

# MINUTES

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## ORDINARY COUNCIL MEETING

HELD ON  
TUESDAY 21 FEBRUARY, 2017  
AT 5.30PM

IN THE COUNCIL BOARDROOM

**COUNCILLORS:**

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

***VISION***

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



**M I N U T E S**  
**FOR THE**  
**ORDINARY COUNCIL MEETING**  
**HELD ON**  
**TUESDAY 21 FEBRUARY, 2017 AT 5.30PM**

**CHAIR**  
**CR DINNY ADEM**

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## RISK LEVEL MATRIX LEGEND

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

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

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

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

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

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

**Insignificant** Operational, add treatments where appropriate



**PRESENT:** Councillors Dinny Adem, Kim O’Keeffe, Seema Abdullah, Bruce Giovanetti, Chris Hazelman, Dennis Patterson and Shelley Sutton.

**OFFICERS:** Peter Harriott – Chief Executive Officer  
Steve Bowmaker – Director Infrastructure  
Johann Rajaratnam – Director Sustainable Development  
Chris Teitzel – Director Corporate Services  
Kaye Thomson – Director Community  
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. NOTICE TO GALLERY – LIVE STREAMING OF COUNCIL MEETING**

Please note that this Council meeting is being streamed live and recorded in accordance with the Council’s Live Streaming and Recording of Council Meetings Policy.

All care is taken to maintain your privacy; however as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery it is assumed your consent is given in the event that your image is broadcast.

For more information the policy is available on the Greater Shepparton City Council’s website.

## **3. APOLOGIES**

**Moved by Cr Hazelman  
Seconded by Cr Patterson**

That the apologies received from Cr Oroszvary and Cr Summer be noted and leave of absence be granted.

**CARRIED**

## **4. DECLARATIONS OF CONFLICT OF INTEREST**

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

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

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

**Moved by Cr Giovanetti  
Seconded by Cr O'Keeffe**

That the Minutes of the Ordinary Council meeting held 20 December 2016 and the Special Council Meeting held 31 January 2017 as circulated, be confirmed.

**CARRIED.**



## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Sir Murray Bouchier Memorial - Proposed Site Location

#### **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**

Sir Murray William James Bouchier was a renowned local pastoralist, soldier and statesman. Bouchier's family held considerable land selections in the Tocumwal and Strathmerton districts and he was a distinguished Light Horseman during the First World War. After the War, Bouchier became a member of the Victorian Legislative Assembly, holding ministerial appointments and the deputy premiership during the 1920's and 1930's. Bouchier was appointed as Victoria's Agent General in London in 1936 and died there the following year. He is buried along with his wife in the Shepparton cemetery.

A working group consisting of representatives from the Returned and Services League, Council and community members was established in 2010 to explore the possibility of establishing a suitable memorial for Sir Murray Bouchier. On 1 December 2010, the working group wrote to the Council, seeking endorsement of the Queen's Gardens as an appropriate site for the erection of a proposed memorial.

At the Ordinary Council meeting on 19 April 2011 Council resolved that Queens gardens be the preferred site for the Sir Murray Bouchier memorial.

Further discussions with the Sir Murray Bouchier Memorial committee and Council officers have identified a more appropriate site adjacent to the war memorial at Monash Park. Other locations around the Civic precinct were also briefly assessed, but none were considered suitable and prominent enough.

#### **Moved by Cr Sutton**

#### **Seconded by Cr Giovanetti**

That the Council:

1. rescind the previous resolution of Council made at the Ordinary Council Meeting on 19 April 2011 which identified the Queens gardens as the preferred site for the Sir Murray Bouchier memorial;
2. accept the proposed location of Monash Park for the Sir Murray Bouchier memorial.

**CARRIED.**

## 6. INFRASTRUCTURE DIRECTORATE

### **6.1 Sir Murray Bouchier Memorial - Proposed Site Location (continued)**

#### **Background**

Sir Murray William James Bouchier was a renowned local pastoralist, soldier and statesman. Bouchier's family held considerable land selections in the Tocumwal and Strathmerton districts and he was a distinguished Light Horseman during the First World War. After the War, Bouchier became a member of the Victorian Legislative Assembly, holding ministerial appointments and the deputy premiership during the 1920's and 1930's.

Bouchier was appointed as Victoria's Agent General in London in 1936 and died there the following year. He is buried along with his wife in the Shepparton cemetery.

Bouchier was Minister of Agriculture and of Markets from 1924-27, deputy leader of his party in 1927-30 and leader from 1933 to 1935. In the Country Party government formed with Labor support on 2 April 1935, Bouchier was named Chief Secretary and Minister of Labour and Deputy Premier.

