

MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

HELD ON
TUESDAY 15 SEPTEMBER, 2015
AT 5.30PM

IN THE COUNCIL BOARD ROOM

COUNCILLORS:

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

VISION

GREATER SHEPPARTON, GREATER FUTURE
A THRIVING ECONOMY IN THE FOODBOWL OF VICTORIA WITH
EXCELLENT LIFESTYLES, INNOVATIVE AGRICULTURE, A DIVERSE
COMMUNITY AND ABUNDANT OPPORTUNITIES

**MINUTES
FOR THE
ORDINARY COUNCIL MEETING
HELD ON
TUESDAY 15 SEPTEMBER, 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	Contract No. 1404/1710 IT Products and Services - Workstation Fleet Renewal.....	2
5.2	Contracts Awarded Under Delegation and Contracts Yet to be Awarded - September 2015	6
5.3	Delegation to the Chief Executive Officer	10
6.	MANAGEMENT REPORTS FROM THE INFRASTRUCTURE DIRECTORATE	13
6.1	Shepparton East Drainage Scheme - Notice To Declare.....	13
6.2	Contract 1620 Construction of Walkways and Pens at Shepparton Regional Saleyards - Award of Contract	30
7.	MANAGEMENT REPORTS FROM THE COMMUNITY DIRECTORATE	34
7.1	Community Planning Review 2014/2015.....	34
7.2	Greater Shepparton Volunteer Strategy and Action Plan 2014-2018 - Year 1 Update	45
7.3	Cultural Diversity and Inclusion Strategy & Action Plan 2015 -2018.....	49
7.4	Committees of Management - Appointment of Members to Dookie Recreation Reserve & Kialla West Recreation Reserve	54
8.	MANAGEMENT REPORTS FROM THE BUSINESS DIRECTORATE	58
8.1	Financial Assistance Grants to Local Government	58
8.2	August 2015 Monthly Financial Report.....	61
9.	MANAGEMENT REPORTS FROM THE SUSTAINABLE DEVELOPMENT DIRECTORATE	63
9.1	2015 Small Town Festive Grants	63
9.2	Adoption of Amendment C143 to the Greater Shepparton Planning Scheme	68
9.3	Adoption of Amendment C181 (Public Acquisition Overlay in the Shepparton North Growth Corridor) to the Greater Shepparton Planning Scheme	75
9.4	Adoption of Amendment C180 (289 Maude Street, Shepparton) to the Greater Shepparton Planning Scheme and Implementation of Land Exchange.....	81
9.5	Appointment of a Replacement Alternate Councillor Member to the Development Hearings Panel.....	89

9.6	Adoption of Amendment C186 (Changes to the Neighbourhood Residential Zone, Schedule 1) to the Greater Shepparton Planning Scheme	91
10.	TABLED MOTIONS	97
11.	REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES	97
12.	REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES.....	97
12.1	Cr Houlihan's Report on Special Committees and Advisory Committees	97
13.	NOTICE OF MOTION, AMENDMENT OR RESCISSION	98
14.	DOCUMENTS FOR SIGNING AND SEALING	98
14.1	Documents for Signing and Sealing	98
15.	COUNCILLOR ACTIVITIES	99
15.1	Councillors Community Interaction and Briefing Program	99
16.	ASSEMBLIES OF COUNCILLORS.....	109
16.1	Assemblies of Councillors	109
17.	URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA	110
18.	PUBLIC QUESTION TIME	112
19.	CONFIDENTIAL MANAGEMENT REPORTS	112
19.1	Designation of Confidentiality of Information – Report Attachments	112
19.2	Designation of Confidentiality of Information	112
19.3	Trade Services - Panel of Suppliers.....	112
19.4	Reopening of the Council Meeting to Members of the Public	112

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, Jenny Houlihan, Les Oroszvary and Kevin Ryan.

OFFICERS: Chris Teitzel – Acting Chief Executive Officer
Steve Bowmaker – Director Infrastructure
Johann Rajaratnam – Director Sustainable Development
Kaye Thomson – Director Community
Ian Couper – Director Business
Maree Martin – Official Minute Taker
Stephanie Giankos – 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 Oroszvary
Seconded by Cr Adem

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

CARRIED

3. DECLARATIONS OF CONFLICT OF INTEREST

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

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

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved by Cr Adem
Seconded by Cr Ryan

That the Minutes of the Ordinary Council Meeting held 18 August 2015 as circulated, be confirmed.

CARRIED.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Contract No. 1404/1710 IT Products and Services - Workstation Fleet Renewal

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: Information Services Manager

Proof reader(s): Acting Director Business

Approved by: Acting Director Business

Executive Summary

The purpose of this report is to provide information to Councillors so they can make an informed decision to support the recommendation to lease workstations and laptops required to deliver Councils services to the community. The current workstation fleet is over four years old, past its useful life and outside the manufactures warranty period.

Through the use of the Procurement Australia Contract No. 1404/1710 - IT Products and Services made available to Council via Ministerial Exemption, Thomas Duryea Consulting was engaged to source and recommend a suitable solution for Greater Shepparton City Council. Two potential solutions were presented to Council with Dell providing the most competitive overall solution.

With the onset of Rate Capping and expected pressure on capital funds leasing options were investigated. Dell finance provided a competitive offer that provided additional benefits with warranty extensions and multiple return policies that would provide further costs savings.

Moved by Cr Adem

Seconded by Cr Oroszvary

That the Council:

1. accept the quotation submitted by Nicholas Coates of Dell Financial Services under the Procurement Australia Contract No. 1404/0710 - IT Products and Services, for the lease proposal of \$61,556 (inc GST) per quarter over a 48 month rental term
2. authorise the Acting Chief Executive Officer to sign and seal the contract documents.

CARRIED.

Background

Council have adopted a 4 year replacement cycle for the Workstation and Laptop Fleet, which historically has been procured as a capital purchase and maintained as a Council asset. Council currently provide employees with the following configuration options based upon the role held and duties required to be undertaken;

- Workstation, Keyboard, Mouse, and Monitors.
- Laptop, Keyboard, Mouse, Docking Station, Carrycase, and Monitor.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Contract No. 1404/1710 IT Products and Services - Workstation Fleet Renewal (continued)

The recommendation of this report is that Council utilise the Procurement Australia contract 1404/0710 – IT Products and Services made available to Greater Shepparton City Council via Local Government Ministerial exemption to Procurement Australia and MAV contracts.

It is proposed that Greater Shepparton City Council utilise a leasing model which provides the following benefits;

- Preserve capital budget;
- Greater flexibility to upgrade;
- Flexible end of term options;
- Equipment return upon completion of term without the cost or risks attached to the legislative disposal requirements.

Contract Detail

Dell Financial Services have offered contract lease options on the supply of;

- 340 Dell OptiPlex 9020M workstations
- 858 x Dell P2414H 23.8" Monitors
- 12 x Dell UltraSharp U3014 Monitors
- 97 x Dell Latitude E7450 (with port replicator / docking station) Ultrabook Laptop
- 5 year warranty.

Dell Financial Services 'End of Term Options' provide Greater Shepparton City Council with flexibility to;

- Return - Give notice to return some or all of the equipment.
- Upgrade - With current technology to maintain operational efficiency.
- Buyout - Council may offer to purchase for Fair Market Value.
- Extend - The rental term month-to-month, or for a discounted fixed term.

Dell Financial Services also provides the added benefit of Pro Support which includes;

- 24x7 priority access to hardware and software experts
- Next business day onsite repair after remote diagnosis
- Proactive monitoring, automated issue detection, failure prevention, notifications and case creation enabled by Support Assist
- Keeping a hard drive after replacement to ensure data security
- A dedicated Technical Account Manager as the single point of contact for issue resolution and monthly reporting

Council Plan/Key Strategic Activity

The procurement of the proposed workstation fleet supports the Council Plan objective of being a High Performing Organisation by providing suitable technology to support the delivery of council services to the citizens of Greater Shepparton.

Additionally the procurement of the workstation fleet is directly linked to the Council endorsed 2013-2018 ICT Strategy and its documented initiatives for the renewal of the workstation fleet.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Contract No. 1404/1710 IT Products and Services - Workstation Fleet Renewal (continued)

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Current fleet no longer under warranty	Almost Certain	Moderate	High	Renew fleet via the proposed procurement
Proposed fleet not suitable	Possible	Major	High	Dell solutions have been tested on site for suitability
Council unable to dispose of equipment at the end of term	Likely	Moderate	Moderate	Proposed contract includes equipment return removing the disposal responsibility from Council.
Breach of privacy when disposing workstations	Possible	Major	High	Proposed contract provides a disposal option which follows an industry standard disposal process.

Policy Considerations

- Greater Shepparton City Council and Goulburn Valley Regional Collaborative Alliance - Procurement Policy (M15/37576)
- Victorian Local Government best practice procurement guidelines
- Greater Shepparton City Council Procurement Guidelines (M15/42340)

Financial Implications

	Approved Budget for this proposal* \$	This Proposal (excluding GST) \$	Variance to Approved Budget (excluding GST) \$	Comments
Expense	\$1,009,260	\$895,355	\$113,905	
Net Result	\$1,009,260	\$895,355	\$113,905	

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

The proposed recommendation would see Council utilise operational funding over a four year period in place of the capital funding proposed for the 2014/15 and 2015/16 financial years.

Legal/Statutory Implications

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

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Contract No. 1404/1710 IT Products and Services - Workstation Fleet Renewal (continued)

Environmental/Sustainability Impacts

The proposed Dell solution introduces a micro form factor workstation that runs a 65 watt power supply as opposed to the current 240 watt power supply. The reduction in power consumption will provide a benefit for the environment and for Council with the cost to run the equipment.

Strategic Links

a) Greater Shepparton 2030 Strategy

Council is heavily reliant on the various applications and IT services provided to enable the external services provide to the citizens of Greater Shepparton City Council. The procurement of the proposed workstations ensures that staff will retain the capacity to support the needs of both Council and its citizens.

b) Other strategic links

Greater Shepparton City Council 2013 -2018 ICT Strategy.

Options for Consideration

Option 1 - Do nothing

Council choose not to replace the current fleet which would require funding to be provided for out of warranty repairs which would be difficult to forecast the possible cost impacts.

Option 2 – Procure new workstation fleet

Accept the quotation from Dell Financial Services for the procurement of Dell workstations and laptops over a 48 month rental period. This would ensure Council are covered for any equipment failures over the course of the rental period and provides a suitable disposal mechanism at the end of the term which protects Councils intellectual property and mitigates the potential for privacy breaches.

Conclusion

It is the recommendation of this report that the quotation provided by Dell Financial Services is accepted. Dell is a reputable supplier and is well regarded for their levels of after sales support and service.

In regards to the equipment recommendation, testing undertaken within the Information Services Department suggested that the proposed equipment will far exceed the capability of Councils current fleet. Additionally the smaller power supply (65w instead of 240w) that is required to run the proposed workstations is expected to provide greater savings in electrical running costs.

Attachments

Greater Shepparton City Council - Rental Proposal 4 Years 4 Aug 2015 Page 114

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Contracts Awarded Under Delegation and Contracts Yet to be Awarded - September 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: Acting Contracts and Procurement Advisor
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 August 2015 to September 2015. The report also provides details of the status of requests for tenders that have not yet been awarded.

Moved by Cr Oroszvary
Seconded by Cr Houlihan

That the Council note:

1. there were no publicly advertised contracts awarded by the Chief Executive Officer for the month of August under delegated authority
2. the 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
Nil				

Requests for Tenders advertised but not yet awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1623	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. Waiting on signed contracts to be returned. This contract will be signed under delegation.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER
5.2 Contracts Awarded Under Delegation and Contracts Yet to be Awarded - September 2015 (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
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.
1423	Media Advertising Services	Schedule of rates contract for the provision of Media Advertising Services for Greater Shepparton City Council.	Tender closed 1 July 2015. Tenders are currently being evaluated. This contract will go to the October Council Meeting.
1615	Greater Shepparton Regional Sports Precinct - Purchase Of Drainage Pipes	Schedule of rates contract for the purchase of drainage pipes for the Shepparton Community Sports Complex Development	Tender closed 1 July 2015. Waiting on signed contracts to be returned. This contract will be signed under delegation
1445	Panel of Suppliers – Professional Consultancy Services	Schedule of rates contract for the Provision of ongoing Engineering, Architecture, Surveying, Landfill & Geotechnical and Quantity Surveying Consultancy Services.	Tender closed 8 July 2015. Tenders are currently being evaluated. This contract will go to the October Council Meeting.
1597	Construction of Netball Courts and Lighting	Lump sum contract for the construction of netball courts and lighting as part of the Greater Shepparton Regional Sports Precinct development	Tender closed 5 August 2015. Tenders are currently being evaluated. This contract will go to the October Council Meeting.
1621	Finance System Replacement	Lump sum contract for the supply and installation of a Financial Management System that fulfills the capabilities as detailed in its specification	Tender closes 26 August 2015. Tenders are currently being evaluated. This contract will go to the October Council Meeting.
1569	Design and Construction of Katandra West Community Centre	Lump sum contract is for the design and construction of a Community Centre at Katandra West	Tender closed 2 September 2015. Tenders are currently being evaluated.
1350	Provision of Facilities Cleaning Services	Schedule of rate contract for the provision of cleaning services to 40 Council buildings located throughout the municipality.	Tender closed 9 September 2015. Tenders are currently being evaluated.
1622QW	Victoria Park Lake Masterplan Review	Lump sum contract for for the review of the Victoria Park Lake master plan	Tender closes 16 September 2015.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Contracts Awarded Under Delegation and Contracts Yet to be Awarded - September 2015 (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1636	Design and Construction of Arcadia Public Toilet Renewal	Lump sum contract for the design and construction of the Arcadia public toilet renewal.	Tender closes 16 September 2015.
1643	Design and Construction of Congupna Uni-Sex Accessible Toilet	Lump sum contract for the design and construction of the Congupna Unisex Accessible Toilet.	Tender closes 16 September 2015.
1625	Shepparton East Drainage Scheme Stage 1A	Lump sum contract for the construction of approximately 400m of RRJ pipes of varying sizes from 300mm to 2100mm diameter and earthworks for the upgrade of retardation basin - Doyles Rd Complex	Tender closes 16 September 2015.
1628	Development of an Urban Forest Strategy Single Assignment Consultancy	Lump sum contract to develop an Urban Forest Strategy.	Tender closes 23 September 2015.

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.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Contracts Awarded Under Delegation and Contracts Yet to be Awarded - September 2015 (continued)

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 August 2015 to September 2015.

Attachments

Nil

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Delegation to the Chief Executive Officer

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

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

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

Council Officers involved in producing this report

Author: Acting Team Leader Governance

Proof reader(s): Manager Corporate Performance

Approved by: Acting Chief Executive Officer

Executive Summary

Delegations are a critical governance tool of the Council. Most Council decisions are not made at Council meetings and the effective functioning of the Council would not be possible if they were. Instead, most decision-making power is allocated by formal delegations. The most important delegation issued by the Council is to the Chief Executive Officer (CEO). This delegation allows the CEO to then sub-delegate powers, duties and functions to Council officers, to allow them to make the day to day decisions necessary to provide responsive and high quality services to the community.

Moved by Cr Summer

Seconded by Cr Houlihan

That in the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached instrument of delegation, Greater Shepparton City Council resolves that:

1. there be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that instrument.
2. the instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. it authorises the Chief Executive Officer to sign and seal the Instrument of Delegation to the Chief Executive Officer.
4. on the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
5. the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
6. it is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the *Local Government Act 1989*.

CARRIED.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Delegation to the Chief Executive Officer (continued)

Background

The previous Instrument of Delegation from the Council to the CEO was authorised by resolution at a Council meeting on 17 February 2015.

There have been only minor administrative changes made to the document since its last adoption, including updated dates and a name and title change to reflect the current Acting Chief Executive Officer.

Council Plan/Key Strategic Activity

The review and adoption of a revised delegation to the CEO directly supports Objective 3 under High Performing Organisation (Leadership and Governance) “*ensure strong internal systems and processes to ensure best practice delivery of service for the community*”

Risk Management

The review and adoption of the CEO’s delegation ensures that it remains current, valid, and legal and that there is no temptation to operate outside a delegation which has become dated and unworkable over time.

Subscribing to the Maddocks service reduces the risk that legislative changes which have implications for the Council’s delegations and authorisations are not properly identified and implemented.

Policy Considerations

The Council adopted Exercise of Delegations policy provides guidance to delegates on how they should exercise their delegations. This delegation is in accordance with the Exercise of Delegations policy.

There is no policy conflicts associated with the matters outlined in this report.

Financial Implications

There are no direct financial implications arising from the *Instrument of Delegation to the Chief Executive Officer*.

Legal/Statutory Implications

There are no legal implications associated with the Delegation as it ensures decisions are made legally.

Environmental/Sustainability Impacts

There are no environmental or sustainable impacts associated with this report.

Social Implications

There are no social implications associated with this report.

Economic Impacts

There are no economic impacts associated with this report.

Consultation

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

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Delegation to the Chief Executive Officer (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

There are no direct links to Greater Shepparton 2030 Strategy

b) Other strategic links

No other strategic links have been identified.

Options for Consideration

1. To adopted the revised delegation, with or without further amendment.
2. To remain with the current Instrument of Delegation to the Chief Executive Officer that was adopted by Council on 17 February 2015.

Conclusion

It is recommended that the amended Instrument of Delegation to the Chief Executive Officer be approved. This will allow better management of Council operations without the time delay of having to obtain Council approval.

Attachments

S5. Instrument of Delegation to Chief Executive Officer Page 117

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare

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 Investigation and Design

Proof reader(s): Manager Projects

Approved by: Director Infrastructure

Executive Summary

This report details and responds to the submissions received in relation to a Special Charge Scheme to fund construction of a drainage system in Shepparton East in accordance with Council's Special Rates and Charges Policy 2013 and the Local Government Act 1989.

Council resolved on 21 April 2015 to give Notice of Intention to Declare a Special Charge to fund construction of a stormwater drainage disposal system in Shepparton East, serving properties adjacent to the Midland Highway and Doyles Road.

Council proposes to raise \$1,612,254 (ex GST) from seventy seven (77) rateable properties within the scheme area that are deemed to benefit from the scheme works.

Written notice was provided to all landowners of the rateable properties and public notice of the intention to declare the special charge was made in the Shepparton News on 24 April 2015 and 25 April 2015.

Submissions were received from eleven (11) landowners of properties within the area of the proposed scheme. Two landowners requested to be heard by Council in support of their submission. A Committee of Council met to hear those landowners on 4 August 2015.

The written and verbal submissions have been considered and a summary of those submissions and a response to the issues raised forms part of this report.

Following consideration of all submissions, officers consider that there are no issues that prove the scheme works are not justified or will not benefit the proposed contributing properties, so it is recommended that the proposed scheme should proceed as advised, without alteration.

The Chief Executive Officer tabled a correction to the report, noting the removal of 2 paragraphs on page 17 and one paragraph on page 18, directly above the heading 'consideration of submission.'

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

Moved by Cr Houlihan
Seconded by Cr Ryan

That the Council having;

1. considered the written submission received and subsequent verbal submissions, no amendments be made to the scope and apportionments of cost for this scheme
2. given Public Notice of its Intention to Declare a Special Charge Scheme at least 28 days prior to this resolution, and having considered all submissions to the proposed scheme, Council now declare a special charge in accordance with section 163 of the Local Government Act 1989 (the Act) as follows:
 - a) the special charge is declared for the purpose of defraying any expenses incurred by Council in relation to the construction of a drainage system in Shepparton East as described in Schedule A (Apportionment Report).
 - b) the special charge is declared for a period until the works have been completed and the scheme finalised.
 - c) the area for which the special charge is declared is as shown on the attached Plan A.
 - d) the lands in relation to which the special charge is declared are as set out in Schedule B.
 - e) all those rateable properties discharging stormwater either directly or indirectly into the works or part thereof shall be the criteria for the basis of the special charge so declared.
 - f) it is considered that the works will be of special benefit to those persons required to pay the special charge.
 - g) note that the total estimated cost of the works, inclusive of redirection of existing property drains to specified outlet points for each property, is the amount shown in schedule A, estimated at \$4,510,179 (inc GST).
 - h) the total amount of the special charge to be levied is the amount estimated at \$1,773,479 (inc GST) determined from the assessment of the scheme in accordance with section 163 of the Act and associated Ministerial Guidelines, as set in Schedule A.
 - i) apportionment of the costs for each property will be assessed and levied on the basis of the relative benefit determined to be derived from the works, based on relative rate and volume of run-off from each property.
 - j) subject to Section 166(1) of the Act, the owners of the land as set out in Schedule B are estimated to be liable for the amounts set out in Schedule B.
 - k) the special charge will become due and payable within 30 days of the issue of the notice requesting payment pursuant to Section 167(3) of the Act.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

- l) the land owner may pay the charge in a lump sum within one month after the issue of the notice without incurring interest. Alternatively, in accordance with Council policy the land owner may pay by quarterly installments of interest and principal over a period of up to 10 years. Council requires that interest be charged at 1% greater than the overdraft rate prevailing at the commencement of each billing period. Participants will be encouraged to pay contributions in full or to secure alternative, more attractive financing options.
 - m) in accordance with Sections 167(6)(b) and 172 of the Act, the rate of interest payable on the special charge, or component thereof, which has not been paid by the specified date, is set in accordance with Council's Special Rates and Charges Policy 2013.
 - n) there are no incentives for prompt payment, rebates or concessions associated with this special charge
3. Further that Council's Acting Chief Executive Officer be authorised to levy the special charge in accordance with Section 163(4) of the Act.

