

MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

HELD ON
TUESDAY 21 JULY, 2015
AT 5.30PM

IN THE COUNCIL BOARD ROOM

COUNCILLORS:

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

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 JULY, 2015 AT 5.30PM**

**CHAIR
CR DENNIS PATTERSON**

INDEX

1.	ACKNOWLEDGEMENT	1
2.	APOLOGIES	1
3.	DECLARATIONS OF CONFLICT OF INTEREST	1
4.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	1
4.1	Confirmation of Minutes of Previous Meetings	1
5.	MANAGEMENT REPORTS FROM THE OFFICE OF THE CHIEF EXECUTIVE OFFICER	2
5.1	Contracts Awarded Under Delegation - July 2015.....	2
5.2	Appointment of Members to the Shepparton Show Me Committee	7
6.	MANAGEMENT REPORTS FROM THE COMMUNITY DIRECTORATE	13
6.1	Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018	13
6.2	Greater Shepparton Seniors Festival Grants - October 2015	18
6.3	Greater Shepparton Women's Charter Alliance Advisory Committee - Memberships	23
6.4	Update on the Universal Access and Inclusion Plan 2013 - 2017.....	27
7.	MANAGEMENT REPORTS FROM THE SUSTAINABLE DEVELOPMENT DIRECTORATE	30
7.1	Amendment C180 (Application of the Public Acquisition Overlay and Road Closure Overlay to 289 Maude Street) - Consideration of Submissions	30
7.2	A 40 Metre High Telecommunication Tower.....	38
7.3	Use of Land for Backpackers Accommodation.....	49
7.4	Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions	59
7.5	Discussion Paper - Goulburn Valley Equine and Greyhound Precinct.....	71
7.6	Proposed Demolition of Toilets at Queens Gardens.....	79
7.7	Adoption of Amendment C162 (Industrial Land Review, City of Greater Shepparton, 2011) to the Greater Shepparton Planning Scheme.....	91
8.	ASSEMBLIES OF COUNCILLORS.....	99
9.	TABLED MOTIONS.....	105
10.	REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES.....	105
11.	REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES.....	105
11.1	Cr Houlihan's Report on Special Committees and Advisory Committees	105
12.	NOTICE OF MOTION, AMENDMENT OR RESCISSION	106
12.1	Notice of Motion - Cr Summer 6/2015.....	106
12.2	Notice of Motion - Cr Hazelman 7/2015	107
12.3	Notice of Motion - Cr Hazelman 8/2015	107
13.	DOCUMENTS FOR SIGNING AND SEALING	107



14. COUNCILLOR ACTIVITIES	108
14.1 Councillors Community Interaction and Briefing Program	108
15. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA	111
16. PUBLIC QUESTION TIME	111
17. CONFIDENTIAL MANAGEMENT REPORTS	111
17.1 Designation of Confidentiality of Information	111
17.2 Contract 1601 Provision of Office Catering Services.....	113
17.3 Investigation of Car Part Recycling (Materials Recycling) in the Commercial 2 Zone	113
17.4 Contract 1554 - Catering Services to Riverlinks Venues	113
17.5 Supreme Court Decision - D'Agostino vs Greater Shepparton City Council [2015] VSC332	113
17.6 Contract 1611 - Greater Shepparton Regional Sports Precinct - Civil Works - Community Football Complex - Earthworks & Drainage	113
17.7 Contract 1624 - Greater Shepparton Regional Sports Precinct - Community Football Complex - Roads, Car Parks & Playing Fields.....	113
17.8 Reopening of the Council Meeting to Members of the Public	113

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)
Almost Certain (A) Event expected to occur several times per year (i.e. Weekly)	Low	Moderate	High	Extreme	Extreme
Likely (B) Will probably occur at some stage based on evidence of previous incidents (i.e. Monthly)	Low	Moderate	Moderate	High	Extreme
Possible (C) Not generally expected to occur but may under specific circumstances (i.e. Yearly)	Low	Low	Moderate	High	High
Unlikely (D) Conceivable but not likely to occur under normal operations (i.e. 5-10 year period)	Insignificant	Low	Moderate	Moderate	High
Rare (E) 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 Dennis Patterson, Fern Summer, Dinny Adem, Chris Hazelman, Jenny Houlihan and Kevin Ryan.

**OFFICERS: Chris Teitzel – Acting Chief Executive Officer
Steve Bowmaker – Director Infrastructure
Johann Rajaratnam – Director Sustainable Development
Kaye Thomson – Director Community
Stephanie Giankos – Official Minute Taker
Rebecca Bertone – Deputy Minute Taker**

1. ACKNOWLEDGEMENT

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

2. APOLOGIES

**Moved by Cr Ryan
Seconded by Cr Adem**

That the apology from Cr Oroszvary be noted and a leave of absence granted.

CARRIED.

3. DECLARATIONS OF CONFLICT OF INTEREST

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

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

Cr Hazelman declared a direct interest in relation to Item 7.5 ‘ Discussion Paper – Goulburn Valley Equine and Greyhound Precinct’ as he is a board member of the Shepparton Harness Racing Club and a member of Harness Racing Victoria’s Development Committee which has previously presented to Council on this matter.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**Moved by Cr Adem
Seconded by Cr Ryan**

That the Minutes of the Ordinary Council Meeting held 16 June 2015 and the Special Council Meetings held 9 June 2015 and 23 June 2015, be confirmed.

CARRIED.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Contracts Awarded Under Delegation - July 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: Contracts and Procurement Analyst

Proof reader(s): Manager Corporate Performance

Approved by: 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 May 2015 to June 2015. The report also provides details of the status of requests for tenders that have not yet been awarded.

Moved by Cr Summer

Seconded by Cr Adem

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

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
1436	Shepparton Aerodrome Relocation – Feasibility Study	Lump sum contract for a suitably qualified consultant for the provision of the Shepparton Aerodrome Relocation Feasibility Study as outlined by the tender specifications.	\$270,930.00	GHD Pty Ltd

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER
5.1 Contracts Awarded Under Delegation - July 2015 (continued)

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
1452	Provision of It Products and Services Contract Management System	Lump sum price for the supply and implementation of a contract management solution that includes a Contract Management System to enable the electronic management of the procurement and tendering processes, contract initiation, contract management, document management and able to serve as Councils Register of Contracts	\$75,000.00	Open Windows
1570	Construction of Ferrari Park Toilet Upgrade	Lump sum contract for the construction of Ferrari Park Toilet Upgrade, in accordance with working drawings, engineering drawings, specifications & schedules.	\$301,225.60	Crow Constructions Pty. Ltd
1523	Provision of Economic Development, Tourism & Events Strategy 2016-2020	Schedule of rates contract for qualified consultants to prepare an Economic Development, Tourism and Events Strategy for Greater Shepparton. The strategy will identify opportunities that will lead to building and diversifying the local economy within the Greater Shepparton region, assisting in building on Council's event portfolio and boosting tourism.	\$196,000.00	Awarded to Urban Enterprise

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Contracts Awarded Under Delegation - July 2015 (continued)

Requests for Tenders advertised but not yet awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1554	Provision of Catering Services to Eastbank Cafe	Expression of interest for the Provision of Catering Services to Eastbank Cafe	Tender closed 14 January 2015. Expressions of interest have been evaluated and invitation to fill tender was invited. Tender closed 6 May 2015. Assessment closed. Tenders are currently being evaluated. This will be approved at the July Council Meeting.
1601	Provision of Office Catering Services Provision of Office Catering Services	Schedule of rates contract for the provision of Office Catering Services to buildings where Council services are being delivered. These include the Civic Centre, Doyles Road Complex, Business Centre and other community buildings throughout the municipality.	Tender closed 15 April 2015. Will be going to Council for approval at the July Council meeting
1568	Construction of Mooroopna Community Storage Shed	Lump sum contract for the construction of the Mooroopna Community Storage Shed in the Mooroopna Recreation Reserve, McLennan Street, Mooroopna in accordance with working drawings, engineering drawings, schedules and specification.	Tender closed 22 April 2015. Tenders are currently being evaluated. This contract will be signed under delegation.
1567	Construction of Consolidation of existing power at Mooroopna Recreation Construction of Consolidation of existing power at Mooroopna Recreation Reserve	Lump sum contract for the construction of consolidation of consumer mains at Mooroopna Recreation Reserve.	Tender closed 15 April 2015. This tender was over budget and the process has been abandoned. This project is currently being re-scoped and re-advertised in the coming weeks. Tender closed 3 June 2015. This contract will be signed under delegation.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Contracts Awarded Under Delegation - July 2015 (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1623	Shepparton Sports Stadium Redevelopment Functional Design Shepparton Sports Stadium Redevelopment Functional Design	Lump sum contract for a qualified consultant to undertake the functional design and documentation for the Shepparton Sports Stadium Redevelopment.	Tender closed 6 May 2015. Tenders are currently being evaluated. This contract will be signed under delegation.
1375	Provision of Trade Services - Panel of Suppliers Provision of Trade Services - Panel of Suppliers	Schedule of rates contract provision of labour, equipment and materials by suitably qualified and experienced tradespersons in the maintenance and upgrades of buildings and assets owned by Greater Shepparton City Council and used for the delivery of Council services.	Tender closed 13 May 2015. Tenders are currently being evaluated. This will be awarded at the August Council Meeting.
1616	Shepparton Sports Precinct - Purchase of Sand	Schedules of rates contract is for the purchase of sand root zone material for the Greater Shepparton Regional Sports Precinct, Community Football Complex development.	Tender closed 3 June 2015. Tenders are currently being evaluated. This contract will be signed under delegation.
1614	Shepparton Sports Precinct - Purchase of Irrigation Supplies	Schedule of rates contract is for the purchase of irrigation supplies.	Tender closed 3 June 2015. Tenders are currently being evaluated. This contract will be signed under delegation.
1613	Design and Repair of Toolamba Bridge Repairs	Lump Sum contract is for the design and construction of repair works associated with the Toolamba Bridge over the Goulburn River.	Tender closed 3 June 2015. Tenders are currently being evaluated. This contract will be signed under delegation.
1558	Construction Of Central Park Sewer Rising Main	Lump Sum contract for the construction of Central Park Sewer Rising Main in accordance with working drawings, engineering drawings, specifications and schedules.	Tender closed 17 June 2015. Tenders are currently being evaluated. This contract will be signed under delegation

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Contracts Awarded Under Delegation - July 2015 (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1624	Civil Works for the Community Football Complex – Roads, Car Parks & Playing Fields	Lump Sum contract is for the construction of the Community Football Complex (CFC) area of the Greater Shepparton Regional Sports Precinct.	Tender closed 1 July 2015. Tenders are currently being evaluated. This contract will be awarded at the July Council Meeting.
1611	Community Football Complex – Earthworks & Drainage	Lump Sum contract is for the earthworks and drainage works of the Community Football Complex (CFC) area of the Greater Shepparton Regional Sports Precinct.	Tender closes 1 July 2015. Tenders are currently being evaluated. This contract will be awarded at the July Council Meeting.

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 \$400,000 excluding GST.

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

Legal/Statutory Implications

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

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

Conclusion

It is important that decisions and actions taken under delegation be properly documented and transparent in nature.

The report details the publicly advertised contracts awarded by the Chief Executive Officer under delegated authority of the Council during the period April 2015 to May 2015.

Attachments

Nil

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Appointment of Members to the Shepparton Show Me Committee

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

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

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

Council Officers involved in producing this report

Author: Manager Marketing and Communications

Proof reader(s): Shepparton Show Me Marketing Co-ordinator and Marketing and Communications Team Leader

Approved by: Acting Chief Executive Officer

Other: Manager Investment Attraction, Manager Corporate Performance

Executive Summary

The terms of seven current Shepparton Show Me (SSM) Committee members are due to expire on 17 July 2015. Expressions of interest for the seven available positions were advertised with 10 applications being received.

The voting members of the Shepparton Show Me Committee assessed the applications against the selection criteria and are recommending that the following candidates be appointed to the Committee:

1. John Montagner – 2 years
2. Ron Popelier - 2 years
3. Sam Lagozzino – 1 year
4. Ed Thomas – 1 year
5. Danielle Tait – 1 year
6. Malcolm Blake – 2 years
7. Simon Quattrocchi – 2 years

Moved by Cr Adem

Seconded by Cr Houlihan

That the Council, having considered the applications received for appointment to the Shepparton Show Me Committee:

1. appoint the following candidates for a two year term, commencing on 22 July 2015 and concluding on 21 July 2017:
 - John Montagner
 - Ron Popelier
 - Malcolm Blake
 - Simon Quattrocchi
2. appoint the following candidates for a one year term, commencing on 22 July 2015 and concluding on 21 July 2016:
 - Sam Lagozzino
 - Ed Thomas
 - Danielle Tait

CARRIED.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Appointment of Members to the Shepparton Show Me Committee (continued)

Background

As stated in the Shepparton Show Me (SSM) Committee Delegations:

- 8.1.1 *The Committee shall comprise of between 6 and 9 members representative of the Shepparton business Community.*
- 8.4 *Business community members will be appointed for a period of two years, however a 12 month term can also be considered. Business community members may be removed by the Council at any time. Nominations will take place each year, with 50 per cent of the Committee positions eligible for nomination every 12 months. A member of the Committee shall be eligible for re-appointment at the expiration of his or her period of office.*
- 8.7 *The Council will call for registrations of interest from the community by way of a notice in the public notices section of a local newspaper before appointing business community representatives to the Committee.*

The nomination, assessment and recommendation process in the appointment of business representatives to the SSM Committee has been undertaken in accordance with the SSM Committee Delegations and SSM Committee Appointment Process requirements.

While 50 per cent of the business Committee positions are supposed to be eligible for nomination every twelve months, this year has seen an unprecedented number of business representatives up for re-election due to John Montagner only applying for a 12 month position over the past several years and Barry Smith's 2014 application only being accepted for a 12 month period rather than the two years that he had applied for. This has resulted in seven positions being available.

Expressions of Interest for the seven available Committee positions were placed in the public notices section of the Shepparton News on Friday 12 and 19 of June 2015 and Wednesday 17 June 2015 in The Adviser. The availability of positions was further promoted via the SSM website and Facebook Page and direct email to SSM members. Applications for the positions closed at 5:00pm on Monday 22 June 2015.

This year the call for applications occurred later than usual due to the SSM Committee's decision to request Council to remove the restriction of terms from the SSM Guidelines. With the Committee making this request at such a late stage the report to Council was only able to occur on 16 June 2015.

Applications for the Committee could only be closed following this date to ensure that all eligible applicants had the opportunity to apply with applications due on June 22.

Following the promotion of the availability of positions on the Committee 10 expressions of interests were received. One applicant was identified as ineligible due to owning and operating a home based business. Home based businesses are not part of the SSM initiative.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Appointment of Members to the Shepparton Show Me Committee (continued)

On June 23 the available voting members of the Committee members assessed the nine applications for the seven positions. The applications were assessed against the following criteria:

- Established networks with a range of Shepparton businesses
- An innovative and creative approach to problem solving
- A willingness to work in a team environment
- An understanding of marketing and advertising
- Business planning and financial management skills
- An understanding of business issues across a broad range of industry sectors
- Ability to regularly attend monthly meetings
- Potential conflicts of interest – yes /no response
- Previous SSM member and length of service – yes/no response
- Previous application made to SSM – yes/no response

A score from 0 – 4 was used to assess the criteria:

SCORE	DESCRIPTION	DEFINITION
0	Does not meet criteria	Shows no understanding of or has no experience in the key issues/criteria
1	Partially meets criteria	Shows only a limited understanding of or has limited experience in the key issues; covers some key points only
2	Meets all criteria	Demonstrates an understanding of the issues and covers the key points, but shows no additional initiative or innovation
3	Partially exceeds criteria	Has extensive relevant experience in and knowledge of key criteria and shows initiative or innovation on some key points or criteria
4	Exceeds all criteria	Has extensive relevant experience in and knowledge of key criteria and provides innovative and creative responses on all points

Each assessor individually evaluated each applicant with the total of the scores tallied to reveal the results.

The following available Shepparton Show Me Committee voting members scored the applications on June 23:

1. Cr Dinny Adem
2. Peter Radevski
3. Shane Sali
4. Johann Rajaratnam
5. Gerard Bruinier
6. Peter Dunbabin

Based on the assessment outcomes the following candidates are recommended to be appointed to the SSM Committee:

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Appointment of Members to the Shepparton Show Me Committee (continued)

#	Candidate	Business	Length of term
1.	John Montagner	Solar City Office Supplies	2 years
2.	Ron Popelier	Pop Design Studio	2 years
3.	Sam Lagozzino	Noble Monks	1 year
4.	Ed Thomas	Teller Collective	1 year
5.	Danielle Tait	Dexus (The MarketPlace)	1 year
6.	Malcolm Blake	Blake's Florist	2 years
7.	Simon Quattrocchi	GV Finance Brokers	2 years

The recommendations see the retention of two longer standing Committee members combined with a mix of fresh, energetic and skilled candidates. Coupled with the existing two business representatives, Peter Radevski and Shane Sali, this provides consistency of knowledge, with a blend of new ideas.

The recommended candidates sees a broadening of industry representation to include hospitality, building design, and finance. The candidates have strengths in strategic planning and business development, financial management, leadership, governance, customer service, event management, marketing and team work.

This number of annual positions being available will even out again following the next round of appointments in July 2016 with some applicants only nominating for 12 months. This will get the Committee back to an even split of annual nominations.

Council Plan/Key Strategic Activity

This proposal is consistent with the Council Plan 2013-2017:

Goal 3: Economic Prosperity (Economic)

1. Maximise opportunities to ensure Greater Shepparton leads Victoria, retaining and attracting education and industry.
2. Ensure that retail strategies deliver appropriate outcomes for the community.

Risk Management

The appointment of replacement members through formal resolution of the Council reduces governance risks by ensuring that all members appointed to a committee are covered by the Council's public liability insurance.

The review panel assessed the applicants based on their responses to the selection criteria and have ensured their recommendations for committee members are representative of the broader business community.

Policy Considerations

There are no policy considerations in relation to this report.

Financial Implications

There are no financial implications in relation to this report.

Legal/Statutory Implications

The proposal conforms to legislation set out in section 86(2) of the Local Government Act 1989 – a Council may appoint members to a special committee and may at any time remove a member of a special committee.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Appointment of Members to the Shepparton Show Me Committee (continued)

Environmental/Sustainability Impacts

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

Social Implications

There are no social implications associated with this proposal.

Economic Impacts

Having a broader representation of business members assists SSM in increasing the range of marketing campaigns undertaken and directly supporting a more diverse range of SSM members.

Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Availability of four Committee positions for either a two or one year term.	Public notes. SSM website promotion. SSM Facebook promotion. Email to SSM members.

Strategic Links

a) Greater Shepparton 2030 Strategy

The SSM Committee is an important component of the development and delivery of the Council's objectives for the enhancement of the Shepparton business community. The Committee supports the retail strategies outlined in the Greater Shepparton 2030 plan.

b) Other strategic links

- 2013-2017 Council Plan"
 - 3.2 Ensure retail strategies deliver appropriate outcomes for the community.
- Economic Development Action Plan
 - As per the revised Economic Development Action Plan, Shepparton Show Me supports its objective of supporting the role and viability of the Shepparton CBD as the premier centre serving the region. Shepparton Show Me also supports promoting the area as a destination to live, work and invest, which also is a key objective found in the strategy.

Options for Consideration

1. Endorse and support the SSM Committee's recommendation to appoint the nominated candidates to the Committee as per the assessment outcome. – Recommended
2. Endorse the recommendations with an amendment/s.- Not recommended
3. Not endorse the recommendations. – Not recommended

Conclusion

The appointment of nominated candidates provides a good mix of existing and new SSM Committee members which will ensure that existing projects get followed through as well as creating the opportunity for new ideas and opinions to be embraced.

The appointment of the recommended new candidates further diversifies the industry sectors that are represented on the Committee. It is anticipated that the nominated candidates will be strong contributors to the SSM initiative.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Appointment of Members to the Shepparton Show Me Committee (continued)

Attachments

1. Shepparton Show Me Guidelines - Committee Delegations - June 2015 Page 115
2. Shepparton Show Me Committee Appointment Process Page 126

6. COMMUNITY DIRECTORATE

6.1 Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018

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

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

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

Council Officers involved in producing this report

Author: Cultural Development Officer

Proof reader(s): Team Leader Community Strengthening

Approved by: Director Community

Executive Summary

Greater Shepparton City Council adopted its first Cultural Diversity and Inclusion Strategy and associated Action Plan at the Ordinary Council meeting on 20 March 2012. The Cultural Diversity and Inclusion Strategy and Action Plan 2012-2015 is due to be completed this year and Council officers have commenced the review of the strategies achievements and conducted conversations with the community, service providers, local organisations, education providers and different levels of government to develop a new strategy for the next four years.

The draft Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 has been designed to continue and build on achievements already gained by Council and the communities' involvement in past initiatives including Localities Embracing and Accepting Diversity (LEAD) pilot program, Racism. It Stops With Me campaign, Refugee Welcome Zone, MILS the Multilingual Information Line Service, Our Community, Our Culture calendars and the support of many cultural events including large scale events such as Emerge and the St George's Rd Food Festival.

The draft strategy and action plan is now ready for release for public exhibition and feedback to inform the final version of the Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018.

**Moved by Cr Houlihan
Seconded by Cr Summer**

That the Council:

1. Support the directions contained within the draft Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018.
2. Place the draft Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 on public exhibition for a period of 28 days, commencing on Wednesday 22 July 2015 and concluding on Tuesday 18 August 2015 and invite submission from the community and stakeholders.

CARRIED.

Background

Greater Shepparton enjoys significant Aboriginal cultural, spiritual and historical heritage and is accompanied by quickly growing multicultural communities, both new and old from our long history of migration to the region. Based on the 2011 census, 13.2% of the

6. COMMUNITY DIRECTORATE

6.1 Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 (continued)

Greater Shepparton population identified as being born in a country other than Australia. Whilst the Australian Bureau of Statistics (ABS) is the only formal measure of population, anecdotal evidence from local sector organisations suggests our newly arrived refugee communities are grossly under represented.

The draft Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 is intended to continue and also build on existing initiatives and partnerships developed throughout the first strategy. This strategy and action plan is inclusive of all multicultural communities regardless of age, socio economic status, sexuality and gender and is based on valuing communities, recognising their contribution to our society and celebrating the many cultures and the diversity it brings to the area.

Council officers have utilised many forms of information in the development of the draft strategy and action plan. Information has been incorporated from official statistics and anecdotal evidence of local demographics, current relevant legislation and consultation that engaged the community, service providers, education providers, government and local organisations.

The draft strategy aligns with the Municipal Association of Victoria's (MAV) Statement of Commitment to Cultural Diversity that aims to promote and facilitate good multicultural practice and leadership within and across Victorian local government. MAV's vision is for a strong local government sector that provides leadership in the way cultural diversity is recognised, nurtured, respected and valued is embedded in the measures of the action plan.

The draft strategy's action plan aligns with the five strategic directions of the Greater Shepparton Council Plan 2013-2017:

1. **Active & Engaged Community (Social)**
Improve liveability through social and recreational opportunities, a range of inclusive community services and activities valuing our diversity.
2. **Enhancing the Environment (Natural)**
Continue to value our heritage, open spaces and natural environments, maintaining and enhancing them, and enabling greater access for people to connect with our environment.
3. **Economic Prosperity (Economic)**
Promote economic growth through working with existing businesses and industries, encouraging new business development and diversification, attracting supporting education within our city, and strengthening the agricultural industry.
4. **Quality Infrastructure (Built)**
Provide and maintain urban and rural infrastructure to support development and liveability of our communities.
5. **High Performing Organisation (Leadership & Governance)**
Deliver council services to the community efficiently, and provide leadership and governance that is future thinking, transparent and accountable.

The draft Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 is now ready to be released for public comment and input that will inform the final strategy that will be presented to Council for adoption in September 2015.

6. COMMUNITY DIRECTORATE

6.1 Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 (continued)

Council Plan/Key Strategic Activity

Goal 1: Active and Engaged Communities (Social)

Objective	Aim	Strategies
5. Embrace and Strengthen cultural harmony and diversity.	That council respects and acknowledges the diversity of the Greater Shepparton Community and encourages opportunities for all cultures to share and celebrate their values in the community.	<ul style="list-style-type: none"> • 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. • Continue to monitor, review annually and implement the Greater Shepparton City Council Cultural Diversity and inclusion Strategy. • Recognise and take advantage of opportunities to celebrate our diversity.

