

# AGENDA

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## ORDINARY COUNCIL MEETING

TO BE HELD ON  
TUESDAY 15 AUGUST, 2017  
AT 5.30PM

IN THE COUNCIL BOARDROOM

**COUNCILLORS:**

Cr Dinny Adem (Mayor)  
Cr Kim O’Keeffe (Deputy Mayor)  
Cr Seema Abdullah  
Cr Bruce Giovanetti  
Cr Chris Hazelman  
Cr Les Oroszvary  
Cr Dennis Patterson  
Cr Fern Summer  
Cr Shelley Sutton

***VISION***

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



**A G E N D A  
FOR THE  
ORDINARY COUNCIL MEETING  
TO BE HELD ON  
TUESDAY 15 AUGUST, 2017 AT 5.30PM**

**CHAIR  
CR DINNY ADEM**

**INDEX**

<b>1.</b>	<b>ACKNOWLEDGEMENT .....</b>	<b>1</b>
<b>2.</b>	<b>PRIVACY NOTICE .....</b>	<b>1</b>
<b>3.</b>	<b>APOLOGIES .....</b>	<b>1</b>
<b>4.</b>	<b>DECLARATIONS OF CONFLICT OF INTEREST .....</b>	<b>1</b>
<b>5.</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....</b>	<b>1</b>
5.1	Confirmation of Minutes of Previous Meetings .....	1
<b>6.</b>	<b>DEPUTATIONS AND PETITIONS.....</b>	<b>2</b>
6.1	Peppercorn Trees - Homewood Drive, Mooroopna .....	2
<b>7.</b>	<b>MANAGEMENT REPORTS FROM THE INFRASTRUCTURE DIRECTORATE.....</b>	<b>3</b>
7.1	Australian Botanic Gardens Special Committee.....	3
<b>8.</b>	<b>MANAGEMENT REPORTS FROM THE CORPORATE SERVICES DIRECTORATE.....</b>	<b>7</b>
8.1	2013-2017 Council Plan - Final Progress Report .....	7
8.2	Contracts Awarded Under Delegation and Status of Contracts Advertised and yet to be Awarded - July 2017 .....	10
8.3	Municipal Association of Victoria - 2016/2017 Key Achievements.....	13
<b>9.</b>	<b>MANAGEMENT REPORTS FROM THE SUSTAINABLE DEVELOPMENT DIRECTORATE .....</b>	<b>16</b>
9.1	Adoption of the Trewins Road Investigation of Fragmented Farmland .....	16
9.2	Submission to the Inquiry into National Freight and Supply Chain Priorities Discusson Paper May 2017 .....	24
9.3	Greater Shepparton Heritage Open Day 2017 .....	31
9.4	Statutory Planning Update (October 2016 to May 2017) .....	35
9.5	Development Hearings Panel - 12 Month Review of Guidelines.....	43
9.6	Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona .....	49
<b>10.</b>	<b>TABLED MOTIONS.....</b>	<b>68</b>
<b>11.</b>	<b>REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES.....</b>	<b>68</b>
<b>12.</b>	<b>REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES.....</b>	<b>68</b>
<b>13.</b>	<b>NOTICE OF MOTION, AMENDMENT OR RESCISSION .....</b>	<b>68</b>
<b>14.</b>	<b>DOCUMENTS FOR SIGNING AND SEALING .....</b>	<b>68</b>
<b>15.</b>	<b>COUNCILLOR ACTIVITIES .....</b>	<b>69</b>
15.1	Councillors Community Interaction and Briefing Program .....	69
<b>16.</b>	<b>ASSEMBLIES OF COUNCILLORS.....</b>	<b>71</b>
16.1	Assemblies of Councillors .....	71

- 17. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA ..... 82
- 18. PUBLIC QUESTION TIME ..... 82

## RISK LEVEL MATRIX LEGEND

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

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

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

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

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

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

**Insignificant** Operational, add treatments where appropriate



**PRESENT:**

**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. PRIVACY NOTICE**

This public meeting is being streamed live via our Facebook page and made available for public access on our website along with the official Minutes of this meeting.

All care is taken to maintain your privacy; however as a visitor in the public gallery, it is assumed that your consent is given in the event that your image is broadcast to the public. It is also assumed that your consent is given to the use and disclosure of any information that you share at the meeting (including personal or sensitive information) to any person who accesses those recordings or Minutes.

**3. APOLOGIES**

**4. 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.**

**5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**RECOMMENDATION**

That the minutes of the Ordinary Council meeting held 18 July 2017 as circulated, be confirmed.

## 6. DEPUTATIONS AND PETITIONS

### 6.1 Peppercorn Trees - Homewood Drive, Mooroopna

#### **Summary**

A petition containing 21 signatures has been received by Council in relation to the removal of peppercorn trees in Homewood Drive, Mooroopna.

#### **RECOMMENDATION**

That the Council receive the petition relating to the removal of Peppercorn Trees, Homewood Drive, Mooroopna.

#### **Attachments**

Nil



## 7. INFRASTRUCTURE DIRECTORATE

### 7.1 Australian Botanic Gardens Special Committee

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

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

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

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

**Author:** Team Leader Landscaping and Native Open Space

**Proof reader(s):** Manager Parks, Sport and Recreation

**Approved by:** Acting Director Infrastructure

#### **Executive Summary**

The two year term of committee membership for the Australian Botanic Gardens Special Committee expires on the 19 August 2017.

This report recommends the reappointment of seven committee members to continue driving the development of the Australian Botanic Gardens site.

#### **RECOMMENDATION**

That the Council having considered the nominations received for the Australian Botanic Gardens Special Committee, appoint the following members for a two year term commencing on 20 August 2017 and concluding on 21 August 2019.

- Jenny HOULIHAN
- Karen KILGOUR
- Jillian GRANT
- Audrey HURST
- Julia BARNES
- Collier McCRACKEN
- Geoff DOBSON

#### **Background**

A public notice calling for interested people to join the Australian Botanic Garden Special Committee was advertised in the Shepparton News on Friday 23 and 30 June 2017 closing on the 4 July 2017. All current members were informed that if interested in remaining on the committee they needed to submit their application with all seven reapplying.

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

This proposal supports the following goals from the Council Plan 2017 – 2021:

- Social – public places, open space and community facilities are safe and accessible for all and presented to a high quality
- Built – Greater Shepparton's heritage places, cultural landscapes and objects are protected and conserved for future generations.
- Built – Quality infrastructure is provided and maintained to acceptable standards

## 7. INFRASTRUCTURE DIRECTORATE

### 7.1 Australian Botanic Gardens Special Committee (continued)

- Environment – Greening Greater Shepparton has created an attractive, vibrant and liveable place with well-connected green spaces that are valued by the community
- Environment – The regions environmental assets are planned and managed to ensure they are enhanced and sustainable for future generations

During 2017/2018 a strategic plan will be developed to aid the committee for the future direction and development of the Australian Botanic Garden site.

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Lack of communication between the committee and Council	C	4	Low	Minutes from the monthly meetings are sent to Council. Council has identified a Liaison Officer for all correspondence to be directed through, with all information stored in HPE. Councillor Dinny Adams also sits on the committee as the Council Representative.
Committee Members don't remain for the term of office	C	4	Low	Current Committee Members that have nominated are highly passionate and committed to the development of the ABGS. Members along with Council Representative makes a total of 8 on the committee so if someone were to resign there are still enough members to make a quorum. The ABGS also have a friends group who volunteer with work at the site who could be drawn on if need be.

## 7. INFRASTRUCTURE DIRECTORATE

### 7.1 Australian Botanic Gardens Special Committee (continued)

#### **Policy Considerations**

There are no conflicts with existing Council policies.

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

This proposal is consistent with the *Local Government Act 1989* and it is necessary to ensure compliance with this Act.

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

The development of the previous landfill site is only positively impacting the environment.

#### **Social Implications**

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

#### **Economic Impacts**

There are no economic impacts associated with this report.

#### **Consultation**

All current members were informed on 21 June 2017 at the monthly committee meeting and encouraged to reapply for a further term on the committee, nomination forms handed out at this meeting. A public notice calling for applications from interested community members to join the committee was advertised in the Shepparton News on Friday 23 June 2017 and 30 June 2017 with a closing date 4 July 2017.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep community members informed	Newspaper advertisements, Council website and email current members
Consult	Inform current committee members	Email process along with nomination forms to current members, attend monthly meeting and hand out nomination forms.
Involve	Seek interest from community members	Provide contact information of Council Liaison Officer for interested parties to discuss the role of committee and provide background of the ABGS
Collaborate	Feedback will be considered	All nominations will be recorded and considered
Empower	We will consider all nominations	Nominations that best benefit the committee for the continue development of the ABGS will be appointed

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

## 7. INFRASTRUCTURE DIRECTORATE

### **7.1 Australian Botanic Gardens Special Committee (continued)**

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Nil

##### b) Other strategic links

Nil

#### **Conclusion**

It is recommended to the Executive that all seven applicants be appointed to the Australian Botanic Gardens Special Committee for a two year term commencing upon approval by Council at the 15 August 2017 Council Meeting.

#### **Attachments**

Nil

## 8. CORPORATE SERVICES DIRECTORATE

### 8.1 2013-2017 Council Plan - Final Progress 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 Governance**

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

**Approved by: Director Corporate Services**

#### **Executive Summary**

In accordance with Section 125 of the *Local Government Act 1989*, Council developed and adopted a four year Council Plan on 18 June 2013. The Council Plan contained Key Strategic Objectives and Strategies to achieve those objectives.

This report provides a final update in relation to the actions taken to achieve the Key Strategic Objectives identified in the 2013-2017 Council Plan and forms part of council's accountability framework. The report also includes progress made in achieving the Key Strategic Activities contained within the 2016/2017 Budget which form Councils Performance Statement.

The Council Plan becomes the organisational focus for the development of Directorate and Business unit plans and ultimately the individual responsibilities of officers which are subsequently reflected in those officers annual appraisals.

Of the identified general actions for progress reporting in relation to measuring achievement, the majority of actions have now been completed.

There are currently only 9 actions which are still in progress from the 2013-2017 Council plan, majority of which will be completed by the end of this year.

#### **RECOMMENDATION**

That the Council note the final progress report for the 2013-2017 Council Plan which provides details in relation to achieving the:

1. key strategic objectives identified in the Council Plan 2013-2017, and;
2. key strategic activities contained within the 2016/2017 Budget which forms Councils Performance Statement.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.1 2013-2017 Council Plan - Final Progress Report (continued)**

#### **Background**

The 2013-2017 Council Plan identified Goals, Key Strategic Objectives and Strategies for implementation across the life of the plan.

Based on the outcomes of the community consultations, Council identified five strategic goals to describe what we are working towards in achieving the community's vision of a Greater Shepparton - Greater Future. As these goals explicitly align with the Municipal Public Health Planning Framework (Department of Health Services, 2001) with the emphasis on the built, social, economic and natural environments, the Council Plan also addresses the legislative requirements for the Municipal Health and Wellbeing Plan.

These five strategic goals were:

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

Council also identified Key Strategic Activities in adopting the 2016/2017 Annual Budget as activities specific to the 2016/2017 financial year.

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

High Performance Organisation (Leadership and Governance) - Ensure strong internal systems and processes to ensure best practice delivery of services for the community.

#### **Risk Management**

The management of risk was undertaken through the regular reporting to Council and the community.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to report to Council and the community	Unlikely	Moderate	Moderate	Continue quarterly reports to Council

#### **Policy Considerations**

There are no policy considerations associated with this report.

#### **Financial Implications**

This report contains no financial implications, however many of the initiatives contained within the Council Plan required Council to allocate funds in its 2016/2017 budget to provide the finances to continue implementation of the Council Plan.

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

This report complies with councils obligations to monitor and report on progress in relation to achieving the strategic objectives and strategies contained within the council plan. The provision of regular reporting, in addition to the Annual Report, provides an opportunity for Council and the community to consider the progress made towards achieving the targets set by Council against the Council Plan.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.1 2013-2017 Council Plan - Final Progress Report (continued)**

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

The report contains no environmental/sustainability impacts, however many of the initiatives contained within the Council Plan were targeted at improving Greater Shepparton's sustainability, both as an organisation and a municipality.

#### **Social Implications**

The report contains no social implications, however there are a number of initiatives contained in the council plan that were aimed at improving the social and liability of the Greater Shepparton communities and the wider municipality.

#### **Economic Impacts**

The report contains no economic impacts however there were a number of initiatives contained in the council plan that were aimed at improving the economic wellbeing of the Greater Shepparton municipality.

#### **Consultation**

Internal consultation occurred with the responsible officers regularly updating individual actions and the overall review of all plans by the Executive Team.

Community consultation was achieved by publishing quarterly reports in the Council meeting agenda and including the plan and quarterly updates on Councils website.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep Informed	Council Meeting Minutes Council Website

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

The Council Plan 2013-2017 played a pivotal role in the delivery of the short term plans and aspirations of council and the community whilst following the long term strategies of Greater Shepparton 2030.

##### b) Other strategic links

The Council Plan supported the short term direction of the organisation (4 years) and provided linkage to the strategies developed and or implemented over the duration of the plan.

#### **Conclusion**

This report provides a final update on progress against achieving the Key Strategic Objectives contained within the 2013-2017 Council Plan and the Key Strategic Activities contained within the 2016/2017 Budget.

#### **Attachments**

Council Plan Progress Report - June 2017 Quarter

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 Contracts Awarded Under Delegation and Status of Contracts Advertised and yet to be Awarded - July 2017

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

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

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

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

**Author: Contracts and Procurement Advisor**

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

**Approved by: Director Corporate Services**

#### **Executive Summary**

To inform the Council of the status of requests for tenders that have been advertised and contracts yet to be awarded.

#### **RECOMMENDATION**

That the Council note the publicly advertised contracts awarded under delegated authority and tenders that have been advertised but not yet awarded.

#### **Tendered Contracts Awarded under Delegated Authority by Chief Executive Officer**

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
		Nil		

#### **Tendered Contracts Awarded under Delegated Authority by Directors**

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
1775	Design of Wastewater Treatment Improvements at Shepparton Sale Yards	Lump sum contract for the design of Wastewater Treatment Improvements at Shepparton Sale Yards	\$42,438.00	Hydro Science Pty Ltd



## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 Contracts Awarded Under Delegation and Status of Contracts Advertised and yet to be Awarded - July 2017 (continued)

#### Requests for Tenders advertised but not yet awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1785	Cosgrove 3 Cell 1, Leachate Ponds and Cosgrove Clay Pit Rehabilitation	Lump sum contract for the Cosgrove 3 Cell 1, Leachate Ponds and Cosgrove Clay Pit Rehabilitation	Tender closed on 21 June 2017. Tenders currently under evaluation.
1715	Construction of Numurkah Rd Works Access into Greater Shepparton Sport Precinct - Civil Works	Lump sum contract for the construction of Numurkah Rd Works Access into Greater Shepparton Sport Precinct - Civil Works	Tender closed on 12 July 2017. Tenders currently under evaluation.
1796	Concept Design of Maude Street Mall Redevelopment	Lump sum contract for the provision of a Concept Design of Maude Street Mall Redevelopment	Tender closed on 19 July 2017. Tenders currently under evaluation.
1791	Provision of Condition Survey, Sealed Road Seal and Pavement	Lump sum contract for the provision of Condition Survey, Sealed Road Seal and Pavement	Tender closed on 19 July 2017. Tenders currently under evaluation.
1805	Lease & Proposal for the Solar Farm Site Part of GV Link and being Part of 250 Toolamba Road Mooroopna Victoria 3629	Select Tender resulting from the Public EOI (1762).	Tender closed on 28 July 2017. Tenders currently under evaluation.
1806	Aquamoves Splash Park Equipment Renewal	Lump sum contract for the Renewal of the Aquamoves Splash Park Equipment	Tender closed on 2 August 2017. Tenders currently under evaluation.
1808	Welsford St upgrade Stage 3 - Knight Street intersection, Shepparton.	Lump sum contract for the Welsford St upgrade Stage 3 - Knight Street intersection.	Tender currently advertised. Closing on 23 August 2017.

#### 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.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.2 Contracts Awarded Under Delegation and Status of Contracts Advertised and yet to be Awarded - July 2017 (continued)**

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

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

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

#### **Conclusion**

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

The report details the publicly advertised contracts awarded by the Chief Executive Officer under delegated authority and the status of requests for tenders that have not yet been awarded during the period 1 July to 31 July 2017.

#### **Attachments**

Nil

## 8. CORPORATE SERVICES DIRECTORATE

### 8.3 Municipal Association of Victoria - 2016/2017 Key Achievements

#### **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 Governance

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

**Approved by:** Director Corporate Services

#### **Executive Summary**

The Municipal Association of Victoria (MAV) is the legislated peak body for Local Government in Victoria. Key functions of the MAV include advocacy, support, training and the provision of advice to Councils and Councillors.

Detailed within this report are some of the key achievements of the MAV during the 2016/2017 financial year. A comprehensive list of achievements has been attached to this report for further information.

#### **RECOMMENDATION**

That the Council note the key achievements of the Municipal Association of Victoria during the 2016/2017 financial year.

#### **Background**

Over the past 12 months the MAV has achieved some significant outcomes for its member Councils, including new funding wins, signed partnership agreements, joint procurement savings and innovative projects to drive efficiency and productivity reforms within local government.

