assessment.

The objectors were also concerned that people utilising the ovals had not been properly notified. To address this Planning Officers agreed to advertise the proposal again via a sign on site at the proposed location of the shed. No additional objections were received by the Planning Department as a result of this second advertisement period.

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

The key issues for consideration in assessing this application are:

- assessment of the shed against the relevant requirements of the Greater Shepparton Planning Scheme
- support for this type of building in the Mooroopna Community plan
- the purpose of the shed and its impact on the recreation reserve
- the suitability of the proposed location
- the consent of the public land manager
- the comments of the GBCMA
- the concerns highlighted by the objectors

#### **Background**

No pre application discussions were held with the planning officers prior to the lodgement of the application.

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

The determinative issues in this application are described as:

- The State and Local Planning Policies,
- Public Park and Recreation Zone and Floodway Overlay;
- Visual amenity of the building and impact on open space;

#### **State and Local Planning Policies**

The State and Local Planning policies follow a similar theme with priority given to the protection and enhancement of public open space that contributes to the amenity of the municipality and advances the image of the community. The State Policy identifies that community sport facilities should be accommodated in a way that is not detrimental to other park activities. Furthermore the policy notes that where there is a change in land use or the nature of occupation resulting in a reduction of open space, the overall network of open space is protected by the addition of replacement parkland of equal or greater size and quality.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna (continued)

When considering an application for the use and development of land identified as public open space the following principles established in *Leahy v City of Camberwell [1973] VR 589* are commonly used by the Tribunal:

- That a use should be consistent with the public reservation; and
- That planning decisions should consider community benefit

The proposed storage shed is required for secure storage of equipment used for sporting and community events undertaken on the surrounding parkland. Therefore it is considered that the storage shed is complementary to the existing use of the land.

The use of the shed is restricted to the sports and service clubs. It is noted that membership to these clubs is open to anyone and the clubs themselves provide support via community events and fundraising which assists in strengthen to the community. It is considered that the application for storage shed is consistent with the existing use of the public reservation and will benefit the community as whole.

Club members are currently taking equipment home with them to store. The storage shed will provide centralised storage at one location making it more accessible to the user groups.

#### Public Park and Recreation Zone

A planning permit is required in accordance with Clause 36.02-1 and 36.02-2 of the Greater Shepparton Planning Scheme for the use and development of a store associated with a public land use.

The purpose of the zone is to recognise areas for public recreation and open space, protect and conserve areas of significance where appropriate and provide for commercial uses where appropriate.

The proposed storage facility is to be utilised by the following organisations who use the land for various purposes as follows:

<b>Club/organisation</b>	<b>Associated public land use</b>
Lions Club of Mooroopna;	Monthly Farmers Market, Christmas Carols, New Years Eve Festival and Country Tennis Week
Rotary Club of Mooroopna	New Years Eve Festival, Assist Country Tennis Week Australia Day Celebrations
Kiwanis Club of Mooroopna;	Mooroopna Christmas Carols, New Years Eve Festival and Australia Day Celebrations. Assist in installation and general maintenance of the reserve assets.
Mooroopna Junior Cricket Club	Utilise Leon Heath and Pee-Wee-Young Oval from September to March on Saturdays for match day, and twice during the week for training.
Mooroopna Junior Football/Auskick	Utilise grounds for 40 plus weeks of the year, up to seven days a week
Mooroopna Cats Netball Club	26 weeks of the year, up to 4 times per week with completion and training.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooropna (continued)**

In accordance with Clause 36.02-3 of the Greater Shepparton Planning Scheme written consent was obtained by the applicant from the CEO of GSCC dated 2 June 2014.

It is noted that no Master Plan has been prepared for the site. Should the application be approved it is recommended that the storage shed be included on any master plan.

In developing the proposed location of the shed it is noted that the application was constrained by the following:

- Existing land uses;
- Flooding issues on the land;
- 24 hour access to the site; and
- Close proximity to sporting clubs who do not have existing storage facilities.