Risk Management

No moderate to extreme risks have been identified with the release of this draft document.

Policy Considerations

The draft *Cultural Diversity and Inclusion Strategy and Action Plan 2015 – 2018* will support existing Council policies.

Financial Implications

The draft *Cultural Diversity and Inclusion Strategy and Action Plan 2015 – 2018* is implemented in line with Council's annual budget processes. External funding opportunities will also be explored to implement projects.

Legal/Statutory Implications

The draft *Cultural Diversity and Inclusion Strategy and Action Plan 2015 – 2018* is consistent with the *Local Government Act 1989* and the *Victorian Charter of Human Rights and Responsibilities Act (2006)*

Environmental/Sustainability Impacts

There are no environmental impact related to this report.

Social Implications

The draft *Cultural Diversity and Inclusion Strategy and Action Plan 2015 – 2018* has been informed by significant consultation with a range of individuals and organisations throughout the Greater Shepparton municipality. Cultural diversity and inclusion is about respecting and living within a society with multiple communities and creating a socially cohesive community that celebrates multiculturalism.

Economic Impacts

There are no economic impact related to this report.

6. COMMUNITY DIRECTORATE

6.1 Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 **(continued)**

Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	The community, service providers, education providers, government and local organisations were informed by various techniques regarding the development of a new strategy and the opportunity to provide feedback	Public notice the Shepparton News, online and hard copies of the survey, email, consultation with service providers, committee meetings
Consult	Council consulted broadly in the development of the draft strategy and action plan with community, service providers, education providers, government and local organisations	Public notice in the Shepparton News, online and hard copies of the survey, consultation with service providers
Involve	Feedback from individuals and organisations is an important input into decision making	Draft strategy placed on public exhibition to ensure feedback is gathered
Collaborate	Feedback will be incorporated into decisions to the maximum level possible.	Additional community consultations in partnership with local service providers will be held regarding the draft document.

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

Health and Wellbeing Action Plan

Volunteer Strategy and Action Plan

Community Safety Strategy

Options for Consideration

Option 1: Do not support the directions contained within the draft Cultural Diversity and Inclusion Strategy and do not approve the release the draft Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 for consultation.

This option is not preferable as it would not meet the expectations of the community.

Option 2: Support the direction contained within the draft Cultural Diversity and Inclusion Strategy and release for public consultation for 28 days.

This option is preferable as the draft Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 demonstrates Council's commitment to cultural diversity and considerable consultation has been undertaken with community, to inform the actions contain within.

6. COMMUNITY DIRECTORATE

6.1 Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 (continued)

Conclusion

Following the successful implementation of the 2012-2015 Cultural Diversity and Inclusion Strategy it is timely for a new strategy and action plan to be adopted. The draft Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 has been developed through extensive consultation. Upon release of the draft strategy, the Greater Shepparton people will be invited to provide further comment and feedback on the draft strategy to ensure that it is reflective of the needs of the community.

Attachments

Draft Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 Page 128

6. COMMUNITY DIRECTORATE

6.2 Greater Shepparton Seniors Festival Grants - October 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: Team Leader Positive Ageing

Proof reader(s): Manager Neighbourhoods

Approved by: Director Community

Other: Social Connections Program Leader

Executive Summary

The Victorian Seniors Festival is now in its 33rd year and is a wonderful opportunity to celebrate the contribution made by our seniors to our community.

The Festival is held annually in October and supported by the Department of Health and Human Services in partnership with Local Government. The Department of Health and Human Services annually contributes a grant of \$2,700 to Greater Shepparton to use towards the preparation and delivery of activities and events aimed at older people living in our community. Council provides additional funds to this annual senior's celebration.

With the Departments financial support, Council offers a small grant to community groups to assist in providing grass roots events and activities throughout the month of October that encourage the participation of older people.

Moved by Cr Ryan

Seconded by Cr Summer

That the Council approve the recommendation of the Grant Review Panel to fund nine projects as detailed below to the value of \$1,700.00 (GST not applicable) representing the 2015 Seniors Festival Grants.

Organisation	Project	Allocation
Mooroopna Education and Activity Centre (MEAC)	Falls prevention- Staying upright and stable	\$200
Goulburn Valley U3A	Art, Craft and Photography Show	\$200
Shepparton Senior Citizens	Bus Trip- Cobram river cruise	\$200
Vision Australia	Active Activity day	\$200
Military History Group- Dookie	Dookie Military Vehicle Rally	\$200
Murchison Community Care	Bus Trip- Epping Plaza	\$200
Shepparton Croquet Club	Seniors Challenge	\$200
Tatura Community House	Trivia for Seniors	\$200
Monday Morning Social Tennis Group	Tennis Tournament for Seniors	\$100

CARRIED.

6. COMMUNITY DIRECTORATE

6.2 Greater Shepparton Seniors Festival Grants - October 2015 (continued)

Background

The Victorian Seniors Festival originally commenced in 1982 and was known as Senior Citizens Week. In 2002, the week was rebranded to Victorian Seniors Festival. The theme for this year's festival is "celebrating community" and Council Officers are working in collaboration with community organisations and clubs to develop a program that will give the senior members of our community the opportunity to participate in a range of activities, attend concerts and outings, enhance their social interaction and build on current relationships / friendships.

The festival is targeted at all people aged 60 years and over, which in Greater Shepparton is 20% of the population (per census data 2011). Over 1000 events occur state-wide and dozens are planned locally with varying levels of support from Council, which is acknowledged in any advertising or promotion of the events.

Council offers a small grant to community groups to assist in providing grass roots events and activities throughout the month of October that encourage participation of older people in our community.

A total number of nine applications were received, and all nine were considered at a meeting of the Grant Review Panel on 18 May 2015. The panel included representation from a range of internal Council Departments, and an Aged Services Officer was in attendance to support the process.

The Panel recommended that all nine applications should receive funding under the Seniors Festival Grant 2015. All recommended applications meet the eligibility requirements.

The Grant Review Panel recommended that all applicants receive the desired amount of funding as requested.

Organisation	Project	Amount requested	Allocation
Mooroopna Education and Activity Centre (MEAC)	Falls prevention- Staying upright and stable	\$200	\$200
Goulburn Valley U3A	Art, Craft and Photography Show	\$200	\$200
Shepparton Senior Citizens	Bus Trip- Cobram River Cruise	\$200	\$200
Vision Australia	Active Activity day	\$200	\$200
Military History Group-Dookie	Dookie Military Vehicle Rally	\$200	\$200
Murchison Community Care	Bus Trip- Epping Plaza	\$200	\$200
Shepparton Croquet Club	Seniors Challenge	\$200	\$200
Tatura Community House	Trivia For Seniors	\$200	\$200
Monday Morning Social Tennis Group	Tennis Tournament for Seniors	\$100	\$100

6. COMMUNITY DIRECTORATE

6.2 Greater Shepparton Seniors Festival Grants - October 2015 (continued)

Council Plan/Key Strategic Activity

The endorsement of the Seniors Festival funding is intrinsically linked to the Council Plan 2013 – 2017. The majority of applicants have identified that their project meets one or more of the objective of:

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

Risk Management

Insignificant to low risks has 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.

Policy Considerations

Approval of the Seniors Festival grants funding recommendations supports existing Council policies.

Financial Implications

Council has committed a total expense of \$13,800 in the 2015/2016 budget for the Greater Shepparton Seniors Festival, with \$2700 being funded by the Department of Health and Human Services. It is recommended that \$1700 of this allocation is allocated to support the nine projects. With the remaining funds to be consumed into the Over 55's Health and Wellbeing Expo which will bring together 50+ exhibitors from a range of organisations and agencies.

	2015/2016 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$2700			DHS Grant/ Participant contribution
Expense		\$1700		To support grant applications
Net Result			(\$1000)	This will be absorbed into the costs associated with holding the Over 55's Health and Wellbeing Expo during the Seniors Festival month of October.

* 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 Seniors Festival grants will be consistent with the Local Government Act 1989 and the Victorian Charter of Human Rights and Responsibilities Act (2006).

Environmental/Sustainability Impacts

There are no environmental/sustainability impacts arising from this project

Social Implications

Projects recommended for approval came from community organisations that have been a part of the greater Shepparton community for up to 100 years. Each project provides

6. COMMUNITY DIRECTORATE

6.2 Greater Shepparton Seniors Festival Grants - October 2015 (continued)

opportunities for the community to engage in activities that will improve community connections and enhance the social capacity of individuals and families. The applications target older people from varying backgrounds and abilities including those who reside in our smaller rural communities. Three of the applications came from small towns in Greater Shepparton. The planning and implementation of a majority of these projects is made possible through a significant voluntary contribution from community members. All projects are community driven initiatives that will be implemented by groups in the community.

Economic Impacts

Activities throughout the municipality will support economic stimulus through the purchasing of materials and supplies.

Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Deliver information about the application process to relevant groups/clubs.	Mailing list compiled with past participants targeted along with those who expressed an interest.
Consult	Speak with relevant groups and clubs about this year's event.	Telephone, mail, email and face to face contact
Involve	Provide assistance to groups and clubs.	Consult on a one on one basis.
Collaborate	Successful groups and clubs will be responsible for the implementation of their projects.	Successful applicants will drive their own community initiatives.
Empower	Whilst the decision making process regarding successful grant applications is made by Council, Community groups will be responsible for the delivery of the 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)

Greater Shepparton City Council – Community Development Framework

Greater Shepparton City Council – Community Engagement Strategy

6. COMMUNITY DIRECTORATE

6.2 Greater Shepparton Seniors Festival Grants - October 2015 (continued)

Options for Consideration

Option 1- Council only approve some of the applications recommended by the Grants Evaluation panel.

The Grants Evaluation 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 activities listed and the opportunities created for capacity building.

Option 2- Approve the recommendations made by the Grants Review Panel.

That Council approve the recommendations made by the Grants Evaluation panel regarding the funding of nine grants for the 2015 Greater Shepparton Seniors Festival. All of the recommended activities meet the intent of the funding as well as all of the other eligibility requirements.

Conclusion

The applications for funding through the 2015 Greater Shepparton Seniors Festival have been reviewed by an internal Grants Evaluation Panel and they have recommended nine projects be funded. These nine projects meet eligibility requirements and all aim to build or strengthen older people's participation and contribution in the Greater Shepparton community.

Attachments

Nil

6. COMMUNITY DIRECTORATE

6.3 Greater Shepparton Women's Charter Alliance Advisory Committee - Memberships

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 Community Strengthening

Proof reader(s): Manager Neighbourhoods

Approved by: Director Community

Executive Summary

The Greater Shepparton Women's Charter Alliance Advisory Committee (WCAAC) was established by Greater Shepparton City Council in 2011 to promote women in leadership at all levels of decision making in Greater Shepparton. Since this time the Committee has undertaken many activities to promote women's participation. The WCAAC would like to seek the endorsement of its new Committee members following the WCAAC recruitment drive, as per the WCAAC Terms of Reference.

Moved by Cr Adem

Seconded by Cr Houlihan

That the Council, having considered the nominations received for appointment to the Women's Charter Alliance Advisory Committee:

1. Appoint the following new members for a term of two years, commencing on 22 July 2015 and concluding on 30 June 2017:
 - Seema Abdullah – Community
 - Suzanne Wallis – Community
 - Terri Cowley – Community
 - Kelly McPherson – Community
 - Jean Young – Council
 - Connie O'Dea - Community
 - Fran Smullen – Community
 - Jennifer Broadbent – Community
 - Kate Montgomery – Council
 - Michelle Bertoli – Council
 - Pat Moran – Community
 - Shira Lam – Community

2. Rescind the membership and thank the following members for their contribution to the Committee:
 - Barbara Carter – Community
 - Leanne Raditsas – Community

CARRIED.

6. COMMUNITY DIRECTORATE

6.3 Greater Shepparton Women's Charter Alliance Advisory Committee - Memberships (continued)

Background

The Women's Charter was first launched by the Women's Participation in Local Government Coalition in 1996. The Charter's three principles of gender equity, diversity and active citizenship are now supported by more than 60 local governments.

Greater Shepparton City Council officially endorsed its commitment to the Women's Charter in 2010 and an action plan followed. In 2011 an Advisory Committee was initiated and commenced with its first meeting being held on 4 November 2011. The Committee was officially endorsed by Council on 21 February 2012, and is known as the Women's Charter Alliance Advisory Committee (WCAAC).

The Committee membership has shifted over the last few years from a Council based Committee to now being a majority of community members. This shift has empowered the Committee to engage with the community on many levels as well as promote the principles of the Women's Charter in their everyday lives, thereby broadening the reach of the Women's Charter Alliance Advisory Committee.

In 2015 the WCAAC undertook its first official recruitment drive under its revised Terms of Reference. This recruitment drive included the establishment of a Membership subcommittee to promote membership at all WCAAC events and public notices were placed in the Shepparton News on 1 May and 8 May. A majority of the WCAAC membership applications have come from attendees at WCAAC events and activities who have been inspired by the energy and level of information the charter is able to bring to its community. The WCAAC Terms of Reference allows a capacity for the committee to have 15 community members and five Council Officer members.

Following the endorsement of these members the WCAAC committee make up will be:

- 14 Community members
- 4 Council members
- 1 Council Charter Champion
- 1 Council allocated Support Person

This is an increase of three community members and one Council member.

Council Plan/Key Strategic Activity

1.1 Continue to enhance community capacity building

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

Risk Management

Officers have not identified any moderate to extreme risk associated with this report.

Policy Considerations

Officers have not identified any current policy implications associated with this report. However it may be noted that the aim of the Committee is to support and promote women in leadership roles and all levels of decision-making in Greater Shepparton, including business or workplace positions, community groups or boards of management.

6. COMMUNITY DIRECTORATE

6.3 Greater Shepparton Women's Charter Alliance Advisory Committee - Memberships (continued)

Financial Implications

The WCAAC prepares an annual budget in line with Council's annual budgeting process. The 2015/2016 budget is not yet approved.

Legal/Statutory Implications

Officers have not identified any Legal/Statutory implications associated with this report.

Environmental/Sustainability Impacts

Officers have not identified any Environmental/Sustainability implications associated with this report.

Social Implications

The aim of the Committee is to support and promote women in leadership roles and all levels of decision-making in Greater Shepparton, including business or workplace positions, community groups or boards of management. WCAAC has adopted a three point action plan focusing on Diversity, Active Citizenship and Gender Equity to guide the key strategic objectives of this Committee. This focus is on addressing social disadvantage and increasing women's participation.

Economic Impacts

The aim of the Committee is to support and promote women in leadership roles and all levels of decision-making in Greater Shepparton, including business or workplace positions. The WCAAC will continue to deliver information to the community that is aimed at informing, educating and supporting women in their pursuits – including participation in the workforce.

Consultation

Officers have undertaken consultation to promote and attract new memberships. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

Council Plan

Active and Engaged Community: The Women's Charter Alliance Advisory Committee allows the community to be actively involved with council process and decision making whilst also providing a consultative group for Council to engage with. This provides the opportunity for capacity building and higher quality and community understood decisions.

Options for Consideration

Option One:

Council could choose to endorse the applications received for the Women's Charter Alliance Advisory Committee and appoint the members as per the recommendation.

This is the preferred option as it is supported by the Committee's adopted Terms of Reference and will provide ongoing strength to the Committee.

Option Two:

Council could choose not to endorse the Women's Charter Alliance Advisory Committee new & reappointed membership applications. This would not be the preferred option as it would not show Council's commitment to the ongoing actions of the WCAAC.

6. COMMUNITY DIRECTORATE

6.3 Greater Shepparton Women's Charter Alliance Advisory Committee - Memberships (continued)

Conclusion

The Women's Charter Alliance Advisory Committee is encouraged by the new Committee member applications that have been received and believes this will add to further strengthen the Committee's ongoing work. The Committee membership is reflective of Greater Shepparton's many talented and giving people who aim to see the prevalence of opportunities for women brought to our community.

Attachments

Nil

6. COMMUNITY DIRECTORATE

6.4 Update on the Universal Access and Inclusion Plan 2013 - 2017

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

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

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

Council Officers involved in producing this report

Author: Access and Inclusion Officer

Proof reader(s): Manager Neighbourhoods

Approved by: Director Community

Executive Summary

In September 2013, Council adopted the Greater Shepparton Universal Access and Inclusion Plan 2013-2017. The overall objective of the Plan is to contribute to the development of a community which is accessible and inclusive of all. The Plan outlines the Council's objectives to ensure that information, services and facilities are accessible to all people living in or visiting the municipality by the elimination of barriers.

The implementation and related actions of the Plan are monitored by the Greater Shepparton Disability Advisory Committee (DAC) and Council's other relevant advisory bodies. The (DAC) was established by Greater Shepparton City Council in 2009 to promote community participation and awareness of people living with a disability and their carers within the municipality. The DAC along with the advisory bodies assist in the review of the action plan to ensure its relevance to those who experience barriers in the community.

This report provides an update of the achievements of the Disability Action Plan for the period from September 2013 – April 2015.

Moved by Cr Summer
Seconded by Cr Adem

That the Council note the report on the Greater Shepparton City Council Universal Access and Inclusion Plan 2013-2017.

CARRIED.

Background

Greater Shepparton has a diverse community of more than 60,000 residents. Many sectors of the community experience barriers to their daily life, including people with disabilities, families, the aged and people from non-English speaking backgrounds. It is important therefore that Council is proactive and responsive to the special needs of all people within the community.

The requirement for Victorian public sector bodies to prepare a Disability Action Plan (DAP) was introduced under the Disability Discrimination Act 1992 and the Disability Act 2006. The objectives of the Disability Discrimination Act 1992 include eliminating discrimination against persons on the ground of disability in a number of contexts including employment, access to premises and provision of goods, services and facilities.

6. COMMUNITY DIRECTORATE

6.4 Update on the Universal Access and Inclusion Plan 2013 - 2017 (continued)

The Universal Access and Inclusion Plan 2013-2017 includes a range of strategies' and actions targeted at barriers that people encounter when accessing services, information, support and using Council infrastructure. Importantly, the Plan is monitored throughout the implementation period by relevant community advisory committees to ensure its effectiveness.

The Greater Shepparton Disability Advisory Committee has a role to assist in the development, implementation and annual review of the Greater Shepparton Universal Access and Inclusion Plan to ensure its relevance to those who experience barriers in the community.

Some of the key achievements of the plan over the past 19 months have been:

- Development of 'Events Advisory Kit'
- Council website contains information about Companion and Carer cards and promotes the use of these cards
- Capital projects are required to have the Access and Inclusion Officer as a referral authority at the Project Initiation, Design and Delivery phases
- Recharge points located in Council venues and in locations allowing out of business hours usage
- Communication boards are accessible at Council's citizen's service areas
- Portable hearing loops purchased to be used at Council events and activities.

Council Plan/Key Strategic Activity

The strategies developed within this plan will assist the Council in removing barriers and providing equity of access to Council services, facilities and employment for all people. This Plan is intrinsically linked to the following:

Council Plan 2013-2017:

- Renew and implement the Universal Access and Inclusion Plan
- Continue to lobby, advocate and prioritise the needs of vulnerable and disadvantaged citizens and advocate on their behalf
- Ensure Council's activities and events support and enhance cultural harmony and inclusiveness.

Policy Considerations

This recommendation is consistent with all relevant Council policy and is a continuation of Council's original Disability Policy and Action Plan 2004 – 2009 (Endorsed Council May 2004).

Financial Implications

The Universal Access and Inclusion Plan 2013-2017 is set within the Council context of existing financial constraints and staff capacity. Any actions requiring additional funding will be considered through the annual budget process.

Legal/Statutory Implications

This report is consistent with the *Local Government Act 1989* and the Victorian *Charter of Human Rights and Responsibility Act 2006*.

Environmental/Sustainability Impacts

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

6. COMMUNITY DIRECTORATE

6.4 Update on the Universal Access and Inclusion Plan 2013 - 2017 (continued)

Social Implications

The implementation of the Universal Access and Inclusion Plan 2013-2017 provides many social benefits for all community members including:

- Improved health and wellbeing of people with disabilities due to greater community access at Council owned and operated facilities, events and festivals, parks and open spaces
- Improved feeling of social connectedness for people with disabilities of all ages
- Improved service delivery by all departments of Council to people with disabilities
- Reduced attitudinal barriers experienced by people with disabilities
- People with disabilities participate in their community as citizens and experience same rights as everyone.

Economic Impacts

Through the implementation of the Universal Access and Inclusion Plan 2013-2017, the City of Greater Shepparton demonstrates and promotes itself as an inclusive and accessible destination which attracts a larger segment of the tourist market, which will also have a positive flow-on effect for local business.

Consultation

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

Strategic Links

a) Greater Shepparton 2030 Strategy
Community Life – Strategic Direction 2

b) Other strategic links

- Municipal Public Health Plan 2009-2013
- Housing Strategy
- Asset Management Policy
- Community Engagement Strategy
- Positive Ageing Strategy 2009-2014
- Customer First Charter
- Communication Style Guide

Options for Consideration

Option 1: Do nothing

This option would not be preferable as this report requires an opportunity to acknowledge the achievements reached and the continuing work that is required to deliver the Universal Access and Inclusion Plan.

Option 2: Support the recommendation

Note the report.

Conclusion

The Universal Access and Inclusion Plan 2013-2017 aims to enhance access to Council's planning processes, services, and communication and employment systems within the broader community. The Plan has a broad scope designed to identify and address the barriers that all sectors of the community encounter in their day-to-day life and also outlines the key ways in which Council intends to improve access to all citizens.

Attachments

Universal Access and Inclusion Plan - update Page 155

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.1 Amendment C180 (Application of the Public Acquisition Overlay and Road Closure Overlay to 289 Maude Street) - Consideration of Submissions

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

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

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

Council Officers involved in producing this report

Author: Graduate Strategic Planner

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

Approved by: Director Sustainable Development

Other: Senior Strategic Planner

Executive Summary

At the 16 September 2014 Ordinary Council Meeting, Council endorsed the Maude Street Bus Interchange and Maude Street Redevelopment concept plans, requested Council Officers to prepare and exhibit a Planning Scheme Amendment to include 289 Maude Street in the Public Acquisition Overlay and commence a land swap agreement with adjoining land owners to facilitate the development of the bus interchange.

Amendment C180 proposes to apply the Public Acquisition Overlay (PAO) to 289 Maude Street, Shepparton (Lots 1 & 2 on TP393266), currently occupied by a vendor known as 'Farm Fresh Fruit and Vegetables' and the Road Closure Overlay (RXO) to the land shown as "ROAD" on TP393266 (see Attachment 1).

Amendment C180 was exhibited from 16 April 2015 to 18 May 2015 in accordance with the *Planning and Environment Act 1987*.

Twelve submissions were received by Council. Five submissions objected to and requested changes to the proposed planning scheme amendment. These submissions were received from the landowners and tenants of 289 and 291 Maude Street.

The main concerns raised in the submissions include:

- An increase in pedestrian and vehicle traffic, congestion, pollution and noise;
- The loss of privacy and earnings for existing tenants and landowners;
- Safety in the area will diminish due to increased traffic, loitering and vandalism;
- 289 Maude Street is a tenanted property, the landowners are retired and rely on the income generated from this tenancy;
- Investments of time, effort and money have been made into the property and business at 289 Maude Street by the current tenants and landowners;
- The timetable for the acquisition of 289 Maude Street is uncertain, causing hardship for the tenants and landowners;
- Other more suitable sites are available in the CBD for the proposed bus interchange upgrades; and
- The application of the PAO and RXO is premature due to the lack of Strategic justification currently in the planning scheme supporting these overlays.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.1 Amendment C180 (Application of the Public Acquisition Overlay and Road Closure Overlay to 289 Maude Street) - Consideration of Submissions (continued)

In addition, a petition was signed by customers of Farm Fresh Fruits and Vegetables requesting Council to “reconsider their plan for relocating the bus stops which will affect this business, or seek an alternative plan.”

Council officers have met with each submitter, however it has not been possible to come to a resolution with each submitter, and therefore objections still stand. These objections relate to seven main concerns (listed above), including concerns relating to the loss of income or property and compensation, which are matters that will be dealt with in the acquisition process under the *Land Acquisition and Compensation Act 1986*.