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

GRANTED.

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

GRANTED.

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

GRANTED.

The motion was carried on the casting vote of the Mayor.

Cr Oroszvary called for a division.

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

Those voting against the motion: Cr Summer, Cr Oroszvary and Cr Adem.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

Background

Council directed in June 2010 that investigations be carried out into the potential development of a special charge scheme to fund the installation of an urban drainage system to service the area of East Shepparton adjacent to the Midland Highway, east of Doyles Road.

Following investigation of a possible scheme structure, including potential contributor meetings and surveys, there was determined to be insufficient support to proceed with the scheme as proposed. Consequently on 15 November 2011 Council determined to abandon consideration of utilising a Special Charge Scheme to fund the Shepparton East Drainage Scheme.

Subsequent heavy rain events, particularly in February 2013, caused considerable localised flooding of residential and business properties within the scheme area. Anecdotal evidence is that some businesses could not operate for a period of days as access was not available to the properties until the water subsided.

Further approaches to Council from affected landowners and business operators resulted in further investigation into a possible scheme to construct a stormwater drainage system for the area.

Council resolved at its 17 December 2013 meeting: *That the Council prepare a Special Charge Scheme to fund the construction of the Shepparton East Drainage Scheme. The scheme structure to include construction of all works to service the entire drainage catchment in accordance with Councils Special Rates and Charges Policy.*

The development of the scheme considered a number of elements, including;

- Scheme cost structure,
- Scheme area,
- Works scope, and
- Benefitting lands that would contribute.

While there are a range of options for the structure of a scheme, Council determined to proceed to construct the full scope of works but to incorporate options to reduce the financial cost to contributors.

There are a number of costs relevant to the construction of the scheme already encountered by Council that were included in the overall scheme cost, but not included in the cost to be recouped from the benefitting properties, including;

- Purchase of easement for stormwater drain (\$50,000),
- Purchase of pipes suitable for use in the scheme (\$394,585), and
- Purchase of land now containing the retention basin (\$263,000)

Council also determined to include only the additional works required to the retention basin in the scheme cost.

Recovery of these is a legitimate part of a special charge scheme and would otherwise be routinely included as a scheme cost to the beneficiaries. These costs will remain borne entirely by Council as a direct and significant contribution to the overall scheme total cost and discount to the cost to be recovered from beneficiaries.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

Part of the additional cost of the revised scheme now under consideration is an improved pipeline capacity to address the impact of retention of drainage in properties and road reserves. As a consequence, to offset the cost to contributors, Council has recognized a number of costs that have already been incurred as 'sunk costs' and does not propose to pass these on to the properties benefitting from the scheme.

The updated estimated costs for the principal cost elements used in this report are;

• Full construction (works)*	\$3,572,795
• Design and contract administration (full scheme)	\$ 163,138
• Scheme administration (full scheme)*	<u>\$ 32,267</u>
	<u>\$3,768,200</u>

Note* - Full construction works and scheme administration excludes property drain re-direction works.

The full construction works of \$3,572,795 includes a provisional item of \$310,030 to redirect internal property drains as required. This cost is excluded in the scheme costs as it relates to specific properties only.

Scheme Costs (including construction, administration and design but excluding internal property drain redirection)	<u>\$3,458,531</u>
--	--------------------

The previous costs incurred by Council are included as below:

• Purchase of land for pipeline easement	\$ 50,000
• Purchase of land for the retention basin	\$ 263,000

Both of these costs are legitimate scheme costs and will therefore be included.

Full scheme costs**:	\$3,771,531
-----------------------------	--------------------

Note** - Excludes property drain restoration works

Council has pre-purchased concrete pipes that are suitable to utilise in these works.

Pre-purchase pipe cost	\$ 394,585
------------------------	------------

The previous costs incurred, including purchasing the retardation basin land (\$289,300), purchase and creation of the easement through to the Midland Highway (\$50,000) and the pre-purchase of pipes (\$394,585) will be regarded as 'sunk costs' by Council and not recouped from scheme beneficiaries. This will form a direct Council contribution over and above any cost to Council as a beneficiary or community benefit cost.

Council direct contribution	\$ 707,585
-----------------------------	------------

The following external contributions to the cost of works have been provided:

Goulburn Murray Water	\$ 20,000
VicRoads	\$ 750,000

This represents 18.6% of the overall scheme cost.

Therefore the total to be recouped from scheme beneficiaries (including Council) is reduced by the three direct contributions above.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

Total to be recouped from beneficiaries \$2,362,127

Under this scheme cost structure, and having regard to the special benefit apportionment as set out in schedule A, the overall cost to benefitting properties other than Council is \$1,612,253 (42.0% of total scheme cost). Council is contributing the balance of \$1,457,460 (38.0% of the overall scheme cost).

Description of Scheme	Council Cost			Other Benefitting Properties Cost	External Contribution	Total
	Direct Contribution	Landowner Benefit	Community Benefit			
<ul style="list-style-type: none"> Works to service entire catchment Exclude previous costs Include all properties in catchment 	\$0.708m	\$0.345m	\$0.404m	\$1.612m	\$0.770m	\$3.768m
Total Costs	\$1.457m (38.0%)			\$1.612m (42.0%)	\$0.770m (20.0%)	\$3.769m (100%)

Consideration of Submissions

The submissions received are attached to this report, but for the purpose of responding to the submissions, a brief summary of the principal issues raised within them is included. It is to be noted there were no objections to the methodology of apportionment of benefit or costs to the proposed contributing properties.

1. Submissions 1, 2 and 3

These are separate but identical submissions made by the same owners of three of the rateable properties. While these constitute three submissions, the response will encompass all of them due to the submissions being identical.

Issue; the notice of intention provided to landowners is not consistent with the Council April resolution

The notice of intention sent to landowners is consistent with the Council resolution of 21 April 2015. The resolution is consistent with the figures in the relevant report in relation to the total cost of works and the cost to be recouped from scheme beneficiaries. The resolution notes the total cost of works to be \$4,100,163 (excluding GST), which includes the realignment of the existing internal property drains. Some properties have internal drains connecting to the current external drains. A number of these are to be discontinued so those properties will be required to realign their drains to the new outfall. The Notice of Intention to the landowners advised the total cost of the works as \$3,771,531 (excluding GST) which relates to the cost of works subject to the scheme. The notice does not make it clear this figure does not include the estimate of cost of the separate drain realignment.

Issue; Council is contracted to GMW to provide drainage services to the scheme area. Council is not the statutory drainage authority.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

This claim relates to the 2008 Agreement for Drainage Transfer between GMW and Greater Shepparton City Council. The agreement does provide the authority and charge Council with the responsibility to manage the drainage system, but does not infer a Statutory Authority status on Council. Council is however authorised by the agreement to undertake necessary maintenance and improvement to the drainage system within the agreement area. Drainage of land is a legitimate function of Council and section 163(1) of the Local Government Act 1989 provides Council with the authority to develop a special charge scheme for works relating to that drainage function.

Issue; a previous supreme court ruling requires the existing drains to be retained
The supreme court ruling referred to is that by Justice Emerton in D'Agostino v Goulburn Murray Water 2009, which in fact does not state that the existing drains must be retained but the level of drainage service to the area at the time of the 2008 Agreement must be maintained as a minimum. This scheme will improve the current standard of the drainage to the area, so is entirely consistent with the supreme court interpretation of the Agreement. With reference to the above submission claim, the supreme court ruling also concurred that GMW has the authority to enter into such an agreement with Council which provides for the exercise by Council of works and services for GMW.

Issue; the transfer agreement with GMW requires the current level of service to all landowners to be retained and the existing drains may not be removed without landowner approval.

The 2008 Agreement requires only that the level of service as existed at the time of agreement shall be maintained as a minimum. The Agreement refers to the three irrigated lands sites within the north-west section of the scheme area as the Rural Area and provides that Council may not carry out any works that may reduce the level of service to this Rural Area without first gaining GMW approval.

The agreement recognises that Council will install an 'Urban Drainage System' to service the area, at which time the current drains are to be removed or modified. In recognition of the impending change to the system, GMW made a contribution to Council to assist with the removal of the drains. The Agreement requires that 'suitable and satisfactory' drainage is provided to the Rural Area and acknowledges that the installation of the Urban Drainage System' will significantly improve the standard of drainage to that area.

Issue; Council is relying on VicRoads as the trigger for the scheme, hence the actions of VicRoads are ultra vires.

Council is not relying on VicRoads but is taking advantage of the desire of VicRoads to upgrade the intersection and its need to dispose properly of the resultant drainage. To provide a secure outfall for the intersection and adjacent highway area, VicRoads is proposing to connect its drainage into the system running through the retention basin, and hence to the GMW Shepparton Drain 2. The pipeline connection from the intersection to the retention basin is logically

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

proposing to utilise the proposed pipeline connection under the scheme works, so as not to install duplicate pipelines.

While VicRoads is not a beneficiary under the provisions of the scheme, it is in affect benefitting from the proposed scheme works, hence has agreed to contribute considerably to the cost of the scheme works, thereby reducing the cost to the scheme participants.

2. Submission 4

Issue; the area was certified by Council as fit for residential use but the approved drainage system was not completely installed. The repair to the system should be a Council responsibility.

The drainage system within the residential estate was installed as required by the subdivisional approval. Recent evidence following heavy rain is that the backlog is within the lower reaches of the estate drainage system where it has to discharge into the open drain connecting to the drain in Carroll Road.

It is acknowledged the existing pipeline/open drain network is disjointed, to the extent that an assessment made of the system in about 2008 by Coomes was that it provides an approximately 1 in 6 year storm discharge capacity.

The upgrade of the system into which the residential estate drains will bring it up to current standards and as such the works are a legitimate special charge to those properties deemed to benefit. Council will maintain the drainage system once upgraded.

Issue; an altered driveway to Council specifications is contributing to the drainage backlog

This comment relates to a driveway across the swale drain within the residential estate. This driveway may have an isolated impact within the swale drain but the scheme will improve the ability of the overall residential estate to discharge into the external drainage system and will not address any separate issues within the estate.

Issue; the landowner has upgraded the nature strip at own expense and the scheme works will require repair at the landowners expense

This property is within the residential estate. No works are proposed within the residential estate other than to install a piped connection from the open swale (nature strip) drainage system to the proposed pipe in the currently open drain linking across to the Carroll Road pipeline. This is an approximately 50m section of new pipeline running within an easement at the downstream end of the residential drainage and will not impact on any nature strips within the residential estate.

Issue; drainage re-development in Balaclava Road was not charged to the residents.

This is a matter of Council policy and does not impact on the ability of Council to raise a special charge for these drainage works

3. Submission 5

Issue; the back log of drainage is caused by inadequate maintenance of the existing system.

The current system is a disjointed and inadequate one, due largely to inadequate pipeline sizes and gradients on pipelines and open drains. An assessment made of the system in about 2008 by Coomes was that it provides an approximately 1

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

in 6 year storm discharge capacity. Maintenance of it does not change this situation to provide an adequate system to drain the existing development of the properties, let alone the potential development of those properties.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

Issue; the pipes installed at the Council Doyle Road Complex entrance contributes to the drainage backlog

The pipeline under the entrance has reduced the overall capacity of the open drain along Doyles Road. This however is not the cause of the backlog of drainage waters which occurs further up-stream in both the commercial/industrial properties and the residential estate.

The scheme should use stockpiled pipes and existing basin

The existing basin is part of the drainage system servicing the Council depot and adjacent land. It will be enlarged and become an integral part of the new drainage system to provide the required outfall flow reduction and water treatment for the entire scheme area. The scheme allows to utilise all of the stockpiled pipes and the existing basin. The cost of purchase of the stockpiled pipes are to be absorbed by Council and discounted from the contribution by landowners to the scheme.

Only the cost of extension of the basin is included in the scheme cost, providing a reduction in cost to the scheme.

Issue; the scheme will not improve land value

The scheme will allow more intensive development of some properties, which are or would be subject to on-site retention and treatment works on development. Other properties will benefit from ongoing access to a secure drainage system and reduction in inundation impact on the property or to other properties due to their drainage.

The 'land value' improvement to properties will vary, but all within the scheme area will benefit generally from the improved drainage level of service.

4. Submission 6

Issue; contributing to the scheme will cause financial burden

Council has provided a 10 year repayment option in the scheme structure to minimise any financial burden to contributors. This is significantly in excess of the minimum 4 year repayment period under the provisions of the Local Government Act.

Issue; the approved residential estate drainage was miscalculated

The estate drainage is functioning to the extent that it concentrates stormwater to the lower section of the internal system, where it discharges into the open drain, connecting the residential system to the Carroll Road pipeline. The issue being addressed by the scheme works is improvement to the system downstream of the residential estate to enable its drainage to be removed much more readily. The scheme works will improve the discharge from the estate.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

Issue; the nature strip will be dug up with cost to the residents to repair

This property is within the residential estate. No works are proposed within the residential estate other than to install a piped connection from the open swale (nature strip) drainage system to the proposed pipe in the currently open drain linking across to the Carroll Road pipeline. This is an approximately 50m section of new pipeline running within an easement at the downstream end of the residential drainage and will not impact on any nature strips within the residential estate.

5. Submission 7

Issue; Council should be responsible for the drainage upgrade as it approved the current commercial and residential development

It has commonly been the case that development of land precedes the installation of infrastructure to fully service that and future development. Installation of works and services suitable to provide for development which preceded planning controls to require infrastructure to be installed is the purpose of the special charge provisions within the local government act.

Council has been giving notice on development approvals since 2002 in the area that the drainage will be upgraded and the benefitting properties will be required to contribute to its cost.

Issue; expected all services to be available when the land was purchased

This may have been an expectation however the current situation regarding availability of drainage prevailed at the time of purchase of the land. The level of drainage service was apparent to purchasers of land within the area.

6. Submission 8

Issue; the scheme works will provide no direct or perceived benefit to the property

The scheme will allow more intensive development of some properties, which are or would be subject to on-site retention and treatment works on development. Other properties will benefit from ongoing access to a secure drainage system and reduction in inundation impact on the property or to other properties due to drainage from their property.

The 'land value' improvement to properties will vary, but all within the scheme area will benefit generally from the improved drainage level of service. This property is at the upper end of the drainage system and drains as required in the system, which has not got an adequate outfall capacity.

Issue; the property pays drainage rates to GMW

Council pays a drainage rate to GMW to enable ongoing discharge of the area drainage into the GMW drainage system, in this case into the Shepparton 2 drain. This is consistent with all drainage discharges into the GMW drainage system about Shepparton. GMW advises there was a short period of time following the 2008 Agreement where landowners may have been billed directly for the drainage rate, rather than via Council. It is understood this billing has now ceased with the payment to GMW being made by Council. If this administrative issue has not been fully corrected, then that is a matter for Council and GMW to resolve, and has no impact on the undertaking of the scheme works or the scheme itself.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

7. Submission 9

Issue; questions the cost to the landowner and where the added value to the property lies. The land is only an orchard, which drains only after heavy rain.

This is an orchard watered via a sprinkler system. While it generally does not drain irrigation water, the existing stormwater drainage system provides the ability to drain excess stormwater from the land. This land therefore contributes drainage into a disjointed system that backlogs on other downstream properties. This property is contributing drainage water that is being disposed by this scheme.

The scheme is structured such that properties such as this contribute only for the element of having a secure and adequate drainage outfall system. The property makes no contribution to controlling the rate of flow or the water treatment (through enhancement to the existing retention basin) required to allow discharge into the GMW drain.

Issue; may be in agreement with the scheme if it improved the development opportunity for the land.

The scheme is based on the existing development potential of the land under the current planning scheme zonings. It provides no increased 'development' opportunity to this property. That is taken into account in the discounted contribution by all properties.

Issue; being asked to pay for an issue the land did not create.

The scheme will continue to provide a drainage system for stormwater from this land, while providing protection to lands downstream from this property from the drainage from the property. Without the scheme works, this land will continue to contribute drainage into a disjointed system that backlogs on other downstream properties. While it may not be a significant contributor of drainage, this property is contributing drainage water that is being disposed of by this scheme.

Council Plan/Key Strategic Activity

The proposal investigated is consistent with the Council Plan 2013-2017 – *Goal 4 Quality Infrastructure (Built). We will provide and maintain urban and rural infrastructure to support the development and livability of our communities.*

Risk Management

Drainage from the scheme area is reliant on discharging into the Goulburn Murray Water (GMW) rural drainage system. Council is responsible for the management of the drainage from the area, and is the party accountable to ensure the rate and quality of the water discharged from the area into the GMW drain complies with the requirements of GMW.

The development of a system to control the discharge of the drainage from the area into the GMW drain will enable Council to more effectively monitor the operation of the system to ensure compliance of the water quality and discharge rate as required by the GMW policy and agreement.

If a co-ordinated drainage system is not implemented, separate on-site treatment and retardation works will be required on each lot as it is developed. Council will need to monitor on an ongoing basis the operation of each of the on-site drainage systems of each development. This is also likely to limit the development potential of each site.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

The proposal seeks to reduce the risk of adverse drainage outcomes by bringing the drainage service levels in the catchment up to the same standards as Councils Infrastructure Design Manual.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Scheme will not be supported by beneficiaries and drainage improvements will not be funded thus limiting development of commercial businesses and implementing drainage improvements for all properties within the scheme catchment	C	3	High	Council make scheme as financially attractive as possible for beneficiaries to maximize chance of improving drainage for residences and commercial properties.
Damage to private property caused by flooding and possible litigation	B	4	Extreme	Improve drainage infrastructure to reduce flooding
Access to private property is reduced or cut-off by flood water	B	3	Moderate	Improve drainage infrastructure to reduce flooding
Disruption to business trade and reduction of trading	B	3	Moderate	Improve drainage infrastructure to reduce flooding

Policy Considerations

The initial assessment of benefit and potential contribution by the affected landowners was carried out in accordance with the statutory Benefit Ratio and associated *Ministerial Guidelines 2004*.

Council's Special Rates and Charges Policy 2013 requires that Council will contribute no less than 20% of the cost of a drainage scheme where there is a determined community benefit from the works. This scheme will provide drainage from road reserves; the contribution for which would be a community benefit component and will be paid by Council.

In accordance with the Statutory Benefit Ratio calculations, Council will contribute approximately 38.6% of the scheme cost as a direct contribution and as beneficiary for land owned by Council and for the community benefit component.

The repayment period, interest charged and measures to defray financial hardship were also determined in accord with the Special Rates and Charges Policy 2013

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

Financial Implications

(a) Special charges policy:

- If Council proceeds with the scheme, the legislative process would take until mid 2015/2016 financial year before a contract could be let for the works. It is anticipated the works would be carried out during the end of 2015/16 and possibly early 2016/17 financial year.
- Council's contribution may therefore be required to be met in both 2015/16 and 2016/17.
- The Act requires that a payment by installment option be made available to the contributors. The minimum installment period under the Act is 4 years.
- Council's Special Rates and Charges Policy allows for an extended payment period of up to 10 years where circumstances warrant.
- To assist in defraying any financial hardship experienced by scheme contributors, and due to the relatively large amount being proposed to be raised from some properties, Council has determined that if installments are requested by any contributor, then quarterly installments over a period up to 10 years will be allowed.
- Council policy requires that interest be charged at 1% greater than the overdraft rate prevailing at the commencement of each billing period. Participants will be encouraged to pay contributions in full or to secure alternative, more attractive financing options.
- The scheme charge will become a charge against the property once the scheme is confirmed by Council or VCAT, however the invoice will not be raised until the works are completed and final costs known.