Performance highlights in 2016-2017 include:

- Actively campaigning alongside the ALGA and councils to ensure the Federal Government delivered on its promise to restore indexation to Financial Assistance Grants from 1 July after a three-year freeze.
- Secured Commonwealth funding for five hours' operational costs per week in 2018 to continue the national universal access kindergarten program. Advocacy will continue to seek long-term funding certainty through a recurrent funding commitment.
- Extension of the Roads to Recovery Programme until 2021 was confirmed in the Federal Budget. The initiative provides at least \$75 million direct to Victorian councils each year (with double payments in 2016-17 and 2017-18 arising from the freeze on CPI-indexation for fuel excise being lifted).
- Following extensive MAV costings analysis undertaken with 16 councils to inform a Regulatory Impact Statement review, new planning fees were introduced to more fairly apportion contributions from planning system users. The new fees are estimated to raise an additional \$40 million each year for local government to cover between 70 – 80 per cent of councils' costs to administer the planning system (up from 20 – 30 per cent).

## 8. CORPORATE SERVICES DIRECTORATE

### **8.3 Municipal Association of Victoria - 2016/2017 Key Achievements (continued)**

- Secured \$81.2 million funding for Maternal and Child Health services over four years through direct MAV advocacy, to expand the enhanced service and a range of other MCH initiatives, with no co-investment required by councils.
- \$87.1 million in new State Government funding for kindergarten services, following MAV advocacy and a submission to the Minister, with an emphasis on supporting vulnerable families.
- Highlighted the adverse impacts on council budgets and community services arising from the State's rate cap policy through submissions and appearances before the rate capping Parliamentary Inquiry and the independent review of the ESC decision-making process for rate cap variations. The State also provided a second year of funding for the ESC to assess council applications following MAV advocacy.
- Extensive MAV negotiations with the Treasurer, Minister for Emergency Services and the State Emergency Service, led to the Victorian Government announcing it would assume primary funding responsibility for the SES, including units' operational costs and lease agreements on council-owned land.
- Secured a commitment from the Premier to restore 50:50 funding for the school crossing supervisors program from 1 July 2017.
- New \$5.4 million allocation for councils to manage roadside weeds and pests.
- Funding extended for the Building Inclusive Communities program to continue in 2017-18, including for 57 councils delivering RuralAccess and MetroAccess initiatives following extensive advocacy by the MAV and councils.
- Secured a commitment from the Treasurer that if a State proposal for the Valuer General to undertake annual property valuations proceeds, councils will not be financially worse-off after our advocacy highlighted a range of council costs and other impacts.
- Widespread media coverage gained for our criticism of the government's State Budget allocation of landfill levies to a broad range of projects that will not reduce waste going into landfill. Our advocacy work continues to put pressure on the State to reinvest landfill levies back into local waste and resource recovery initiatives.
- Secured a commitment from the State Government to halt and reassess proposed reforms before Parliament to amend 'puppy farm' laws governing the sale of cats and dogs, which would have imposed a significant cost impact on councils to enforce.
- Provided 26 submissions driven by member input to various State and Federal reviews and inquiries including rate capping, emergency management, finance, infrastructure, planning, early years, disability, climate change, water management, native vegetation, biodiversity, energy, housing, gaming and liquor licensing.
- Strong MAV advocacy continues to seek a State allocation for rural and regional local roads and bridges following the Port of Melbourne lease, which set aside \$970 million for rural and regional infrastructure projects.

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

Membership with the MAV contributes to Councils achievement of the following Council Plan objectives:

1.3 Council demonstrates strong leadership and sound decision making in the best interests of the community

1.7 Council advocates on issues, priorities and needs that matter to our community in partnership with key stakeholders.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.3 Municipal Association of Victoria - 2016/2017 Key Achievements (continued)**

#### **Risk Management**

There are no risk management implications associated with this report.

#### **Policy Considerations**

There are no policy implications associated with this report.

#### **Financial Implications**

This report recommends noting of the MAV key achievements for the previous financial year, and therefore there are no direct financial implications associated with this report.

There is however a financial cost to Council for membership with the MAV which is addressed through the annual budget process.

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

There are no legal / statutory implications associated with this report.

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

There are no environmental / sustainability 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**

The MAV has recommended presenting its annual performance highlights to a Council Meeting to be formally received as its preferred method of consultation.

#### **Strategic Links**

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

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

#### **Conclusion**

The MAV provides a valuable support service to Local Government in Victoria. This report highlights some of the key achievements of the MAV over the previous twelve months, which is presented to Council to be formally received.

#### **Attachments**

Municipal Association of Victoria - Performance Highlights 2016-2017

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Adoption of the Trewins Road Investigation of Fragmented Farmland

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

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

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

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

**Author: Senior Strategic Planner**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The *Campaspe, Greater Shepparton and Moira Regional Rural Land Use Strategy, 2008* (RRLUS) prepared by Parsons Brinkerhoff Pty Ltd and RM Consulting Group Pty Ltd was adopted by Council in 2010.

At the Ordinary Council Meeting held on 17 July 2012, Council resolved to implement the findings and recommendations of the RRLUS into the Greater Shepparton Planning Scheme. At the same time, Council also resolved to undertake further strategic work, being a review of the area around Trewins Road, Tallygaroopna due to the fragmentation of land.

The Trewins Road area is made up of approximately 500ha of land located approximately two kilometres to the south of the Tallygaroopna Township.

RM Consulting Group Pty Ltd, which assisted with the preparation of the original RRLUS in 2010, was engaged to undertake an investigation into the fragmented farmland in the Trewins Road area (see *Attachment 1 – Investigation of Fragmented Farmland*). This included an assessment of the existing subdivision, land ownership and land use patterns in the area, an assessment of the suitability of the land for commercial agriculture, and to provide recommendations regarding the most suitable planning tools to manage this area into the future.

All land owners and occupiers in the Trewins Road area received a copy of the draft *Investigation of Fragmented Farmland* and were invited to attend a drop-in session on 7 June 2017. There was general agreement from the land owners that they would like to see the Trewins Road area remain largely unchanged.

The *Investigation of Fragmented Farmland* recommends that, although the land may have been subject to fragmentation, no change of planning policy is required to manage the Trewins Road area into the future.

It is recommended that Council adopt the *Investigation of Fragmented Farmland* for the Trewins Road area, which was undertaken as a result of the Council resolution from 17 July 2012, and note Council officers' intention to include it in the Greater Shepparton Planning Scheme as a reference document.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Adoption of the Trewins Road Investigation of Fragmented Farmland (continued)

#### RECOMMENDATION

That the Council:

1. adopt the *Investigation of Fragmented Farmland* for the Trewins Road area; and
2. note Council officers' intention to prepare and exhibit a planning scheme amendment to include the *Investigation of Fragmented Farmland* in the Greater Shepparton Planning Scheme as a reference document.

#### Background

##### Regional Rural Land Use Strategy and Amendment C121

The *Campaspe, Greater Shepparton and Moira Regional Rural Land Use Strategy, 2008* (RRLUS) prepared by Parsons Brinkerhoff Pty Ltd and RM Consulting Group Pty Ltd was adopted by Council in 2010.

Amendment C121 implemented the findings and recommendations of the RRLUS into the Greater Shepparton Planning Scheme.

The Independent Planning Panel supported the intent of the RRLUS and Amendment C121, recommending that the Amendment be adopted (with changes). However, the Independent Planning Panel also recommended that additional strategic work be undertaken.

At the Ordinary Council Meeting held on 17 July 2012, Council resolved to adopt the recommendations of the Independent Planning Panel (with changes) and adopt Amendment C121 to the Greater Shepparton Planning Scheme. Council did not adopt the recommendation of the Independent Planning Panel that further work be undertaken, with the exception of a review of the area around Trewins Road, Tallygaroopna due to the fragmentation of land (see *Attachment 2 – Minutes extract from the Ordinary Council Meeting held on 17 July 2012*).

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.1 Adoption of the Trewins Road Investigation of Fragmented Farmland (continued)**

Regarding the Trewins Road, Tallygaroopna area, the Independent Planning Panel provided the following comments (NB: although Farming Zone Schedule 3 (FZ3) was proposed as part of Amendment C121, references to FZ3 would translate to Farming Zone Schedule 2 (FZ2) in the Greater Shepparton Planning Scheme):

*The Tallygaroopna submissions in particular illustrate the effect of past excisions and subdivision for non-agricultural purposes. The fragmentation of the area to the south of Trewin's Road appears to have sealed its fate and recognition through the application of the FZ3 is an option. We are less convinced that the 'horse has bolted' in relation to land to the north of Trewin's Road.*

*The Panel recognises that designation within an FZ3 may reinforce policy to facilitate boutique agriculture, particularly in areas that are currently fragmented. We consider this can be achieved through policy text. This would extend the principles to areas elsewhere in the FZ that are not delineated on maps where the level of fragmentation and the small size of lots is likely to mean that the promotion of boutique farming (as distinct from consolidation) is likely to be a realistic strategy. The permit process provides the mechanism for judgment about applications in these areas.*

*The changes to exhibited lot sizes recommended by the Panel mean that inclusion of land referred to in the submission in the FZ3 may have few practical implications.*

#### Trewins Road, Tallygaroopna

The Trewins Road, Tallygaroopna area is made up of approximately 500ha of land located approximately two kilometres to the south of the Tallygaroopna Township (see *Figure 1 – Locality Plan*). The area is generally bound by the Goulburn Valley Highway to the west and the Katamatite-Shepparton Main Road to the east (see *Figure 2 – Aerial Map*). It is currently in the Farming Zone Schedule 1 (FZ1) and is partially affected by the Land Subject to Inundation Overlay and Floodway Overlay.

The dominant land use across the area is agriculture, mainly cropping and grazing (see *Figure 3 – Land Uses*). The existing lot sizes and subdivision pattern suggest a legacy of dwelling excisions. Land on the northern side of Trewins Road is less fragmented and is made up of larger land holdings with fewer dwellings than that on the southern side.



**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.1 Adoption of the Trewins Road Investigation of Fragmented Farmland (continued)**

Figure 1 – Locality Plan

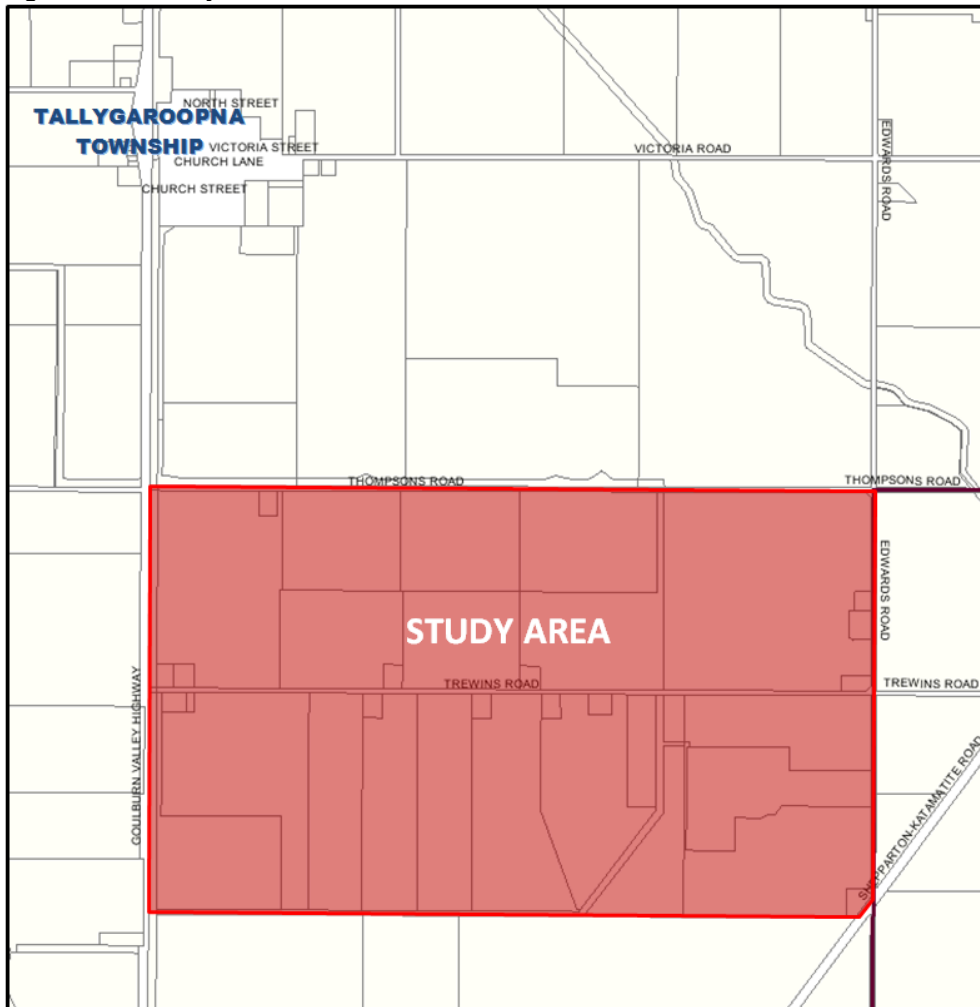
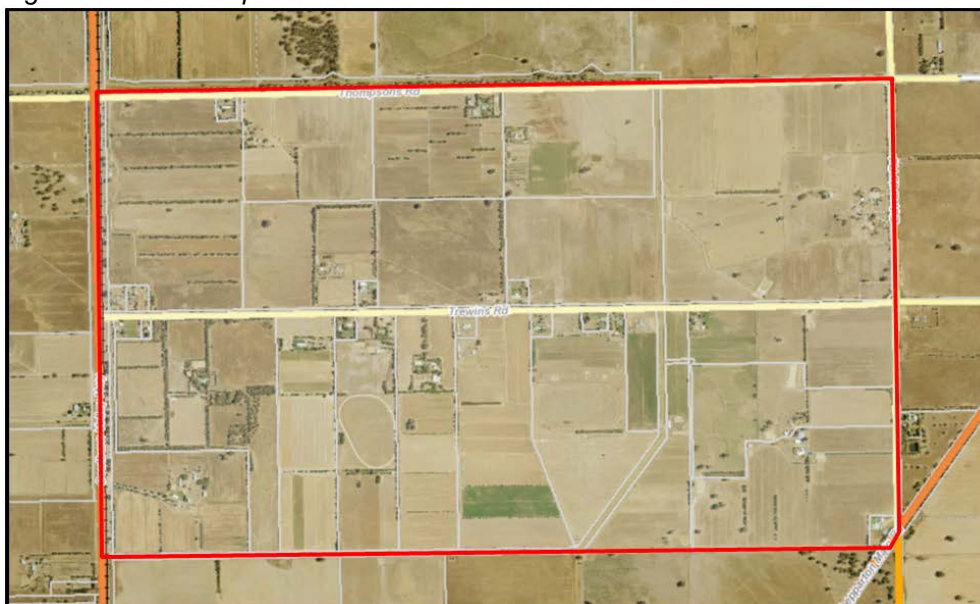


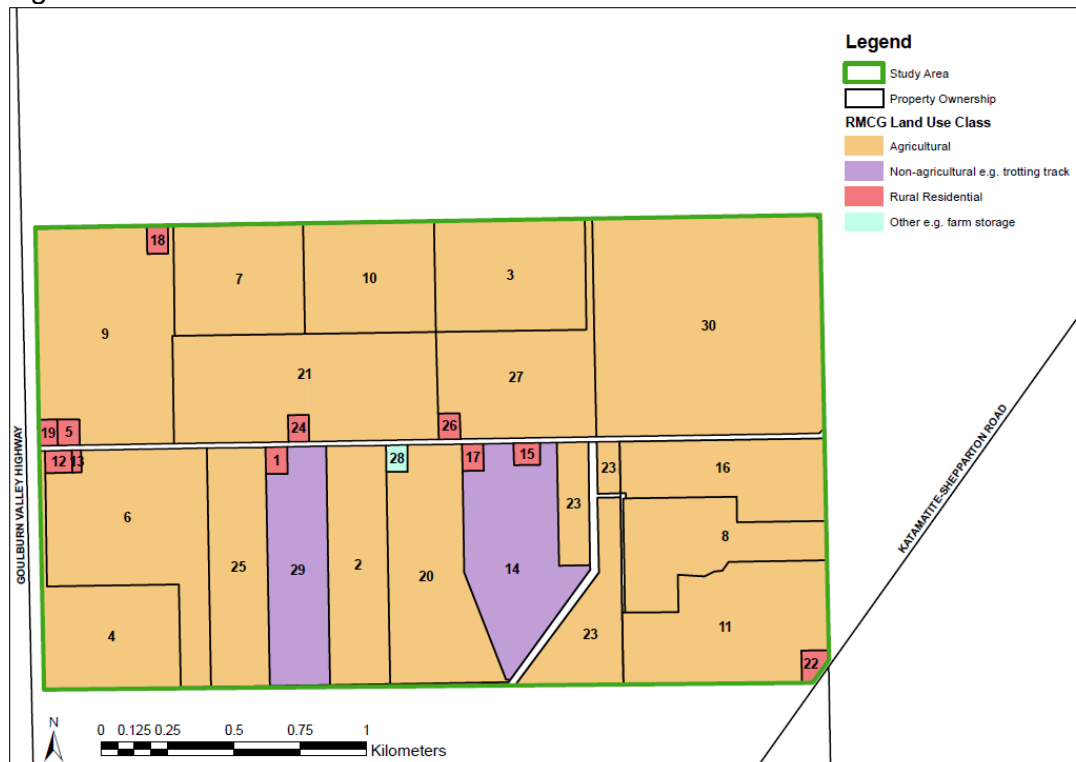
Figure 2 – Aerial Map



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Adoption of the Trewins Road Investigation of Fragmented Farmland (continued)

Figure 3 – Land Uses



#### Investigation of Fragmented Farmland

RM Consulting Group Pty Ltd, which assisted with the preparation of the original RRLUS in 2010, was engaged to undertake an investigation into the fragmented farmland in the Trewins Road area (see *Attachment 1 – Investigation of Fragmented Farmland*). This included an assessment of the existing subdivision, land ownership and land use patterns in the area, an assessment of the suitability of the land for commercial agriculture, and to provide recommendations regarding the most suitable planning tools to manage this area into the future.