An Independent Planning Panel will be required to consider these submissions. Council Officers’ position is outlined in Attachment 2 entitled ‘Submissions Recorder’ and summarised in the section of this report titled ‘Council Officers’ position at Panel Hearing’.

It is recommended that Council endorses Council officers’ position at the upcoming Independent Planning Panel Hearing.

Moved by Cr Summer
Seconded by Cr Houlihan

That, with regard to submissions received for Amendment C180 to the Greater Shepparton Planning Scheme, Council:

1. note and endorse Council Officers’ response outlined in this report for presentation to an Independent Planning Panel; and
2. note that Council Officers may exercise discretion to best achieve the general position adopted by Council.

CARRIED.

Background

Shepparton CBD Strategy 2008

The *Shepparton CBD Strategy 2008* (CBD Strategy) seeks to “improve access to the Shepparton CBD by a variety of sustainable transport modes” and proposes the relocation of the Bus Interchange one block to the south along Maude Street, between Vaughan Street and Ashenden Street. The CBD Strategy recommends the following key action:

- Prepare a Maude Street Bus Interchange Master Plan, including the provision of public toilet facilities.

Benefits of the Maude Street Bus Interchange Redevelopment

The *Maude Street Bus Interchange Design Report, December 2013* (see Attachment 3) states that the existing bus stop facilities along Maude Street are becoming inadequate for the needs of the Greater Shepparton community. Currently, eight bus routes operate throughout the municipality, all of which utilise the current interchange, however the facilities provide space for only 5 buses at any one time.

The existing service area is causing confusion for users, congestion and time tabling restrictions. Presently, users cannot be certain which bus stop their route will pick up

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.1 Amendment C180 (Application of the Public Acquisition Overlay and Road Closure Overlay to 289 Maude Street) - Consideration of Submissions (continued)

from because buses simply pull up to the first available bus stop, forcing users to locate them after they arrive. Additionally, space limitations restrict bus movements in and out of the interchange, which constrains the quality and frequency of services provided.

The bus interchange upgrade will create a designated stop for each route, which will provide greater certainty for users and allow buses to move more efficiently through the interchange.

Benefits of the Plaza and Public Toilet Facilities

The Maude Street Bus Interchange plaza and public toilet facilities will assist in creating an equitable public space for all users, a more welcoming pedestrian environment and will generate an increased level of perceived safety and security in the area.

In addition to increasing the number of public toilet facilities in the area, the Maude Street Bus Interchange Master Plan provides adult change facilities, a parent's room, breast feeding room and child changing facilities. The provision of these amenities in a central CBD location will allow all users to conduct their affairs in a dignified manner and help to make Shepparton a more equitable community.

The new plaza and public toilet facilities will create an attractive public space, which is believed to increase foot traffic and passive surveillance in the area, thus discouraging the anti-social behaviour that currently takes place at the existing interchange.

Previous Public Consultation

The location and design of the Maude Street Bus Interchange was subject to multiple rounds of public consultation, which took place in March 2013, May 2013 and December 2013. Consultation included meetings with the landowners of 289 Maude Street and a call for submissions from owners and occupiers fronting Maude Street and High Street, the general public and relevant authorities. At the 16 April 2013 OCM, Council resolved to release the Maude Street Bus Interchange concept plans for public consultation, which included seeking feedback for two possible locations for the plaza and public toilet facilities.

Amendment C180 to the Greater Shepparton Planning Scheme

At the 16 September 2014 OCM, Council endorsed the Maude Street Bus Interchange and Maude Street Redevelopment concept plans, requested Council Officers to prepare and exhibit a Planning Scheme Amendment to include 289 Maude Street in the Public Acquisition Overlay and commence a land swap agreement with adjoining land owners to facilitate the development of the bus interchange.

Amendment C180 proposes to apply a PAO to 289 Maude Street and a RXO to the adjoining road which gives access to the site.

Once the land included in the PAO is acquired and the adjoining road is closed, the land swap agreement proposes that part of 289 Maude Street and all of the land within the proposed RXO will be transferred to the adjoining land owner, Lascorp Development Group (Aust) Pty Ltd (Lascorp Pty Ltd) who operates a car park. In return, Council will receive a portion of the adjoining lot for the purpose of constructing the Bus Interchange plaza and public toilet facilities on the corner of Maude Street and Vaughan Street (see Attachment 4).

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.1 Amendment C180 (Application of the Public Acquisition Overlay and Road Closure Overlay to 289 Maude Street) - Consideration of Submissions (continued)

Submissions

The amendment was exhibited in accordance with the *Planning and Environment Act 1987* for four weeks. The exhibition period closed on 18 May 2015. Twelve submissions were received by Council (see Attachment 2).

Six of these submissions were received from referral authorities who did not object to the proposed planning scheme amendment. These submissions were from:

- Goulburn Broken Catchment Management Authority;
- Goulburn Valley Water;
- Environmental Protection Authority – North East;
- Department of Environment, Land, Water and Planning;
- Public Transport Victoria; and
- Goulburn-Murray Water.

One submission was received from the adjoining landowner, Lascorp Pty Ltd. Council officers have engaged with the landowner regarding negotiations for the land swap agreement. The submitter did not object to the amendment, rather restated their terms concerning the 173 Agreement, which will facilitate the land swap.

Five submissions, including the petition, objected to and requested changes to the proposed planning scheme amendment. These submissions relate to seven main concerns:

- An increase in pedestrian and vehicle traffic, congestion, pollution and noise;
- The loss of privacy and earnings for existing tenants and landowners;
- Safety in the area will diminish due to increased traffic, loitering and vandalism;
- 289 Maude Street is a tenanted property, the landowners are retired and rely on the income generated from this tenancy;
- Investments of time, effort and money have been made into the property and business at 289 Maude Street by the current tenants and landowners, who are concerned they will not be adequately compensated for these investments;
- The timetable for the acquisition of 289 Maude Street is uncertain, causing hardship for the tenants and landowners;
- Other more suitable sites are available in the CBD for the proposed bus interchange upgrades; and
- The application of the PAO and RXO is premature due to the lack of Strategic justification currently in the Planning Scheme supporting these overlays.

Council Officers' position at Panel Hearing

Council officers have met with each submitter to discuss the concerns raised in these submissions. However, it has not been possible to come to a resolution with each submitter, and therefore objections still stand. Amendment C180 will be referred to an Independent Planning Panel for the consideration of these submissions.

Council Officers' have noted public concern relating to privacy, access and increased traffic, congestion, pollution and noise in the area, however it is believed that the net community benefits of the redevelopment outweigh these concerns.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.1 Amendment C180 (Application of the Public Acquisition Overlay and Road Closure Overlay to 289 Maude Street) - Consideration of Submissions (continued)

Many objections raised in the submissions relate to the loss of income or property and compensation, which will be dealt with under the Land Acquisition and Compensation Act 1986.

Other submissions state that loitering and vandalism will increase, however it is expected that the redevelopment will improve safety in the area.

Lastly, an objector believes that the application of the PAO is premature because the CBD Strategy is not referred to in the Planning Scheme. Council officers' believe that Strategic justification exists in the form of Council resolutions supporting the proposed PAO and to adopt the CBD Strategy. Additionally, Council has adopted Amendment C92 (currently with the Minister for approval), which seeks to formally implement the CBD Strategy in the Planning Scheme.

It is recommended that Council endorses Council officers' position at the upcoming Independent Planning Panel Hearing as outlined in the 'Submissions Recorder' (Attachment 2).

Council Plan/Key Strategic Activity

The *Greater Shepparton City Council - Council Plan 2013-2017* (Council Plan) states that the community envisions a future where "Greater Shepparton has the required access to services particularly transport, medical, education and a range of shopping options which enable residents to source a range of goods and services. The quality of service delivery needs to be both maintained and enhanced." The Council Plan also includes strategic goals around an active and engaged community, economic prosperity and quality infrastructure.

The development of the Maude Street Bus Interchange is consistent with the Council Plan's vision and strategic goals. In particular, it implements the following:

- Goal 1: Active and Engaged Communities (Social)
 Objective 4 - Provide sustainable community services to our community.
- 'Monitor and appropriately support the provision of quality services within the municipality.'
- Goal 3: Economic Prosperity (Economic)
 Objective 2 - Ensure retail strategies deliver appropriate outcomes for the community.
- 'Maximise the opportunities within the CBD that present themselves with the redevelopment of Vaughan Street.'
- Goal 4: Quality Infrastructure (Built)
 Objective 1 - Ensure the community has access to high quality facilities.
 Objective 2 - Ensure the community has access to appropriate transportation infrastructure.
- 'Advocate and lobby for funding to enable commencement of the Maude Street Bus Interchange project.'

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.1 Amendment C180 (Application of the Public Acquisition Overlay and Road Closure Overlay to 289 Maude Street) - Consideration of Submissions (continued)

Risk Management

The main risk associated with this planning scheme amendment is not meeting the timelines required by 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 request the appointment of an Independent Planning Panel, if required, within 40 business days of the closing date for submissions.

As submissions have been lodged and a resolution has not been possible, the appointment of an Independent Planning Panel is required.

Additionally, if the proposed amendment is not supported by Council, the relocation of the Maude Street Bus Interchange may be prevented or delayed.

Policy Considerations

The proposed amendment does not conflict with any existing Council policies.

Proposed Amendment C180 is in accordance with the recommendations provided in the CBD Strategy, by assisting to realise the Maude Street Bus Interchange Master Plan.

Financial Implications

The preparation of proposed Amendment C180 up to the exhibition stage of the planning scheme amendment process was funded through the 'Rural Planning Flying Squad' program.

The costs associated with an Independent Planning Panel will need to be funded by Council. This is estimated to cost approximately \$45,000, which includes expenses associated with legal advice and/or representation. These costs have been accounted for in the 2015/16 Planning Panels budget.

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

Proposed Amendment C180 is anticipated to have positive environmental and sustainability impacts for the municipality. The amendment will result in positive environmental outcomes as improved public transport facilities and accessibility is likely

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.1 Amendment C180 (Application of the Public Acquisition Overlay and Road Closure Overlay to 289 Maude Street) - Consideration of Submissions (continued)

to reduce the dependence on private vehicles, thereby reducing both traffic congestion and greenhouse emissions. As these reduce, along with provision of additional open public space, the attractiveness of the central city area as a walkable environment will grow.

The land affected by this amendment does not appear to have any significant environmental attributes, therefore applying a Public Acquisition Overlay and Road Closure Overlay to the land is unlikely to have any adverse environmental effects.

Social Implications

The proposed amendment is anticipated to have positive social benefits for the Greater Shepparton community and its visitors. Positive social effects and benefits will be gained through increased liveability, enhanced public transport facilities and accessibility and a design responsive community space. Attractive public transport facilities also promote active living as dependence on the car is reduced.

Economic Impacts

The proposed amendment is anticipated to have positive economic effects through increased economic activity and viability of the Shepparton town centre area, and through the provision of enhanced public transport facilities and community open space.

Consultation

The amendment was exhibited in accordance with the *Planning and Environment Act 1987* for four weeks. This included the following:

- Letters sent to owners and occupiers of land affected on 13 April 2015;
- Letters sent to relevant referral authorities on 13 April 2015;
- Letters sent to prescribed Ministers on 13 April 2015;
- Notice in the Victorian Government Gazette on 16 April 2015;
- Notice in the Shepparton News on 14 April 2015;
- Notice on Greater Shepparton City Council website;
- Notice on Department of Environment, Land, Water and Planning website; and
- Copy of exhibition documentation in the foyer of the Council offices at 90 Welsford Street, Shepparton.

The exhibition period closed on 18 May 2015.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The *Greater Shepparton 2030 Strategy* contains an objective “to develop Walking/Bicycle and Public Transport networks that provides transport and accessibility options to segments of the community who have not or prefer not to use a motor car.”

b) Shepparton CBD Strategy 2008

The *Shepparton CBD Strategy 2008* states a key priority is “improving movement and access by reducing traffic in the CBD, improving public transport services and cycling links and facilities.”

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.1 Amendment C180 (Application of the Public Acquisition Overlay and Road Closure Overlay to 289 Maude Street) - Consideration of Submissions (continued)

c) Hume Regional Growth Plan 2014

The *Hume Regional Growth Plan 2013* identifies Shepparton as a key urban centre for major urban growth and development in the Hume Region. Additionally, the plan states that significant public sector investment will be needed in the CBD to stimulate private sector investment to help create a vibrant and attractive CBD and promote business and employment activity.

The proposed amendment C180 is consistent with these strategic links and helps to facilitate the development of the Maude Street Bus Interchange.

Options for Consideration

1. Endorse Council officers' position at an Independent Planning Panel Hearing for Amendment C180 to the Greater Shepparton Planning Scheme (preferred); or
2. Do not endorse Council officers' position at an Independent Planning Panel Hearing for Amendment C180 to the Greater Shepparton Planning Scheme and form an alternative position; or
3. Abandon Amendment C180 to the Greater Shepparton Planning Scheme, which may delay the relocation of the Maude Street Bus Interchange.

Conclusion

Amendment C180 proposes to apply a PAO to 289 Maude Street and the RXO to the adjoining road which gives access to the site. The amendment is consistent with the September 2014 Council resolution, which requested Council Officers to prepare and exhibit a Planning Scheme Amendment to include 289 Maude Street in the Public Acquisition Overlay and commence a land swap agreement with adjoining land owners to facilitate the development of the bus interchange.

The amendment was exhibited and eleven submissions were received by Council. Of these, four raised objections and proposed changes to the amendment. Council officers have met with each submitter to discuss the concerns raised in these submissions. However, it has not been possible to come to a resolution with each submitter, and therefore objections still stand.

Amendment C180 is to be heard by an Independent Planning Panel for consideration of submissions. Council is to endorse Council officers' position at the Panel Hearing.

Attachments

- | | |
|--|----------|
| 1. C180 - Proposed Public Acquisition Overlay and Road Closure Overlay | Page 173 |
| 2. Submissions - Recorder - Amendment C180 | Page 174 |
| 3. Maude Street Bus Interchange and Redevelopment | Page 175 |
| 4. C180 - Land Ownership Maps (Existing and Proposed) | Page 204 |

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.2 A 40 Metre High Telecommunication Tower

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

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

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

Council Officers involved in producing this report

Author: Principal Planner

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

Approved by: Director Sustainable Development

Executive Summary

This application seeks planning permission for a 40 metre high mono pole telecommunication tower (tower) at 930 Hammond Road, Murchison (the land) to service the Optus network.

The land is within the Farming Zone 1 (FZ) and Land Subject to Inundation Overlay.

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

The area of the proposed tower is not within an area of cultural heritage significance, therefore the proposal does not trigger the need for a Cultural Heritage Management Plan.

State Planning Policy seeks to facilitate telecommunication development that protects the environment from adverse impacts. The tower is located in the FZ and is setback about 105 metres from Township Zone land which provides adequate separation between the uses.

Council's local planning policy encourages the provision of telecommunication services across all areas of the municipality. There is clear direction that the community should be provided with more coverage by multiple carriers so that consumers have a choice of telecommunication provider.

The most significant concern associated with this application is the visibility of the tower which is a common theme within the objections received to this application. It should be acknowledged that a tower of 40 metres in height will not be invisible. However the siting of the tower in the Farming Zone minimises impacts to residential zoned properties and allows acceptable outcomes to be achieved.

Officers recommend that a notice of decision to grant a permit issue.

Moved by Cr Adem Seconded by Cr Ryan

1. In relation to Planning Application 2015-64, 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 to grant a planning permit subject to the following conditions:

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.2 A 40 Metre High Telecommunication Tower (continued)

Layout Not Altered

The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Safety For Aircraft

- a) At the time of development and thereafter, the communications tower must comply with all the requirements of the Civil Aviation Safety Authority's Manual of Standards Part 139. The provisions in section 9 of MOS139 should be considered by the owner in relation to the provision of obstacle lighting of the owner's own volition.
- b) The developers and owners of the facilities must report the construction and details of the completed facilities to the Royal Australian Air Force (RAAF) in accordance with the details provided in the CASA Advisory Circular, AC 139-08 "Reporting of Tall Structures"
- c) Buildings must be constructed and maintained with non-reflective materials
- d) The tower owners/operators must not install and/or use any device that may cause electrical or radio interference with Aviation Navigation Aids.

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.

Rural Drainage

Before the operation of the telecommunication facility, all stormwater and surface water drainage from the land, buildings and works must be connected to the legal point of discharge or retained on site to the satisfaction of the responsible authority.

Cessation of use

Should the use of the land for a telecommunication facility cease the tower and all associated infrastructure must be removed and the site area reinstated to its original state within three months of the use ceasing to the satisfaction of the responsible authority.

Time for Starting and Completion

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

- a) the development is 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.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.2 A 40 Metre High Telecommunication Tower (continued)

Property Details

Land/Address	930 Hammond Road, Murchison
Zones and Overlays	Farming Zone Land Subject to Inundation Overlay
Why is a permit required	Buildings and works for a telecommunication tower under 52.19-2

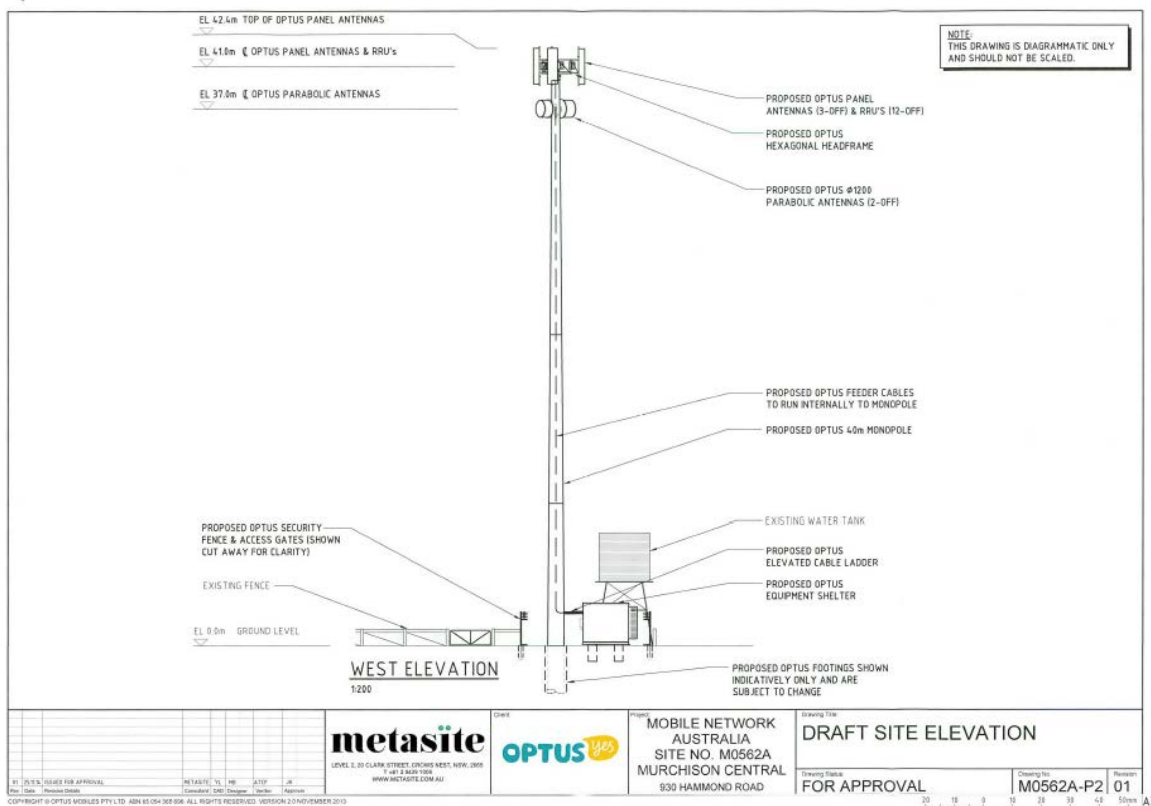
Proposal in Detail

The planning application form states that *'the proposed works include the installing [of] a 40m monopole on the site, six new panel antennas on a hexagonal headframe attached to the monopole at an elevation of 41m, associated ancillary equipment including remote radio units, amplifiers, combiners, mounts, etc. A 2.4m high security fence around the perimeter of the compound area and associated equipment shelter at the base of the facility'*.

The application consisted of:

- Planning report prepared by Metasite
- Planning drawings
- Environmental Electromagnetic Energy report
- Mobile Base Station and Health Fact Sheet

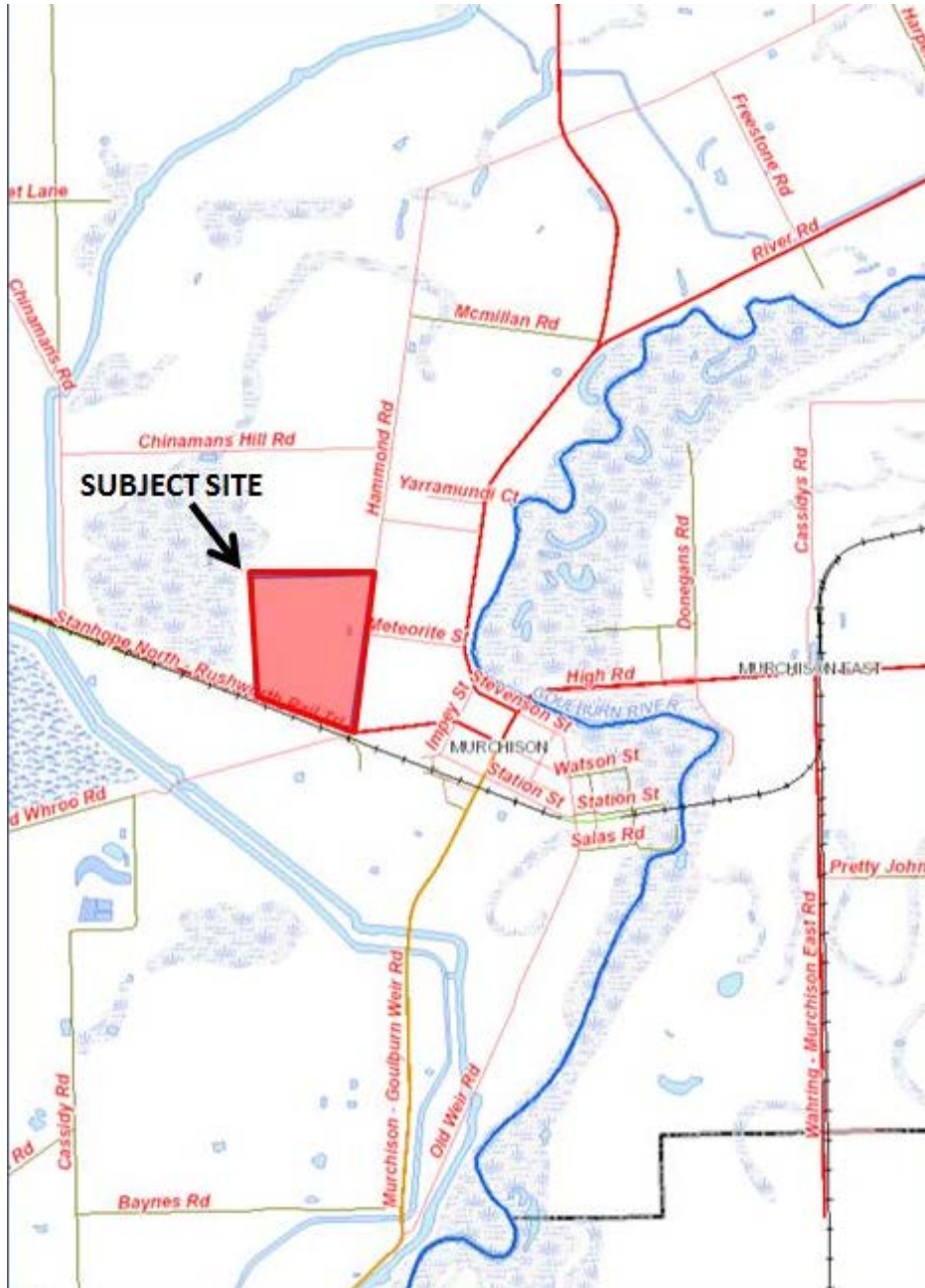
A plan of the proposal is shown below.