(b) Financial distribution and discounts:

- The cost to the contributing properties varies in accordance with the use and size of each property and the relative benefit each will gain from the works. The relative benefit is determined on the basis of the relative volume and rate of flow of stormwater from a property into the drainage system, together with the level of treatment required to the stormwater before it can be discharged into the GMW drain.
- Discounts are applied for those properties that have already installed approved on-site drainage retardation to slow the rate of discharge or provide on-site treatment systems. These discounts also apply for properties where their drainage travels a significant distance overland before discharging into the proposed piped system. The overland flow is regarded as providing adequate retardation and treatment.
- With the costs borne directly by Council to date not being recouped from scheme beneficiaries, the portion to be recovered from the combined landowner beneficiaries – including Council – is substantially reduced.
- The costs as advised to the landowners are based on estimates only. The final costs will be based on the actual costs incurred by the scheme works, including design and administration. The advised costs will alter, but may be increased to each landowner by no more than 10% above the advised cost.
- If the actual cost is less than the estimated cost, then the landowners will be provided the full percentage reduction in their costs.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

c) Existing Planning Approvals and Potential for Council to borrow funds for the Scheme:

- A number of Section 173 agreements have been developed as a condition of planning approvals issued for existing developments within the Industrial or Commercial zones and which are proposed contributors to this scheme. The agreements have sought to require the landowner to contribute to future drainage works necessary to cater for their development. The financial contributions required in these 173 agreements have not been paid to Council. As a result this scheme will supersede those agreements as the liability of each of the properties to the drainage works.
- Should the scheme progress, Council is likely to need to initially fund most of the cost of works, as the landowners with the larger liabilities are likely to take up the longer repayment option available within the adopted payment plan.
- It is open for Council to borrow the funds for the works. In that case the provisions of Section 172 of the Act would prevail over the maximum interest rate specified in Council's Special Rates and Charges Policy. This section of the Act limits the interest rate to the borrowing rate plus 1% rather than the higher overdraft rate plus 1%.
- Council's loan liability reduces as the contributors make the agreed payments. It is proposed also that the contributors be encouraged to seek other borrowing options at possibly more attractive rates than Council can offer. In this way the contributors are encouraged to make up-front payments to Council, so reducing the Council loan liability should loan funds be used.

Legal/Statutory Implications

The scheme is being processed in accord with section 163 of the *Local Government Act 1989*.

The Act sets out a clear process including notification to potential contributors of the decision of Council to proceed with the scheme, and their appeal rights.

From the giving by Council of the notification to proceed with the scheme, contributors will have 28 days to lodge an appeal to Victorian Civil and Administration Tribunal (VCAT). On considering any appeals received, VCAT may determine that the scheme proceed as proposed, the scheme proceed but be varied, or the scheme be abandoned.

If there are no appeals within that period, Council may proceed to carry out the works. It can be expected the entire process to seek contractors to carry out the works would take a minimum of six months. That timeframe could extend significantly if an appeal is lodged with VCAT.

Environmental/Sustainability Impacts

A special charge scheme will permit rainfall to be transported via an adequate and secure underground pipe system to the Doyles Road Complex retardation basin and wetland.

Social Implications

Stormwater remaining in service roads and private property for more than a few days can present health problems and create a perception of health hazards.

Economic Impacts

Flood waters from extreme rainfall events prevent "business as usual" operations for commercial enterprises. The drainage works will enable increased development of the serviced properties in accord with their potential under the Shepparton Planning Scheme.

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

Consultation

In accordance with Councils Special Charge Scheme Policy, a landowner based Advisory Panel was formed in the scheme investigation phase to communicate landowner views to Council. The Advisory panel comprised representatives from 3 large commercial and industrial landowners with both developed and undeveloped land and one representative from residential landowners.

The panel met twice to review the scheme and passed the following motions unanimously:

1. The Shepparton East Drainage Scheme is required.
2. The design of the drainage networks is reasonable
3. The cost apportionment and proposed payment arrangements are reasonable

The Local Government Act 1989 sets out the formal notification periods and information to be given to affected landowners in the development of the scheme.

In accordance with the Act, written Notice of Intention by Council to declare the special charge was provided to all landowners within the scheme area. Public Notice of the proposed special charge was also given in the Shepparton News on 24 April 2015 and 25 April 2015.

As required, a minimum of 28 days was provided to all landowners or their representatives to make a written submission to Council on the proposed scheme and/or charge.

Verbal submissions were also heard by a Committee of Council on 4 August 2015 from landowners representing four of the scheme properties.

As an adjunct to the statutory consultation, Council held three open information forums for landowners following the giving of notice of intention and prior to the closure of submissions. The purpose was to clarify any matters the landowners had to enable them to better consider the proposal and to inform any submissions they wished to make.

The landowners of nineteen (19) of the scheme properties attended the information forums.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

“Examine the use of loan funding to fund new or significantly upgraded major assets that provide broad community benefit and intergenerational equity” (Strategic Direction No1, page 70)

b) Other strategic links

The proposal is consistent with the Greater Shepparton 2030 Strategy, Section 5.1.4 Water Sensitive Urban Design principles

6. INFRASTRUCTURE DIRECTORATE

6.1 Shepparton East Drainage Scheme - Notice To Declare (continued)

Options for Consideration

1. Proceed with the scheme and deliver the scope of works in accordance with the schedule of contributions by deemed benefitting properties as contained in the April Notice of Intentions resolution of Council. (Recommended)
Delivers the entire scheme works in accordance with the Notice of Intention. This report considers that no substantive issues were raised in the submissions that should vary the proposed scheme scope or costs.
2. Proceed with the scheme but vary the scope of works or schedule of contributors and costs as contained in the April Notice of Intentions resolution of Council. (Not Recommended)
This report considers that no substantive issues were raised in the submissions that should vary the proposed scheme scope or costs.
3. Abandon the proposed scheme. (Not Recommended)
This report considers that no submissions were received that proved the scheme works are not justified and will not benefit the proposed contributing properties.

Conclusion

It is concluded there are no substantive reasons within the submissions received that the scheme should be varied from that in the Notice of Intention provided. It is concluded therefore the scheme should proceed unaltered and Notice of Declaration be given to the benefitting rateable properties as outlined in Schedule B.

Attachments

- | | |
|--|----------|
| 1. Schedule A - Apportionment Report - 14 March 2015 | Page 122 |
| 2. Schedule B - Proposed Scheme Contributing Properties - 9 April 2015 | Page 132 |
| 3. Plan A - Catchment Area | Page 134 |

6. INFRASTRUCTURE DIRECTORATE

6.2 Contract 1620 Construction of Walkways and Pens at Shepparton Regional Saleyards - Award of Contract

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: Coordinator Property Officer

Proof reader(s): Manager Strategic Assets

Approved by: Director Infrastructure

Executive Summary

This report is presented to Council for approval of Contract 1620 - Construction of Walkways and Pens at the Shepparton Regional Saleyards. Last financial year the old pig pen shed at the Saleyards was demolished and a new roofed area constructed in its place. Council has now conducted an open tender process for the construction of walkways and pens beneath this new roofed area which will expand the saleyard footprint for auctioning livestock; increasing sale capacity from 3000 to 3800 head of cattle per sale. Only one tendered response was received and this response has been assessed by the Tender Evaluation Panel. The Tender Evaluation Panel Worksheet is attached.

The outcomes of this contract will include:

- Increasing the capacity of the yards by adding an additional 46 selling pens, 12 holding yards and extended auctioneer and buyer walkways, with high animal welfare standards achieved.
- Better management of OHS issues for staff and industry personnel.
- A better facility for all stakeholders involved in the buying and selling of cattle.

The tender price put forward is within the amount budgeted for the project.

Moved by Cr Ryan

Seconded by Cr Oroszvary

That the Council:

1. accept the tender submitted by Proway Livestock Equipment of Wagga Wagga for Contract No. 1620 Construction of Walkways and Pens at Shepparton Regional Saleyards for the Lump Sum price of \$862,667.30 (including GST).
2. authorise the Acting Chief Executive Officer to sign and seal the contract documents.

CARRIED.

6. INFRASTRUCTURE DIRECTORATE

6.2 Contract 1620 Construction of Walkways and Pens at Shepparton Regional Saleyards - Award of Contract (continued)

Contract Details

The Shepparton Regional Saleyards is currently expanding and upgrading the cattle selling yards. Stage one of this development was the design of new cattle yards and walkways to inform the footprint of new yards, and commence development of a new roof structure to cover sale pens and walkways. The construction of the roof was completed in May 2015.

The Shepparton Regional Saleyard's patronage has been growing over a number of years with graziers choosing to sell their cattle through Shepparton from places as far away as Gippsland, Southern NSW and the western regions of Victoria. Record sales figures have been recorded over the past few years. The construction of contemporary yards and walkways, undercover will see Shepparton saleyards remain a first class facility.

Standard building construction tasks/provisions are documented in the tender documentation.

The works will include:

- Buyers walkways.
- Selling pens and gates.
- Auctioneers walkways.
- Holding pens.
- Earthworks and Base preparation.
- Loading ramp accesses and forcing yards.
- Interface with existing yards.
- Stock water system.
- Public access.

Members of the tender evaluation panel have had discussions with the sole tenderer with regard to minor changes to the contract specifications including changing the spacing between rails to avoid cattle getting their heads trapped, installing one single gate instead of two in each of the pens and moving the pens slightly to avoid the roof columns being in the middle of the walkways. These changes may result in a negligible change in the tender price.

The Evaluation panel members had some initial concerns over the quality of the panel railing proposed by Proway Livestock Equipment, but the panel was reassured following referee checks with Regional saleyards with the same product including Sale, and Hamilton, and a site visit to Barnawartha. The product, while lighter than traditional railing is now standard in the industry, and will be used for the Dalby Saleyard redevelopment, which will be one of the largest Saleyards in Australia. The quality of the steel also has engineering certification.

Tenders

Tenders were received from:

Tenderers
Proway Livestock Equipment

6. INFRASTRUCTURE DIRECTORATE

6.2 Contract 1620 Construction of Walkways and Pens at Shepparton Regional Saleyards - Award of Contract (continued)

Tender Evaluation

Tenders were evaluated by:

Title	Branch
Manager Strategic Assets	Assets
Coordinator Property	Assets
Project Consultant	Projects
Procurement (Moderation Only)	Procurement

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	35%
Demonstrated Experience	15%
Material quality	10%
Project Methodology	20%
Environmental Management	10%
OH&S	10%

Council Plan/Key Strategic Activity

One of the items in the Council provides that *Council will continue to provide for the development and maintenance of high quality facilities to enhance the opportunities for community participation in a broad range of activities.*

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Not completing the construction works	Unlikely	Minor	Low	Award the contract and proceed to construction
The works not being completed in accordance with the contract	Unlikely	Moderate	Moderate	Sound contract documentation and scope of works with any variations managed in a professional manner.
Not proceeding with the contract	Unlikely	Major	Moderate	Proceed with contract to ensure the continued patronage at Shepparton RS by local and Regional producers.

Policy Considerations

The tender process has been carried out in accordance with Council's Procurement Guidelines.

6. INFRASTRUCTURE DIRECTORATE

6.2 Contract 1620 Construction of Walkways and Pens at Shepparton Regional Saleyards - Award of Contract (continued)

Financial Implications

	2015/2016 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Expense	\$820,000	\$784,243 (ex GST)	(\$35,757)	Remaining \$35,757 will be used to purchase rain water tanks to harvest storm water from the new roofed area.

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

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

As part of the tender process, tenderers were evaluated on their commitment to the environment. Tenderers were required to declare if they had a formal environmental certification under AS14000 2007, and/or to demonstrate they had company systems in place to ensure their business did not negatively impact on the environment. Pro Way Livestock Equipment was able to demonstrate Environmental responsibility.

Strategic Links

a) Greater Shepparton 2030 Strategy

The proposal supports the principals of the Greater Shepparton 2030 Strategy. The required works are in accordance with the GS2030 Strategy under Infrastructure, Urban Rural Services, Objective 1 – To provide sustainable infrastructure to support the growth and development of the municipality.

Options for Consideration

1. Proceed with awarding the contract based on the Tender Evaluation Panel assessment Recommended.
This would ensure that the works are completed at the yards in a timely manner.
2. Not proceed with the contract Not recommended
This would result in the works not being completed and the OHS issues and animal welfare issues at the yards not dealt with.

Conclusion

The tender evaluation process has been completed in relation to this contract and it is recommended that Proway Livestock Equipment be awarded the contract for construction of the walkways and pens at Shepparton Regional Saleyards.

Attachments

Nil

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015

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

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

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

Council Officers involved in producing this report

Author: Community Development Coordinator

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

Approved by: Director Community

Executive Summary

Greater Shepparton City Council is committed to working in partnership with community members to implement the Community Planning program. Over the past twelve months, one new Neighbourhood Plan and one new Locality Plan have been endorsed by Council and a full five year review for a Community Plan has also been completed.

In total, Council has endorsed 10 small town Community Plans, two neighbourhood and one locality plan. One neighbourhood and one locality plan are currently under development, due to be completed by December 2015.

This summary includes updates on completed projects from endorsed Community Plans, information on new locality and neighbourhood plans as well as other Community Planning and community capacity building initiatives that have been undertaken in the past 12 months.

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

That the Council note the achievements of the Greater Shepparton Community Planning groups over the 2014 - 2015 financial year.

CARRIED.

Background

A Community Plan is a written document which identifies a community's vision for the future and the priorities it has identified to achieve this vision. Currently ten small towns, two neighbourhoods and one locality have endorsed Community Plans within the municipality. In addition to these thirteen plans, one Locality Plan and one Neighbourhood Plan are currently being developed.

Each Community Plan has a Steering Committee that meets to identify, evaluate and action priorities identified during the plans development and reviews. Community Planning is based on capacity building and therefore each community committee is responsible for driving its plans momentum with support provided by Council Officers as needed. The timing and value of projects is dependent on the committees' capacity at any given time and every effort is made to balance this with the communities needs.

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015 (continued)

This summary includes updates on completed projects from endorsed Community Plans, information on new locality and neighbourhood plans as well other Community Planning and community capacity initiatives that have been undertaken over the past 12 months.

1. Community Planning Overview

Action Plan Reviews

In line with the Community Planning policy, each Community Plan conducted an annual review of their Action Plan between June and September 2014. Reviewing the Action Plans provides each small town with an opportunity to review their achievements, determine upcoming priorities for the next 12 months and identify any emerging priorities. A summary of the updated Action Plans were presented for noting at the December 2014 Council Meeting. The 2015 Action Plan reviews will commence shortly, with a report provided to Council towards the end of the year.

What's Happening in your Town

What's happening in your town events were hosted in many of the small towns. The aim of these events was for representatives from all of the community groups and committees within the town area to participate in an open forum to talk about their activities and aims for the future. The evenings created an opportunity to look at potential partnerships and opportunities to support each other. Feedback from the evenings was very valuable with many of the Community Planning groups planning their events for next year.

Ramp it Up

The Ramp it Up Committee is made up of representatives of small towns where youth recreation spaces have been identified as a priority within their Community Plans. Over the past 12 months the Committee have met regularly and worked on the following actions:

- Youth needs survey
- Audit of youth recreation spaces currently available
- Recreation based school holiday activities
- Fundraising.

Over 123 young people contributed to the youth needs survey. The results indicated that young people engaged in a variety of youth recreation activities identified in each town, with many young people identifying a variety of interests in youth recreation activity. The Committee also undertook an audit in each of their respective small towns to identify what facilities are currently available, how they are utilised by young people and what other spaces within the towns where popular with young people. The Committee hosted youth recreation events in the June / July school holidays based on the feedback they have received from the youth needs survey.

This Committee will be a key stakeholder as Council develops a Youth Recreation Spaces Strategy over the next 6 months.

Community Plan Celebration Dinner

The annual Community Planning Committees Celebration Dinner was held in November 2014. The celebration provided an opportunity to thank the committees for their contribution over the previous twelve months. The guest speaker for the evening was Peter Kenyon, a well-respected social entrepreneur and community enthusiast from Western Australia.

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015 (continued)

Capacity Building

Community Development Officers continue to promote other capacity building initiatives to Community Planning groups such as Council's Community Leadership Program and Grants Forums. The 2014 and 2015 Community Leadership Programs have had Community Planning representatives as participants. Council's Grants Forums have also been well attended by Community Plan groups.

Community Planning Staffing

The Community Planning Program is implemented by a team of four Community Development Officers and Community Development Coordinator. Over the past 12 months, the Community Development Officers have expanded from 2.8EFT to 3.4EFT in April 2015. This additional staffing has allowed the expansion of the implementation of the program and will ensure the development of new neighbourhood and locality plans every six months.

2. New Community Plans (New plans and five year reviews)

Undera Community Plan 5 year review

The first Undera Community Plan was developed in 2009 and many actions from this original plan were achieved. As the Community Plan reached five years a complete review was undertaken. Over 2014 extensive consultation was undertaken with the Undera community, with new actions and priorities identified. The Undera Community Plan Revision was endorsed in September 2014.

Arcadia Locality Plan

The Arcadia Locality Plan was developed following extensive consultation with the local community throughout 2014. The Arcadia Locality Plan has 21 actions and priorities linking to social, economic, natural and built platforms. The Arcadia Locality Plan was endorsed by Council in September 2014. Over the past eleven months the community have made great progress in commencing the implementation of their plan.

Kialla Lakes Neighbourhood Plan

The Kialla Lakes Neighbourhood Plan was developed following a range of consultation activities held between May and September 2014. The resulting Neighbourhood Plan has 17 priorities and initiatives assisting Kialla Lakes Residents to meet their vision of *'Kialla Lakes is a safe, peaceful and cohesive community with enhanced facilities for all residents that promote healthy activity and interaction of the community, based on our lakes and open environment'*.

The Kialla Lakes Neighbourhood Plan was endorsed by Council in October 2014. Over the past ten months, the Kialla Lakes Residents have also made great progress in commencing the implementation of their plan.

Mooroopna Community Plan 5 Year Review

The Mooroopna Community Plan was first endorsed by Council in 2010. As per Community Planning processes, the Community Plan has reached five years and as such a full review has been undertaken. Over May, June and July the community participated in a range of consultation activities to provide community members the opportunity to give feedback about their updated thoughts and ideas for priorities that need to be incorporated in the new Mooroopna Community Plan. Consultation activities included discussions with Mooroopna Secondary College, one on one stakeholder meetings, Street Talk activities and a breakfast for businesses. The Community Plan is currently being updated and will be presented to Council for endorsement in October.

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015 (continued)

Tatura Community Plan 5 Year Review

Over 2015 the Tatura Community Plan Steering Committee have primarily focused on completing the 5 year Review of the Plan. The Committee believed that the Tatura Community Plan 2010 was still relevant and as they have yet to deliver many of the actions of that plan chose to concentrate their efforts on increasing the community's knowledge of and connection to the 2010 Plan. The community was invited to provide their new ideas and initiative to enable the Tatura Community Plan Committee to build on the strength of the original plan. The committee targeted some of the groups that were under represented during the 2010 consultation by holding a Business Breakfast and providing a youth specific survey. There has been interest in new community members joining the committee which has been encouraging. The draft updated Action Plan will be presented to the Council for endorsement in October.

Shepparton East Locality Plan & St George's Road Neighbourhood Plan

Officers have commenced working with residents from Shepparton East and St George's Road to develop local Community Plans for their areas. Wider community consultation will commence in August 2015. It is anticipated that their respective Community Plans will be presented to Council in December for endorsement.

3. Endorsed Community Plans update

Over the past twelve months community members have continued to drive the implementation of their Community Plans with support from Council Officers. This section highlights some of the projects and activities that have been undertaken by the Community Plan Steering Committees over the past 12 months.

Some of the projects have received funding from Council's Community Plan Implementation fund, whilst others have received leverage funding from other funding sources. Some projects have required no funding from Council and have instead been more focused on advocacy.

Arcadia

The Arcadia Community Plan was endorsed by Council in September 2014.

In the first eleven months following the endorsement of the Community Plan, the community have been working on the following projects:

- Development of a Recreation Reserve masterplan (almost complete)
- Renewal of Arcadia's public toilet (included within 15/16 capital budget)
- Promotion of Arcadia's historical past through history sign
- Moving Art Cow for Arcadia (completed)
- Commenced discussions with Council to advocate for changes to Arcadia Road to made the road safer at the bend
- Commencement of the Arcadia Community Market.

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015 (continued)

Congupna

The Congupna Community Plan was endorsed by Council in December 2013. The Community Plan group have completed the following projects over the past 12 months:

Project	Amount	Funding Source	Status
Walking Track	\$76,665.05	2014/15 Council Capital Project	Completed
Maintenance of drains on Congupna Main Road	N/A	Investigation & Design Brach	Completed

Other community projects they have been working on are:

- Art Mural
- Exercise stations around walking track
- Congupna Main Road beautification, drainage and parking advocacy.

Dookie & District Community Plan

The Dookie Community Plan was endorsed by Council in 2002 and a full review was undertaken in 2012.

The Community Plan group have completed the following projects over the past 12 months:

Project	Amount	Funding Source	Status
Dookie Rail Trail sign amendments	\$671	Council's Community Plan Implementation Fund (CPIF)	Completed
What's Happening In your town (25/8/14)	\$350	CPIF	Completed

Other community projects that they have been working on are:

- Advocating for water quality testing (currently underway)
- Rear fencing for the CWA Gardens
- Initial scoping for Dookie Overnight Caravan Stop
- Initial scoping for Dookie-Mt Major Walking Track
- Cyclist signage
- Participating in the Ramp it Up Committee and fundraising.

Katandra West Community Plan

The Katandra West Community Plan was endorsed by Council in March 2013.

The Community Plan group have completed the following projects over the past 12 months:

- Ongoing support and advocacy for Community Centre project
- Community spaces audit
- Participating in the Ramp It Up Committee
- Ongoing advocacy for mobile phone reception
- Investigating local interest to establish a Men's Shed

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015 (continued)

- Advocacy for new footpath
- Advocacy for upgraded school crossing (in Council's 15/16 capital budget).

