

# MINUTES

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## ORDINARY COUNCIL MEETING

HELD ON  
TUESDAY 21 JUNE, 2016  
AT 5.30PM

IN THE COUNCIL BOARDROOM

**COUNCILLORS:**

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

***VISION***

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

**MINUTES  
FOR THE  
ORDINARY COUNCIL MEETING  
HELD ON  
TUESDAY 21 JUNE, 2016 AT 5.30PM**

**CHAIR  
CR DINNY ADEM**

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

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

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

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

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

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

**Insignificant** Operational, add treatments where appropriate

**PRESENT: Councillors Dinny Adem, Chris Hazelman, Jenny Houlihan, Les Oroszvary, Dennis Patterson and Kevin Ryan.**

**OFFICERS: Peter Harriott – Chief Executive Officer  
Steve Bowmaker – Director Infrastructure  
Johann Rajaratnam – Director Sustainable Development  
Chris Teitzel – Director Business  
Maree Martin – Official Minute Taker  
Peta Bailey – Deputy Minute Taker**

#### **1. ACKNOWLEDGEMENT**

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

#### **2. APOLOGIES**

Nil.

#### **3. DECLARATIONS OF CONFLICT OF INTEREST**

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

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

#### **4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**Moved by Cr Oroszvary  
Seconded by Cr Hazelman**

That the Minutes of the Ordinary Council Meeting held 17 May 2016 and the Special Council Meeting held 7 June 2016 as circulated, be confirmed.

**CARRIED.**

## 5. DEPUTATIONS AND PETITIONS

### 5.1 McKernan Road - Kialla East

#### **Summary**

A petition containing 45 signatures has been received by Council requesting the sealing of McKernan Road – Kialla East.

**Moved by Cr Houlihan**

**Seconded by Cr Oroszvary**

That the Council receive the petition relating to the sealing of McKernan Road - Kialla East.

**CARRIED.**

#### **Attachments**

Nil

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Cosgrove 3 Landfill Boral Agreement & Stone Sale Agreement

**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: Consultant CTMG**

**Proof reader(s): Acting Manager Works and Waste**

**Approved by: Director Infrastructure**

**Other: Coordinator Property**

#### **Executive Summary**

Council has for a number of years been planning the development of the Cosgrove 3 Landfill within an existing, but no longer used, quarry previously operated by Boral.

An integral part of the development of the Cosgrove 3 Landfill is the need to excise the area for the landfill from the Work Authority No. 72 controlled by Boral. The legal mechanisms to bring this about are the Agreement and the Stone Sale Agreement which allows for the orderly transition from a disused quarry to a modern landfill.

Negotiations have been ongoing with Boral for a number of years. The terms of both agreements, which have now been agreed to by both parties, allows for the development of Cosgrove 3 landfill to now proceed in accordance with EPA Work Approval granted 15 March 2016.

The signing of the Agreement and Stone Sale Agreement will trigger the settlement of the contract of sale with the Estate of Harmer and the payment of the balance of the moneys owing

The purpose of this report is to provide information to the Council so it can make an informed decision to:

- a) support the recommendation, or
- b) reject the recommendation, or
- c) defer a decision pending provision of further information.

**Moved by Cr Hazelman**

**Seconded by Cr Ryan**

That the Council:

1. agree to the terms and conditions of the Agreement between Boral Resources (Vic) Pty Ltd and Greater Shepparton City Council.
2. agree to the terms and conditions of the Stone Sale Agreement between Boral Resources (Vic) Pty Ltd and Greater Shepparton City Council.
3. authorise the Chief Executive Officer to sign and seal both agreements.

**CARRIED.**

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Cosgrove 3 Landfill Boral Agreement & Stone Sale Agreement (continued)

#### **Background**

Council is developing a new landfill at Cosgrove in the old quarry void known as Cosgrove 3 Landfill. To this end Council acquired land previously owned by the Estate of Ewen Franklin Harmer over which Boral presently has a Work Authority No. 72 to extract stone. The Agreements are to allow the orderly transition from a quarry to a landfill.

Negotiations with Boral commenced a number of years ago and have been progressively advanced until now when agreement has now been reached on the detailed terms.

The Agreement (previously known as the Heads of Agreement) provides for:

- A New Stone Sale Agreement to be entered into by the parties to replace the Existing Stone Sale Agreement;
- Boral to progressively continue its Quarry Operations on the Land;
- Council to progressively establish the Proposed Cosgrove 3 Landfill on the Pit 1 Area and subject to Boral's agreement, other parts of the Land;
- The development of an Operations Protocol to facilitate both the Quarry Operations and the Landfill Operations.

The Stone Sale Agreement complements the Agreement.

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

This agreement is consistent with Section 2.1 of the Council Plan which provides - *Enhancing the Environment – Strategies – Continue to reduce Council's Greenhouse Emissions.*

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Delays in signing the Agreements by Boral	Unlikely	High	Moderate	Maintain personal contact with key officers at Boral
Delays in signing the Agreements by Boral invokes the provisions of the Contract of Sale	Unlikely	High	Moderate	Maintain personal contact with key officers at Boral and keep the vendors informed.
Delays in signing the Agreements by Boral invokes the provisions for further extension of the Contract of Sale	Unlikely	High	Moderate	Maintain personal contact with key officers at Boral and keep the vendors informed to ensure payment is made prior to 30/06/16

Note: The Contract of sale has provisions for the vendor to repurchase the property should Council fail to achieve the requirements of the Contract by the extended Target date of 12 July 2016.



## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Cosgrove 3 Landfill Boral Agreement & Stone Sale Agreement (continued)

#### **Policy Considerations**

The Sustainable Decision Making Policy includes the following Objectives:

- Being more responsive to climate change
- Using our resources more efficiently
- Reducing our Environmental impact

Key projected outcomes from the implementation of these agreements, include

- a) Removal of the Work Authority 72 over the land to be operated as a landfill. Establishment of the Cosgrove 3 Landfill in accordance with EPA requirements.

#### **Financial Implications**

The budget for the Land Acquisition in the 2015/16 budget is \$1,975,000.00.

The signing of these agreements will trigger settlement under the Contract of Sale allowing payment estimated as follows:

Balance Owing:	\$ 1,780,000.00
Est. Interest Payable ( 13/07/14 to 30/06/16 )	\$ 213.600.00
Total Est. Expenditure:	\$.1,993,600.00

<sup>1</sup> Budgets are GST exclusive

<sup>2</sup> For Contract Award reports the GST inclusive expense shall match the amount reported in the recommendation

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

The Agreement and the Stone Sale Agreement have been prepared by Russell Kennedy, Lawyers in accordance with the requirements of the Local Government Act 1989 and the Sale of Land Act 1962.

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

The impacts of the Agreement & Stone Sale Agreement include:

- The development of an Operations Protocol that complies with all environmental controls relating to the site
- Lays down strict conditions for maintenance of the concrete stockpile onsite...

#### **Social Implications**

There are no social implications in this proposal, it is the completion of an agreement previously entered into.

#### **Economic Impacts**

The money to complete this purchase has been allocated in the 2015/16 capital budget.

#### **Consultation**

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

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Cosgrove 3 Landfill Boral Agreement & Stone Sale Agreement (continued)

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Directly relates to the Greater Shepparton 2030 Strategy

**Topic:** Environment: Conservation and enhancement of significant natural environments and cultural heritage.

**Objective:** 4.To reduce greenhouse gas emissions by local action, in the interests of current and future generations

**Action:** 4.2, 4.3

##### b) Other strategic links

The State Government Waste and Resource Recovery Policy is titled “Getting Full Value”. Published in April 2013, this is the peak strategic document for Victoria for addressing the Federal Government’s National Waste Policy: Less Waste, More Resources.

This policy led to the “Draft Statewide Waste and Resource Recovery Infrastructure Plan 2013-2043”, which addresses infrastructure issues and identifies the Cosgrove 3 Landfill development.

#### **Conclusion**

Based on the above it is recommended that both the Agreement and Stone Sale Agreement be signed and sealed by Council without any further delay.

#### **Attachments**

1. Shepparton - Boral - Agreement Page 131
2. Shepparton - Boral - Stone Sale Agreement Page 147

## 6. INFRASTRUCTURE DIRECTORATE

### **6.2 Contract 1431 - Bulk Bin Transfer and Waste Transport Services**

#### **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: Consultant CTMG**

**Proof reader(s): Team Leader Waste**

**Approved by: Director Infrastructure Services**

**Other: Manager Environment, Team Leader Waste**

#### **Executive Summary**

The Contract is for the provision of Bulk Bin Transfer and Waste Transport Services from various resource recovery centres throughout the municipality. The primary service is the transfer of bulk waste bins from the Shepparton, Ardmona and Murchison resource recovery centres to the Cosgrove Landfill at Quarry Rd, Cosgrove including the supply of the bulk waste bins. Other services include the supply and transfer of sundry skips for recyclables and organics and other material, including cartage to a receival location within a 200 Kilometre distance from the pick-up location.

This is the first time these services have been contracted out with the Services previously provided on an ad-hoc basis using various local waste transport companies. The value of the Services now exceeds the limits set by the Local Government Act 1989.

Council received two (2) tenders in response to advertising this Contract. The Evaluation Panel has extensively reviewed all submissions received in accordance with the Request for Tender documents and Council's Procurement policies and procedures. It also interviewed all tenderers. The tender process has been overseen by the Procurement Department.

The recommendation provides, in the opinion of the Evaluation Panel, the best balance of outcomes based on the evaluation criteria, including the application of the "Economic Contribution to the Shepparton Region" criteria.

The purpose of this report is to provide information to the Council so it can make an informed decision to:

- a) support the recommendation, or
- b) reject the recommendation, or
- c) defer a decision pending provision of further information, or
- d) select a contractor of their own choice

The annual value of the contract is estimated at \$94,250 excluding GST, which is within the amount which can be approved by Council's Chief Executive Officer under delegated authority and the tender thresholds stated in Section 186 of the Local Government Act 1989 (amended 2007).

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Contract 1431 - Bulk Bin Transfer and Waste Transport Services (continued)

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

That the Council:

1. accept the tender submitted by Veolia Pty Ltd of Shepparton for Contract No. 1431 – Bulk Bin Transfer and Waste Transport Services for the Schedule of Rates tendered
2. authorise the Chief Executive Officer to sign and seal the contract documents.
3. authorise the Chief Executive Officer to award the optional contract extension periods at his/her discretion.

**CARRIED.**

#### **Contract Details**

This contract is for the provision of Bulk Bin Transfer and Waste Transport Services from various resource recovery centres throughout the municipality. The primary service is the transfer of bulk waste bins from the Shepparton, Ardmona and Murchison resource recovery centres to the Cosgrove Landfill at Quarry Rd, Cosgrove including the supply of the bulk waste bins. Other services include the supply and transfer of sundry skips for recyclables and organics and other material, including cartage to a receiveal location within a 200 Kilometre distance from the pick-up location.

The Initial Contract Term is 3 years from appointment with the option of 2 x 1 year extensions.

#### **Tenders**

Tenders were received from:

Tenderers
Future Metals Recycling Pty Ltd
Veolia Pty Ltd

There were no late tenders although one tender was emailed and therefore could not be accepted. Both tenders were non-conforming due to either omissions or limitations and conditions set out in the tenders.

#### **Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Coordinator Transfer Stations and Waste	Works & Waste
Team Leader Finance	Corporate Services
Technical Advisor Contracts	Consultant (Waste Services)

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Contract 1431 - Bulk Bin Transfer and Waste Transport Services (continued)

The Tender Evaluation Panel formally met on six occasions:

Meeting No.	Date	Time
1.	Friday 19 February 2016	10.00 am
2.	Friday 26 February 2016	10.00 am
3.	Wednesday 2 March 2016	10.00 am
4.	Friday 4 March 2016	10.00 am
5.	Tuesday 12 April 2016	1.00 pm
6.	Friday 15 April 2016	2.30 pm

Notes of each meeting have been reviewed and confirmed by Panel members. A copy of each meeting notes have been kept on the Council file. The valuation process was overseen and moderated by the Procurement Department.

#### Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	40%
Occupational Health and Safety	10%
Specific Project Experience	20%
Capacity to Complete the Contract	15%
Environmental Sustainability	10%
Quality and Environmental Systems	5%

A detailed scoring table was prepared and agreed to by the Panel at its initial meeting. The scoring table ensured that a consistent approach to scoring was achieved.

Full details of the moderated scoring are attached in the confidential section of this report.

#### Economic Contribution to the Shepparton Region Assessment

The initial scores for Economic Contribution to the Shepparton Region of the top two tenderers that had scores within 10% of the highest total score as submitted in their tenders were as follows:

Future Metals Recycling	100%
Veolia	80%

As a consequence the Evaluation Panel collectively undertook an assessment of the "Economic Contribution to the Shepparton Region" as submitted by each tenderer. This was followed up by face to face interviews with representatives from both Tenderers. After reassessing the economic impact the Evaluation Panel assessed each to have equal impact.

#### Council Plan/Key Strategic Activity

Section 2.1 Enhancing the Environment – Strategies – Continue to reduce Council's Greenhouse Emissions.

This will be achieved through the use of modern trucks with compliant emission control systems. Travel will be minimised by the use of GPS tracking.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Contract 1431 - Bulk Bin Transfer and Waste Transport Services (continued)

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Delays in Contract Award leading to noncompliance with the provisions of the Local government Act 1989	Unlikely	High	Moderate	Council to award the contract
Contractor failing financially	Unlikely	High	Moderate	Financial Capability checks completed on short listed tenders in contention as part of the Evaluation Process

#### Policy Considerations

The Sustainable Decision Making Policy includes the following Objectives:

- Being more responsive to climate change
- Using our resources more efficiently
- Reducing our Environmental impact

Key projected outcomes from the implementation of this Contract, include

- a) Reductions in emissions through the use of a modern vehicle fleet.
- b) Market testing has ensured that best value outcomes have been achieved.

#### Financial Implications

The budget for the Contract is within the budget for Shepparton Transfer Stations – Operations, Materials & Services. The budget for 2015/16 is \$460,000 excl. GST.

#### Legal/Statutory Implications

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

A number of minor changes have been agreed to in principle by the Panel and can be implemented without exposing further risks on Council.

#### Environmental/Sustainability Impacts

The impacts of the services under the Contract include:

- The potential to reduce greenhouse gases through the use of modern trucks compliant with emissions standards.
- Skips and bins are fully enclosed for transport to ensure no waste escapes during transport.

## 6. INFRASTRUCTURE DIRECTORATE

### **6.2 Contract 1431 - Bulk Bin Transfer and Waste Transport Services (continued)**

#### **Strategic Links**

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

Directly relates to the Greater Shepparton 2030 Strategy

**Topic:** Environment: Conservation and enhancement of significant natural environments and cultural heritage.

**Objective:** 4.To reduce greenhouse gas emissions by local action, in the interests of current and future generations

**Action:** 4.2, 4.3

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

The State Government Waste and Resource Recovery Policy is titled “Getting Full Value”. Published in April 2013, this is the peak strategic document for Victoria for addressing the Federal Government’s National Waste Policy: Less Waste, More Resources.

#### **Conclusion**

The Evaluation Panel has taken into account the Evaluation Criteria as the basis for their recommendation to Council for acceptance of the tender submitted by Veolia Pty Ltd of Shepparton for Contract No. 1431 – Bulk Bin Transfer and Waste Transport Services and further recommends that the Chief Executive Officer, under powers of delegation, sign and seal the Contract documents.

#### **Attachments**

Nil

## 6. INFRASTRUCTURE DIRECTORATE

### 6.3 Contract 1583 - Design and Construct of Synthetic Athletics Track

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

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

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

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

**Author: Project Manager Greater Shepparton Regional Sports Precinct**

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

**Approved by: Director Infrastructure**

#### **Executive Summary**

As part of the redevelopment of the Greater Shepparton Regional Sports Precinct, a synthetic athletics track is to be constructed to replace the existing grass track.

Open tenders were called and the tender evaluation has resulted in a nominated contract price of \$979,054.78 (gst Inc). Budget estimate for the Synthetic Athletics Track was \$1,350,000.00 for synthetic track surface, high jump and javelin run up area and stormwater.

#### **Moved by Cr Oroszvary**

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

That the Council:

1. accept the tender submitted by Tuff Turf N Co of Mentone for Contract No. 1583 Design and Construction of Synthetic Athletics Track for the Lump Sum price of \$979,054.78 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

**CARRIED.**

#### **Contract Details**

Council Officers sought through open tender, submissions from suitably qualified companies to undertake the construction of the synthetic athletics track and stormwater drainage at the Greater Shepparton Regional Sports Precinct. The project will consist of all works and services required to complete the upgrade to the Athletics facility. Throughout the stakeholder engagement the Shepparton Little athletics club have expressed a need for improved high jump and javelin areas to be installed instead of track lighting, these changes have been included in the design and specification.

Council has actively consulted with Athletics Victoria and Little Athletics Victoria to ensure that the submissions meet relevant sporting specifications, and the ability to host multi and state events would be possible at the facility. The Athletics governing bodies provided advice in relation to the most suitable system proposed from the prospective tenderers, (no company information or price information was disclosed). Their preference was the Conica Conipur SP system for installation at the Athletics facility in Shepparton.



**6. INFRASTRUCTURE DIRECTORATE**

**6.3 Contract 1583 - Design and Construct of Synthetic Athletics Track (continued)**

Local Economic content was triggered for this project as two submissions were within 10% of the overall total score. The evaluation panel have thoroughly assessed all submissions including Local Economic impact. The Evaluation panel is satisfied that Tuff Turf N Co has established a good performance history in the synthetic construction industry and is considered to have the experience, capability and resources to complete this project within the time period stipulated. Tuff Turf’s submission for installation of a Conica Conipur SP track system provides Council a saving of \$370,046.50 over the other received submissions. Tuff Turf recently completed the hockey project to a high standard, on time and on budget and used local sub-contractors wherever possible.

The Tender evaluation panel have determined that the Tuff Turf N Co offer the best value to Council and they be awarded the contract for the construction of the Synthetic Athletics Track.

**Tenders**

Tenders were received from:

Tenderers
Tuff Turn N Co
Polytan
Jarvis Delahey Construction

**Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Kelli Halden	Projects
Heath Chasemore	Parks, Sport & Recreation
Kyle Pearson	Projects

**Evaluation Criteria**

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	40%
Capability and Previous Experience	20%
Program Delivery Time Frames	15%
Work Methodology	15%
Environment and Sustainability	10%
Local Economic Impact Assessment	If Applicable

## 6. INFRASTRUCTURE DIRECTORATE

### 6.3 Contract 1583 - Design and Construct of Synthetic Athletics Track (continued)

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

The construction of the synthetic athletics field is identified in the following strategic documents as a component of the Greater Shepparton Regional Sports Precinct project:  
Council Plan 2013-2017

Item 4 Quality Infrastructure

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

#### **Risk Management**

The Integrated Project Management (IPM) system will be used for this project which will ensure that all risks are identified and mitigated as required. The project will be managed by the Project Management Office, drawing on their expertise in managing risks associated with these types of projects.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Significant delays due to inclement weather	Likely	Low	Minor	None. Work with contractors to manage any issues
Significant earthworks issue (ground conditions)	Unlikely	Low	Minor	Geotech conducted and existing ground conditions surveyed
Time Delays	Unlikely	Low	Minor	Contractors will be required to meet committed deadlines.
Poor Quality Workmanship	Unlikely	Low	Minor	Evaluation considered previous work of contractor.
Design does not comply with or is not to appropriate standards	Unlikely	Low	Minor	External consultants use Design checklist used Additional consultation with stakeholders
Tender Specifications incomplete	Low	Low	Minor	GSCC Procurement Guidelines to be followed Use of standard details in tender documents

## 6. INFRASTRUCTURE DIRECTORATE

### **6.3 Contract 1583 - Design and Construct of Synthetic Athletics Track (continued)**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Damage occurring to property during construction	Low	Moderate	Moderate	Pre-commencement record of site conditions Contract require to have public liability insurance in place.
Damage to service providers assets	Low	Low	Minor	Contact Dial before you Dig Contractor to comply with all relevant standards

#### **Policy Considerations**

This project does not conflict with any Council policies.

#### **Financial Implications**

Evaluation has resulted in a nominated contract price of \$979,054.78 (gst Inc). Budget estimate for the Athletics Synthetic track was \$1,350,000.

Throughout the stakeholder engagement the Shepparton Little athletics club have expressed a need for improved high jump and javelin areas to be installed instead of track lighting, these changes have been included in the design and specification, therefore providing a saving to the project of \$459,950.2 from the original estimate.

This saving will provide a further financial support to existing projects within the Greater Shepparton Regional Sports Precinct.

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

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

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

As part of the tender process, tenderers were evaluated on their commitment to the environment. Tenderers were required to declare if they had a formal environmental certification under AS 14000 2007, and/or demonstrate they had company systems in place to ensure their business did not negatively impact on the environment.

## 6. INFRASTRUCTURE DIRECTORATE

### **6.3 Contract 1583 - Design and Construct of Synthetic Athletics Track (continued)**

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

##### Community Life

Objective – To encourage and implement activities that will strengthen community spirit  
Strategy – Encourage new development and redevelopments of existing areas to include community gathering spaces, such as village green, local open spaces and sporting facilities.

##### Community Life: Recreation and Open Space

Objective – To ensure that facilities, services and policies are accessible and inclusive, and appropriate to the sporting and recreation needs of the community.

Strategy – Encourage parks and facilities to cater for a range of recreational and sporting activities.

Strategy – Promote a healthy lifestyle and the use of recreational and sporting facilities

Strategy – Enhance the image of sporting facilities and recreation reserves

##### b) Other strategic links

Council Plan 2013-2017

\* Greater Shepparton Regional Sports Precinct Master Plan

#### **Conclusion**

The tender evaluation for the construction of the Athletics synthetic track, high jump, Javelin area and stormwater drainage at the Greater Shepparton Regional Sports Precinct has Tuff Turf N Co as the preferred contractor to undertake the work on the basis that they had the best overall weighted score. Officers are seeking Executive and Council approval to award contract 1583 to Tuff Turf N Co.

#### **Attachments**

Nil

## 6. INFRASTRUCTURE DIRECTORATE

### 6.4 Contract 1422 - Provision of Horticultural Services

#### **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 Parks, Sport & Recreation**

**Proof reader(s): Team Leader Landscaping and Native Open Space,  
Team Leader Parks, Open Spaces and Sportfields**

**Approved by: Director Infrastructure**

#### **Executive Summary**

Greater Shepparton City Council delivers many of its Horticultural services with support from a range of professional providers. The engagement of these horticultural services is arranged by Council staff and the companies engaged need to have the required qualifications, certificates, experience, resources, insurances and safe work methods to undertake works to the standard that is required. These services include specialised turf maintenance, weed control, grass slashing and general horticultural maintenance.

Council spends up to \$350,000 per annum on Horticultural services, this panel of suppliers contract would facilitate compliance with Council's procurement guidelines and the requirements of the Local Government Act.

Council advertised the tender for Horticultural services in February 2016. During the tender period prospective tenderers were invited to an information session at the Doyles Road complex. 17 tenders were received and assessed in accordance with Council's Procurement Policy.

This report seeks Council endorsement for the tenderers to be appointed onto the panel.

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

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

That the Council endorse the recommendation of the Tender Assessment Panel and:

#### 1. accept the tenders submitted by:

- Gaffys Tractor Hire
- Lawn and Turf Maintenance
- Murchison Spraying
- Total Pest Control
- NTS Holdings P/L
- Aquaterra Scientific
- Worktrainers Ltd
- Black and White Fencing Pty Ltd
- Preston's Turf & Garden Pty Ltd
- Aztec Industries Pty Ltd
- Cleave's Earthmoving & Drainage Pty Ltd

## 6. INFRASTRUCTURE DIRECTORATE

### 6.4 Contract 1422 - Provision of Horticultural Services (continued)

2. authorise the Chief Executive Officer to sign and seal the contract documents
3. authorise the Chief Executive Officer to award the optional contract extension periods at his/her discretion.

**CARRIED.**

#### **Contract Details**

Contract number 1422 – Provision of Horticultural Services provides formalisation of contractual arrangements with companies who will be engaged to undertake a variety of specialised Horticultural services on an as-need basis.

The initial contract will be a three year contract with the extension of extending the contract for two additional one year periods.

Note: Tenders received from Murchison Spraying, Total Pest Control, NTS Holdings P/L were not yet fully compliant with Council's procurement requirements at the time of recommendation – any non-complaint tenderers will be offered the opportunity to achieve compliance, otherwise will not be awarded the contract.

#### **Tenders**

Tenders were received from:

Tenderers
Gaffys Tractor Hire
Lawn and Turf Maintenance
Murchison Spraying
Total Pest Control
NTS Holdings P/L
Aquaterra Scientific
Moggill Cove Pty Ltd
Worktrainers Ltd
WeBlow Landscaping
Black and White Fencing Pty Ltd
Preston's Turf & Garden Pty Ltd
Aztec Industries Pty Ltd
MAPPELL PTY LTD
Countrywide Turf solutions Pty Ltd
Cleave's Earthmoving & Drainage Pty Ltd
Southern Cross Management Services
T&R Mini Digger and Home maintenance

## 6. INFRASTRUCTURE DIRECTORATE

### 6.4 Contract 1422 - Provision of Horticultural Services (continued)

#### Tender Evaluation

Tenders were evaluated by:

Title	Branch
Manager Parks, Sport & Recreation	Parks, Sport & Recreation
Team Leader – Parks Open Spaces & Sportfields	Parks, Sport & Recreation
Coordinator	Parks, Sport & Recreation
Consultant	Parks, Sport & Recreation

Note:

- Tender Evaluation was overseen/moderated by Procurement Department.

#### Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	50%
Previous relevant experience	30%
Environmental management system	10%
Quality management system	10%

#### Council Plan/Key Strategic Activity

##### Quality Infrastructure (Built)

Ensure that the community has access to high quality facilities

*Council will continue to provide for the development & maintenance of high quality facilities to enhance the opportunities for community participation in a broad range of activities at both a passive and active level.*

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

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

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

#### Risk Management

The implementation of this contract will enhance the quality of Councils Horticultural services by ensuring that appropriately qualified, experienced and capable contractors undertake these activities for Council and increase council's compliance with the Local Government Act 1989 in relation to entering into contracts.

#### Policy Considerations

The undertaking of this contract provides compliance with Councils Procurement Policy

#### Financial Implications

The total estimated liability of this procurement is approximately \$1.05 million over a three year period.

## 6. INFRASTRUCTURE DIRECTORATE

### **6.4 Contract 1422 - Provision of Horticultural Services (continued)**

This is an estimate only and is dependent on the usage of the proposed contract (i.e. whether it is used solely by the Parks, Sport & Recreation Department, Infrastructure Directorate, or organisational wide).

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

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

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

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

#### **Strategic Links**

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

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

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

Nil

#### **Conclusion**

The tender evaluation process has been completed and it is the recommendation of the Tender Evaluation Panel that the Panel of Suppliers as recommended is awarded the contract.

#### **Attachments**

Nil



## 6. INFRASTRUCTURE DIRECTORATE

### **6.5 Contract 1489 - Provision of Irrigation Services, Irrigation Materials Supply and Irrigation Pumps and Repairs**

**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..

The Director Infrastructure (DI) has an indirect conflict of interest in this report by virtue of a member of his family being employed in a junior management role of one of the recommended tenderers. The appropriate declaration of conflict of interest has been completed to disclose this matter. The DI has not participated in the evaluation of this tender other than to review this report prior to its subsequent review by the Executive Leadership Team and the Council.

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

**Author: Manager Parks, Sport & Recreation**

**Proof reader(s): Team Leader Landscaping and Native Open Space,  
Team Leader Parks, Open Spaces and Sportfields**

**Approved by: Director Infrastructure**

#### **Executive Summary**

Greater Shepparton City Council delivers many of its Parks & open space maintenance with support from a range of professional providers.

Irrigation services is a specialised activity arranged by Council staff and the companies engaged need to have the required qualifications, certificates, experience, resources, insurances and safe work methods to undertake works to the standard that is required. These services include specialised Pump maintenance & repairs, supply of irrigation materials & general irrigation services.

Council spends up to \$300,000 per annum on Irrigation services, this panel of suppliers contract would facilitate compliance with Council's procurement guidelines and the requirements of the Local Government Act.

Council advertised the tender for Provision of Irrigation services, Irrigation materials supply and Irrigation pumps & repairs in February 2016. During the tender period prospective tenderers were invited to an information session at the Doyles Road complex. 6 tenders were received and assessed in accordance with Council's Procurement Policy.

This report seeks Council endorsement for the tenderers to be appointed onto the panel.

**Moved by Cr Oroszvary**

**Seconded by Cr Ryan**

That the Council endorse the recommendation of the Tender Assessment Panel and:

1. accept the tenders submitted by:

- Bonnetts Staff Electrical Contractors Pty Ltd
- WPI (AUS) Pty Ltd
- A1 Electric Motors Pty Ltd
- J. Anderson & Co. Pty Ltd

## 6. INFRASTRUCTURE DIRECTORATE

### 6.5 Contract 1489 - Provision of Irrigation Services, Irrigation Materials Supply and Irrigation Pumps and Repairs (continued)

- Water Dynamics
  - Ad-Moor Plumbing & Irrigation
2. authorise the Chief Executive Officer to sign and seal the contract documents.
  3. authorise the Chief Executive Officer to award the optional contract extension periods at his/her discretion.

**CARRIED.**

#### **Contract Details**

Contract number 1489 - Provision of Irrigation services, irrigation materials supply and Irrigation pumps & repairs provides formalisation of contractual arrangements with consultants and companies who will be engaged to undertake supply of materials and a variety of specialised consultancy services on an as-need basis.

The initial contract will be a three year contract with the option of extending the contract for two additional one year periods.

Note: The tender received from Bonnetts Staff Electrical Contractors Pty Ltd was not yet fully compliant with Council's procurement requirements at the time of recommendation – any non-complaint tenders will be offered the opportunity to achieve compliance, otherwise will not be awarded the contract.

#### **Tenders**

Tenders were received from:

Tenderers
Bonnetts Staff Electrical Contractors Pty Ltd
WPI (AUS) Pty Ltd
A1 Electric Motors Pty Ltd
J. Anderson & Co. Pty Ltd
Water Dynamics
Ad-Moor Plumbing & Irrigation

#### **Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Manager Parks, Sport & Recreation	Parks, Sport & Recreation
Team Leader – Landscaping & Native Open Space	Parks, Sport & Recreation
Consultant	Parks, Sport & Recreation

Note:

- Tender Evaluation was overseen/moderated by the Procurement Department.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.5 Contract 1489 - Provision of Irrigation Services, Irrigation Materials Supply and Irrigation Pumps and Repairs (continued)

#### Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	60%
Previous relevant experience	20%
Environmental management system	10%
Capacity to complete contract	5%
Quality management system	5%

#### Council Plan/Key Strategic Activity

##### Quality Infrastructure (Built)

Ensure that the community has access to high quality facilities

*Council will continue to provide for the development & maintenance of high quality facilities to enhance the opportunities for community participation in a broad range of activities at both a passive and active level.*

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

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

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

#### Risk Management

The implementation of this contract will enhance the quality of Councils irrigation activities by ensuring that appropriately qualified, experienced and capable contractors undertake these activities for Council and increase council's compliance with the Local Government Act 1989 in relation to entering into contracts.

#### Policy Considerations

The undertaking of this contract provides compliance with Councils Procurement Policy

#### Financial Implications

The total estimated liability of this procurement is approximately \$900,000 over a three year period.

This is an estimate only and is dependent on the usage of the proposed contract (i.e. whether it is used solely by the Parks, Sport & Recreation Department, Infrastructure Directorate, or organisational wide).

#### Legal/Statutory Implications

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

#### Environmental/Sustainability Impacts

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

## 6. INFRASTRUCTURE DIRECTORATE

### **6.5 Contract 1489 - Provision of Irrigation Services, Irrigation Materials Supply and Irrigation Pumps and Repairs (continued)**

#### **Strategic Links**

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

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

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

Nil

#### **Conclusion**

The tender evaluation process has been completed and it is the recommendation of the Tender Evaluation Panel that the Panel of Suppliers as recommended is awarded the contract.

#### **Attachments**

Nil

## 6. INFRASTRUCTURE DIRECTORATE

### 6.6 Contract 1490 - Supply of Horticultural and Arboricultural Materials

#### **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 Parks, Sport & Recreation**

**Proof reader(s): Team Leader Landscaping and Native Open Space,  
Team Leader Parks, Open Spaces and Sportfields**

**Approved by: Director Infrastructure**

#### **Executive Summary**

Greater Shepparton City Council delivers many of its Horticultural services with support from a range of material suppliers, these materials include chemicals, soils & mulch, street furniture & equipment.

The engagement for these supplies is arranged by Council staff and the companies engaged need to have the required qualifications, certificates, experience, resources, insurances and safe work methods to undertake works to the standard that is required.

Council spends up to \$400,000 per annum on Horticultural & Arboricultural materials, this panel of suppliers contract would facilitate compliance with Council's procurement guidelines and the requirements of the Local Government Act.

Council advertised the tender for Horticultural & Arboricultural materials in February 2016. During the tender period prospective tenderers were invited to an information session at the Doyles Road complex. 17 tenders were received and assessed in accordance with Council's Procurement Policy.

This report seeks Council endorsement for the tenderers to be appointed onto the panel.

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

#### **Seconded by Cr Ryan**

That the Council endorse the recommendation of the Tender Assessment Panel and:

#### 1. accept the tenders submitted by:

- BARK KING
- Fernhill P/L t/as S & A Crawford
- Supaturf (Aust) Pty Ltd
- Aztec Industries Pty Ltd
- Furphy Foundry Sales Pty Ltd
- Cleave's Earthmoving & Drainage Pty Ltd
- A One Landscaping Supplies & Hire
- Globe Australia
- Amgrow Australia P/L
- Arborgreen Landscape Products

## 6. INFRASTRUCTURE DIRECTORATE

### 6.6 Contract 1490 - Supply of Horticultural and Arboricultural Materials (continued)

for Contract 1490 Supply of Horticultural and Arboricultural materials for a contract period of three years (with an option for two extensions of one year each).

2. authorise the Chief Executive Officer to sign and seal the contract documents.
3. authorise the Chief Executive Officer to award the optional contract extension periods at his/her discretion.

**CARRIED.**

#### **Contract Details**

Contract 1490 - Supply of Horticultural and Arboricultural materials provides formalisation of contractual arrangements with companies who will be engaged to supply materials on an as-need basis.

The initial contract will be a three year contract with the extension of extending the contract for two additional one year periods.

Note: That tenders received from BARK KING, Supaturf (Aust) Pty Ltd and A One Landscaping Supplies & Hire were not yet fully compliant with Council's procurement requirements at the time of recommendation – any non-complaint tenders will be offered the opportunity to achieve compliance, otherwise will not be awarded the contract.

#### **Tenders**

Tenders were received from:

Tenderers
Oasis Turf
BARK KING
Fernhill P/L t/as S & A Crawford
Supaturf (Aust) Pty Ltd
Simplot Partners
GV Crop Protection
Ajax Fertilisers and Seed suppliers
Aztec Industries Pty Ltd
K & B Adams Pty Ltd
Furphy Foundry Sales Pty Ltd
Cleave's Earthmoving & Drainage Pty Ltd
A One Landscaping Supplies & Hire
Turfmate
Globe Australia
Amgrow Australia P/L
Applied Agronomics
Arboreen Landscape Products

## 6. INFRASTRUCTURE DIRECTORATE

### **6.6 Contract 1490 - Supply of Horticultural and Arboricultural Materials (continued)**

#### **Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Manager Parks, Sport & Recreation	Parks, Sport & Recreation
Team Leader Landscaping and Native Open Space	Parks, Sport & Recreation
Team Leader Parks, Open Spaces and Sportfields	Parks, Sport & Recreation
Consultant	Parks, Sport & Recreation

Note:

- Tender Evaluation was overseen/moderated by the Procurement Department.

#### **Evaluation Criteria**

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	70%
Capacity to complete contract	10%
Environmental management system	10%
Quality management system	10%

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

##### **Quality Infrastructure (Built)**

Ensure that the community has access to high quality facilities

*Council will continue to provide for the development & maintenance of high quality facilities to enhance the opportunities for community participation in a broad range of activities at both a passive and active level.*

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

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

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

#### **Risk Management**

The implementation of this contract will enhance the quality of Councils Horticultural services by ensuring that appropriately qualified, experienced and capable contractors undertake these activities for Council and increase council's compliance with the Local Government Act 1989 in relation to entering into contracts.

#### **Policy Considerations**

The undertaking of this contract provides compliance with Councils Procurement Policy.

## 6. INFRASTRUCTURE DIRECTORATE

### **6.6 Contract 1490 - Supply of Horticultural and Arboricultural Materials** **(continued)**

#### **Financial Implications**

The total estimated liability of this procurement is approximately \$1.2 million over a three year period.

This is an estimate only and is dependent on the usage of the proposed contract (i.e. whether it is used solely by the Parks, Sport & Recreation Department, Infrastructure Directorate, or organisational wide).

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

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

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

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

#### **Strategic Links**

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

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

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

Nil

#### **Conclusion**

The tender evaluation process has been completed and it is the recommendation of the Tender Evaluation Panel that the Panel of Suppliers as recommended is awarded the contract.

#### **Attachments**

Nil



## 6. INFRASTRUCTURE DIRECTORATE

### 6.7 Greater Shepparton Sports Precinct, East - West Boulevard and Balance of Precinct Works

**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 Greater Shepparton Regional Sports Precinct**  
**Proof reader(s): Manager Projects**  
**Approved by: Director Infrastructure**

#### **Executive Summary**

The Greater Shepparton Sports Precinct upgrade is a major project co-funded by Council, Commonwealth and State Government and user groups. It will position Greater Shepparton as a premier sports events hub in regional Victoria. Major upgrades include a Community Football Complex, Netball Complex, Athletics Complex, Hockey Complex and significant new buildings and associated infrastructure to support increased participation and visitation.

One significant element of the project is the East-West Boulevard and Balance of Precinct Works project which includes construction of roads, car parks, roundabout, storm water drainage, sewer and water, street lighting and other civil works.

Open tenders were sought from the market and expert panel evaluation has resulted in a nominated contract price of \$4,357,008.20 (GST Inclusive). This amount has been included in the 2016/17 Capital Budget.

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

That the Council:

1. accept the tender submitted by Mawson Construction of Apollo Drive Shepparton for Contract No. C1596 Construction of Balance of Precinct Works for the Lump Sum price of \$4,357,008.20 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

**CARRIED.**

#### **Contract Details**

Council Officers sought submissions from suitable qualified contractors to undertake the construction of Balance of Precinct at the Greater Shepparton Regional Sports Precinct. The project will consist of all works and services required to complete construction as per the detail design and specifications.

Local Economic contribution was triggered for this project as two submissions were within 10% of the overall total score. The evaluation panel have thoroughly assessed all submissions including Local Economic Impact.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.7 Greater Shepparton Sports Precinct, East - West Boulevard and Balance of Precinct Works (continued)

Mawson Construction presented the higher percentage for local economic impact, therefore under Council Policy Mawson Constructions will be recommended as the preferred tenderer.

The Evaluation panel is satisfied that Mawson Construction Pty Ltd has the experience, capability and resources to complete this project within the time period stipulated. The Evaluation panel have determined that Mawson Construction offer the best value to Council and recommends that they be awarded the contract to Construct the East-West Boulevard and Balance of Precinct Works.

#### **Tenders**

Tenders were received from:

Tenderers
RECivil Pty Ltd
Ertech Pty Ltd
Mawson Construction

#### **Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Project Manager Greater Shepparton Regional Sports Precinct	Projects
Manager Parks, Sport & Recreation	Parks, Sport & Recreation
Co-ordinator of Works	Waste & Works
Manager	Waste & Works

#### **Evaluation Criteria**

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	40%
Capability and Previous Experience	20%
Program Delivery Time Frame	15%
Work Methodology	15%
Environment and Sustainability	10%
Local Economic Impact Assessment	If applicable
<b>TOTAL</b>	<b>100%</b>

## 6. INFRASTRUCTURE DIRECTORATE

### 6.7 Greater Shepparton Sports Precinct, East - West Boulevard and Balance of Precinct Works (continued)

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

The construction of the Balance of Precinct Works is identified in the following strategic documents as a component of the Greater Shepparton Regional Sports Precinct project:

- Council Plan 2013-2017

Item 4 Quality Infrastructure

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

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Significant delays due to inclement weather	C	2	High	None. Work with contractors to manage any issues
Significant earthworks issue (ground conditions)	C	2	High	Geotech conducted and existing ground conditions surveyed
Time Delays	C	2	High	Contractors will be required to meet committed deadlines.
Poor Quality Workmanship	C	2	High	Evaluation considered previous work of contractor.
Key Project Staff leave organisation	C	2	High	Ensure all details are in IPM system
Tenderers do not have sufficient insurance	C	2	Med	Received as part of IPROLive registration
OH & S Issues	C	2	High	Receive as part of contractors management system
Damage to underground services	C	2	High	Dial before you dig
Noise issues	C	2	Med	As per EPA regulations
Dust issues	C	2	Med	As per EPA regulations

#### **Policy Considerations**

This project does not conflict with any Council policies.

## 6. INFRASTRUCTURE DIRECTORATE

### **6.7 Greater Shepparton Sports Precinct, East - West Boulevard and Balance of Precinct Works (continued)**

#### **Financial Implications**

Tender evaluation has resulted in a nominated contract price of \$4,357,008.20 (gst Inc). Budget for the Construction of the East-West Boulevard and Balance of precincts works has been included in the 2016/17 capital budget. These works include construction of roads, car parks, roundabouts, storm water drainage, sewer and water, street lighting and other civil works.

Council has worked with all tenderers in an effort to reduce the overall price and officers will continue to work with successful tenderer to find ways to implement changes to reduce costs post award of this contract.

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

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

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

As part of the tender process, tenderers were evaluated on their commitment to the environment. Tenderers were required to declare if they had a formal environmental certification under AS 14000 2007, and/or demonstrate they had company systems in place to ensure their business did not negatively impact on the environment.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

##### Community Life

Objective – To encourage and implement activities that will strengthen community spirit  
Strategy – Encourage new development and redevelopments of existing areas to include community gathering spaces, such as village green, local open spaces and sporting facilities.

##### Community Life: Recreation and Open Space

Objective – To ensure that facilities, services and policies are accessible and inclusive, and appropriate to the sporting and recreation needs of the community.

Strategy – Encourage parks and facilities to cater for a range of recreational and sporting activities.

Strategy – Promote a healthy lifestyle and the use of recreational and sporting facilities

Strategy – Enhance the image of sporting facilities and recreation reserves

##### b) Other strategic links

Council Plan 2013-2017

Greater Shepparton Regional Sports Precinct Master Plan

#### **Conclusion**

The tender evaluation for the construction of the Balance of Precinct Works at the Greater Shepparton Regional Sports Precinct is Mawson Construction as the preferred contractor to undertake the work on the basis that they had the best overall weighted score. Officers are seeking Council approval to award Contract 1596 to Mawson Construction.

#### **Attachments**

Nil

## 6. INFRASTRUCTURE DIRECTORATE

### 6.8 Deakin Reserve Advisory Committee - Appointment of Members

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

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

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

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

**Author: Manager Parks, Sport & Recreation**

**Approved by: Director Infrastructure**

**Proof Reader: Manager Parks, Sports & Recreation**

#### **Executive Summary**

The Deakin Reserve Advisory Committee has 10 community representative members. The term of appointment of five of the current members to the committee expired on 31 December 2015. This report recommends the appointment of new committee members to help provide advice to Council in relation to the management of the facility.

#### **Moved by Cr Houlihan**

#### **Seconded by Cr Hazelman**

That the Council, having considered the nominations received for appointment to the Deakin Reserve Advisory Committee, appoint the following members for the remainder of the term commencing on 22 June 2016 and concluding on 31 December 2017:

- Chris SMITH
- Paul MCGRATH
- John HYDE
- Mark LAMBOURN
- Greg BEER

**CARRIED.**

#### **Background**

The Deakin Reserve Advisory committee has 10 community representative members who are appointed for two year terms expiring on 31 December. Each year the term of appointment for five of these positions expire and new members need to be recruited to fill those vacancies.

As 5 positions on the committee became vacant as of 31 December 2015 an advertisement calling for applications to fill these positions was advertised in the Shepparton News on 4 and 11 December 2015. The following five applications were received:

- Chris SMITH
- Paul MCGRATH
- John HYDE
- Mark LAMBOURN
- Greg BEER

It is recommended that all nominees be appointed to the committee.

## 6. INFRASTRUCTURE DIRECTORATE

### **6.8 Deakin Reserve Advisory Committee - Appointment of Members (continued)**

The committee and Council officers will continue to seek interest from other members of the community who may be interested in filling the last position at a later date.

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

This proposal supports the following goals from the *Council Plan 2009-2017*:

- Active and Engaged Community (Social)
- Quality Infrastructure (Built)
- High Performing Organisation (Leadership & Governance)

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Lack of Communication between the committee and Council	C	4	Low	A Councillor is an appointed member of the Deakin reserve committee to provide a communication channel and directions
Advisory Committee member not covered under Council's insurance policy	C	4	Low	Any recommendations made by the committee are referred to Council for final decision
Non – Compliance with assembly of councillors requirements under the <i>Local Government Act 1989</i>	C	4	Low	Minutes of all meetings of the Committee are submitted to Council in accordance with the Act

#### **Policy Considerations**

There are no conflicts with existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal.

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

This proposal is consistent with the *Local Government Act 1989* and it is necessary to ensure compliance with this Act. As meetings of the committee will fit the definition of an Assembly of Councillors for any meeting at which there is at least one Councillor in attendance, an Assembly of Councillors record will be completed for each qualifying meeting and submitted to the next practicable Ordinary Council meeting for noting.

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

There are no environmental or sustainability impacts arising from this proposal

## 6. INFRASTRUCTURE DIRECTORATE

### 6.8 Deakin Reserve Advisory Committee - Appointment of Members (continued)

#### **Social Implications**

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

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

Written notice were sent to the outgoing members of the Deakin Reserve Advisory Committee encouraging them to reapply for another term on the committee. A public notice calling for applications from community members interested in joining the committee was advertised in the *Shepparton News* on Friday 4<sup>th</sup> and Friday 11<sup>th</sup> December.

Members of the committee and Council officers will continue to liaise with other members of the community who may be interested in joining the committee with a view to filling the last remaining position on the committee.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	<ul style="list-style-type: none"> <li>• Newspapers advertisements</li> <li>• Consultation with committee members</li> </ul>
Involve	Work together. Feedback is an input into decision-making	<ul style="list-style-type: none"> <li>• Council to consult with the Deakin Reserve Advisory Committee in relation to management of the facility.</li> </ul>
Collaborate	Feedback and advice received from the Committee will be incorporated into decisions to the maximum level possible	<ul style="list-style-type: none"> <li>• Community members to be appointed to advisory committees.</li> <li>• Councillor appointee/s to advisory committees enables ongoing collaborate between the committees and Council</li> </ul>

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

No strategic links to the *Greater Shepparton 2030 Strategy* have been identified.

##### b) Other strategic links

No other strategic links have been identified.

#### **Options for Consideration**

Council could decide not to appoint any members to the committee and to leave the committee operating with the existing five community representatives. Council could also choose to only appoint some of the applicants to the committee. However, it is recommended that all three applicants be appointed to the committee as it increases the level of community involvement in the ongoing management of Deakin Reserve.

## 6. INFRASTRUCTURE DIRECTORATE

### **6.8 Deakin Reserve Advisory Committee - Appointment of Members (continued)**

#### **Conclusion**

It is recommended that Council appoint all five applicants to the Deakin Reserve Advisory Committee.

#### **Attachments**

Nil



## 6. INFRASTRUCTURE DIRECTORATE

### 6.9 Deakin Reserve Advisory Committee - 2015 Annual Report

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

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

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

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

**Author: Manager Parks, Sport & Recreation**

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

**Approved by: Director Infrastructure**

#### **Executive Summary**

The Deakin Reserve Advisory committee was established to provide advice to Council on the ongoing functioning and performance of Deakin reserve. The committee make recommendations to Council on procedures, rules and conditions of use necessary for the proper management of the facility.

**Moved by Cr Houlihan**

**Seconded by Cr Patterson**

That the Council receive and note the Deakin Reserve Advisory Committee 2015 Annual report.

**CARRIED.**

#### **Background**

The Deakin Reserve Advisory committee has 10 community representative members and up to two Councillors. The committee is appointed to provide advice to Council in relation to the ongoing functioning and performance of Deakin Reserve.

The committee has prepared an annual report to inform Council of its activities for the year ending 30 December 2015.

#### Highlights for 2015

- Adoption of Ground use procedure by Deakin reserve users groups
- Hosting of a successful AFL game between North Melbourne & Hawthorn.
- Refurbishment of a long lost grandstand plaque

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

This proposal supports the following goals from the *Council Plan 2009-2017*:

- Active and Engaged Community (Social)
- Quality Infrastructure (Built)
- High Performing Organisation (Leadership & Governance)

## 6. INFRASTRUCTURE DIRECTORATE

### 6.9 Deakin Reserve Advisory Committee - 2015 Annual Report (continued)

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Lack of Communication between the committee and Council	C	4	Low	A Councillor is an appointed member of the Deakin reserve committee to provide a communication channel and directions
Non – Compliance with assembly of councillors requirements under the <i>Local Government Act 1989</i>	C	4	Low	Minutes of all meetings of the Committee are submitted to Council in accordance with the Act

#### Policy Considerations

There are no conflicts with existing Council policies.

#### Financial Implications

There are no financial implications arising from this proposal.

#### Legal/Statutory Implications

This proposal is consistent with the *Local Government Act 1989* and it is necessary to ensure compliance with this Act. As meetings of the committee will fit the definition of an Assembly of Councillors for any meeting at which there is at least one Councillor in attendance, an Assembly of Councillors record will be completed for each qualifying meeting and submitted to the next practicable Ordinary Council meeting for noting.