7. SUSTAINABLE DEVELOPMENT DIRECTORATE

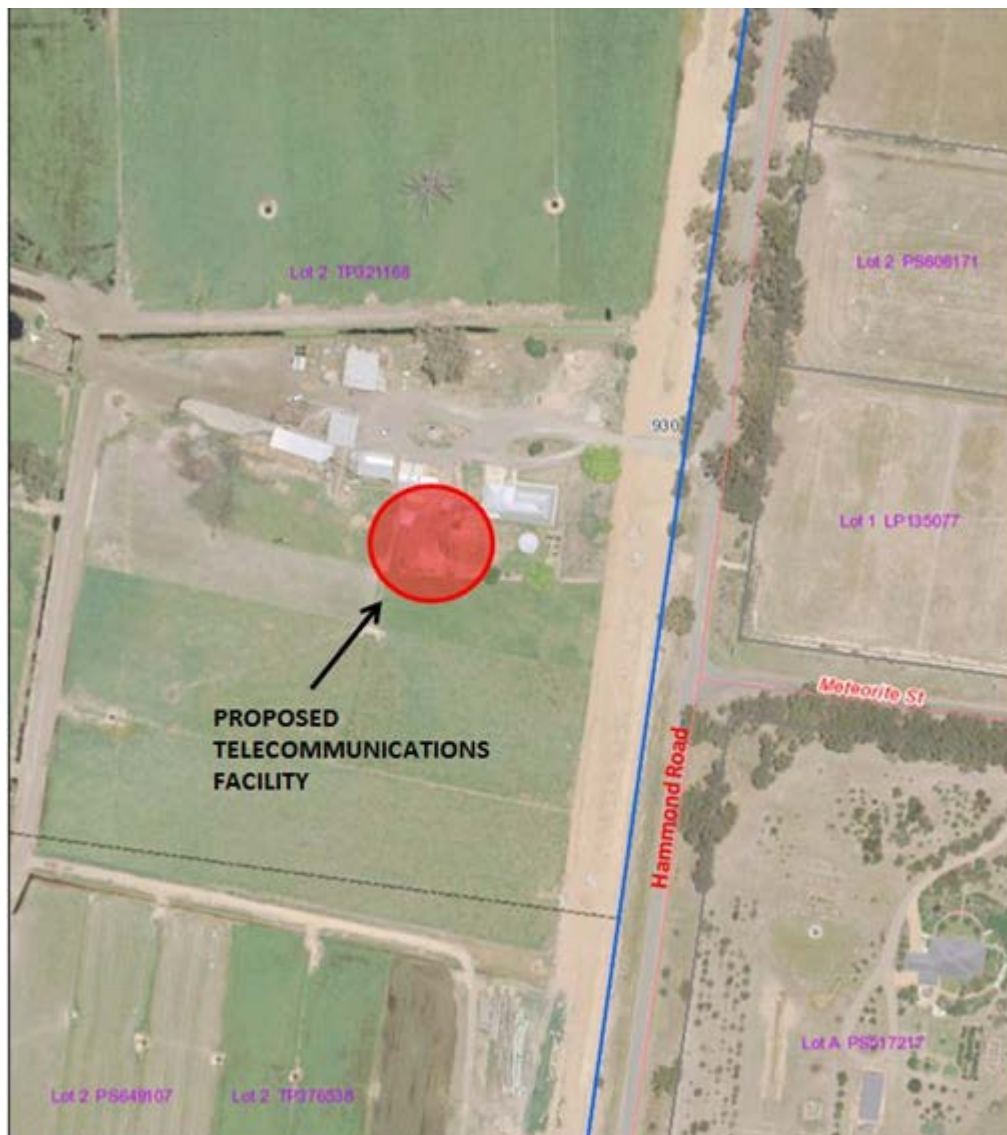
7.2 A 40 Metre High Telecommunication Tower (continued)

Locality Plan



7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.2 A 40 Metre High Telecommunication Tower (continued)



Summary of Key Issues

- The application seeks planning permission to develop the land for a 40 metre high telecommunication tower to service the Optus network.
- The application has been advertised and six objections were lodged. Grounds of objection relate to potential impacts on health, visual intrusion, setback from Township Zone land and not co-locating with other nearby towers. An assessment of these objections has found that the objections do not support a refusal of the application.
- State Planning Policy at 19.03-4 seeks to facilitate telecommunications infrastructure and identifies the need to protect the environment from adverse impacts. Officers are satisfied that both the natural and built environments are not adversely impacted on by this tower.
- Council's local planning policy at 21.07-2 includes an objective to provide telecommunications facilities available to all areas of the municipality. Based on this policy direction officers recommend that a notice of decision to grant a permit should issue.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.2 A 40 Metre High Telecommunication Tower (continued)

- 52.19 of the planning scheme includes particular provisions for Telecommunication Facilities. The provision encourages the development of towers with minimal impact on the amenity of the area. Officers are satisfied that both the location of the tower within the Farming Zone and the tower being setback about 105 metres from Township Zone land minimises any amenity impacts on the area. Therefore it is recommended that the application be supported.
- Officers have assessed that application against the four principles being siting, co-location, health standards and construction management. Officers having undertaken this assessment find that the application achieves compliance with the four principles.

Background

A pre-application telephone conversation was held between the applicant and planning officer on 22 October 2014. During this discussion the applicant was informed of Councils process.

The application was made with Council on 13 February 2015.

Public notice of the application was posted on 26 February 2015 which resulted in six objections being lodged.

Assessment under the Planning and Environment Act

A telecommunication tower application must be considered against four principles being, visual impact, co-location opportunities, health standards and construction management.

Visual Impact

The development of the land for a telecommunications facility to service a community will involve a tower of significant height, meaning it will always be visible from certain viewpoints.

Officer's observations conclude that the tower will be most visible from 28 and 45 Meteorite Street both of which are within the Township Zone and 890 Hammond Road which is within the Farming Zone.

Address	Setback	Officer's Comment
28 Meteorite Street	310m	28 Meteorite Street is a single dwelling with a relatively small setback to Meteorite Street. The tower would be visible from western window (the window contains a moveable blind) and open space to the north of the dwelling. Although Meteorite Street and Hammond Road has mature trees in the road reserves the view lines from the dwelling will receive minimum screening benefit from these existing trees.
45 Meteorite Street	247m	45 Meteorite Street is developed with a substantial dwelling and garden, with the dwelling being well setback on the land. Within this setback are mature trees within the road reserves which partially screens the dwelling from the road. The dwelling on its west side is developed with a car port with the dwelling

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.2 A 40 Metre High Telecommunication Tower (continued)

Address	Setback	Officer's Comment
		opening out to a manicured garden to the north. West facing habitable room windows in the living area and the outdoor alfresco would provide views in the direction of the proposed tower. As a result of the mature trees the lower part of the tower would be screened from the dwelling however the upper part of the tower would be visible.
890 Hammond Road	480m	890 Hammond Road is developed with a dwelling that fronts to the south which is the direction of the proposed tower. Between the dwelling and tower is open flat agricultural land that will provide views directly to the tower. The siting of the tower on the southern side of existing buildings at 930 Hammond Road will provide some minor screening only to 890 Hammond Road.

In *Hutchinson 3G Australia v Casey City Council (2002) VCAT 247* the members remarked:

We preface our findings by commenting that minimising an adverse impact on visual amenity does not mean that a telecommunications pole must be sited so that it cannot be seen by most or many people. Visibility cannot be equated to adverse visual impact.

As set out above, in this circumstance, there is no doubt that the tower will be visible from neighbouring properties and to other areas on that side of Murchison. However as the Tribunal noted, just because the tower is visible it does not automatically follow that the application should be refused.

The tower is located in the Farming Zone and is setback from the town's boundary to the extent possible to minimise adverse visual impact and to allow coverage to be achieved to Murchison. It is considered by officers that the visual impact is acceptable given the setback to dwellings in the Township Zone, mature tree screening in road reserves and siting of the tower in the Farming Zone.

Furthermore officers find that the net community benefit lies with improved telecommunication services for the Murchison township as a whole.

Co-Location

The applicant has identified that there are no co-location opportunities within 1ha of the site. The closest possible site is 1.65ha to the north east on an existing NBN tower. This NBN tower and another Telstra tower to the south east do not provide coverage of the area targeted by Optus, therefore a new tower is proposed.

Health Standards

The applicant has provided a report which was prepared for the site to predict the maximum level of electromagnetic energy surrounding the proposed tower.

The report concluded the emissions will be 0.19% of the public exposure limit which is below the allowable level.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.2 A 40 Metre High Telecommunication Tower (continued)

Construction Management

To address this principle officers recommend that a permit condition be included relating to the construction phase of the tower which seeks to manage off site impacts during construction activities.

Council Plan 2013-2017 /Key Strategic Activity

Under 'Our Competitive Advantage' within the Council plan the statement is made.

Access to a high standard of telecommunications and IT infrastructure

Flowing from this competitive advantage it seems that improving telecommunications infrastructure in Murchison is encouraged by the Council plan.

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.

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 subject land is within an area of cultural heritage sensitivity (as shown below) however the telecommunication tower is located outside the area of cultural heritage sensitivity.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.2 A 40 Metre High Telecommunication Tower (continued)

Areas of Aboriginal Cultural Heritage Sensitivity

This property is within, or is affected by, one or more areas of cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007.

The data provides indicative information about the location and extent of areas of Aboriginal cultural heritage sensitivity and is provided to assist with the decisions about the potential need to prepare a Cultural Heritage Management Plan in relation to proposed activities on this property.

For further information about whether a Cultural Heritage Management Plan is required go to [Aboriginal Heritage Planning Tool](#)

To find out if your property has any recorded Aboriginal cultural heritage places, such as scarred trees, occupation sites or places of burial, you can request information from the Victorian Aboriginal Heritage Register.

Find out more about the [Victorian Aboriginal Heritage Register](#)



Environmental/Sustainability Impacts

The use has no detrimental impact on the environment.

Social Implications

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

Before deciding on an application, the responsible authority must consider,

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

The proposed application to develop a 40 metre high telecommunication tower is not considered to raise any significant social or economic effects.

Economic Impacts

This application has no substantial economic impacts in terms of job creation or investment into Greater Shepparton.

Referrals/Public Notice

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.
- Notice in the Shepparton News

The Council has received six objections to date.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.2 A 40 Metre High Telecommunication Tower (continued)

All objectors were issued with an acknowledgment letter. Additionally the permit applicant's written response to the objections was provided to objectors on 27 April 2015.

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.
Visual impact of the tower and increase setback of the tower from the towns boundary	<p>It is acknowledged that the tower will be visible in the flat landscape. Despite this the tower is setback from Hammond Road and is not located within the Township Zone. The tower is setback about 247 metres from the nearest dwelling in the town's boundary which is considered to be an appropriate setback.</p> <p>Officers required that the applicant investigate relocating the tower further west to increase the setback to the Township Zone land. The coverage plots showed with the tower moved further west coverage gaps would exist on the eastern side of Murchison which is undesirable from a servicing view. Based on this coverage plot Optus have decided to pursue the application as applied for and objected to.</p>
Towers impact on health	<p>VCAT in <i>Mason v Geelong (Red Dot)</i> (VCAT 2057 2013) considered EME radiation from telecommunication towers. VCAT made the following comments:</p> <p><i>The amount of electromagnetic radiation emitted by a telecommunications facility may well be a legitimate issue of public concern. However, VCAT is not a forum for addressing all issues of social or community concern, nor is it an investigative body.</i></p> <p><i>It cannot give great weight to unsupported assertions about public health concerns in the context of an individual planning application, particularly in relation to matters outside its own expertise or beyond the limited ambit of its statutory role or discretion in relation to that application. Accordingly, VCAT is not the appropriate forum where generalised opposition to telecommunications facilities based on public health concerns can or should be raised. It is a waste of the parties' and the Tribunal's resources as, ultimately, VCAT is essentially bound to apply the ARPANSA standard.</i></p> <p><i>Allowing objectors to continue to air their concerns about electromagnetic radiation at a VCAT hearing creates false expectations about the role of VCAT and the ambit of its discretion, and the extent to which it can realistically deal with such issues.</i></p>

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.2 A 40 Metre High Telecommunication Tower (continued)

Ground of Objection	Officer's Response
	Based on this VCAT decision and given that the tower complies with the Commonwealth's emission requirements it is not considered reasonable to refuse the application on health grounds.
Tower should be co-located with other facilities	The applicant have investigated co-location opportunities however have found that to achieve Optus's coverage objectives a new tower is required at 960 Hammond Road.

Officers having considered the objections do not believe that the objections lodged should lead to the application being refused.

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

Strategic Links

a) Greater Shepparton 2030 Strategy (GS2030)

Under section 5 (Urban and Rural Services) the following key objective is listed.

To provide telecommunications facilities and services available to all areas of the municipality.

A strategy of this objective is to:

Proactively support the development of and access to competitive leading edge telecommunication facilities and services.

Clearly policy direction with GS2030 is for applications for telecommunication facilities to be supported through the planning system.

Options for Consideration

1. That Council adopt the recommendation contained within this report.
2. That Council resolve to refuse the application with grounds of refusal.

Conclusion

Officers having undertaken an assessment of the application have decided that the application achieves acceptable planning outcomes when assessed against policy and therefore a planning permit should issue.

Officers deem that the application produces a net community benefit by increasing telecommunication coverage in Murchison and allows more choice of carriers for Murchison residents and businesses.

Attachments

Locality and Tower Plan for Council Report Page 206

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.3 Use of Land for Backpackers Accommodation

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 Statutory Planner

Proof reader(s): Team Leader Statutory Planning, Manager Planning

Approved by: Director Sustainable Development

Executive Summary

The application seeks planning permission to use the land at 9-15 Edgar Street and 12-14 William Street, Tatura (the land) for backpacker's accommodation.

The proposal is to provide short term (no longer than 31 days) backpacker style accommodation (158 people) from the existing buildings on the land.

The land is within the Neighbourhood Residential Zone (NRZ), partially affected by the Land Subject to Inundation Overlay (LSIO).

The application was formally advertised and twelve objections to the application have been lodged with Council.

The site is within an area of Aboriginal Cultural Heritage Sensitivity. A Cultural Heritage Management Plan is not required, however officers have asked the applicant to address this matter in any further submission they make.

The State Planning Policy Framework (SPPF) identifies that industrial activity should be protected in industrial zones from the encroachment of unplanned commercial, residential and other sensitive uses which would adversely affect industry viability. This point is prudent given the importance of the locality for industry, with large businesses operating adjacent the site (LeoCata's Transport and Boral) and Unilever located within close proximity and using William Street as an access point for freight (shown in Figure 1 below).

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.3 Use of Land for Backpackers Accommodation (continued)



Figure 1 – Surrounding land zones

The Local Planning Policy Framework (LPPF) provides significant support for the municipality's agricultural base which is heavily reliant on a seasonal workforce. Whilst it is acknowledged that short term low cost accommodation is important to this industry, it must be located in appropriate locations. A balance must be achieved between other LPPF polices which encourage the retention and protection of important industrial activities in the township of Tatura from encroaching population density increases.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.3 Use of Land for Backpackers Accommodation (continued)

Further information was requested from the landowner on 12 March 2015, with no information submitted to date.

The most significant concern associated with this application is increased population density within close proximity of major industries. Planning policy seeks to protect significant industries from conflicting residential uses. Officers having undertaken an assessment of the application have decided that the application does not achieve acceptable planning outcomes when assessed against the policy and therefore no planning permit should issue.

Officers recommend that Council oppose the grant of a permit.

Moved by Cr Ryan

Seconded by Cr Hazelman

1. 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:
 - a) The proposed use of the land for backpackers accommodation does not provide an acceptable outcome or net community benefit in terms of the State and Local Planning Policy Frameworks; and
 - i. Will provide for the encroachment of an unplanned residential use on existing adjacent industrial activities in industrial zones;
 - ii. Will increase the population density in an area identified Minimal Change, where population densities are to be restricted so as to protect the surrounding industrial activities from sensitive uses which would adversely affect industrial viability;
 - b) The proposed use is at variance with the purpose of the Neighbourhood Residential Zone, which identifies that opportunities for increased residential development should be limited.
 - c) The location of the land adjacent existing industrial zoned and used sites is an unacceptable location for a large accommodation facility, which significantly increases the population density with the locality.
 - d) The information submitted with the application for a planning permit is considered insufficient to make a decision to support the proposal
2. That Council provide authority to the Team Leader of Statutory Planning and Principal Statutory Planner to represent Council at the Victorian Civil and Administrative Tribunal mediation hearing and to settle the matter if officers decide it to be appropriate.

CARRIED.

Property Details

Land/Address	9-15 Edgar Street and 12-14 William Street, Tatura
Zones and Overlays	Neighbourhood Residential Zone Land Subject to Inundation Overlay
Why is a permit required	32.09-1 – use of land for accommodation (backpackers) in the Neighbourhood Residential Zone

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.3 Use of Land for Backpackers Accommodation (continued)

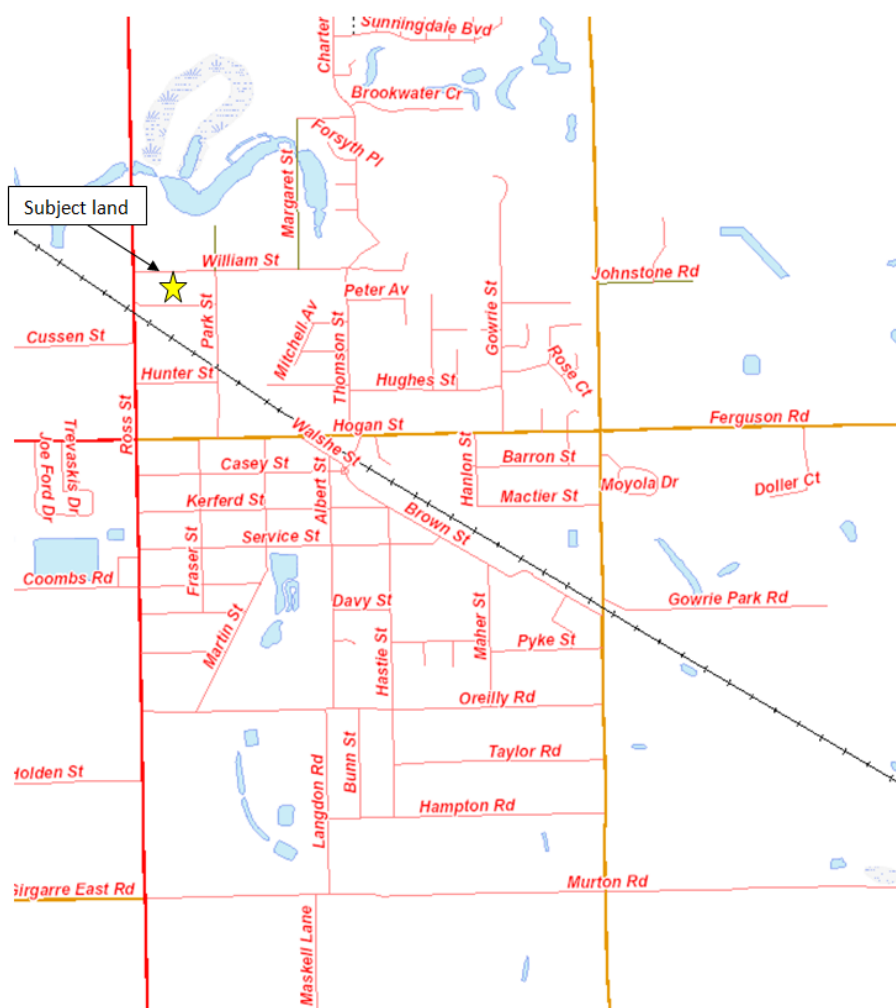


Figure 2 – Locality Plan

The subject land comprises six equally sized titles and has a total approximate area of 5994 square metres.

The land comprises three main buildings on the land previously used by Goulburn Murray Water for an office and training facility with ancillary accommodation. The building fronting Edgar Street on the eastern boundary was the only building used for accommodation purposes. Existing car parking is provided on the land for approximately 39 vehicles, however these spaces are not well marked

The land benefits from multiple access points to both Edgar and William Streets.

The land abuts properties zoned Neighbourhood Residential and used and developed for single dwellings.

Adjacent land to the north and south of the site is within the Industrial 1 Zone. The land to the north is used by Leocata's Transport and the land to the south includes an engineering business and a Boral concrete batching operation.

Figures 1 and 2 indicate the locality of the site and the surrounding zones.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.3 Use of Land for Backpackers Accommodation (continued)

Proposal in Detail

The application for a planning permit proposes the use of the land for 'Backpacker's Accommodation' in the Neighbourhood Residential Zone.

It is proposed to provide backpackers style accommodation, which will include:

- Accommodation for 158 people staying for a period of less than 31 days;
- A caretaker's office to be open between the hours of 9:00am and 6:00pm, seven days a week, with a maximum of three employees at any one time;
- Internal alterations to the existing buildings only;
- The use of the two buildings fronting Edgar Street for accommodation and the building fronting William Street for kitchen facilities and a common room.

Summary of Key Issues

- Application 2014-318 was made on 10 November 2014, for the use of the land at 9-15 Edgar Street and 12-14 William Street, Tatura for backpackers accommodation.
- The application proposes a total of 158 beds, with all accommodation to be provided within the existing buildings on the land.
- The land was previously used as part of a Goulburn Murray Water training facility.
- Council's Planning Officers has determined that the existing use does not extend to allowing the use of the land for backpackers accommodation. No information has been submitted to date which would contradict this position.
- Council's Planning Officers have formally advertised the application with signs placed onsite at both the Edgar Street and William Street entrances, letters to the surrounding property owners and occupiers and a notice in the Tatura Guardian.
- A total of 12 objections were received.

Background

After the application was made for the use of the land for backpacker's accommodation, Council's Planning Officers contacted Goulburn Murray Water (previous owners) to query how the facility was previously used.

Council's Planning Officers identified that the land enjoyed an existing use for an office and associated accommodation from this correspondence, however do not believe that this extends to general accommodation including backpacker's accommodation.

Pre-application information was provided to the applicant that a planning permit would be required for the proposed use, the application would be subject to notice and that there was no guarantee that a permit would issue.

A representative of the landowner of the site was informed in writing on 12 March 2015 that the application would not be supported by planning officers in its current form. The representative was also informed of the information requirements which would need to be addressed, should an amended application be made. No application has been made to amend the application to date, nor has any of the requested information been submitted.

Assessment under the Planning and Environment Act

The key assessment matters for this application are:

- The State Planning Policy Frameworks and Local Planning Policy Framework;
- The appropriateness of the use at this locality in the Neighbourhood Residential Zone and the decision guidelines of clause 65; and
- The information requirements.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.3 Use of Land for Backpackers Accommodation (continued)

State and Local Planning Policy Frameworks

The State Planning Policy at Clause 16 identifies that:

- Planning should provide for housing diversity and affordable housing;
- An increase in the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations is encouraged;
- Housing should be provided so as to provide for a range of housing types to meet increasingly diverse needs; and
- More affordable housing closer to jobs, transport and services is an objective.

The proposed use will provide low cost accommodation to primarily meet the needs of a seasonal work force. The accommodation will be central to jobs created by the horticultural industry which underpins the municipality's economy.

Clause 17.02-1 identifies that industrial activity should be protected in industrial zones from the encroachment of unplanned commercial, residential and other sensitive uses which would adversely affect industry viability. This point is prudent given the importance of the locality for industry in Tatura, with large businesses operating adjacent the site (LeoCata's Transport and Boral) and Unilever located within close proximity and using William Street as an access point for freight.

Council's Local Planning Policy under settlement (Clause 21.04) encourages a variety of housing types, particularly in terms of tenure and price, to contribute to housing diversity and affordability. While 'Community Life' strategies include encouraging "supported living" (nursing homes, hostels) in proximity to community and commercial services and activities. The land has been included within the Minimal Change Area of the Shepparton Housing Strategy and the Local Planning Policy, which seeks to limit residential developments which are in close proximity to uses which cause significant off-site impacts.

The importance of Agriculture to the municipality is identified in the Local Planning Policy and with the strong dependence of the economy on the horticultural industry which relies on seasonal workers, the provision of short term affordable accommodation is important.