In January 1936 his appointment as Victoria's Agent-General in London. Bouchier left for London in August 1936, but on 16 December 1937 he died in London and was cremated. Bouchier was knighted posthumously in January 1938 and his ashes are buried in the Shepparton cemetery, along with his wife.

The Council was first approached by the Shepparton RSL sub-branch in 2008 with a proposal to develop a memorial for Bouchier and the matter was raised in state parliament by the Member for Shepparton, the Honourable Jeanette Powell on 16 April 2008. The Bouchier Memorial Working Group was formed in 2010, with representatives of the RSL, Council and interested community members, with the intention of seeking funding for a memorial.

A working group consisting of representatives from the Returned and Services League, Council and community members was established in 2010 to explore the possibility of establishing a suitable memorial for Sir Murray Bouchier. On 1 December 2010, the working group wrote to the Council, seeking endorsement of the Queen's Gardens as an appropriate site for the erection of a proposed memorial.

Sir Murray Bouchier Committee has asked Council to provide a suitable suggestion for the sitting of the memorial.

Extensive consultation with the Committee, ESL memorabilia expertise and historians to ensure the sculpture is an accurate depiction of Sir Murray Bouchier. Authenticity has been an important element along the way, bearing in mind that this will be an artist's impression of what might have been at the time. 1/3 scale resin Marquette has been completed and is currently on display in Council's Welsford street office reception entrance. Approximately 75% of the \$300,000 is required to be raised by the Committee to commence the life size sculpture. Target date for project completion was October 2017 which marks the 100th year anniversary, however 2018 now appears to be the estimated time for completion. The memorial site will be unique to anything that we have in the municipality as it features both Sir Murray Bouchier's war life and his civilian life.

At the Ordinary Council meeting on 19 April 2011 Council resolved that Queens gardens be the preferred site for the Sir Murray Bouchier memorial.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Sir Murray Bouchier Memorial - Proposed Site Location (continued)

Further discussions between the Sir Murray Bouchier Memorial committee and Council officers have identified a more appropriate site adjacent to the war memorial at Monash Park. Other locations around the Civic precinct were also briefly assessed, but none were considered suitable and prominent enough.

A update of the Monash Park master plan would be required to include the memorial, and impacts of the proposed Eastbank lake project needs to be considered in the exact location of the memorial.

See image below of proposed site



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

Active and Engaged Community

- We will improve liveability through social and recreational opportunities, a range of inclusive community services and activities, and valuing our diversity.
- We will provide and maintain urban and rural infrastructure to support the development and liveability of our communities.

#### **Risk Management**

Risk considerations for the general public and Council employees will be taken into consideration in the development of this proposal.

## 6. INFRASTRUCTURE DIRECTORATE

### **6.1 Sir Murray Bouchier Memorial - Proposed Site Location (continued)**

#### **Policy Considerations**

Relevant Council policies and external governing body policies will be considered in the development of this proposal.

#### **Financial Implications**

There are no financial implications associated with this report.

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

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

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

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

#### **Social Implications**

A number of community and stakeholder interactions have been undertaken to ensure social and heritage opportunities and implications were taken into consideration.

#### **Economic Impacts**

There are no economic impacts associated with this report.

#### **Consultation**

Ongoing consultation have occurred with the Sir Murray Bouchier committee which includes representation from the RSL, general community and Councillors

#### **Strategic Links**

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

Nil

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

Nil

#### **Conclusion**

The Sir Murray Bouchier memorial is an important symbol to recognise a famous Shepparton resident, the project has received wide community support and would be a significant feature of our local history.

#### **Attachments**

Nil

## 6. INFRASTRUCTURE DIRECTORATE

### **6.2 Proposed Closure of part of court bowl abutting Lot 30 Marlboro Drive, Kialla**

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

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

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

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

**Author: Property Officer**

**Proof reader(s): Co-ordinator Property**

**Approved by: Director Infrastructure**

#### **Executive Summary**

The Council has been approached by the owners of a residential subdivision, to consider the closure and transfer of a portion of a court bowl abutting Lot 30 Marlboro Drive, Kialla. The court bowl at the end of Marlboro Drive is no longer required as Marlboro Drive will be extended to the north and Kerang Avenue will join Marlboro Drive, forming a T-intersection. Due to the realignment of Kerang Avenue, a portion of court bowl to the south (highlighted yellow in the attached plan – Figure 2) needs to be handed back to the developer.