#### Environmental/Sustainability Impacts

There are no environmental or sustainability impacts arising from this proposal

#### Social Implications

There are no Social impacts from this proposal

#### Economic Impacts

There are no economic impacts arising from this proposal

#### Consultation

Consultation with Users groups who use Deakin Reserve is noted in the annual report.

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

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

No strategic links to the *Greater Shepparton 2030 Strategy* have been identified.

##### b) Other strategic links

No other strategic links have been identified

## 6. INFRASTRUCTURE DIRECTORATE

### 6.9 Deakin Reserve Advisory Committee - 2015 Annual Report (continued)

#### **Conclusion**

That Council receives and notes the Deakin Reserve Advisory Committee – 2015 Annual report

By continuing to support the Deakin Reserve advisory committee, Council is continuing to embrace a community focused approach to the ongoing management of Deakin Reserve.

#### **Attachments**

Deakin Reserve Advisory Committee Annual Report Page 163

## 7. COMMUNITY DIRECTORATE

### 7.1 Greater Shepparton City Council Seasonal Pools Review and Strategy

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

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

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

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

**Author: Project Manager Active Living**

**Proof reader(s): Manager Active Living**

**Approved by: Director Community**

#### **Executive Summary**

The draft GSCC Seasonal Pools Review and Strategy was released for community comment for a period of 3 weeks commencing on 22 April 2016 and concluding on 13 May 2016. The Active Living and Marketing and Communications Departments promoted the opportunity to provide comment on the draft strategy to the community via various methods. The number of responses received was very low and did not require any changes to be made to the document. Officers have submitted the final GSCC Seasonal Pools Review and Strategy to the Executive Leadership Team for endorsement and now present the report to Council for adoption.

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

That the Council adopt the Greater Shepparton City Council Seasonal Pools Review and Strategy.

**CARRIED.**

#### **Background**

The draft GSCC Seasonal Pools Review and Strategy was presented to the Executive Leadership Team on 10 February 2016 and to Councillors on 29 March 2016. At the 19 April Council Meeting, Councillors supported the findings of the draft document and released the document for community comment for a period of 3 weeks commencing on 22 April 2016 and concluding on 13 May 2016.

The Active Living and Marketing and Communications Departments promoted the opportunity to provide comment on the draft strategy via the following:

- Hardcopies located at:
  - Council's Welsford Street Offices
  - Aquamoves
  - Tatura Community Centre and Tatura Library
  - Mooroopna Hub
  - Merrigum Primary School
  
- Presentation to Community Town Planning Committees in Merrigum, Mooroopna and Tatura
  - Noting that the Tatura and Merrigum meetings are after the May 13 deadline, however these groups were specifically asked to provide feedback prior to this date.

## 7. COMMUNITY DIRECTORATE

### 7.1 Greater Shepparton City Council Seasonal Pools Review and Strategy (continued)

- Council's Website and Social Media
  - Homepage – under 'Have your say'
  - 'Have your say' page – listed under 'Community Consultation'
  - Posts on Council social media
  
- Media release and coverage at the April 19 Council meeting:
  - Resulted in a front page article in the Shepparton News on Monday April 25.
  
- The Summary Document and the link to the specific page on Council's website were emailed to:
  - Community Town Planning Committees in Merrigum, Mooroopna and Tatura
  - Tatura Pool Advisory Group
  - Attendees from the pools strategy community consultation meetings
  - Sporting clubs and groups in Merrigum, Mooroopna and Tatura
  - Businesses in Merrigum, Mooroopna and Tatura
  - Schools in Merrigum, Mooroopna and Tatura
  - Schools in Greater Shepparton
  - Local Indigenous and cultural organisations
  - All Council staff

Throughout the community comment period a total of 2 responses were received. These were received online, with no hard copy submissions at the various locations. The consultation page on Council's website received 45 visits, with the complete document downloaded 17 times and the summary document downloaded 12 times.

The community comment responses have not required any changes to be made to the draft GSCC Seasonal Pools Review and Strategy. The responses are as follows:

Number	Response	Council Response
1	Very good overview of pool strategy. Being from Merrigum I am happy that the figures for the pool are not all bad. Having said that, there is room for improvement and look forward to discussing these options with your representative at our next Community meeting.	Officers will attend the Merrigum Town Planning Committee meeting on 16/05/16.
2	Water Slide & BBQs at Mooroopna pool --& stay open longer hours on hot nights.	This feedback is consistent with the direction of the strategy which identifies capital improvement to the pools in 'Stage 2'. The strategy recommends no changes to opening hours at any of the three pools unless the cost to Council remains the same. This can be achieved through options such as community members volunteering their time to offset staff costs. (Noting that operational policy is to remain open longer on hot nights when a large number of people are there).

## 7. COMMUNITY DIRECTORATE

### **7.1 Greater Shepparton City Council Seasonal Pools Review and Strategy (continued)**

Number	Response	Council Response
Other	A 'Letter to the Editor' was submitted by Bill McCarthy on May 4 which supported the retention of pools in Greater Shepparton. Bill suggested that 'cost per visit' does not seem to be the right criteria to tackle the problem.	The strategy recommendations are in line with Bill's support for the retention of the pools. 'Cost per visit' is only one of five Key Performance Indicators that the strategy uses to measure the performance of each pool and provide a rating of the current situation.

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

The review and strategy document is strongly linked to the following goal and objective from the Council Plan 2013 – 2017:

#### Goal 1: Active and Engaged Communities

- Objective: 4. Provide sustainable community services to our community
  - Strategy: Monitor and appropriately support the provision of quality services within the municipality.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Negative perception from users/public	C	3	Mod	If communication is completed properly, the public will be aware of the positive reasons for producing the Review and Strategy and the recommendations within, which should alleviate concerns and ensure an understanding of the content.
Document not adopted by Executive/Council	C	2	High	It is expected that all levels of Council are supportive of project aiming to provide guidance and clear direction on the future provision of quality community facilities, and as such the strategy will be adopted either in its current form or with some level of modification.

#### **Policy Considerations**

This project does not conflict with any Council policies.

#### **Financial Implications**

Minor expenses were incurred to release the document for community comment.

## **7. COMMUNITY DIRECTORATE**

### **7.1 Greater Shepparton City Council Seasonal Pools Review and Strategy (continued)**

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

The release for community comment did not conflict with any legal or statutory requirements.

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

The release for community comment did not conflict with any environmental or sustainability requirements. Only limited copies of the complete document were printed for display at public locations.

#### **Social Implications**

The release for community comment did not have any significant social implications.

#### **Economic Impacts**

The release for community comment did not have any significant economic impacts.

#### **Consultation**

Extensive consultation was undertaken with our community and staff with over 1200 interactions. There was comprehensive promotion to try and make the public aware of the draft document and opportunity to make comment between April 22 and May 13, 2016.

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

#### **Strategic Links**

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

Topic: Community Life

Theme: Recreation and open space

Objective: To ensure that facilities, services and policies are accessible and inclusive, and appropriate to the sporting and recreation needs of the community.

Strategies:

- 1.2 Encourage parks and facilities to cater for a range of recreational and sporting activities.
- 1.8 Promote a healthy lifestyle and the use of recreation and sporting facilities.

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

Council Plan 2013-2017

Goal 1: Active and Engaged Communities

- Objective 4: Provide sustainable community services to our community.
  - Strategy: Monitor and appropriately support the provision of quality services within the municipality.

#### **Conclusion**

The draft GSCC Seasonal Pools Review and Strategy was well promoted and received significant exposure to the community requesting feedback. The number of responses received was very low and did not require any changes to be made to the document. Officers have submitted the final GSCC Seasonal Pools Review and Strategy to the Executive Leadership Team for endorsement and now present the report to Council for adoption.

#### **Attachments**

- |  |          |
|--|----------|
| 1. Seasonal Pools Review and Strategy                    | Page 168 |
| 2. Seasonal Pools Review and Strategy - Summary Document | Page 349 |

## 7. COMMUNITY DIRECTORATE

### 7.2 Small Town Youth Recreation Spaces Strategy

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

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

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

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

**Author: Community Development Coordinator**

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

**Approved by: Director Community**

#### **Executive Summary**

The provision of youth recreation facilities has been increasingly identified as a priority within many of our small town Community Plans. Council is committed to working in partnership with community members to implement the Community Planning program. To respond to the identified priorities of youth recreation, a collective approach has been undertaken to address youth recreation needs in small towns going forward. The development of the *Small Town Youth Recreation Spaces Strategy* provides a strategic approach to youth recreation spaces across the small towns of Greater Shepparton.

To inform the development of the strategy, extensive consultation has occurred with young people from small towns, with a variety of engagement methods utilised to seek feedback directly from young people. The engagement process has included discussions with the Ramp it Up Committee and a number of internal stakeholders. Local demographics, forecast statistics and emerging youth recreation trends data have also contributed to the development of this strategy.

The *Small Town Youth Recreation Spaces Strategy* recommends the use and implementation of bus SPOTs for the small towns. These spaces follow four key principles including social (areas to hang out, sheltered, safe), playful (to play and participate), open (visible, safe, accessible) and township (central, close to shops, relevant).

The SPOT approach is based upon activity and function. Primarily they are focused on a social area. But there are four modules in total – social, play, active and skate. A SPOT scale of small, medium and large has been identified and applied to each small town. The recommendation for the implementation of the SPOTs is based on a staged approach with funding being sought through a range of community, government and philanthropic sources.

At the Council Meeting in March 2016, the draft strategy was endorsed for public release and the strategy was open for feedback for a six week period. During this time, additional feedback was provided by young people and community members across small towns, two school class groups as well as additional feedback from the Ramp it Up Committee. Overall stakeholders responded positively to the draft strategy and the feedback received indicated that the model was reflective of needs of young people in small towns.



## 7. COMMUNITY DIRECTORATE

### 7.2 Small Town Youth Recreation Spaces Strategy (continued)

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

That the Council adopt the Greater Shepparton Small Towns Youth Recreation Spaces Strategy.

**CARRIED.**

#### **Background**

The provision of youth recreation facilities is increasingly being identified as a priority in many of our small town Community Plans. The development of a Youth Recreation Spaces strategy provides a strategic framework for identifying need and determining the type of opportunity that best services youth recreation needs in each of the small towns within Greater Shepparton. An overriding focus of the strategy was to ensure that the outcomes of this project provided an accessible, inclusive and relevant space for young people in small towns, in line with current world's best practice and also be realistic for expectations / outcomes.

A consultant organisation with extensive experience in play, recreation and designing youth inclusive places was sought through a request for quote process. The successful contractor, Playce, were appointed to work with Council Officers and community stakeholders on the development of the Small Town Youth Recreation Spaces Strategy.

One of the key stakeholders for the development of the Small Town Youth Recreation Spaces Strategy is the Ramp it Up Committee. This Committee was established in 2014 by Council in partnership with representatives of small towns where youth recreation spaces have been identified as a priority within their Community Plans. Since their formation, this Committee have worked collectively on planning (surveys with young people, audits of current spaces) and commenced fundraising for youth recreation facilities. This Committee have supported the consultation process with their respective small towns and provided input into the development of the draft plan.

Between November 2015 and January 2016, Playce and Council Officers undertook community consultation with young people from small towns. Over 201 young people from small towns provided input and 336 from the municipality in total. These young people were aged between 5 and 17 years old with 48% male and 52% female. The consultation methods included:

- Local Secondary School sessions (six sessions)
  - Engagement with class groups from five secondary colleges and a specialised education setting within Greater Shepparton.
- School Bus Consultations (six bus trips)
  - Playce and Council Officers travelled with young people on the school bus between school and their town. This was an effective way to seek input from young people on youth recreation opportunities.
- Pool Party events (two pool parties)
  - Officers met with young people at the rural pools during Pool Party events.
- Ramp it Up (three meetings)
  - Ramp it Up have been consulted on several occasions throughout the development of the Youth Recreation Spaces strategy.

## 7. COMMUNITY DIRECTORATE

### **7.2 Small Town Youth Recreation Spaces Strategy (continued)**

The consultation was targeted to students from small towns attending local secondary colleges and was inclusive with young people from a range of ages, gender and backgrounds. The detailed design phase will further explore diversity of young people in small towns with feedback incorporated into the overall design.

From the initial feedback the top five suggestions for youth recreation spaces were a place to hang out, playful elements, ball courts, social seating, fitness and climbing.

An internal Working Group was established to assist the formation of the strategy with representatives from Active Living, Recreation and Parks, Youth and Children's, Strategic Planning and Neighbourhoods contributing to the development of the strategy. Throughout the draft consultation period, further consultation has occurred with internal departments including the Projects Department to further inform the implementation of the strategy.

The *Small Town Youth Recreation Spaces Strategy* recommends the use and implementation of bus SPOTs for the small towns that are highly visible, accessible and close to shops and food as applicable. The bus SPOTs is an acronym made up of four key principles that are critical for these spaces:

- Social (areas to hang out, sheltered – built or natural, safe)
- Playful (to play / participate in recreation, art, music)
- Open (visible, safe and accessible)
- Township (central, close to shops, relevant)
- Space

The SPOT approach is based upon activity and function with a primary focus on the provision of a social area. The four options for modules include:

- Social (social seating area with various seating configurations, shelter – built or natural, place to study. Possible area for power and wifi. Panels could include space for youth art)
- Play (play area with active social elements which may include parkour bars, mounding, swings or trampolines)
- Active (hardstand area for ball sports and spill out space for events / classes)
- Skate (linear skate area with obstacles, ledges, rails, kickers).

Each module combines together to suit what each small town wants based on the community engagement process. The strategy provides some visualisations, but detailed design will occur once funding has been obtained.

A SPOT scale of small, medium and large has been identified and applied to each small town based on location, forecast population, engagement with communities and working group discussions.

The recommendation for the implementation of the SPOTs is based on a staged approach with funding being sought through a range of community, government and philanthropic sources.

At the Council Meeting in March 2016, the draft strategy was endorsed for public release and the strategy was open for feedback for a six week period. A town specific summary sheet of the draft strategy was made available in each of the small towns at the local General Stores, via the school newsletters and copies were distributed on the school buses where the original consultation occurred.

## 7. COMMUNITY DIRECTORATE

### 7.2 Small Town Youth Recreation Spaces Strategy (continued)

The strategy was also available on Council's website and promoted across social media. Over 50 young people and community members from small towns provided feedback. Students from two primary schools provided feedback on the strategy, with one schools class group sending in submissions of what they would like to see in the SPOT in their town. Some of the comments include Wi-Fi, power points, in ground trampolines, shade, ping pong tables etc. The other class group wanted to see equipment for big kids like rock climbing etc. The detailed design phase will incorporate these more specific ideas. Other feedback received was regarding the proposed location of the SPOT's. Some agreed with the proposed locations as they aligned with where young people currently hang out, whereas others proposed alternate locations.

Following these recommendations, Tatura's SPOT will be moved from Stuart Mock Place to Mactier Park. Overall the feedback received indicated that the model was reflective of needs of young people in small towns.

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

The *Small Town Youth Recreation Spaces Strategy* is intrinsically linked to the Council Plan 2013 – 2017, in particular the following objectives.

Goal 1 – Active and Engaged Communities (Social)

Continue to enhance community capacity building.

#### **Risk Management**

Consideration has been given to risk management issues during the development of the *Small Town Youth Recreation Spaces Strategy*. Any risks identified have been addressed through the action planning process.

#### **Policy Considerations**

The *Small Town Youth Recreation Spaces Strategy* will support existing Council policies.

#### **Financial Implications**

Indicative costing's prepared for the *Small Town Youth Recreation Spaces Strategy* indicate that each 'stage' will be \$25,000. The strategy is set within the Council context of existing financial constraints. The implementation recommends a staged approach with a variety of funding options being explored including government funding, philanthropic trusts and community fundraising. A funding submission has been made to Council's capital budget over the next four years; 16/17 - \$50,000, 17/18 - \$100,000, 18/19 - \$50,000 and 19/20 - \$100,000. Costs of implementing the strategy will be reviewed as part of the annual budgetary processes.

	Approved Budget Estimate for this proposal <sup>1</sup> \$	This Proposal GST Exclusive \$	Variance to Approved Budget Estimate \$	This Proposal GST Inclusive <sup>2</sup> \$
Revenue	0	0	0	0
Expense	\$23,900	16/17 - \$50,000 17/18 - \$100,000 18/19 - \$50,000 19/20 - \$100,000 (Submission to Council's budget process)	0	16/17 - \$55,000 17/18 - \$110,000 18/19 - \$55,000 19/20 - \$110,000 (Submission to Council's budget process)

## 7. COMMUNITY DIRECTORATE

### **7.2 Small Town Youth Recreation Spaces Strategy (continued)**

<sup>1</sup> Budgets are GST exclusive

<sup>2</sup> For Contract Award reports the GST inclusive expense shall match the amount reported in the recommendation

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

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

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

There are no environmental impact related to this strategy.

#### **Social Implications**

The *Small Town Youth Recreation Spaces Strategy* has been developed in consultation with young people across small towns in Greater Shepparton. The strategy demonstrates many social and recreational benefits for young people and the broader community.

#### **Economic Impacts**

The *Small Town Youth Recreation Spaces Strategy* has been developed in consultation with young people across small towns in Greater Shepparton. The strategy demonstrates many social and recreational benefits for young people and the broader community.

#### **Consultation**

The *Small Town Youth Recreation Spaces Strategy* has been developed through extensive consultation with young people from small towns and the Ramp it Up Committee.

A number of mechanisms were used to engage and consult with young people. These included:

- Secondary school groups
- School bus consultations
- Pool party.

Ongoing discussions Ramp it Up Committee have continued throughout the development of the strategy.

An internal Working Group was established to assist the formation of the strategy. Representatives from Active Living, Recreation and Parks, Youth and Children's, Strategic Planning and Neighbourhoods have contributed to the development of the strategy. Further discussion has also been held with the Projects Department regarding the implementation of the strategy.

The draft strategy was released for public feedback for six weeks, with the following consultation methods undertaken:

- Town specific summary sheets
- Summary sheets were located in General Stores and were distributed through local community and school newsletters. These summary sheets were also distributed on the school buses where the original consultation occurred.
- Online
- The strategy and summary sheets were available on Council's website and promoted via social media.

## 7. COMMUNITY DIRECTORATE

### 7.2 Small Town Youth Recreation Spaces Strategy (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keeping the community informed	Flyers Town specific summary sheets Online – website and social media
Consult	Capture community input	School workshop School bus consultation Pool party consultation
Involve	Feedback in an important input into decision making	Ongoing meetings with Ramp it Up Committee
Collaborate	Feedback will be incorporated into decisions to the maximum level possible	Ongoing meetings with Ramp it Up Committee

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Direction 2 – Community Life

##### b) Other strategic links

Greater Shepparton City Council – Community Development Framework

Greater Shepparton City Council – Community Engagement Strategy

Community Plans

#### **Conclusion**

The *Small Town Youth Recreation Spaces Strategy* has been developed in response to youth recreation facilities increasingly being identified as a priority within small town Community Plans. This strategy has been developed with significant input from young people from small towns, the Ramp it Up Committee and internal departments. The detailed design phase will further explore diversity of young people in small towns with feedback incorporated into the overall design. This document provides a strategic direction for the implementation of youth recreation spaces in our municipality.

#### **Attachments**

Small Town Youth Recreation Spaces Strategy - FINAL Page 359

## 8. CORPORATE SERVICES DIRECTORATE

### 8.1 May 2016 Monthly Financial Report

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

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

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

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

**Author: Team Leader Corporate Accounting**

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

**Approved by: Director Corporate Services**

#### **Executive Summary**

The report presents Council's actual financial performance compared to the budget for the 11 months ended 31 May 2016.

**Moved by Cr Patterson**

**Seconded by Cr Oroszvary**

That the Council receive and note the May 2016 Monthly Financial Report.

**CARRIED.**

#### **Background**

The 2015/2016 Budget was adopted at a Special Council Meeting on 23 June 2015. The 2015/2016 Budget provided for an accounting surplus of \$9.11 million with revenue of \$125.15 million and expenditure of \$116.04 million. The 2015/2016 Budget also provided for capital works of \$40.10 million.

On 17 November 2015, Council adopted the 2015/2016 September Quarter Budget Review with an accounting surplus of \$1.41 million which is \$7.71 million less than the 2015/2016 Adopted Budget largely due to the early receipt of half of the 2015/2016 Federal Financial Assistance Grants in 2014/2015. The capital works program remained at the Adopted Budget amount of \$40.1 million.

On 16 February 2016, Council adopted the 2015/2016 Mid Year Budget Review with revenue of \$122.92 million, expenditure of \$119.11 million and an accounting surplus of \$3.81 million. The forecast increase in accounting surplus of \$2.40 million was mainly due to \$1.3 million increase in grants for the Roads to Recovery program. The 2015/2016 Mid Year Budget Review also included \$44.15 million in capital works, a forecast increase of \$4.05 million mainly due to \$2.09 million of re-budget works, which were moved from 2014/2015 to 2015/2016.

On 19 April 2016, Council adopted the 2015/2016 March Quarter Budget Review with revenue of \$122.02 million, expenditure of \$119.98 million and an operating surplus of \$2.04 million. The forecast decrease in operating surplus of \$1.77 million was largely due to an increase in materials and services of \$1.59 million, which includes an increase of \$0.76 million in external labour and \$0.42 million in the Waste area. This increase has been partly offset by a decrease in employee costs of \$0.71 million. Additionally there has been a \$1.00 million decrease in non-monetary contributions.

## **8. CORPORATE SERVICES DIRECTORATE**

### **8.1 May 2016 Monthly Financial Report (continued)**

The 2015/2016 March Quarter Budget Review also provided for \$41.26 million in capital works, a forecast decrease of \$2.88 million, mainly due to transfers to restricted investments of \$2.07 million to be considered for re-budget in 2016/2017.

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

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

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

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

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

#### **Risk Management**

No risks have been identified in providing this financial report.

#### **Policy Considerations**

There are no conflicts with existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal.

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

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

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

No Environmental or Sustainability impacts have been identified.

#### **Social Implications**

No Social implications have been identified.

#### **Economic Impacts**

No Economic impacts have been identified.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.1 May 2016 Monthly Financial Report (continued)**

#### **Consultation**

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

#### **Conclusion**

The report provides details of Council's financial performance compared to the budget for the 11 months ended 31 May 2016.

#### **Attachments**

May 2016 Monthly Financial Statements Page 405



## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 2016/2017 Budget

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

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

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

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

**Author:** Team Leader Corporate Accounting

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

**Approved by:** Director Corporate Services

#### **Executive Summary**

The report presents the 2016/2017 Budget for Adoption.

The Draft 2016/2017 Budget was endorsed by Council on 19 April 2016. Public notice was given on 22 April 2016 and submissions invited. The submission period ended on 20 May 2016 and fifty-three submissions were received. Seventeen of the written submitters elected to be heard at a Special Council Meeting on 7 June 2016 and one submitter formally requested to withdraw their submission.

The 2016/2017 Budget proposes a 2.5 per cent increase in rates revenue and 4.5 per cent in kerbside collection charges which will generate \$70.84 million, excluding supplementary valuations. The proposed rating structure for 2016/2017 has been informed by the Rating Strategy 2013-2017 which takes into account the recommendations of the Rating Strategy Reference Group and community input.

**Cr Adem provided an introductory statement on the budget.**

#### **RECOMMENDATION**

That the Council, having publicly advertised the preparation of the 2016/2017 Budget and considered the submissions, adopt the 2016/2017 Budget as presented including;

a.) in accordance with section 158 and section 223 of the *Local Government Act 1989* declare the following rates and charges for the 2016/2017 financial year:

##### **1. Amount intended to be raised**

An amount of \$70,842,993 excluding GST (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount which the Council intends to raise by general rates, the municipal charge, annual service charges and the cultural and recreational rate later described in this resolution, which amount is calculated as follows:

• General Rates	\$54,211,071
• Municipal Charges	\$7,579,904
• Annual Services Charges	\$9,052,018
• Cultural and Recreational Rate	\$51,970

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 2016/2017 Budget (continued)

#### 2. General rates

- 2.1. A general rate be declared in respect of the 2016/2017 rating year, being the period 1 July 2016 to 30 June 2017.
- 2.2. In accordance with section 161 of the Local Government Act 1989, declare that the general rate be raised by the application of differential rates.
- 2.3. A differential rate be respectively declared for rateable land having the respective characteristics specified in Section 7 of the budget document.
- 2.4. It be confirmed that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.
- 2.5. Each differential rate will be determined by multiplying the Capital Improved Value of each rateable land (categorised by the characteristics described in Section 7 of the budget document) by the relevant rate in dollar indicated as follows:

<u>Category</u>	<u>Rate in the \$</u>
• Residential Unimproved Land	0.00498716
• Residential Improved Land	0.00498716
• Farm Land	0.00448845
• Rural Residential Land	0.00498716
• Commercial Unimproved Land	0.00997433
• Commercial Improved 1 Land	0.01082214
• Commercial Improved 2 Land	0.00997433
• Industrial Unimproved Land	0.00997433
• Industrial Improved 1 Land	0.01017381
• Industrial Improved 2 Land	0.00997433

#### 3. Cultural and recreational rates

- 3.1. In accordance with section 4(4) of the *Cultural and Recreational Lands Act 1963*, the amount in lieu of rates payable in respect of each rateable land to which that Act applied be determined by multiplying the Capital Improved Value of that rateable land by 0.00364013 where the rateable land has the following characteristics:

Rateable outdoor recreational lands developed primarily for regional use as evidenced by paid administrative support and/or commercial business dealings in the operation or management of same.