Kialla Lakes

The Kialla Lakes Community Plan was endorsed by Council in October 2014.

In the first eight months following the endorsement of the Community Plan, the community have been working on the following projects:

Project	Amount	Funding Source	Status
Drinking Fountains (x 3)	\$8160	Councils Community Plan Implementation Fund (CPIF)	Completed
New bench seats around Kialla Lakes	Funded by Recreation and Parks	Recreation and Parks department	Completed

Other community projects that they have been working on are:

- Community movie night (planned to happen in Spring/Summer)
- Planting of additional trees at Ganaway Reserve (completed)

Merrigum

The Merrigum Community Plan was first endorsed by Council in 2006 and a full review was undertaken in 2012.

The Community Plan group have completed the following projects over the past 12 months:

Project	Amount	Funding Source	Status
Merrigum Recreation Reserve Realignment of entrance and new Ticket Box	\$16,321.45	Councils Community Plan Implementation Fund (CPIF)	Completed
Merrigum Town Map Signage and Fingerboard	\$4920	CPIF	Completed

- Other community projects that they have been working on are:
- Merrigum Recreation Reserve Netball Court Upgrade
- Continued planning for accessibility to be incorporated into football clubroom
- Back to Merrigum Event
- Merrigum Swimming Pool – Youth space
- Welcome to Merrigum Newsletter
- Festive Grants application.

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015 (continued)

Mooroopna Community Plan

The Mooroopna Community Plan was endorsed by Council in 2010.

Over the past 12 months the group have been working on the following projects:

Project	Amount	Funding Source	Status
Mooroopna Multipurpose Storage Shed	\$200,000 \$100,000 (community) \$300,000 TOTAL	2014/15 Council Capital Project.	Currently being completed.

Other community projects that the have been working on are:

- Advocacy with V/Line and VicTrack for safer pedestrian access to the Mooroopna Railway Station
- Advocacy for Ferrari Park Masterplan – two key projects include advocacy for playground shelter and access to power.
- Ferrari Park toilets.
- Support the consultation for the McLennan Street Masterplan.

Murchison and District Community Plan

The Murchison Community Plan was endorsed by Council in 2011.

Over the past 12 months the group have been working on the following projects:

Project	Amount	Funding Source	Status
Murchison Rail Trail	\$90,000 (GSCC) \$150,000 (Victorian Government)	Councils Community Plan Implementation Fund (CPIF)	Completed
Murchison Heritage Centre	\$75,000 (GSCC) \$80,000 (Victorian Government)	CPIF	Completed
What's Happening In your town (25/8/14)	\$350	CPIF	Completed

Other community projects that they have been working on are:

- Official launch of Murchison Rail Trail and Murchison Heritage Centre
- Town entrance beautification
- Murchison Recreation Reserve master plan
- Murchison Rail Trail – Part 2 (scoping study).

Seven Creeks Community Neighbourhood Plan

The Seven Creeks Community Neighbourhood Plan was endorsed by Council in May 2013.

Over the past 12 months the group have been working on the following projects:

Project	Amount	Funding Source	Status
2014 Community Christmas celebration	\$719.1	CPIF	Completed
Drinking Fountain	\$3,752.40	CPIF	Completed

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015 (continued)

Other community projects that they have been working on are:

- Shade structure in the open space
- Other recreation opportunities for the open space
- Community Tree Planting Event
- Community Health Grant event
- Advocate for walking track around reserve

Tallygaroopna Community Plan

The Tallygaroopna Community Plan was endorsed by Council in August 2013.

Over the past 12 months the group have been working on the following projects:

Project	Amount	Funding Source	Status
Concept Plan Report – Tallygaroopna Walking and Cycling Trail	\$6,750	Council's Community Plan Implementation Fun (CPIF)	Completed
New Town Entry Signs (x2)	Funded through Council's Small Town Entry Sign Program	Town Entry Sign Program	Completed
Structural review of Tallygaroopna Scout Hall	\$800	CPIF	Completed
Community outdoor movie night	\$970	CPIF	Completed

Other community projects that they have been working on are:

- Garage Sale for Tallygaroopna
- Investigating local interest to establish a Men's Shed
- Advocating for the relocation of the town bus stop
- New bins installed in Larsen Reserve and Station Park (completed).

Tatura Community Plan

The Tatura Community Plan was endorsed by Council in 2010.

Over the past 12 month the group have been working on the following:

- Seeking broad representation from community organisations on the Steering Committee
- Establishment of Committee for the Swimming Pool – (worked with Council to ensure that the last swimming season the facility was improved and organised a roster for Friday night BBQ's to encourage more families to use the pool during the summer months)
- The Walks and Ride Committee continue to work on the walking tracks and footpaths around the town.
- Updating signage for the Tatura Community House (completed)
- Advocacy for Mactier Park
- Advocacy for Lake Bartlett
- Completing the 5 year review of the Community Plan.

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015 (continued)

Toolamba and District Community Plan

The Toolamba and District Community Plan was endorsed by Council in 2011. Over the past 12 months the group have been working on the following projects:

Project	Amount	Funding Source	Status
Recreation Reserve Car Park	\$125000 \$16000 \$141,000 – TOTAL	CPIF Community contribution	Completed
Toolamba Community Hall Flagpoles	\$3,223	CPIF	Completed

Other community projects that they have been working on are:

- Toolamba Public Toilet was included in Council's 14/15 capital budget (construction is currently underway)
- Tree planting
- World War II Honour Board.

Undera Community Plan

The Undera Community Plan was endorsed by Council in August 2009, with the revision being presented to Council for endorsement in September 2014.

Project	Amount	Funding Source	Status
Undera Christmas Event 2014	\$1040	Councils Community Plan Implementation Fund (CPIF)	Completed

Other community projects that they have been working on are:

- New basketball ring/backboard
- Community noticeboard at the pub
- Participating in the Ramp It Up Committee

Council Plan/Key Strategic Activity

This summary is intrinsically linked to the Council Plan 2013 – 2017, in particular the following objectives:

- Goal 1 – Active and Engaged Communities (Social)
Continue to enhance community capacity building.

Risk Management

There are no moderate to extreme risks identified with this report.

Policy Considerations

This summary report supports existing Council policies including but not limited to Council's Community Planning Policy and CEO Directive.

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015 (continued)

Financial Implications

Community Planning is set within the Council context of existing financial constraints. Community Planning priorities were assessed through the existing Community Planning Implementation budget, external government departments, philanthropic trusts and / or community fundraising. For some of these priorities, Community Plan Steering Committees may provide in kind support to the implementation of these initiatives.

	2014/2015 Actual Expenditure*\$	Comments
Revenue	0	There was no revenue associated with Community Planning in 2014/2015
Expense	\$62,318.21(operational only)	

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

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

This summary report does not have any environmental impacts.

Social Implications

Community Planning is a bottom up approach to planning for the future of an area that is led by the community themselves. The Community Planning process in Greater Shepparton is underpinned by the asset base community development (ABCD) approach which is a large global movement that considers local assets as the primary building blocks of sustainable communities.

Economic Impacts

This summary report does not have any economic impacts.

Consultation

There has been many varied consultation that have been undertaken with small towns throughout the past 12 months. Community Plan Steering Committees meet regularly in each of the small towns, supported by Council Officers. Each Community Plan project has also included further consultation with key stakeholders and the wider community.

The Annual Reviews undertaken in August / September 2014 also included extensive consultation with the wider community through surveys and local community events.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keeping the community informed about community plan activities	Media releases Surveys Flyers
Consult	Discuss achievements and priorities	Consultation events
Involve	Feedback is important to contribute to decision making	Forums / events for Committees to build their capacity.

7. COMMUNITY DIRECTORATE

7.1 Community Planning Review 2014/2015 (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Collaborate	Feedback will be incorporated into decision making to the maximum level possible	Partnerships between Council and Community Plan groups and the wider community
Empower	The communities have ownership of this plan and continue to actively drive the implementation of the priorities within it.	Plans are endorsed, not adopted by Council thus creating ownership

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Direction 2 – Community Life

b) Other strategic links

Greater Shepparton City Council – Community Development Framework

Greater Shepparton City Council – Community Engagement Strategy

Greater Shepparton City Council – Community Plan Implementation Policy

Options for Consideration

Review and note the achievements and summary of activities undertaken within the Community Planning program in 2014/2015.

Conclusion

This summary report contains the achievements made in the Community Planning program over the past 12 months. Community Plan Steering Committees have successfully completed many community projects resulting in fantastic outcomes for their communities. Committees have also continued to plan and scope for upcoming projects and advocate on behalf of their townships. Council Officers have facilitated a number of events to build the capacity of the Committees and acknowledge the fantastic work they do for their communities.

Attachments

Nil

7. COMMUNITY DIRECTORATE

7.2 Greater Shepparton Volunteer Strategy and Action Plan 2014-2018 - Year 1 Update

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

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

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

Council Officers involved in producing this report

Author: Community Development Officer

Proof reader(s): Community Development Coordinator,

Team Leader Community Strengthening, Manager Neighbourhoods

Approved by: Director Community

Executive Summary

The Greater Shepparton Volunteer Strategy and associated Action Plan 2014-2018 was adopted by Council in August 2014. The first year of implementation of the Volunteer Strategy and Action Plan 2014-2018 is now complete and a review has been undertaken of the activities and actions carried out. Officers in partnership with internal and external volunteer managers/coordinators have been working collaboratively to deliver these strategy actions. This strategy continues to strengthen the partnerships that further enhance the volunteer sector in Greater Shepparton.

Moved by Cr Summer

Seconded by Cr Oroszvary

That the Council note the achievements of the first year of the Greater Shepparton Volunteer Strategy and Action Plan 2014 - 2018.

CARRIED.

Background

Statistics from the ABS Census 2011 indicate that almost 20% of the Greater Shepparton population volunteer, with the volunteering rate in rural and regional areas higher than metropolitan areas. Volunteering is an essential community resource which promotes active citizenship and social inclusion. The Greater Shepparton Volunteer Strategy provides a framework for the promotion, recruitment/retention, recognition and celebration of Council's volunteers at a local level, encouraging a responsive and supportive environment for all volunteers. Council adoption of the Volunteer Strategy recognises, where there is a vibrant culture of volunteering, communities are stronger due to the inclusiveness volunteering promotes in the community.

The Greater Shepparton Volunteer Strategy and Action Plan 2014-2018 highlights the actions that Council will undertake to support the volunteer sector and strive for best practice for the volunteers of Greater Shepparton. The action plan consists of identified activities Council and the Volunteer Managers/Coordinators will undertake during 2014-2018 based on four strategic directions.

1. Promotion
2. Recruitment
3. Supporting Volunteers
4. Celebrate and Recognise.

7. COMMUNITY DIRECTORATE

7.2 Greater Shepparton Volunteer Strategy and Action Plan 2014-2018 - Year 1 Update (continued)

Highlights of the reporting period include:

Key Strategic Direction 1: Promotion

- Redesign of the Volunteer Manager's Network "Quick Reference Guide" which outlines volunteering opportunities across Greater Shepparton. 10 new organisations have been added and their volunteer opportunities showcased within the booklet
- The Volunteer Strategy and Action Plan was successfully launched in October 2014. WIN news was present as well as other media. A mini Volunteer Expo was held as part of the launch, presenting volunteering opportunities. We had approximately 15 organisations and each organisation was able to recruit a minimum of 2 volunteers each.
- A campaign plan has been developed to promote volunteering opportunities in the community.

Key Strategic Direction 2: Recruitment

- An Online "Register your interest" form has been developed and is active on the Council website and is the first step in streamlining the recruitment process across Council. Since the roll out of this form, 34 community members have registered their interest to volunteer at Council in its first 3 months of being live on the Council website.

Key Strategic Direction 3: Supporting Volunteers

- Continued support for both the internal and external Volunteer Managers Network through meetings and achieving strategy deliverables. Three meetings have been held this year for the External Volunteer Managers Network and five for the Internal Volunteer Managers Network.

Key Strategic Direction 4: Celebrate and Recognise

- The Volunteer Recognition Awards were held during National Volunteer Week in May 2015. Over 180 people attended with 38 people nominated across 6 categories. The Volunteer Recognition Awards is in its 5th year and is currently being reviewed and evaluated.
- Council has continued to advocate for recognition of the municipalities volunteers through various media sources. Volunteering has been profiled through the involvement of WIN News at the day of the Strategy launch, Social Media such as Facebook, four articles in the Shepparton News and the Council page in the Advisor.

Council Plan/Key Strategic Activity

Goal 1: Active and Engaged Communities (Social)

Objective 1: Continue to enhance Community Capacity Building

Objective 4: Provide sustainable community services to our community

Risk Management

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

Policy Considerations

This report supports existing Council policies.

7. COMMUNITY DIRECTORATE

7.2 Greater Shepparton Volunteer Strategy and Action Plan 2014-2018 - Year 1 Update (continued)

Financial Implications

	2014/2015 Budget *\$	Comments
Revenue	0	There was no revenue associated with the Volunteer Strategy and Action Plan in 2014-2015.
Expense	\$12141 Funds spent throughout 14/15 financial year	

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

Legal/Statutory Implications

There has been no legal/statutory implications in the past 12 months and at this stage none foreseeable in the future.

Environmental/Sustainability Impacts

There has been no environmental/sustainability impacts in the past 12 months and at this stage none foreseeable in the future.

Social Implications

Greater Shepparton City Council recognises the pivotal role that volunteers play within the community. Many community organisations, programs, clubs and sports would simply not exist without the dedication of volunteers. Volunteering is an essential community resource which promotes active citizenship and social inclusion. Volunteering extends value to our communities to make them safe, robust, inclusive and culturally rich as volunteers come from all walks of life and come together to achieve a common goal.

Volunteering provides a vehicle for individuals or groups to address human, environmental and social needs and increase community participation. The Volunteer Strategy and Action Plan reflect this.

Economic Impacts

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

Consultation

Throughout the last 12 months of implementing the Greater Shepparton Volunteer Strategy and Action Plan 2014-2018 consultation has been undertaken to achieve the deliverables set out in the Action Plan.

7. COMMUNITY DIRECTORATE

7.2 Greater Shepparton Volunteer Strategy and Action Plan 2014-2018 - Year 1 Update (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keeping the Community informed	Media Release Social Media Flyers Council's Website
Consult	Capture community feedback/opinion	Face to Face meetings Email
Involve	Feedback is important input into decision making	Face to Face meetings Emails Working Groups
Collaborate	Work collaboratively with stakeholders to develop, plan and manage deliverables	Meetings held with Internal Volunteer Managers Meetings held with External Volunteer Managers

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Objective 2 – Community Life – To encourage and implement activities that will strengthen community spirit

b) Other strategic links

Greater Shepparton City Council, Council Plan 2013-2017

Goal 1: Active and Engaged Communities

Community Development Framework

Community Engagement Strategy

Cultural Diversity and Inclusion Strategy

Municipal Health & Wellbeing Action Plan

Options for Consideration

Review and note the first year of the Greater Shepparton Volunteer Strategy and Action Plan 2014-2018

Conclusion

The first year of implementation of the Greater Shepparton Volunteer Strategy and Action Plan 2014-2018 is now complete and a review has been undertaken of the activities and actions carried out. Many positive outcomes have been achieved over the past 12 months. Officers in partnership with internal and external volunteer managers/coordinators have been working collaboratively to continue to move forward to build on and deliver these strategy actions. The strategy will be reviewed annually to note and recognise achievements moving forward.

Attachments

1. Volunteer Strategy and Action Plan 2014 - 2018 Page 136
2. Volunteer Strategy Key Strategic Directions - Year 1 Review 2015 Page 163

7. COMMUNITY DIRECTORATE

7.3 Cultural Diversity and Inclusion Strategy & 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,
Manager Neighbourhoods**

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 Strategy and Action Plan is due to be completed this year and Council officers have undertaken a review of the strategies achievements and conducted consultations to develop a new strategy and action plan for the next four years.

The 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.

The strategy and action plan was released for public exhibition and feedback. A small amount of feedback was received which has been considered and included where possible. The final version of the Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 is now ready for adoption by Council.

**Moved by Cr Houlihan
Seconded by Cr Oroszvary**

That the Council adopt the Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018.

CARRIED.

Background

Greater Shepparton has a long migration history and as a result we now enjoy a rich and diverse community with people from over 30 nationalities, who speak more than 50 different languages. Based on the 2011 census, 13.2% of the Greater Shepparton population identified as being born in a country other than Australia. However anecdotal investigations by local sector organisations suggest that multicultural communities' are grossly underrepresented in this data.

The 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.

7. COMMUNITY DIRECTORATE

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

The 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.

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

The 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 2015 – 2018 Strategy's Action Plan aids in empowering communities to continue to embrace their culture and their capacity to share it with the rest of the community, creating a greater understanding and respect for each other, multiculturalism and strengthen a socially cohesive society. It will enable education and communication on a number of subjects including leadership, employment, sporting activities through to the importance of emergency services, Australian laws and risks of alcohol and other drugs.

Through the action plan Council will continue to support the community to share and showcase their cultures through promotion of multicultural precincts and festivals and support communities to hold their own events which will include resources and information sessions to help with applying for grants. Other initiatives will encourage a greater understanding of employment procedures, work experience and apprenticeship and traineeships, advocacy for affordable housing needs, continued improvement in communication and services to communities and education to improve knowledge about culture and religion.

7. COMMUNITY DIRECTORATE

7.3 Cultural Diversity and Inclusion Strategy & 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 in relation to this report.

Policy Considerations

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

Financial Implications

The *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 *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 impacts related to this report.

Social Implications

The *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.

7. COMMUNITY DIRECTORATE

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

Economic Impacts

The *Cultural Diversity and Inclusion Strategy and Action Plan 2015 – 2018* will be added value to the Greater Shepparton's economic development through support in establishment of business and social enterprises and employment.

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 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 and community
Involve	Feedback from individuals and organisations was an important part of the input into decision making	Draft strategy was placed on public exhibition to ensure feedback is gathered
Collaborate	Feedback will be incorporated into decisions to the maximum level possible	Additional consultation with community leaders were held in conjunctions with local service provider 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

1: Do not support the directions contained within the Cultural Diversity and Inclusion Strategy and do not approve the adoption of the 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.

7. COMMUNITY DIRECTORATE

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

2: Support the direction contained within the Cultural Diversity and Inclusion Strategy and adopt of the Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018.

This option is preferable as the Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 demonstrates Council's commitment to cultural diversity.

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 Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 has been developed through extensive consultation to ensure that the needs and opportunities available to our CALD community are identified and able to be supported by Council in partnership with many of our service delivery organisations.

Attachments

Cultural Diversity and Inclusion Strategy and Action Plan 2015 - 2018 Page 167

7. COMMUNITY DIRECTORATE

7.4 Committees of Management - Appointment of Members to Dookie Recreation Reserve & Kialla West Recreation Reserve

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

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

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

Council Officers involved in producing this report

Author: Committees and Cemeteries Operations Officer

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

Approved by: Director Community

Executive Summary

In accordance with Greater Shepparton City Council CEO Directive 07.CEOD2, Section 86 Committees of Management (Special Committees), Section Four – Committee members can only be appointed by a formal resolution of Council.

As the term of office for current members of the Dookie Recreation Reserve and Community Centre Committee of Management and the Kialla West Recreation Reserve Committee of Management expires on 15 October 2015, it is necessary that a Committee be appointed to manage the facilities.

This report recommends the following appointments to the Dookie Recreation Reserve and Community Centre Committee of Management and the Kialla West Recreation Reserve Committee of Management for a two year term.

Moved by Cr Ryan

Seconded by Cr Oroszvary

That the Council:

1. from the nominations received for appointment to the Dookie Recreation Reserve and Community Centre Committee of Management, appoint the following members for a term of two years, commencing on 16 October 2015 and concluding on 16 October 2017:
 - Richard DICKENS
 - Valda DICKENS
 - Brian FELDTMANN
 - Suzanne HALL
 - Tony LUDEMAN
 - Peter SHIELDS
2. From the nominations received for appointment to the Kialla West Recreation Reserve Committee of Management, appoint the following members for a term of two years, commencing on 16 October 2015 and concluding on 16 October 2017:
 - Terri COWLEY
 - Renee MILTON

7. COMMUNITY DIRECTORATE

7.4 Committees of Management - Appointment of Members to Dookie Recreation Reserve & Kialla West Recreation Reserve (continued)

- Simone SMITH
- Wesley TEAGUE
- Joel VALLANCE
- Paul VEAL

3. Resolve that all members (who are not Councillors or nominated Officers) of the Dookie Recreation Reserve and Community Centre Committee of Management or the Kialla West Recreation Reserve Committee of Management continue to be exempt from the requirement to complete Interest Returns in exercise of power granted to Council under section 81(2A) of the *Local Government Act 1989*.

CARRIED.

Background

Dookie Recreation Reserve and Community Centre Committee of Management

At the Ordinary Council Meeting held on 15 October 2013, seven applicants were appointed to the Dookie Recreation Reserve and Community Centre Committee of Management for a term of two years.