There is strong policy support for the ongoing use of this area for agriculture. As a result, the farming zone provides the appropriate planning tool to manage this area.

The investigation considered the provisions of the Farming Zone Schedule 1 (FZ1), which currently applies to the land. The minimum lot size for subdivision in the FZ1 is 40 hectares. The minimum lot size for which no permit is required to use the land for a dwelling is 60 hectares.

The Farming Zone Schedule 2 (FZ2) is an alternative zone to be considered for this land. The minimum lot size for subdivision in the FZ2 is 40 hectares. The minimum lot size for which no permit is required to use the land for a dwelling is 40 hectares.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.1 Adoption of the Trewins Road Investigation of Fragmented Farmland (continued)**

Under the current policy context, there is no material difference between FZ1 or FZ2 for land within the Trewins Road area as all vacant lots are under the minimum lot size threshold and the same planning permit decision guidelines for dwellings apply in FZ1 and FZ2. No lots meet the subdivision minimum lot size threshold. Rezoning the land from FZ1 to FZ2 would not provide additional opportunities for dwellings or subdivision due to the existing pattern of development in the area.

The draft *Investigation of Fragmented Farmland* was mailed to all land owners and occupiers in the Trewins Road area on 18 May 2017. This included an invitation for land owners and occupiers to attend a drop-in session on 7 June 2017 to provide feedback on the draft document, and to discuss the findings and recommendations with Council officers and RM Consulting Group Pty Ltd.

Four parties attended the drop-in sessions on 7 June 2017 and one additional party provided feedback by telephone. This consultation allowed a number of mapping and land use errors to be addressed. The purpose of the project was clarified with land owners and any perceived implications for their individual circumstances were addressed. There was general agreement from the attending land owners that they would like to see the Trewins Road area remain largely unchanged.

The key findings and recommendations of the investigation are summarised below:

- Land on the northern side of Trewins Road is less fragmented than that on the southern side. Land on both sides of the road is predominantly used for agriculture.
- The lot sizes and arrangement suggest a legacy of dwelling excisions.
- There is a variety of agricultural potential within the area. Lot sizes below six hectares have very low potential, whereas larger lots on the northern side of Trewins Road have medium to high agricultural potential.
- Changing the planning controls from the FZ1 to the FZ2 will not increase opportunities for subdivision or dwellings, due to the existing subdivision and dwelling pattern in this area.
- The types of agricultural activities occurring and those encouraged by the various farming zone designations do not require a change of zone.

It is recommended that Council note the completion of the *Investigation of Fragmented Farmland* for the Trewins Road area, which was undertaken as a result of the Council resolution from 17 July 2012.

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

Key theme: Built

Objective 4.1: Growth is well planned and managed for the future

Objective 4.2: Urban and rural development is sustainable and prosperous

#### **Risk Management**

The recommendation completes outstanding work resulting from a resolution from the Ordinary Council Meeting held on 17 July 2012. Noting and receiving the *Investigation of Fragmented Farmland* will not result in any risks to Council.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Adoption of the Trewins Road Investigation of Fragmented Farmland (continued)

#### **Policy Considerations**

The *Investigation of Fragmented Farmland* supports the RRLUS, an adopted Council strategy, and the policy included in the Greater Shepparton Planning Scheme. Consultation was undertaken in accordance with Council's *Community Engagement Strategy 2009*. The document does not conflict with any existing Council policy.

#### **Financial Implications**

RM Consulting Group Pty Ltd was engaged to undertake the *Investigation of Fragmented Farmland*. The work was included in the budget for the 2016/17 financial year. The total project cost, including consultation, was \$5,591 including GST.

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

There are no legal or statutory implications resulting from noting and receiving the *Investigation of Fragmented Farmland*.

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

The *Investigation of Fragmented Farmland* does not recommend any changes to planning policy. Noting and receiving the document will not result in any environmental or sustainability impacts.

#### **Social Implications**

The *Investigation of Fragmented Farmland* does not recommend any changes to planning policy. Noting and receiving the document will not result in any social implications.

#### **Economic Impacts**

The *Investigation of Fragmented Farmland* does not recommend any changes to planning policy. Noting and receiving the document will not result in any economic impacts.

#### **Consultation**

The draft *Investigation of Fragmented Farmland* was mailed to all land owners and occupiers in the Trewins Road area on 18 May 2017. This included an invitation for land owners and occupiers to attend a drop-in session on 7 June 2017 to provide feedback on the draft document, and to discuss the findings and recommendations with Council officers and RM Consulting Group Pty Ltd.

Four parties attended the drop-in sessions on 7 June 2017 and one additional party provided feedback by telephone. This consultation allowed a number of mapping and land use errors to be addressed. The purpose of the project was clarified land owners and any perceived implications for their individual circumstances were addressed. There was general agreement from the attending land owners that they would like to see the Trewins Road area remain largely unchanged.

Consultation was undertaken in accordance with Council's *Community Engagement Strategy 2009*.

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

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.1 Adoption of the Trewins Road Investigation of Fragmented Farmland (continued)**

#### **Strategic Links**

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

Topic: Economic Development

Direction: Promote economic, business development and diversification, with a focus on strengthening the agricultural industry.

Theme: To protect the productive agricultural land base and the valuable regional resource of irrigated land.

Strategy 1.3: Discourage subdivision, including subdivision for house excisions, and fragmentation of productive agricultural land to retain viable farm.

##### **b) Campaspe, Greater Shepparton and Moira Regional Rural Land Use Strategy, 2010 (RRLUS)**

The RRLUS recommended that the Trewins Road, Tallygaroopna area be included in the Farming Zone Schedule 1. The *Investigation of Fragmented Farmland* supports this outcome and does not propose any further changes to planning policy for the Trewins Road, Tallygaroopna area.

##### **c) Other**

Nil

#### **Conclusion**

The RRLUS prepared by Parsons Brinkerhoff Pty Ltd and RM Consulting Group Pty Ltd was adopted by Greater Shepparton City Council in 2010.

At the Ordinary Council Meeting held on 17 July 2012, Council resolved to implement the findings and recommendations of the RRLUS into the Greater Shepparton Planning Scheme. At the same time, Council also resolved to undertake further strategic work, being a review of the area around Trewins Road, Tallygaroopna due to the fragmentation of land.

RM Consulting Group Pty Ltd, which assisted with the preparation of the original RRLUS in 2010, was engaged to undertake an investigation into the fragmented farmland in the Trewins Road area.

The *Investigation of Fragmented Farmland* does not recommend any changes to planning policy or controls for the Trewins Road area.

It is recommended that Council note the completion of the *Investigation of Fragmented Farmland* for the Trewins Road area, which was undertaken as a result of the Council resolution from 17 July 2012.

#### **Attachments**

1. Investigation of Fragmented Farmland
2. Minutes extract from the Ordinary Council Meeting held on 17 July 2012

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Submission to the Inquiry into National Freight and Supply Chain Priorities Discussion Paper May 2017

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

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

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

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

**Author: Manager Building and Planning**

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

**Approved by: Director Sustainable Development**

**Other: Manager Economic Development**

#### **Executive Summary**

This paper sets out the outline of Council's proposed draft response to the release of the *Inquiry into National Freight and Supply Chain Priorities Discussion Paper May 2017*.

In summary, the response (see Attachment 1: Submission to the Inquiry into National Freight and Supply Chain Priorities May 2017) is framed around the principle that Greater Shepparton will play a significant role in supporting national, regional, and local economic growth and development.

At the national level, Greater Shepparton contributes to the National Food Bowl, providing both agricultural and added value products. This productivity is set to grow, stimulating ongoing growth in the freight task from the area and ongoing need for good connectivity, both road and rail, to the national freight network and ports.

Regionally, Greater Shepparton could play a stronger role in the development of Victoria by absorbing a higher proportion of Victoria's population growth as it develops as a regional service and employment centre with strong road and rail connections.

Locally, Greater Shepparton needs to address the amenity issues resulting from road freight, including safety and efficiency issues associated with freight travelling through its CBD.

#### **RECOMMENDATION**

That the Council note the Submission to the *Inquiry into National Freight and Supply Chain Priorities Discussion Paper May 2017*.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Submission to the Inquiry into National Freight and Supply Chain Priorities Discussion Paper May 2017 (continued)

#### **Background**

The response to the *Inquiry into National Freight and Supply Chain Priorities Discussion Paper May 2017* is set in the context of a summary of existing plans, strategies and reviews, including:

- Introducing Intercity: How Regional Rail can rebalance population growth and create a “state of cities” in Victoria. Rail Futures Institute, 2016;
- Freight Directions in the Hume Region. Hume Regional Development Australia Committee. GHD Pty Ltd, 2012;
- Greater Shepparton Freight and Land Use Study. AECOM Australia Pty Ltd, 2013;
- Greater Shepparton Movement and Place Strategy Challenges and Opportunities Paper. AECOM Australia Pty Ltd, 2016;
- Shepparton Passenger Rail Services Project. GHD Pty Ltd, 2017; and
- Integrated Passenger Rail and Freight Infrastructure Project. John Hearsch Consulting Pty Ltd, 2017.

Key issues identified in these documents, that frame the response, are:

- Victoria will see unprecedented population growth by 2051, predominantly in Melbourne. However, population growth can be rebalanced towards regional Victoria with investment in infrastructure, facilities and services (Rail Futures Institute, 2016);
- The Hume Region is a key contributor to the National and Victorian economy, providing approximately 25% of Victoria’s agricultural output (GHD Pty Ltd 2012), of which Greater Shepparton produces 30% or \$2,429m per annum (AECOM Australia Pty Ltd, 2013);
- Heavy vehicle volumes on road are predicted to increase substantially over the next 25 years (up by 33-40%) (AECOM Australia Pty Ltd, 2013);
- Truck sizes are predicted to increase from smaller trucks to B-Doubles and larger High Productivity Freight Vehicles (HPFV). These increases are in response to requirements for both higher productivity and for greater efficiency (GHD Pty Ltd, 2012);
- Regional road corridors should be developed, including bypasses around towns, extending duplication of the strategic road network and increase in rest areas (GHD Pty Ltd, 2012);
- Improvements in infrastructure such as road duplication, decoupling locations, rest stops and road maintenance will be required to support this growth (AECOM Australia Pty Ltd, 2013);
- There is a need to review road classifications to identify routes suitable for B-Doubles and HPFV along with routes where truck calming measures improve amenity (AECOM Australia Pty Ltd, 2013);
- Current east-west movement of road freight through the CBD of Shepparton is a cause for concern for efficiency (congestion) and safety reasons (GHD Pty Ltd, 2012), and underpins the requirement for a bypass around Shepparton and urgent need for a second river crossing;
- There is a need to improve the quality and accessibility of rail freight in the Goulburn Valley, including gauge standardisation, connectivity to regional rail tracks to the north west of Melbourne and connection to the Melbourne - Brisbane inland rail route to provide future viable options for heavy and long-distance vehicle freight (AECOM Australia Pty Ltd, 2013 and GHD Pty Ltd, 2012); and

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Submission to the Inquiry into National Freight and Supply Chain Priorities Discussion Paper May 2017 (continued)**

- Many local roads will also require significant infrastructure to ensure the efficient movement of freight from source to the arterial road network. Many of these are identified in the Hume Region Planning for Freight Pilot (MAV). The MAV report evaluated freight impacted local road networks and established future strategic freight routes. Greater Shepparton submitted 18 freight network upgrade projects for inclusion in the regional priority list.

Having set out these key issues, the response addresses a number of specific questions raised in the document. The following sections and questions are addressed in the response attached (see Attachment 1: Submission to the Inquiry into National Freight and Supply Chain Priorities May 2017):

#### *2.1 What is moving where, why and how?*

*What changes would you like to see to make your supply chain work better?*

This response includes calls for:

- improvements to the strategic road network to accommodate HPFV and specifically construction of the GV Highway Shepparton Bypass and improvements to the Shepparton Alternate Route (AECOM Australia Pty Ltd, 2013);
- improvements to rail freight, including construction of a suitably located crossing loop that will allow freight trains to co-exist with the enhanced passenger service and longer term a rail bypass located within the median of the proposed Goulburn Valley Freeway bypass that will pass to the west of the city (GHD Pty Ltd, 2017);
- acknowledgment of the increasing number of heavy vehicles movement carrying hazardous materials such as asbestos, anthrax, etc. and those heavy freight vehicles transporting such goods through the centre of Shepparton;
- construction of GV Link (AECOM Australia Pty Ltd, 2013);
- gauge standardisation in the long term to integrate with improved freight connections from the Murrumbidgee Irrigation Area (MIA) and southern Riverina with links to the Inland Rail Route;
- new rail connections from Wallan via Melbourne Airport to separate passenger rail and freight rail; and
- emergence of air freight directly from farm gate to Asian markets.

#### *3.2 Port Corridor Pressures - Protecting Land, Sea and Air Connections*

*Do you face, or expect in the future to face, problems moving your freight through Australian air, land or sea ports?*

The response provides for:

- Noting the importance of direct access to Port of Melbourne for both rail and road transport, and the need in the medium to long term to encourage modal shift of more freight onto rail as road transport efficiency is reduced due to traffic congestion in metropolitan areas.
- Lack of funds to respond to freight growth and its demands on infrastructure

#### *3.3 End-to-end supply chain integration and regulation*

*How effective is your supply chain at transitioning your freight between modes and across boundaries?*



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Submission to the Inquiry into National Freight and Supply Chain Priorities Discusson Paper May 2017 (continued)**

The response also:

- Highlights the current high reliance on road freight (GHD Pty Ltd, 2012);
- Identifies the current lack of competitiveness of rail for freight (GHD Pty Ltd, 2012); and
- Need for regional intermodal hubs, including new GV Link (GHD Pty Ltd, 2012).

#### *3.5 Changing Technology*

*What emerging technological trends do you think will impact on your supply chain?*

The response notes:

- the increase in demand for larger vehicles, including B-Doubles, B-Triples, A-Doubles and other HPFV;
- the need to increase efficiency and reduce carbon emissions from freight; and
- the development of driverless vehicles and other smart technology, but indicate that as a regional council we do not see this as a major issue for Greater Shepparton in the near to medium future.

*When are these impacts likely to be felt and how does Australia's freight infrastructure need to be adapted to make best use of likely changes?*

- Increase in vehicle size will require infrastructure changes including:
  - first/last mile;
  - intersections with the strategic network;
  - bypasses around towns;
  - extending duplication of the strategic road network;
  - increases in rest areas;
  - decoupling locations; and
  - road maintenance.
- These will need to be done with some urgency to respond to industry demand and to avoid delays in roll out of larger vehicles.

#### *4.2 Key Drivers of Change for Use in Scenario Planning*

*The Inquiry welcomes views on what factors and key drivers of change should be considered in the scenario planning analysis.*

Key factors identified in the Hume Region and for Greater Shepparton include:

- The need to move to standard gauge rail lines to improve access, investment and competitiveness for rail freight (GHD Pty Ltd, 2012); however noting that substantial investment is required closer to Melbourne to ensure that passenger services are not compromised;
- A strategic approach to regional road corridors should be developed, including further bypasses around towns, extending duplication of the strategic road network, increasing decoupling locations, increasing rest areas and road maintenance (GHD Pty Ltd, 2012 and AECOM Australia Pty Ltd, 2013) in order to improve efficiency and safety of the road network for freight;

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Submission to the Inquiry into National Freight and Supply Chain Priorities Discussion Paper May 2017 (continued)**

- A consistent national approach to heavy vehicle access to the strategic road network should be developed in collaboration with state and local road authorities (GHD Pty Ltd, 2012) in order to provide an integrated heavy vehicle road network (GHD Pty Ltd, 2012);
- Promote development of the secondary road network to improve amenity, safety and maintenance efficiencies, including across municipal boundaries (GHD Pty Ltd, 2012);
- Support development of a network of regional intermodal facilities to support consolidation of land uses, reduce road traffic use by heavy vehicles and improve freight movement within state and interstate (GHD Pty Ltd, 2012);
- Support long term integrated land use and freight planning to consolidate freight in localities, improve planning outcomes and local amenity, reduce conflict with residential areas and improve freight efficiency (GHD Pty Ltd, 2012); and
- A clear policy should be developed for use of local rail lines, including reopening closed lines where there is sufficient demand in order to provide certainty for industry, increase mode share of rail, reduce carbon emissions and increase amenity and opportunity for economic activity in rural towns and villages (GHD Pty Ltd, 2012).

*The Inquiry is also keen to identify key functional elements of supply chains through case studies demonstrating how Australia's freight system is working on the ground, including case studies about things working well, as well as examples of the problems and where improvements can be made. Identification of potential future trends in supply chains would be valuable.*

- A number of case studies and views of local, regional and national freight bodies are captured in the *Greater Shepparton Freight and Land Use Study 2013*. It is not intended to reproduce these for the response, but the report can be made available to the Inquiry.