The significance of industry to Tatura is noted under Clause 21.06-4 – Manufacturing and Freight, with the existing industrial base within the township to be protected. The proposed increase in population density adjacent industrial uses could result in increased interface issues and may hamper the ongoing operations and future expansion of these important industries.

Neighbourhood Residential Zone and Clause 65 Decision Guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of clause 65 of the Planning Scheme.

The purpose of the Neighbourhood Residential Zone is to recognise areas of predominately single and double storey residential development, limit the opportunities for increased residential development, manage and ensure that development respects the identified neighbourhood character and allow a limited range of non-residential uses to serve the local community needs in appropriate locations.

The zone was applied in this location so as to prevent an increase in population density in an area surrounded by industrial zoned land and uses.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.3 Use of Land for Backpackers Accommodation (continued)

It is considered that the proposal for 158 occupants on a short term stay basis is at odds with this direction to ensure that the population density of the locality is kept to a minimum. The existing six conventionally sized titles would not require planning permission if they were to be developed for single dwellings, which would result in a smaller number of residents residing within the locality.

The locality of the site is removed from the central activity district of Tatura (approximately 550 metres along Edgar and Park Streets to Hogan Street). The placement of a facility of this scale in neither the central business district nor on a main road is not considered to be orderly planning. Such facilities which are servicing more than the needs of the local community should be located closer to services and entertainment facilities, such as shops and food and drink premises.

Information Submitted

The application was submitted with minimal information, which has been identified as a concern by some of the objectors. The application provides little information as to how the use will operate, with no operational management plan provided.

Council Plan/Key Strategic Activity

Council will facilitate decision making to carry out development with due consideration given to the natural environmental, social, political, economic factors and provide a governance framework that will achieve sustainable outcomes.

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 has been considered against the policies contained within the Greater Shepparton Planning Scheme and found not to achieve acceptable planning outcomes.

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 of the Victorian Aboriginal Heritage Register or land tenure.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.3 Use of Land for Backpackers Accommodation (continued)

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

Section 52 of the *Aboriginal Heritage Act 2006 No. 16* states that a decision maker (Responsible Authority) must not grant a statutory authorisation (planning permit) for the activity unless a cultural heritage management plan (CHMP) is approved under the Act or an exemption provided for under the *Aboriginal Heritage Regulations 2007* (the Regulations). The land is identified in an area of Aboriginal Cultural Heritage Sensitivity. The onus lies with the applicant to either provide an approved CHMP to Council or prove that exemption applies under the Regulations. Council officers do not believe that one is required, but have asked the applicant to address it in any further submission they make.

Environmental/Sustainability Impacts

There are no Environmental or Sustainability impacts that relate to this application for a planning permit.

Social Implications

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

Before deciding on an application, the responsible authority, must consider –

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

This application does not raise any significant social issues.

Economic Impacts

There are minimal economic impacts associated with this application, with short term accommodation for seasonal workers important to the municipality's horticultural industries.

Referrals/Public Notice

The application was formally advertised the application with signs placed onsite at both the Edgar Street and William Street entrances, letters to the surrounding property owners and occupiers and a notice in the Tatura Guardian.

In response to this public notice 12 objections were made to application for a planning permit.

Each of the objectors received acknowledgement of receipt of their objection by the Planning Department.

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

Concerns raised in the objections included:

- Behaviour of backpackers (including public nuisance from drug usage and drunkenness);
- Increased traffic;
- Safety of surrounding properties;

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.3 Use of Land for Backpackers Accommodation (continued)

- Devaluation of surrounding properties;
- Noise;
- Remoteness of site from shops; and
- The use not being in accordance with the purpose of the Neighbourhood Residential Zone (including limited residential development and ensuring any development respects the identified neighbourhood character)

Grounds of Objection	Officer's Response
Behaviour of backpackers	Whilst this is an amenity based concern, which is a real and valid planning consideration, the characteristics of the locality being an industrial interface result in there already being a lowered level of amenity that what would normally be expected in a residential zoned area. No management plan has been submitted with the application to resolve concerns of objectors or provide officer's comfort that he use would be well regulated.
Increased traffic	Given the commercial nature of both Edgar and William Streets, any increase in traffic from the proposed use is not envisaged to result in any significant amenity concerns, particularly given that William Street is used by B-Doubles.
Safety of surrounding properties	The safety of surrounding properties from occupants of the proposed use is not a planning concern and would be a policing matter. No management plan has been submitted with the application to resolve concerns of objectors or provide officer's comfort that he use would be well regulated.
Devaluation of surrounding properties	It is well known and accepted that property de-valuation as a result of planning applications is not a relevant planning consideration.
Noise	Whilst this is an amenity based concern, which is a real and valid planning consideration, the characteristics of the locality being an industrial interface result in there already being a lowered level of amenity than what would normally be expected in a residential zoned area. No management plan has been submitted with the application to resolve concerns of objectors or provide officer's comfort that he use would be well regulated.
Remoteness of site from shops and services	The location of a facility of this scale in the Neighbourhood Residential Zone outside a well-established suitable walking distance of 400 metres from community services and facilities should be discouraged.
The proposed use not being in accordance with the purpose of the zone.	The purpose of the Neighbourhood Residential Zone is to recognise areas of predominately single and double storey residential development, limit the opportunities for increased residential development, manage and ensure that development respects the identified neighbourhood character and allow a limited range of non-residential uses to serve the local community needs in appropriate locations. The proposed use is at odds with this direction in that it will allow for an increase in population for the locality.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.3 Use of Land for Backpackers Accommodation (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

Settlement and Housing – Growth identifies that accommodation (nursing homes, hostels) in proximity to community and commercial services and activities.

Options for Consideration

The options for consideration on planning permit application 2014-318 for the use of the land for backpackers accommodation in the Neighbourhood Residential Zone are:

1. Issue a notice of refusal with the grounds of refusal identified in this report;
2. Issue a refusal with amended grounds of refusal; or
3. Issue a Notice of Decision to Grant a permit with appropriate conditions.

Conclusion

Officers having undertaken an assessment of the application have decided that the application fails to achieve acceptable planning outcomes when assessed against purpose of the Neighbourhood Residential Zone and the relevant State and Local Planning polices and therefore a planning permit should not issue.

Attachments

Proposed Back Packers Accommodation - Submitted Plans Page 209

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions

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

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

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

Council Officers involved in producing this report

Author: Senior Strategic Planner

Proof reader(s): Acting Team Leader Strategic Planning and Manager Planning

Approved by: Director Sustainable Development

Executive Summary

Amendment C183 to the Greater Shepparton Planning Scheme proposes to rezone approximately two hectares of land at 15-33 Fordyce Street, Shepparton from the General Residential Zone to the Commercial 2 Zone and remove the Development Plan Overlay (Schedule 1) from the land.

Concurrent with the preparation of the planning scheme amendment is a planning permit application made pursuant to Section 96A(1) of the *Planning and Environment Act 1987*.

The planning permit application is for land at 90-94 Benalla Road and part of 15-33 Fordyce Street, Shepparton to be developed with buildings and works for "Trade Supplies" and "Restricted Retail Premises" (Bunnings Warehouse).

The combined amendment/permit was exhibited from 7 May 2015 to 9 June 2015 in accordance with the *Planning and Environment Act 1987*.

Fifteen submissions have been received by Council (see *Attachment 1 – Submissions Recorder*). Of these, five objected to or requested changes to the proposed combined amendment/permit. Two additional submissions do not object to the proposed development but raise some queries and concerns.

The main queries/concerns raised in submissions include:

- Traffic and access;
- Car parking;
- Signage;
- Economic impacts;
- Rezoning justification;
- Lack of footpaths (pedestrian safety);
- Noise impacts;
- Landscaping/interface treatments; and
- Construction impacts.

Council officers will meet with submitters prior to the Panel Hearing to discuss the concerns raised in these submissions. The amendment/permit documentation will be revised, where possible, to address these concerns.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

At this stage, seven submissions are unable to be resolved (including the submissions raising concerns/queries). These submissions are discussed in detail in the body of this report. An Independent Planning Panel is required to consider these submissions.

It is recommended that Council endorses Council officers' position at the upcoming Independent Planning Panel Hearing as outlined in this report.

Moved by Cr Summer Seconded by Cr Hazelman

That, with regard to submissions received for Amendment C183 (combined planning scheme amendment and planning permit) to the Greater Shepparton Planning Scheme, Council:

1. note and endorse Council Officers' response outlined in this report for presentation to an Independent Planning Panel; and
2. note that Council Officers may exercise discretion to best achieve the general position adopted by Council.

CARRIED.

Background

Combined Planning Scheme Amendment and Planning Permit

The combined amendment/permit applies to land at 15-33 Fordyce Street and 90-94 Benalla Road, Shepparton (see *Figure 1 – Locality Plan*).

Amendment C183 to the Greater Shepparton Planning Scheme proposes to rezone approximately two hectares of land at 15-33 Fordyce Street, Shepparton from the General Residential Zone to the Commercial 2 Zone and remove the Development Plan Overlay (Schedule 1) from the land (see *Figure 2 – Current Zone Map and Attachment 2 – Exhibited Documentation*).

Concurrent with the preparation of the planning scheme amendment is a planning permit application made pursuant to Section 96A(1) of the *Planning and Environment Act 1987*.

The planning permit application is for land at 90-94 Benalla Road and part of 15-33 Fordyce Street, Shepparton to be developed with buildings and works for "Trade Supplies" and "Restricted Retail Premises" (Bunnings Warehouse).

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

Figure 1- Locality Plan

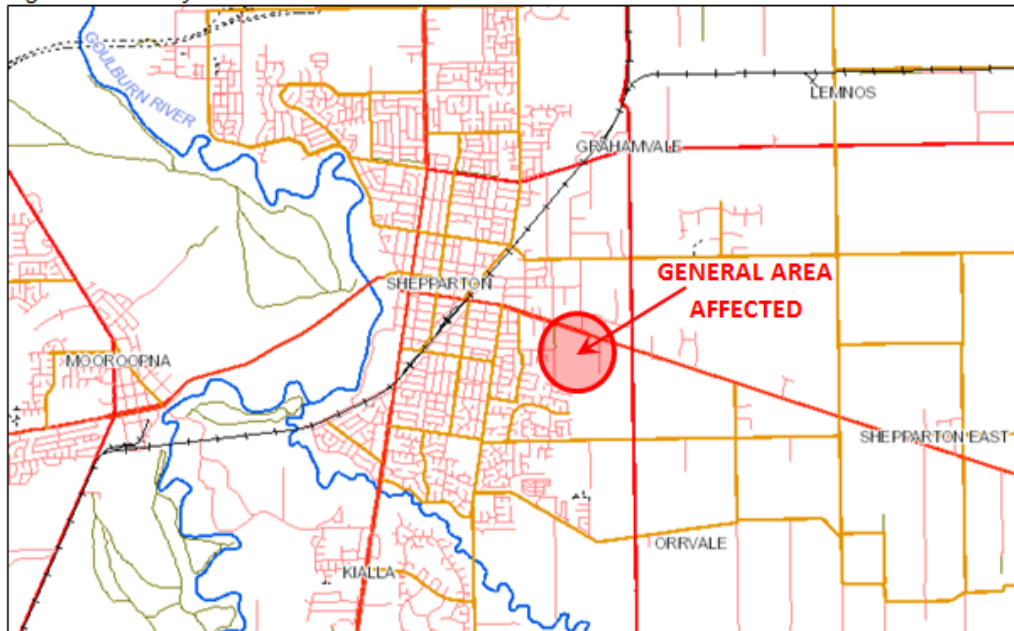
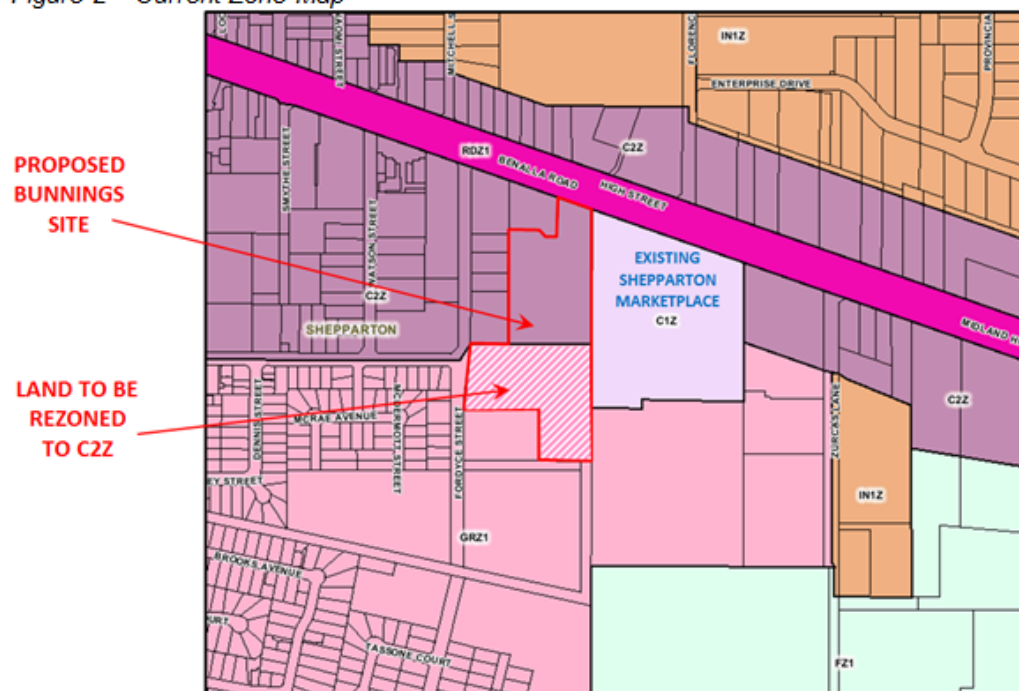


Figure 2 – Current Zone Map



Specifically, the planning scheme amendment seeks to make the following changes:

- Rezone part of the land from the General Residential Zone (GRZ) to the Commercial 2 Zone (C2Z);
- Remove the Development Plan Overlay – Schedule 1 from the land;
- Amend Planning Scheme Map No 23; and
- Amend Planning Scheme Map No 23DPO.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

Specifically, the planning permit seeks the following permissions:

- Development of the land for a trade supplies and restricted retail premises;
- Two lot subdivision to separate the land within the GRZ from the land within the proposed C2Z;
- Removal of an existing Goulburn Valley Regional Water Corporation Easement for pipeline purposes;
- Erection and display of business identification signage exceeding eight square metres in area;
- Creation and alteration of an access onto a Road Zone – Category 1;
- Subdivision of land adjacent to a Road Zone – Category 1; and
- Reduction in bicycle facilities.

Exhibition

The combined amendment/permit was exhibited in accordance with the *Planning and Environment Act 1987* for four weeks. This included the following:

- Letters sent to owners and occupiers of land directly affected on 4 May 2015;
- Letters sent to relevant referral authorities on 4 May 2015;
- Letters sent to prescribed Ministers on 4 May 2015;
- Notice in the Victorian Government Gazette on 7 May 2015;
- Notice in the Shepparton News on 5 May 2015;
- Notice on Greater Shepparton City Council website;
- Notice on Department of Environment, Land, Water and Planning website; and
- Copy of exhibition documentation in the foyer of the Council offices at 90 Welsford Street, Shepparton.

The exhibition period closed on 9 June 2015.

Submissions

Fifteen submissions were received by Council (see *Attachment 1 – Submissions Recorder*).

Eight of these submissions were received from referral authorities who did not object to the proposed combined amendment/permit. Some of the submissions requested or reiterated conditions to be included on the planning permit. These referral authorities are:

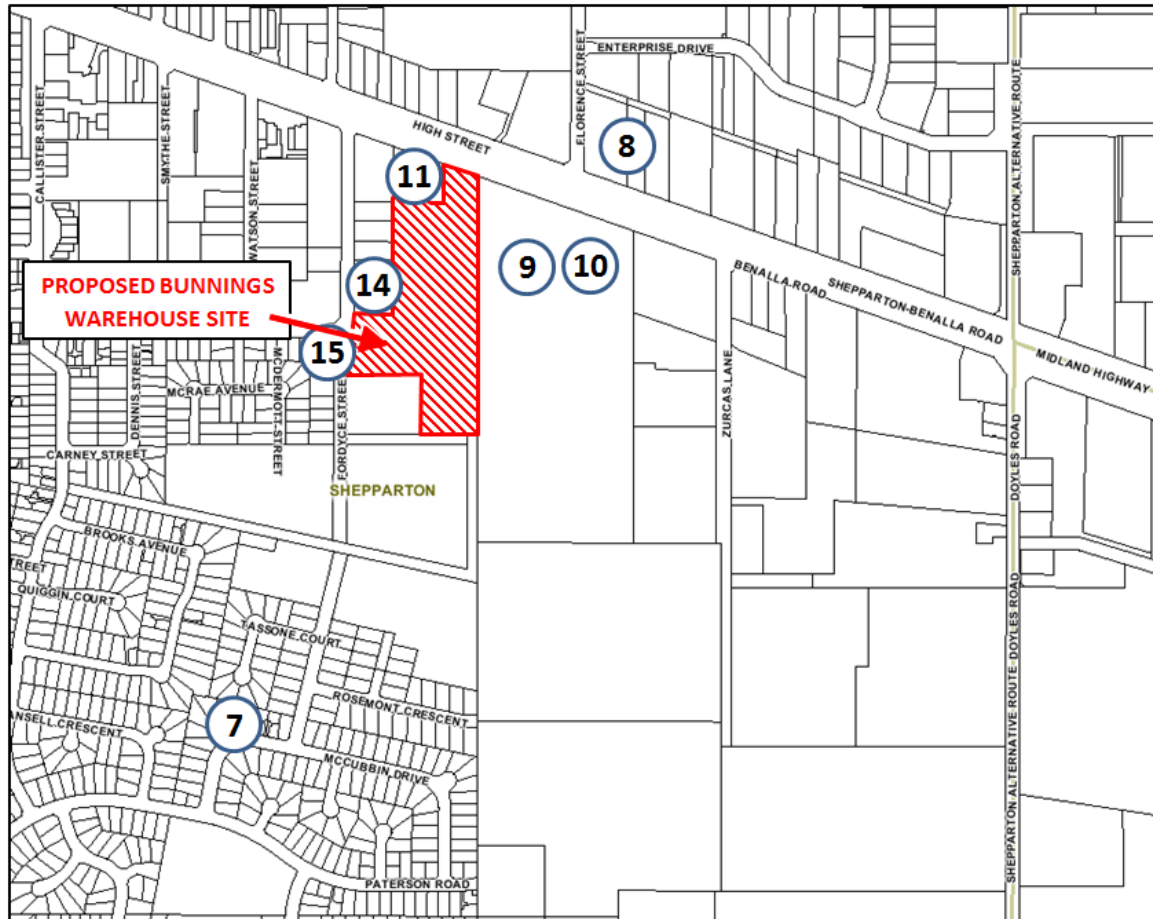
- Goulburn-Murray Water;
- APA Group;
- Environment Protection Authority (Victoria);
- Goulburn Valley Water;
- VicRoads;
- Department of Environment, Land, Water and Planning;
- Goulburn Broken Catchment Management Authority; and
- Public Transport Victoria.

These submissions are not considered to be objections and are not required to be referred to an Independent Planning Panel.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

Figure 3 – Locations of Submitters



Five submissions either objected to or requested changes to the proposed combined amendment/permit (see *Figure 3 – Locations of Submitters*). Two additional submissions do not object to the proposed development but raise a number of concerns/queries. The concerns/queries raised in all of these submissions include:

- Traffic and access (Submissions 8, 9, 10, 14 and 15)
Submissions 8, 9 and 10 raised the following concerns regarding traffic and access.
 - Traffic flow, phasing and queuing associated with the proposed traffic signals at the main entrance on Benalla Road. The submissions query the potential impacts on the existing Shepparton Marketplace.
 - Impacts on the performance of the existing road network.
 - Amenity impacts on Fordyce Street, particularly the potential impacts of increased traffic movements along the residential sections of this street.

Submission 14 objects to the proposed “No Standing” signs that are proposed to be erected in Fordyce Street.

Submission 15 raises concerns regarding congestion at various intersections. The submission states that traffic lights will be required at the Watson Street/Benalla Road intersection. The submission requests that the main entrance/intersection is altered to allow traffic exiting the Bunnings Warehouse site to turn right onto Benalla Road.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

Submission 15 also raises concerns regarding impacts to safety and privacy resulting from increased traffic in the area. The submission includes concerns about increased crime and states that they will be erecting a high fence for privacy and safety purposes.

- Car parking (Submissions 8, 9 and 10)
 - Submissions 8, 9 and 10 raised the following concerns regarding car parking:
 - The layout of the proposed car park means that the neighbouring car park at the Shepparton Marketplace is more convenient. These submissions requested that no pedestrian or vehicular access be permitted at any time between the proposed Bunnings Warehouse and the existing Shepparton Marketplace. Submission 10 states that a condition of any permit issued should require the construction of a new fence along the common boundary.
 - The number of car parking spaces required in the draft planning permit is only 319, which is less than what is required for the Masters Home Improvement site. Submission 8 states that it is unclear why a lesser number of car parking spaces is required for Bunnings Warehouse.

- Signage (Submission 10)

Submission 10 requests that the proposed pylon sign is sited to ensure that there is no obstruction to the existing signage for the Shepparton Marketplace.

- Economic impacts (Submission 8)

Submission 8 criticises the Economic Impact Assessment (EIA) undertaken by Essential Economics Pty Ltd. This submission states that the EIA failed to include other like uses in the area and has not taken into account the Masters Home Improvement development on the corner of Florence Street and Midland Highway – the EIA should have been updated. In addition, the submission states that the current and forecast sales estimates included in the EIA are under estimated and a detailed trade impact analysis should have been provided.

- Rezoning justification (Submission 8)

Submission 8 states that the proposed rezoning is inconsistent with the Greater Shepparton Housing Strategy 2011 and Clause 21.04 (Settlement) of the Greater Shepparton Housing Scheme. The submission also states that the proposal does not justify adequately the need for rezoning the land to the Commercial 2 Zone and no analysis of existing Commercial 2 Zone land has been included.

- Lack of footpaths (pedestrian safety) (Submission 7)

Submission 7 raises concerns regarding the safety of Fordyce Street for pedestrians and the potential impacts of increased traffic along this street. The submission states that the amount of traffic in Fordyce Street will increase, including larger vehicles, and that there is no room for pedestrians and cars.

- Noise impacts (Submission 15)

Submission 15 states that increased traffic, including delivery vehicles and rubbish collection, will cause noise issues. The submission states that the proposed acoustic treatment is not high enough to adequately reduce noise impacts. The submission requests that vehicles accessing the site use the northern portion of Fordyce Street only. The submission also requests a higher acoustic barrier (3-3.5m high) and more limited hours for delivery vehicles.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

- Landscaping/interface treatments (Submissions 11 and 15)
Submission 11 adjoins the proposed Bunnings Warehouse site to the north east. This submission requests further details regarding how the party wall will be dealt with during and after construction. It also queries the landscaping proposed for the interface between the properties.

Submission 15 raises concerns over losing their rural outlook and requests additional trees and shrubs to be planted near the acoustic wall and side entrance.

- Construction impacts (Submission 11)
Submission 11 also queries how impacts arising from construction will be minimised. The submission does not object to the proposed development, but does request to be included in any future Independent Planning Panel process regarding the combined amendment/permit.

Council Officers' Position at the Panel Hearing:

Council officers request that the following position be put to the Independent Planning Panel regarding the above concerns.

- Traffic and access (Submissions 8, 9, 10, 14 and 15)
A Traffic Impact Assessment Report (TIAR) has been prepared by O'Brien Traffic Pty Ltd. Traffix Group Pty Ltd was engaged by Council to undertake a peer review of the TIAR. Council's traffic expert will further review the traffic solutions and the parking along Fordyce Street as part of the Panel process.

The proposed access points and alterations to the highway have been agreed to by VicRoads, which has been consulted throughout the drafting of the planning permit. VicRoads has responded with conditions for inclusion in the draft planning permit.

VicRoads (being the Road Safety Authority) has deemed, in providing consent to the application, that the proposal will not impact on public safety, including the distance between the proposed traffic lights and the existing traffic lights at the Shepparton Marketplace Shopping Centre entrance. The authority has also deemed, in providing consent to the application, that any effect of the proposal on the operation of the road is acceptable.