Such rateable land as described below:

#### Property Location

71 Gowrie Street TATURA  
 160-200 Ross Street TATURA  
 7580 Goulburn Valley Highway KIALLA  
 2 Fairway Drive MOOROOPNA  
 15 Golf Drive SHEPPARTON  
 55 Rudd Road SHEPPARTON  
 7582 Goulburn Valley Highway KIALLA

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 2016/2017 Budget (continued)

#### **4. Municipal Charge**

4.1. In accordance with section 159 of the *Local Government Act 1989*, declare a municipal charge for 2016/2017 for the purposes of covering some of the administrative costs of Council.

4.1.1. The municipal charge be \$256.00 for each rateable land (or part) within the municipal district in respect of which a municipal charge may be levied.

#### **5. Annual Service Charge**

5.1. In accordance with section 162 of the *Local Government Act 1989*, declare an annual service charge for 2016/2017 for the dual service of kerbside collection and disposal of refuse along with kerbside collection of recyclables.

5.1.1 The service charge be the sum of, and based on the criteria specified as follows:

5.1.1.1 Collection and disposal of contents of 80 litre refuse bin and either a 120 litre or 240 litre recyclable bin - \$176.00\*\* per service.

5.1.1.2 Collection and disposal of contents of 120 litre refuse bin and either a 120 litre or 240 litre recyclable bin - \$234.00\*\* per service.

5.1.1.3 Collection and disposal of contents of 240 litre refuse bin and either a 120 litre or 240 litre recyclable bin - \$390.00\*\* per service.

for each land (or part), other than land on which no building is erected, in respect of which an annual service charge may be levied.

5.2. In accordance with section 162 of the *Local Government Act 1989*, declare an annual service charge for 2016/2017 for the kerbside collection of recyclables only.

5.2.1 The service charge be the sum of, and based on the criteria specified as follows:

5.2.1.1 Collection and disposal of contents of either a 120 litre or 240 litre recyclable only bin - \$81.00\*\* per service

for each land (or part), other than land on which no building is erected, in respect of which an annual recyclable only service is requested and provided.

5.3. In accordance with section 162 of the *Local Government Act 1989*, declare an annual service charge for 2016/2017 for the kerbside collection of green organic waste.

5.3.1 The service charge be the sum of, and based on the criteria specified as follows:

5.3.1.1 Collection and disposal of contents of either a 120 litre or 240 litre green organics bin - \$81.00\*\* per service

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 2016/2017 Budget (continued)

for each land (or part), other than land on which no building is erected, in respect of which an annual service charge may be levied.

[\*\*Note: These charges do not include GST which applies to all service charges that are levied against non-residential and non-rural properties.]

#### **6. Setting of interest rate on unpaid rates and charges**

That in accordance with section 172 of the *Local Government Act 1989*, the Council charge interest for rates and charges which have not been paid by the lump sum payment date or instalment dates, as specified under section 167 of the *Local Government Act 1989*.

#### **7. Payment of rates and charges**

That in accordance with section 167 of the *Local Government Act 1989*, the Council declare that a person can pay a rate or charge (other than a special rate or charge) by:

7.1. Four (4) instalments which are due and payable on the dates fixed by the Minister by notice published in the *Government Gazette*; or

7.2 A lump sum payment due and payable on the date fixed by the Minister by notice published in the *Government Gazette*; or

7.3 Ten (10) instalments which are due and payable in the ten month period that commences September and ends in June.

#### **8. Consequential**

8.1 That the Chief Executive Officer be authorised to levy and recover the general rates, municipal charge and service charges in accordance with the *Local Government Act 1989*.

- b.) Authorise borrowings of \$4.064 million during the 2016/2017 financial year for the Greater Shepparton Regional Sports Precinct;
- c.) Authorise borrowings of \$1.0 million during the 2016/2017 financial year for the New Shepparton Art Museum; and
- d.) Authorise the Chief Executive Officer to give notice of the adoption of the Budget in accordance with section 130 of the *Local Government Act 1989*.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 2016/2017 Budget (continued)

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

That the Council having publicly advertised the preparation of the 2016/2017 Budget and considered the submissions amend the 2016/2017 Capital Works Program to include \$30,000 for disability access at Deakin Reserve and \$25,000 for a shelter structure at the Victoria Park Lake and amend the Operating Budget to include \$25,000 for the development of the Princess Park Master Plan and adopt the 2016/2017 Budget as presented including;

a.) in accordance with section 158 and section 223 of the *Local Government Act 1989* declare the following rates and charges for the 2016/2017 financial year:

#### **1. Amount intended to be raised**

An amount of \$70,842,993 excluding GST (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount which the Council intends to raise by general rates, the municipal charge, annual service charges and the cultural and recreational rate later described in this resolution, which amount is calculated as follows:

• General Rates	\$54,211,071
• Municipal Charges	\$7,579,904
• Annual Services Charges	\$9,052,018
• Cultural and Recreational Rate	\$51,970

#### **2. General rates**

2.1. A general rate be declared in respect of the 2016/2017 rating year, being the period 1 July 2016 to 30 June 2017.

2.2. In accordance with section 161 of the Local Government Act 1989, declare that the general rate be raised by the application of differential rates.

2.3. A differential rate be respectively declared for rateable land having the respective characteristics specified in Section 7 of the budget document.

2.4. It be confirmed that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.

2.5. Each differential rate will be determined by multiplying the Capital Improved Value of each rateable land (categorised by the characteristics described in Section 7 of the budget document) by the relevant rate in dollar indicated as follows:

<b><u>Category</u></b>	<b><u>Rate in the \$</u></b>
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• Residential Improved Land	0.00498716
• Farm Land	0.00448845
• Rural Residential Land	0.00498716
• Commercial Unimproved Land	0.00997433
• Commercial Improved 1 Land	0.01082214
• Commercial Improved 2 Land	0.00997433
• Industrial Unimproved Land	0.00997433

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 2016/2017 Budget (continued)

- Industrial Improved 1 Land 0.01017381
- Industrial Improved 2 Land 0.00997433

#### **3. Cultural and recreational rates**

3.1. In accordance with section 4(4) of the *Cultural and Recreational Lands Act 1963*, the amount in lieu of rates payable in respect of each rateable land to which that Act applied be determined by multiplying the Capital Improved Value of that rateable land by 0.00364013 where the rateable land has the following characteristics:

Rateable outdoor recreational lands developed primarily for regional use as evidenced by paid administrative support and/or commercial business dealings in the operation or management of same.

Such rateable land as described below:

#### **Property Location**

71 Gowrie Street TATURA  
 160-200 Ross Street TATURA  
 7580 Goulburn Valley Highway KIALLA  
 2 Fairway Drive MOOROPNA  
 15 Golf Drive SHEPPARTON  
 55 Rudd Road SHEPPARTON  
 7582 Goulburn Valley Highway KIALLA

#### **4. Municipal Charge**

4.1. In accordance with section 159 of the *Local Government Act 1989*, declare a municipal charge for 2016/2017 for the purposes of covering some of the administrative costs of Council.

4.1.1. The municipal charge be \$256.00 for each rateable land (or part) within the municipal district in respect of which a municipal charge may be levied.

#### **5. Annual Service Charge**

5.1. In accordance with section 162 of the *Local Government Act 1989*, declare an annual service charge for 2016/2017 for the dual service of kerbside collection and disposal of refuse along with kerbside collection of recyclables.

5.1.1 The service charge be the sum of, and based on the criteria specified as follows:

5.1.1.1 Collection and disposal of contents of 80 litre refuse bin and either a 120 litre or 240 litre recyclable bin - \$176.00\*\* per service.

5.1.1.2 Collection and disposal of contents of 120 litre refuse bin and either a 120 litre or 240 litre recyclable bin - \$234.00\*\* per service.

5.1.1.3 Collection and disposal of contents of 240 litre refuse bin and either a 120 litre or 240 litre recyclable bin - \$390.00\*\* per service.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 2016/2017 Budget (continued)

for each land (or part), other than land on which no building is erected, in respect of which an annual service charge may be levied.

5.2. In accordance with section 162 of the *Local Government Act 1989*, declare an annual service charge for 2016/2017 for the kerbside collection of recyclables only.

5.2.1 The service charge be the sum of, and based on the criteria specified as follows:

5.2.1.1 Collection and disposal of contents of either a 120 litre or 240 litre recyclable only bin - \$81.00\*\* per service

for each land (or part), other than land on which no building is erected, in respect of which an annual recyclable only service is requested and provided.

5.3. In accordance with section 162 of the *Local Government Act 1989*, declare an annual service charge for 2016/2017 for the kerbside collection of green organic waste.

5.3.1 The service charge be the sum of, and based on the criteria specified as follows:

5.3.1.1 Collection and disposal of contents of either a 120 litre or 240 litre green organics bin - \$81.00\*\* per service

for each land (or part), other than land on which no building is erected, in respect of which an annual service charge may be levied.

[\*\*Note: These charges do not include GST which applies to all service charges that are levied against non-residential and non-rural properties.]

### **6. Setting of interest rate on unpaid rates and charges**

That in accordance with section 172 of the *Local Government Act 1989*, the Council charge interest for rates and charges which have not been paid by the lump sum payment date or instalment dates, as specified under section 167 of the *Local Government Act 1989*.

### **7. Payment of rates and charges**

That in accordance with section 167 of the *Local Government Act 1989*, the Council declare that a person can pay a rate or charge (other than a special rate or charge) by:

7.1. Four (4) instalments which are due and payable on the dates fixed by the Minister by notice published in the *Government Gazette*; or

7.2 A lump sum payment due and payable on the date fixed by the Minister by notice published in the *Government Gazette*; or

7.3 Ten (10) instalments which are due and payable in the ten month period that commences September and ends in June.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 2016/2017 Budget (continued)

#### **8. Consequential**

- 8.1 That the Chief Executive Officer be authorised to levy and recover the general rates, municipal charge and service charges in accordance with the *Local Government Act 1989*.
- b.) Authorise borrowings of \$4.064 million during the 2016/2017 financial year for the Greater Shepparton Regional Sports Precinct;
- c.) Authorise borrowings of \$1.0 million during the 2016/2017 financial year for the New Shepparton Art Museum; and
- d.) Authorise the Chief Executive Officer to give notice of the adoption of the Budget in accordance with section 130 of the Local Government Act 1989.

Cr Ryan was granted an extension of time to speak to the motion.

The motion was put and carried.

#### **Background**

The 2016/2017 Budget has been prepared in accordance with the requirements of the *Local Government Act 1989*.

Council has updated its Strategic Resource Plan as part of its corporate planning framework to assist in preparing a budget within a longer term framework. The 2016/2017 Budget reflects year one of the updated Strategic Resource Plan and takes into account the activities and initiatives which contribute to achieving the strategic objectives specified in the Council Plan.

The Strategic Resource Plan highlights the significance of rates and charges as a source of revenue and guides Council on the amount required to be raised to maintain services, renew existing assets and invest in new and upgraded assets.

#### **2015/2016 Forecast/Actual**

The 2016/2017 Budget provides comparisons with the 2015/2016 financial year forecast. Due to timings the Mid Year Budget Review forecast, adopted 16 February 2016, was used for the Draft 2016/2017 Budget document displayed for public submission.

The March Quarter Budget Review forecast was adopted at the April 2016 Ordinary Council Meeting. The final 2016/2017 Budget Document submitted to Council for adoption in June has been updated with the March Quarter forecasts as the 2015/2016 Forecast/Actual comparative figure post the public submission process.



## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 2016/2017 Budget (continued)

#### **2016/2017 Budget**

The 2016/2017 Budget proposes a 2.5 per cent increase in rates revenue and 4.5 per cent in kerbside collection charges which will generate \$70.84 million excluding supplementary valuations.

The proposed rating structure for the 2016/2017 year has been informed by the Rating Strategy 2013-2017 which took into account the recommendations of the Rating Strategy Reference Group and subsequent public comment received regarding what is an equitable distribution of the rates burden between categories of ratepayers. Refer to Section 7 of the budget.

The 2016/2017 Budget provides for an Operating surplus of \$13.6 million. Refer to Section 3 of the budget.

The 2016/2017 Schedule of Fees and Charges is included as Appendix A. It is budgeted that the adopted fees and charges will raise \$23.58 million during the 2016/2017 financial year.

To improve the understanding of the range and cost of the functions performed by Council the 2016/2017 Budget incorporates a Program Budget which details purpose, influences, challenges, Council Plan links and service reduction/growth areas for each Council function. This is included in the 2016/2017 Budget as Appendix C.

The 2016/2017 Budget provides for a \$45.09 million capital works program. Incorporated in the capital works program is \$24.8 million for renewal works and \$16.2 million for new works. Refer to Section 6.

Funding sources for the capital works program include \$31.72 million from Council operations, cash reserves and investments and \$8.31 million from external grants and cash contributions. \$5.064 million in borrowings is proposed in the 2016/2017 Budget to fund Council's contribution to the Greater Shepparton Regional Sports Precinct project (\$4.064 million) and the new Shepparton Art Museum (\$1.0 million).

#### **2016 General Revaluation**

Independent property rating valuations as at 1 January 2016, to be used for the 2016/2017 rating year, were certified by the Valuer-General Victoria on 8 June 2016.

As a result the valuations used for the Draft 2016/2017 Budget, made available for public submission, were valued at the common date of 1 January 2014. This was done to allow time for the 28 day public submission process (as per Section 223 of the *Local Government Act 1989*) and meet the statutory timeframe of budget adoption before 30 June.

Council has now updated the estimated total value of each type or class of land in sections 7 and 15 and has disclosed all changes in *Appendix D: Amendments to the 2016/2017 Budget* for final adoption.

#### **2016/2017 Budget Influences**

In preparing the 2016/2017 Budget, a number of internal and external influences have been taken into consideration, as they impact significantly on the services delivered by the Council in the budget period.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.2 2016/2017 Budget (continued)**

For example, the Victorian State Government has introduced a cap of rate increase from 2016/2017. The cap for 2016/2017 has been set at 2.5 per cent which is also the state-wide Consumer Price Index (CPI) forecast increase for the year. Council's previous Strategic Resource Plan had projected a 4.95 per cent increase in rates and charges for 2016/2017.

Council also faces pressure from stagnating or reduced government funding, such as the decision by the Federal Government to pause indexation to the Federal Financial Assistance Grant programme for three years from 2014/2015 to 2016/2017, costing Council approximately \$340,000 per annum in lost revenue, as well as increasing levels of cost shifting from State and Federal governments onto Local Government.

Internally the budget has been influenced by a number of areas including a focus on greater cost recovery through Council's user fee income, such as transfer stations and the Cosgrove landfill, lower interest rates impacting Council's income from investments and an enterprise award increase of 3.05 per cent being greater than the rate cap of 2.5 per cent.

#### **Public Submissions**

The Draft 2016/2017 Budget was endorsed by Council on 19 April 2016. Public notice was given on 22 April 2016 and submissions invited. The submission period ended on 20 May 2016 and fifty-three submissions were received. Seventeen of the written submitters elected to be heard at a Special Council Meeting on 7 June 2016 and one submitter formally requested to withdraw their submission.

The submissions ranged in content however generally contained the following themes:

- Support for the funding of the Botanic Gardens (31 submissions);
- Objection to the funding and use of borrowings for the new Shepparton Art Museum (4 submissions);
- Feedback and questions on the Maude Street Mall activation (2 submissions);
- Request for a hard rubbish collection service (2 submissions);
- Home and Community Care assistance (1 submission);
- Disabled access and amenities at Deakin Reserve (1 submission); and
- Measuring Council's service performance (1 submission).

#### **Amendments**

Appendix D of the 2016/2017 Budget summarises and discloses all amendments made for final adoption since the draft was endorsed by Council in April for Public Submission.

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

The 2016/2017 Budget is consistent with the five strategic goals of the Council Plan which include:

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

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 2016/2017 Budget (continued)

The 2016/2017 Budget also includes a number of Service Performance Outcome indicators and Financial Performance indicators as required by the *Local Government (Planning and Reporting) Regulations 2014 No. 17*. The final outcomes of these indicators will be reported in the 2016/2017 audited annual report.

#### **Risk Management**

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

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to comply with the Local Government Act 1989	Unlikely	1	High	Recommendations for Council to authorise the provision of public notice for the adoption of 2016/2017 Budget before 30 June 2016.
Operating surplus not achieved	Possible	3	Medium	Monthly financial performance and Quarterly Budget Reviews reported to Council
Capital works budget not delivered within the financial year	Possible	3	Medium	Full implementation of an integrated Project Management System including project governance arrangements

#### **Policy Considerations**

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

#### **Financial Implications**

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

	2015/2016 Forecast ('000s)	2016/2017 Budget ('000s)	Variance \$ ('000s)	Comments
Revenue	122,336	130,311	7,975	Increase in general rates and charges (2.5%) and operating grants
Expense	120,297	116,715	(3,582)	Savings from materials and services and depreciation
Net Total	2,039	13,595	11,556	

## 8. CORPORATE SERVICES DIRECTORATE

### **8.2 2016/2017 Budget (continued)**

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

The 2016/2017 Budget has been prepared in accordance with the requirements of the *Local Government Act 1989 (the Act)* and the *Local Government (Planning and Reporting) Regulations 2014 No.17*.

Section 127 of the Act provides for the preparation of the budget along with Sections 158 and 161 which covers the requirements for declaring the rates and charges.

The budget was made available for public submission as per Section 129 and 223 of the Act.

Upon adoption of the budget Council will give public notice of its decision as per Section 130 of the Act.

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

Environmental and sustainability impacts have been considered when developing the 2016/2017 Budget.

#### **Social Implications**

The 2016/2017 Budget provides resources for the implementation of various strategies, plans, works and the delivery of services required to achieve the objectives of the Council plan including an active and engaged community.

#### **Economic Impacts**

The boost from the Greater Shepparton City Council capital works program is important with \$45.09 million of infrastructure works proposed for the 2016/2017 financial year to encourage economic activity. A number of initiatives are also proposed in the Economic Development program area (refer Program Budget Appendix C) designed to encourage economic activity within the Greater Shepparton municipality.

#### **Consultation**

The 2016/2017 Budget has taken into account the goals and strategies of the Council Plan

Public notice was given in the Shepparton News on Friday 22 April 2016 that Council's Draft 2016/2017 Budget had been prepared and was available for inspection on Council's website, or at Council's offices in Welsford Street and Doyles Road and that written submissions were invited in accordance with Section 223 of the *Local Government Act 1989*. Submissions were to be received by 5.00pm Friday 20 May 2016.

The Council Website and newspaper advertisements were utilised to raise awareness of the Draft 2016/2017 Budget and encourage the community to seek further information.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.2 2016/2017 Budget (continued)**

#### **Strategic Links**

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

The 2016/2017 Budget is linked to the *Greater Shepparton 2030 Strategy* via the Council Plan 2013-2017.

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

The 2016/2017 Budget is linked to the Council Plan by the funding of the Strategic Objectives contained in the Council Plan.

#### **Conclusion**

The 2016/207 Budget is presented for adoption.

#### **Attachments**

2016/2017 Budget

## 8. CORPORATE SERVICES DIRECTORATE

### **8.3 2016/17 to 2019/20 Strategic Resource Plan and Long Term Financial Plan**

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

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

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

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

**Author: Team Leader Corporate Accounting**

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

**Approved by: Director Corporate Services**

#### **Executive Summary**

The report presents to Council the Strategic Resource Plan 2016/17 to 2019/20. This provides an update to the Strategic Resource Plan 2015/16 to 2018/19 adopted 23 June 2015.

The *Local Government Act 1989* requires the Council to adopt the Strategic Resource Plan not later than 30 June each year.

The 2015/16 March Quarter forecasts have been used as the base or year 0 of the strategic resource plan.

The draft 2016/17 budget is reflected as year 1 of the strategic resource plan.

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

That the Council adopt the updated Strategic Resource Plan 2016/2017 to 2019/2020.

**CARRIED.**

#### **Background**

On 23 June 2015 the Council adopted the updated Strategic Resource Plan (the SRP) 2015/16 to 2018/19. The SRP was prepared in accordance with section 126 of the *Local Government Act 1989*.

The purpose of the SRP is to:

- Establish a framework to manage the resources required to achieve the strategic objectives as expressed in the Council Plan;
- Provide an assessment of the resources required to achieve the strategic objectives of the Council Plan;
- Plan for the long-term financial sustainability of the Council;
- Establish a basis to measure Council's adherence to the principles of the Strategic Resource Plan; and
- Assist the Council to comply with sound financial management principles in accordance with the Act.

## **8. CORPORATE SERVICES DIRECTORATE**

### **8.3 2016/17 to 2019/20 Strategic Resource Plan and Long Term Financial Plan (continued)**

The SRP covers a number of key strategic areas and each chapter identifies strategic directions to be applied in the preparation of each annual Budget. It is a rolling plan that summarises the medium-term financial projections of Council. Medium-term planning is important for ensuring that Council remains financially sustainable into the future.

The SRP shows how the annual budget for the forthcoming year fits within the medium-term planning framework and demonstrates the linkage with the Council Plan strategic objectives and desired outcomes.

#### **2016/17 to 2019/20**

Included within the update to the SRP are planned borrowings of \$5.06 million over the next year to fund Council's contribution to the multi-year Greater Shepparton Regional Sports Precinct project and the new Shepparton Art Museum.

The proposed borrowings have been included in the Draft 2016/17 Budget which was made available for public submission from 22 April 2016 to 20 May 2016.

As resolved at the 19 May 2015 Ordinary Council Meeting, the SRP includes the proposed new Shepparton Art Museum (SAM) project. While further work is required to progress the project the estimated \$10 million borrowings, \$24.5 million in grants and contributions and the \$34.5 million in capital expenditure has been included from 2016/17 to 2019/20 financial years.

The chosen financial year allows the financial impact of the proposal to be visible but should not be taken as a commitment that pre-empts any Council resolution or confirmation of government grants or contributions necessary to progress the new SAM project.

Financial assumptions for key revenue and expenditure types have changed with the introduction of the Fair Go Rates System. As a result Council has utilised assumptions that will ensure revenues and expenditures gain efficiencies. Employee costs have been adjusted to reflect changes to future Superannuation Guarantee increases as well as the completion of Council's current Enterprise Bargaining Agreement which is due to expire in 2016/17.

Projected revenue increases from Rates and Charges has decreased to 2.5% excluding supplementary valuations.

Financial statements have also been included which covers the 2016/17 to 2019/20 period as well as a long term model for the period 2016/17 to 2025/26 (refer p40 of the attachment) with key indicators to show the forecast financial performance of Council over the medium to long term.

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

This report details the update of the Strategic Resource Plan in accordance with the *Local Government Act 1989*.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.3 2016/17 to 2019/20 Strategic Resource Plan and Long Term Financial Plan (continued)**

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to comply with the Local Government Act and the new Local Government (Planning and Reporting) Regulations 2014	E	1	High	Undertake full requirements of the Act.  Undertake annual review of SRP.

#### **Policy Considerations**

There are no policy considerations associated with this report. The adoption of the updated Strategic Resource Plan 2016/17 to 2019/20 does not conflict with any Council policy.

#### **Financial Implications**

The Strategic Resources Plan addresses the financial implications. Specific financial allocations against the achievement of identified objectives will be determined in the annual budgets developed by the Council during the life of the plan.

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

Section 126 of the *Local Government Act 1989* contains the requirements for Council on the Strategic Resource Plan.

Part 2 of the *Local Government (Planning and Reporting) Regulations 2014 No. 17* and Section 7 of the *Local Government Amendment (Performance Reporting and Accountability) Act 2014* provide further requirements.

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

Environmental and sustainability impacts have been considered when developing the Council Plan 2013 – 2017 strategic objectives. The Strategic Resource Plan is a plan of the resources required to achieve the strategic objectives.

#### **Social Implications**

The Strategic Resource Plan guides the development of the annual budget to provide resources for the implementation of various strategies, plans, works and the delivery of services required to achieve the objectives of the Council plan including an active and engaged community.

#### **Economic Impacts**

The Council Plan 2013 – 2017 consider the Economic Impacts. The Strategic Resource Plan details the planned resources required to deliver the relevant strategic objectives.

#### **Consultation**

The Council undertook a wide ranging community engagement program to encourage community input into the development of the Council Plan 2013 – 2017 incorporating the Strategic Resource Plan 2013/14 – 2022/23. Community members were also given the opportunity for further input through a formal submission process in 2013 prior to the final adoption of the plan.



## 8. CORPORATE SERVICES DIRECTORATE

### **8.3 2016/17 to 2019/20 Strategic Resource Plan and Long Term Financial Plan (continued)**

This report updates the adopted plan, to reflect the impact of estimated outcomes for 2015/16 and to include proposed borrowings as described in the Draft 2016/17 Budget.

#### **Strategic Links**

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

The Strategic Resource Plan 2016/17 – 2019/20 is linked to the *Greater Shepparton 2030 Strategy* via the Council Plan 2013-2017.