#### IFIP (Imported Food Inspection Program)

- Currently any imported container that arrives in Australia that is to be moved more than 35km from the general post office of Melbourne, has to go through a process known as a rural tailgate inspection. The container is taken to an Australian Quarantine and Inspection Service (AQIS) facility within the Port of Melbourne precinct, the outside of the container is checked and the manifest is checked again. Once that has been signed off, that container can be moved outside that radius. The issue is that the AQIS operating hours are restricted to 7.30am to 3.00pm Monday to Friday, restricting the hours of operations of non-metropolitan carriers;
- Kreskas Bros Transport Pty Ltd in Shepparton has participated in a trial where Kreskas drivers have been trained for the quarantine approved facility to carry-out rural tailgate inspections and, if no risk is found, the container can then be transported to Kreskas Bros in Shepparton 24 hours a day 7 days a week, which reflects the operations of the Port of Melbourne; and
- Border Force has initiated a Trusted Trader program whereby companies can get reduced inspections and faster clearances through a pre-classification process. If a similar program was in place with suppliers or companies like SPC, which allowed self-regulation and auditing, this would reduce the time and resources required for sampling and testing, and increase the competitiveness of the businesses.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Submission to the Inquiry into National Freight and Supply Chain Priorities Discusson Paper May 2017 (continued)

#### 4.3 A National Freight Performance Network

*The Inquiry is particularly interested in views on the potential need for a national freight performance framework and the likely key indicators.*

Given the strategic national, state, regional and local nature of the freight task in Australia, and the need for clarity and agreement on network standards across State boundaries, Council would support the development of a National Freight Performance Framework.

Key indicators should address:

- Network efficiency, including conformity across State boundaries and access to key nodes such as ports and airports;
- Common standards for carbon reduction and vehicle emissions;
- Amenity impacts on communities and residents on freight routes;
- Safety on strategic and local freight routes; and
- Maintenance of infrastructure.

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

This response supports the objectives of the *Greater Shepparton 2030 Strategy 2006*, and the *Freight and Land Use Strategy 2013*.

#### **Risk Management**

No significant risks have been identified as a result of this submission

#### **Policy Considerations**

This response supports the recommendations of the following strategic work:

- Introducing Intercity: How Regional Rail can rebalance population growth and create a “state of cities” in Victoria. Rail Futures Institute, 2016;
- Freight Directions in the Hume Region. Hume Regional Development Australia Committee. GHD Pty Ltd, 2012;
- Hume Region Planning for Freight Pilot. MAV, 2013
- Greater Shepparton Freight and Land Use Study. AECOM Australia Pty Ltd, 2013;
- Greater Shepparton Movement and Place Strategy Challenges and Opportunities Paper. AECOM Australia Pty Ltd, 2016;
- Shepparton Passenger Rail Services Project. GHD Pty Ltd, 2017; and
- Integrated Passenger Rail and Freight Infrastructure Project. John Hearsch Consulting Pty Ltd, 2017.

#### **Financial Implications**

There are no financial implications arising from this submission

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

There are no legal/ statutory implications arising from this submission

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

There are no significant environmental or sustainability arising from this submission. The paper recognises that in the medium to long term the freight task will continue to grow. However, it also recognises the drivers for technological and efficiency changes that are likely to result in carbon reduction savings and improvements to amenity.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Submission to the Inquiry into National Freight and Supply Chain Priorities Discussion Paper May 2017 (continued)**

#### **Social Implications**

There are no significant social implications from this submission. The paper recognises that in the medium to long term the freight task will continue to grow. However, it also recognises the drivers for technological and efficiency changes that are likely to result in improvements to amenity and safety.

#### **Economic Impacts**

There are no immediately tangible economic impacts resulting from this submission. However, the paper recognises the role of Greater Shepparton and its contribution at the national, regional and local scales to support the freight task and economic benefits arising.

#### **Consultation**

No separate consultation has been undertaken for this submission. However, the submission draws on the recommendations of the *Greater Shepparton Freight and Land Use Study 2013*, which involved considerable local and regional stakeholder consultation.

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

#### **Strategic Links**

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

The Inquiry response supports the Economic Development topic within the *Greater Shepparton 2030 Strategy 2006*.

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

This response draws heavily on:

- *Greater Shepparton Freight and Land Use Study 2013*. AECOM Australia Pty Ltd, 2013; and
- Freight Directions in the Hume Region. Hume Regional Development Australia Committee. GHD Pty Ltd, 2012.

#### **Conclusion**

This Inquiry presents an opportunity for Council to highlight key issues relating to freight movement, efficiency, infrastructure and investment. The response draws on a number of studies and reports from the last five years and sets out the priority issues for Greater Shepparton in a strategic context.

#### **Attachments**

Submission to the Inquiry into National Freight and Supply Chain Priorities  
May 2017

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Greater Shepparton Heritage Open Day 2017

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

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

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

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

**Author: Team Leader Strategic Planning**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

Council authorised the formation of the Greater Shepparton Heritage Advisory Committee (the Committee) on 17 January 2012. The primary purpose of the Committee is to act as an advocate for all cultural heritage matters within the municipality.

At the Committee's July 2017 meeting, the Committee agreed that a Heritage Open Day would be a cost effective way of raising awareness of the range of places of cultural heritage significance, both buildings and sites, within the municipality.

The Committee agreed to request that Council resolve to host a Greater Shepparton Heritage Open Day in October 2017.

#### **RECOMMENDATION**

That Council resolve to host a Greater Shepparton Heritage Open Day, in association with the Greater Shepparton Heritage Advisory Committee on the 28 October 2017.

#### **Background**

At the Ordinary Council Meeting held on 17 January 2012, Council authorised the formation of the Greater Shepparton Heritage Advisory Committee. The primary purpose of the Committee is to provide the best possible advice to Council on how to conserve and promote the unique cultural heritage of Greater Shepparton, and to act as an advocate for all cultural heritage matters within the municipality.

The Committee prepared the *Greater Shepparton Heritage Advisory Committee Annual Report 2016* (the Annual Report) to Council. Council received and noted the Annual Report at the Ordinary Council Meeting held on 18 April 2017. In Section 4.0 the proposed Activities for 2017 stated: "investigating the feasibility of a Greater Shepparton Heritage Open, an Open Day or weekend similar to Melbourne's Open House".

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Greater Shepparton Heritage Open Day 2017 (continued)**

A sub-committee of the Committee was formed in late 2016 to investigate the feasibility of such an event. The Sub-committee consulted with a number of Council departments including the Events and Tourism Team, the Marketing and Communications Team, and the Risk Team. The proposal has received significant support from a range of stakeholders including owners of a wide range of buildings and sites across Greater Shepparton, and generous donations of bus transport from local bus companies and for printing and other projected costs. The Sub-Committee determined that such an event is both feasible and desirable.

At the Committee's July 2017 meeting, the Committee agreed that a Heritage Open Day would be a cost effective way of:

1. bringing attention to the municipality's diverse and unique range of heritage places, both buildings and sites. This will help to combat the often-held belief that "Shepparton has destroyed its heritage". Recognition of the range and diversity of the municipality's heritage was reinforced by the recent visit of members of the State's peak heritage body, the Heritage Council of Victoria, in February 2017;
2. encouraging pride in and understanding of the municipality's heritage; and
3. providing an enjoyable heritage-focused day out for residents of the municipality and others.

The Greater Shepparton Heritage Open Day is seen as a critical way of promoting community participation in cultural heritage issues within the municipality. It satisfies two of the primary purposes of the Committee as outlined in the Committee's Terms of Reference:

- to promote community participation in and awareness of cultural heritage issues within the Municipality, and
- to act as an advocate for all cultural heritage matters within the municipality.

Thus at the Committee's July 2017 meeting, it was agreed to request that Council resolve to host a Greater Shepparton Heritage Open Day on 28 October 2017.

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

The hosting of the Greater Shepparton Heritage Open Day is consistent with the following goals and objectives outlined in the *Greater Shepparton City Council: Council Plan 2017-2021*:

- Social:
  - 2.4 Social and cultural, educational and employment opportunities are created to enable children, young people, individuals and families to actively participate in their community.
  - 2.5 Creativity and participation in arts and culture is nurtured and encouraged.
  - 2.6 Volunteering is promoted and encouraged along with other measures to improve community resilience.
  - 2.7 Greater Shepparton is valued for cultural celebrations, inclusion and engagement of our diverse communities.
- Built:
  - 4.3 Greater Shepparton's heritage places, cultural landscapes, and objects are protected and conserved for future generations.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Greater Shepparton Heritage Open Day 2017 (continued)

#### **Risk Management**

The Sub-committee has consulted with the Risk Team. It is agreed that a risk assessment will be prepared for each venue and approved by the Risk Team before a final list of venues is agreed. Council's public liability insurance will cover the event.

By not resolving to host the Greater Shepparton Heritage Open Day, Council would fail to avail of a cost effective way of raising awareness of cultural heritage issues within the municipality, promoting good conservation practice and advancing community participation in cultural heritage issues.

#### **Policy Considerations**

Hosting the Greater Shepparton Heritage Open Day does not conflict with existing Council policies.

#### **Financial Implications**

Resolving to host the Greater Shepparton Heritage Open Day will require a budget allocation. A budget of \$2,000 has been included in the 2017/18 Budget, a portion of which will be allocated to meet the costs of hosting the Greater Shepparton Heritage Open Day in this financial year. This budget will be required to meet hosting, printing and advertising costs.

It is envisaged that:

- the hosting costs will be minor as the Heritage Open Day will include properties that are public buildings or where land owners have given free permission; and
- advertising and promotion will partly be undertaken by the individual groups, societies and organisations represented on the Committee, and by Council.

In addition, the Committee is confident, in the light of undertakings already given, that substantial sponsorship will be secured for this event.

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

There are no legal or statutory implications associated with the hosting of the Greater Shepparton Heritage Open Day.

The Greater Shepparton Heritage Advisory Committee is not a Section 86 Committee under the *Local Government Act 1989*. The Greater Shepparton Heritage Open Day will be hosted by Council.

The hosting of the Greater Shepparton Heritage Open Day accords with the *Victorian Charter of Human Rights and Responsibilities Act, 2006* and *Local Government Act, 1989*. No human rights will be negatively impacted upon. The hosting of the Greater Shepparton Heritage Open Day is not foreseen to impact upon the rights of individuals and groups with regard to freedom of expression, right to be heard, entitlement to promote community participate in public life or property rights.

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

There are no environmental or sustainability impacts associated with the hosting of the Greater Shepparton Heritage Open Day.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Greater Shepparton Heritage Open Day 2017 (continued)

#### **Social Implications**

There are positive social impacts associated with the hosting of the Greater Shepparton Heritage Open Day.

The Committee has determined that the hosting of the Greater Shepparton Heritage Open Day would be a cost effective way of raising awareness of the wide diversity of properties of cultural heritage significance within the municipality and community participation in and awareness of cultural heritage issues.

#### **Economic Impacts**

There are no economic impacts associated with the hosting of the Greater Shepparton Heritage Open Day.

#### **Consultation**

Should Council resolve to host the Greater Shepparton Heritage Open Day, a media campaign plan will be prepared by the Marketing and Communications Team and the Building and Planning Departments to promote and engage with the community. It would allow for extensive co-publicising of the event by Council and the Heritage Advisory Committee to promote the Greater Shepparton Heritage Open Day. It is envisaged that media releases would result in a number of articles appearing in local newspapers. The hosting of the Greater Shepparton Heritage Open Day would also be promoted on Council's social media.

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

#### **Strategic Links**

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

The hosting of the Greater Shepparton Heritage Open Day is consistent with the objectives, strategies and actions outlined in the Environment Section of the *Greater Shepparton 2030 Strategy 2006*, specifically:

Direction 3: Environment: Conservation and enhancement of significant natural environments and cultural heritage.

##### b) Other strategic links

The hosting of the Greater Shepparton Heritage Open Day will also develop and implement the initiatives outlined in the *Greater Shepparton Heritage Study Stage IIB 2013*.

#### **Conclusion**

It is recommended that Council host the Greater Shepparton Heritage Open Day on 28 October 2017. The Committee has agreed that a Heritage Open Day would be a cost effective way of raising awareness of buildings and sites of cultural heritage significance within the municipality.

This is seen as a valuable opportunity for Council to be involved in a cost-effective and strongly supported initiative that would promote the municipality's unique cultural heritage.

#### **Attachments**

Nil



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (October 2016 to May 2017)

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

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

No Council officers and contractors have provided advice in relation to this report and have disclosed a conflict of interest regarding the matter under consideration:

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

**Author: Team Leader Statutory Planning**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The purpose of this report is to inform Council on the performance of the Statutory Planning Team as it relates to planning permit activity.

The report also provides an update on:

- VCAT activity
- Enforcement Activity

The report and attachments provide detailed information including:

- Planning permit processing times
- VCAT update
- Development Hearings Panel (DHP) update
- Planning Enforcement update

Key findings from the information include:

- A decrease in planning permit applications lodged and decided when compared to the corresponding reporting period in 2015-16.
- An increase in the percentage of applications issued within the statutory timeframe when compared to the corresponding reporting period in 2015-16.
- A decrease in average decision making time frames for planning permit applications when compared to the corresponding reporting period in 2015-16.

Despite a reduction in the number of new applications received overall performance figures remain good, bettering the average processing times in all areas of Planning Permit Activity Reporting (See attachment 2). A review of reporting data over the past 10 years revealed the corresponding reporting period in 2015-16 was the equal busiest period in past decade in terms of new applications received, along with the corresponding period in 2007-08. Reporting data now indicates a return to more normal application levels.

#### **RECOMMENDATION**

That the Council note the planning permit, VCAT, Development Hearings Panel and Enforcement File information detailed in this report.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Statutory Planning Update (October 2016 to May 2017) (continued)**

#### **Planning Permit Activity**

The number of planning permit applications lodged from 1 October 2016 until the end of May 2017 was 342. Planning permit applications lodged for the corresponding period in 2015-16 was 396.

Despite the decline in new applications it is worth noting that the average number of applications lodged over the corresponding reporting period in the last 10 years is 327. This shows that the corresponding reporting period in 2015-16 was above average in terms of new applications lodged and that application levels are now returning to more normal levels.

The number of planning permit applications decided from 1 May 2016 until the end of September 2016 was 358. Planning permit applications decided in the corresponding reporting period in 2015-16 was 393. Again, despite the decline in applications decided between reporting periods, the long term average for applications decided within this reporting period is 339. This supports the reporting data for applications lodged in indicating that planning permit application numbers and decisions are returning to normal levels.

The average decision making time for planning permit applications from 1 October 2016 until the end of May 2017 was 44.38 statutory days. The average decision making time for the corresponding period in 2015-16 was 46.32 statutory days.

The percentage of applications completed within the statutory timeframe (60 days), for the financial year to date, has remained above 80% (currently 83%). The previous financial year ended with 77% of applications being completed within 60 days. The Statutory Planning Team will aim to finish the financial year above 80%.

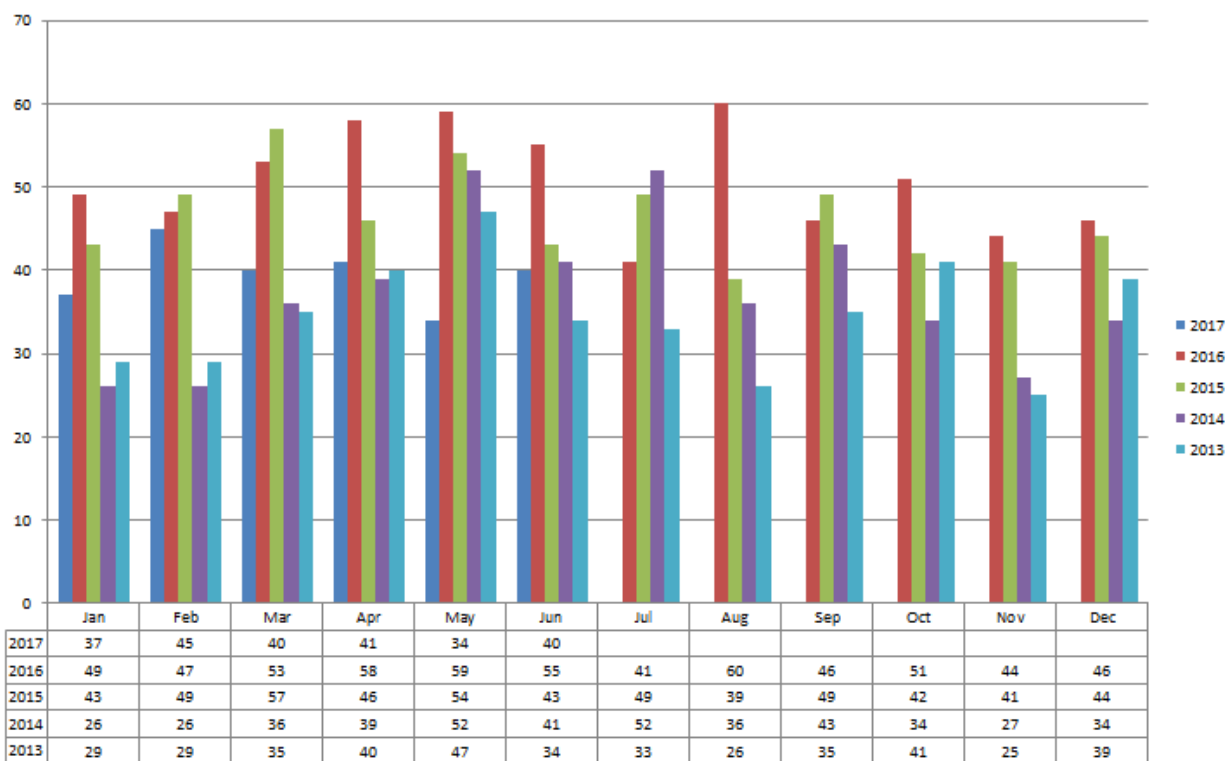
The tables listed below provide a summary of the monthly reporting undertaken by the Statutory Planning Team. The data considered in this report is up until the end of May 2017. Information shown for June 2017 does not reflect a completed month.