#### **Moved by Cr Patterson Seconded by Cr Hazelman**

That the Council:

1. In accordance with Clause 3 of Schedule 10 and section 206 and 223 of Local Government Act 1989 (the Act), public notice be given in the Shepparton News of the Council's intention to discontinue part of the court bowl abutting lot 30 Marlboro Drive, Kialla for the purposes of being subdivided and transferred to the subdivision owners.
2. The public notice stipulate that persons may make submissions on the proposed road discontinuance in accordance with Section 223 of the Act and that written submissions must be received by 31 March 2017.
3. the Chief Executive Officer be authorised to undertake the administrative procedures necessary to enable the Council to carry out its functions under section 223 of the Act in relation to this matter.
4. that if submissions are received under section 223 of the Act:
  - a) a special meeting of the Council be convened to hear from any person or persons who request to be heard in support of a section 223 written submission and, if required, the special council meeting be held "at a time and date to be determined" in the Council Offices at 90 Welsford Street, Shepparton, and
  - b) report on any section 223 submissions received by the council, along with a summary of any hearings held, be provided to the ordinary council meeting; and

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Proposed Closure of part of court bowl abutting Lot 30 Marlboro Drive, Kialla (continued)

5. if no submissions are received within the prescribed period, the Council resolves to formally discontinue part of the court bowl abutting lot 30 Marlboro Drive, Kialla without further resolution of the Council.

**CARRIED.**

#### **Background**

The Council has been asked to consider the closure and transfer of a portion of a court bowl abutting Lot 30 Marlboro Drive, Kialla to the subdivision owners. The court bowl was originally created as part of an earlier subdivision to allow access to the property of the subdivision owner and other adjacent properties. That property is now being further subdivided and Marlboro Drive which originally ended in the court bowl is now being extended to the north and will join up with Kerang Avenue (see attached plan). This will facilitate the future development of the site and a court bowl will not be required as that intersection will become a T-intersection with a through road heading north and east. It is recommended that part of the court bowl should be formally closed, subdivided and transferred to the subdivision owners. This will enable the best outcome identified for the development of this site.

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

This proposal is consistent with this document. The strategic objective, Growth, identifies an action as “*Facilitate residential, commercial and industrial development across Greater Shepparton.*”

#### **Risk Management**

The court bowl will no longer be required when the new subdivision is registered as Kerang Avenue will be extended through the subdivision owner’s land to intersect with Marlboro Drive, making Marlboro Drive a through road.

#### **Policy Considerations**

The proposed closure of the court bowl and sale does not conflict with Council’s policies. The Asset Management Policy states that the Council is committed to maximising resources to achieve the best outcome for the community

#### **Financial Implications**

The cost of the closure and sale, including subdivision costs, would be met by the subdivision owners. The subdivision owners are providing additional roads and the court bowl is no longer required as part of the subdivision and therefore it is not appropriate to sell the portion of court bowl to the subdivision owner as he had given the road to Council.

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

This procedure is being undertaken in compliance with the *Local Government Act 1989*. Section 206 Clause 3 of schedule 10 provides the Council with the power to close a road reserve and transfer the land. This will enable the land to be subdivided and transferred to the subdivision owners.

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

This proposal does not have any Environmental/Sustainability Impacts which need to be considered.

## 6. INFRASTRUCTURE DIRECTORATE

### **6.2 Proposed Closure of part of court bowl abutting Lot 30 Marlboro Drive, Kialla (continued)**

#### **Social Implications**

This proposal does not have any Social Implications but will assist the developer in achieving the best outcomes.

#### **Economic Impacts**

There will be no Economic Impacts on Council's budget as the developer will pay all costs.

#### **Consultation**

A number of relevant Council departments have been consulted, including planning, engineering and road management. All of the relevant authorities have been approached and none of those authorities have assets located in the portion of court bowl and therefore have not objected to the proposed closure and sale.

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

#### **Strategic Links**

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

This proposal is consistent with the Greater Shepparton 2030 Strategy as one of the supporting principles is identified within the Infrastructure section that "*The provision and restructure of urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.*"

#### **Conclusion**

That Council give public notice of its intention to close part of a court bowl abutting Lot 30 Marlboro Drive, Kialla for the purpose of being subdivided and transferred to the subdivision owners.

#### **Attachments**

Map - Proposed Closure of Part of Court Bowl abutting Lot 30 Marlboro Drive, Kialla Page 110

## 6. INFRASTRUCTURE DIRECTORATE

### **6.3 Contract 1693 - Fraser Street Toilets Redevelopment - Awarding of Contract**

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

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

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

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

**Author: Project Manager**

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

**Approved by: Director Infrastructure**

#### **Executive Summary**

Council sought submissions from qualified and experienced contractors to undertake the redevelopment of the Fraser Street Toilets in Shepparton. The contract includes the demolition of the existing building and construction of the new building as per the design and specification.