Council officers' position aligns with VicRoads' position at the Panel Hearing.

- Car parking (Submissions 8, 9 and 10)
A total of 417 car spaces are proposed to be provided on site. This will exceed the number required by the provisions of the planning scheme.

Additional car and trailer spaces are also to be provided on site.

It is proposed to include 12 bicycle parking spaces as part of the proposed development. This includes six bicycle spaces for staff and six for customers. The TIAR found that this is an acceptable provision of bicycle parking spaces.

A fence between the proposed Bunnings Warehouse and the existing Shepparton Marketplace will be constructed. There will be no direct pedestrian or vehicular access between the two sites.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

- Signage (Submission 10)
Concerns raised regarding the proposed Bunnings Warehouse sign are not considered to be significant.
 - There is significant distance between the proposed Bunnings Warehouse sign and the existing Shepparton Marketplace signage (approximately 120m minimum).
 - The sign is to be erected entirely within the Bunnings Warehouse property boundary.
 - The sign will be displayed in a commercially zoned area where the display of business identification signage is considered to be appropriate.

- Economic impacts (Submission 8)
An Economic Impact Assessment (EIA) has been prepared by Essential Economics Pty Ltd. The EIA states that the proposal will have a minimal impact on the trading performance of other existing retailers in the region, given that approximately 80% of sales at the new warehouse will be a re-direction of sales from the existing Bunnings Warehouse.

The proposed development will generate a range of economic benefits related to employment and business development. The economic impact on similar businesses is outweighed by the economic benefits of the proposed development.

In addition, the majority of the land is already within the Commercial 2 Zone. The site is currently underutilised and the proposed development provides for a use which creates an improved economic outcome for the land.

- Strategic justification (Submission 8)
Submission 8 correctly states that the area proposed to be rezoned (approximately two hectares) represents approximately 0.2% of vacant greenfield land. The South East Growth Corridor immediately to the south east of the site will rezone an additional 233 hectares of developable land to a residential zone. The loss of two hectares of greenfield residential land to commercial is negligible given the future capacity of the South East Growth Corridor.

The economic benefits of the Bunnings Warehouse development outweigh the effects of losing 0.2% of vacant greenfield land.

- Lack of footpaths (pedestrian safety) (Submission 7)
Although Council officers do not disagree that footpaths along Fordyce Street would be a benefit to the community, this is outside of the scope of the proposed development. Council officers will raise this issue internally with Council's projects department; however, it is not proposed to include footpaths along Fordyce Street as part of the current development.

- Noise impacts (Submission 15)
An acoustic report was prepared by Marshall Day Acoustics Pty Ltd. The recommendations from this report are included as conditions on the draft planning permit. Council officers have engaged an acoustic expert to peer review the original acoustic report as part of the Panel process.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

- Landscaping/interface treatments (Submissions 11 and 15)
Any demolition or construction near the party wall will be managed through permissions under the Building Act. At the shared boundary, the wall will be painted a muted colour, as noted on the exhibited plans.

At the shared boundary to the east of the submitter's land, the landscaping treatment will be tussocks in a mulched bed, as noted on the exhibited plans. No landscaping is proposed along the shared boundary to the south of the submitter's land – this area is to be used for an access way.

In relation to Submission 15, Council officers believe that the proposed landscaping, as shown in the landscaping plan, is acceptable and no additional trees or shrubs are proposed to be included. Additionally, the subject land is within an urban area that has been identified for future development. As such, it could not be expected that the "rural outlook" currently enjoyed by submitter would remain unchanged into the future.

- Construction impacts (Submission 11)
Council officers note the comments of the submitter regarding the Construction Management Plan and will ensure that appropriate protection measures are provided for if the combined amendment/permit is approved.

Council Plan/Key Strategic Activity

Strategic Goal 3 – Economic Prosperity:

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

Risk Management

The primary risk associated with the proposed combined amendment/permit is not meeting the timelines required by *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 request the appointment of an Independent Planning Panel under Part 8 of the *Planning and Environment Act 1987* within 40 business days of the closing date for submissions, unless a Panel is not required. To meet this timeframe, an Independent Planning Panel has been requested by Council officers under delegation. It is recommended that Council endorses Council officers' position prior to the upcoming Independent Planning Panel Hearing.

Policy Considerations

The proposed amendment does not conflict with any existing Council policies.

Financial Implications

The costs associated with the proposed combined amendment/permit must be met by the proponent, being Peninsula Planning Consultants Pty Ltd on behalf of Benalla Road Developments Pty Ltd. This includes the cost of an Independent Planning Panel.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

Council will be required to meet any costs for legal representation and expert advice at the Panel Hearing. This may amount to approximately \$50,000 and is accounted for in the current budget.

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

The most important environmental effects relate to the treatment of the interface with the GRZ to the south and west of the subject land.

This is addressed by implementing noise mitigation measures recommended in the Noise Assessment Report prepared by Marshall Day Acoustics Pty Ltd.

The recommendations from this report are included as conditions on the draft planning permit.

These conditions require the submission of an operational management plan which will need to pay particular attention to the trade supplies and loading area which is adjacent to a GRZ.

These conditions also require the construction of an acoustic wall, restrictions on the operation of the loading area and enclosing the internal trade areas with concrete panel walls.

There will be no significant detrimental environmental effects resulting from this proposed planning scheme amendment and planning permit.

Social Implications

The proposed development will increase and broaden the range of employment opportunities in both the construction and retail sectors, provide new education opportunities for young school leavers as well as mature members of the workforce with “on-the-job” training.

The subject site is ideally located in the existing retail and trade precinct along Benalla Road on the eastern side of the Shepparton Urban Area. It is also on the main road network, which means it has good access and can efficiently service the community. There will be no significant detrimental social effects resulting from this proposed planning scheme amendment and planning permit.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

Economic Impacts

An Economic Impact Assessment has been prepared by Essential Economics Pty Ltd. Economic benefits generated by the new Bunnings Warehouse includes significant capital investment of \$20 million, employment generated during construction (estimated 44 full time jobs), and ongoing employment of 190 positions (an increase from approximately 125 positions at the existing Bunnings Warehouse store).

The proposal will have a minimal impact on the trading performance of other existing retailers in the region, given that approximately 80% of sales at the new warehouse will be a re-direction of sales from the existing Bunnings Warehouse.

The proposed development will generate a range of economic benefits related to employment and business development.

Overall, the proposed development represents an outcome which is consistent with the attributes of the subject site, is supported by market demand and will generate strong economic benefits to the community.

There will be no significant detrimental economic effects resulting from this proposed planning scheme amendment and planning permit.

Consultation

The combined amendment/permit was exhibited in accordance with the *Planning and Environment Act 1987* for four weeks. This included the following:

- Letters sent to owners and occupiers of land directly affected on 4 May 2015;
- Letters sent to relevant referral authorities on 4 May 2015;
- Letters sent to prescribed Ministers on 4 May 2015;
- Notice in the Victorian Government Gazette on 7 May 2015;
- Notice in the Shepparton News on 5 May 2015;
- Notice on Greater Shepparton City Council website;
- Notice on Department of Environment, Land, Water and Planning website; and
- Copy of exhibition documentation in the foyer of the Council offices at 90 Welsford Street, Shepparton.

The exhibition period closed on 9 June 2015.

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

Strategic Links

a) Greater Shepparton 2030 Strategy 2006

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

Theme: Retail/Commercial Centres

Objective 1: *“To provide increased opportunities for local job creation”.*

Strategy 1.1: *“Facilitate opportunities for economic development to retain and build the employment base”.*

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.4 Combined Planning Permit and Planning Scheme Amendment C183 (Bunnings Relocation) - Consideration of Submissions (continued)

b) Hume Regional Growth Plan 2013

The *Hume Regional Growth Plan 2013* identifies Shepparton as a key urban centre for major urban growth and development in the Hume Region. The proposed combined amendment/permit will assist Shepparton in providing improved economic and retail opportunities, and ensure the municipality continues “*to develop its role as a business, retail and services hub for the region*”.

Options for Consideration

1. Endorse Council officers’ position at an Independent Planning Panel Hearing for Amendment C183 (combined planning scheme amendment and planning permit) to the Greater Shepparton Planning Scheme (preferred); or
2. Do not endorse Council officers’ position at an Independent Planning Panel Hearing for Amendment C183 (combined planning scheme amendment and planning permit) to the Greater Shepparton Planning Scheme and form an alternative position; or
3. Abandon Amendment C183 (combined planning scheme amendment and planning permit) to the Greater Shepparton Planning Scheme.

Conclusion

Amendment C183 to the Greater Shepparton Planning Scheme proposes to rezone approximately two hectares of land at 15-33 Fordyce Street, Shepparton from the General Residential Zone to the Commercial 2 Zone and remove the Development Plan Overlay (Schedule 1) from the land.

Concurrent with the preparation of the planning scheme amendment is a planning permit application made pursuant to Section 96A(1) of the *Planning and Environment Act 1987*.

The planning permit application is for land at 90-94 Benalla Road and part of 15-33 Fordyce Street, Shepparton to be developed with buildings and works for “Trade Supplies” and “Restricted Retail Premises” (Bunnings Warehouse).

The combined amendment/permit was exhibited from 7 May 2015 to 9 June 2015 in accordance with the *Planning and Environment Act 1987*.

An Independent Planning Panel is required to consider submissions that could not be resolved.

It is recommended that Council endorses Council officers’ position at the upcoming Independent Planning Panel Hearing.

Attachments

1. Submissions Recorder Page 216
2. Exhibited Documentation Page 219

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.5 Discussion Paper - Goulburn Valley Equine and Greyhound Precinct

Cr Hazelman declared a direct interest in relation to Item 7.5 ‘ Discussion Paper – Goulburn Valley Equine and Greyhound Precinct’ as he is a board member of the Shepparton Harness Racing Club and a member of Harness Racing Victoria’s Development Committee.

Councillor Chris Hazelman left the meeting, the time being 6.19pm

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 Strategic Planner (Amendments)

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

Approved by: Director Sustainable Development

Executive Summary

The *Greater Shepparton Housing Strategy 2013* identified the *Kialla Paceway and Shepparton Racing environs* as an investigation area “where further work is required on land conditions, servicing and development potential before future zoning options can be fully assessed and determined.”

Urban Enterprise Pty Ltd had progressed the study of the investigation area to a point where, at the 17 March 2015 Ordinary Council Meeting, Council resolved to “endorse the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Background Discussion Paper February 2015 (Discussion Paper)*, including the ‘*Recommended Concept*’” and “note the next step involves the preparation of the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan*”.

Urban Enterprise Pty Ltd, have undertaken further consultation with land owners, relevant stakeholders and referral authorities, and prepared the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Draft Report* (the Draft Report). The Draft Report is largely based on the Discussion Paper, but contains one revised section and two new sections, which are listed below:

- Section 8 Future Land Use Opportunities (revised section);
- Section 9 Master Plan (new section), includes a draft Master Plan; and
- Section 10 Economic Impact Assessment (new section).

Council officers intend to release the Draft Report for public comment. The consultant will consider any feedback received during the consultation phase and prepare the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Final Report* (Final Report).

The Final Report will inform a subsequent planning scheme amendment to implement the findings and recommendations contained in the report. Additionally, the Final Report will be used to progress the development of the Precinct and provide strategic justification in seeking future funding opportunities and assessment of future planning applications.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.5 Discussion Paper - Goulburn Valley Equine and Greyhound Precinct (continued)

**Moved by Cr Adem
Seconded by Cr Houlihan**

That the Council:

1. note the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Draft Report* (May 2015);
2. make the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Draft Report* (May 2015) publically available for comment for a period of 28 days, commencing on 27 July 2015 and concluding on 24 August 2015; and
3. note that officers will report any feedback, comments and submissions received from the public prior to a final decision being made to adopt the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Final Report*.

Cr Patterson vacated the Chair at 6.23pm to speak to the motion and Cr Summer assumed the Chair.

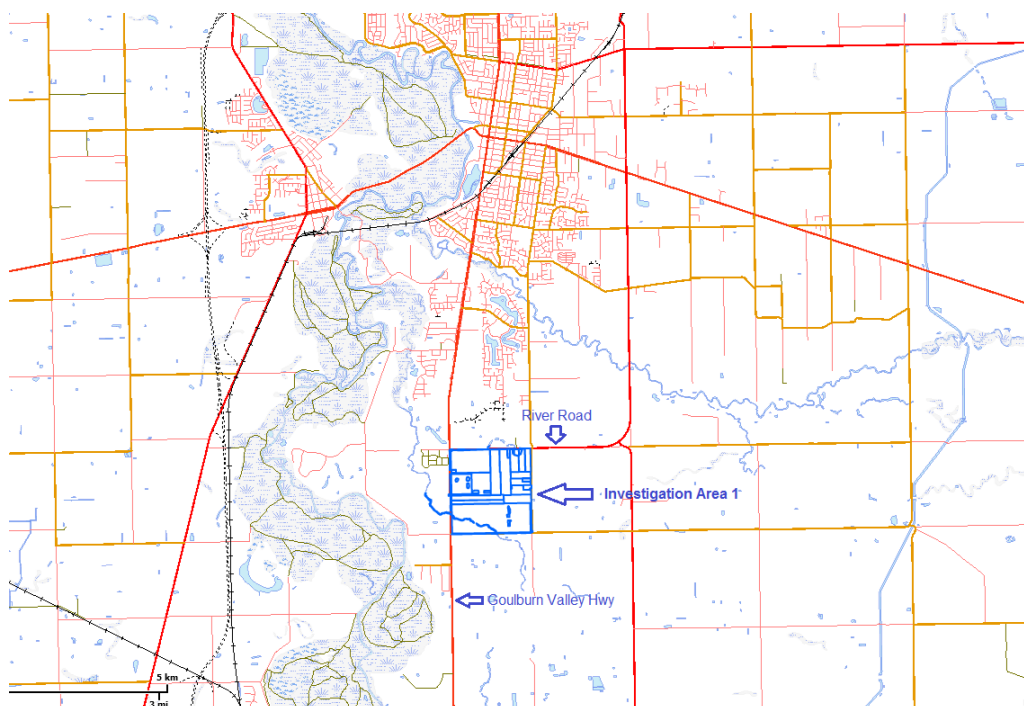
Cr Patterson resumed the Chair at 6.24pm.

The motion was put and carried.

Councillor Chris Hazelman returned to the meeting, the time being 6.25pm

Background

Investigation Area 1 is located in Kialla, to the south of River Road and to the east of Goulburn Valley Highway (see below Figure 1 – Locality Plan).



7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.5 Discussion Paper - Goulburn Valley Equine and Greyhound Precinct (continued)

Council awarded a contract to Urban Enterprise Pty Ltd on 18 December 2013 to complete a Feasibility Study and Master Plan for the Goulburn Valley 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 *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Draft Report* has been informed by existing Council strategies for this site and several rounds of consultation with stakeholders including land owners within and adjoining the investigation area, the Shepparton Harness and Greyhound Racing Clubs, Shepparton Equine Clubs and referral authorities.

Draft Report

Urban Enterprise Pty Ltd conducted market analysis and consultation to produce the Discussion Paper, which was presented to Council at the 18 November 2014 OCM and then released for public consultation.

At the 17 March 2015 Ordinary Council Meeting, following the consideration of submission and hearing directly from submitters, Council resolved to "endorse the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Background Discussion Paper February 2015*, including the 'Recommended Concept'" and "note the next step involves the preparation of the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan*", which was to prepare the Draft Report.

The Draft Report (Attachment 1) 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 Draft Report also provides a profile of the harness and greyhound sectors, highlighting that growth is expected to take place within both sectors in the near future.

Urban Enterprise Pty Ltd, have now undertaken further consultation with land owners, relevant stakeholders and referral authorities and prepared the Draft Report, including a

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.5 Discussion Paper - Goulburn Valley Equine and Greyhound Precinct (continued)

draft Master Plan. The updated version contains one revised section and two new sections, which are outlined below:

- Section 8 Future Land Use Opportunities (revised section) – provides supplementary market analysis information and recommendations, including:
 - 8.3 – Recreational Equine Groups – The Shepparton Pony Club and Goulburn Valley Equestrian Club have expressed interest to relocate their clubs and co-locate on a purpose-built site within the precinct. The consultant has incorporated their space and amenity requirements into the draft Master Plan.
 - 8.4 – Commercial and Tourism Uses – Strategic justification is provided for the recommendation to develop both a high quality visitor accommodation and a caravan park with potential animal holding infrastructure in the investigation area. The Shepparton Harness and Greyhound racing precinct draws large numbers of overnight visitors each year, these visitors have a range of needs which will be met by the additional accommodation provided in the Precinct. In any event, the future underlying zoning would permit an application for a caravan park to be made.
 - 8.5 – Summary of Land Uses – A summary is provided of the land requirements needed to satisfy the different land uses which have been identified for the Precinct.

- Section 9 Master Plan (new section) – provides a draft Master Plan and an overview of the strategic justification for the land uses proposed to be developed in the precinct.

- Section 10 Economic Impact Assessment (new section) – provides an estimate of the economic benefits of the draft Master Plan. The economic impact assessment includes any benefits generated at the construction and operational phases.
 - The construction phase is estimated to have an economic impact of \$287 million, generating 744 jobs during construction: and
 - The operational phase is estimated to have an ongoing economic impact of \$12 million, generating 73 jobs, each year.

Draft Master Plan

In November 2014, Urban Enterprise Pty Ltd prepared a ‘Recommended Concept’ (Attachment 2), which was released to the public for comment. Submitters were then given the opportunity to directly present their views on the future development of the Precinct to Council.

The consultant has considered submissions, met with relevant stakeholders, referral authorities and Councillors to develop a draft Master Plan (Attachment 3), which reflects the latest rounds of consultation.

Section 9 of the Draft Report provides a draft Master Plan and an overview of the strategic justification for the land uses proposed to be developed in the Precinct (see p.68 of the Draft Report – Attachment 1).

Consultation

The consultation process is a vital aspect of this investigation. An extensive consultation exercise has already been undertaken. The process comprised of two stages of public

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.5 Discussion Paper - Goulburn Valley Equine and Greyhound Precinct (continued)

consultation with a third stage to be completed prior to the adoption of the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Final Report* and a fourth stage as part of a planning scheme amendment (see Attachment 5 for a full description of the Consultation process).

Next Steps

Several steps will follow the 21 July 2015 Ordinary Council Meeting, including additional opportunities for public consultation and multiple occasions where Council will be requested to make a decision on the outcome of project. Attachment 4 – Next Steps outlines the evolution of the project from the July OCM decision to the introduction of the Master Plan into the Planning Scheme.

The Draft Report will be released to the public for comment. Urban Enterprise Pty Ltd will consider the submissions received and produce the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Final Report*. Council will then be requested to adopt the Final Report and request that Council officers prepare and exhibit a planning scheme amendment to implement the findings of the Final Report.

A planning scheme amendment will be initiated to allow Council officers to assess future rezoning and development applications within the Precinct based on the findings and recommendations contain in the Final Report.

Council Plan/Key Strategic Activity

The Greater Shepparton City *Council Plan 2013-2017* contains a strategic goal which seeks to promote economic growth by working with existing businesses and industries, encouraging new business development and diversification, attracting and supporting education within the City and strengthening agriculture and industry. The implementation of the Master Plan 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 releasing the Draft Report and draft Master Plan for public comment.

Policy Considerations

The *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan* supports existing Council policy including the Greater Shepparton City Council *Council Plan 2013-2017* and the *Greater Shepparton 2030 Strategy (2006)*.

Financial Implications

The recommendation does not have any financial or budgetary implications for Council. A budget allocation was included in the adopted budget for the 2014 -'15 financial year to complete the project.

Legal/Statutory Implications

All procedures associated with the Draft Report comply with the legislative requirements.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.5 Discussion Paper - Goulburn Valley Equine and Greyhound Precinct (continued)

The Draft Report has been prepared in accordance with the Greater Shepparton Planning Scheme.

Environmental/Sustainability Impacts

A large proportion of the Precinct is affected by the Floodway Overlay and the Land Subject to Inundation Overlay, which will place development constraints in these areas. It should be noted however, that floodplain areas could potentially be utilised for drainage infrastructure, open space, recreation trails and/or horse tracks.

There are no adverse environmental impacts associated with the Draft Report.

Social Implications

The draft Master Plan included in the Draft Report 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 facilitating development on a key strategic site in Shepparton.

There are no adverse social impacts associated with the discussion paper.

Economic Impacts

The draft Master Plan proposed in the Draft Report would provide positive economic benefits. There is an opportunity for a range of new uses to be realised 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 Draft Report.

Consultation

The consultation process is a vital aspect of this investigation. An extensive consultation exercise has already been undertaken. The process comprised of two stages of public consultation with a third stage to be completed prior to the adoption of the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Final Report* and a fourth stage as part of a planning scheme amendment. The current and upcoming consultation stages are shown below (see Attachment 5 for a full description of all stages involved in the Consultation process).

Stage Three – 2015 (Current Stage)

- Notice will be made advising the public that *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Draft Report* will be the subject of public consultation.
- The public will be invited to make a submission.
- The feedback received during this stage of the consultation process will help to finalise the Feasibility Study and Master Plan.

Stage Four – 2015 to 2016 (Upcoming)

- A Planning Scheme Amendment process will be required to introduce the Master Plan to the Planning Scheme.
- Public notification of the proposed amendment will be needed and will involve another formal consultation process.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.5 Discussion Paper - Goulburn Valley Equine and Greyhound Precinct (continued)

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

Strategic Links

a) Greater Shepparton 2030 Strategy (2006)

The future planning and development of this investigation area 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 Draft Report supports the GSHS by encouraging residential development in appropriate locations. It will also create sustainable living environments which conserve land and energy and are integrated with existing networks and systems.

Options for Consideration

1. Note the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Draft Report* (May 2015), release it for public consultation and note that officers will report any feedback, comments and submissions received from the public prior to a final decision being made to adopt the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Final Report*, or
2. Do not note the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Draft Report* (May 2015) or release it for public consultation.

Conclusion

The *Goulburn Valley Equine and Greyhound Racing Precinct Feasibility Study and Master Plan* provides an opportunity to progress the development of the Precinct.

Urban Enterprise Pty Ltd has prepared the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Draft Report May 2015* (the Draft Report), including a draft Master Plan.

The Draft Report 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 Draft Report provides a profile of both sectors, highlighting that growth is expected to take place within the harness and greyhound sectors in the near future. To assure that future development occurs in an appropriate manner, the Draft Report also provides a draft Master Plan and strategic justification for the land uses proposed to be developed in the Precinct.

Council officers are requesting the opportunity to release the Draft Report for public comment (stage three of the consultation process). Urban Enterprise Pty Ltd will consider any feedback received during the consultation phase and prepare the *Goulburn Valley Harness and Greyhound Racing Feasibility Study and Master Plan – Final Report* (Final Report).

The Final Report will be presented to Council for adoption and will be used to progress the development of the Investigation Area and provide strategic justification in seeking future funding opportunities. A planning scheme amendment will be required to

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.5 Discussion Paper - Goulburn Valley Equine and Greyhound Precinct (continued)

introduce the Master Plan into the Planning Scheme. Public notification of the proposed amendment will be needed, which will involve another formal consultation process. All land owners and occupiers of land materially affected will be notified of the amendment and given the opportunity to make a submission.

Attachments

- | | |
|---|----------|
| 1. Draft Report - GV Harness and Equine Precinct Masterplan 3rd June | Page 251 |
| 2. Recommended Concept | Page 346 |
| 3. Draft Master Plan | Page 351 |
| 4. Next Steps | Page 352 |
| 5. Goulburn Valley Equine and Greyhound Precinct - Consultation Process | Page 353 |

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens

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

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

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

Council Officers involved in producing this report

Author: Principal Statutory Planner

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

Approved by: Director Sustainable Development

Executive Summary

This application seeks planning approval to demolish two brick toilet buildings at 41-51 Welsford Street, Shepparton more commonly known as the Queens Gardens.

The land is within the Public Park and Recreation Zone (PPRZ), Heritage Overlay 161 (HO) and Parking Overlay 1 (PO1).

A planning permit is triggered under the HO for the demolition of buildings.