Additional information on planning permit activity is included in attachments 1 and 2 of this report.

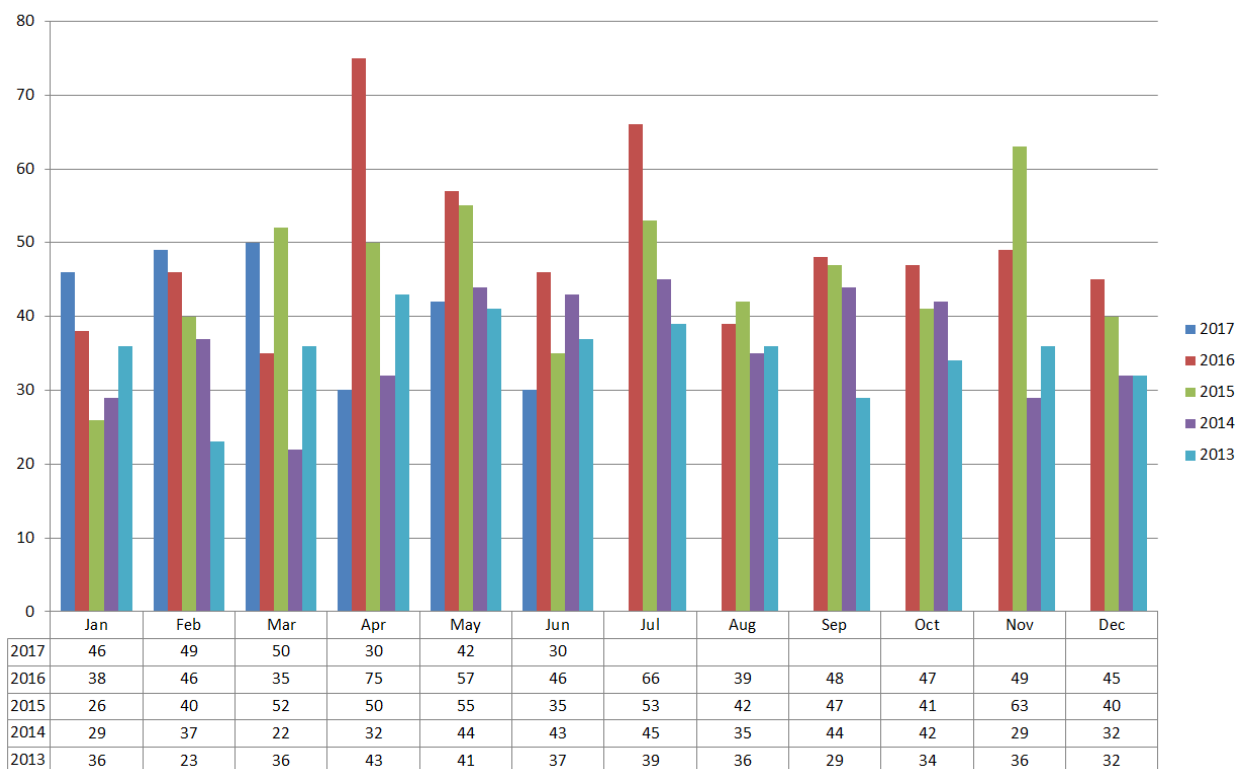
## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (October 2016 to May 2017) (continued)

**Applications Lodged**



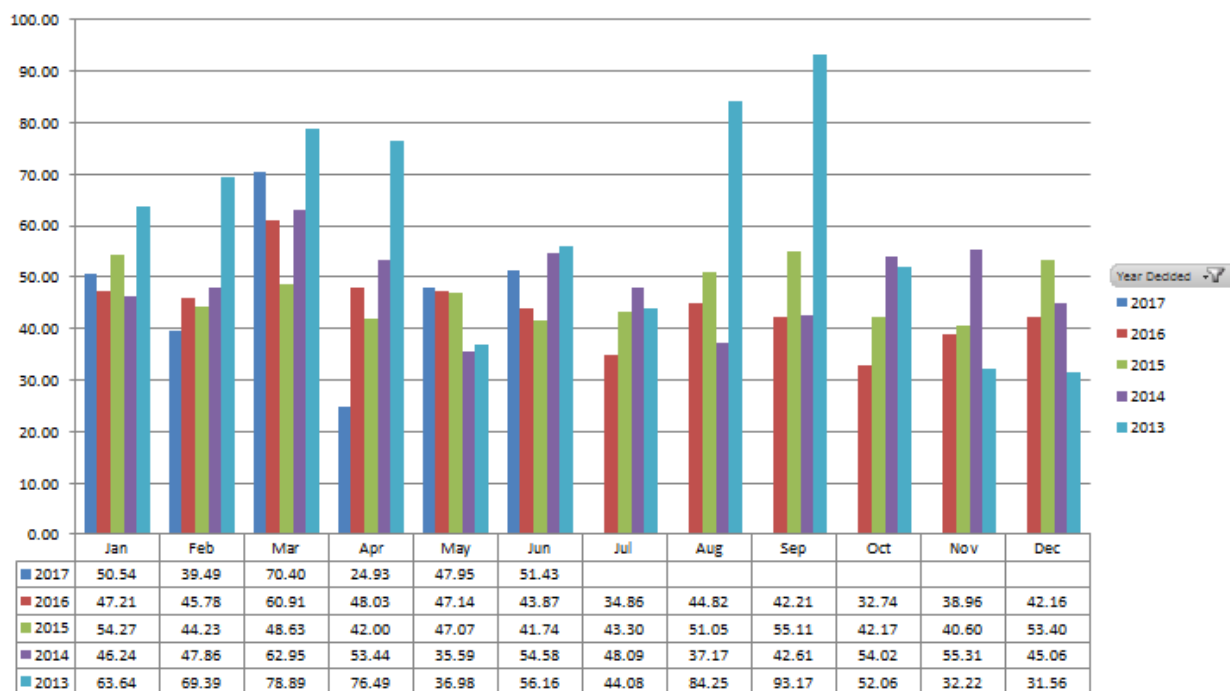
**Applications Decided**



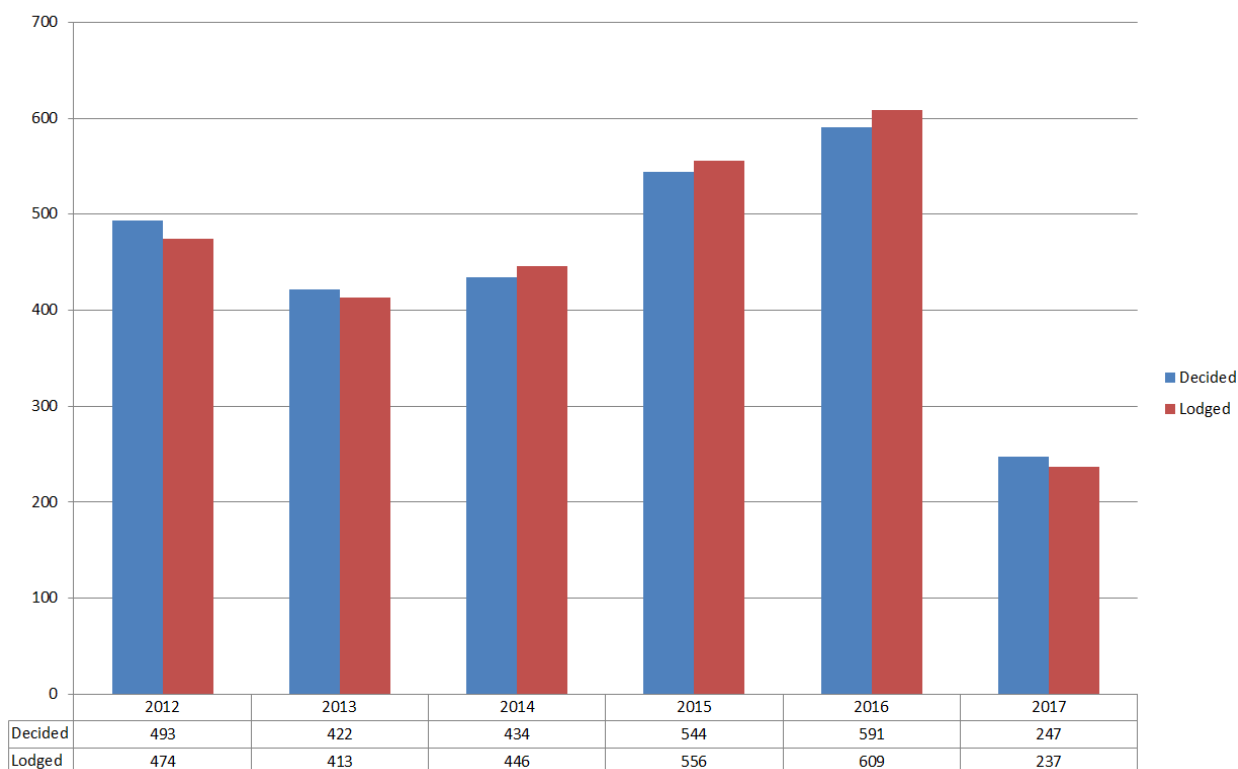
## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (October 2016 to May 2017) (continued)

Average Decision Statutory Days



Applications Lodged & Decided



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (October 2016 to May 2017) (continued)

#### **VCAT Activity**

Below is a summary of recent VCAT activity:

- A VCAT enforcement order has been issued against a failure to comply with road safety permit conditions (VicRoads conditions) relating to a childcare centre at 615-619 Wyndham Street Shepparton.
- An appeal has been lodged by the planning permit applicant against Council's decision to refuse planning permit applications 2016-330 for a host farm and 2016-331 for a caravan park/resort at 215 Mitchell Road Kialla. Hearing dates have been set for a Preliminary Hearing (1 September 2017), Compulsory Conference (2 October 2017) and Final Hearing (27 November 2017 – 5 days).
- An appeal has been lodged by objectors to planning permit application 2016-278 against Council's decision to issue a Notice of Decision to grant a planning permit for a contractor's depot at 23-43 Cussen Street, Tatura. The final hearing date has been set for 1 September 2017.
- An appeal has been lodged by the planning permit applicant against conditions of planning permit 2016-229 for the extension of the use of the land for a cool store and associated works at 830-840 Toolamba Road, Toolamba. The conditions being reviewed relate to vehicle crossing and road upgrading requirements (VicRoads requirements). A hearing date has been set for 15 August 2017.

#### **Planning Enforcement update**

Through the 1 October 2016 – 31 May 2017 the Planning Department resolved 84 planning enforcement complaints/matters, 11 of which have since resulted in a planning permit being issued. 15 Official Warnings and 5 Planning Infringement Notices were issued during the same period.

At the time of writing this report there are 43 active enforcement cases (files), all of which are at varying stages of the investigative process.

Currently there are 9 planning permit applications being assessed as a result of enforcement action and a further 9 active files where work is currently underway in order to achieve compliance.

During the aforementioned period, 128 planning permits were audited, 49 were found to be non-compliant, 56 were found to be compliant. The remaining 23 permits were at various stages of completion, with compliance having not yet been determined.

During the reporting period enforcement action was undertaken by the Planning Department on the 49 non-complaint permits, to date 16 of these permits are now compliant, with the remainder requiring some form of additional works/enforcement action in order to comply with the permit conditions.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (October 2016 to May 2017) (continued)

#### **Developments Hearings Panel (DHP) Update**

The following applications were considered by the DHP in the months from October 2017 – 31 May 2016:

- Planning permit application 2015-458/B seeking permission for a vehicle access to Numurkah Road at 127-137 Numurkah Road, Shepparton.
- Planning permit application 2016-428 for the use of land for materials recycling at 63 Mitchell Street, Shepparton.
- Planning permit application 2016-376 for a two lot subdivision at 50 Gowrie Park Road, Tatura.
- Planning permit application 2017-83 for a telecommunications facility at 230 Kyabram-Cooma Road, Kyabram.
- Planning permit 2017-62 for a dwelling at 340 Orrvale Road, Orrvale.
- Planning permit application 2016-277 for earthworks for a raised pad and channel relocation at 545 Archer Road, Kialla.
- Planning permit application 2016-189 for a multi lot low density residential subdivision at 10 Orchard Court and 275 Old Dookie Road, Grahamvale.
- Planning permit application 2015-333/C for a requested amendment to the planning permit for a childcare centre at 617-619 Wyndham Street, Shepparton.
- Planning permit application 2016-468 for the variation of a restrictive covenant at 2 Garley Nook, Shepparton North.
- Planning permit application 2016-194 for a free range piggery at 680 Harston Road, Harston
- Planning permit application 2016-141 for the use and development of the land for motor vehicle sales and associated approvals at 2-8 Carroll Road, Shepparton.
- Planning permit application 2015-458/A for a commercial development at 127-137 Numurkah Road, Shepparton.
- Planning permit application 2016-241 for a rural dwelling at 600 Turnbull Road, Ardmona.
- Planning permit application 2016-143 for an above verandah electronic promotional sign at 73-83 Fryers Street, Shepparton.
- Planning permit application 2016-218 for the removal of native vegetation at 10 McKenzie Road, Mooroopna North.
- Planning permit application 2016-407 for a telecommunications facility at 1200 Bitcon Road, Tatura.
- Planning permit application 2016-279 for the display of an electronic promotion sign at 75-77 Hawdon Street, Shepparton.
- Planning permit application 2016-396 for a rural dwelling at 360 Cornish Road, Ardmona.
- Planning permit application 2016-229 for the extension of the use of the land for a cool store and associated approvals at 830 & 840 Toolamba Road, Toolamba.

#### **Background**

The Council's Statutory Planning Team undertakes reporting on planning permit activity in conjunction with the Department of Transport, Planning and Local Infrastructure (DTPLI).

This report provides a summary of this reporting to the Executive and Council for information and discussion purposes.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (October 2016 to May 2017) (continued)

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

The Council Plan's (2013-17) goal number 5 is to have a high performing organisation. By tracking planning permit performance, the Statutory Planning Team can monitor and refine processes introduced to improve planning permit approval times.

#### **Risk Management**

There are no risk management issues associated with this report as it is for information purposes only.

#### **Policy Considerations**

There are no relevant policy considerations associated with this report as it is not for decision making purposes.

#### **Financial Implications**

There are no financial considerations associated with this report for the reason outlined in in the risk management section of this report.

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

Council's Planning Department is required to supply information to DELWP for planning permit activity reporting purposes only.

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

There are no relevant environmental or sustainability considerations associated with this report as it is for information purposes only.

#### **Social Implications**

There are no relevant social considerations for the reasons outlined above.

#### **Economic Impacts**

There are no relevant economic considerations associated with this report as it is for information purposes only.

#### **Consultation**

This report has been provided to help inform Council of planning permit activity and performance.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

The report provides performance statistics for information and discussion purposes to assist in providing transparency, working towards best practice service delivery and reducing time delays.

##### b) Other strategic links

The report highlights performance in line with goal number 5 'High Performing Application' of the Council Plan.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Statutory Planning Update (October 2016 to May 2017) (continued)**

#### **Conclusion**

New planning permit applications have declined when compared to the same reporting period in 2015-16. This has corresponded with a decline in planning permit applications being decided. An analysis of reporting data over the last decade shows that the corresponding reporting period in 2015-16 far exceeded the average in terms of application lodged and decided. The application lodged and decided for this reporting period indicate a return to more standard planning permit application levels.

Average approval times decreased when compared to the corresponding reporting period in 2015-16. Another positive is the percentage of applications decided on within the statutory timeframe remains above 80% for the reporting period.

Key focuses for the remainder of 2017 will be to reduce the number of active planning permit applications in the system for over 100 days, ensuring the ongoing function of the DHP and continuing to meet statutory obligations to enforce the requirements of the Planning and Environment Act and Greater Shepparton Planning Scheme.

#### **Attachments**

1. Pie Chart - Planning Permit Applications Decided
2. Planning Permit Activity Reporting October 2016 - May 2017



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Development Hearings Panel - 12 Month Review of Guidelines

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

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

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

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

**Author: Team Leader Statutory Planning**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

Council's Development Hearings Panel (DHP) serves as a timely decision making forum for planning applications and decisions with up to 5 objections or that are recommended for refusal.

The DHP has also provided a forum for the mediation of planning disputes that has assisted in reducing the number of appeals being made to the Victorian and Civil Administrative Tribunal (VCAT).

Positive feedback has been received from both applicants and objectors in relation to the DHP's ability to achieve good outcomes for all parties involved in the process.