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

The Strategic Resource Plan 2016/17 – 2019/20 is linked to the Council Plan by the funding of the Strategic Objectives contained in the Council Plan.

#### **Conclusion**

That the Council adopt the updated Strategic Resource Plan 2016/17 to 2019/20.

#### **Attachments**

Nil

## 8. CORPORATE SERVICES DIRECTORATE

### 8.4 Contracts Advertised but Yet to be Awarded - May 2016

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

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

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

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

**Author: Contracts and Procurement Analyst**

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

**Approved by: Director Corporate Services**

#### **Executive Summary**

To inform the Council of the status of requests for tenders that have not yet been awarded.

**Moved by Cr Houlihan**

**Seconded by Cr Ryan**

That the Council notes contracts status of requests for tenders that have not yet been awarded during the period 1 May 2016 to 31 May 2016.

**CARRIED.**

#### **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		

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

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1431	Provision of Landfill Waste, Recyclables & Organics Transfer Services	Lump sum contract for the provision of waste, recyclables & Organics Transfer services	Tender closed 10 February 2016. A recommendation for this tender forms part of the June Ordinary Council meeting Agenda
1422	Horticultural Services	Lump Sum contract for the Horticulture Services	Tender closed 16 March 2016. A recommendation for this tender forms part of the June Ordinary Council meeting Agenda

## 8. CORPORATE SERVICES DIRECTORATE

### 8.4 Contracts Advertised but Yet to be Awarded - May 2016 (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1489	Provision of Irrigation Services, Irrigation Materials Supply and Irrigation Pumps and Repairs	Lump Sum contract for the Irrigation services, Material supply, Pumps & Equipment Repairs & Services	Tender closed 16 March 2016. A recommendation for this tender forms part of the June Ordinary Council meeting Agenda
1490	Horticulture and Arboriculture Materials Supply	Lump Sum contract for the Horticulture and Arboriculture Materials Supply	Tender closed 16 March 2016. A recommendation for this tender forms part of the June Ordinary Council meeting Agenda
1583	Synthetic Athletics Track	Lump Sum contract for the Synthetic Athletics Track	Tender closed 16 March 2016. A recommendation for this tender forms part of the June Ordinary Council meeting Agenda
1596	Balance of Precinct East West Links Boulevard	Lump Sum contract for the Balance of Precinct East West Links Boulevard	Tender closed 27 April 2016. A recommendation for this tender forms part of the June Ordinary Council meeting Agenda
1686	Greater Shepparton Movement and Place Strategy	Lump Sum contract for the Development of a Greater Shepparton Movement and Place Strategy	Tender closed on 18 May 2016 and is currently being evaluated.

#### Policy Considerations

Through the *Instrument of Delegation to the Chief Executive Officer* the Council has delegated authority to the Chief Executive Officer to award a contract up to the value of \$400,000 excluding GST.

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

#### Legal/Statutory Implications

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

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

## 8. CORPORATE SERVICES DIRECTORATE

### **8.4 Contracts Advertised but Yet to be Awarded - May 2016 (continued)**

#### **Conclusion**

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

The report details the publicly advertised contracts status of requests for tenders that have not yet been awarded during the period 1 May 2016 to 30 May 2016.

#### **Attachments**

Nil

## 8. CORPORATE SERVICES DIRECTORATE

### 8.5 Freedom of Information Policy

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

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

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

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

**Author: Team Leader Governance**

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

**Approved by: Director Corporate Services**

#### **Executive Summary**

Council has previously processed all Freedom of Information (FOI) requests using the manual provided by FOI Solutions as a guideline, which has been developed in accordance with the *Freedom of Information Act 1982* (the Act).

This process has been communicated in detail through Council's website to members of the public. However officers feel that it would be of benefit to both the organisation and the public, if a Policy was developed to formalise this process.

Following the presentation of the draft Policy at the March Ordinary Council Meeting, a consultation process was undertaken which resulted in two submissions being received by Council.

The feedback from the submissions have been summarised in this report and minor amendments have been made to this Policy to reflect some of the suggestions raised.

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

That the Council adopt the Freedom of Information Policy 37.POL9.

**CARRIED.**

#### **Background**

The Greater Shepparton City Council recognises the value of transparency and accountability in its administrative and management practices, and supports the making of FOI requests as a means of achieving these objectives.

The Council will take all reasonable steps to ensure that valid FOI requests will be processed in a time efficient manner, and in accordance with all relevant legislation.

This policy will provide valuable information to applicants on the process and requirements of submitting a valid FOI request under 'the Act'. It will also cover access charges and considerations such as partial access and exempt documents which may be applicable to some applications.

To ensure the Policy is consistent with current legislation and all subordinate acts, Maddocks Lawyers have been engaged to assist with the document development.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.5 Freedom of Information Policy (continued)

A consultation process was also undertaken to include community feedback into the development of this Policy. As the policy was written in accordance with the Act, some of the suggested changes could not be made due to legislative requirements. Below is a summary of the submissions received during the consultation process:

Submission 1		
Proposed Change	Comments	Outcome
FOI be managed by an alternative department within Council.	Executive believe this responsibility should remain with the Governance department due to the complex nature, and frequent changes in legislation which officers must remain abreast of.	No change proposed.
Inclusion of 'DHP' minutes to the list of dot points on page 3.	This section of the Policy refers to Planning Applications and Permits, and the dot points specifically relate to what constitutes an 'open file'. Officers suggest that DHP Committee Meeting Minutes would not be relevant to this section of the Policy. It is not recommended that the Policy provide this kind of detail. This detail is best in a Corporate Procedure or guidelines	No change proposed.
Acceptance of the FOI Commissioners recommendations	Officers suggest that these recommendations should be considered on a case by case basis, and the Council shouldn't remove its ability to negotiate with the FOI Commissioner.	No change proposed.
The removal of the word 'only' from the sentence: ' <i>An FOI request will <b>only</b> be processed by Council once it is sufficiently specific and clear.</i> '	The removal of the word 'only' will have no impact on the intent of this statement, as its meaning will be unchanged. Council is unable to process any request under the Freedom of Information Act that is unclear in the document/s being sought, and it is important that this information is clearly communicated to applicants.	No change proposed.
Submission 2		
Proposed Change	Comments	Outcome
The removal of the following sentence, or querying terminology used: <i>'An FOI request will <b>only</b> be processed by Council once it is <b>sufficiently specific and clear.</b>'</i>	As mentioned in response to the above submission, Council is bound by the Freedom of Information Act and is unable to process any request that is unclear in the document/s being sought, and it is important that this information is clearly communicated to applicants.  This is an area which FOI officers have identified that some applicants have difficulty with, so it was important to ensure it was addressed through this policy.	No change proposed.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.5 Freedom of Information Policy (continued)

Submission 2		
Proposed Change	Comments	Outcome
Include reference to the Duty of the Agency to assist a person to make a request.	Officers believe this information is of a procedural nature and not relevant to be included in the Policy. However, it is important to note that assistance is offered to applicants to help clarify their requests to ensure they are consistent with the requirements of the Act and can be processed accordingly. If a request is made under the Act and it is deemed an invalid request, all of the letters sent advise the applicant to contact the Council to make a time for an FOI Officer to assist them.	No change proposed.
Incorporation of additional information into Policy (currently on Councils webpage)	The additional information on the website, while relevant to applicants, is procedural and was determined by Executive not to be included in the Policy, given its nature of an overarching strategic document. The website also contains information such as fees and charges which are updated annually, and would cause the premature need to review the Policy on an annual basis. The information on the website is process based and is not considered policy information and therefore recommend that it not be included in the policy.	No change proposed.
Reference to the Freedom of Information Regulations 2009 and Freedom of Information (Access Charges) Regulations 2014	Submission suggested these regulations be included in the definitions table. Officers suggest they would be more appropriately listed under the 'Related Legislation' section of the Policy. These references have been included in the Policy	Change proposed.
Suggest adding to 'Publications available outside of FOI': Consultant reports, masterplans and the agendas, minutes and reports of: <ul style="list-style-type: none"> <li>• Council Committee Meetings (including financial statements)</li> <li>• Council Section 86 Group Meetings (including financial statements)</li> <li>• Development Hearings Panel</li> </ul>	<ul style="list-style-type: none"> <li>• Consultant Reports: some may be publicly available, while others may be deemed confidential in accordance with S86(2) of the Local Government Act 1989 and cannot be released. These documents are exempt under the Freedom of Information Act 1982. It is not recommended that these reports be included in the list as they will be determined on a case by case basis.</li> <li>• Masterplans: all Masterplans adopted by Council will be publicly available on Councils website.</li> <li>• Council Committee Meetings: assuming this reference is to Advisory Committees. Note there is no financial delegation and therefore no reporting available. There is</li> </ul>	Some changes proposed.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.5 Freedom of Information Policy (continued)

	<p>also no requirement for Minutes and Agendas to be made publicly available, and therefore should be considered case by case.</p> <ul style="list-style-type: none"> <li>Section 86 Committees: These meeting minutes are publicly available (unless closed under S89 of the <i>Local Government Act</i>) for a period of 12 months. Policy can be amended accordingly. Note – this would not include financial statements or other reports, unless the documents were included in the meeting minutes.</li> <li>Development Hearings Panel – note that this is a Committee established under S86 (refer to comment above).</li> </ul>	
Requests for documents: Recommend contacting the FOI Officer before submitting a request.	Agree with this suggestion. Recommend this sentence be included in the Policy, in addition to Councils web page. The suggested changes have been made to the Policy.	Change proposed.
Note 'application to waive fee'	Agree with this suggestion. Amend sentence to: FOI requests must be made in writing and lodged with Council, accompanied by the applicable application fee, or an application to waive fee. These changes have been included in the Draft Policy.	Change proposed.
Duty of an Agency to assist a person who wishes to make a request	Officers feel Councils position on assisting applicants has already made clear through the following statement currently within the Policy: <i>'Council will assist the applicant in clarifying his or her request to enable it to be processed.'</i>	No change proposed.
Notify Applicant if estimated Access Charges are likely to exceed \$50 (website)	As noted - this information is currently available on Councils web page. Should this situation apply, such information will be communicated to the applicant via written correspondence to ensure they are aware of all options available to them.	No change proposed.
Waive charges in accordance S22(1)(h)(i) – public interest or benefit	Officers note that there are 12 other clauses in addition to the one outlined, under which charges may be waived. It is not the Councils intent to repeat legislation in Policy, rather to create a document that can be easily interpreted. Therefore, the FOI Officer will determine with the applicant, case by case, whether any of these clauses may apply.	No change proposed.



## 8. CORPORATE SERVICES DIRECTORATE

### 8.5 Freedom of Information Policy (continued)

Submission 2		
Proposed Change	Comments	Outcome
Fees and Charges – Note email free of charge (acknowledge other fees may apply)	Officers feel that this information is again procedural and is best communicated directly with the applicant via written correspondence, should email be an appropriate option for their request. Officers will consider adding this information to Councils FOI web page as it is not considered to be Policy content.	No change proposed to Policy. Officers will recommend this information be included on councils FOI web page.
Notification to applicants if document/s cannot be located. Amend wording 'should' to 'will'	Agree with this proposal. Wording to be replaced in final Policy.	Change proposed.
Decision Letter – notifying applicant of outcome	Officers feel that the existing wording in the Policy clearly indicates that notification of a decision will be provided to the applicant, without repeating the legislation.	No change proposed.
Additional wording – include reference to the deadline to lodge a complaint or request review from the FOI Commissioner	Agree with this proposal. Wording to be replaced in final Policy.	Change proposed.
Proposed the inclusion of several extracts of legislation	Officers feel that existing wording in the Policy is consistent with legislation without the need to repeat / include extracts. Repeating Legislation in policy is not necessary.	No change proposed.

#### Council Plan/Key Strategic Activity

There are no direct links to the Council Plan / Key Strategic Activity.

#### Risk Management

This policy has been developed to mitigate any potential risks associated with non-compliance.

#### Policy Considerations

This Policy will be applied in conjunction with the Local Government Privacy Guide.

#### Financial Implications

No financial implications have been identified in relation to this report.

#### Legal/Statutory Implications

This policy has been developed with the assistance of Maddocks Lawyers to ensure it is consistent with all relevant legislation.

#### Environmental/Sustainability Impacts

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

## 8. CORPORATE SERVICES DIRECTORATE

### **8.5 Freedom of Information Policy (continued)**

#### **Social Implications**

There are no social implications associated with this report.

#### **Economic Impacts**

There are no economic impacts associated with this report.

#### **Consultation**

The draft Policy was released for public consultation at the March Ordinary Council Meeting, following which two submissions were received. These submissions have been considered in this report, and changes have been incorporated into the final document.

Consultation has been undertaken with Councils Executive Team and Councillors. This policy and the process contained within will be promoted to all staff and members of the public via Councils website once adopted.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

This policy has no links to the Greater Shepparton 2030 Strategy

##### b) Other strategic links

There are no other relevant strategic links that relate to this policy.

#### **Conclusion**

Officers believe that there is benefit to both the organisation and the public in adopting this Policy.

#### **Attachments**

Freedom of Information Policy 37.POL9 Page 425

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Water for Victoria Discussion Paper Submission

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

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

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

**Author: Manager Environment**

**Approved by: Director Sustainable Development**

**Proof Reader: Manager Environment**

#### **Executive Summary**

The Victorian State Government recently released the Water for Victoria Discussion Paper on 16 March 2016. This paper has been released to elicit discussion from stakeholders and the Community to enable the State Government to prepare a new Water Plan. Submissions from the public were received until 29 April 2016.

The Discussion Paper is divided in to nine chapters that outlined policy direction and also existing initiatives. The chapters are as follows:

- climate change
- waterway and catchment health
- water for agriculture
- resilient and liveable cities and towns
- recognising and managing for aboriginal values
- Recognising recreational values
- water entitlements and planning
- realising the potential of the grid and markets, and
- jobs, economy and innovation.

Officers have commenced preparation of a submission on behalf of Council.

The main concerns identified are related to the non-recognition of risks in the report, the need for social and economic analysis on what the changing water market is creating for communities and the impact of a number of the strategic directions outlined have for local government.

The purpose of this report is to allow council to adopt the submission prior to it being forwarded to the State Government.

Council should note that given the short timeframes associated with the review period, the submission attached here has been forwarded to the government in order to meet the due date of 29 April 2016 as specified by the discussion paper. The version adopted by council will be forwarded to the government subsequent to the Council meeting in May.

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

That the Council adopt the submission to the Water for Victoria Discussion Paper.

**CARRIED.**

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Water for Victoria Discussion Paper Submission (continued)

#### **Background**

Council was advised of the release of the Water for Victoria Discussion Paper on 16 March 2016. Since this time Council Officers have been preparing a submission to the paper on behalf of the Council. Submissions closed on 29 April 2016. The Paper has been prepared covering a lot of the initiatives that have already been implemented but it is designed to bring all the plans and strategies related to water together to assist the State Government to prepare a holistic water plan for the state.

Council's submission outlines where there are possible shortcomings in the discussion paper. The main areas for concern surround the assumptions that lie beneath some of the proposed strategic directions and the lack of identification of risks that some of the proposed strategic directions may evoke. Some of these risks have already been highlighted as the water market has evolved.

In summary, officers will be highlighting the following points:

- There is no recognition of the risks associated with some of the suggested strategic directions.
- Council is concerned about the fact that the current Goulburn system is totally committed and yet the discussion paper does not recognise this fact.
- Other relevant plans and strategies have not been considered as part of the discussion paper but should be in the development of the water plan.
- Overall, the document is unclear how some of the actions will be implemented and delivered or indeed how they will be measured. No targets are identified in the plan.
- The development of the water Plan is a great opportunity to review the water industry including the Water Act.
- Concerns about how some of suggested strategic directions will impact on local government, particularly Integrated Water Management.

Officers then dissected each of the chapters of the plan and commented on matters of relevance to this council as below:

- **Climate Change**
  - The impact of the State Governments Climate Change objectives on local government
- **Waterway and Catchment Health**
  - Identification of Lower Goulburn as one of 36 waterways needing long term improvement is welcomed
  - Agreement with longer term funding for CMA's (4 year cycle)
  - Concern about lack of guidance in wastewater management and a possible lost opportunity through the current process
- **Water for Agriculture**
  - Loss of water from the region and the need for social and economic analysis to determine impacts
  - Mixed message with considerable investment in infrastructure against water leaving region through open water market
  - Advising that investment spin offs are not always coming back to local communities with changing farming patterns
  - Ownership of water and potential detrimental impacts for local farming
  - Welcoming the proposed development of a rural drainage strategy
  - Better planning of development areas in term of water availability

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Water for Victoria Discussion Paper Submission (continued)

- **Resilient and Liveable Cities**
  - Advice that water availability is only one facet of liveability in towns and cities
  - Impact that Integrated Water Management (IWM) may have on local government
  - Welcoming the listing of Shepparton as a centre for development of the IWM process
  - Support for the MAV proposed roles and responsibilities for providing further development of IWM
- **Recognising and Managing for Aboriginal Values**
  - Agreement with sharing the benefits of for example, environmental flows for meeting Aboriginal values
- **Recognising Recreational Values**
  - Agreement with a need to identify real costs of providing for recreational benefits of water and the need to consult over recovery of these costs
- **Water Entitlement and Planning Frameworks**
  - Water entitlement critical to agriculture in this region
- **Realising the Potential of the Grid and Markets**
  - Loss of water from the region and the need for social and economic analysis to determine impact
- **Jobs , Economy and Innovation**
  - Support for strengthening of water institutions particularly better funding for CMA's.

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

Council identifies that water availability is critical to the continuing prosperity of the Goulburn Valley and particularly the agricultural sector that underpins the economy in this region. The availability of water underpins two of the five strategic goals of the Council's 2013-2017 Council Plan. These are:

- Enhancing the Environment, and
- Economic Prosperity.

#### **Risk Management**

As water underpins the economic prosperity of the Council area the Council risks not having a say in the final State Government Water Plan which may be detrimental to the region.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Not submitting Council's views on the Discussion Paper	Possible	Major	High	Ensure Council prepares a submission to the Water For Victoria Discussion Paper

#### **Policy Considerations**

There are no direct Policy implications from accepting the submission.

#### **Financial Implications**

There are no financial implications in accepting the submission.

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

There are no legal/statutory implications in acceptance of the submissions.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Water for Victoria Discussion Paper Submission (continued)

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

There are no environmental/sustainability impacts in accepting the submission.

#### **Social Implications**

There are no social implications caused by acceptance of the submission.

#### **Economic Impacts**

There is no direct economic impact caused by acceptance of the recommendation.

#### **Consultation**

The response time for making a submission to the Discussion Paper is very short and has given little time for the Council to consider its submission prior to the closing date. Council Officers and the Mayor attended a number of other meetings called to discuss the paper and these included a forum called by SIR Senior Combined Partners meeting, a Local Government forum called by the MAV and a public forum organised by DELWP. Council will not have any consultation with the public prior to the submission deadline.

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Major influences and issues – Water quality and quantity

##### b) Other strategic links

Hume Regional Growth Plan

#### **Conclusion**

The Water for Victoria Discussion Paper has serious consequences for the Council and Council should provide a submission to the paper. The adoption of the recommendation will see that a submission is provided.

#### **Attachments**

Greater Shepparton submission to the Water for Victoria Discussion Paper – Page 433  
April 2016

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Adoption of Amendment C98 - Part 2 (Verney North Low Density Rezoning) to the Greater Shepparton Planning Scheme**

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

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

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

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

**Author: Senior Strategic Planner**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

Amendment C98 (Part 2) to the Greater Shepparton Planning Scheme seeks to rezone land in Shepparton North from the Farming Zone (Schedule 1) to the Low Density Residential Zone and apply the Development Plan Overlay to the land.

Council officers exhibited the amendment from 19 June 2014 to 4 August 2014. Ten submissions were received by Council. Of these, five requested clarification or changes to the Amendment.

The Amendment was split into two parts and Amendment C98 (Part 1) was adopted by Council and approved by the Minister for Planning last year.

Amendment C98 (Part 2) was referred to an Independent Planning Panel for consideration of submissions.

The Independent Planning Panel was held “on the papers” as no submitters requested to be heard.

The Independent Planning Panel Report was received on 18 April 2016. Council is now required to consider the recommendations of the Independent Planning Panel Report and make a decision on the Amendment.

The Panel Report recommends that Greater Shepparton Planning Scheme Amendment C98 (Part 2) be adopted generally as exhibited with changes made to the Schedule to the Development Plan Overlay.

These changes to the Schedule to the Development Plan Overlay have been made to give members of the public and Council more confidence that drainage issues can be resolved as part of the development of the land. Some changes also relate to access arrangements from Grace Road to the schools and the development.

The Amendment has been through exhibition, consideration of submissions and panel processes in accordance with the *Planning and Environment Act 1987*.

Council officers have reviewed the Panel Report and agree with the Independent Planning Panel’s recommendation.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Adoption of Amendment C98 - Part 2 (Verney North Low Density Rezoning) to the Greater Shepparton Planning Scheme (continued)**

Council officers now request that Council adopt the recommendations of the Independent Planning Panel, adopt Amendment C98 (Part 2) with changes, and resolve to submit the Amendment to the Minister for Planning for approval.

**Moved by Cr Hazelman  
Seconded by Cr Oroszvary**

That, having considered the Independent Planning Panel Report for Amendment C98 (Part 2) to the Greater Shepparton Planning Scheme, Council:

1. Adopt the recommendations of the Independent Planning Panel for Amendment C98 (Part 2) as outlined in their Panel Report dated 18 April 2016;
2. Adopt Amendment C98 (Part 2) with changes to the Schedule to the Development Plan Overlay; and
3. Submit Amendment C98 (Part 2) to the Minister for Planning for approval.

**CARRIED.**

#### **Background**

Amendment C98 (Part 2) to the Greater Shepparton Planning Scheme seeks to rezone land in Shepparton North from the Farming Zone (Schedule 1) to the Low Density Residential Zone and apply the Development Plan Overlay to the land.

The Amendment applies to approximately 77ha of land in Shepparton North (see *Figure One – Affected Area*), generally bounded by Grace Road to the south, the Goulburn Valley Highway to the south east and the Public Acquisition Overlay for the proposed Goulburn Valley Highway – Shepparton Bypass to the north-west.

The land is currently within the Farming Zone (FZ) and is partially affected by the Environmental Significance Overlay Schedule 1 (ESO1) and the Land Subject to Inundation Overlay (LSIO). The land is adjacent to the Public Acquisition Overlay Schedule 7 (PAO7) for the Goulburn Valley Highway – Shepparton Bypass (see *Figure Two – Zones and Overlays*).