Queens Gardens was set aside for public gardens in 1884 and the toilets constructed in the 1930's.

Officers have advertised the application and 14 objections to the proposal have been lodged with Council. The objections mostly relate to non-heritage grounds and both heritage consultants have deemed that it is appropriate to allow demolition of the two toilet buildings.

In 2010 Council adopted the Queens Garden Master Plan (the master plan) which includes an action to remove the existing toilet blocks. In 2014, Council reinforced this position and again decided to not retain the original public toilet buildings.

Council's heritage advisor has undertaken an assessment of the application and concluded that the demolition of the toilets in the Queens Gardens should be supported. In addition the heritage advisor has found that the toilets do not contribute to the cultural heritage significance of the gardens.

The permit applicant (Council) has also commissioned a independent heritage review which was undertaken by Lovell Chen. This review concludes that the demolition of the toilet blocks will not give rise to any adverse heritage impacts.

In assessing the application, the adopted master plan, which was publicly advertised at the time, provides clear direction that the toilets are to be removed. Furthermore both heritage experts have formed the view that the toilets are not so significant that demolition should be not supported.

Council's Local Policy at clause 21.05-4 allows the demolition of non-significant buildings within a heritage place subject to the subsequent development being considered an acceptable design.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)

Officers are satisfied that future development of the land that is generally in accordance with Council's approved master plan is an acceptable design solution, subject to the retention of the Fir Tree.

Officers are recommending that the master plan be updated to reflect current heritage requirements such as the retention of the mature Fir Tree and avoiding demolition of the sound shell.

Officers recommend that Council issue a notice of decision to grant a permit.

**Moved by Cr Houlihan
Seconded by Cr Adem**

1. In relation to Planning Application 2015-61, 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 to grant a planning permit subject to the following conditions:

Amended Plans Required

Before the demolition of the two toilet buildings, a properly prepared demolition plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority.

The demolition plan must include the following details:

- a) Retention of existing mature Fir Tree as referenced in the Lovell Chen report dated 24 May 2015
- b) Details of how the Fir Tree will be protected during the demolition of the buildings

Photographic Survey

Before the demolition of the two buildings an archival quality photographic survey is to be prepared to record the two buildings to the satisfaction of the responsible authority. Once prepared the photographic survey is to be submitted to the responsible authority.

Time for Starting and Completion

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

- a) the demolition is not started within **two (2) years** of the date of this permit;
 - b) the demolition is not completed within **three (3) years** of the date of this permit.
2. Within three months of this Council resolution an updated Queens Garden master plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority.

The master plan must be generally in accordance with Council's adopted master plan and include the following details:

- a) Retention of existing mature Fir Tree as referenced in the Lovell Chen report dated 24 May 2015
- b) Reduction in size of the proposed pergola structure to ensure no part of the sound shell building is required to be demolished
- c) Removal of taxi bays from the plan as required by former Council resolution

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)

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

GRANTED.

The motion was put and carried.

Cr Summer called for a division.

Those voting in favour of the motion: Cr Adem, Cr Ryan, Cr Houlihan and Cr Hazelman.

Those voting against the motion: Cr Patterson and Cr Summer.

Property Details

Land/Address	41-51 Welsford Street, Shepparton
Zones and Overlays	Public Park and Recreation Zone Heritage Overlay 161 Parking Overlay 1
Why is a permit required	Demolition in the Heritage Overlay 161 under 43.01-1

Proposal in Detail

The planning application form describes the proposal as '*demolition of existing male and female brick toilets*'.

The application consisted of:

- Asbestos Audit
- Heritage report prepared by Lovell Chen
- Marked up site plan showing area of demolition

Although not included in the application, a site plan and photos taken by planning officers of the toilet blocks are below:

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)



7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)



7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)

Summary of Key Issues

- The application seeks planning permission to demolish two buildings in the HO which are used for public toilets.
- The application has been advertised and 14 objections lodged. Grounds of objection relate to the dislike of the exeloo public toilet, lack of public toilets in Shepparton's central business area, failure to retain and reuse the buildings and loss of heritage buildings. Officers consider that the grounds of objection are not sufficient to refuse the application.
- Both heritage consultants in their written reports made statements that the objections are largely unrelated to heritage considerations.
- The adopted master plan for the Queens Gardens which was publicly advertised and subsequently approved by Council includes direction to remove the existing toilet buildings.
- The master plan is to be updated to reflect heritage advices by showing retention of the Fir Tree and sound shell and deleting the taxi rank within Wyndham Street.
- Council's local planning policy at 21.05-4 states that applications to demolish non-significant buildings can be considered. The policy requires that before demolition occurs an approved development of the site be in place. Officers are satisfied that Council's approved master plan provides an acceptable design outcome for the Queens Gardens.
- The permit applicant's (Council) heritage assessment was undertaken by Lovell Chen and recommended that the demolition of the toilet buildings will not give rise to any adverse heritage impacts.
- Council's heritage advisor undertook an assessment of the application and concluded that the proposed demolition should be supported as the buildings do not contribute to the heritage place being the Queens Garden.

Background

- Council at the 20 July 2010 Council meeting resolved to adopt the Queens Garden Master Plan which includes a notation indicating that the existing public toilets are to be removed.
- Council at the 16 December 2014 Council Meeting, reinforced this position and decided to not retain the original public toilets in the Queens Gardens.
- Council on 22 December 2014 issued a Purchase Order to Crow Constructions Pty Ltd to demolish male and female toilets at Queens Gardens.
- On 24 December 2014 Council applied for a building permit to demolish the toilet blocks.
- On 13 January 2015 the Council (as the applicant) were informed by planning officers that a planning permit is required before a building permit can be issued to authorise the demolition of the two buildings.
- On 12 February 2015 Council lodged a planning application to demolish the toilets to the responsible authority.

Assessment under the Planning and Environment Act

The land is within the Public Park and Recreation Zone and Parking Overlay 1, however no planning permission is required under the zone or overlay for the demolition of the toilet blocks.

Statement of Significance of Queens Gardens

The Queens Gardens are of historic and social significance as the garden provide tangible evidence as to the development of Shepparton. The gardens have been part of

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)

the Shepparton's civic life since 1884 and the changing character of these gardens illustrates the historic phases of community life.

It is of aesthetic significance for its tradition garden layout and it provides a visual and physical respite in an urban setting.

Heritage Consultants

Council's heritage advisor and Lovell Chen have undertaken a review of the proposed demolition. Acting independently of each other, the two consultants both conclude that it is appropriate to allow the demolition of the two toilet buildings.

Both consultants agree that the toilets were constructed in the 1930's and are non contributory structures to the Queens Gardens.

Officers Assessment

Policy Statement	Officer's Response
Discourage the demolition of Individually Significant or Contributory buildings, except where it can be demonstrated that: <ul style="list-style-type: none"> • the building is structurally unsound (as determined by a suitably qualified Building Surveyor) • the cost of repairs is considered to be unreasonable and economically unsustainable • the significant physical fabric is so compromised or in such poor condition that the replacement and/or repair would compromise and reduce the integrity of the building. 	Complies - The two toilet blocks as stated by the two expert heritage consultants are not individually significant or contributory buildings.
Demolition of features of Individually Significant or Contributory places may be considered if it will help to reveal the original fabric of the place.	N/A – As set out above the two toilet blocks are not individually significant or contributory buildings
Demolition of features that are identified as not contributing to the cultural heritage significance of either an Individually Significant or Contributory place can be removed. If the place is Individually Significant, the Statement of Significance for the individual place will be used to inform the assessment of an application.	Complies – As the two blocks are not stated as contributing to the cultural heritage significance of the Queens Gardens this policy supports the application to demolish the insignificant buildings.
Demolition or removal of buildings or features on places identified as Non-Contributory on the relevant precinct map may be considered.	N/A

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)

Policy Statement	Officer's Response
<p>Demolition approvals should not be granted until replacement buildings or works have been approved.</p>	<p>Complies – Council has previously endorsed a master plan for the site which represents an acceptable development for the land, subject to minor revisions to the master plan.</p> <p>Council at the 20 July 2010 resolved to adopt the master plan with the removal of the taxi stand in Wyndham Street and the location of the toilets to be subject to further discussion.</p> <p>The master plan adopted by Council, although not specifically referred to in Council's resolution, is Urban Initiatives plan LS01_C dated 28 June 2010.</p> <p>A revised master plan was subsequently prepared (Urban Initiatives plan LS01_E dated 7 October 2010). This revised plan relocated the recently constructed Exeloo toilets from Nixon Street to their current location.</p> <p>The revised master plan continues to show the taxi stand in Wyndham Street despite Council's resolution to remove reference to this taxi stand.</p> <p>The master plan shows that the toilet buildings will be replaced by a wide concrete area that sits between the existing and proposed east west pergola.</p> <p>Officers require the submission of an updated master plan to show:</p> <ul style="list-style-type: none"> • The existing mature Fir tree is to be retained • Redesigned east west pergola to ensure the sound shell is not be demolished • Deletion of the taxi stand from the plan as directed by Council resolution <p>It is recommended that this updated master plan be submitted and approved by responsible authority within three months of Council's resolution associated with 2015-61.</p> <p>Council's report associated with the July 2010 Council meeting estimates the implementation of the master plan will cost \$1.2 million and goes on to state that the 'project complies with relevant legislation', even though a planning permit is required for Council developments exceeding \$1 million. Therefore any future developments will be subject to planning permission.</p>

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)

Policy Statement	Officer's Response
New development visible from the street should be designed in a manner sympathetic to the character of the significant fabric or in an understated modern manner in complementary form and materials.	Upon submission of a revised master plan Council planning officers and heritage advisor can ensure the design outcome is sympathetic to the character of the Queens Gardens.

Officers are satisfied that it is acceptable to allow the demolition of the two toilet buildings, as the removal of these buildings will not detrimentally impact on the heritage place.

Officers recommend that an updated master plan be prepared and submitted to reflect heritage advisors comments to ensure clear direction is provided for future planning applications.

Therefore as both heritage advisors are not opposed to the demolition of the toilet blocks it is considered a notice of decision to grant a permit should issue subject to appropriate conditions.

Council Plan 2013-2017 /Key Strategic Activity

A goal of the Council plan is titled enhancing the environment (natural):

We will continue to value our heritage, open spaces and natural environments, maintaining and enhancing them, and enabling greater access for people to connect with our environment.

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.

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.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)

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

The land is 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 demolition has no detrimental impact on the environment as officers will require that the existing mature fir tree be retained.

Social Implications

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

Before deciding on an application, the responsible authority must consider,

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

The proposed application to demolish two toilet block buildings is not considered to raise any significant social or economic effects.

Economic Impacts

This application has no substantial economic impacts in terms of job creation or investment into Greater Shepparton.

Referrals/Public Notice

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 of two signs on site.
- Advertisement in the Shepparton News

The Council has received 14 objections to date.

All objectors were issued with an acknowledgment letter.

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

Ground of Objection	Officer's Response
Dislike of the Exeloo toilets.	The type of public toilet provided is not a matter that Council planning officers can control.
Overall shortage of public toilets in Shepparton's central business area	The provision of public toilets that are not part of commercial developments is not a matter that planning officers control.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)

Ground of Objection	Officer's Response
Toilets are within a Heritage Overlay and should therefore be retained	Two heritage consultants have reviewed the proposal to demolish the buildings and both conclude that it is appropriate to allow the removal of the toilet blocks. This conclusion is largely based on the toilet blocks not being significant to the heritage place.
Refurbishment of the toilets or reuse of the toilet buildings for another use such as a kiosk	Officers are required to consider the application as applied for, which is this case, is for demolition of the buildings not the refurbishment or reuse of the buildings.

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

Strategic Links

Greater Shepparton 2030 Strategy (GS2030)

8.4 of GS2030 provide the following key objectives:

- To identify, protect and enhance sites and areas of recognised historic significance.
- To recognize efforts at restoration and re use of sites of identified heritage significance.

Table 5 – built heritage contains the following relevant strategies.

- Encourage the retention, adaptation and appropriate renovation of significant historic buildings and works, gardens and other areas as a viable alternative to demolition.

Greater Shepparton Heritage Study Stage IIB

This heritage study led to the planning scheme amendment that included in the Queens Gardens within the Heritage Overlay.

The GS2030 document provides strategic direction to retain buildings of heritage value. The more detailed and technical assessment was undertaken by the heritage study which provided assessment criteria for applications in the Heritage Overlay.

Based on Council heritage policies which were borne from the heritage study it is deemed that it is an acceptable planning outcome to allow the two heritage buildings to be demolished.

Options for Consideration

1. That Council adopt the recommendation contained within this report.
2. That Council resolve to issue a notice of decision to grant a permit subject to revised conditions.
3. That Council refuse to grant a permit on specified grounds.

Conclusion

Officers having undertaken an assessment of the application have decided that the application achieves acceptable planning outcomes when assessed against policy and therefore a notice of decision to grant a planning permit should issue.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.6 Proposed Demolition of Toilets at Queens Gardens (continued)

Attachments

Nil

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.7 Adoption of Amendment C162 (Industrial Land Review, City of Greater Shepparton, 2011) to the Greater Shepparton Planning Scheme

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 Strategic Planning

Proof reader(s): Manager Planning

Approved by: Director Sustainable Development

Other: Senior Strategic Planner

Executive Summary

Amendment C162 to the Greater Shepparton Planning Scheme (Planning Scheme) proposes to implement the findings and recommendations of the *Industrial Land Review, City of Greater Shepparton, 2011* (ILR), which was adopted by Council on 19 July 2011.

The Amendment has been through exhibition, consideration of submissions and panel processes in accordance with the requirements of *Planning and Environment Act 1987* (the Act). A Panel Hearing was held on 25 May 2015. Council is now required to consider the recommendations of the Independent Planning Panel Report, dated 29 June 2015, and must make a determination on the Amendment.

The Panel's Report (see *Attachment 2 – Panel Report - June 2015*) recommends that Amendment C162 be adopted as exhibited subject to the following changes:

1. Amend the Shepparton Industrial Framework Plan in relation to Shepparton East in Clause 21.06 as shown in Figure 3 of the Panel Report.
2. Modify the boundaries of Investigation Area 11 in Lemnos to the post-exhibition version as shown in Figure 3 of the Panel Report.
3. Retain the Industrial 1 Zone and do not apply the proposed General Residential Zone, Development Plan Overlay or Environmental Audit Overlay to the land in North Shepparton as shown in Figure 7 of the Panel Report.
4. Amend the Tatura Industrial Framework Plan in Clause 21.06 to include a new Investigation Area 13 as shown in Figure 9 of the Panel Report.
5. Amend the reference to Investigation Area 13 in Tatura in Clause 21.06-4 to read as follows:

Investigation Area 13 – South of Pyke Road, Tatura. This area includes lands to the south west of the intersection of Pyke Road and the Tatura-Undera Road. It is intended to facilitate a possible small lot industrial development. Adequate buffers and separation distances from nearby residences must be considered as part of this investigation. Access to the site should be provided from Pyke Road.

Council officers have reviewed the Panel Report and agree with the Panel's recommendations.

Council officers also recommend that an additional change be undertaken to the exhibition documentation. Investigation Area 4 within Clause 21.04 *Settlement* of the Planning Scheme and proposed Investigation Area 10 are intended to apply to the same

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.7 Adoption of Amendment C162 (Industrial Land Review, City of Greater Shepparton, 2011) to the Greater Shepparton Planning Scheme (continued)

land in Shepparton East. As a consequence of the Panel Report's recommendations (see Point 2 above) to extend Investigation Area 11 further to the west, Investigation Area 10 must be reduced to accommodate this. As a result of this change, Investigation Areas 4 and 10 would no longer apply to the same land. To rectify this error, Council officers recommend that the extent of Investigation Area 4 be revised to replicate that recommended by the Panel for Investigation Area 10. This additional change will ensure that both investigation areas continue to identify the same parcels of land.

The amendment documentation has been revised accordingly and Council officers now request that Council:

1. adopt the recommendations of the Independent Planning Panel for Amendment C162;
2. adopt Amendment C162 with the changes recommended by the Panel and the one additional change recommended by Council officers; and
3. resolve to submit the Amendment to the Minister for Planning for approval.

Moved by Cr Ryan

Seconded by Cr Houlihan

That, having considered the Independent Planning Panel Report for Amendment C162 to the Greater Shepparton Planning Scheme, in accordance with Section 27 of the *Planning and Environment Act 1987* (the Act), Council:

1. adopt the recommendations of the Independent Planning Panel for Amendment C162 as outlined in their Panel Report dated 29 June 2015;
2. adopt Amendment C162 with the changes recommended by the Independent Planning Panel in accordance with Section 29 of the Act with the following additional change:
 - remove those lands proposed to be included in Investigation Area 11 from Investigation Area 4 at Clause 21.04 *Settlement* of the Greater Shepparton Planning Scheme, as identified at Point 2 of the Recommendations of the Panel Report; and
3. submit Amendment C162 to the Minister for Planning for approval in accordance with Section 31 of the Act.

CARRIED.

Cr Adem called for a division.

Those voting in favour of the motion: Cr Ryan, Cr Houlihan, Cr Patterson, Cr Summer and Cr Hazelman.

Those voting against the motion: Cr Adem.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.7 Adoption of Amendment C162 (Industrial Land Review, City of Greater Shepparton, 2011) to the Greater Shepparton Planning Scheme (continued)

Background

Amendment C162 to the Greater Shepparton Planning Scheme (Planning Scheme) was prepared and exhibited in accordance with the requirements of *Planning and Environment Act 1987* (the Act).

The content of the submissions were considered by Council at the Ordinary Council Meeting held on 19 May 2015 (see *Attachment 1 – May 2015 Ordinary Council Meeting Unconfirmed Minutes Extract*). Council resolved to endorse Council officers' assessment of the issues raised in the submissions. A Panel Hearing was held on 25 May 2015. The Independent Planning Panel provided Council with a Panel Report, dated 29 June 2015 (see *Attachment 2 – Panel Report - June 2015*).

The Panel generally supported the intent of the Amendment and recommends that Amendment C162 be adopted subject to minor changes. These changes include:

1. Amend the Shepparton Industrial Framework Plan in relation to Shepparton East in Clause 21.06 as shown in Figure 3 of the Panel Report.
2. Modify the boundaries of Investigation Area 11 in Lemnos to the post-exhibition version as shown in Figure 3 of the Panel Report.
3. Retain the Industrial 1 Zone and do not apply the proposed General Residential Zone, Development Plan Overlay or Environmental Audit Overlay to the land in North Shepparton as shown in Figure 7 of the Panel Report.
4. Amend the Tatura Industrial Framework Plan in Clause 21.06 to include a new Investigation Area 13 as shown in Figure 9 of the Panel Report.
5. Amend the reference to Investigation Area 13 in Tatura in Clause 21.06-4 to read as follows:

Investigation Area 13 – South of Pyke Road, Tatura. This area includes lands to the south west of the intersection of Pyke Road and the Tatura-Undera Road. It is intended to facilitate a possible small lot industrial development. Adequate buffers and separation distances from nearby residences must be considered as part of this investigation. Access to the site should be provided from Pyke Road.

Council officers agree with each of the Panel's recommendations.

Council officers also recommend that an additional change be undertaken to the exhibition documentation. Investigation Area 4 within Clause 21.04 *Settlement* of the Planning Scheme and proposed Investigation Area 10 are intended to apply to the same land in Shepparton East. As a consequence of the Panel Report's recommendations (see Point 2 above) to extend Investigation Area 11 further to the west, Investigation Area 10 must be reduced to accommodate this. As a result of this change, Investigation Areas 4 and 10 would no longer apply to the same land. To rectify this error, Council officers recommend that the extent of Investigation Area 4 be revised to replicate that recommended by the Panel for Investigation Area 10. This additional change will ensure that both investigation areas continue to identify the same parcels of land.

The Amendment Documentation has been revised accordingly (see *Attachment 3 – Amendment Documentation*).

In accordance with *Ministerial Direction 15 – the planning scheme amendment process – September 2012*, Council must make a decision on the Amendment within 40 business days of the date the Panel's Report was received. Council is required to consider the

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.7 Adoption of Amendment C162 (Industrial Land Review, City of Greater Shepparton, 2011) to the Greater Shepparton Planning Scheme (continued)

recommendations of the Independent Planning Panel and must make a determination on the Amendment. Council officers request that Council:

1. adopt the recommendations of the Independent Planning Panel for Amendment C162;
2. adopt Amendment C162 with the changes recommended by the Panel and the one additional change recommended by Council officers; and
3. resolve to submit the Amendment to the Minister for Planning for approval.

Council Plan/Key Strategic Activity

The *Greater Shepparton City Council Council Plan 2013-2017* (Council Plan) includes the vision of “*a thriving economy in the food bowl of Victoria with excellent lifestyles, innovative agriculture, a diverse community and abundant opportunities*”. It also includes strategic goals around an active and engaged community, and economic prosperity.

The implementation of the ILR is consistent with the Council Plan’s vision and strategic goals. In particular, it implements the following:

Goal 3: Economic Prosperity (Economic)

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

- *‘Ensure sufficient industrial land which offers a range of options for new industry establishment is available throughout Greater Shepparton.*
- *Undertake research of industry to understand and highlight their needs and opportunities to ensure that Council has considered all options for industry attraction and retention’.*

Goal 4: Quality Infrastructure (Built)

Objective 3: Encourage sustainable municipal growth and development.

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

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

Risk Management

In accordance with Section 27 of the *Planning and Environment Act 1987*, Council is required to consider the recommendations of the Independent Planning Panel before deciding whether or not to adopt the Amendment. Council is not required to adopt the recommendations of the Panel under the Act. As the Panel is appointed by the Minister for Planning and is required to make recommendations based on net community benefit in the interests of all Victorians, it is possible that not accepting the Panel’s recommendations could result in the Amendment not receiving approval from the Minister for Planning. This would result in unnecessary financial and resource costs for Council.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.7 Adoption of Amendment C162 (Industrial Land Review, City of Greater Shepparton, 2011) to the Greater Shepparton Planning Scheme (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
The Minister for Planning refuses to approve the Amendment.	D	4	Low	Adopt the Amendment subject to the Independent Planning Panel's recommendations.

Policy Considerations

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

Financial Implications

The preparation of proposed Amendment C162 up to the exhibition stage of the planning scheme amendment process was funded through the 'Rural Planning Flying Squad' program. The costs associated with an Independent Planning Panel have been funded by Council. These costs have been included in the Council Budget for the 2014-'15 financial year.

The cost of the Directions Hearing and the Panel Hearing associated with this Amendment cost approximately \$5,700 (including GST). In addition, legal expenses from Council's lawyers, Russell Kennedy Pty Ltd, associated with the cross-examination of objectors at the Panel Hearing amounted to \$30,818.70 (including GST).

Council also incurred expenses associated with the preparation of the expert witness statement and the attendance of Habitat Planning Pty Ltd to act as Council's expert witness. These costs amounted to \$5,500 (including GST).

Legal/Statutory Implications

All procedures associated with this Amendment comply with the legislative requirements of 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

Proposed Amendment C162 is anticipated to have positive environmental and sustainability impacts for the municipality. The changes to the Planning Scheme will provide certainty for industrial activities, as well as all stakeholders involved in industrial development. The proposed Amendment will increase the attractiveness and viability of industrial land use and development within Greater Shepparton.

As part of the exhibition of this Amendment, the Environment Protection Agency (EPA), Department of Environment and Primary Industries and the Goulburn Broken Catchment Management Authority were issued with formal notification. None of these authorities

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.7 Adoption of Amendment C162 (Industrial Land Review, City of Greater Shepparton, 2011) to the Greater Shepparton Planning Scheme (continued)

objected to the proposed development. In its submission, the EPA stated that it 'fully supports the approach taken by the City of Greater Shepparton in implementing the recommendations of the Industrial Land Review. EPA often deals with matters relating to amenity impacts from incompatible land use zonings and therefore welcomes a framework which looks to ensure future industrial land is protected from encroachment by sensitive land use zoning and likewise residential zoning is not compromised by impacts from industrial land uses'.

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

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

Social Implications

Proposed Amendment C162 will generally have positive social implications by seeking to implement the findings and recommendations of the ILR. The ILR makes a number of recommendations to prevent or reduce land use conflicts between incompatible land uses.

The proposed Amendment includes a number of these rezoning recommendations. The proposed rezonings aim to reduce future land use conflicts that may arise if incompatible land uses are permitted in close proximity.