In August 2016, Council resolved to remove the Team Leader of Statutory Planning and Principal Strategic Planner from the panel and add external panel members from the adjoining Councils of Moira and Strathbogie.

The resolution also required a review, within 12 months, to see whether any further improvements may be made and to address any issues that might arise based on the new structure.

This review has been undertaken and it has been determined that the inclusion of the external panel members is working well. In recent months however, Moira planning officers have found it difficult to commit to attending the DHP on a regular basis. This has made it difficult to schedule DHP hearings, leading to a backlog of work and delays for planning permit applicants.

To address this issue officers recommend that more flexibility is provided in relation to recruiting external panel members in the following manner:

- Still requiring that two external panel members be present at each hearing but not specifying which Councils they should be selected from;
- the potential for additional external panel members to be selected from Benalla and Campaspe Shire to help share the workload of the external panel members.

The previous resolution also required that officers continue to explore options for a paid independent qualified panel member on the DHP. To date there has been no interest in this position.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Development Hearings Panel - 12 Month Review of Guidelines (continued)

#### RECOMMENDATION

That the Council resolve that:

1. the Development Hearings Panel established by resolution of Council on 16 August 2016, including all guidelines for the operation of that Development Hearings Panel be revoked.
2. pursuant to section 86 of the *Local Government Act 1989*, a special committee of the Council, to be known as the Development Hearings Panel (“DHP”), be established in accordance with (including the DHP Guidelines) these resolutions.
3. adopt the attached guidelines applying to the Development Hearing Panel (“DHP Guidelines”) as Council policy and the DHP must operate in accordance with those Guidelines for DHP.
4. the membership of the DHP is as follows:
  - Nominated Councillor or, in their absence, the Alternate Councillor, or CEO (the CEO only for a DHP meeting during an election caretaker period or such period following the caretaker period until the nominated Councillor and Alternate Councillor are appointed);
  - Director Sustainable Development;
  - Manager Planning;
  - Development Team Leader;
  - Strategic Planning Team Leader;
  - Any two External Members. Defined as any two External Members for any DHP hearing selected from the list of External Members specified in the attached Guidelines for Development Hearings Panel;
5. to constitute a valid meeting of the DHP the necessary quorum is not less than 4 Members (in accord with section 91(3A) of the *Local Government Act 1989*), and must include:
  - the Nominated Councillor or the Alternate Councillor or the CEO (the CEO only for a DHP meeting during an election caretaker period or such period following the caretaker period until the nominated Councillor and Alternate Councillor are appointed);
  - not less than one Officer;
  - any two External Members.
6. The Council will by resolution, from time to time, appoint a Nominated Councillor to be the Councillor member on the DHP. It is further resolved:
  - a) the Nominated Councillor from the date of this resolution, until further resolution, is Cr Adem;
  - b) the Council will by resolution, from time to time appoint an Alternate Councillor as the alternate Councillor member of the DHP if or when the Nominated Councillor is unable or otherwise fails, to attend a DHP meeting;
  - c) the Alternate Councillor appointed from the date of this resolution, until further resolution, is Cr Hazelman.
7. The Nominated Councillor (or the Alternate Councillor) is appointed as the Chair of the DHP, except in a Caretaker Period or such period following the caretaker period until the nominated Councillor and Alternate Councillor are appointed where the CEO will be a member and act as Chair of, the DHP.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Development Hearings Panel - 12 Month Review of Guidelines (continued)

#### **Background**

As specified above, at August 2016 Ordinary Council Meeting, Council resolved to revoke the DHP formed at the September 2014 Ordinary Council Meeting and establish a new DHP with external planning officers from Moira and Strathbogie Shires.

The DHP has served as a timely decision making forum for planning applications with up to 5 objections or that are recommended for refusal. The DHP has also provided a forum for the meditation of planning disputes that has assisted in reducing the number of appeals being made to the Victorian and Civil Administrative Tribunal.

#### **Officers Assessment**

The introduction of the external members to the DHP has made a positive contribution to the operation of the DHP.

Since its introduction in August 2016, 4 hearings have been held and 19 planning permit applications that would otherwise had to go to Council for a decision, have been decided on by the DHP.

Despite this officers from Moira Shire have found it difficult to commit to the DHP as regularly as required. Presently the 'Guidelines for Development Hearings Panel' require the attendance of at least two external members on each DHP panel in order to form a quorum. Specifically it requires one officer from Moira and one from Strathbogie to be in attendance. Basically, with Moira finding it difficult to commit, it has been difficult to schedule regular DHP hearings as required.

The above issue has led to a backlog of planning permit applications requiring a decision at the DHP that are currently unable to be decided. A backlog of applications creates the situation of a drop in overall performance figures and leads to frustration and delays for the relevant planning permit applicants. This situation is not acceptable and requires a solution to allow the DHP hearings to be held more regularly.

To address this backlog of applications it is proposed to:

- Retain the provision for external panel members on the DHP
- Add additional external panel members to share the workload with officers from Moira and Strathbogie.
- Provide flexibility to the make-up of the Panel by allowing any two external officers (whether from the same Council or not) to form part of the quorum.

Council officers have discussed this proposal with the relevant officers from Moira and Strathbogie and also senior planning officers from Benalla and Campaspe Shire, who are willing to commit to a revised panel make-up featuring additional external officers. In the meantime Moira Shire has committed to a full day DHP hearing in late June to deal with the current backlog of applications requiring a decision by the DHP.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Development Hearings Panel - 12 Month Review of Guidelines (continued)**

For the purposes of addressing the quorum requirements of section 91(3A) of the *Local Government Act 1989*, that require a majority of panel members to form a quorum, a list of external panel members has been provided in the attached guidelines. Any two external members from this list may be chosen for any hearing of the DHP. This effectively creates a list of 7 panel members, meaning 4 are required to form a quorum:

- Councillor, alternate Councillor or CEO (as per Guidelines)
- Director Sustainable Development (internal officer)
- Manager Planner (internal officer)
- Development Team Leader (internal officer)
- Strategic Planning Team Leader (internal officer)
- Any two External Officers.

Therefore to form a quorum of the DHP the following is required:

- Councillor, alternate Councillor or CEO as chair
- Not less than one internal officer
- Any two external members

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

Addressing the identified perceptions of bias of the DHP 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**

Addressing the identified perceptions of bias ensures that decisions of the DHP are valid, legal and assists in planning decisions being made in a timely manner.

#### **Policy Considerations**

The proposed changes to the DHP must be exercised in accordance with the Council's Exercise of Delegations policy and includes new Guidelines for DHP.

#### **Financial Implications**

There are no direct financial implications arising from the proposed changes to the DHP. Failure to address the identified perceptions of bias could expose the Council and ratepayer to the cost of any actions challenging or associated with, the validity of the DHP.

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

The ongoing use of external panel members will continue to address the identified perceptions of bias of the DHP will help ensure that decisions made by the DHP are legally compliant.

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

There are no Environmental/Sustainability impacts relating to the proposed changes to the DHP.

#### **Social Implications**

There are no Social impacts relating to the proposed changes to the DHP.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Development Hearings Panel - 12 Month Review of Guidelines (continued)

#### **Economic Impacts**

Failure to resolve to add additional external panel members to the DHP will result in difficulties in scheduling the required hearings. This would result in more protracted decision making for matters currently delegated to the DHP, potentially leading to delays in decision making.

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

Planning permit applications that are controversial in nature or are of significant public interest should continue to be decided by the Council. Current and proposed delegation arrangements allow for this. The majority of planning permit applications do not fall within this category and should receive a timely decision.

#### **Consultation**

As outlined in this report Council officers have consulted with the relevant external officers prior to putting this recommendation to Council for a decision.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

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

##### b) Council Plan

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

##### c) Other strategic links

Nil

#### **Conclusion**

The DHP plays an important role in ensuring that timely planning decisions are made and that Council meeting agendas are not over represented with planning matters that should be decided on at an operational level. Without the inclusion of additional external panel members this value adding service is jeopardised.

There is general support from within the development industry for the DHP as it provides planning permit applicants and objectors with an opportunity to have their concerns heard prior to a decision being made on an application. It also ensures any matters recommended for refusal are properly considered and debated prior to a decision being made.

The ongoing use of external panel members on the DHP helps to address any perceptions of bias and lack of independence in the make-up of the panel members.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Development Hearings Panel - 12 Month Review of Guidelines (continued)**

Based on the above discussion it is recommended that the resolutions set out after the Executive Summary be adopted. This includes:

- Council appointing additional senior planning staff from Benalla and Campaspe Shires (at no cost to Council) to act as independent panel members.
- Make the necessary changes to Guidelines for the DHP to allow for additional external panel members.
- Appoint the Council CEO, as a member and to chair the DHP only during the Council Caretaker Periods or such period following the caretaker period until the nominated Councillor and Alternate Councillor are appointed.
- Review the performance of the new DHP within 12 months of its operation commencing
- Officers re-visit the opportunity to appoint independent (paid) panel member following a 12 month trial of the above.

#### **Attachments**

Revised DHP Guidelines

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona**

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

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

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

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

**Author: Statutory Planner**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The application seeks planning approval to use and develop land at 20 Jubilee Lane, Ardmona (the land) for a large cool storage and packing shed complex.

The proposed development includes:

- 15,760sqm packing shed and a sunken loading dock
- 4,080 loading canopy
- 6,800sqm cool room building incorporating 18 cool rooms
- 10,500sqm outdoor bin store

The proposal totals 26,640sqm of building floor area with a maximum building height of 11.2 metres. The development proposes a total impervious area of 57,167sqm which is 40% of the land.

The land is within the Farming Zone (FZ). The land is not within an area of cultural heritage significance, therefore the proposal does not trigger the need for a Cultural Heritage Management Plan.

Planning permission is required for the use of land for a rural industry, buildings and works in the FZ, erection and display of business identification signage and a reduction in on site car parking.

Officers have advertised the application and three objections to the proposal have been lodged with Council. The objections largely relate to amenity impacts associated with the use including noise disturbance, truck movements and building bulk. Objections also raise concern about devaluation of property as a result of the proposal.

The most significant assessment concern with the application is the potential amenity impacts to nearby dwellings and the caravan park on Midland Highway. Officers acknowledge that the proposal if permitted will impact on neighbours through truck movements, size of building, hours of operation and from time to time noise emissions.

Despite this, officers are satisfied that the proposed application achieves acceptable planning outcomes for the following reasons:

- The proposal adds value to the agricultural base of the Goulburn Valley and maximises employment associated with horticulture in Greater Shepparton
- Noise assessments indicates that subject to appropriate design noise emissions will comply with the relevant standards

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)**

- The amenity impacts associated with the application are not unacceptable and can be minimised through landscape plantings, limitations on activities in sleeping hours and acoustic shielding of the heat rejection plant

Based on policy direction in the planning scheme and given that the application is related to horticulture, planning officers recommend that a Notice of Decision to grant a permit should issue.

#### **RECOMMENDATION**

In relation to Planning Application 2016-515, on the basis of the information before Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, Council resolves to issue a notice of decision to grant a planning permit as outline below:

#### **1. Amended Plans Required**

Before the development starts, amended plans to the satisfaction of the responsible authority that have been reviewed by Watson Moss Growcott to confirm the feasibility of the facility in complying with NIRV must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of two copies (or as specified) must be provided. Such plan must be generally in accordance with the plan submitted with the application but modified to show:

- 2 metre high chain mesh boundary fencing along the lands eastern boundary
- A 3 metre high acoustic fence to provide noise protection to the existing caravan park
- Detailed plans of the heat rejection plant noise barrier as recommended by Watson Moss Growcott
- Detailed elevation plans of the buildings including building materials, treatments, height of walls, location of any external plant equipment such as air conditionings and waste stores
- Details of the sites business identification signage

Before the occupation of the development all buildings and works as shown on the endorsed plans must be completed to the satisfaction of the responsible authority.

#### **2. Realignment of Easement**

Prior to the commencement of works, Water Supply & Way Easement created in Transfer P616107Q in Favour of Certificate of Title Vol 9943 Folio 869 and shown E-4 & E-5 on Plan of Consolidation PC361670A must be varied by way of a Plan of Variation of Easement, certified by the responsible authority and registered at Land Victoria.

#### **3. Civil Construction Requirements**

Before any of the development starts, detailed plans with computations to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)**

The information submitted must show the details listed in the council's Infrastructure Design Manual (IDM) and be designed in accordance with the requirements of that manual.

- a) details (and computations) of how the works on the land are to be drained including underground pipe drains conveying stormwater to the legal point of discharge;
  - b) the legal point of discharge is G-MW Ardmona Main drain;
  - c) documentation demonstrating approval from the relevant authority for the legal point of discharge.
  - d) maximum discharge rate shall not be more than 1.2 l/sec/ha as required by G-MW with appropriate on-site storage as agreed in writing by the responsible authority;
  - e) details of how water sensitive urban design has been incorporated into the development and submission of a MUSIC model demonstrating compliance with the performance provisions nominated in Table 2.1 of "Urban Stormwater Best Practice Environmental Management Guidelines" 1999;
  - f) maintenance schedules for the stormwater treatment features;
  - g) plans of the entry and exit from the land to Ardmona Road and associated road works including street lighting;
  - h) carparking areas, circulation lanes and access shall be designed and constructed in accordance with AustRoads Publication 'Guide to Traffic Engineering Practice : Part 11 Parking,' 'Australian Standard AS2890.1-2004 (Off Street Parking)' & 'AS2890.6 (Off Street Parking for People with Disabilities);'
  - i) B double parking to be designed with vehicles always manoeuvring in a forward direction;
  - j) all areas associated with carparking with at least 132 on site spaces, B double parking and loading, circulation lanes and access shall be surfaced with an all-weather seal coat, linemarked to indicate each parking space and access lane and traffic control signage installed including signage directing drivers to the area(s) set aside for carparking;
  - k) the site shall be properly illuminated with lighting designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on adjoining land;
  - l) the design of the carparking areas, access and circulation lanes shall prevent damage to fences or landscaped areas of adjoining properties and to prevent direct vehicle access to an adjoining road other than by a vehicle crossing;
  - m) adjacent to the exit, landscaping/fencing within two and a half (2.5) metres of the front boundary must not exceed one (1) metre in height.
- to the satisfaction of the responsible authority.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)**

All parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property. The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.

The access and parking areas must be constructed and drained to prevent diversion of flood or drainage waters, and maintained in a continuously useable condition to the satisfaction of the responsible authority. Parking spaces, access lanes and driveways must be kept available for these purposes at all times.

Before the development is occupied all buildings and works as shown on the endorsed plans must be constructed in accordance with the endorsed plans to the satisfaction of the responsible authority.

#### **4. Landscape Plan**

Before the development starts a landscape plan that is prepared by a suitable qualified person must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and two copies must be provided. The landscaping plan must provide buffer plantings generally in accordance with the overall layout plan dated 9 June 2017 prepared by Spiire. The plan must show:

- a) a survey of all existing vegetation and natural features showing plants (greater than 1200mm diameter) to be removed;
- b) a schedule of all proposed trees, shrubs and ground cover, including the location, number and size at maturity of all plants, the botanical names and the location of areas to be covered by grass, lawn or other surface materials as specified;
- c) the method of preparing, draining, watering and maintaining the landscaped area;
- d) landscaping and planting within all open areas of the site
- e) all landscaped areas to be used for stormwater retardation;

All species selected must be to the satisfaction of the responsible authority.

Before the occupation of the developments starts or by such a later date as is approved by the responsible authority in writing, landscaping works shown on the endorsed plan must be carried out and completed to the satisfaction of the responsible authority.

#### **5. Noise Control**

Not more than six months after the occupation of the development noise measurements of actual in operation noise levels must be undertaken at the permit holders expense to determine if the use is achieving compliance with NIRV.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)

If the monitoring finds compliance is not be achieved with NIRV additional noise mitigation measures must be implemented without delay to the satisfaction of the responsible authority.

The use hereby permitted must be conducted such that noise levels generated do not exceed permissible noise levels established in accordance with *Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011)* or as amended.

- a) In the event of unreasonable noise being generated by activities conducted on from the subject land and being established by Council planning officers as likely to be causing a disturbance to nearby property, then further noise testing by a suitably qualified acoustic consultant must be undertaken to assess whether activities on the site are breaching the EPA permissible noise levels and to advise what measures must be implemented to minimise the problem to the satisfaction of the responsible authority.
- b) Mobile equipment to be operated in reverse on a regular basis at the subject site must be fitted with the 'new generation' broadband reverse alarms to the satisfaction of the responsible authority.

#### 6. General Amenity

The use and development permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil; the presence of vermin, or otherwise.

Prior to the use commencing any security alarm installed on the premises must be 'silently wired' to a security firm or the Victoria Police.

No forklifts are permitted to operate in the outdoor bin store on the north side of the building between 10.00pm to 7.00am to the satisfaction of the responsible authority.

Truck movements are not permitted to or from the site between midnight to 7.00am to the satisfaction of the responsible authority.

Refrigerated trucks and / or trailers must not park on the land outside of buildings between 10.00pm to 7.00am.

#### 7. Control of Lightspill

Before the occupation of the development any lighting within the site both under roof areas and in open areas of the site must be designed, baffled and located in such positions so as to effectively illuminate all pertinent public areas, without spilling onto the road reserve or adjoining land, and must be connected to a time clock switch or other approved system to the satisfaction of the responsible authority.