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

This report recommends that a new committee be appointed to the Dookie Recreation Reserve and Community Centre Committee of Management for a two year term, commencing on 16 October 2015.

Kialla West Recreation Reserve Committee of Management

At the Ordinary Council Meeting held on 15 October 2013, seven applicants were appointed to the Kialla West Recreation Reserve Committee of Management for a term of two years.

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

This report recommends that a new committee be appointed to the Kialla West Recreation Reserve Committee of Management for a two year term, commencing on 16 October 2015.

Interest Return Exemption

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

Council Plan/Key Strategic Activity

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

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

Risk Management

7. COMMUNITY DIRECTORATE

7.4 Committees of Management - Appointment of Members to Dookie Recreation Reserve & Kialla West Recreation Reserve (continued)

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

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

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

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

Environmental/Sustainability Impacts

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

Social Implications

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

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

A public notice was placed in the Shepparton News on Friday the 7th and 14th March 2015 calling for applications from community members to join the Dookie Recreation Reserve and Community Centre Committee of Management and the Kialla West Recreation Reserve Committee of Management.

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

Level of public	Promises to the	Examples of techniques to use
-----------------	-----------------	-------------------------------

7. COMMUNITY DIRECTORATE

7.4 Committees of Management - Appointment of Members to Dookie Recreation Reserve & Kialla West Recreation Reserve (continued)

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

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

No other strategic links have been identified.

Options for Consideration

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

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

Conclusion

It is recommended that all of the abovementioned applicants be appointed to their respective Committees of Management for a two year term.

Attachments

Nil

8. BUSINESS DIRECTORATE

8.1 Financial Assistance Grants to Local Government

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 Finance and Rates

Proof Reader: Manager Finance and Rates

Approved by: Acting Director Business

Executive Summary

In 2014 the Federal Government announced that it was freezing the annual indexation on Federal Financial Assistance Grants for three financial years from 2014/15 to 2016/17.

The Australian Local Government Association (ALGA) is campaigning the Federal Government to restore the indexation immediately and consider the adequacy of the quantum of Financial Assistance Grants and the indexation methodology for the future.

To assist their campaign the ALGA are seeking support from Councils by passing a Council resolution acknowledging the Commonwealth's Financial Assistance Grants for local government.

RECOMMENDATION

That the Council:

1. acknowledge the importance of federal funding through the Financial Assistance Grants program for the continued delivery of Council services and infrastructure;
2. acknowledge the Council received \$11.531 million in 2014/15 in Financial Assistance Grants;
3. ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in council publications, including annual reports; and
4. support the Australian Local Government Association's campaign to the Federal Government to restore indexation immediately.

Moved by Cr Houlihan

Seconded by Cr Summer

That the Council:

1. acknowledge the importance of federal funding through the Financial Assistance Grants program for the continued delivery of Council services and infrastructure;

8. BUSINESS DIRECTORATE

8.1 Financial Assistance Grants to Local Government (continued)

2. acknowledge the Council received \$11.531 million in 2014/15 in Financial Assistance Grants;
3. ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in council publications, including annual reports; and
4. support the Australian Local Government Association's campaign to the Federal Government to restore indexation immediately.
5. write to the Federal Government to request immediate restoration of the annual indexation, including an explanation of the disadvantage to our community through the loss of funds.
6. write to the local Federal Member Sharman Stone to request her assistance to restore indexation of the financial assistance grants.

CARRIED.

Background

In 2014 the Federal Government announced that it was freezing the annual indexation on Federal Financial Assistance Grants for three financial years 2014/15, 2015/16 and 2016/17.

The Victoria Grants Commission's annual report 2013/14 calculated that "over the four year outlook, total grants to Victorian councils will be approximately \$200 million lower than would have otherwise been the case" and that "when indexation is scheduled to resume it will be from a base that is some 12.5% lower than had the pause not been implemented.

The Australian Local Government Association (ALGA) is campaigning the Federal Government to restore the indexation immediately and consider the adequacy of the quantum of Financial Assistance Grants and the indexation methodology for the future.

To assist their campaign the ALGA are seeking support from Councils by passing a Council resolution acknowledging the Commonwealth's Financial Assistance Grants for local government.

Council Plan/Key Strategic Activity

No risk implications have been identified.

Risk Management

No risk implications have been identified.

Policy Considerations

No policy implications have been identified.

Financial Implications

Council's allocation of Financial Assistance Grant funding for 2014/15 was \$11.531 million. This amount will not increase by CPI for the three year period from 2014/15 to 2016/17. The compounding impact of lost income from freezing the indexation is therefore significant to Council.

8. BUSINESS DIRECTORATE

8.1 Financial Assistance Grants to Local Government (continued)

Legal/Statutory Implications

No legal/statutory implications have been identified.

Environmental/Sustainability Impacts

No environmental implications have been identified.

Social Implications

Financial Assistance Grants are a vital part of the revenue base for Council and are important in assisting Council to provide important infrastructure and services to the community.

Economic Impacts

No economic implications have been identified.

Consultation

No consultation implications have been identified.

Strategic Links

No strategic links have been identified.

Options for Consideration

1. Do nothing. Not Recommended.
2. Endorse the submission of the proposed resolution to Council. Recommended

The adoption of the proposed resolution will provide support to the ALGA in lobbying the Federal Government for the restoration of indexation to Financial Assistance Grant funding and raise awareness of the importance of the Federal funding in the delivery of Council services and infrastructure.

Conclusion

This report acknowledges the Commonwealth's Financial Assistance Grants funding as a vital part of Council's revenue base and its importance in assisting Council to provide important infrastructure and services to the community.

Attachments

Letter from Australian Local Government Association Page 193

8. BUSINESS DIRECTORATE

8.2 August 2015 Monthly Financial Report

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

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

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

Council Officers involved in producing this report

Author: Team Leader Corporate Accounting

Proof reader(s): Manager Finance and Rates

Approved by: Acting Chief Executive Officer

Executive Summary

The report presents Council's actual financial performance compared to the budget for the second month ended 31 August 2015.

Moved by Cr Oroszvary

Seconded by Cr Adem

That the Council receive and note the August 2015 Monthly Financial Report.

CARRIED.

Background

The Draft 2015/2016 Budget was prepared by Council on 28 April 2015. Public notice was given on 1 May 2015 and submissions invited until 29 May 2015. Council considered all submissions received and adopted the 2015/2016 Budget at a Special Council Meeting on 23 June 2015. The 2015/2016 Budget provided for an accounting surplus of \$9.11 million with revenue of \$125.15 million and expenditure of \$116.04 million. The 2015/2016 Budget also provided for capital works of \$40.10 million.

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

The August 2015 Monthly Financial Report incorporates the following sections which are presented for Council's consideration:

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

Council Plan/Key Strategic Activity

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

8. BUSINESS DIRECTORATE

8.2 August 2015 Monthly Financial Report (continued)

Risk Management

No risks have been identified in providing this financial report.

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

No Environmental or Sustainability impacts have been identified.

Social Implications

No Social implications have been identified.

Economic Impacts

No Economic impacts have been identified.

Consultation

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

Options for Consideration

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

Conclusion

The report provides details of Council's financial performance compared to the budget for the second month ended 31 August 2015.

Attachments

August 2015 - Monthly Financial Statements Page 197

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 2015 Small Town Festive Grants

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

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

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

Council Officers involved in producing this report

Author: Acting CBD and Township Development Officer

Proof reader(s): Team Leader Business and Industry Development

Approved by: Director Sustainable Development

Executive Summary

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

Moved by Cr Summer

Seconded by Cr Ryan

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

Applicant	Township	Application amount	Total Amount (GST inc)
Merrigum Community Group	Merrigum	\$ 2,000.00	\$ 2,046.00
Mooroopna Men's Shed	Mooroopna	\$ 2,000.00	\$ 2,000.00
Lifestyle Dookie	Dookie	\$ 2,000.00	\$ 2,200.00

CARRIED.

Background

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

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

Applications for the Small Town Festive Grants opened on 1 June 2015. Advertisements were placed within the Shepparton News, on Greater Shepparton City Council's website and various social media pages.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 2015 Small Town Festive Grants (continued)

The program was also promoted at the Greater Shepparton City Council Community Grants Forum in June 2015 and via an electronic mail-out to a database of contacts for community organisations located in small towns within the Greater Shepparton region. This database was accessed through the Neighbourhoods department.

Applications closed on 6 July 2015 and a total of three eligible applications were received. Details are as follows:

Applicant	Township	Application amount	Total Amount (GST inc)
Merrigum Community Group	Merrigum	\$ 2,000.00	\$ 2,046.00*
Mooroopna Men's Shed	Mooroopna	\$ 2,000.00	\$ 2,000.00
Lifestyle Dookie	Dookie	\$ 2,000.00	\$ 2,200.00

**Note: Merrigum's application requested \$2,000.00 in grant funds however the total expenditure in their budget is \$1,985.75. This included a charge for five hours unskilled labor at a total cost of \$125.00, two of the three panelists agreed that the labor could be contributed to the project as in-kind; therefore the approved amount does not include these costs.*

Applications were assessed by a panel of 3 Council officers.

Council Officer	Position
Melinda Weston	Community Development Officer
Courtney Hamill	Acting Grants Co-ordinator
Deanne McNair	Acting CBD and Township Development Officer

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

An additional six applications were commenced in SmartyGrants however these were not completed and submitted. The reasons behind this are unclear. It is difficult to contact applicants with un-submitted applications as SmartyGrants does not reveal sufficient details about the applicant or organisation until an application is completed. Only an email address is available and several attempts were made to contact the applicants via email however no responses were received.

One of the incomplete applications was created by a council officer on behalf of her community group, and she indicated that it was due to a lack of involvement from others in the community group that prevented their application from being completed.

Council Plan/Key Strategic Activity

1. Active & engaged Community (Social) – Objective 1. Continue to enhance community capacity building.
5. High Performing Organisation (Leadership & Governance) – Objective 1. Develop & implement best practice communication strategies.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 2015 Small Town Festive Grants (continued)

Risk Management

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

Policy Considerations

There are no identified conflicts with Council policies.

Financial Implications

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

	2014/2015 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	Nil	Nil	Nil	
Expense	\$20,000	\$ 5,860.75	(\$14,139.25)	Funding is available for up to ten applications however only three applications were submitted and approved
Net Result	\$20,000	\$ 5,860.75	(\$14,139.25)	

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

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 2015 Small Town Festive Grants (continued)

Legal/Statutory Implications

This proposal conforms with all relevant legislation.

Environmental/Sustainability Impacts

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

Social Implications

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

Economic Impacts

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

Consultation

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

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

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	Following the decision of Council, applicants will be contacted regarding the status of their application. Once confirmation is received from applicants that their project has been delivered we would seek to publicly promote this initiative and the concerted efforts of the community.
Involve	Work together	Provide communities with the opportunity when completing acquittal documentation to provide feedback on how we can improve the delivery of this program in the future.

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

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 2015 Small Town Festive Grants (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

Topic: Community Life

Theme: Health and Social services

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

b) Other strategic links

No other strategic links have been identified.

Options for Consideration

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

Conclusion

It is proposed that Council approve all three applications for funding through the Small Town Festive Grants Program at a total cost of \$6,246.00 (inc GST).

Attachments

Nil

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Adoption of Amendment C143 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: Principal Strategic Planner

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

Approved by: Director Sustainable Development

Other: Graduate Strategic Planner - Amendments

Executive Summary

Council officers have prepared Amendment C143 to the Greater Shepparton Planning Scheme (Planning Scheme). The amendment proposes to correct a number of errors and anomalies in the identification of places within the Schedule to Clause 43.01 (Heritage Overlay) of the Planning Scheme. The amendment also seeks to correct errors and anomalies in the application of the Heritage Overlay to places of cultural heritage significance. These errors and anomalies jeopardise the continued conservation of places of local cultural heritage significance.

The amendment affects various parcels of land within the City of Greater Shepparton (see *Attachment 1 – Explanatory Report* for a detailed list of land parcels affected by the proposed amendment).

The proposed amendment was exhibited from 18 June 2015 to 20 July 2015 in accordance with the *Planning and Environment Act 1987*.

Ten submissions were received by Council. Of these, five submissions were from referral authorities that did not object to the proposed amendment, one submission supported the proposed amendment and four submissions objected to the proposed amendment (see *Attachment 2 – Submissions Recorder*). The main concerns raised in these four submissions include:

- Request to revise the proposed Heritage Overlay mapping for HO57, HO67 and HO81;
- Request that planning permit exemptions be included at Clause 43.01 (Heritage Overlay) or the Schedule to Clause 43.01 of the Planning Scheme for HO66 and HO67; and
- Request that permit exemptions be included at Clause 43.01 (Heritage Overlay) or the Schedule to Clause 43.01 of the Planning Scheme for routine maintenance and rail related works on land owned by Public Transit Victoria and VicTrack.

Council officers have met with each submitter to discuss the concerns raised in these submissions. Council officers are proposing four post-exhibition mapping changes to satisfy the concerns raised in the submissions (see *Attachment 3 – Post-Exhibition Mapping*). These changes will better reflect the area of cultural heritage significance for HO57, HO67 and HO81. Council officers explained that Clause 43.01 (Heritage Overlay) is included in the Victorian Planning Provisions and has a state-wide application; therefore, it is not possible to amend this Clause. Council officers have been successful in resolving the above concerns and all four submitters have withdrawn their objections.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Adoption of Amendment C143 to the Greater Shepparton Planning Scheme (continued)

The proposed amendment does not conflict with any existing Council Policies. The proposal will not result in any negative social, economic or environmental impacts. The correction of these errors and anomalies will assist in providing for the fair, orderly, economic and sustainable use and development of land in the Municipality.

All stages of the planning scheme amendment process, including preparation, authorisation, exhibition and consideration of submissions have now been completed.

Council is now required to adopt the amendment prior to the amendment being submitted to the Minister for Planning for approval.

Following approval, the amendment will be published in the Victorian Government Gazette, at which point it will be included in the Planning Scheme.

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

That the Council:

1. adopt Amendment C143 to the Greater Shepparton Planning Scheme, including maps for HO57, HO67 and HO81 amended post-exhibition, in accordance with Section 29 of the *Planning and Environment Act 1987* (the Act); and
2. submit Amendment C143 to the Greater Shepparton Planning Scheme to the Minister for Planning for approval in accordance with Section 31 of the Act.

CARRIED.

Background

Proposed amendment C143 seeks to implement the objectives of Sections 4(1)(a) and 12B of the Act.

The objective of Section 4(1)(a) of the Act is “*to provide for the fair, orderly, economic and sustainable use, and development of land*”. Section 12B of the Act requires a planning authority to regularly review the provisions of the Planning Scheme, with the purpose to enhance its effectiveness and efficiency. Accordingly, Council officers have been progressively reviewing and recording existing errors and anomalies in the Planning Scheme.

Amendment C143 proposes to correct spelling errors and inaccurately identified addresses contained in Schedule to Clause 43.01 (Heritage Overlay) of the Planning Scheme. The amendment also proposes to correct anomalies in the Heritage Overlay mapping.

See *Attachment 1 – Explanatory Report* which identifies and describes each individual land parcel that is affected.

The amendment proposes to make the following specific changes to the Planning Scheme:

- Amend the Schedule to Clause 43.01 (Heritage Overlay) to:
 - correct the names and addresses of a number of places of cultural heritage significance;

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Adoption of Amendment C143 to the Greater Shepparton Planning Scheme (continued)

- apply internal alteration controls to HO103 (Soldiers' Memorial Hall, Tallygaroopna);
- allow for the consideration of prohibited uses for HO148 (the former manager's residence to the rear of former Ridley's Agriproducts Pty Ltd site at 2 Archer Street, Mooroopna); and
- apply the Greater Shepparton Heritage Incorporated Plan 2013 to the Tatura Township Precinct (HO156).
- Amend Planning Scheme Map Nos. 2HO, 4HO, 5HO, 6HO, 9HO, 11HO, 17HO, 18HO, 20HO, 21HO, 22HO, 29HO, 31HO, 32HO, 33HO and 34HO.

The correction of these errors and anomalies will assist in providing for the fair, orderly, economic, and sustainable use and development of land in the Municipality.

Submissions

The proposed amendment was exhibited from 18 June 2015 to 20 July 2015 in accordance with the Act.

Ten submissions were received by Council. Of these, five submissions were from referral authorities that did not object to the proposed amendment, one submission supported the proposed amendment and four submissions objected to the proposed amendment (see *Attachment 2 – Submissions Recorder*). Submissions were received from:

- Two landowners;
- Goulburn Valley Region Water Corporation;
- Goulburn Broken Catchment Management Authority;
- Environmental Protection Authority Victoria;
- Goulburn-Murray Water;
- Department of Environment, Land, Water and Planning;
- VicRoads - North East Victoria;
- Tixxis Consulting Pty Ltd on behalf of the landowner; and
- Public Transport Victoria.

The main concerns raised in these four submissions include:

- Request to revise the proposed Heritage Overlay mapping for HO57, HO67 and HO81;
- Request that planning permit exemptions be included at Clause 43.01 (Heritage Overlay) or the Schedule to Clause 43.01 of the Planning Scheme for HO66 and HO67; and
- Request that permit exemptions be included at Clause 43.01 (Heritage Overlay) or the Schedule to Clause 43.01 of the Planning Scheme for routine maintenance and rail related works on land owned by Public Transit Victoria and VicTrack.

Council officers have met with each submitter to discuss the concerns raised in these submissions. The following responses have been provided:

- Post-exhibition mapping:
 - Council officers are proposing four post-exhibition mapping changes to better reflect the area of cultural heritage significance for HO57, HO67 and HO81 (see *Attachment 3 – Post-Exhibition Mapping*).

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Adoption of Amendment C143 to the Greater Shepparton Planning Scheme (continued)

- Planning permit exemptions:
 - Clause 43.01 (Heritage Overlay) is included in the Victoria Planning Provisions and has a state-wide application. It is not possible to make any amendments to this Clause. Clause 43.01-2 (No permit required) states that permit exemptions can be provided if an incorporated plan is specified in the Schedule to Clause 43.01. The Schedule does not currently apply an incorporated plan for this place. It is not possible to include an incorporated plan for this place as part of this amendment. However, this could be considered as part of a future planning scheme amendment.

These responses have satisfied the concerns of each submitter and all objections have been withdrawn.

Council is now required to adopt the amendment prior to the amendment being submitted to the Minister for Planning for approval.

Following approval, the amendment will be published in the Victorian Government Gazette, at which point it will be included in the Planning Scheme.

Council Plan/Key Strategic Activity

The proposed amendment will correct a number of errors and anomalies in the Planning Scheme. This will assist in providing for the fair, orderly, economic and sustainable use and development of land in the Municipality.

Risk Management

There are no risks associated with adopting this amendment as it corrects errors and anomalies in the Planning Scheme. It will also implement the objectives of planning in Victoria by providing sound, strategic and coordinated planning of the use and development of land in the Municipality as required by Section 12(1)(a) and (b) of the *Planning and Environment Act 1987*.

There are continued risks if this amendment is not adopted by Council and approved by the Minister as there are numerous errors and anomalies that have created situations that are unjust, clearly in error and/or conflict with the obvious intent of the provisions in the Planning Scheme.

An additional risk is associated with the planning scheme amendment not meeting the timelines required through *Ministerial Direction No. 15 'The Planning Scheme Amendment Process'*. This Ministerial Direction requires each stage of the planning scheme amendment process to be undertaken within set timeframes.

In accordance with Ministerial Direction No. 15, Council must make a decision on the amendment within 60 business days of the closing date of submissions. Following this, the amendment must be submitted to the Minister for Planning within 10 business days of the date the amendment is adopted by Council.

Policy Considerations

The proposed amendment does not conflict with any Council policy and better implements the objectives of the Municipal Strategic Statement by correcting existing errors and anomalies in the Planning Scheme.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Adoption of Amendment C143 to the Greater Shepparton Planning Scheme (continued)

Financial Implications

The *Planning and Environment (Fees) Regulations 2000* sets the statutory fees for the preparation, exhibition and adoption of planning scheme amendments. Council is the proponent of this amendment and is responsible for all costs associated with the amendment process.

No submissions have been received which require consideration by an Independent Planning Panel, which has reduced the costs for Council.

Legal/Statutory Implications

All procedures associated with this planning scheme amendment comply with the legislative requirements of the Act. The amendment has been assessed in accordance with the Act and the 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 proposed amendment will not have any detrimental environmental or sustainability effects. The proposed amendment is correctional in nature and will not result in any direct changes to land use or built form outcomes.

The proposed amendment will have positive environmental and sustainability effects as it will ensure that places of cultural heritage significance will be conserved for the future enjoyment of the Municipality.

There are no adverse environmental impacts associated with the amendment.

Social Implications

The proposed amendment will have positive social effects as it reduces the need for landowners to apply for planning permits on land that is incorrectly included in the Heritage Overlay. The proposed amendment will ensure a net community benefit by enhancing the effectiveness and efficiency of the Planning Scheme.

There are no adverse social impacts associated with the amendment.

Economic Impacts

The proposed amendment should have positive economic effects as it will reduce the need for landowners to apply for planning permits for buildings or works on land that is incorrectly included in the Heritage Overlay.