The storage facility is located at the corner of Bernie Trevaskis and Graeme 'Pee Wee' Young ovals and does not impede on the formal recreational space. The shed is appropriately located outside of the Urban Floodway Zone.

The facility is located on an internal access road which allows 24 hour access to the shed. The location of the shed will benefit multiple user groups who currently do not have access to onsite storage, enabling ongoing use and facilitating growth of the various clubs.

The removal of four planted, mature, non-indigenous trees is required to allow for the storage facility. No planning permit is required to remove these trees. To assist in restoring and enhancing the environment and amenity of the area, appropriate landscape screening should be required by conditions of any planning permit issued.

The facility is designed to have a verandah of two metres in width on the eastern site and three metre in width on the north and western sides to allow shelter for spectators watching sporting activities within the reserve. It is recommended that a landscape screen be planted along the southern elevation, where no verandah is proposed.

Discussions have been held with the applicant who has stated that the shed will be treated with anti-graffiti surface and a community mural could be painted on the blank walls to assist in protecting the amenity of the area and deter anti-social behaviour. The painting of the blank wall should be required a minimum treatment measure. The painting of a mural would be a welcome outcome but is something that would need to be facilitated by the user group, project manager and consented to by the public land manager. The installation of appropriate lighting around the facility to assist in security should also be required by a condition should a permit issue.

#### Floodway Overlay

A planning permit is required in accordance with Clause 44.03-1 of Greater Shepparton Planning Scheme a permit is required for buildings and works in the Floodway Overlay.

The application was required to be referred to the GBCMA as recommending referral authority who did not object to the proposal subject to the following condition being placed on the permit:

- The longitudinal axis of the proposed storage shed must be aligned in a north-south direction.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna (continued)**

Given that the plan shows the shed in a north-south alignment and that the GBCMA did not object to the application it is considered that the proposed storage facility does not provide a flood risk to the area and that application is in accordance with the State and Local Planning Policy Framework, *Water Act 1989*, Victorian River Health Strategy and Local Floodplain Development Plan.

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

##### Council Plan

Goal 1 - Active and Engaged Community (Social)

The Council's Neighbourhood Department have worked with the community to develop a Mooroopna Community Plan and Action Plans. Within *Mooroopna Community Plan – Action Plan 2013* support is given for the proposed application and identifies the 'Combined Community Storage Shed' as a 'priority'.

#### **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. The objectors will be informed of the Council's decision.

#### **Policy Considerations**

The application is generally in accordance with Council's Planning Policies.

#### **Financial Implications**

In the event of an application for review by the 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.

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 application was referred to the Cultural Heritage Advisor who stated that the application is exempt from the preparation of a mandatory CHMP as the land has been lawfully used as a recreation facility before the commencement of the *Aboriginal Heritage Act 2006* and that the land has been impacted on by the formation of the sports ground and associated infrastructure.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna (continued)

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

The proposed shed is not expected to cause any detrimental environmental or sustainability impacts. The removal of approximately four mature trees to allow for the proposal does not trigger the need for a planning permit as the trees are planted.

#### **Social Implications**

The application does not raise any significant social issues that influence the planning officer's view for the following reason:

- Through conditions being placed on the storage facility, it is envisaged social implications (such as anti-social behaviour) can be mitigated.

The storage shed will assist community based clubs and therefore achieves a priority action identified in the Mooroopna Community Plan.

#### **Economic Impacts**

The applicant has informed that the proposed development has a construction cost of \$300,000, which will generate short term construction jobs.

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

The application was referred to the GBCMA who did not object to the proposal subject to the following condition:

1. The longitudinal axis of the proposed storage shed must be aligned in a north-south direction.

The application was advertised to surrounding properties to the north of the site in the newspaper and with a sign on site at the proposed location of the storage shed.