The proposed Amendment also proposes to apply a number of overlays to land parcels to ensure that any future buildings and works on these lands will respect the amenity of surrounding sensitive land uses.

Finally, the changes proposed to the policy contained within the Planning Scheme, specifically Clause 21.06 *Economic Development*, will assist in requiring any future industrial development to respect the amenity of surrounding sensitive land uses.

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

Economic Impacts

The implementation of the findings and recommendations of the ILR would be expected to deliver some economic benefit.

The proposed Amendment aims to consolidate existing industrial areas, provide a greater level of protection for strategic industrial and transport assets, and identify future industrial land supply. This will provide greater certainty to all stakeholders involved in the development of industrial land. It is envisaged that this will help to attract and retain industrial land uses, investment and development by explicitly supporting industry.

There are no adverse economic impacts associated with this Amendment.

Consultation

The Amendment was exhibited in accordance with the *Planning and Environment Act 1987* for six weeks. This included the following:

- Letters sent to owners and occupiers of land directly affected on 18 November 2014;
- Letters sent to relevant referral authorities on 18 November 2014;

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.7 Adoption of Amendment C162 (Industrial Land Review, City of Greater Shepparton, 2011) to the Greater Shepparton Planning Scheme (continued)

- Letters sent to prescribed Ministers on 18 November 2014;
- Notice in the Victorian Government Gazette on 20 November 2014;
- Notice in the Shepparton News on 18 November 2014;
- Notice in the Tatura Guardian on 18 November 2014;
- Notice on Greater Shepparton City Council website;
- Notice on former Department of Transport, Planning and Local Infrastructure website; and
- Copy of exhibition documentation in the foyer of the Council offices at Welsford Street, Shepparton.

The exhibition period closed on 5 January 2015.

The Panel confirms that appropriate notice was given in accordance with Sections 17, 18 and 19 of the Act. Council officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy 2006

The integration of the ILR's findings and recommendations into the Planning Scheme will provide greater certainty for industrial land use and development in the future. This is consistent with the premise of the *Greater Shepparton 2030 Strategy 2006* for continued sustainable development. The Amendment implements the findings of the industrial strategy and supply analysis identified as a need within the *Greater Shepparton 2030 Strategy 2006*.

b) Hume Regional Growth Plan 2013

The *Hume Regional Growth Plan 2013* identifies Shepparton as a key urban centre for major urban growth and development in the Hume Region. The proposed Amendment and rezoning of land for industrial purposes will assist Shepparton in accommodating future growth and ensure the municipality continues "to develop its role as a business, retail and services hub for the region".

Options for Consideration

In accordance with Section 27 of the *Planning and Environment Act 1987*, Council must consider the recommendations of the Independent Planning Panel before deciding whether or not to adopt the Amendment. Council may:

- abandon the Amendment under Section 28 of the Act; or
- adopt the Amendment under Section 29 of the Act.

If adopted, Council may then submit the Amendment to the Minister for approval under Section 31 of the Act.

Conclusion

The Amendment has been through exhibition, consideration of submissions and panel processes. A Panel Hearing was held on 25 May 2015. Council is now required to consider the recommendations of the Independent Planning Panel Report, dated 29 June 2015, and must make a determination on the Amendment.

It is recommended that the Independent Planning Panel's Report be considered by Council and that the Amendment, including the Panel's recommendations, be adopted and submitted to the Minister for Planning for approval.

7. SUSTAINABLE DEVELOPMENT DIRECTORATE

7.7 Adoption of Amendment C162 (Industrial Land Review, City of Greater Shepparton, 2011) to the Greater Shepparton Planning Scheme (continued)

Attachments

1. May 2015 Ordinary Council Meeting Unconfirmed Minutes Extract Page 355
2. Amendment C162 - Panel Report - June 2015 Page 369
3. Amendment Documentation Page 406

8. ASSEMBLIES OF COUNCILLORS

Record in accordance with section 80A(1) of the *Local Government Act 1989*

Councillor Briefing Session – 26 May 2015		
Councillors	Cr Patterson (Chair), Cr Summer, Cr Houlihan, Cr Oroszvary, Cr Polan and Cr Ryan.	
Officers:	Gavin Cator, Steve Bowmaker, Johann Rajaratnam, Kaye Thomson, Chris Teitzel, Fiona LeGassick, Matt Innes-Irons, Colin Kalms, Braydon Aitken, Sally Rose, Jessica Kirwin, Kate Montgomery, Amanda Tingay, Charlene Norton, Mel Sporry, Stacey Cole, Kelli Halden, Marilyn Howely, Kristina Marko, Heath Chasemore and Rebecca Bertone (not all officers were present for all items)	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Amendment to Guidelines to Remove Restrictions of the Terms for the Shepparton Show Me Committee	Cr Patterson (Chair) Cr Summer Cr Houlihan Cr Polan Cr Ryan
2.	Statutory Planning Update	Cr Patterson (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan
3.	Word and Mouth Review and Future Direction	Cr Patterson (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan
4.	Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018	Cr Patterson (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan
5.	Pine Lodge Cemetery Expansion	Cr Patterson (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan
6.	Goulburn Valley Regional Library Committee 2015/2016 Budget Presentation and 2015-2019 Library Plan	Cr Patterson (Chair) Cr Summer (partial) Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan (partial)

Councillor Briefing Session – 26 May 2015		
7.	Shepparton Sports Precinct	Cr Patterson (Chair) (partial) Cr Summer Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan
8.	Shepparton Art Museum	Cr Patterson (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

Shepparton Art Museum Advisory Committee Meeting Wednesday 20 May 2015		
Councillors:	Councillor Polan	
Officers:	Kirsten Paisley and Sheron Stevens	
Matter No.	Matters discussed	Councillors Present for Discussion
1	Confirmation of Meeting Minutes	Cr Polan
2	Acquisitions – Nil	Cr Polan
3	Directors Report:- <ul style="list-style-type: none"> • Acquisitions • New SAM – outcomes and next step • Staffing 	Cr Polan
4	Friends of Shepparton Art Museum Report	Cr Polan
5	Other Matters	Cr Polan
Conflict of Interest Disclosures		
	Nil	

Councillor Briefing Session – 9 June 2015		
Councillors	Cr Patterson (Chair), Cr Summer, Cr Adem, Cr Houlihan, Cr Oroszvary, Cr Polan and Cr Ryan.	
Officers:	Gavin Cator, Steve Bowmaker, Kaye Thomson, Chris Teitzel, Colin Kalms, Michael MacDonagh, Geraldine Christou, Matthew Jarvis and Rebecca Bertone (not all officers were present for all items)	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Strategic Planning – Quarterly Update Report (June 2015)	Cr Patterson (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Polan (partial) Cr Ryan (partial)
2.	Grants Quarterly Update	Cr Patterson (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan
3.	Resignation – Cr Polan	Cr Patterson (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan
4.	2015/16 to 2018/19 Strategic Resource Plan and Long Term Financial Plan	Cr Patterson (Chair) Cr Summer Cr Adem (partial) Cr Houlihan Cr Oroszvary Cr Polan (partial) Cr Ryan
5.	Review of Draft Agenda – Ordinary Council Meeting – 16 June 2015	Cr Patterson (Chair) Cr Summer Cr Adem Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan
6.	Shepparton East Drainage Scheme	Cr Patterson (Chair) Cr Summer Cr Adem Cr Houlihan (partial) Cr Oroszvary Cr Polan Cr Ryan

Councillor Briefing Session – 9 June 2015		
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

Councillor Briefing Session – 16 June 2015		
Councillors	Cr Polan (Chair), Cr Adem, Cr Houlihan, Cr Oroszvary and Cr Ryan.	
Officers:	Gavin Cator, Steve Bowmaker, Johann Rajaratnam, Chris Teitzel, Greg McKenzie, Michael Dwyer, Amanda Tingay, Matthew Jarvis and Rebecca Bertone (not all officers were present for all items)	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Contract 1588 – Kerbside Waste, Recyclables and Organics Collection	Cr Polan (Chair) Cr Adem Cr Houlihan Cr Oroszvary Cr Ryan
2.	Contract 1589 – Recyclables Acceptance and Sorting	Cr Polan (Chair) Cr Adem Cr Houlihan Cr Oroszvary Cr Ryan
3.	Contract 1590 – Kerbside and other Organics Acceptance and Processing	Cr Polan (Chair) Cr Adem Cr Houlihan Cr Oroszvary Cr Ryan
4.	Finance Presentation including May 2015 Monthly Financial Report	Cr Polan (Chair) Cr Adem Cr Houlihan Cr Oroszvary Cr Ryan (partial)
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

Councillor Briefing Session – 23 June 2015		
Councillors	Cr Patterson (Chair), Cr Adem, Cr Houlihan, Cr Oroszvary, Cr Polan and Cr Ryan.	
Officers:	Gavin Cator, Steve Bowmaker, Johann Rajaratnam, Kaye Thomson, Chris Teitzel, Marilyn Howley, Jason Watts, Virginia Boyd, Michael Carrafa, Deane McNair, Fiona LeGassick, Sonja King and Rebecca Bertone (not all officers were present for all items)	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Asset Investment Guidelines	Cr Patterson(Chair) Cr Adem Cr Houlihan Cr Polan
2.	Greater Shepparton Seniors Festival Grants – October 2015	Cr Patterson(Chair) Cr Adem Cr Houlihan Cr Polan
3.	Mood Meter Update	Cr Patterson(Chair) Cr Adem Cr Houlihan Cr Polan
4.	2014 Small Town Festive Grant Program – Final Report	Cr Patterson(Chair) Cr Adem Cr Houlihan Cr Polan
5.	New Shepparton Art Museum Communications Plan	Cr Patterson(Chair) Cr Adem Cr Houlihan Cr Polan Cr Ryan (partial)
6.	Light up the Lake	Cr Patterson(Chair) Cr Adem Cr Houlihan Cr Oroszvary (partial) Cr Polan Cr Ryan
7.	2015/2016 Budget	Cr Patterson(Chair) Cr Adem (partial) Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan (partial)
8.	Capital Budget	Cr Patterson(Chair) Cr Adem Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan

Councillor Briefing Session – 23 June 2015		
9.	Telstra Tower Lighting	Cr Patterson(Chair) Cr Adem Cr Houlihan Cr Oroszvary Cr Polan Cr Ryan
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

Shepparton Art Museum Advisory Committee Meeting Wednesday 17 June 2015		
Councillors:	Councilor Polan	
Officers:	Anna Briers and Sheron Stevens.	
Matter No.	Matters discussed	Councillors Present for Discussion
1	Confirmation of Meeting Minutes	Cr Polan
2	Acquisitions	Cr Polan
3	Directors Report:- Nil	Cr Polan
4	Friends of Shepparton Art Museum Report	Cr Polan
5	Other Matters	Cr Polan
Conflict of Interest Disclosures		
	Nil	

Moved by Cr Houlihan
Seconded by Cr Summer

That the Council note the record of Assemblies of Councillors.

CARRIED.

9. TABLED MOTIONS

Nil Received

10. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

Nil Received

11. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

11.1 Cr Houlihan's Report on Special Committees and Advisory Committees

Name of Committee	Date of Meeting Attended	Key Items
Greater Shepparton Heritage Advisory Committee	1/6/15	<ul style="list-style-type: none"> • Organisation for members' visit to Dhurringile Mansion, German War Cemetery and Murchison Ossario • Noting and discussion of Active Planning Permit Applications relevant to Heritage matters • Masterclass presented by Mr John Dainton, Vice President of the Shepparton Heritage Centre
Greater Shepparton Heritage Advisory Committee	6/7/15	<ul style="list-style-type: none"> • Progress update on the conservation and management of Calder Woodburn Memorial Avenue • Investigation of establishing a Greater Shepparton Biennial Heritage Lecture Program • Victorian Heritage Draft Statement of significance for German War Cemetery, Tatura • Letter to Premier Andrews emphasizing the importance of State funding for places of local heritage significance
Deakin Reserve Advisory Committee	10/6/15	<ul style="list-style-type: none"> • Need to develop Master Plan to establish future budget requirements • Disabled Access pathway to be completed as part of the new toilet block • Report from Mark Lambourn (AFL) about success of the Country Championships and the Veteran's Game, both held at Deakin Reserve
Australian Botanic Gardens Shepparton Special Committee	24/6/15	<ul style="list-style-type: none"> • Seek advice from River Connect staff for placement of possum boxes and more bird boxes.

Name of Committee	Date of Meeting Attended	Key Items
		<ul style="list-style-type: none"> • Thank you to Chris Smith for his invaluable work during the past four years on the ABGS Committee. • Preparation of areas in bushland section for seed planting in Spring (Joint program with GBCMA) • Committee searching for additional Detheridge Wheels for use in the gardens. • Photographs of materials at the Council's transfer station sent to landscape designers Alex Lee and Tim Mitchell for possible inclusion in the next garden design. • Update on the construction of the Friends of the Botanic Gardens' long-necked turtle garden design

Moved by Cr Houlihan
Seconded by Cr Adem

That the report from Cr Houlihan on Special Committees and Advisory Committees be noted.

CARRIED.

12. NOTICE OF MOTION, AMENDMENT OR RESCISSION

12.1 Notice of Motion - Cr Summer 6/2015

Moved by Cr Summer
Seconded by Cr Hazelman

That the Council:

1. publicly supports marriage equality, irrespective of sex or gender identity
2. writes to all Local, State and Federal Members of Parliament, the Victorian Equal Opportunity and Human Rights Commission and the Commonwealth Human Rights and Equal Opportunity Commission, advising them of that support.

Cr Patterson sought an extension of time for Cr Summer to speak to the motion.

GRANTED.

Cr Patterson sought an extension of time for Cr Hazelman to speak to the motion.

GRANTED.

Cr Patterson vacated the chair at 7.01pm to speak to the motion. Cr Summer assumed the chair.

Cr Patterson resumed the chair at 7.01pm

The motion was put and carried.

12.2 Notice of Motion - Cr Hazelman 7/2015

**Moved by Cr Hazelman
Seconded by Cr Adem**

Having regard for the deletion of critical works in Welsford St from the recent budget due to potential conflict with major Vic Roads works on Doyles Road / Midland Highway, Council officers are requested to prepare a report for Council consideration that explores committing funds this financial year from a combination of Commonwealth Roads Funds, discretionary surplus or half year budget review.

This report to be available as part of the upcoming budget review process.

CARRIED.

12.3 Notice of Motion - Cr Hazelman 8/2015

**Moved by Cr Hazelman
Seconded by Cr Adem**

As part of an ongoing assessment of Councils Information Technology capabilities Council Officers are requested to prepare a report for Council consideration that includes a business case for investing in Teleconferencing technology and increasing bandwidth to enable live streaming of Council meetings and events.

This report to be available as part of the upcoming budget review process.

CARRIED.

13. DOCUMENTS FOR SIGNING AND SEALING

Nil Received

14. COUNCILLOR ACTIVITIES

14.1 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 June 2015 to 30 June 2015, some or all of the Councillors have been involved in the following activities:

Cr Dennis Patterson

- Meeting with Federal Department of Infrastructure and Deloitte
- CABMAC Meeting
- Tatura Park Advisory Group Meeting
- Meeting with Shadow Minister for Infrastructure & Transport – The Hon Anthony Albanese
- Meeting with The Hon Warren Truss, Dr Sharman Stone and Hon Michael McCormack - Inland Rail
- Meeting with The Hon Warren Truss & The Hon Michael McCormack - Food Bowl Rail Alliance | Canberra
- Meeting with The Hon Warren Truss - Regional Issues, Infrastructure, Roads | Canberra
- Meeting with The Hon Anthony Albanese - Food Bowl Rail Alliance
- Softball Masters | Presentations
- Launch of 'How to Engage Older People in Sport and Physical Activity'
- Foundation for Rural & Regional Renewal & McEwen Foundation | Grants Presentation Ceremony
- Goulburn River Valley Tourism | 2nd Annual Heart of Victoria Tourism Dinner
- Philippine House Launch
- Tourism and Events Industry Luncheon | Launch of the Official Visitor Guide & 2015 - 2016 Events Calendar
- Al Kasem Youth Organisation | Launch of Alkasem Youth Hub
- National General Assembly [NGA] of Local Government | June 2015 – Canberra
- Meeting | The Deputy Prime Minister – The Hon Warren Truss
- Regional Cities Victoria | June 2015 Meeting
- Launch of the Hockey Pitch | the Hon Dr. Sharman Stone
- Harmony Village | Special Morning Tea
- The Institute of Hair and Beauty | Grand Opening
- River Connect Implementation Advisory Committee
- Toolamba Lions Club & Toolamba Forest Branch Club | Changeover Dinner
- Regional Jobs and Infrastructure Fund Launch | The Hon Jaala Pulford MP
- Business & Industry Luncheon | Agriculture Sector

14. COUNCILLOR ACTIVITIES

14.1 Councillors Community Interaction and Briefing Program (continued)

Cr Fern Summer

- Disability Advisory Committee Meeting
- The Greater Shepparton Connected Community Board | First Grants Presentation Night
- Goulburn River Valley Tourism | 2nd Annual Heart of Victoria Tourism Dinner
- GV Concert Orchestra

Cr Dinny Adem

- National Reconciliation Week Elders Afternoon Tea
- Shepparton Saleyards Meeting with Agents
- Development Hearing Panel Meeting
- Shepparton Show Me Meeting
- MAV Meeting | Benalla
- Hume Regional Local Government Network (HRLGN) | Benalla
- Refugee Week | Screening of 'The Good Lie'
- Better Together Alliance MOU Launch & Back To Work Funding Announcement by The Hon Steven Herbert MP
- Mr. Ryan Smith, Shadow Minister for Roads and Infrastructure & Industry and Mr. Simon Ramsay, Parliamentary Secretary for Rural and Regional Transport
- Afternoon Tea | Staff Exchange - Toyoake City - Atsunori Hashimoto
- Launch of the Hockey Pitch | the Hon Dr. Sharman Stone
- The Hon David Davis | Shadow Minister for Local Government
- Business & Industry Luncheon | Agriculture Sector

Cr Jenny Houlihan

- White Ribbon Regional Forum
- Deakin Reserve Advisory Committee
- Victoria Country v Victoria Metro Masters Game | Tossing The Coin
- Guest Speaker | GSCC 2015 Community Leadership Program
- Philippine House Launch
- Tourism and Events Industry Luncheon | Launch of the Official Visitor Guide & 2015 - 2016 Events Calendar
- GV Concert Orchestra
- Business & Industry Luncheon | Agriculture Sector

Cr Michael Polan

- Goulburn River Valley Tourism | 2nd Annual Heart of Victoria Tourism Dinner
- Philippine House Launch
- SAM Advisory Committee Meeting
- Refugee Week 2015 | Launch
- Mr. Ryan Smith, Shadow Minister for Roads and Infrastructure & Industry and Mr. Simon Ramsay, Parliamentary Secretary for Rural and Regional Transport
- Launch of the Hockey Pitch | the Hon Dr. Sharman Stone

Cr Les Oroszvary

- Launch of the Hockey Pitch | the Hon Dr. Sharman Stone
- Shepparton Show Me Meeting

14. COUNCILLOR ACTIVITIES

14.1 Councillors Community Interaction and Briefing Program (continued)

Cr Kevin Ryan

- Tourism and Events Industry Luncheon | Launch of the Official Visitor Guide & 2015 - 2016 Events Calendar
- Shepparton Saleyards Meeting with Agents
- Tatura Park Advisory Group Meeting
- The Hon David Davis | Shadow Minister for Local Government
- Tatura Hospital Afternoon Tea

Cr Summer noted a correction to her attendance record and requested that the following items be removed as she was an apology:

- Philippine House Launch
- Al Kasem Youth Organisation | Launch of Alkasem Youth Hub

Moved by Cr Adem
Seconded by Cr Houlihan

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

CARRIED.

Attachments

Nil

15. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

Nil Received.

16. PUBLIC QUESTION TIME

Question 1 (John Gray)

With the exception of the Macintosh Centre, during the 2014-2015 Financial Year just concluded, how many days were booked for activities at the Shepparton Showgrounds?

Response

The number of days during the 2014/2015 Financial Year which the Shepparton Showgrounds were booked for activities, excluding the McIntosh Centre was 61.

Question 2 (John Gray)

As the annual preferred window of opportunity to plant bare-rooted advanced deciduous shade trees is nearly half-way through can you intimate council's intention with respect to this season's much-needed proposed plantings on the eastern lakeside of Shepparton's Victoria Park?

Response

At the February 2015 Council meeting resolved to undertake a review of the Victoria Park Lake Master Plan. Council officers are currently conducting this review which is to be completed in the 2015/16 financial year. This Master Plan review will identify current and future infrastructure proposal's including appropriate locations for tree plantings.

In addition to this, Council is also developing an Urban Forest Strategy. This strategy will assess and analyse the condition of Council's current tree population, and develop objectives and programs to improve the quality and quantity of trees in Greater Shepparton.

17. CONFIDENTIAL MANAGEMENT REPORTS

17.1 Designation of Confidentiality of Information

RECOMMENDATION

That the Council:

1. pursuant to sections 89(2)(d)(e)(h) of the *Local Government Act 1989*, close the meeting to members of the public and declare the following matters as confidential:
 - Contract 1601 – Provision of Office Catering Services
 - Investigation of Car Part Recycling (Materials Recycling) in the Commercial 2 Zone
 - Contract 1554 – Catering Services to Riverlinks Venues
 - Supreme Court Decision – D'Agostino vs Greater Shepparton City Council [2015] VSC332
 - Contract 1611 – Greater Shepparton Regional Sports Precinct – Civil Works – Community Football Complex – Earthworks and Drainage
 - Contract 1624 – Greater Shepparton Regional Sports Precinct – Community Football Complex – Roads, Car Parks and Playing Fields

2. Upon the meeting being re-opened to the public, the chairperson may announce the following motions carried as a consequence of that confidential discussion:
- Contract 1601 – Provision of Office Catering Services
 - Contract 1554 – Catering Services to Riverlinks Venues
 - Contract 1611 – Greater Shepparton Regional Sports Precinct – Civil Works – Community Football Complex – Earthworks and Drainage
 - Contract 1624 – Greater Shepparton Regional Sports Precinct – Community Football Complex – Roads, Car Parks and Playing Fields

**Moved by Cr Hazelman
Seconded by Cr Ryan**

That the Council:

3. pursuant to sections 89(2)(d)(e)(h) of the *Local Government Act 1989*, close the meeting to members of the public and declare the following matters as confidential:
- Contract 1601 – Provision of Office Catering Services
 - Investigation of Car Part Recycling (Materials Recycling) in the Commercial 2 Zone
 - Contract 1554 – Catering Services to Riverlinks Venues
 - Supreme Court Decision – D'Agostino vs Greater Shepparton City Council [2015] VSC332
 - Contract 1611 – Greater Shepparton Regional Sports Precinct – Civil Works – Community Football Complex – Earthworks and Drainage
 - Contract 1624 – Greater Shepparton Regional Sports Precinct – Community Football Complex – Roads, Car Parks and Playing Fields
4. Upon the meeting being re-opened to the public, the chairperson may announce any resolutions as a consequence of confidential discussions on the following matters:
- Contract 1601 – Provision of Office Catering Services
 - Contract 1554 – Catering Services to Riverlinks Venues
 - Contract 1611 – Greater Shepparton Regional Sports Precinct – Civil Works – Community Football Complex – Earthworks and Drainage
 - Contract 1624 – Greater Shepparton Regional Sports Precinct – Community Football Complex – Roads, Car Parks and Playing Fields

CARRIED.

17.2 Contract 1601 Provision of Office Catering Services

17.3 Investigation of Car Part Recycling (Materials Recycling) in the Commercial 2 Zone

17.4 Contract 1554 - Catering Services to Riverlinks Venues

17.5 Supreme Court Decision - D'Agostino vs Greater Shepparton City Council [2015] VSC332

17.6 Contract 1611 - Greater Shepparton Regional Sports Precinct - Civil Works - Community Football Complex - Earthworks & Drainage

17.7 Contract 1624 - Greater Shepparton Regional Sports Precinct - Community Football Complex - Roads, Car Parks & Playing Fields

17.8 Reopening of the Council Meeting to Members of the Public

MEETING CLOSED AT 7.30PM