The proposed amendment will ensure a net community benefit by enhancing the effectiveness and efficiency of the Planning Scheme.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Adoption of Amendment C143 to the Greater Shepparton Planning Scheme (continued)

There are no adverse economic impacts associated with the amendment.

Consultation

Amendment C143 was exhibited in accordance with the Act. This included the following:

- Notice in the Shepparton News on 16 June 2015;
- Notice in the Victorian Government Gazette on 18 June 2015;
- Letters to affected landowners and occupiers on 15 June 2015;
- Letters to relevant referral authorities on 15 June 2015;
- Letters to prescribed ministers on 15 June 2015;
- Documentation on display at the Council offices at 90 Welsford Street, Shepparton;
- Documentation on display at the Tatura Library at 12-16 Casey Road, Tatura;
- Documentation available on the Department of Environment, Land, Water and Planning website; and
- Documentation available on the Greater Shepparton City Council website.

The proposed amendment was exhibited for four weeks and submissions closed on 20 July 2015. Submissions are discussed in detail in the 'Background' section of this report.

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

Strategic Links

a) Greater Shepparton 2030 Strategy 2006

Owing to the fact that this amendment proposes to correct a number of overlay errors and anomalies within the Planning Scheme, there are no specific strategic directions that specifically support this amendment.

However, as the amendment proposes to correct mapping errors, it will assist in providing for the fair, orderly, economic and sustainable use and development of land in the Municipality. This approach is strongly supported by the *Greater Shepparton 2030 Strategy 2006*.

b) City of Greater Shepparton Heritage Study Stage II (HSII)

The *City of Greater Shepparton Heritage Study Stage II (HSII), 2004* recommended that these places be included in the Heritage Overlay. The correction of these errors and anomalies in the application of the Heritage Overlay will aid in the implementation of this adopted study.

Options for Consideration

1. Adopt Amendment C143 to the Greater Shepparton Planning Scheme and refer it to the Minister for Planning for approval; or
2. Abandon Amendment C143 to the Greater Shepparton Planning Scheme.

Conclusion

Proposed Amendment C143 seeks to correct a number of errors and anomalies in the identification of places within the Schedule to Clause 43.01 (Heritage Overlay) of the Planning Scheme. The amendment also seeks to correct errors and anomalies in the application of the Heritage Overlay to places of cultural heritage significance. These errors and anomalies currently jeopardise the continued conservation of places of local cultural heritage significance.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Adoption of Amendment C143 to the Greater Shepparton Planning Scheme (continued)

The proposed amendment was exhibited from 18 June 2015 to 20 July 2015 in accordance with the *Planning and Environment Act 1987*.

Ten submissions were received by Council. Of these, five submissions were from referral authorities that did not object to the proposed amendment, one submission supported the proposed amendment and four submissions objected to the proposed amendment (see *Attachment 2 – Submissions Recorder*). The main concerns raised in these four submissions include:

- Request to revise the proposed Heritage Overlay mapping for HO57, HO67 and HO81;
- Request that planning permit exemptions be included at Clause 43.01 (Heritage Overlay) or the Schedule to Clause 43.01 of the Planning Scheme for HO66 and HO67; and
- Request that permit exemptions be included at Clause 43.01 (Heritage Overlay) or the Schedule to Clause 43.01 of the Planning Scheme for routine maintenance and rail related works on land owned by Public Transit Victoria and VicTrack.

Council officers have met with each submitter to discuss the concerns raised in these submissions. Council officers are proposing four post-exhibition mapping changes to satisfy the concerns raised in these submissions. These changes will better reflect the area of cultural heritage significance for HO57, HO67 and HO81. Council officers explained that Clause 43.01 (Heritage Overlay) is included in the Victorian Planning Provisions and has a state-wide application; therefore, it is not possible to amend this Clause. Council officers have been successful in resolving the above concerns and all four submitters have withdrawn their objections.

The proposed amendment is consistent with the Planning Scheme and does not conflict with any existing Council policies. The proposal will not result in any negative social, economic or environmental impacts.

All stages of the planning scheme amendment process, including preparation, authorisation, exhibition and consideration of submissions have now been completed. Council is now required to adopt the amendment prior to the amendment being submitted to the Minister for Planning for approval.

Following approval, the amendment will be published in the Victorian Government Gazette, at which point it will be included in the Greater Shepparton Planning Scheme.

Attachments

1. Explanatory Report Page 218
2. Submissions Recorder Page 227
3. Post-Exhibition Mapping Page 229

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.3 Adoption of Amendment C181 (Public Acquisition Overlay in the Shepparton North Growth Corridor) 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: Principal Strategic Planner

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

Approved by: Acting Director Sustainable Development

Other: Senior Strategic Planner and Graduate Strategic Planner Amendments

Executive Summary

Amendment C181 to the Greater Shepparton Planning Scheme (Planning Scheme) seeks to apply the Public Acquisition Overlay (PAO20) to part of the land at 420A Goulburn Valley Highway, Shepparton North.

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). The Council is now required to consider the recommendation of the Independent Planning Panel Report, dated 8 September 2015, and must make a determination on the Amendment.

The Panel's Report (see *Attachment 2 – Independent Planning Panel Report for Amendment C181*) recommends that:

1. Amendment C181 to the Greater Shepparton Planning Scheme be adopted as exhibited, subject to the inclusion of the revised Map 14PAO appended to the Panel Report.

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

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

1. adopt the recommendation of the Independent Planning Panel for Amendment C181;
2. adopt Amendment C181 with the change recommended by the Panel; and
3. resolve to submit Amendment C181 to the Minister for Planning for approval.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.3 Adoption of Amendment C181 (Public Acquisition Overlay in the Shepparton North Growth Corridor) to the Greater Shepparton Planning Scheme (continued)

Moved by Cr Oroszvary
Seconded by Cr Ryan

That, having considered the Independent Planning Panel Report for Amendment C181 to the Greater Shepparton Planning Scheme, in accordance with Section 27 of the *Planning and Environment Act 1987* (the Act), Council:

1. adopt the recommendation of the Independent Planning Panel for Amendment C181 as outlined in their Panel Report dated 8 September 2015;
2. adopt Amendment C181 with the change recommended by the Independent Planning Panel in accordance with Section 29 of the Act; and
3. submit Amendment C181 to the Minister for Planning for approval in accordance with Section 31 of the Act.

CARRIED.

Background

Amendment C181 to the Planning Scheme seeks to apply the Public Acquisition Overlay (PAO20) to part of the land at 420A Goulburn Valley Highway, Shepparton North. The land is occupied by Adornato Sand and Gravel Supplies Pty Ltd, as shown on *Figure One – Aerial Photograph* below. The land is included within the Shepparton North Growth Corridor.

Figure One – Aerial Photograph (total landholding outlined in blue and land proposed to be included in the Public Acquisition Overlay post-exhibition is hatched).



The Amendment seeks to facilitate the future acquisition of land required to provide the ultimate stormwater drainage infrastructure envisaged for the North Growth Corridor in accordance with the approved the *Shepparton North and South Growth Corridor Outline Development Plan 2003* and the *Shepparton North and South Growth Corridor Development Contributions Plan 2003*.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.3 Adoption of Amendment C181 (Public Acquisition Overlay in the Shepparton North Growth Corridor) to the Greater Shepparton Planning Scheme (continued)

The Amendment was prepared and exhibited in accordance with the requirements of the Act. The content of the submissions received were considered by Council at the Ordinary Council Meeting held on 18 August 2015 (see Attachment 1 – *August 2015 Ordinary Council Meeting Unconfirmed Minutes Extract*). The submissions were referred to an Independent Planning Panel for consideration.

The Independent Planning Panel provided Council with a Panel Report, dated 8 September 2015 (see Attachment 2 – *Independent Planning Panel Report for Amendment C181*). The Panel's Report recommends that:

1. Amendment C181 to the Greater Shepparton Planning Scheme be adopted as exhibited, subject to the inclusion of the revised Map 14PAO appended to the Panel Report.

Council officers agree with the Panel's recommendation. The Amendment Documentation has been revised accordingly (see Attachment 3 – *Submissions Recorder and 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 recommendation of the Independent Planning Panel and must make a determination on the Amendment. Council officers request that Council:

1. adopt the recommendation of the Independent Planning Panel for Amendment C181;
2. adopt Amendment C181 with the change recommended by the Panel; and
3. resolve to submit Amendment C181 to the Minister for Planning for approval.

Council Plan/Key Strategic Activity

The Amendment is supported by the *Greater Shepparton Council Plan 2013-2017* as follows:

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

Objective 3: *Ensure liveability options are always considered in our decision making activities.*

Goal 4: *Quality Infrastructure (Built)*

Objective 3: *Encourage sustainable municipal growth and development.*

Risk Management

In accordance with Section 27 of the *Planning and Environment Act 1987*, Council is required to consider the recommendation of the Independent Planning Panel before deciding whether or not to adopt the Amendment. Council is not required to adopt the recommendation 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 recommendation could result in the Amendment not receiving approval from the Minister for Planning.

This would result in unnecessary financial and resource costs for Council.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.3 Adoption of Amendment C181 (Public Acquisition Overlay in the Shepparton North Growth Corridor) to the Greater Shepparton Planning Scheme (continued)

Policy Considerations

The Amendment is consistent with existing Council policy. The Amendment supports Council policy on economic development and the provision of development infrastructure.

Financial Implications

The *Planning and Environment (Fees) Regulations 2000* sets the statutory fees for the preparation, exhibition and adoption of planning scheme amendments. Council is the proponent of this Amendment and is responsible for all costs associated with the amendment process.

The cost associated with the Directions Hearing and the preparation of the Panel's Report associated with this Amendment remains outstanding at the time of writing this report. It is envisaged that this cost will be approximately \$3,000 (including GST). These costs have been included in the Council Budget for the 2015-'16 financial year.

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 C181 will result in positive environmental outcomes as the realisation of the ultimate open space and stormwater drainage infrastructure in the Shepparton North Growth Corridor will enhance water quality and reduce nutrient load prior to its discharge into the G-MW drainage system. Stormwater treatment will occur via a series of wetlands, designed and constructed to reflect natural ecological processes.

The land affected by the Amendment does not appear to have any significant environmental attributes; therefore, applying a Public Acquisition Overlay to the land is unlikely to have any adverse environmental effects.

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

Social Implications

Proposed Amendment C181 will have positive social benefits for the residents of the Shepparton North Growth Corridor and the wider community. The realisation of the ultimate open space and stormwater drainage infrastructure will have positive social effects. The area beneath the transmission lines will be provided with a meaningful use, contributing to the amenity and liveability of this area.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.3 Adoption of Amendment C181 (Public Acquisition Overlay in the Shepparton North Growth Corridor) to the Greater Shepparton Planning Scheme (continued)

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

Economic Impacts

Proposed Amendment C181 will have positive economic effects by stimulating the development of the remaining areas of the Shepparton North Growth Corridor by realising the ultimate open space and stormwater drainage infrastructure. These works will be appropriately designed and constructed so that they enhance the amenity of the Shepparton North Growth Corridor. Amenity, proximity to open space and provision of appropriate infrastructure are key economic drivers for development.

There are no adverse economic impacts associated with this Amendment.

Consultation

Amendment C181 was exhibited in accordance with the Act. This included the following:

- Notice in the Shepparton News on 26 May 2015;
- Notice in the Victorian Government Gazette on 28 May 2015;
- Letters to affected landowners and occupiers on 25 May 2015;
- Letters to relevant referral authorities on 25 May 2015;
- Letters to prescribed ministers on 25 May 2015;
- Documentation on display at the Council officers at 90 Welsford Street, Shepparton;
- Documentation available on the Department of Environment, Land, Water and Planning website; and
- Documentation available on the Greater Shepparton City Council website.

The exhibition period was open for four weeks and submissions closed on 29 June 2015. Submissions were considered by Council at the Ordinary Council Meeting held on 18 August 2015 (see Attachment 1 – *August 2015 Ordinary Council Meeting Unconfirmed Minutes Extract*).

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

Direction 1: Settlement and Housing

Commitment to growth within a consolidated and sustainable development framework.

Direction 5: Infrastructure

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

b) Other strategic links

Shepparton North and South Growth Corridor Outline Development Plan 2003 and the Shepparton North and South Growth Corridor Development Contributions Plan 2003.

The realisation of the ultimate open space and stormwater drainage infrastructure within the North Growth Corridor is envisaged by the *Shepparton North and South Growth Corridor Outline Development Plan 2003* and the *Shepparton North and South Growth Corridor Development Contributions Plan 2003*.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.3 Adoption of Amendment C181 (Public Acquisition Overlay in the Shepparton North Growth Corridor) to the Greater Shepparton Planning Scheme (continued)

Options for Consideration

In accordance with Section 27 of the *Planning and Environment Act 1987*, Council must consider the recommendation 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. Council is now required to consider the recommendation of the Independent Planning Panel Report, dated 8 September 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 recommendation, be adopted and submitted to the Minister for Planning for approval.

Attachments

- | | |
|--|----------|
| 1. Extract of Minutes - 18 August 2015 Ordinary Council Meeting - Amendment C181 | Page 238 |
| 2. Independent Planning Panel Report for Amendment C181 | Page 252 |
| 3. Submissions Recorder and Amendment Documentation | Page 258 |

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.4 Adoption of Amendment C180 (289 Maude Street, Shepparton) to the Greater Shepparton Planning Scheme and Implementation of Land Exchange

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

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

Council Officers involved in producing this report

Author: Principal Strategic Planner

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

Approved by: Acting Director Sustainable Development

Other: Graduate Strategic Planner and Senior Strategic Planner

Executive Summary

Amendment C180 proposes to apply the Public Acquisition Overlay 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 to the land shown as "ROAD" on TP393266.

The Amendment has been through exhibition, consideration of submissions and panel processes in accordance with the requirements of *Planning and Environment Act 1987*. Council is now required to consider the recommendations of the Independent Planning Panel Report, dated 19 August 2015, and must make a determination on the Amendment.

The Panel Report (see Attachment 1 – *Panel Report - August 2015*) recommends that Council adopt Amendment C180 to the Greater Shepparton Planning Scheme as exhibited. Council Officers have reviewed the Panel Report and agree with the Panel's recommendation.

Council Officers now request that Council:

1. adopt the recommendation of the Independent Planning Panel for Amendment C180;
2. adopt Amendment C180;
3. resolve to submit Amendment C180 to the Minister for Planning for approval; and
4. resolve to undertake the land exchange with Shepparton Retail Holdings Pty Ltd to facilitate the implementation of the Maude Street bus interchange.

Moved by Cr Summer Seconded by Cr Houlihan

That, having considered the Independent Planning Panel Report for Amendment C180 to the Greater Shepparton Planning Scheme, in accordance with Section 27 of the *Planning and Environment Act 1987* (the Act), Council:

1. adopt the recommendation of the Independent Planning Panel for Amendment C180 as outlined in their Panel Report dated 19 August 2015;
2. adopt Amendment C180 in accordance with Section 29 of the Act;

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.4 Adoption of Amendment C180 (289 Maude Street, Shepparton) to the Greater Shepparton Planning Scheme and Implementation of Land Exchange (continued)

3. submit Amendment C180 to the Minister for Planning for approval in accordance with Section 31 of the Act;
4. upon approval of Amendment C180 by the Minister for Planning, in compliance with Section 189 of the *Local Government Act 1989*, authorise the implementation of the land exchange with Shepparton Retail Holdings Pty Ltd as outlined in the report; and
5. authorise the Acting Chief Executive Officer to:
 - a) agree to a price for the acquisition of 289 Maude St, Shepparton, if a negotiated settlement is possible; and
 - b) agree to a land valuation and settlement arrangement for the land exchange between Council and Shepparton Retail Holdings Pty Ltd.

CARRIED.

Background

At the Ordinary Council Meeting held on 16 September 2014, Council endorsed the Maude Street Bus Interchange and Maude Street Redevelopment Concept Plans (see Figure One). Council also requested that Council Officers prepare and exhibit a planning scheme amendment to include 289 Maude Street, Shepparton in the Public Acquisition Overlay (PAO) and to 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, Shepparton and a Road Closure Overlay (RXO) to the adjoining road which gives access to this land.

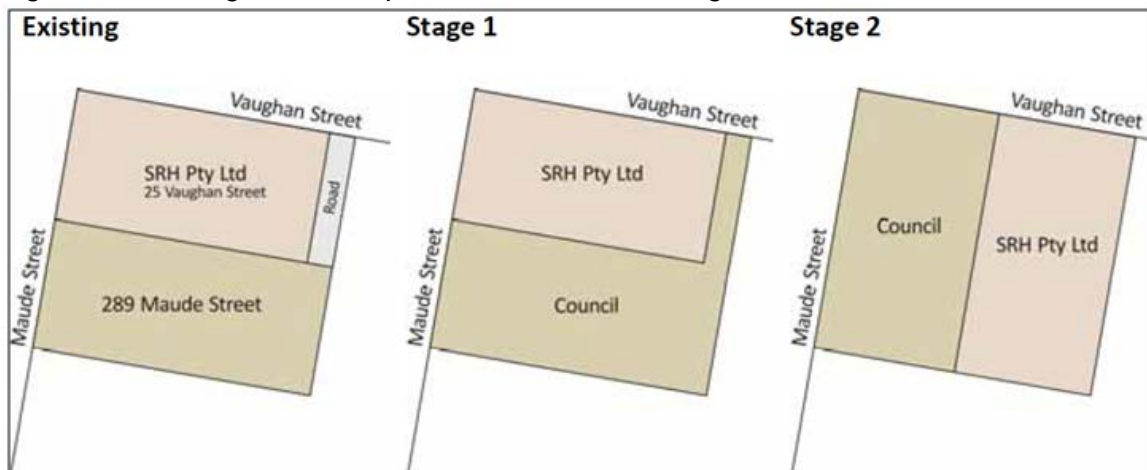
9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.4 Adoption of Amendment C180 (289 Maude Street, Shepparton) to the Greater Shepparton Planning Scheme and Implementation of Land Exchange (continued)

Figure One – Extract from the Maude Street Streetscape Redevelopment Concept Plan 2013 (the amendment land at 289 Maude Street, Shepparton is outlined in red).



Figure Two – Staged land acquisition and land exchange.



9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.4 Adoption of Amendment C180 (289 Maude Street, Shepparton) to the Greater Shepparton Planning Scheme and Implementation of Land Exchange (continued)

Stage 1 of this proposal involves the acquisition of the amendment land and the closure of the adjoining road. Stage 2 involves the realignment of boundaries and the exchange of land. This stage proposes the transfer of part of 289 Maude Street and all of the land within the proposed RXO to the adjoining land owner, Lascorp Development Group (Aust) Pty Ltd (Lascorp Pty Ltd). Lascorp Pty Ltd operates the adjoining car park. In return, Council will receive a portion of the adjoining lot from Lascorp Pty Ltd for the purpose of constructing the proposed bus interchange plaza and public toilet facilities on the corner of Maude Street and Vaughan Street (see Figure Two).

The Amendment was prepared and exhibited in accordance with the requirements of the Planning and Environment Act 1987 (the Act). The content of the submissions received were considered by Council at the Ordinary Council Meeting held on 17 July 2015 (see Attachment 2 – *Extract from the Unconfirmed Minutes - Ordinary Council Meeting – July 2015*). The submissions were referred to an Independent Planning Panel for consideration.

The Independent Planning Panel provided Council with a Panel Report, dated 19 August 2015 (see Attachment 1 – *Panel Report - August 2015*). The Panel Report recommends that Council adopt Amendment C180 to the Greater Shepparton Planning Scheme as exhibited (see Attachment 3 – *Submissions Recorder and Amendment Documentation*). Council Officers agree with the Panel's recommendation.

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 Report was received. Council is required to consider the 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 C180;
2. adopt Amendment C180;
3. resolve to submit Amendment C180 to the Minister for Planning for approval; and
4. resolve to undertake the land exchange with Shepparton Retail Holdings Pty Ltd to facilitate the implementation of the Maude Street bus interchange.

Following acquisition of 289 Maude Street by Council and the commencement of the Road Closure Overlay, Council may undertake the land exchange with Shepparton Retail Holdings Pty Ltd as outlined in Figure Two.

The valuation and price of the acquisition of 289 Maude Street may potentially be agreed between Council and the current owners, or if agreement cannot be reached, will need to be resolved by the Valuer – General Victoria, based upon valuation evidence, or by the Victorian Civil and Administrative Tribunal.

The requirements of Section 189 of the *Local Government Act 1989*, in terms of public notice and consideration of submissions have been met with regard to the exchange of the land by Council. Public notice of the proposed land exchange was placed in the Shepparton News on 14 April 2015, in accordance with Section 189(2) of the *Local Government Act 1989*. No submissions were received in response to this notice.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.4 Adoption of Amendment C180 (289 Maude Street, Shepparton) to the Greater Shepparton Planning Scheme and Implementation of Land Exchange (continued)

Valuation of the land to be exchanged was undertaken by the Opteon Property Group on behalf of Council dated 21 April 2015. The land value was considered to be \$550/sqm.