The tender evaluation process for the Fraser Street Toilets Redevelopment has determined that Crow Constructions Pty Ltd are the preferred contractor to undertake the works. Officers are seeking Executive and Council approval to award Contract 1693 to Crow Constructions Pty Ltd. Officers will be undertaking a negotiation process with the preferred contractor to identify potential savings within the tendered price.

**Moved by Cr Giovanetti  
Seconded by Cr Patterson**

That the Council:

1. accept the tender submitted by Crow Constructions Pty Ltd of 3 McHarry Place, Shepparton for Contract No. 1693 Fraser - Street Toilets Redevelopment for the Lump Sum price of \$492,971.60 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

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

The motion was put and carried.

**Cr O’Keeffe called for a division.**

**Those voting in favour of the motion: Cr Adem, Cr Hazelman, Cr Giovanetti, Cr Sutton, Cr Abdullah and Cr Patterson.**

**Those voting against the motion: Cr O’Keeffe**



## 6. INFRASTRUCTURE DIRECTORATE

### 6.3 Contract 1693 - Fraser Street Toilets Redevelopment - Awarding of Contract (continued)

#### Contract Details

Council sought submissions from qualified and experienced contractors to undertake the redevelopment of the Fraser Street Toilets in Shepparton. The contract includes the demolition of the existing building and construction of the new building as per the design and specification.

#### Tenders

Tenders were received from:

Tenderers
Crow Constructions Pty Ltd
Moretto Building Pty Ltd

#### Tender Evaluation

Tenders were evaluated by:

Title	Branch
Manager Neighbourhoods	Neighbourhood Department
Manager Parks, Sport and Recreation	Recreation & Parks Department
Project Manager	Projects Department
Contracts & Procurement Advisor	Procurement Department

#### Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	35%
Capability and previous experience	15%
Program delivery time frame & work methodology	10%
Environment and sustainability	10%
Quality	10%
OH&S	10%
Benefit to local region	10%

#### Council Plan/Key Strategic Activity

The redevelopment of the Fraser Street Toilets facility is identified in the following strategic documents:

##### 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

The project will be managed by the Project Management Office, drawing on their expertise in managing risks associated with these types of projects. The Integrated Project Management (IPM) system will be used to manage this project. The contractor will be required to adhere to all OH&S requirements, and identify and mitigate risks as required.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.3 Contract 1693 - Fraser Street Toilets Redevelopment - Awarding of Contract (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Contractor insolvency	D	1	High	Contract to include bank guarantees.
Significant utilities issue	C	2	High	Contractors are responsible to identify all utilities. A preliminary plan of 'Dial Before You Dig' information will be provided to the contractor. Approvals required from certain utilities providers are been obtained.
Time delays	C	3	Moderate	Contractors will be pushed to meet committed deadlines so as not to delay the project.
Cost increase	C	3	Moderate	The contractor has priced as per the construction drawings and specification. A contingency has been included in the contractor's price.
Poor quality workmanship	C	3	Moderate	Evaluation considered the contractors list of current/previous works and their quality systems.

#### Policy Considerations

This project does not conflict with any Council policies.

#### Financial Implications

	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*	\$		
Expense	\$366,448*	\$448,156 \$70,000	\$81,708 (contract expenses) \$70,000 (non-contract expenses)	\$492,971.60 \$77,000
Net Total	\$366,448	\$518,156	\$151,708	\$569,971.60

#### NOTE:

- Existing budget is \$366,448
  - o Year to date actuals: \$45,000 (design, salaries, preliminary works)
  - o Non-contract expenses (estimated for January – June): \$25,000 (i.e. temporary toilets, marketing, miscellaneous)
- Balance: \$296,448
- Contract amount: \$448,156
- Therefore an additional \$151,708 is requested in order to meet the contract amount.

## 6. INFRASTRUCTURE DIRECTORATE

### **6.3 Contract 1693 - Fraser Street Toilets Redevelopment - Awarding of Contract (continued)**

- *Post tender award discussions will be held with the successful bidder to determine cost efficiencies that can be delivered with the project that do not affect the overall functionality of the toilets. Officers and suppliers believe that approximately \$60,000 of savings will be able to be identified without having a material impact on the final product.*

**NOTE:**

- *\$110,000 in funding from the Department of Health and Human Services was received last financial year and is included within the \$366,448 budget.*

<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**

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

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

Environmental/sustainability considerations during the works include:

- The design has considered water and energy saving options
- Council will salvage some items as part of the demolition
- Contractors are expected to recycle materials removed as part of the demolition

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Settlement and Housing: Growth

- Objective: To provide convenient access to a range of activity centres and employment opportunities that can serve the expanded municipality.
- Strategy: Identify, promote and manage a range of activity centres that are conveniently located and easily accessible to all residents

Community Life: Health and Social Services

- Objective: To provide an equitable and efficient distribution of community facilities and services.
- Strategy: Locate facilities and service centres where they can be accessed by public transport and/or walking/cycle paths.