Only lighting essential for the security of the site may operate when the facility is not operating, to the satisfaction of the responsible authority.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)

#### 8. Health Requirements

Prior to the commencement of works for the proposed development the owner shall lodge with the Council an application to Install a Septic Tank System in accordance with the Code of Practice – Onsite Wastewater Management, Publication 891.3, February 2013.

The application to Install a Septic Tank System shall include:

- a) The application form provided by the Council completed, signed and dated by the owner.
- b) A floor plan of the proposed development.
- c) A site plan indicating the location of the effluent disposal area / reserve area.
- d) The design of the effluent disposal system including instructions for installation and working drawings.
- e) The current application fee.

#### 9. Goulburn Murray Water Requirements

- a) All wastewater from the proposal must be treated and disposed of using an EPA approved system, installed, operated and maintained in compliance with the relevant EPA Code of Practice and Certificate of Approval, and to the satisfaction of council's Environmental Health Department.
- b) The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away.
- c) A site Construction Management Plan following the sediment control principles outlined in Construction Techniques for Sediment Pollution Control (EPA, 1991) should be submitted to the Responsible Authority for approval prior to any works commencing.
- d) No works are to be constructed on G-MW easement, freehold or reserve without approval. It is the responsibility of the developer to locate the easement or reserve boundary.
- e) Goulburn-Murray Water will only permit rainfall runoff to enter its drain. No other water or discharge is permitted, including sullage (grey water), sewage or water containing hydrocarbons or non-approved detergents.
- f) The drain level of service at this location is 1 in 10; therefore the maximum allowable discharge rate from the development is to be 1.2L/s/ha.
- g) No works are to be constructed that may impact drainage flows in Goulburn- Murray Water's Ardmona Main Drain without approval.
- h) All residential, commercial and industrial buildings must be located more than:
  - five metres from any G-MW drainage easement/freehold, and
  - ten metres from any other structure, such as culverts, drainage inlets, subways and syphons
- i) The design plan shows landscaping buffer (tree plantations) alongside G-MW assets. Trees must not be planted on G-MW reserve. Trees must be planted at least 1 m from the boundary fence or 5 m from the outside toe of any bank.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)

The following trees must not be planted within 50 m of G-MW channels or drains: all varieties of Willow; all varieties of Poplar; and Swamp She-oak (*Casuarina glauca*).

- j) The easements located on the property must not be impeded by any of the works.

### 10. Powercor Requirements

The applicant shall:-

- a) Provide an electricity supply to the development in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work may be required).
- b) Where buildings or other installations exist on the land and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.
- c) Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
- d) Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
- e) Set aside on the property for the use of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways where an electric substation (e.g. indoor) is required to service the development.  
Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat.
- f) Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the development and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Power Line" pursuant to Section 88 of the Electricity Industry Act 2000.
- g) Obtain for the use of Powercor Australia Ltd any other easement external to the development required to service the development.
- h) Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.

### 11. Environment Protection Authority

- a) Nuisance dust must not be discharged beyond the boundaries of the premises.
- b) Noise emitted from the premises must not exceed the recommended levels as set out in Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as amended.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)

- c) A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 347 Bunding Guidelines 1992 or as amended.
- d) Stormwater contaminated with waste oil, grease, chemicals or sediments must not be discharged beyond the boundary of the premises.
- e) Offensive odours must not be discharged beyond the boundaries of the premises.

#### 12. Time for Starting and Completion

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

- a) the development and use are not started within **two (2) years** of the date of this permit;
- b) the development is not completed within **four (4) years** of the date of this permit.

#### Property Details

Land/Address	20 Jubilee Lane, Ardmona. The land was formally used for a nut orchard. The land is 14.32ha in size. The land contains a dwelling which is accessed from Jubilee Lane.
Zones and Overlays	Farming Zone 1 Abuts Road Zone Category 1 (Midland Highway) and Road Zone Category 2 (Ardmona Road)
Why is a permit required	Use of land in the FZ for a rural industry under 35.07-1 Buildings and works in the FZ under 35.07-4 Reduction in on site car parking requirements under 52.06-3 Erection and display of business identification sign under 52.05-10
Covenants	No
Section 173 Agreement	Yes. The agreement prohibits the construction of a second dwelling on the land.

**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)**

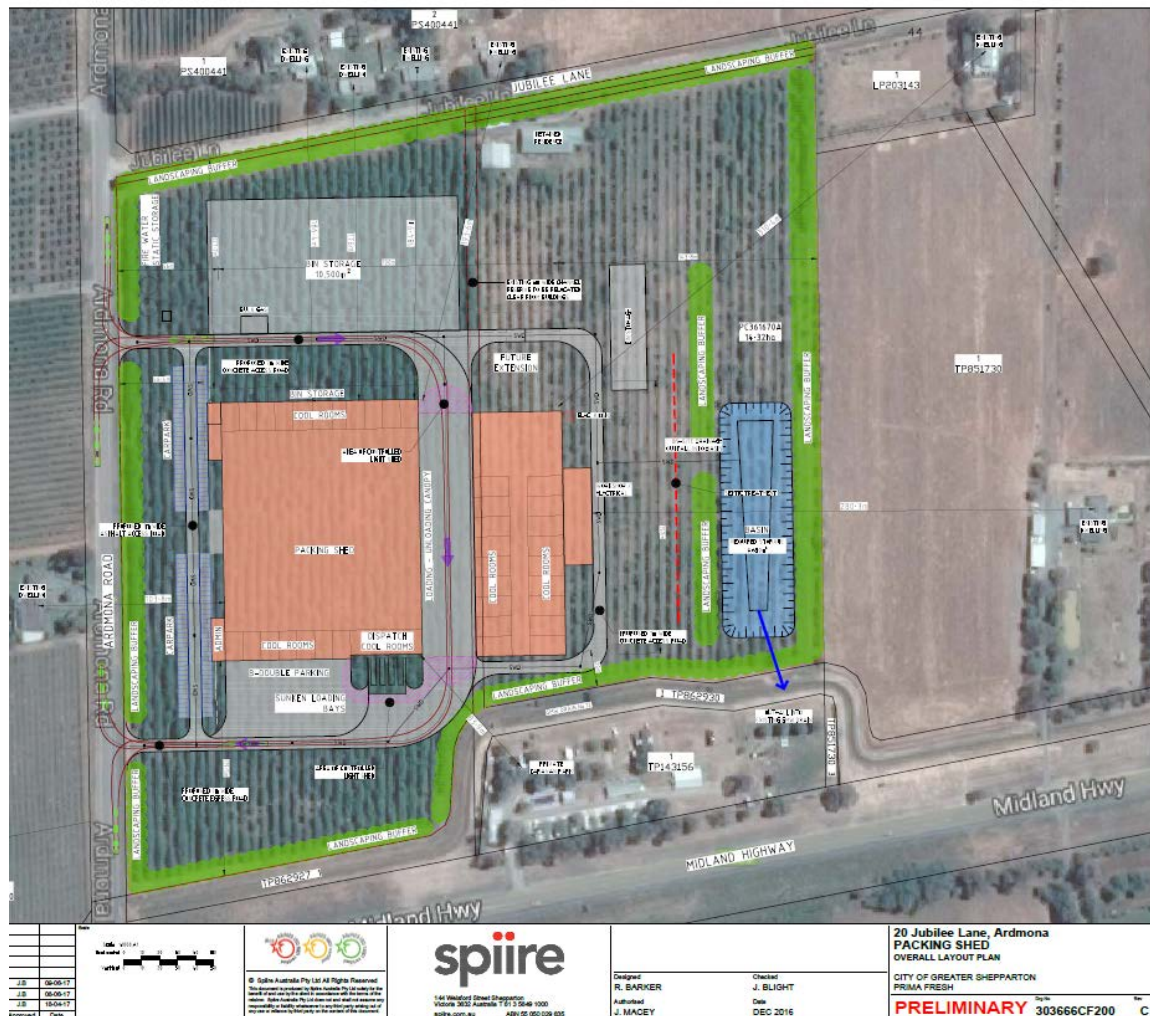
Locality Plan



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)

#### Plan of Proposed Development



#### Proposal in Detail

The planning application form describes the proposal as 'use and development of land for rural industry, installation of business identification signage, waiver of car parking requirements'. The application was lodged on 23 December 2016.

On 3 January 2017 officers requested further information including:

- Estimated cost of the development
- Traffic and acoustic reports
- Drainage plans
- Confirmation of the location of the compressor plant associated with the cool rooms
- Improved details regarding on site effluent disposal
- Description of what the undeveloped land will be used for
- Details of how it is proposed to relocate E-5

Following four extensions to the lapse date a satisfactory response to the request for information was provided to officers on 22 May 2017 which was prior to the lapse date of 31 May 2017.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)**

The application consists of:

- Traffic Impacts Assessment Report prepared by Traffic Works
- Detailed planning drawings
- Acoustic report prepared by Watson Moss Growcott
- Land capability assessment and waste water management plan by Progressive Compliance
- Drainage details prepared by Spiire
- Planning report prepared by Spiire
- Landscape plan prepared by Spiire

Within the Spiire planning report the activities are summarised as below:

#### *Peak Season – December to May*

- *Normal operating hours from 6.00am to 12.00am (midnight)\**
- *Packing hours 7.00am to 5.30pm*
- *Loading and unloading hours of 6.00am to 12.00am (midnight)*
- *Maximum of 100 staff at any one time plus administration staff*
- *An average of three B-doubles accessing the site per day*
- *Maximum of 20 heavy vehicle movements per day*

\*The Watson Moss Growcott report states that the peak operating hours are to 2.00am for two to three weeks in the peak season.

#### *Off Season – May to November*

- *Operating hours of 7.00am to 7.00pm*
- *Normal loading and unloading hours of 6.00am to 7.00pm (could be as late as 12.00am midnight on occasions)*
- *Maximum of 50 staff at any one time plus administration staff*
- *An average of two B-doubles accessing the site per day*
- *Maximum of 12 heavy vehicle movements per day*

Vehicle access to the land associated with the rural industry is from Ardmona Road only.

It is proposed to connect the land to town water supply. The site is not proposed to be connected to sewer.

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

The application seeks planning permission to use and development the land for a rural industry, erection and display of advertising signage and reduction in car parking requirement.

- The application has been advertised and three objections to the application remain (initially seven objections were made, however four of these objections have been withdrawn). Grounds of objection relate to detrimental amenity impacts, property devaluation, lack of landscaping screening and impact of the viability of the existing caravan park.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)**

- Officers have consulted with objectors to better explain the proposal, this process resulted in four objections being withdrawn leaving three objections to the proposal. Officers are satisfied that the objections do not warrant refusal of the application subject to various conditions relating to landscape screens, noise management, boundary fencing, baffling of external lighting and prohibiting access to the land from Jubilee Lane (except for the existing dwelling on the land).
- Officers have identified that state and local planning policy supports agricultural investment and value adding of agricultural produce in the growing districts to support fruit production and to maximise employment opportunity.
- The FZ contains a number of decision guidelines which are relevant to this application. Assessments have found that the application positively responds to decision guidelines and acceptable planning outcomes are achieved.
- The acoustic consultant has found that noise mitigation measures and operating procedures are required to allow the use to comply with the Noise from Industry in Regional Victoria (NIRV). Permit conditions are recommended to give effect to the recommendations from the acoustic consultant.

#### **Background**

Prior to lodging this application, Prima Fresh held discussions with senior Council officers about developing at GV Link. Despite these meetings a developer agreement was not reached between Council and Prima Fresh.

Subsequently planning officers held pre-application meetings with Prima Fresh to discuss application requirements.

#### **Assessment under the Planning and Environment Act Rural Regional Land Use Strategy (Campaspe, Greater Shepparton and Moira)**

Within the study area the region grows:

- 90% of the national deciduous canned fruit production
- 85% of the national pear crop
- 45% of the national stone fruit crop
- 14% of the national fresh stone fruit crop
- 16% of the national apple crop
- 90% of the national kiwifruit crop

Horticulture is important to Greater Shepparton's economy. *While horticulture is the most economically significant industry, it takes place on just 12% of the total irrigated area on the municipality (Table 4-13). A number of food processing businesses in the municipality use local horticultural produce such as SPC Ardmona, Campbells Soups and Unifoods in Tatura.*

The Rural Strategy establishes the importance of the horticultural sector to the municipality.

It is recognised that the size of the proposed building and associated hardstand is significant due to its size and scale. In total the impervious area is about 40,000sqm or four hectares. What is proposed is a large industrial building to support the horticultural sector.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)**

The proposed building will be intrusive on the landscape however officers consider that the FZ is a working zone where activities undertaken will not always be compatible with rural lifestyle living. Greater Shepparton has encountered the conflict between agriculture and rural lifestyle expectations on many occasions and the associated decision making difficulties.

Officers are of the view that ongoing agricultural investment in the municipality needs to be encouraged and facilitated whether it relates to horticulture, dairying, broilers or piggeries. This application proposes a large scale rural industry that will process fruit in the Goulburn Valley which provides for the maximum economic benefit to the community.

Such an outcome is sought by the FZ which purposes relate to the use of land for agriculture, retention of productive agricultural land, ensure non-agricultural uses including dwellings do not adversely affect agriculture, retention of employment and population and sustainability.

Clause 13.04-1 seeks to assist in the control of noise effects on sensitive land uses. It is important to acknowledge that the proposed use will have noise impacts on neighbours and that in the fruit season will operate for 20 hours a day.

Officers have required that a noise emission assessment be undertaken by the applicant.

The report has made the following recommendations:

- Noise barrier extending one metre above the height of the heat rejection equipment including sound absorptive lining of the barrier
- Use of new generation broadband reverse alarms
- No use of forklifts in the bin store area between 10.00pm to 7.00am Monday to Sunday
- No truck movements to or from the site between midnight to 7.00am Monday to Sunday
- That a detailed design noise assessment be undertaken based on the actual plant selections

Officers are concerned about the proximity of the use to the existing caravan park and potential amenity impacts including noise and light spill from heavy vehicles. Officers recommend that a three metre high noise barrier be constructed on the south side of the site to minimise amenity impacts to the caravan park.

Officers support the recommendation by the acoustic engineer that actual in operation noise testing be undertaken to ensure that the use is operating within the allowable noise emission standards.

Officers are satisfied that the noise emissions from the site are manageable to an acceptable level.

The first objective in local policy relating to agriculture under 21.06-1 is *to ensure that agriculture is and remains the major economic driver in the region*. The next three objectives all seek to facilitate growth and investment.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)**

Local policy in relation to industry is at 21.06-4. Objectives in this clause encourage growth whilst minimising amenity impacts on surrounding land uses. 21.06-4 provides the following policy guidelines – industrial development in rural areas.

*It is policy to:*

*Discourage industrial use and development (other than rural industry) in rural areas, except where:*

- *It is unable to be accommodated in existing industrial zoned areas;*
- *It does not compromise the surrounding existing and future agricultural practices;*
- *It adds value to the agricultural base of the municipality; and*
- *It is a rural-based enterprise; or*
- *It provides for the re-use of existing large scale packing sheds and cool stores.*

Officers note that this policy does not apply to this application as what is proposed is a rural industry. Despite this the policy guideline provides a useful assessment tool.

The developer unsuccessfully pursued the two available zoned sites in Mooroopna being the old Ardmona cannery land and GV Link. There is no other appropriate zoned land in Mooroopna for this proposed development.

The proposed rural industry does remove 14ha of orchard from the land, despite this the use and development would not compromise existing and future agricultural practices in the area. Furthermore the rural industry value adds to the municipalities agricultural base by processing and delivering fruit to supermarkets directly from the fruit growing district. Based on this assessment the proposed use and development positively responds to Council's local policy guideline.

35.07-6 of the FZ provides decision guidelines that must be considered by the responsible authority. The decision guidelines are split into five themes which are discussed below.

#### 1. General Issues

State and Local policy provides strategic direction for investment in agriculture which does not result in unacceptable amenity outcomes.

The site is located on two main roads that provide for good access to fruit growing districts and to national highways to connect to capital cities. Overtime a number of residential uses including dwellings and a caravan park have been allowed in the area which results in conflicting land uses. Despite this, officers are satisfied that offsite amenity impacts can be managed through design including acoustic treatments and landscaping.

The land is outside the sewerage district and as a result on site effluent disposal is proposed. Council's health officers have reviewed the proposed on site treatment and are satisfied that the system is fit for purpose.

#### 2. Agricultural issues and the impacts from non-agricultural uses

To facilitate the proposed development 14ha of trees have been removed. Despite this, officers are satisfied that the cool store and packing complex will support and enhance horticulture.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)**

#### 3. Dwelling issues

The land is developed with a dwelling which is proposed to be retained. No further dwellings on the land are proposed.

#### 4. Environmental Issues

The land has been cleared for orchard and as a result contains no native vegetation. The development proposes the planting of native landscape buffers. The development will drain to a large on site basin which will retain and treat water before discharging to a GMW drain.

#### 5. Design and siting issues

Officers acknowledge that what is proposed is a large industrial building that will be visible from abutting roads and nearby land. Despite this, horticulture requires cool storage and packing facilities within growing districts. The design limits vehicle access to the secondary road only being Ardmona Road which removes the need for new accesses to the Midland Highway.

Both the applicants and Council engineers have reviewed traffic related impacts with the proposal. Vehicle access will be via Ardmona Road only. Ardmona Road carries about 800 vehicles per day of which about 15% are commercial vehicles.