In order to comply with Section 189(2)(b) of the *Local Government Act 1989*, which requires a land valuation to be undertaken within six month of the exchange, a further valuation may be required, depending on the date of the exchange.

It should be noted that the area of land to be exchanged between Council and Shepparton Retail Holdings Pty Ltd is similar and accordingly there should be very little change in the value of the land holdings of Council and Shepparton Retail Holdings Pty Ltd. Council will pay for legal costs associated with the land exchange.

A draft agreement under Section 179 of the *Planning and Environment Act 1987* between Council and Shepparton Retail Holdings Pty Ltd has been prepared. The purpose of the agreement is to facilitate and manage the land exchange. Council Officers understand that the draft agreement is satisfactory to Shepparton Retail Holdings Pty Ltd, although this has not been confirmed by it to date and is still considered in draft form. A copy of the draft agreement is an attachment to this report (Attachment 4 - *Land Swap Agreement draft 29 April 2015*).

Council Plan/Key Strategic Activity

The *Greater Shepparton 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'.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.4 Adoption of Amendment C180 (289 Maude Street, Shepparton) to the Greater Shepparton Planning Scheme and Implementation of Land Exchange (continued)

Risk Management

In accordance with Section 27 of the *Planning and Environment Act 1987* (the Act) 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 recommendation 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 recommendation could result in the Amendment not receiving approval from the Minister for Planning. This would result in unnecessary financial and resource costs for Council.

Policy Considerations

Amendment C180 does not conflict with any existing Council policies. The Amendment supports Council policy on economic development and the provision of infrastructure.

Amendment C180 is in accordance with the recommendations provided in the *Shepparton CBD Strategy 2008* and will assist in realising the Maude Street Bus Interchange Master Plan.

Financial Implications

The *Planning and Environment (Fees) Regulations 2000* sets the statutory fees for the preparation, exhibition and adoption of planning scheme amendments. Council is the proponent of this Amendment and is responsible for all costs associated with the amendment process.

The cost associated with the Directions Hearing and the preparation of the Panel Report associated with this Amendment remains outstanding at the time of writing this report. It is envisaged that this cost will be approximately \$45,000 (including GST). These costs include expenses associated with legal advice and/or representation. These costs have been included in the Council Budget for the 2015-'16 financial year.

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

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 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.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.4 Adoption of Amendment C180 (289 Maude Street, Shepparton) to the Greater Shepparton Planning Scheme and Implementation of Land Exchange (continued)

The amendment land 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.

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

Social Implications

Amendment C180 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.

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

Economic Impacts

Amendment C180 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.

There are no adverse economic impacts associated with this Amendment.

Consultation

Amendment C180 was exhibited in accordance with the Act. 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. Submissions were considered by Council at the Ordinary Council Meeting held on 17 July 2015 (see Attachment 2 – *Extract from the Unconfirmed Minutes - Ordinary Council Meeting – July 2015*).

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

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.4 Adoption of Amendment C180 (289 Maude Street, Shepparton) to the Greater Shepparton Planning Scheme and Implementation of Land Exchange (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy 2006

The *Greater Shepparton 2030 Strategy 2006* 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”.

c) Hume Regional Growth Plan 2014

The *Hume Regional Growth Plan 2014* 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.

Amendment C180 is consistent with these strategic links and will help to facilitate the development of the Maude Street Bus Interchange.

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

Amendment C180 has been through exhibition, consideration of submissions and panel processes. Council is now required to consider the recommendation of the Independent Planning Panel Report, dated 19 August 2015, and must make a determination on the Amendment.

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

Upon approval by the Minister for Planning and gazettal of the amendment, and a further valuation as may be necessary, Council may undertake the land exchange.

Attachments

- | | |
|--|----------|
| 1. Amendment C180 - Panel Report - August 2015 | Page 272 |
| 2. Unconfirmed Minutes - Ordinary Council Meeting - 21 July 2015 | Page 291 |
| 3. Submissions Recorder and Amendment Documentation | Page 299 |
| 4. Land Swap Agreement draft 29 April 2015 | Page 314 |

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.5 Appointment of a Replacement Alternate Councillor Member to the Development Hearings Panel

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

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

Council Officers involved in producing this report

Author: Team Leader Statutory Planning

Proof reader(s): Manger Planning

Approved by: Acting Director Sustainable Development

Executive Summary

Cr Michael Polan resigned from his position as Councillor on 30 June 2015. Since then the Development Hearings Panel (DHP) has been without an Alternate Councillor Member to chair the DHP when the Nominated Councillor (chair) – Cr Adem has been unavailable.

At the Ordinary Council Meeting on 18 August 2015 Cr Hazelman was appointed as the 'Development Hearings Panel (substitute representative)'. Despite this resolution, the 'Guidelines for Development Hearings Panel' (attached) specifically refer to an 'Alternate Councillor Member' rather than a 'substitute representative'. Whilst the words 'substitute representative' imply that Cr Hazelman is to be the Alternate Councillor on the DHP, there is some doubt about this and it may therefore be open to challenge.

To avoid any doubt, in accordance with the Council adopted 'Guidelines for Development Hearings Panel' it is now proposed to formally appoint Cr Hazelman as the new Alternate Councillor Member.

Other than the requested appointment of a new Alternate Councillor Member no changes are proposed to the running of the current DHP. The current DHP operates as per the resolution of Council at the Ordinary Council Meeting on 16 September 2016 (attached) and the adopted 'Guidelines for Development Hearings Panel'.

Moved by Cr Ryan
Seconded by Cr Adem

That the Council resolves to appoint Cr Hazelman to the position of the Alternate Councillor on the Development Hearings Panel from the date of this resolution, until further resolution.

CARRIED.

Background

The current DHP was established by way of Council resolution at the Ordinary Council Meeting on 16 September 2014. A copy of this resolution is attached to this report.

This resolution also adopted the 'Guidelines for Development Hearings Panel'. A copy of these guidelines is also attached to this report. The guidelines specify the members of the DHP, including the Alternate Councillor. The Alternate Councillor is able to chair the DHP in the absence of the Nominated Councillor.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.5 Appointment of a Replacement Alternate Councillor Member to the Development Hearings Panel (continued)

Council Plan/Key Strategic Activity

Ensuring Panel Members on the DHP are properly appointed supports Objective 3 under High Performing Organisation (Leadership and Governance) “*ensure strong internal systems and processes to ensure best practice delivery of service for the community*”.

Risk Management

The proper appointment of the Alternate Councillor ensures that decisions of the DHP are valid.

Policy Considerations

The recommendation in this report ensures the Alternate Councillor is appointed in accordance with the adopted ‘Guidelines for Development Hearings Panel’.

Financial Implications

There are no financial implications in ensuring the Alternate Councillor is properly appointed.

Legal/Statutory Implications

The proper appointment of the Alternate Councillor will ensure decisions made by the DHP are legally compliant.

Environmental/Sustainability Impacts

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

Social Implications

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

Economic Impacts

There are no financial impacts in ensuring the Alternate Councillor is properly appointed.

Consultation

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

Strategic Links

There are no relevant strategic links to the recommendation proposed in this report.

Options for Consideration

1. Adopting the recommendation listed above.
2. Deciding not to adopt the recommendation listed above.

Conclusion

The formal appointment of Cr Hazelman as the Alternate Councillor member on the Development Hearings Panel, will remove any doubt that Cr Hazelman can chair the DHP in the absence of the Nominated Councillor.

Attachments

1. Development Hearings Council Report Page 325
2. Approved Guidelines for Development Hearings Panel Page 331

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.6 Adoption of Amendment C186 (Changes to the Neighbourhood Residential Zone, Schedule 1) 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: Team Leader Strategic Planning

Proof reader(s): Manager Planning

Approved by: Acting Director Sustainable Development

Executive Summary

Amendment C186 to the Planning Scheme proposes to insert a local provision that increases the maximum building height requirement for a dwelling or residential building in the Neighbourhood Residential Zone (NRZ), Schedule 1.

At present, the maximum height requirement in the NRZ is overly restrictive for proposed, new dwellings or residential buildings that are subject to the Floodway Overlay or Land Subject to Inundation Overlay.

The NRZ currently specifies a default dwelling height limit of 8 metres where no height limit is specified in the Schedule to the Zone. It also limits the maximum building height to 9 metres where the ground level is of a certain slope (2.5 degrees over an 8.0 metre cross-section). In a case where the floor level of a new, proposed residential building is required to be increased, the restrictive NRZ height controls pose difficulties. Often, it is only possible to accommodate single storey structures as a consequence.

The proposed amendment was exhibited from 16 July 2015 to 17 August 2015 in accordance with the *Planning and Environment Act 1987*. Council received a total of five submissions from the following parties:

- Goulburn Valley Water
- Goulburn-Murray Water
- Goulburn Broken Catchment Management Authority
- Department of Environment, Land, Water & Planning
- EPA Victoria

It is noted that no objections were received.

The proposed amendment is consistent with the Greater Shepparton Planning Scheme and does not conflict with any existing Council policies.

The proposed amendment does not conflict with any existing Council policies and is unlikely to result in any negative social, economic or environmental impacts.

All stages of the planning scheme amendment process are now complete, including preparation, authorisation, exhibition and consideration of submissions.

Council is now required to adopt the amendment prior to the amendment being submitted to the Minister for Planning for approval.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.6 Adoption of Amendment C186 (Changes to the Neighbourhood Residential Zone, Schedule 1) to the Greater Shepparton Planning Scheme (continued)

Following approval, the amendment will be published in the Victoria Government Gazette, at which point it will be included in the Greater Shepparton Planning Scheme.

Moved by Cr Summer
Seconded by Cr Oroszvary

That the Council:

1. adopt amendment C186 to the Greater Shepparton Planning Scheme in accordance with Section 29 of the *Planning and Environment Act 1987* (the Act); and
2. submit Amendment C186 to the Greater Shepparton Planning Scheme to the Minister for Planning for approval in accordance with Section 31 of the Act.

CARRIED.

Background

Planning Scheme Amendment

Proposed Amendment C186 seeks to insert a local provision to increase the maximum building height restriction for a dwelling or residential building in the Neighbourhood Residential Zone, Schedule 1 (NRZ1). Specifically, the amendment seeks to make the following changes:

- Amend Schedule 1 to the Neighbourhood Residential Zone at Clause 32.09 to include a local provision that will limit the height of a dwelling or residential building to either:
 - 9.0 metres, or
 - 10.0 metres where the slope of the natural ground level at any cross section wider than 8.0 metres of the site of the building is 2.5 degrees or more, in accordance with existing controls of the Floodway Overlay and Land Subject to Inundation Overlay.

This amendment is necessary due to a significant amount of residential land in Greater Shepparton being affected by flooding risk, and in particular, the Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO).

These overlays generally require a dwelling to be constructed with floor levels at least 300mm (and often higher) above the 100-year ARI flood level to address flood risks.

From this perspective, the current maximum height required by the NRZ1 is overly restrictive and is not able to accommodate any necessary height increases through building design. As a result, the design of many new dwellings, and dwelling additions, has been significantly compromised as it is not possible to account for any increase in height that is triggered by the land being within a FO or LSIO. This has had the effect of reducing the quality of housing and unreasonably restricting the optimum use of residential land in flood prone areas.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.6 Adoption of Amendment C186 (Changes to the Neighbourhood Residential Zone, Schedule 1) to the Greater Shepparton Planning Scheme (continued)

A purpose of the NRZ is:

- “to recognise areas of predominantly single and **double storey** residential development” (emphasis added).
- The proposed amendment is therefore in line with the purpose of the NRZ as it seeks to be able to accommodate double storey residential development where it is considered appropriate.

The proposed amendment is consistent with the State Planning Policy Framework (SPPF) of the Planning Scheme, and in particular:

- Clause 11 (Settlement)
- Clause 15 (Built Environment and Heritage)
- Clause 16 (Housing)

The proposed amendment is also consistent with the Local Planning Policy Framework (LPPF) of the Planning Scheme, and in particular:

- Clause 21.04 (Settlement).

Exhibition

The Minister for Planning granted Council an exemption from full notice. The amendment was exhibited from 16 July 2015 to 17 August 2015 in accordance with the *Planning and Environment Act 1987*.

Exhibition included the following notice:

- Direct notice to prescribed Ministers;
- Notice in the Shepparton News;
- Notice in the Victorian Government Gazette;
- Notice on the Greater Shepparton City Council website;
- Notice on the 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.

No objections were received by Council.

All stages of the planning scheme amendment process, including preparation, authorisation, exhibition and consideration of submissions have now been completed.

Council is now requested to adopt the amendment prior to the amendment being submitted to the Minister for Planning for approval.

Submissions

Five submissions were received by Council (see *Attachment 1 – Submissions Recorder*). All submissions are from referral authorities who did not object to or request changes to the proposed amendment. These referral authorities are:

- Goulburn Valley Water
- Goulburn-Murray Water
- Goulburn Broken Catchment Management Authority
- Department of Environment, Land, Water & Planning
- EPA Victoria

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.6 Adoption of Amendment C186 (Changes to the Neighbourhood Residential Zone, Schedule 1) to the Greater Shepparton Planning Scheme (continued)

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

Council Plan/Key Strategic Activity

The proposed amendment is supported by the *Council Plan 2013-2017* as follows:

Goal 4: Quality Infrastructure (Built)

“We will provide and maintain urban and rural infrastructure to support the development and liveability of our communities”.

Objective 4.3: Encourage sustainable municipal growth and development.

Risk Management

The primary risk associated with the planning scheme amendment is not meeting the timelines required under ‘Ministerial Direction No. 15 - The Planning Scheme Amendment Process’. This Ministerial Direction requires each stage of the planning scheme amendment process to be undertaken within set timeframes.

In accordance with Ministerial Direction No. 15, Council must make a decision on the amendment within 60 business days of the closing date of submissions. Following this, an adopted amendment must be submitted to the Minister for Planning within 10 business days of the date the amendment is adopted by Council.

Policy Considerations

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

Financial Implications

All costs associated with the planning scheme amendment process have been met by Council. An Independent Planning Panel is not required to consider submissions meaning that no related expenses will be experienced as a consequence.

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.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.6 Adoption of Amendment C186 (Changes to the Neighbourhood Residential Zone, Schedule 1) to the Greater Shepparton Planning Scheme (continued)

Environmental/Sustainability Impacts

There are no adverse environmental impacts associated with the amendment.

The amendment will allow dwellings to be constructed consistent with the purpose of the NRZ, and any environmental issues will continue to be controlled through existing planning scheme provisions (such as flooding).

Social Implications

There are no adverse social impacts associated with the amendment.

The amendment will allow all land in the NRZ to be used for its intended purpose and ensure that the community has appropriate access to appropriately designed housing within existing residential areas.

Economic Impacts

There are no adverse economic impacts associated with the amendment.

The amendment will remove a barrier to the reasonable and economic use of land that is already within a residential zone (the Neighbourhood Residential Zone). It will address delays and unreasonable design constraints that currently exist under the planning scheme provisions.

The proposed change to the NRZ height restriction will enable new and well-designed housing to be delivered in areas that already have access to existing infrastructure and services.

Consultation

The Minister for Planning granted Council an exemption from full notice. The amendment was exhibited from 16 July 2015 to 17 August 2015 in accordance with the *Planning and Environment Act 1987*.

Exhibition included the following notice:

- Direct notice to prescribed Ministers;
- Notice in the Shepparton News;
- Notice in the Victorian Government Gazette;
- Notice on the Greater Shepparton City Council website;
- Notice on the 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.

Five submissions were received by Council (see *Attachment 1 – Submissions Recorder*). All submissions are from referral authorities who did not object to or request changes to the proposed amendment. These referral authorities are:

- Goulburn Valley Water
- Goulburn-Murray Water
- Goulburn Broken Catchment Management Authority
- Department of Environment, Land, Water & Planning
- EPA Victoria

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.6 Adoption of Amendment C186 (Changes to the Neighbourhood Residential Zone, Schedule 1) to the Greater Shepparton Planning Scheme (continued)

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

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: Infrastructure

Direction: The provision and restructure of urban and rural infrastructure to enhance the performance of the municipality and facilitate growth

Theme: Urban Growth

Options for Consideration

Adopt amendment C186 to the Greater Shepparton Planning Scheme in accordance with Section 29 of the *Planning and Environment Act 1987* (the Act); and submit Amendment C186 to the Greater Shepparton Planning Scheme to the Minister for Planning for approval in accordance with Section 31 of the Act.

Not adopt amendment C186 to the Greater Shepparton Planning Scheme in accordance with Section 29 of the *Planning and Environment Act 1987* (the Act); and consider the option to abandon the amendment.

Conclusion

The amendment seeks to inset a local provision for the maximum height requirement for a dwelling or residential building in Schedule 1 to Clause 32.09.

The proposed amendment was exhibited from 16 July 2015 to 17 August 2015 in accordance with the *Planning and Environment Act 1987*.

Five submissions were received by Council, none of which raised any objections to the proposed amendment.

The proposed amendment is consistent with the Greater Shepparton Planning Scheme and does not conflict with any existing Council policies.

The proposal will not result in any negative social, economic and environmental impacts.

All stages of the planning scheme amendment process, including preparation, authorisation, exhibition and consideration of submissions have now been completed. Council is now required to adopt the amendment prior to the amendment being submitted to the Minister for Planning for approval.

Following approval, the amendment will be published in the Victorian Government Gazette, at which point it will be included in the Greater Shepparton Planning Scheme.

Attachments

1. Submissions Recorder Page 336
2. Amendment Documentation Page 337

10. TABLED MOTIONS

Nil Received

11. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

Nil Received

12. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES
12.1 Cr Houlihan's Report on Special Committees and Advisory Committees

Name of Committee	Date of Meeting Attended	Key Items
Deakin Reserve Advisory Committee	12/08/2015	<ul style="list-style-type: none"> • Main focus now is on preparation of the ground for the GVL finals • Committee agreed to establish a Master Plan for Deakin reserve when funding becomes available. • Council is seeking Government funding to build female change rooms
North East ALGWA	21/08/2015	<ul style="list-style-type: none"> • Networking of representatives from North East Councils in Rutherglen • Female councillors from several southern NSW Councils attended
Australian Botanic Gardens Shepparton Special Committee	26/08/2015	<ul style="list-style-type: none"> • Committee pleased with the Australian Botanic Gardens Shepparton Directional Road Signs: 2 near Riverside Drive/ Melb Rd intersection and 2 in Mooroopna near Watts Rd/McLennan St intersection. • Recycled materials from GS Transfer Station researched and put aside for inclusion in the next themed garden to be constructed (The Refugee Garden) • New member Dr David Chew reported on the proposed format for recording the 7 major Plant Collections to be featured at ABGS • Signage: Next stage of planning for on-site informational signage was progressed: colours, materials, font, style. • Children's Play area: Louise Pell (Design by Nature) to plan first concept, using natural materials.

Moved by Cr Houlihan
Seconded by Cr Adem

That Cr Houlihan's report on Special Committees and Advisory Committees be noted.

CARRIED.

13. NOTICE OF MOTION, AMENDMENT OR RESCISSION

Nil Received

14. DOCUMENTS FOR SIGNING AND SEALING

14.1 Documents for Signing and Sealing

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

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

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

The following documents have been presented for signing and sealing:

- **Lease** – between Council and Ken Orrman, Helen Orrman and Ian Orrman for Hangar site 7, Shepparton Aerodrome, 7810 Goulburn Valley Highway, Kialla for a period of 7 years from 1 July 2013.
- **Variation Deed**– Council entered into a Development Deed with Urban Renewal Authority (now Places Victoria) for the development of land at Parkside Gardens (now The Gardens at Shepparton). The terms of the original deed are no longer relevant so Council and Places Victoria have agreed to enter into a Variation of the Development Deed so that Places Victoria can continue to sell lots of land on behalf of Council.

Moved by Cr Oroszvary
Seconded by Cr Houlihan

That the Council authorise the Acting Chief Executive Officer to sign and seal the following documents:

1. Lease agreement between Council and Ken Orrman, Helen Orrman and Ian Orrman for Hangar site 7, Shepparton Aerodrome, 7810 Goulburn Valley Highway, Kialla for a period of 7 years from 1 July 2013.
2. Variation Deed between Council and Urban Renewal Authority (now Places Victoria) for the development of land at Parkside Gardens.

CARRIED.