Five objections were received in relation to the location of the proposed storage shed. The key issues raised in the objections is summarised in the following table:

<b>Grounds of objection</b>	<b>Officers Response</b>
Visual amenity of the area	Visual amenity impacts can be minimised through appropriate landscaping and the painting of blank external walls. A mural would be a welcomed outcome that would need to be facilitated by the relevant parties as identified above. The storage shed is also located approximately 90 metres from the residential area.
Anti-social behaviour	The proposed shed is to be surfaced with anti-graffiti material, and appropriate lighting to be installed.
Removal of mature trees	A planning permit is not required for the removal of planted trees. A landscape treatment incorporating the planting of trees is recommended to minimise visual amenity and biodiversity impacts.

The application is exempt from public notice in Floodway Overlay in accordance with Clause 44.03-4 of the Greater Shepparton Planning Scheme.

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

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.7 Shared Storage Facility (Sports and Services Clubs) 13 Echuca Road, Mooroopna (continued)**

#### **Strategic Links**

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

Recreation and open space

To ensure that facilities services and policies are accessible and inclusive and appropriate to the sporting and recreation needs of the community.

The proposed storage facility will provide onsite storage to be shared amongst various sporting and service clubs. This will assist in meeting the sporting and recreation needs that has been identified in the *Mooroopna Community Plan – Action Plan 2013*.

#### **Options for Consideration**

The decision on planning permit 2013-330 for the use and buildings and works for the construction of a shared storage facility (sports and service clubs) in the Public Park and Recreation Zone and the Floodway Overlay. Options for consideration include:

1. approve a Notice of Decision to grant a permit subject to conditions (attached); or
2. grant a Notice of Refusal with appropriate grounds of refusal.

#### **Conclusion**

The proposed application is for the use development of a shared storage facility (sports and service clubs) in the Public Park and Recreation Zone and the Floodway Overlay.

Written consent was provided from the land manager.

The application was advertised and received five objections from neighbouring properties in relation to the location of the proposed storage facility.

The application has been reviewed by the Planning Department against the relevant policies and has been found to achieve an acceptable planning outcome.

Based on the above assessment, it is considered the application will produce acceptable planning outcomes, therefore a Notice of Decision should be granted.

#### **Attachments**

1. Site Plan Page 531
2. Planning Property Report Page 532



**10. TABLED MOTIONS**

Nil Received

**11. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES**

Nil Received

**12. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES**

Nil Received

**13. NOTICE OF MOTION, AMENDMENT OR RESCISSION**

Nil Received

**14. DOCUMENTS FOR SIGNING AND SEALING**

Nil Received

## 15. COUNCILLOR ACTIVITIES

### 15.1 Councillors Community Interaction and Briefing Program

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

Under section 80C of the *Local Government Act 1989*, 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 September to 30 September, some or all of the Councillors have been involved in the following activities:

- Positive Aging Advisory Committee Meeting
- Shepparton Show Me Ordinary Meeting
- Disability Advisory Committee Meeting

Councillors were also briefed on the following matters:

- GVRT Briefing | Wendy Jones and Fran Bailey
- Investigation Area 1 - Strategic Session
- Development Hearing Panel
- Landfill Waste, Recyclables & Organics Collection
- Recyclables Acceptance & Sorting
- Kerbside & other Organics Acceptance & Processing
- Draft Community Safety Strategy 2014-2017
- Hardship Policy & CEO Directive
- Contract Order [CV01] Verney Road Stage 1 - GVW Main Relocation works
- Essential Economics - Commercial Activity Centres Strategy
- Murray Darling Basin Authority - Dr Janet Prichard
- SAM Feasibility Study | Simon McArthur and Associates group
- Aged Care
- Chas Johnson Reserve
- Discover Shepparton and Surrounds
- VLGA Chief Executive Officer - Dr Andrew Hollows
- Draft RiverConnect Paths Master Plan
- Aquamoves Car Park [Discussion]
- SheppARTon Festival Board
- GV Library Briefing
- Small Town Festive Grant Program 2014
- Parking in Shepparton's CBD
- 'Draft' Itinerant Traders Policy
- Special Council Meeting | Financial Statements
- Waste Contracts 1466, 1467 & 1468
- SAM Feasibility Study | Feasibility & Governance Conversation - Simon McArthur Consultants
- Urban Enterprise Consultancy 'GV Equine Precinct'
- Park Naming - Baldwyn Park
- 2014-2015 Christmas Arrangements
- Domestic Animal Management 'Action Plan'
- Our Sporting Future Funding 2014-2015 - Round 1