To provide for a safe road outcome the following developer funded road works are required:

- The entrance (north access) include a left turn lane, shoulder sealing to allow for right turns into the site and a sealed bell mouth treatment
- The exit (south access) be sealed

Vic Roads have reviewed the development impact on the Ardmona Road and Midland Highway intersection and have required no upgrading of the intersection.

Permission is required to reduce on site car parking requirements. A statutory assessment results in 559 onsite parking spaces. The application proposes 132 properly constructed on site spaces. Officers are satisfied that provision of onsite car parking is acceptable as the number of spaces exceeds the expected peak parking demand of 120 vehicles.

The application specifically seeks permission for business identification signage. Under the FZ not more than three square metres of signage is allowed. It is recommended that a permit condition require the submission of a sign plan that complies with 52.05-10.

#### **2017-2021 Council Plan/Key Strategic Activity**

Council Vision

*Greater Shepparton, Greater Future.*

*A thriving economy in the foodbowl of Victoria with excellent lifestyles, innovative agriculture, a diverse community and abundant opportunities.*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Incorrect notification	A	5	Low	The application has been properly advertised which allowed objections to be lodged with the Council. These objectors will be informed of Council's decision on the application.

#### Policy Considerations

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

#### Financial Implications

This planning application has no significant financial implications on Council.

#### Legal/Statutory Implications

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

#### Cultural Heritage

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

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

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

#### Environmental/Sustainability Impacts

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

#### Social Implications

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

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

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

Whilst this application does not raise social issues that warrant the refusal of the application.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)

#### Economic Impacts

Approval of the use and development will see new investment within the municipality and associated job retention and creation.

#### Referrals/Public Notice

External Referrals Required by the Planning Scheme:

Section 55 - Referrals Authority	List Planning clause triggering referral	Determining or Recommending	Response
Clause 66 of the scheme did not require any referrals.			

External Notice to Authorities:

Section 52 - Notice Authority	Response
Powercor	Powercor have required that standard connection conditions be included on the permit.
GVW	GVW consents to the application without requiring any conditions.
GMW	GMW consents to the application subject to their standard siting and drainage conditions.
Vic Roads	Vic Roads consented to the application without requiring any conditions.
EPA	EPA consented to the application subject to standard amenity conditions.

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

- Sending notices to the owners and occupiers of adjoining land
- Placing a sign on site
- Notice in Shepparton News

The applicant provided a signed declaration stating the sign on site was erected between 1 May to 15 May 2017.

Council initially received seven objections to the application, following consultation with objectors, four objections were withdrawn leaving three objections to the application.

All objectors were issued with an acknowledgment letter.

Two tours of the existing Prima Fresh complex were undertaken to show objectors the operation and to allow the applicants explain the proposed development. This consultation resulted in objectors having a better understanding of the proposal and reduced the number of objections from seven to three.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)

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

Ground of Objection	Officer's Response
De-valuation of land	It is well known and accepted that property de-valuation as a result of planning applications is not a relevant planning consideration.
In adequate landscape screens	Officers agree with objectors that initially the proposal provided inadequate landscape screen plantings. Following the consultation sessions amended plans were provided showing additional landscape screens which are acceptable.
Location of trade waste treatment area	The advertised plans proposed an open trade waste treatment pond in the north east corner of the land. Following objections, the applicant has revised the design to treat trade waste in an underground system which removes potential odour concerns.
Amenity impacts including noise, hours of operation, truck movements, light spill	<p>If allowed the proposed use and development will impact on the amenity of the area. It is important to consider that the land and surrounding land is within the FZ and as a result the level of amenity provided to neighbour dwellings is lesser than what would be expected in a residential zone.</p> <p>Officers consider that the amenity impact is not unacceptable subject to the following limitations on the activities:</p> <ul style="list-style-type: none"> <li>• No truck movements between midnight to 7.00am</li> <li>• Acoustic housing for the heat rejection plant</li> <li>• Application of new generation broad band reversing beepers on forklifts</li> <li>• No use of forklifts in the outdoor bin store between 10.00pm to 7.00am</li> </ul>
Road safety impacts particularly associated with truck movements on the intersection of Ardmona Road and the Midland Highway	Vic Roads being the Governments expert road agency have reviewed the application and not required that any road works be undertaken to this intersection.
Impact on the rural setting of the caravan park	Officers acknowledge the building and associated hardstand is substantially and will be visible to neighbours. Discussions between the applicant and objector have resulted in any additional landscaping and fencing to better screen the site from the caravan park.

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



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.6 Use and Development of Land for a Cool Store and Packing Shed at 20 Jubilee Lane, Ardmona (continued)**

#### **Strategic Links**

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

##### **Agriculture and Rural Land**

*Regarded as the “Food Bowl of Australia”, the agricultural sector in Greater Shepparton, and the Goulburn Valley region in general, is a vital component of the regional, State and national economies.*

*Investment in large scale orchards*

*Major changes are occurring in the horticultural sector. The ownership profile is changing as the major producers / investors buy up small farms. The smaller holdings contain inefficiencies in terms of duplication of equipment, tractors, cool stores and the like. These inefficiencies provide the rationale for amalgamation.*

*There is significant new investment in new, large-scale orchard developments and associated cool stores, and in export packing sheds with strong marketing links to premium export markets worldwide.*

*Productivity in the fruit industry is increasing with the replacement of freestanding trees with trellised trees, which produce higher yields. In addition, high technology scanning enables improved distribution.*

GS2030 anticipated large scale orchards and associated cool stores and provided policy direction to ‘encourage value adding industries’. Officers consider that the proposal which processes fruit for supermarkets retains value adding within the growing district and implements the policy aspiration in GS2030.

#### **Conclusion**

Officers having undertaken an assessment of the application have decided that the application achieves acceptable planning outcomes when assessed against policy by investing in the regions horticulture and therefore a Notice of Decision to Grant a Planning Permit should issue.

#### **Attachments**

Nil

**10. TABLED MOTIONS**

Nil Received

**11. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES**

Nil Received

**12. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES**

Nil Received

**13. NOTICE OF MOTION, AMENDMENT OR RESCISSION**

Nil Received

**14. DOCUMENTS FOR SIGNING AND SEALING**

Nil Received

## 15. COUNCILLOR ACTIVITIES

### 15.1 Councillors Community Interaction and Briefing Program

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

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

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

#### **Councillors' Community Interaction and Briefing Program**

From 1 July 2017 to 31 July 2017, some or all of the Councillors have been involved in the following activities:

Rotary Club of Shepparton | Incoming Presidential Year of David and Marcia Shipston  
 NAIDOC Week Flag Raising Ceremony  
 Saleyards Advisory Committee Meeting  
 Heritage Advisory Committee Meeting  
 Social Morning U3A - University of Third Age  
 Dungala Kaiela Oration 2017 and Dungala Dinner Event  
 Tatura Hot Bread - 'Celebration Day'  
 Launch of the 60th issue of Tamba magazine  
 Mooroopna Kiwanis Club | Guest Speaker  
 Disability Advisory Committee Meeting  
 Launch | One Tree Per Child  
 Goulburn Valley Waste and Resource Recovery Group Board Meeting  
 Commissioning Anglican Pastor | Mooroopna - Stuart Winn  
 Greater Shepparton Positive Ageing Advisory Committee Meeting  
 Sports Hall of Fame Advisory Committee Meeting  
 Community Tree Planting Event - 16 July, 23 July & 30 July, 2017  
 MX Nationals  
 St Vinnie's Blessing | New Shepparton Shop  
 Lunch with the Fairley Foundation Trustees  
 2017 La Trobe University Fairley Lecture  
 Citizenship Ceremony  
 Cooking for Better Future dinner function  
 Executive Director, Climate Change & Waste and Resource Recovery Group - Chairs Meeting  
 Small Town Catch Up | Congupna  
 Towards Zero | The Game Plan Lunch  
 Annual Goat Ball | Mayor presents award  
 A League Soccer Preseason Match – Announcement  
 Blessing | St Anne's College - Site, Kialla  
 'Pollies in the Pub' | Deputy Prime Minister - The Hon Barnaby Joyce & Damian Drum  
 Shepparton East | Community Plan Group Meeting  
 Local Government Mayoral Advisory Panel | Meeting  
 Greater Shepparton Women's Charter Alliance Advisory Committee meeting  
 Sports Hall of Fame Committee Meeting  
 Councillors Development Weekend | Torquay  
 GV Congolese Independence Day Celebration  
 Shepparton Cup | Greyhound Racing Club  
 2017 Small Business Festival Launch  
 Tatura Park Advisory Group Meeting

## 15. COUNCILLOR ACTIVITIES

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

#### **RECOMMENDATION**

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

#### **Attachments**

Nil

**16. ASSEMBLIES OF COUNCILLORS**
**16.1 Assemblies of Councillors**

Aerodrome Advisory Committee 13 April 2017		
Councillors:	Cr Dennis Patterson	
Officers:	Peter Harriott, Heinz Kausche, John Lloyd, Russell Hardie, Sue Whitcombe	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Aerodrome Relocation Feasibility Study Status	Cr Dennis Patterson
2.	Meeting scheduling	Cr Dennis Patterson
3.	Committee Terms of Reference	Cr Dennis Patterson
4.	Strategic Plan	Cr Dennis Patterson
5.	Inwards and Outwards Correspondence	Cr Dennis Patterson
6.	Potential landing fees	Cr Dennis Patterson
7.	Airport traffic movement	Cr Dennis Patterson
8.	Carpark gum tree	Cr Dennis Patterson
9.	Routine Maintenance Works Status	Cr Dennis Patterson
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)

RiverConnect Implementation Advisory Committee		
Councillors:	Cr Dennis Patterson	
Officers:	Sharon Terry, Allison Trethowan and Melinda Weston	
Matter No.	Matters discussed	Councillors Present for Discussion
1	Actions arising from previous meeting; Correspondence; RiverConnect Budget	Dennis Patterson
2	Communications Working Group report; Education Officer update; Land Managers Working Group report	Dennis Patterson
3.1	RiverConnect Strategic Plan update	Dennis Patterson
3.2	IAC Membership	Dennis Patterson
3.3	River Masterplan	Dennis Patterson
3.4	Shepparton Festival – River Festival	Dennis Patterson
3.5	Boat Ramps and platypus viewing platforms	Dennis Patterson
3.6	Illegal Dumping Campaign and Grant	Dennis Patterson
4	Opera house nets; July holiday activities; Mountain bike trails in Shepparton Regional Park; Jenny Houlihan thank you	Dennis Patterson
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 – 4 July 2017		
Councillors	Cr Dinny Adem, Cr Kim O’Keeffe, Cr Bruce Giovanetti, Cr Chris Hazelman, Cr Les Oroszvary, Cr Dennis Patterson, Cr Shelley Sutton and Cr Seema Abdullah	
Officers:	Peter Harriott, Johann Rajaratnam, Kaye Thomson, Michael MacDonagh, Colin Kalms, Michael Carrafa and Rebecca Good	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Notice of Preparation of Combined Amendment C190 to the Greater Shepparton Planning Scheme and Planning Permit Application 2015-360 (2 Bridge Road, Toolamba - Combined Rezoning / Subdivision)	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Sutton
2.	Maude Street Mall Activation Proposal	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Sutton
3.	Ford Road, Shepparton	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Sutton

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Matter No.	Matters discussed	Councillors Present for Discussion
4.	Waste Management Strategies	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Sutton
5.	Panel Hearing Update – Amendment C199	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Patterson Cr Sutton
6.	Meeting with Jaala Pulford   Commonwealth Games	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Sutton
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
5	Cr Hazelman	Yes



## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Development Hearings Panel – 28 June 2017		
Councillors:	Councillor Hazelman	
Officers:	Carl Byrne, Elke Cummins, Andrew Dainton, Robert Duncan, Tim Watson, Sarah van Meurs, Braydon Aitken and Steve Bugoss	
Matter No.	Matters discussed	Councillors Present for Discussion
1	Planning permit application 2015-458/B seeking permission for a vehicle access to Numurkah Road at 127-137 Numurkah Road, Shepparton.	Cr Hazelman
2	Planning permit application 2016-428 for the use of land for materials recycling at 63 Mitchell Street, Shepparton.	Cr Hazelman
3	Planning permit application 2017-22 for a building extension at 3090 Midland Highway, Nalinga.	Cr Hazelman
4	Planning permit application 2016-376 for a two lot subdivision at 50 Gowrie Park Road, Tatura.	Cr Hazelman
5	Planning permit application 2017-83 for a telecommunications facility at 230 Kyabram-Cooma Road, Kyabram.	Cr Hazelman
6	Planning Permit 2017-62 for a dwelling at 340 Orrvale Road, Orrvale.	Cr Hazelman
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil	

Councillor Briefing Session – 11 July 2017	
Councillors	Cr Dinny Adem, Cr Kim O’Keeffe, Cr Chris Hazelman, Cr Dennis Patterson, Cr Shelley Sutton and Cr Seema Abdullah
Officers:	Peter Harriott, Johann Rajaratnam, Chris Teitzel, Mike Freeman, Michael MacDonagh, Colin Kalms and Rebecca Good

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Matter No.	Matters discussed	Councillors Present for Discussion
1.	Goulburn Valley Waste and Resource Recovery Group Projects	Cr Adem (Chair) (partial) Cr O'Keeffe Cr Abdullah Cr Hazelman Cr Patterson Cr Sutton
2.	Shepparton Bypass - Stage 1   Ford Road, Shepparton	Cr Adem (Chair) (partial) Cr O'Keeffe Cr Abdullah Cr Hazelman Cr Patterson (partial) Cr Sutton
3.	Review of Draft Council Meeting Agenda	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Hazelman Cr Patterson Cr Sutton
4.	Memorandums of Understanding	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Hazelman Cr Patterson Cr Sutton
5.	Parking in Shepparton CBD	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Hazelman Cr Patterson Cr Sutton
6.	Victoria Park Lake Caravan Park	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Hazelman Cr Patterson Cr Sutton
<b>Conflict of Interest Disclosures</b>		
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)**

CEO and Councillor Catch up – 11 July 2017		
Councillors	Cr Adem, Cr O’Keeffe, Cr Abdullah, Cr Hazelman, Cr Patterson, Cr Sutton	
Officers:	Peter Harriott	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	CEO Exchange / Rumbalara	Cr Adem (Chair) Cr O’Keeffe Cr Hazelman Cr Patterson Cr Sutton Cr Abdullah
2.	Dump Point	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Hazelman Cr Patterson Cr Sutton
3.	China Trip Update	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Hazelman Cr Patterson Cr Sutton
4.	Future Voices Foundation	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Hazelman Cr Patterson Cr Sutton
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil	Nil

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Councillor Briefing Session – 18 July 2017		
Councillors	Cr Dinny Adem, Cr Bruce Giovanetti, Cr Chris Hazelman, Cr Dennis Patterson, Cr Fern Summer, Cr Shelley Sutton and Cr Seema Abdullah	
Officers:	Peter Harriott, Johann Rajaratnam, Chris Teitzel, Mike Freeman, Michael MacDonagh and Rebecca Good	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Briefing with The Hon Wendy Lovell - Member for Northern Victoria	Cr Adem (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton Cr Summer (partial)
2.	Presentation from Ford Road Action Group	Cr Adem (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton Cr Summer
3.	Adoption of the Trewins Road Investigation of Fragmented Farmland	Cr Adem (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton Cr Summer
4.	Aquamoves 20 Year Birthday Celebrations	Cr Adem (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Sutton Cr Summer
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)**

CEO and Councillor Catch Up – 18 July 2017		
Councillors	Cr Dinny Adem, Cr Bruce Giovanetti, Cr Chris Hazelman, Cr Dennis Patterson, Cr Fern Summer, Cr Shelley Sutton and Cr Seema Abdullah	
Officers:	Peter Harriott	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Company Directors Course	Cr Adem (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Sutton Cr Summer
2.	Midland Highway Works	Cr Adem (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Sutton Cr Summer
3.	Mayoral Status Report	Cr Adem (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Sutton Cr Summer
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 July 2017		
Councillors	Cr Dinny Adem, Cr Kim O’Keeffe, Cr Bruce Giovanetti, Cr Les Oroszvary, Cr Fern Summer, Cr Shelley Sutton and Cr Seema Abdullah	
Officers:	Chris Teitzel, Mike Freeman, Kaye Thomson, Braydon Aitken, Michael MacDonagh, Colin Kalms, Michael Carrafa, Sharlene Still and Rebecca Good	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Strategic Planning Quarterly Update Report - July 2017	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary (partial) Cr Sutton Cr Summer
2.	Statutory Planning Update (October 2016 to May 2017)	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Sutton Cr Summer
3.	Development Hearings Panel - 12 Month Review of Guidelines	Cr Adem (Chair) Cr O’Keeffe (partial) Cr Abdullah Cr Giovanetti (partial) Cr Oroszvary Cr Sutton Cr Summer
4.	Submission to the Inquiry into National Freight and Supply Chain Priorities Discussion Paper May 2017	Cr Adem (Chair) Cr O’Keeffe (partial) Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Sutton Cr Summer

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

Matter No.	Matters discussed	Councillors Present for Discussion
5.	Aboriginal Street Art Project	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Sutton Cr Summer
6.	Indigenous Matters Overview   Lee Joachim	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Sutton Cr Summer
7.	Waste Strategy – Tip Vouchers	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Sutton Cr Summer
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
1	Cr Giovanetti	No

**RECOMMENDATION**

That the Council note the record of Assemblies of Councillors.

**17. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA**

**18. PUBLIC QUESTION TIME**