**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.2 Adoption of Amendment C98 - Part 2 (Verney North Low Density Rezoning) to the Greater Shepparton Planning Scheme (continued)**

Figure One – Affected Area

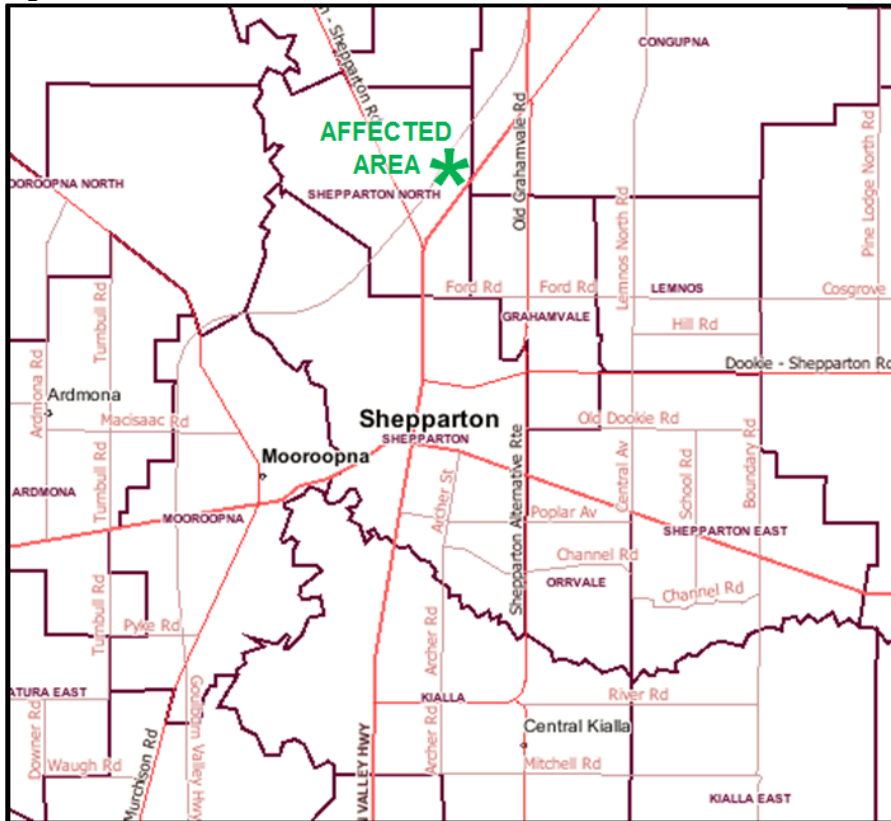
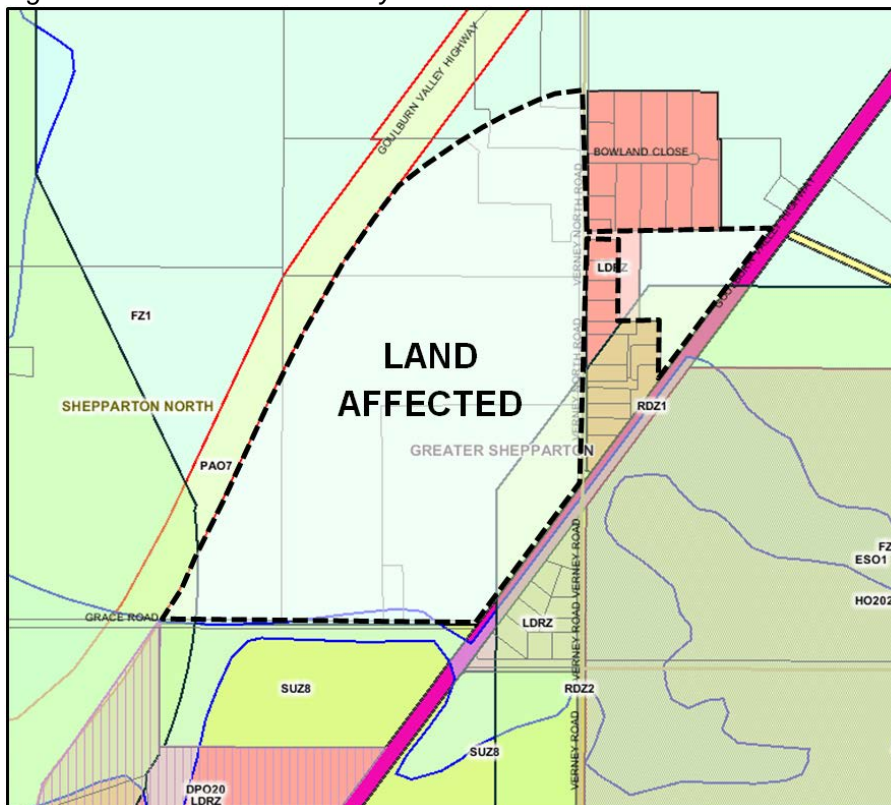


Figure Two – Zones and Overlays



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Adoption of Amendment C98 - Part 2 (Verney North Low Density Rezoning) to the Greater Shepparton Planning Scheme (continued)**

There is strong strategic justification for the Amendment in the *Greater Shepparton Housing Strategy 2011* and the Greater Shepparton Planning Scheme (see *Attachment 1 – February 2015 Ordinary Council Meeting Minutes*).

At the Ordinary Council Meeting held on 17 February 2015, Council considered the submissions received on the Amendment. The following resolution was carried (see *Attachment 1 – February 2015 Ordinary Council Meeting Minutes*).

*That Council:*

1. *splits Amendment C98 to the Greater Shepparton Planning Scheme into two parts:*
  - 1.1 *Part 1 being the land south of Grace Road, excluding Grace Road and excluding the school within Schedule 8 to the Special Use Zone; and*
  - 2.1 *Part 2 being the land north of Grace Road, including Grace Road and excluding the school within Schedule 8 to the Special Use Zone.*
2. *adopts Amendment C98 Part 1 to the Greater Shepparton Planning Scheme in accordance with Section 29 of the Planning and Environment Act 1987 (the Act) and submits Amendment C98 Part 1 to the Minister for Planning for approval in accordance with Section 31 of the Act; and*
3. *endorses Council officers' position at an Independent Planning Panel Hearing for Amendment C98 Part 2 to the Greater Shepparton Planning Scheme as outlined in this report and confirms that representations are to be made to the Independent Planning Panel appointed in relation to this proposal generally in accordance with this report.*

An Independent Planning Panel was appointed under delegation from the Minister for Planning on 25 February 2015 to consider Amendment C98 Part 2. This Independent Planning Panel was to consider two outstanding submissions, being:

- Submission No 8 (Mr and Mrs Diamond) regarding drainage and flooding issues; and
- Submission No 10 (Catholic Education Office) regarding access at Grace Road.

The Panel determined that a Directions Hearing was not required. A Hearing was scheduled to take place on 16 April 2015 with the only request to be heard from the Submitter 10 (Catholic Education Office).

Council officers met with the outstanding submitters several times in an attempt to resolve the concerns raised in submissions.

Council advised the Panel that they were negotiating outstanding issues with Submitter 10 and were confident that the issues could be agreed; but sought further time for discussions. The Panel Hearing was put on hold pending the outcome of these discussions.

On 11 February 2016 correspondence was received from Spiire Australia Pty Ltd on behalf of the Catholic Education Office (Submitter 10) noting that, after discussions with Council officers, their concerns had been addressed and they wished to withdraw their submission.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Adoption of Amendment C98 - Part 2 (Verney North Low Density Rezoning) to the Greater Shepparton Planning Scheme (continued)**

A further Directions Hearing was held on 25 February 2016 to finalise matters in relation to the Amendment. At this Directions Hearing it was agreed that the Panel Hearing would be held “on the papers” with regard to the outstanding issues in Submission 8 (Mr and Mrs Diamond) regarding drainage and flooding, which were unable to be resolved through negotiations.

Council officers engaged a drainage expert, Mr John Dunn of Rural Works Pty Ltd to consider the flooding and drainage issues at Shepparton North in relation to the Amendment. Independent expert advice was prepared by Mr Dunn and was submitted to the Panel for consideration.

Mr Dunn provided the following comments on the drainage issues in the area:

*It is acknowledged that 40 Verney Road North has been subject to flooding, however the proposed subdivision associated with C98 should not aggravate that flooding.*

*The proposed new access road into the proposed subdivision, can be designed in such a way that the potential for flooding at number 40 Verney Road North can be reduced.*

*It is recommended that an agreement under section 173 of the Planning and Environment Act 1987 with the developer be entered into for the following:*

- *Design the new access road to be located approximately opposite number 40 Verney Road North.*
- *Design the new access road to ensure the finished level of the new access road at the intersection with Verney Road North is at or below the lowest crown level of Verney Road North in the vicinity of 40 Verney Road North.*
- *Design the new access road to ensure that it falls away from Verney Road North i.e. falls to the west.*
- *Design the underground drainage system to ensure that side entry pits are installed at the intersection of the new access road and Verney Road North. The site entry pits must be connected to the drainage system required within the land to be developed on the west site of Verney Road North.*

These recommendations were included in a revised Schedule to the Development Plan Overlay, which was provided to the Panel.

The changes to the Schedule to the Development Plan Overlay have been made to give members of the public and Council more confidence that drainage issues can be resolved as part of the development of the land. Some changes also relate to access arrangements from Grace Road to the schools and the development.

Changes to the overlay are outlined in *Attachment 2 – Planning Scheme Amendment Documentation*

The Panel Report was received on 18 April 2016 (see *Attachment 3 – Independent Planning Panel Report*).

The Panel Report concluded that the Amendment is strategically justified and the modifications presented to the Panel in the Schedule to the Development Plan Overlay should successfully address the concerns of the objectors.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Adoption of Amendment C98 - Part 2 (Verney North Low Density Rezoning) to the Greater Shepparton Planning Scheme (continued)**

The Panel Report recommends that Council adopt Amendment C98 (Part 2) to the Greater Shepparton Planning Scheme generally as exhibited with changes made to the Schedule to the Development Plan Overlay (see *Attachment 2 – Planning Scheme Amendment Documentation*).

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

Council officers now request that Council adopt the recommendations of the Independent Planning Panel, adopt Amendment C98 (Part 2) generally as exhibited with changes made to the Schedule to the Development Plan Overlay, and resolve to submit the Amendment to the Minister for Planning for approval.

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

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

*Goal 4: Quality Infrastructure (Built)*

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

#### **Risk Management**

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

In accordance with Ministerial Direction No. 15, Council must make a decision on the Amendment within 40 business days of the Panel Report being received. Following this, an adopted amendment must be submitted to the Minister for Planning within 10 business days of the date the amendment is adopted by Council.

#### **Policy Considerations**

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

#### **Financial Implications**

All costs associated with the planning scheme amendment process to date have been met by the proponent. Council will not incur any additional costs as a result of this planning scheme amendment.

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

All procedures associated with this planning scheme amendment comply with the legislative requirements of the *Planning and Environment Act 1987* (the Act). The amendment has been assessed in accordance with the Act and the Greater Shepparton Planning Scheme. The assessment is considered to accord with the *Victorian Charter of Human Rights and Responsibilities Act 2006* (the Charter). No human rights have been negatively impacted upon throughout the process.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Adoption of Amendment C98 - Part 2 (Verney North Low Density Rezoning) to the Greater Shepparton Planning Scheme (continued)**

The Charter recognises that reasonable restrictions may be placed on the use and development of land, and that there may on occasion be reasonable and acceptable offsite impacts on others. Provided these issues are properly considered, it would be a rare and exceptional case where the exercise of a planning decision in accordance with the regulatory framework is not Charter compatible.

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

Rezoning the subject land to the Low Density Residential Zone will allow it to be developed with serviced lots of a minimum subdivision size of 2000m<sup>2</sup>. This will achieve an appropriate outcome for land that has been subject to significant environmental change in the past.

The large allotment areas and vegetation buffers will result in the landscape quality being improved. The landscape quality will continue to improve as the land is revegetated with public parks, tree reserves and private gardens.

Appropriate buffers along the Goulburn Valley Highway frontage and the future Shepparton Bypass alignment have been provided to minimise any acoustic impact on future residents.

An Environmental Significance Overlay applies to part of the land, along the Goulburn Valley Highway frontage of the land. This Overlay encourages the protection for the ongoing operation of Radio Australia, which is achieved by limiting development on the land affected by the overlay.

The displacement of irrigation farming land by urban expansion has been strategically addressed within the GSHS. A settlement boundary has been established with an overall strategy of containment for the regional city. The subject area is within the settlement boundary. The containment strategy is necessary to protect the significant agricultural base of the economy from the negative impact of scattered unplanned rural residential development. The subject area is a strategically important supply of rural residential land as it can be connected to reticulated sewerage and, therefore, can achieve a higher number of lifestyle properties with minimal loss of land.

#### **Social Implications**

The proposed amendment will achieve a positive social outcome. It will facilitate new and unique housing opportunities at a density of which there is currently a limited supply in Greater Shepparton. It will result in the development of a new neighbourhood forming part of the established low density and rural residential community within the locality.

The land is in proximity to a number of educational facilities including being directly adjacent to St Luke's Primary School and the Emmaus Campus as well as being nearby Goulburn Valley Grammar School.

The proposed amendment will result in a net community benefit by providing a pleasant and safe living environment that satisfies demand for low density residential living opportunities in the Shepparton North area.

There are no significant adverse social implications associated with this proposed amendment.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Adoption of Amendment C98 - Part 2 (Verney North Low Density Rezoning) to the Greater Shepparton Planning Scheme (continued)**

#### **Economic Impacts**

It is not feasible that the land remain within the Farming Zone, due to the existing land uses and subdivision pattern of the subject area. The land in the area is already highly fragmented with lot sizes currently ranging from approximately 5ha to 50ha, occasionally used for limited agricultural purposes such as cattle grazing. Therefore, the proposed amendment will not result in adverse impacts upon the local economy due to loss of any agricultural land.

New housing to be provided on the site will facilitate economic growth within the municipality by providing housing opportunities to cater for Shepparton's growing population.

There are no significant adverse economic impacts associated with this proposed amendment.

#### **Consultation**

Amendment C98 was exhibited in accordance with the *Planning and Environment Act 1987*. This included the following:

- Notice in the Shepparton News on 17 June 2014;
- Notice in the Victorian Government Gazette on 19 June 2014;
- Letters to affected land owners and occupiers on 16 June 2014;
- Letters to relevant referral authorities on 16 June 2014;
- Letters to prescribed ministers on 16 June 2014;
- Documentation on display at the Council offices at 90 Welsford Street, Shepparton;
- Documentation available on the Department of Environment, Land, Water and Planning website; and
- Documentation available on the Greater Shepparton City Council website.

The exhibition period was open for six weeks and submissions closed on 4 August 2014. Ten submissions were received by Council. These were considered at the Ordinary Council Meeting held on 17 February 2015 (see *Attachment 1 – February 2015 Ordinary Council Meeting Minutes*).

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

#### **Strategic Links**

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

*Direction 1: Settlement and Housing*

*Commitment to growth within a consolidated and sustainable development program.*

##### **b) Hume Regional Growth Plan 2014**

The subject land is highlighted in the Shepparton Urban Growth Framework Plan as part of a "Key Residential Growth Front".

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Adoption of Amendment C98 - Part 2 (Verney North Low Density Rezoning) to the Greater Shepparton Planning Scheme (continued)**

#### **Conclusion**

Amendment C98 (Part 2) to the Greater Shepparton Planning Scheme seeks to rezone land in Shepparton North from the Farming Zone (Schedule 1) to the Low Density Residential Zone and apply the Development Plan Overlay to the land.

The Amendment has been through exhibition, consideration of submissions and panel processes in accordance with the *Planning and Environment Act 1987*. Council officers have reviewed the Panel Report and agree with the Independent Planning Panel's recommendation.

Council officers now request that Council adopt the recommendations of the Independent Planning Panel, adopt Amendment C98 (Part 2) with changes, and resolve to submit the Amendment to the Minister for Planning for approval.

#### **Attachments**

1. February 2015 Ordinary Council Meeting Minutes Page 439
2. Planning Scheme Amendment Documentation Page 484
3. Independent Planning Panel Report Page 500

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration

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

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

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

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

**Author: Senior Statutory Planner**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

This report is an assessment of the use of the land for a dwelling and car restoration at 340 Crawford Road, Harston (the land).

There is a house on the land. However the dwelling has been unoccupied for over two years.

As the house has not been lived in for two years the house does not have existing use rights and therefore planning permission is required to use the land for a dwelling.

A planning permit is also required for the use of the land for car restorations in the Farming Zone.

The use of the land as a dwelling had commenced without a planning permit and this application has been lodged following enforcement action by planning officers.

The land is within the Farming Zone (FZ) and is not affected by any overlays and is not identified as having any Aboriginal Cultural Heritage Sensitivity.

Officers have advertised the application and one objection was received. The objection generally relates to the detrimental impact that the proposal would have on surrounding agricultural activities.

The objection received was made by the adjoining land owners, who are farmers that use a block with an area of approximately 179 hectares, which surrounds the subject land. The broad purpose of the Farming Zone is to protect productive agricultural land uses and to avoid non-agricultural uses particularly dwellings from encroaching on the productive capability of agricultural land.

The application raises concerns regarding the use of the land for a dwelling on a small and inappropriate lot in the Farming Zone.

Further to this, the proposal raises concerns regarding the use of agricultural land for industrial purposes as a car restoration business.

Officers met with the applicant on the land and informed him that it was unlikely that the Planning Department would support the proposal, given the policies outlined in the Planning Scheme.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (continued)

It is considered that the use of the land for a dwelling is not appropriate as there is no agricultural justification for the need for a dwelling on the land.

Further, the use of the land for the restoration of cars is not considered to be appropriate in an agricultural area.

#### **RECOMMENDATION**

In relation to Planning Application 2016-18, on the basis of the information before Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, Council resolves to refuse to grant a planning permit for the use of the land for a dwelling and car restoration for the following reasons:

1. The proposed use of the land for a dwelling and a car restoration business on the subject site of 0.7 hectares does not provide an acceptable outcome or a net community benefit in terms of the State and Local Planning Policy Frameworks and the purpose and decision guidelines of the Farming Zone, and;
  - a. Has the potential to impact on the continuation of primary production on nearby land;
  - b. Has the potential to limit the expansion of agriculture on adjacent land;
  - c. Has potential for conflict between the ongoing farming activities and the proposed rural living use.
  - d. Will result in the entrenchment of the use of the land for a dwelling on a small and inappropriate lot in the Farming Zone.
2. The application does not adequately demonstrate that the dwelling is reasonably required for the operation of agricultural activity on the land.
3. The application does not comply with the provisions of Clause 21.06-3 of the Planning Scheme which seeks to limit dwellings in the Farming Zone 1 which are not associated or required for the agricultural use of the land.
4. The application does not comply with the provisions of Clause 21.06-4 of the Planning Scheme which seeks to discourage industrial uses such as car restorations in rural areas.
5. The application does not comply with the Rural and Regional Land Use Strategy (C-121) and the Hume Regional Growth Plan, which identifies the land as strategic agricultural land.

#### **Moved by Cr Houlihan Seconded by Cr Ryan**

In relation to the Planning Application 2016-18, on the basis of the information before Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, the Council resolves to issue a notice of decision to grant a permit to use the land for a dwelling generally in accordance with the conditions set out below:

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (continued)

#### **Dwelling Plans Required**

Within three months of the date of this planning permit, unless otherwise agreed to in writing, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. Such plan must be generally in accordance with the plan submitted with the application but modified to show:

- a) Site layout showing the set back of the dwelling and sheds from property boundaries;
- b) Floor plans and building elevations of the dwelling.

#### **Layout Not Altered**

The use of the land for a dwelling as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

#### **Section 173 Agreement**

Within three months of the date of this planning permit, unless otherwise agreed to in writing, the owner must enter into an agreement with the responsible authority, pursuant to Section 173 of the *Planning and Environment Act 1987*. This agreement must be registered on the title to the land pursuant to Section 181 of the *Planning and Environment Act 1987*. The owner must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement. The agreement must provide that:

- That the owner acknowledges and accepts the possibility of nuisance from adjoining agricultural operations including animal husbandry, spray drift, agricultural machinery use, pumps, trucks and associated hours of operation.

The said agreement is to be prepared by Council. Council will undertake to have the agreement prepared upon written notification from the applicant. All costs associated with the preparation and registration of the agreement shall be borne by the applicant including Council's administration fee. All fees associated with the documentation must be fully paid prior to execution and registration of the document by Council.

#### **Connection to Services**

Within three months of the date of this planning permit, unless otherwise agreed in writing:

- a) all stormwater and surface water drainage from the land, buildings and works, must be retained on site or directed to the legal point of discharge to the satisfaction of the responsible authority. Effluent and/or polluted water must not be discharged to Council's stormwater drainage system from the land
- b) the dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use.  
the dwelling must be connected to a reticulated electricity supply or have an alternative energy source
- d) the vehicle crossings providing access to the dwelling must be constructed at a location and of dimensions and standard to the satisfaction of the responsible authority. Vehicle crossings must be constructed at the owner's expense.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (continued)

The vehicle crossing must be no less than 4.9 metres in length and include a pipe of a diameter suitable to accommodate the actual volume/flow (having a minimum diameter of (375) mm). Culverts located in the clear zone shall be installed with trafficable end walls (refer IDM standard drawing SD 255). The final location of the crossing is to be approved by the responsible authority via a 'Works within the Roads Reserve' (Road Opening) permit.

to the satisfaction of the Responsible Authority.

#### **Time for Starting and Completion**

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

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

**CARRIED.**

#### **Property Details**

Land/Address	340 Crawford Road
Zones and Overlays	Farming Zone No Overlays
Why is a permit required	Use of land for a dwelling and car restoration in the Farming Zone

#### **Proposal in Detail**

The planning application was lodged on 13 January 2016 for the use of the land for a dwelling and car restoration.

The land contains an existing dwelling and shed.

At present the dwelling appears to be occupied and the shed is currently used for the purposes of storing vehicles.

The land became available for sale in late 2014.

In response to a number of telephone queries, Council officers inspected the land on 13 November 2014 and it was determined that the dwelling had been unoccupied for a substantial period of time.

In addition to this, the applicant twice confirmed that the dwelling on the land was unoccupied for a period exceeding two years before his purchase of his land in January 2015.

Clause 63.06 of the Planning Scheme outlines limitations on existing use rights. The Clause states that an existing use right expires if the use has stopped for a continuous period of 2 years.

In light of the above and pursuant to the provisions of Clause 63.06 of the Planning Scheme existing use rights have expired, therefore permission is required to use the land for a dwelling.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (continued)

The application also seeks permission for what the applicant has referred to as car restoration.

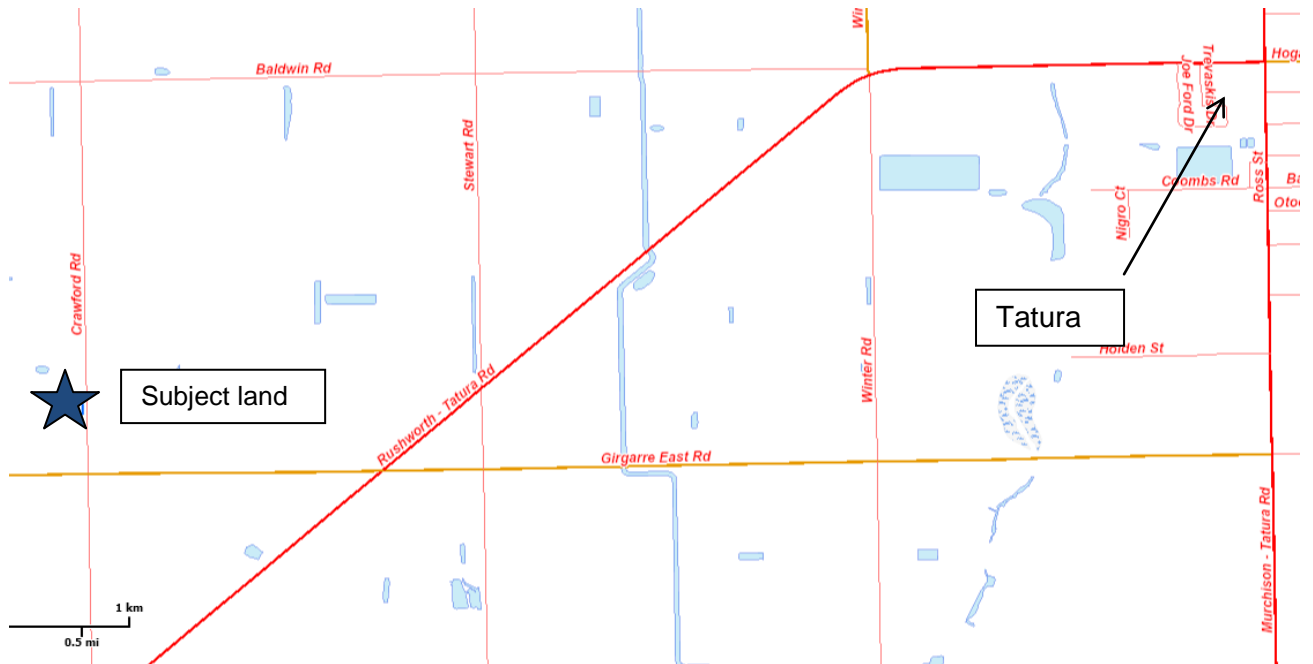
Car restoration is the process of repairing any degraded aspect of an automobile to return its optimum condition which would include elements of panel beating and mechanical repairs.

This use of the land for this purpose has not commenced and at present the land is being used for the storage of a number old vehicles only.

The application did not require any further information or external referrals.

Public notice of the application was posted on 27 January 2016.