## 15. COUNCILLOR ACTIVITIES

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

- RECOGNISE Campaign
- Kialla Lakes Residency Group
- Shepparton Show Me - Members of the Committee

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

**Moved by Cr Polan**  
**Seconded by Cr Oroszvary**

That the Councillors' community interaction and briefing program be noted.

**CARRIED.**

### **Attachments**

- |  |          |
|--|----------|
| 1. Councillor Briefing Session - 26 August 2014  | Page 538 |
| 2. Councillor Briefing Session - 2 September 2014  | Page 539 |
| 3. Councillor Briefing Session - 9 September 2014  | Page 540 |
| 4. Councillor Briefing Session - 16 September 2014   | Page 541 |
| 5. Councillor Briefing Session - 23 September 2014   | Page 542 |
| 6. Record of assembly of Councillors - Women's Charter Alliance Advisory Committee meeting 26 September 2014 | Page 543 |

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

Nil Received

## 17. PUBLIC QUESTION TIME

### Question 1 (John Gray)

In October 2009 Council resolved to form the Goulburn Valley Highway Shepparton Bypass Action Group – an advisory committee “predominately performing a political/lobbying communication role”. On 20th August, 2013 the Action Group had not met for over twelve months, and Council, in Public Question Time, advised that “Council will reassess the need to reconstitute meetings of the Action Group as part of its ongoing advocacy role”.

Now, 14 further months down the track, what has been the formal result of that “reassessment” and can the Council-appointed group members, and indeed the public, be formally informed of that energetic and voluntary group’s future?

### Response

As you are aware John, the Bypass Action Group actually met last week to continue its lobby and advocacy role for the Goulburn Valley Highway Shepparton Bypass.

### Question 2 (John Gray)

In response to a public question at the September Ordinary Council Meeting the meeting was advised viz. that “The Mayor used Clause 46 of Local Law No.2, which the Chair has the discretion to use to reject any motion”. Can you explain how a motion, not formally proposed at a meeting, can be rejected before being formally presented, and that rejected motion not then being formally recorded in the minutes of that meeting?

### Response

Clause 46 of Local Law No.2 does not specifically state it only extends to motions which have been proposed. For example, motions which could be deemed defamatory would be published, thereby exposing the author and possibly the Council to potential liability, unless clause 46 is extended to proposed motions.

As the motion was not in the end actually moved, there is no requirement for the minutes to make any reference to it. Regardless of this, a brief description was included in the Minutes.

## **18. CONFIDENTIAL MANAGEMENT REPORTS**

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

**Moved by Cr Polan  
Seconded by Cr Oroszvary**

That the Council:

1. pursuant to section 89(2)(d) of the *Local Government Act 1989*, close the meeting to members of the public during discussion of contractual matters and declare the following matters as confidential:
  - a. Contract 1475 – Raftery Road Upgrade Variation Request
  - b. Contract 1499 – Toolamba Recreation Reserve Car Park Variation Request
  - c. Contract 1525 – Verney Road Upgrade – Stage 1 Between Ford Road and Hawkins Street, Shepparton
2. upon the meeting being re-opened to the public, the Chairperson is to announce any motion carried as a consequence of that confidential discussion.

**CARRIED.**

### **18.2 Contract 1475 Raftery Road Upgrade Variation Request**

### **18.3 Contract 1499 Toolamba Recreation Reserve Car Park Variation Request**

### **18.4 Contract 1525 - Verney Road Upgrade - Stage 1 Between Ford Road and Hawkins Street, Shepparton**

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

**MEETING CLOSED AT 7.09PM**