15. COUNCILLOR ACTIVITIES

15.1 Councillors Community Interaction and Briefing Program

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

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

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

Councillors' Community Interaction and Briefing Program

From 1 August 2015 to 31 August 2015, some or all of the Councillors have been involved in the following activities:

Cr Dennis Patterson

- Walk and Talk Around The Lake # 1
- CEO Permanent Recruitment | Consultation Interviews
- Dinner with Oshu City Students | Mooropna Secondary College
- Toyoake City | Students & Teachers Visit
- RiverConnect | Strategic Plan Workshop
- Dinner | Toyoake City Visitors
- Speaking with Year 11 Students | Shepparton High School
- Australian Unity Cup | Rumbalara & Congupna Football Netball Clubs
- Walk and Talk Around The Lake # 2
- Meeting with McArthur's Consultancy
- Arthur Dickman Childcare Centre | Farewell Visit
- The Hon James Merlino MP | Deputy Premier
- Business & Industry Luncheon | Education Sector
- Goulburn Valley Squash Club | Shepparton International and Open Event
- Walk and Talk Around The Lake # 3
- Shepparton Show Me | Annual General Meeting
- Official Opening of Croquet Season
- Vietnam Veterans Ceremony
- China Desk | Warrnambool city Council
- Merrigum Town Reunion
- Spin Out | Visit Movie Set
- Merrigum Fire Station Opening & Fire Services Medal Awards Presentation
- Tatura Park Advisory Group Meeting | capital Projects Priority for 2016-2017
- Shepparton Aerodrome Advisory Committee | GHD Consultation, One on One
- Mr Neale Burgess MP | Shadow Minister for Small & Medium Enterprise
- The Hon Dr Sharman Stone | Water Issues Meeting
- Tatura & District Historical Society Inc | Annual General Meeting
- AFL Breakfast Meeting | Public Holiday Discussion
- Ms Mary Wooldridge MP | Shadow Minister for Health | Visit Councillors and Executive
- Shepparton senior Citizens Relaunch and Birthday Celebrations
- Councillor Catch-Up With The Community
- 10th Anniversary KidsFest | Launch

15. COUNCILLOR ACTIVITIES

15.1 Councillors Community Interaction and Briefing Program (continued)

- Bouchier Street Primary School | Presentation to Winners of Grade 5 & 6 Story Writing Competition
- 2015 Australian dancing Society Shepparton DanceSport Competition | Presentation to Winners
- Shepparton Running Festival | Presentation of Marathon Winners Trophy
- RV Working Group Meeting

Cr Fern Summer

- Arthur Dickman Childcare Centre | Farewell Visit
- Shepparton Show Me | Annual General Meeting
- CEO Permanent Recruitment | Consultation Interviews
- Meeting with McArthur's Consultancy
- The Hon James Merlino MP | Deputy Premier
- 2015 Sidney Myer Fund Australian Ceramic Award | Award Announcement and Exhibition Opening
- AFL Breakfast Meeting | Public Holiday Discussion
- GV BRaIN | Anh Do
- The Hon Dr Sharman Stone | Water Issues Meeting
- PACC Meeting
- Shepparton Festival Winter Market | VIP & Annual General Meeting

Cr Dinny Adem

- CEO Permanent Recruitment | Consultation Interviews
- Development Hearings Panel
- Meeting with McArthur's Consultancy
- Shepparton Show Me | Annual General Meeting
- China Desk | Warrnambool City Council
- Ms Keiko Haneda, Consul General for Japan | Melbourne
- Award Ceremony For 35th Anniversary Sister-State Relationship
- Women's Charter Alliance Advisory Committee | Meeting
- Councillor Catch-Up With The Community
- 10th Anniversary KidsFest | Launch
- Walk and Talk Around The Lake #1
- MAV Rural and Regional Forum | Melbourne
- Battle of the Bands Event
- Development Hearing Panel
- MAV Multicultural Committee Meeting | Melbourne

Cr Chris Hazelman

- CEO Permanent Recruitment | Consultation Interviews
- Meeting with McArthur's Consultancy
- The Hon James Merlino MP | Deputy Premier
- Business & Industry Luncheon | Education Sector
- Community Leadership Program | Networking Dinner
- 2015 Sidney Myer Fund Australian Ceramic Award | Award Announcement and Exhibition Opening
- Councillor Catch-Up With The Community
- 10th Anniversary KidsFest | Launch

15. COUNCILLOR ACTIVITIES

15.1 Councillors Community Interaction and Briefing Program (continued)

Cr Jenny Houlihan

- CEO Permanent Recruitment | Consultation Interviews
- Meeting with McArthur's Consultancy
- The Hon James Merlino MP | Deputy Premier
- Community Leadership Program | Networking Dinner
- 2015 Sidney Myer Fund Australian Ceramic Award | Award Announcement and Exhibition Opening
- 10th Anniversary KidsFest | Launch
- Deakin Reserve Advisory Committee Meeting
- Heritage Advisory Committee Meeting
- ABGS Meeting
- Australian Unity Cup | Rumbalara & Congupna Football Netball Clubs
- North East ALGWA Branch Meeting
- NE ALGWA Branch Networking Meeting
- Shepparton Senior Citizen Re-launch and Birthday Celebrations

Cr Les Oroszvary

- Walk and Talk Around The Lake # 1
- CEO Permanent Recruitment | Consultation Interviews
- Meeting with McArthur's Consultancy
- Councillor Catch-Up With The Community

Cr Kevin Ryan

- Tatura Park Advisory Group Meeting | capital Projects Priority for 2016-2017
- Sports Hall of Fame | Discussion
- Tatura & District Historical Society Inc | Annual General Meeting
- Meeting with McArthurs Consultancy

Cr Summer noted that the 'Best Start' meeting had been cancelled and requested the minutes be updated accordingly.

Moved by Cr Adem

Seconded by Cr Summer

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

CARRIED.

Attachments

Nil

16. ASSEMBLIES OF COUNCILLORS

16.1 Assemblies of Councillors

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

Heritage Advisory Committee Monday 6 July 2015		
Councillors:	Councillor Jenny Houlihan	
Officers:	Michael MacDonagh	
Matter No.	Matters discussed	Councillors Present for Discussion
3	Confirmation of Meeting Minutes	Cr Houlihan
4	Calder Woodburn Memorial Avenue, Kialla	Cr Houlihan
5	Committee Budget	Cr Houlihan
6	German War Cemetery, Tatura (HO121)	Cr Houlihan
7	Strategic Work Programme	Cr Houlihan
8	Information Purposes – Michael MacDonagh	Cr Houlihan
9	Information Purposes – Deborah Kemp	Cr Houlihan
10	Active Planning Permit Applications within the Heritage Overlay	Cr Houlihan
11	General or other business	Cr Houlihan
Conflict of Interest Disclosures		
Matter No.	Nil	

Heritage Advisory Committee Monday 3 August 2015	
Councillors:	Councillor Jenny Houlihan
Officers:	Michael MacDonagh Lynette Bolitho

16. ASSEMBLIES OF COUNCILLORS
16.1 Assemblies of Councillors (continued)

Matter No.	Matters discussed	Councillors Present for Discussion
3	Confirmation of Meeting Minutes	Cr Houlihan
4	Election of Chairperson, Deputy Chairperson and Secretary	Cr Houlihan
5	Strategic Work Programme	Cr Houlihan
6	Information Purposes – Michael MacDonagh	Cr Houlihan
7	Information Purposes – Deborah Kemp	Cr Houlihan
8	Active Planning Permit Applications within the Heritage Overlay	Cr Houlihan
9	<i>Greater Shepparton Heritage Study Stage IIC: Rural</i>	Cr Houlihan
10	Short Discussion Session	Cr Houlihan
11	General or other business	Cr Houlihan
Conflict of Interest Disclosures		
Matter No.	Nil	

Greater Shepparton Safe Communities Advisory Committee		
Councillors:	Cr Les Oroszvary	
Officers:	Kate Montgomery, Emma Hofmeyer	
Matter No.	Matters discussed	Councillors Present at Discussion
5	Confirmation of minutes	Cr Les Oroszvary

16. ASSEMBLIES OF COUNCILLORS

16.1 Assemblies of Councillors (continued)

Matter No.	Matters discussed	Councillors Present at Discussion
6	Business arising from minutes <ul style="list-style-type: none"> • Community safety profiles • Invitation to Shelly Watson • Terms of Reference review • Committee membership • Community safety expo • Key directions • Lighting on Shepparton cemetery road • Grants • Community safety flags 	Cr Les Oroszvary
7	Terms of Reference review	Cr Les Oroszvary
8	Community Safety Strategy <ul style="list-style-type: none"> • Road Safety Partnerships Program • Black Spot and Black Links funding • Community safety messaging • Thefts from motor vehicles • Responsible serving of alcohol • Mebns Behaviour change • CALD Community law awareness • Calaendar of community safety events • Perceptions of safety survey • Street Rider funding 	Cr Les Oroszvary
9	Safer City Camera Network	Cr Les Oroszvary
10	Community Safety Officer role Street Rider funding Community Safety Month	Cr Les Oroszvary

Councillor Briefing Session – 11 August 2015

Councillors	Cr Patterson (Chair), Cr Summer, Cr Adem, Cr Houlihan, Cr Oroszvary and Cr Ryan.	
Officers:	Chris Teitzel, Steve Bowmaker, Geraldine Christou, Kaye Thomson, Colin Kalms, Ian Boyle, Braydon Aitken, Amanda Tingay, Heath Chasemore, Grant Barry, Andrew Farrell, Sharlene Still and Rebecca Bertone (not all officers were present for all items)	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Shepparton Law Court - Redevelopment	Cr Patterson(Chair) Cr Summer Cr Adem (partial) Cr Houlihan (partial) Cr Oroszvary Cr Ryan

16. ASSEMBLIES OF COUNCILLORS
16.1 Assemblies of Councillors (continued)

Matter No.	Matters discussed	Councillors Present for Discussion
2.	Hume Region Preventing Violence Against Women and Children Regional Strategy 2013-2017 – Action Plan	Cr Patterson(Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan (partial)
3.	Urban Forest Strategy	Cr Patterson(Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan
4.	IT Products and Services – Workstation Fleet Renewal	Cr Patterson(Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan
5.	Shepparton Aerodrome Relocation Feasibility Study	Cr Patterson(Chair) Cr Summer Cr Adem (partial) Cr Houlihan Cr Oroszvary Cr Ryan
6.	Review of Draft Agenda – Ordinary Council Meeting 18 August 2015, including Monthly Financial Report	Cr Patterson(Chair) Cr Summer Cr Adem Cr Houlihan Cr Oroszvary Cr Ryan
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

Councillor Briefing Session – 18 August 2015	
Councillors	Cr Patterson (Chair), Cr Summer, Cr Adem, Cr Hazelman, Cr Houlihan, Cr Oroszvary and Cr Ryan.
Officers:	Chris Teitzel, Steve Bowmaker, Geraldine Christou, Kaye Thomson, Ian Couper, Marilyn Howley, Darren Buchanan, Matthew Jarvis, Fiona LeGassick, Sonja King, Rebecca Coats and Rebecca Bertone (not all officers were present for all items)

16. ASSEMBLIES OF COUNCILLORS
16.1 Assemblies of Councillors (continued)

Matter No.	Matters discussed	Councillors Present for Discussion
1.	Shepparton East Drainage Scheme	Cr Patterson(Chair) Cr Summer Cr Adem Cr Hazelman Cr Houlihan Cr Oroszvary Cr Ryan
2.	Rates Capping and Variation Framework Review	Cr Patterson(Chair) Cr Summer Cr Adem Cr Hazelman Cr Houlihan Cr Oroszvary Cr Ryan
3.	Grand Final Weekend	Cr Patterson(Chair) Cr Summer Cr Adem Cr Hazelman Cr Houlihan Cr Oroszvary Cr Ryan
4.	Amendment C181	Cr Patterson(Chair) Cr Summer Cr Adem Cr Hazelman Cr Houlihan Cr Oroszvary Cr Ryan
5.	Compulsory Organics Service	Cr Patterson(Chair) Cr Summer Cr Adem Cr Hazelman Cr Houlihan Cr Oroszvary Cr Ryan
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

16. ASSEMBLIES OF COUNCILLORS

16.1 Assemblies of Councillors (continued)

Councillor Briefing Session – 25 August 2015		
Councillors	Cr Patterson (Chair), Cr Summer, Cr Adem, Cr Hazelman, Cr Houlihan	
Officers:	Chris Teitzel, Steve Bowmaker, Geraldine Christou, Ian Couper, Jason Watts, Amanda Tingay, Matthew Jarvis, Laurienne WInbanks, Jean Young, Greg McKenzie, Ian Boyle, Grace Docker, Michael Carrafa, Anthony Nicolaci, Andrew Farrell, Sharlene Still and Rebecca Bertone (not all officers were present for all items)	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	HACC Target Hours	Cr Patterson(Chair) Cr Summer Cr Adem Cr Hazelman Cr Houlihan
2.	Compulsory Organics Service	Cr Patterson(Chair) Cr Summer Cr Adem Cr Hazelman Cr Houlihan
3.	Eastbank Lake Project	Cr Patterson(Chair) Cr Summer Cr Adem Cr Hazelman Cr Houlihan
4.	Adoption of Amendment C143 to the Greater Shepparton Planning Scheme	Cr Patterson(Chair) Cr Summer Cr Adem Cr Hazelman Cr Houlihan
5.	Economic Development, Tourism and Events Strategy	Cr Patterson(Chair) Cr Summer Cr Adem (partial) Cr Hazelman Cr Houlihan
6.	Shepparton Aerodrome	Cr Patterson(Chair) Cr Summer Cr Hazelman Cr Houlihan
7.	Cultural Diversity Strategy	Cr Patterson(Chair) Cr Summer Cr Hazelman Cr Houlihan
8.	Shepparton CBD Strategy	Cr Patterson(Chair) Cr Summer Cr Hazelman Cr Houlihan

16. ASSEMBLIES OF COUNCILLORS

16.1 Assemblies of Councillors (continued)

Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

Greater Shepparton Women's Charter Alliance Advisory Committee		
Councillors:	Cr Dinny Adem	
Officers:	Kate Montgomery, Charlene Norton, Jean Young	
Matter No.	Matters discussed	Councillors Present at Discussion
4	Correspondence in and out	Cr Dinny Adem
5	Media – articles about the Women's Charter Committee in the last month	Cr Dinny Adem
6	Budget – current budget for GSWCAAC 2015/2016	Cr Dinny Adem
7	Next Council meeting date	Cr Dinny Adem
8	Committee Memberships <ul style="list-style-type: none"> • New applications • Reapplications • Co-options 	Cr Dinny Adem
9	Women's Charter 3x3 action plan discussion	Cr Dinny Adem
10	Women's Charter Award	Cr Dinny Adem
11	10thousandgirl Financial literacy workshop to be held on 8 September 2015	Cr Dinny Adem
12	Community Leadership program – Women's Shed project	Cr Dinny Adem
13	Shepparton festival and International Women's Day 2016	Cr Dinny Adem
14	Forced Marriage Forum – 25 November 2015	Cr Dinny Adem
15	Tolerance Day – approx. 16 November 2015	Cr Dinny Adem

16. ASSEMBLIES OF COUNCILLORS

16.1 Assemblies of Councillors (continued)

Matter No.	Matters discussed	Councillors Present at Discussion
16	Queen's Garden's Honour Board and rose garden	Cr Dinny Adem
17	International Women's Day 2016 Sub-committee	Cr Dinny Adem
18	Family Violence march	Cr Dinny Adem
20	Sustainability	Cr Dinny Adem

Moved by Cr Summer

Seconded by Cr Oroszvary

That the Council note the record of Assemblies of Councillors.

CARRIED.

Attachments

Nil

17. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

Nil Received.

18. PUBLIC QUESTION TIME

Question 1 (John Gray)

Can I please have a general update on the progress in general of the GVLink project and in particular of the status of the VicTrack spur railway line?

Response

Thank you for question John. Council has resolved to continue to hold the GV Link site but to not develop the project any further pending either an announcement of the construction of the Shepparton Bypass or an investor approaching Council to purchase land at the site. There has been no further update on the railway line spur.

Question 2 (John Gray)

It is now nearly 30 years since Council acquired land north of the Mooroopna Cemetery for industrial development. In anticipation of Stage 1a of the Shepparton Freeway Bypass what plans do Council have in the servicing of that important greenfield site

Response

The only property owned by Council north of the Mooroopna Cemetery is 510 Echuca Road Mooroopna. This is industrial zoned land comprising 53.38 Ha purchased in 1994 by the Shire of Rodney.

This property is currently partly occupied by GV Motorcycle Club and part leased for grazing to an abutting farmer.

There are no plans to develop the site by Council. The property has been shown to a number of investors looking for industrial properties in the Greater Shepparton area. For an industrial site development, providing services to the land would be the responsibility of a developer.

The by-pass is not yet locked in as a certain project by the State Government. If the bypass does go ahead, the size of this site will be reduced by approximately 22 ha. There is currently a Public Acquisition Overlay (PAO) on part of the property in preparation for the by-pass. This information would be available to any potential developer.

We are aware that the bypass could increase the value of the land as a future industrial development site, however, with the timing and final plans for the by-pass not yet announced, it is likely any developer who may be considering investing significantly in the property would proceed with caution in order to align their development with the by-pass plans.

It is highly unlikely Council would ever be the developer of the land, however if the right opportunities arose Council would consider selling the land through appropriate processes in accordance with the Local Government Act.

18. PUBLIC QUESTION TIME

Question 3 (Gordon Hamilton – Better Local Government Association)

Who authorised the placement of the Advertisement in the Shepparton news 21 August 2015 for Tenderers for Contract 1625, "Construction of Drainage Pipes and Upgrade of Retardation Basin- Doyles Road Complex Shepparton East Drainage Scheme Stage 1A.

Response

The advertisement was authorised by Steve Bowmaker – Director Infrastructure.

Question 4 (Gordon Hamilton – Better Local Government Association)

Given that Council had not approved the Shepparton East Drainage Scheme in any way, shape or form on or before the 21st of August. Do you agree that any subsequent approval by Council of any part of the Shepparton East Drainage Scheme that includes the proposed works detailed in the Advertisement in the Shepparton News on the 21 August 2015, represents a bias and a predetermination by Council for the adoption of the Scheme against any objections made by ratepayers during the public consultation associated with the Shepparton East Drainage Scheme?.

Response

The project to construct a high capacity drainage spine from Benalla Rd to Council's retention basin was approved in Council's Current Year Capital Budget in June 2015. The project provides a drainage outfall for the new VicRoads roundabout duplication project. Neither the drainage to be constructed by VicRoads nor the new Council drainage spine provide new legal points of discharge for properties in the catchment of the proposed Shepparton East Drainage Special Charge Scheme.

Should Council declare the Shepparton East Drainage Special Charge Scheme, extensive additional drainage will be installed throughout the catchment that will significantly improve service levels and ultimately connect to the new high capacity spine. Your accusation of bias and predetermination is totally unfounded. Should the recommendation to declare a Special Charge fail, the new spine will continue to provide drainage outfall for the VicRoads roundabout.

Question 5 (Keppell Turnour)

Why was the Welsford & Nixon Streets intersection upgrade listed in the 2014-2015 Budget at \$370,000 and not commenced, then listed in the 2015-2016 Draft Budget as re-budgeted works at \$270,000 and then eliminated from the Budget altogether?

Response

In the background to your question you state that this intersection is one of the most confusing and dangerous in the CBD. An analysis of traffic and pedestrian accident statistics do not indicate the Welsford Street / Nixon Street intersection is a priority safety concern. Funds for the proposed intersection upgrade allocated in the 2014/15 budget were reallocated to the higher priority Verney Road Stage 1 reconstruction and upgrade.

This project was disclosed in the draft 2015/16 budget papers in error and this error was corrected in the final budget papers that were adopted in June 2015. The intersection upgrade project has been identified as a project to be carried out in 2016/17 financial year.

18. PUBLIC QUESTION TIME

Question 6 (Keppell Turnour)

As the approved 2015-2016 Budget is \$908,000 less than the Draft Budget, why cannot the upgrade of the Welsford & Nixon Streets intersection be included at \$370,000 or \$270,000 whichever is the correct estimate?

Response

Any changes to the Welsford Street / Nixon Street intersection will be considered as part of a reconstruction and upgrade of Welsford Street from Nixon Street to Knight Street. The design work for the four stages that make up this project will be completed this financial year and construction should commence in 2016/17 subject to budgetary allocation. It is not feasible to interrupt Welsford Street this year as it forms a key part of East-West freight movements which will be adversely impacted by the VicRoads roundabout duplication project at Doyles Rd and Benalla Rd.

19. CONFIDENTIAL MANAGEMENT REPORTS

19.1 Designation of Confidentiality of Information – Report Attachments

Moved by Cr Houlihan
Seconded by Cr Ryan

That the Council in accordance with section 77(2)(b) of the *Local Government Act 1989* (the Act) designates as confidential all documents used to prepare the following agenda item Contract 1620 – Construction of walkways and pens at Shepparton Regional Saleyards – Award of Contract, previously designated by the Acting Chief Executive Officer or his delegate in writing as confidential under section 77(2)(c) of the Act. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.

CARRIED.

19.2 Designation of Confidentiality of Information

Moved by Cr Ryan
Seconded by Cr Adem

That the Council:

1. pursuant to sections 89(2)(d) of the *Local Government Act 1989*, close the meeting to members of the public and declare the following matter as confidential:
 - Trade Services – Panel of Suppliers
2. Upon the meeting being re-opened to the public, the chairperson may announce any resolution as a consequence of confidential discussions.

CARRIED.

19.3 Trade Services - Panel of Suppliers

19.4 Reopening of the Council Meeting to Members of the Public

THE MEETING CLOSED AT 7.11PM