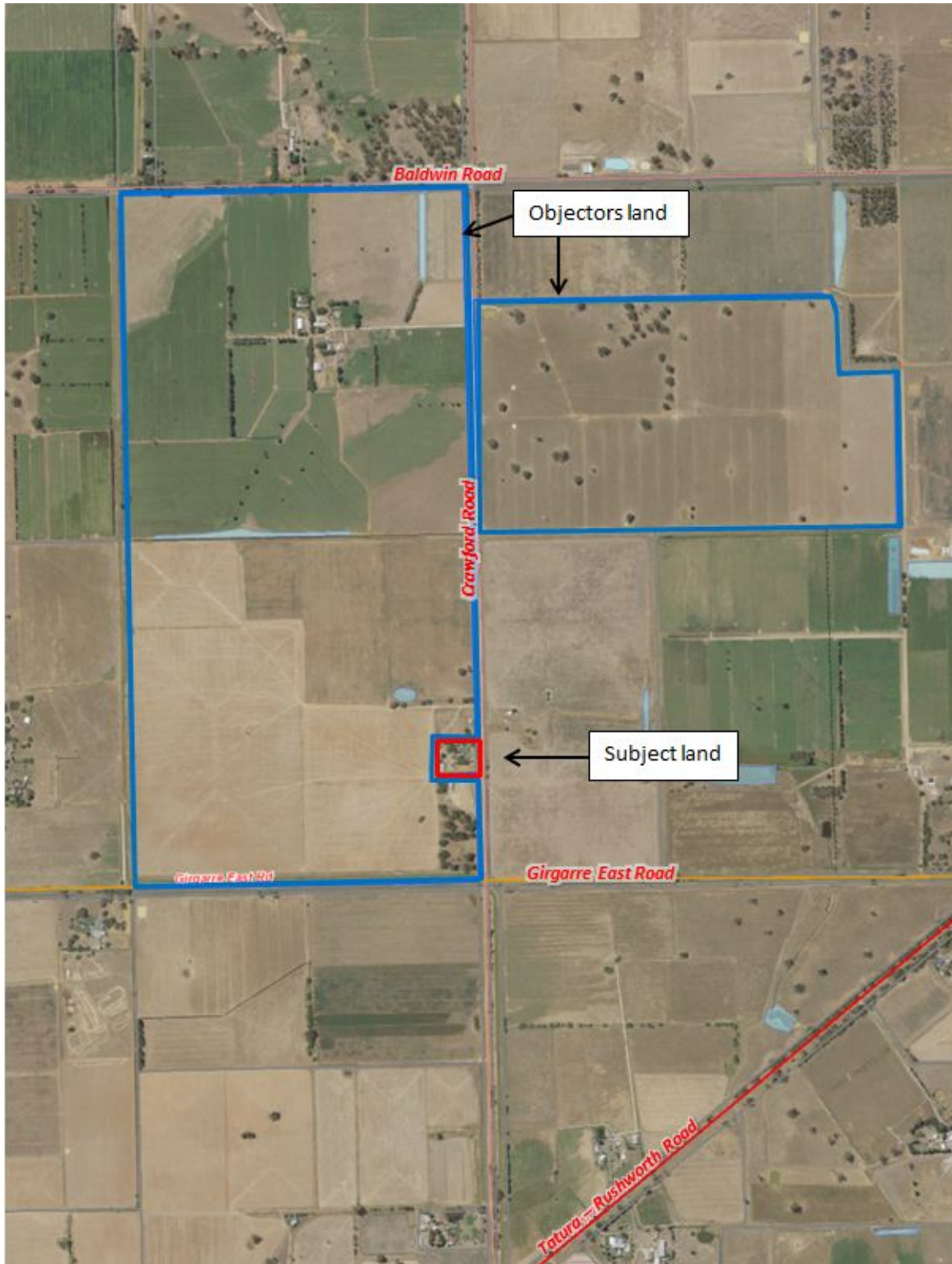
#### Locality Plan



**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.3 Use of Land for a Dwelling and Car Restoration (continued)**

Objector Plan



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Use of Land for a Dwelling and Car Restoration (continued)**

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

The application seeks planning permission to use the land for a dwelling and car restorations in the Farming Zone.

The application has been advertised and 1 objection was received. Grounds of objection relate to the detrimental impact of the use of the land for a dwelling and car restoration on the adjoining agricultural enterprise.

Officers consider that the location of the proposed uses in a Farming Zone would not achieve an acceptable planning outcome as it would result in the entrenchment of the uses of the land for a dwelling on a small and inappropriate lot in the Farming Zone.

The use of the land for car restoration could have a detrimental impact on the use of the surrounding agricultural land as there is a possibility that rubbish including various oils and liquid from the cars could leak into the soil. In addition, the use is characterised as industrial in nature and therefore would be more appropriately located in an Industrial zone.

#### **Background**

The application was lodged with Council following enforcement action by Council planning officers as the uses commenced without obtaining a planning permit.

In late 2014 the Planning Department received a number of enquiries regarding the use of the land for a dwelling as the block was going to auction.

In response to this, Planning Officers undertook a site visit (13 November 2014) and arising from this site visit, it was determined that the dwelling on the land no longer had existing use rights.

As a result, Planning Officers informed any potential purchasers that the dwelling did not have existing use rights and that an application would have to be made for the use of the land for a dwelling and would likely be refused.

Pre purchase enquiries included the following:

- On 13 November 2014 officers spoke to a potential purchaser of the land and stated that existing use rights did not apply to the land and that it was unlikely that a Planning Department would support the use of the land for a dwelling.
- On 28 November 2014 officers informed a potential purchaser that no existing use rights existed for a dwelling on the land and that it was unlikely that the Planning Department would support an application for a dwelling on the land.
- On 28 November 2014 officers wrote to the real estate agents to inform them that existing use rights on the land had been extinguished and that a planning permit would be required to use the land for residential purposes. The letter also informed the real estate agents that it was unlikely that a Planning Department would support the use of the land for a dwelling. Officers have been informed that this letter was read out at the auction.
- On 2 December 2014 officers informed a potential purchaser that it was unlikely that the Planning Department would support an application for a dwelling on the land.
- Subsequently the land came into the ownership of the applicant on 19 January 2015.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (continued)

- On 15 May 2015 officers spoke to the land owner (the applicant) and informed him that a planning permit would be required to use the land for a dwelling. The land owner was informed that the Planning Department would not support the use of the land for a dwelling as there was no agricultural requirement for the dwelling.
- On 7 July 2015 the applicant was once again informed that a planning permit would be required for the use of the land for a dwelling and that it was unlikely that the Planning Department would support the use of the land for a dwelling as there was no agricultural justification for a dwelling.
- During the conversation on 7 July 2015, the applicant stated that he would make a planning application for a dwelling associated with a good agricultural use.
- No application was made by the land owner until enforcement action was commenced in December 2016.

An application was received on 13 January 2016.

The application has been assessed afresh based on the relevant provisions within the Greater Shepparton Planning Scheme.

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

The land is within the Farming Zone, an assessment against the decision guidelines in the Farming Zone is set out below:

<b>Decision Guidelines</b>	<b>Officers Response</b>
<b>General issues</b>	
The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	The proposal would not comply with state and local policy which seeks to protect productive agricultural land from inappropriate uses which could have a detrimental impact on agricultural production.
How the use or development relates to sustainable land management.	The proposal would entrench the use of the land for a dwelling on a small and inappropriate lot in the Farming Zone. The proposal does not put forward any agricultural justification for the need for a dwelling. Further to this, the use of the land for car restoration is considered to be an industrial use which would not provide for sustainable land use in the Farming Zone.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (continued)

Decision Guidelines	Officers Response
<b>General issues</b>	
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses	<p>The proposal would provide for two uses which would conflict with surrounding agricultural production.</p> <p>The proposal would provide for a dwelling in the farming zone which is unrelated to agriculture. This is not considered to be an acceptable planning outcome as this would remove productive agricultural land from use and has the potential to cause conflict issues between agricultural uses and a rural lifestyle block.</p> <p>Further to this the car restoration use would introduce an industrial use into a farming area that is not associated with agriculture.</p> <p>The proposed car restoration use would have the potential to have a detrimental impact on surrounding agricultural production with the potential of fluid spill (oils, coolants etc) from the vehicles. This is considered to be incompatible with surrounding uses.</p>
How the use and development makes use of existing infrastructure and services.	The land is serviced.
<b>Agricultural issues and the impacts from non-agricultural uses</b>	
Whether the use or development will support and enhance agricultural production.	<p>The proposed dwelling is not reasonably required for any agricultural production.</p> <p>The entrenchment of the use of the land for a dwelling on a small and inappropriate lot has the potential to create conflict between a rural residential / lifestyle use and the ongoing operation of an ongoing agricultural activity. This is considered to be detrimental to agricultural production.</p> <p>It is considered that the use of the land for car restoration has the potential to have a detrimental impact on surrounding agricultural production by way of potential contamination of soil from various oils/ coolants and other materials from vehicles.</p>



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (continued)

<b>Agricultural issues and the impacts from non-agricultural uses</b>	
Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	It is considered that the proposed car restoration use has the potential to adversely affect the quality of the soil. The land is not set up for an industrial use such as car restoration. There are no pollutant traps or any infrastructure required for such a use. Therefore all oils / coolants etc. has the potential to seep into the soil.
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses	The proposed use of the land would limit the operation of the surrounding agricultural operation. The use of the land for a dwelling on a small and inappropriate lot would limit the ability of the adjoining agricultural use to expand. Further to this the car restoration has the potential to contaminate the land with oils and other fluids seeping into the ground, thus making the land unusable for agricultural production.
The capacity of the site to sustain the agricultural use.	The proposal does not include an agricultural use.
The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.	The land is not used for agricultural production. However surrounding land is used for cropping and it is considered that the subject has the potential to be used in a similar way.
Any integrated land management plan prepared for the site.	There are no integrated land management plans prepared for the land.
<b>Dwelling issues</b>	
Whether the dwelling will result in the loss or fragmentation of productive agricultural land.	It is noted that there is a dwelling structure on the land. However it is considered that allowing the use of the land for a dwelling which is not required for agricultural production would lead to the loss of potentially productive agricultural land and also has the potential to create conflict issues between agricultural and non-agricultural uses.
Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.	The use of the land for a dwelling and car restoration has the potential to cause conflict issues with the adjoining agricultural production. This is not considered to be an acceptable planning outcome.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (continued)

<b>Dwelling issues</b>	
Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.	The use of the land for a dwelling would permanently remove potentially productive agricultural land. This is not considered to be an acceptable outcome. A more acceptable outcome would be the consolidation of the land into the adjoining agricultural land which would allow for the land to be used for agricultural production.
The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.	The proposal would entrench a use which is not considered to be appropriate in the farming zone.
<b>Environmental issues</b>	
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.	It is considered that the use of the land for car restoration has the potential to have a detrimental impact on soil quality through various fluid leakage. It is further noted that the storage of cars and materials would also have a detrimental impact on the land.
The impact of the use or development on the flora and fauna on the site and its surrounds.	The proposed car restoration use has the potential to have a detrimental impact on both the flora and fauna of the site.
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	The proposed use would impact detrimentally on the biodiversity of the area by introducing an industrial type use into a rural site which is not appropriately serviced for the use.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	The dwelling has a septic tank; however the car restoration use is not appropriately serviced.
<b>Design and siting issues</b>	
The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.	The dwelling structure is located to the rear of the site. However the proposed car restoration use would be located in close proximity to the western boundary of the land which directly abuts agricultural production. This is not considered to be an appropriate outcome.
The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts	The siting of the proposed car restoration would have a detrimental impact on the visual amenity of the area.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (continued)

Design and siting issues	
The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.	The proposal would have a detrimental impact on the character of area by the introduction of an industrial use into the farming zone.
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.	The land is serviced
Whether the use and development will require traffic management measures.	It is not anticipated that the proposal would require traffic management measures.

#### Clause 21.06-4 Industry

The Clause 21.06-4 of the Planning Scheme notes the importance of industry and manufacturing to the economy of the municipality. It is noted that while industrial land must be protected and expanded, this must be managed to ensure that conflicts between conflicting land uses and interface issues between non-complimentary uses do not arise.

The following policy guidelines are set out for industrial development in rural areas.

*It is the 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 reuse of existing large scale packing sheds and cool stores.*

It is considered that the use of the land for car restoration is a use which is more suitable within an industrial area, would have a detrimental impact on surrounding agricultural practices and could not be considered to be a rural-based enterprise.

In light of the above, it is considered that the proposal would not comply with the provisions of Clause 21.06-4 of the Planning Scheme.

#### Council Plan/Key Strategic Activity

Strategic Goal

Economic Prosperity

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

The proposal would not support the strategic goal by permanently removing the land from agricultural production. Moreover the use of the land for car restoration has the potential to have a detrimental environmental impact on surrounding agricultural enterprises.

Officers are not satisfied that the proposal responds appropriately to the Council Plan in terms of strengthening the agricultural industry.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (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 not to achieve acceptable planning outcomes.

#### Financial Implications

The 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 identified as having any Aboriginal Cultural Heritage Sensitivity.

#### Environmental/Sustainability Impacts

The car restoration element of the proposal has the potential to have a detrimental impact on soil quality on the land and adjacent agricultural land by way of fluid spillage.

#### Social Implications

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

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

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

The proposed application to use the land for a dwelling and car restoration in the Farming Zone is not considered to raise any significant social or economic effects.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Use of Land for a Dwelling and Car Restoration (continued)

#### **Economic Impacts**

There are no economic impacts associated with the proposal.

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

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

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

The Council has received 1 objection to date and one letter of support to the application. The objector was issued with an acknowledgment letter.

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

<b>Reason for objection</b>	<b>Officers response</b>
The use of the land for a dwelling and car restoration would have a detrimental impact on the farming operations of the adjoining lot by way of rubbish.	Planning Officers consider that the proposed use of a dwelling and car restoration could potentially impact on neighbouring farming practices. The farming zone is considered to be a working zone and dwellings and industry not related to agriculture have the potential to create conflict issues between farming and non-farming residential uses.
The applicant has undertaken a number of unsupervised fires which have almost caused damage to the objectors land.	This is not a planning issue and cannot be dealt with in this assessment.
The objectors cease to use their hay storage shed as there is potential for damage from the applicant.	Activities on the land are having a detrimental impact on the ongoing operation of an agricultural enterprise. This is considered not to be in accordance with the provisions of the Farming Zone.
Potential health hazard from exposed asbestos	While the safety of the objectors is of concern, offsite safety is not something that is pertinent to the consideration to this application.
The car restoration / car storage is causing damage to fencing and some car parts are dropping onto the objectors land.	Activities on the land is having a detrimental impact on the ongoing operation of an agricultural enterprise The objector has stated that the use is damaging fencing and car parts falling onto the objectors property
Property devaluation.	Property devaluation is not a valid planning consideration.

Officers having considered the objections are of the opinion that the proposal would have a detrimental impact on surrounding agricultural activities and the objections lodged are valid and should lead to the application being refused.

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

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Use of Land for a Dwelling and Car Restoration (continued)**

#### **Strategic Links**

a) Greater Shepparton 2030 Strategy

5.3 Achieving the Strategic Objective

**Objective 1:** To protect the productive agricultural land base and the valuable regional resource of irrigated land.

**Objective 2:** To support developing and emerging agribusinesses and their increasing requirement for high technical infrastructure.

**Objective 3:** To develop and promote the municipality as a regional centre for food and primary industry research and development.

**Objective 4:** To ensure the sustainable development of business in strategic locations and to minimise conflicts at the urban fringe/agricultural land interface.

The policy direction supports the protection of productive agricultural land and supports the ongoing development of innovative agriculture and agribusiness within the municipality.

It is considered that the loss of productive agricultural land is not supported by the Greater Shepparton 2030 Strategy.

#### **Conclusion**

Officers, having undertaken an assessment of the application have decided that the application does not achieve acceptable planning outcomes when assessed and therefore the application should be refused.

#### **Attachments**

1. Clause 63 for Council Report Page 518
2. 2016-18 - Site Plan for Council Report Page 521

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (January 2016 to April 2016)

#### **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 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

Positives from the above information include:

- An increase in planning permit applications lodged when compared to the corresponding reporting period in 2015.
- An increase in planning permit applications decided when compared to the corresponding reporting period in 2015.
- A slight increase in the percentage of applications issued within the statutory timeframe when compared to the corresponding reporting period in 2015.

Average decision making times were slightly higher when compared to the corresponding reporting period in 2015. This is likely to be a direct correlation with the increase in application numbers in the 2016 report period. So far in 2016 a conscious effort has continued to minimise the number of planning permit applications that remain in the assessment system for more than 100 days. These types of applications are generally complex and receive objections as part of the public notification process. This requires adequate time to be allocated to mediate between objectors concerns and the applicant's development proposal.

The effort to minimise these applications has helped to bridge the gap between the number of applications lodged and applications decided so far in 2016. It also helped to reduce backlog in the system. The focus continues to be on striking a balance between reducing backlog and issuing a larger number of less complex applications in a timely manner.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (January 2016 to April 2016) (continued)

Overall performance figures remain good. A continued focus on the above will ensure overall approval times continue to improve.

**Moved by Cr Hazelman**  
**Seconded by Cr Oroszvary**

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

**CARRIED.**

#### **Planning Permit Activity**

The number of planning permit applications lodged from 1 January 2016 until the end of April 2016 was 211. Planning permit applications lodged for the same period in 2015 was 195.

The number of planning permit applications decided from 1 January 2016 until the end of April 2016 was 200. Planning permit applications decided in this period in 2015 was 168.

The average decision making time for planning permit applications from 1 January 2016 until the end of April 2016 was 48.43 statutory days. The average decision making time for the corresponding period in 2015 was 46.48 statutory days.

The percentage of applications completed within sixty days remains above 75% for the financial year. The Statutory Planning Team will aim to finish the financial year at close to 80%. As stated in previous reports this is dependent upon a number of variables such as the type and complexity of applications received and how many applications receive objections, all of which can impact on decision making times.

As at the date of writing this report there are 7 planning permit applications that have been in the assessment system for more than 100 days. This is approximately 6.5% of all active applications and an improvement on the 11% of applications during the last reporting period (August-December 2015).

The tables listed below provide a summary of the monthly reporting undertaken by the Statutory Planning Team up to the end of April 2016. Information shown for May 2016 does not reflect a completed month.

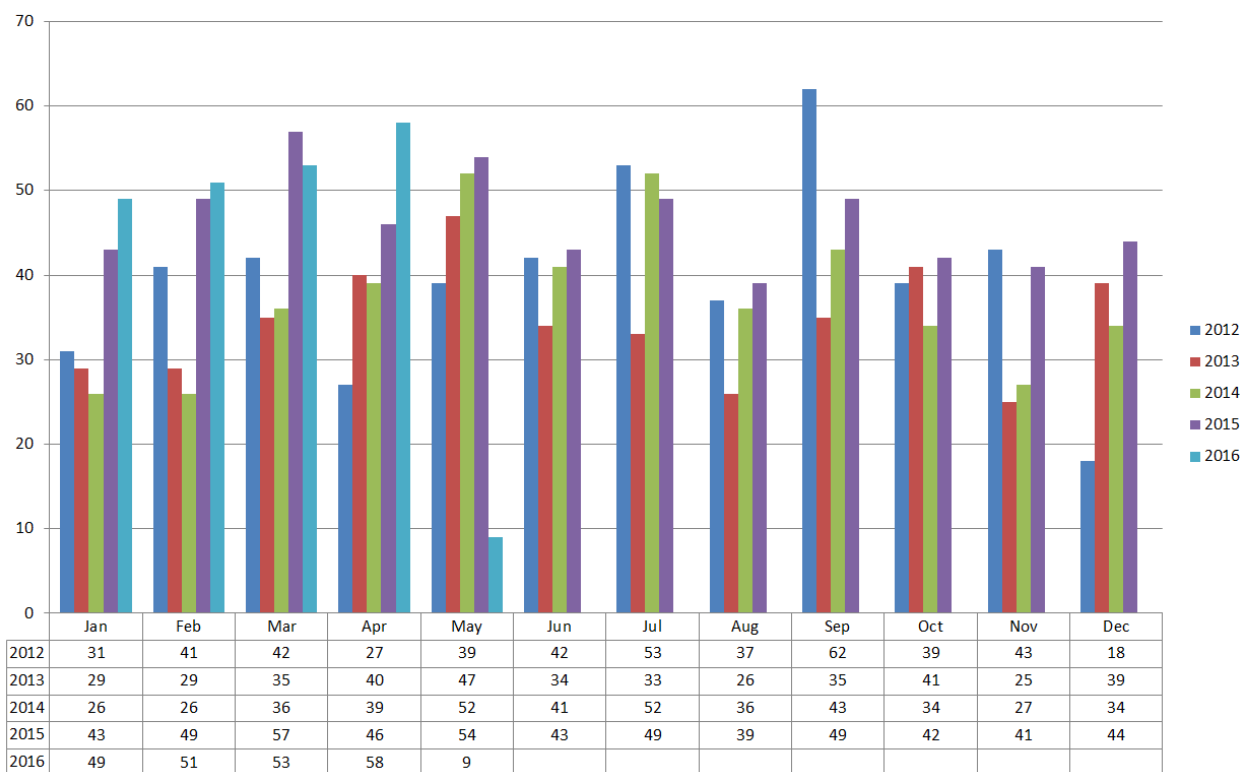
Additional information on planning permit activity is included in attachments 1 and 2 this report.



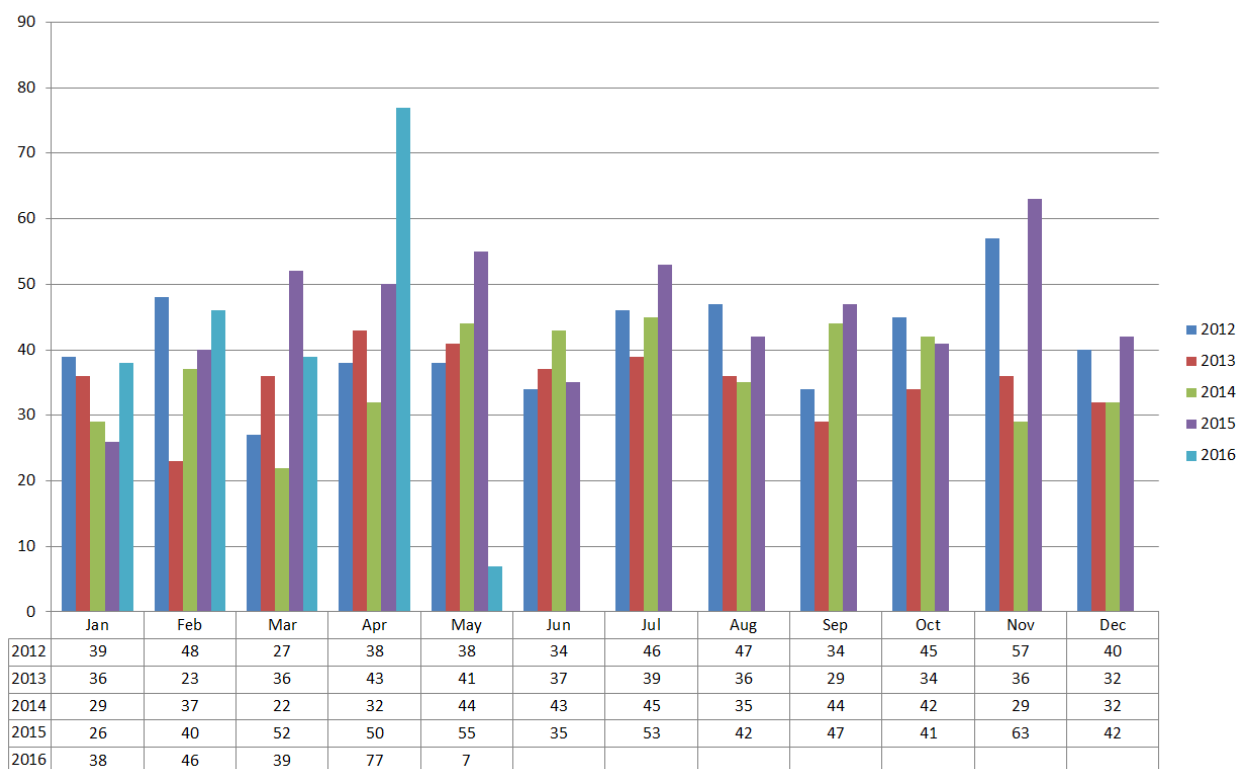
## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (January 2016 to April 2016) (continued)

Applications Lodged



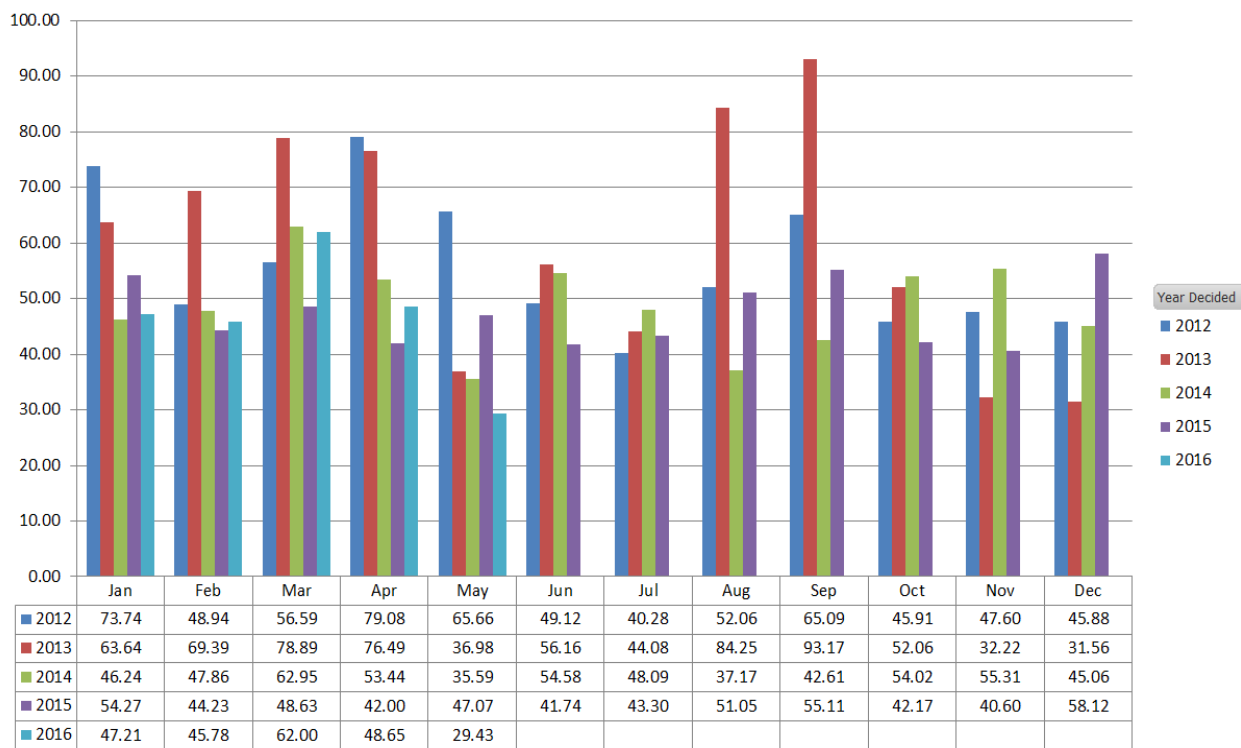
Applications Decided



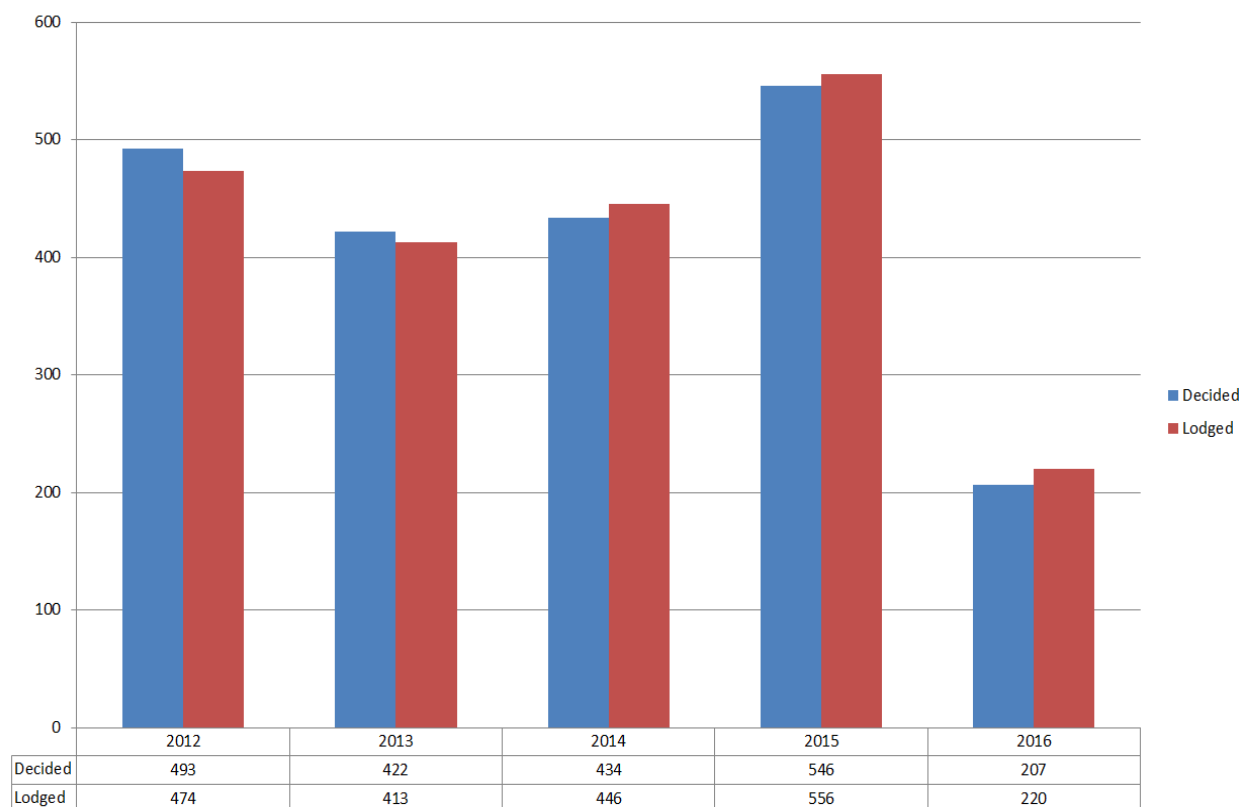
## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (January 2016 to April 2016) (continued)

Average Decision Statutory Days



Applications Lodged & Decided



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (January 2016 to April 2016) (continued)

#### **VCAT Activity**

Below is a summary of recent VCAT activity:

- A VCAT hearing to re-consider an extension of time request for a planning permit for a service station at 309 Midland Highway was held on 9 May 2016. The tribunal member dismissed the application for extension of the permit following a submission from the applicant that an extension to the permit would no longer be beneficial. A written VCAT order was provided on 10 May 2016
- An enforcement order application was lodged at VCAT seeking an order to cease the illegal use of part of the land at 85-95 High Road, Murchison for materials recycling. VCAT have directed that the use must be reduced in size (to an area of existing use rights) by June 2016. VCAT have also directed that all parties attend a second hearing in on 30 June 2016 to report on level of compliance with the VCAT direction.
- An enforcement order application has been lodged against a cool store operation at 25 Doyles Road. The permit holder has failed to undertake road safety works, being a left turn lane into the land from Doyles Road. A VCAT hearing was held on 15 January 2016 and a subsequent enforcement order was issued requiring completion of road safety works. The owner is currently undertaking these works in accordance with the VCAT direction.
- Council's Planning Department has received a complaint from the Commonwealth Bank of Australia in relation to failure to comply with a section 173 agreement at 290 and 300 Central Avenue, Shepparton East. The agreement required the construction of a fire wall within an existing shed; officers have observed that this fire wall has not been erected. As the owners have failed to comply with requests to construct the wall, an enforcement application has been lodged at VCAT. A compulsory conference is being held at VCAT hearing on 25 May 2016 to resolve the matter.
- An enforcement order application has been lodged at VCAT in relation to an unauthorised fuel container on land at 309 Midland Highway. The VCAT hearing is scheduled for 28-29 July 2016.
- An appeal has been lodged at VCAT against a decision to refuse a planning permit application for an internally illuminated electronic promotion sign at 82 Wyndham Street, Shepparton. VicRoads as the referral authority objected to the application. A hearing date has been set for the 1 July 2016.
- An appeal has been lodged at VCAT against a decision to grant a Notice of Decision to issue a planning permit for cricket practice nets at 127-133 Knight Street, Shepparton. A practice hearing day was held at VCAT on 6 May 2016. An ultimate hearing date has been set for the 26 September 2016.
- An appeal has been lodged at VCAT against a decision to refuse a planning permit application for a major promotion sign at 195 Numurkah Road, Shepparton. A hearing date has been set for the 9 September 2016.

#### **Planning Enforcement update**

At the time of writing this report there are 48 active enforcement cases (files), all of which are at varying stages of the investigative process.

Currently there are 15 planning permit applications being assessed as a result of enforcement action and a further 6 enforcement files where works are underway to achieve compliance.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Statutory Planning Update (January 2016 to April 2016) (continued)**

Through the 1 January 2016 until the end of April 2016 the Planning Department began investigating 45 new enforcement matters. Through the same period 68 matters have been resolved, 25 of which resulted in planning applications being submitted. Of these matters, 17 have resulted in a planning permits being issued, eight applications are currently still being assessed.

During the above period, 34 planning permits were audited, 25 were found to be compliant, with the remainder requiring some form of additional works/enforcement action in order to comply with the permit conditions.

#### **Developments Hearings Panel Update**

A number of applications have been considered by the Development Hearings Panel (DHP) in the months from January 2016 – April 2016:

- An application for a roofed structure at 7580 Goulburn Valley Highway, Kialla. Notice of Decision to Grant a Planning Permit was issued.
- An application for a dwelling extension at 138-140 O'Reilly Road, Tatura. The application was refused.
- An application for cricket practice nets at 127-133 Knight Street, Shepparton. Notice of Decision to Grant a Planning Permit was issued.
- An application for a major promotion sign at 195 Numurkah Road, Shepparton. The application was refused.
- An application a re-subdivision of land at 380 Turnbull Road, Ardmona. The application was refused.
- An application for a home occupation at 1 Redbyrne Court, Shepparton. Notice of Decision to Grant a Planning Permit was issued.
- An application for a residential building at 170 Knight Street, Shepparton. Notice of Decision to Grant a Planning Permit was issued.
- An application for a dwelling at 750 Kyabram-Cooma Road, Cooma. Notice of Decision to Grant a Planning Permit was issued.

#### **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.

#### **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.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Statutory Planning Update (January 2016 to April 2016) (continued)

#### **Financial Implications**

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

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

There is no legal requirement to provide the information required in this report. 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.

#### **Conclusion**

New planning permit applications have increased when compared to the same reporting period in 2015. This has corresponded with more planning permit applications being decided. While the average approval times for this reporting period increased slightly, the percentage of applications decided on within the statutory timeframe of 60 days remains above 75%.

Key focuses for the remainder of 2016 will be to continue to reduce the number of active planning permit applications in the system for over 100 days, issuing a larger number of less complex applications in a timelier manner 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 January to April 2016 Page 523
2. Planning Permit Activity Reporting - January to April 2016 Page 525

## 10. TABLED DOCUMENTS

Cr Adem read the decision from the Councillor Conduct Panel in relation to Cr Patterson.

Cr Patterson tabled two apologies to Greater Shepparton City Council and Mr Gavin Cator.

### **Attachments**

1. Tabled Decision from the Councillor Conduct Panel Page 534
2. Tabled apology from Cr Patterson to the Council and Mr Gavin Cator Page 525

## 11. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

Nil Received

## 12. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

### 12.1 Cr Houlihan's Report on Special Committees and Advisory Committees

Name of Committee	Date of Meeting Attended	Key Items
Greater Shepparton Heritage Advisory Committee	2/05/2016	<ul style="list-style-type: none"> <li>• It was noted that Heritage Victoria has funding to allocate over the next 3 years to assist Councils to maintain their State listed Heritage buildings. The Committee will be assessing opportunities.</li> <li>• Local historian John Gribben presented information about the history and remnant infrastructure of the Internment and Prisoner of War Camps at Murchison, Rushworth and Tatura.</li> <li>• Looking for old mileage posts: The Committee is looking for any old mileage posts still intact along Greater Shepparton roads. Asking people to photograph them, record the location and notify Council's Heritage department.</li> </ul>
Australian Botanic Gardens Shepparton Special Committee	25/02/2016	<ul style="list-style-type: none"> <li>• The Committee was pleased with the strong support shown by the public for the draft budget allocation for the gardens, noting that there were 32 written submissions received and 850 signatures on a petition.</li> <li>• Final planning, including information to the media, for the opening of the Turtle Garden, a project funded and organized by the independent Friends of the Gardens group.</li> <li>• The work done by the Shepparton Men's Shed was acknowledged, including the making of dozens of wire-netting plant protectors to prevent the newest plants from being devoured by rabbits.</li> </ul>
Deakin Reserve Advisory Committee	8/06/2016	<ul style="list-style-type: none"> <li>• Ground report. Despite the consistent rain event recently the ground surface has remained in good condition, apart from a few small muddy areas.</li> <li>• Lights: Following several failures of the ground lighting the Committee requested additional testing to detect the problem. (At the time of writing this report it seems that the problem has been identified and works are planned to solve the problem. It appears that an upgrade of the circuit breaker is required).</li> </ul>

**Moved by Cr Houlihan**  
**Seconded by Cr Hazelman**

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

**CARRIED.**

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

Nil Received

**14. DOCUMENTS FOR SIGNING AND SEALING**

Nil Received



## 15. COUNCILLOR ACTIVITIES

### 15.1 Councillors Community Interaction and Briefing Program

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

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

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

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

From 1 May 2016 to 31 May 2016, some or all of the Councillors have been involved in the following activities:

Shepparton Legacy - 66th annual luncheon  
 Heritage Advisory Committee meeting - May 2016  
 15 Year Anniversary | Mooroopna Senior Strength Training Programs  
 Community Matching Grant Information Session and afternoon tea  
 Development Hearings Panel Meeting  
 Sir Murray Bouchier Memorial | Committee Meeting  
 Shepparton Probus Club  
 Women in Local Government Election Information Session  
 2016 White King - Pental 95 3SR FM Business Awards Launch  
 Victorian Country Pools Conference 2016  
 Citizenship Ceremony  
 Business & Industry Luncheon | Education Sector  
 Meeting | Senator Bridget McKenzie  
 Volunteer Awards  
 MAV State Council Meeting  
 PAAC Meeting  
 Vietnam Veterans Association Victoria Branch Conference  
 Shepparton Heritage Centre Open Day  
 Launch of the draft Goulburn Valley Waste and Resource Recovery Implementation Plan  
 Federal Minister for Indigenous Affairs - Nigel Scullion  
 Shepparton Show Me Ordinary Meeting  
 Dairy Industry Briefing  
 Working Better, Working Brighter Project Close  
 Briefing at GV Health | Duncan McGauchie and Minister for Health  
 Visit to Sports Precinct | Duncan McGauchie & Minister for Health  
 Committee for Greater Shepparton Annual General Meeting  
 Opening of the Food and Fibre Day  
 Shepparton Interfaith function | "Faith in the Workplace"  
 Jobs Victoria Employment Network - Information Sessions  
 Mayoral Leadership Conference Alumni Networking Event  
 Powerdown Project GV Community Energy | Celebration Luncheon  
 Wesak 2016 Celebration  
 Shepparton Showgrounds Advisory Group meeting Minutes / Bendigo Site Visit  
 GV Rural Health Career Day  
 National Sorry Day Ceremony  
 MAV Multicultural Committee  
 Shepparton Ace College - Annual General Meeting

## 15. COUNCILLOR ACTIVITIES

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

Greater Shepparton Women's Charter Alliance Advisory Committee  
RiverConnect & Eastbank Lake Project 'Governance' Meeting  
Sports Hall of Fame Meeting  
Botanic Gardens National Open Day/Official Launch

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

**Moved by Cr Oroszvary**  
**Seconded by Cr Hazelman**

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

**CARRIED.**

### **Attachments**

Nil

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors

Councillor Briefing Session – 3 May 2016		
Councillors	Cr Fern Summer, Cr Chris Hazelman, Cr Jenny Houlihan, Cr Kevin Ryan	
Officers:	Steve Bowmaker, Johann Rajaratnam, Kaye Thomson, Chris Teitzel, Rebecca Coates, Seema Abdullah, Michael MacDonagh, Elke Cummins, Geraldine Christou, Michael Carrafa, Colin Kalms, Braydon Aitken, Andrew Dainton and Rebecca Bertone (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Design Competition for a new Shepparton Art Museum	Cr Summer (Chair) Cr Hazelman Cr Houlihan Cr Ryan
2.	Presentation from Shepparton East Bowls Club and Doutta Galla Aged Services	Cr Summer (Chair) Cr Hazelman Cr Houlihan Cr Ryan
3.	Small Town Festive Grants Program 2015	Cr Summer (Chair) Cr Hazelman Cr Houlihan Cr Ryan
4.	Tatura Senior Citizen Centre	Cr Summer (Chair) Cr Hazelman Cr Houlihan Cr Ryan
5.	Shepparton Art Museum Constitution	Cr Summer (Chair) Cr Hazelman Cr Houlihan Cr Ryan
6.	Legal Matter	Cr Summer (Chair) Cr Hazelman Cr Houlihan Cr Ryan
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil	

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Councillor Briefing Session – 10 May 2016		
Councillors	Cr Dinny Adem, Cr Fern Summer, Cr Jenny Houlihan, Cr Les Oroszvary, Cr Kevin Ryan	
Officers:	Peter Harriott, Steve Bowmaker, Johann Rajaratnam, Kaye Thomson and Chris Teitzel, Heath Chasemore, Braydon Aitken, Andrew Dainton, Geraldine Christou, Anna Feldtmann and Rebecca Bertone (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Deakin Reserve Advisory committee – 2015 Annual Report	Cr Adem (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan
2.	Dairy Industry	Cr Adem (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan
3.	Civil Construction Depot in Tatura	Cr Adem (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan
4.	Council Grants Program	Cr Adem (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan
5.	Chamber of Commerce	Cr Adem (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan
6.	CEO and Mayoral Visit to Canberra	Cr Adem (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan
7.	Review of Draft Ordinary Council Meeting Agenda	Cr Adem (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan

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

Matter No.	Matters discussed	Councillors Present for Discussion
8.	Shepparton Sports Precinct Update	Cr Adem (Chair) Cr Summer Cr Houlihan Cr Oroszvary Cr Ryan (partial)
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil	

**Councillor Briefing Session – 17 May 2016**

Councillors	Cr Dinny Adem, Cr Fern Summer, Cr Jenny Houlihan, Cr Kevin Ryan	
Officers:	Peter Harriott, Steve Bowmaker, Johann Rajaratnam, Kaye Thomson and Chris Teitzel, Grace Docker, Elke Cummins, Jon Griffin, Darren Buchanan, Colin Kalms and Maree Martin (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Adoption of Amendment C98 - Part 2 (Verney North Low Density Rezoning) to the Greater Shepparton Planning Scheme	Cr Adem (Chair) Cr Summer Cr Patterson Cr Hazelman Cr Houlihan Cr Ryan
2.	Awarding of Contract 1583 Design and Construct of Synthetic Athletics Track	Cr Adem (Chair) Cr Summer Cr Patterson Cr Hazelman Cr Houlihan Cr Ryan
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil	

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Councillor Briefing Session – 24 May 2016		
Councillors	Cr Dinny Adem, Cr Fern Summer, Cr Chris Hazelman, Cr Jenny Houlihan, Cr Dennis Patterson, Cr Kevin Ryan	
Officers:	Peter Harriott, Steve Bowmaker, Kaye Thomson, Chris Teitzel, Rohan Sali, Matthew Jarvis, Colin Adams, Heath Chasemore, Malcolm Styles, Terry Alford, Robert Aynsley and Rebecca Bertone (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Presentation from Murray Dairy	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
2.	2016 General Valuation	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
3.	Contract 1422 – Provision of Horticultural Services	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
4.	Contract 1489 – Provision of Irrigation Services, Materials Supply and Pumps and Repairs	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
5.	Contract 1490 – Supply of Horticultural and Arboricultural Materials	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
6.	Sandhurst Catholic School – Potential Joint Early Childhood and Sports Facilities	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan

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

Matter No.	Matters discussed	Councillors Present for Discussion
7.	Cosgrove 3 Landfill – Boral Agreement and Stone Sale Agreement	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
8.	Contract 1431 – Bulk Bin Transfer and Waste Transport Services	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
9.	Sir Murray Bouchier – Memorial Siting	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Patterson Cr Ryan
10.	SAM Project Board – Community Representative	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Patterson Cr Ryan
11.	Recognition of Former Mayors and Display of Council History	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil	

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Greater Shepparton Women's Charter Alliance Advisory Committee 27 May 2016		
Councillors:	Cr Dinny Adem	
Officers:	Emma Hofmeyer, Michelle Bertoli, Charlene Norton, Kate Montgomery, Seema Abdullah	
Matter No.	Matters discussed	Councillors Present at Discussion
5	Correspondence in and out	Nil
6	Media – articles about the Women's Charter Committee in the last month	Nil
7	Budget – current remaining budget for GSWCAAC 2015/2016	Nil
8	Next Council meeting date	Nil
9	Committee memberships	Nil
10	3x3 Action Plan - Update	Nil
11	Refugee Week update	Cr Dinny Adem
12	Membership Drive and consideration of applications	Cr Dinny Adem
13	Terms of Reference Review	Cr Dinny Adem
14	10thousandgirl online scholarships	Cr Dinny Adem

**Moved by Cr Houlihan**  
**Seconded by Cr Patterson**

That the Council note the Assemblies of Councillors.

**CARRIED.**

#### Attachments

Nil



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

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

That Council further consider the critical health issue of Addiction Recovery facilities and that staff provide a report back for Council's consideration within 3 months.

Cr Ryan was granted an extension of time to speak to the motion.

The motion was put and carried.

## 18. PUBLIC QUESTION TIME

### Question 1 (John Gray)

In 2011 a Discussion Paper entitled “Parking in Shepparton’s Central Business District” was compiled by Management Consultant Alan Talbot making 11 recommendations. How many of those recommendations have been adopted and what were they?

### Response

The Parking in Shepparton’s Central Business District Discussion Paper was adopted at the OCM in August 2011. The recommended actions were reviewed and their status updated in 2014.

The planned Movement and Place Strategy will provide updated analysis and recommendations on CBD parking.

### Recommendation Status

#### 1. Strategic Role of Council

A Movement and Place Strategy (MAPS) for the Shepparton CBD will be prepared in the 16/17 financial year. This will provide a comprehensive analysis of existing and future transport requirements. Included within this will be analysis on the provision of parking and competing demands for space between parking and other transport modes and land uses.

The MAPS will need to identify solutions to parking issues in Shepparton e.g. through the provision of improved centralised parking such as multi-deck car parks facilitating the removal of on-street parking elsewhere.

#### 2. Managing Perceptions & Expectations regarding parking

- Parking awareness and perceptions have been targeted through marketing campaigns and working in conjunction with Shepparton Show Me
- This will be addressed further within the MAPS.

#### 3. Monitoring and reviewing parking within the CBD

- A survey of car parking usage is currently being undertaken by Planning.
- Parking bay locations are maintained on Dekho (Geospatial Database)
- Land cost and construction rates are kept by Projects.

#### 4. Create a reduced reliance on On-Street Parking within CBD

- This will be addressed within the MAPS through new infrastructure recommendations.

#### 5. Maintain existing time limits for On-Street Parking to ensure high turnover and trading activity.

- The standard 1-hour limits were extended to 2-hours following feedback from CBD traders. This was done despite the recommendation to maintain the 1-hour limit.

#### 6. Develop a multi-deck car park at Rowe Street Car Park

- The MAPS will make recommendations on the CBD’s future parking infrastructure needs.

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## **18. PUBLIC QUESTION TIME**

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### **18.1 Public Question Time (Continued)**

#### **7. Welsford Street Car Park to function as all day parking – Reference to a number of levels at carpark**

- The MAPS will make recommendations on the CBD's future parking infrastructure needs

#### **8. Stewart Street Multi-Deck – Communicate with Care Park to increase usage by enhance presentation and signage, improving pedestrian connection between multi-deck and Maude St Mall.**

- Council has liaised with and is currently in discussion with Care Park to encourage future investment in the aesthetic appearance and maintenance of the facility.

#### **9. “Cash in Lieu of Parking” Contributions should contribute to off street parking development costs**

- The MAPS will build on initial benchmarking by Planning to review “Cash in Lieu of Parking” Contributions in line with the CBD's future infrastructure needs.
- The MAPS will need to inform the review of cash-in-lieu parking charges in the Greater Shepparton Planning Scheme

#### **10. Sources and Uses of Parking Funds – Revenue from both parking operations and cash in lieu scheme**

- The MAPS should outline how the existing or proposed cash-in-lieu of parking charges should be spent.

#### **11. Free Parking - Consider free parking as an option within CBD while considering both the revenue loss and economic benefit**

- Free parking trials have been conducted through Shepparton Show Me to stimulate trade at specific times. The trials did not generate conclusive evidence of enhanced economic trade.
- This will be further addressed within the MAPS to determine best approach

### **Question 2 (John Gray)**

What is the current status of the revision of the Victoria Park Master Plan?

### **Response**

The Victoria Park Master Plan is still currently under review. Once the draft Master Plan is finalised it will be presented to Council for final public consultation.

## 18. PUBLIC QUESTION TIME

### 18.1 Public Question Time (Continued)

#### **Question 3 (Rod Schubert)**

There are two Bicycle racks located in the Maude Street mall which appear to be poorly utilised by Bicycle Owners. Can I be advised of the costs of the two bicycle racks please, and how is COGS ensuring the racks are being used as they were intended to be used, given that at least one of the Bicycle racks is currently being utilised as a storage area for someone's personal affects?

#### **Response**

The two bike lockers were fabricated by a local firm at a cost of approximately \$3000 each. They are well utilised and are monitored and kept clean by our Civic Presentation Team. From time to time we have noted people using the lockers to store personal possessions other than bicycles and in these circumstances, officers work with Council's Community Strengthening Team to make contact with the owner of the personal possessions so that the items can be removed to another location and the lockers returned to their original intended use.

#### **Question 4 (Rod Schubert)**

Is the City of Greater Shepparton Council considering any funding for the Tatura Irrigation and Wartime Camps Museum, 42 Hogan Street, Tatura?

#### **Response**

At present Council does not have any funding commitment towards the Tatura Irrigation and Wartime Camps Museum however our Grants Officer is in conversation with them about potential funding streams.

## 19. CONFIDENTIAL MANAGEMENT REPORTS

### 19.1 Designation of Confidentiality of Information – Report Attachments

**Moved by Cr Hazelman**  
**Seconded by Cr Houlihan**

In accordance with section 77(2)(b) of the *Local Government Act 1989* (the Act) the Council designates as confidential all documents used to prepare the following agenda items:

1. Contract 1431 - Bulk Bin Transfer and Waste Transport Services
2. Contract 1583 - Design and Construct of Synthetic Athletics Track
3. Contract 1422 - Provision of Horticultural Services
4. Contract 1489 - Provision of Irrigation Services, Irrigation Materials Supply and Irrigation Pumps and Repairs
5. Contract 1490 - Supply of Horticultural and Arboricultural Materials
6. Greater Shepparton Sports Precinct, East - West Boulevard and Balance of Precinct Works

previously designated by the Chief Executive Officer in writing as confidential under section 77(2)(c) of the Act. These documents relate to contractual matters which are relevant grounds for applying under the Act.

**CARRIED**

**THE MEETING CLOSED AT 7.28PM**