Economic Development: Tourism

- Objective: To encourage tourism growth and in particular promote the tourism opportunities of the irrigated rural landscape and the food growing and processing industries.
- Strategy: Encourage the integration of tourism with heritage, recreation and activity centres.

##### b) Other strategic links

- Council Plan 2013-2017

#### **Conclusion**

The tender evaluation process for the Fraser Street Toilets Redevelopment has determined that Crow Constructions Pty Ltd are the preferred contractor to undertake the works. Officers are seeking Executive and Council approval to award Contract 1693 to Crow Constructions Pty Ltd. Officers will be undertaking a negotiation process with the preferred contractor to identify potential savings within the tendered price.

#### **Attachments**

Nil

## 6. INFRASTRUCTURE DIRECTORATE

### **6.4 Contract 1752 - Old Dookie Road upgrade between Drummond Road and Doyles Road, Shepparton**

#### **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 Engineer**

**Proof reader(s): Team Leader Project Management Office, Manager Projects**

**Approved by: Director Infrastructure**

#### **Executive Summary**

The Hume Region Planning for Freight Pilot report produced on behalf of Hume Regional Councils and the MAV identified Old Dookie Road as one of 16 regionally important local freight routes.

The access from the Shepparton Alternative Route has to support B-Double and High Mass vehicle access to the newly established industries and existing warehousing utilised by both SPC Ardmona and Campbell's Soups. At the end of 2013 'Pactum Aust.' commenced processing UHT milk for export to Asia and 90% of their heavy vehicles originate from and head to Shepparton Alternative Route, significantly impacting on the sub-standard Old Dookie Road carriageway that does not comply with the heavy vehicle PBS requirements set by the National Transport Commission (NTC). It is estimated that over time, there is going to be an additional 142 heavy vehicle movements per day including high mass B-Double trucks carrying export products to the milk plant alone.

This compounds the current traffic impact to in excess of 8,000 vehicles per day with 11% heavy vehicles.

Council has applied for and been successful in securing Regional Infrastructure Funding (RIF) to help fund a range of upgrades to the Shepparton Alternate Route (SAR). The funding application report evaluated the economic and wider benefits of the proposed infrastructure improvements. A rapid benefit analysis approach and economic impact assessment has been applied in order to meet the assessment criteria outlined in the RIF Guidelines.

The reconstruction and widening of the pavement on Old Dookie Road between Wheeler Street and the SAR was identified in the package at an estimated cost of \$1.26 million.

The proposed improvements to Old Dookie Road will make a valuable economic contribution to the Shepparton and Victorian economy. The improvements to travel time and accessibility will productivity in the freight and logistics industry, attract new investment into industrial areas of Shepparton, improve levels of road safety and reduce the numbers of vehicles in Central Shepparton.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.4 Contract 1752 - Old Dookie Road upgrade between Drummond Road and Doyles Road, Shepparton (continued)

**Moved by Cr Hazelman**  
**Seconded by Cr Patterson**

That the Council:

1. accept the tender submitted by Mawson Constructions Pty Ltd of Shepparton for Contract No. 1752 – Old Dookie Road upgrade between Drummond Road and Doyles, Shepparton for the Lump Sum price of \$1,338,477.18 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

**CARRIED.**

#### **Contract Details**

The works include: -

- (a) Preliminaries
- (b) Supply and install drainage
- (c) Excavate the road pavement and dispose off-site
- (d) Supply and lay kerb & channel and concrete path.
- (e) Supply, lay and compact new pavement in layers
- (f) Supply, lay and compact spray seal / asphalt
- (g) Reinstatement of line-marking, furniture and driveways to private properties.
- (h) Tidy road reserve, nature strips and as built drawings
- (i) Landscaping

#### **Tenders**

Tenders were received from:

Tenderers
Mawson Constructions Pty Ltd, Shepparton
Jarvis Delahey Contractors Pty Ltd

#### **Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Design Officer	Projects
Development Engineer	Projects
Contracts & Procurement Analyst (Moderator)	Procurement
Project Engineer	Projects

#### **Evaluation Criteria**

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	40
OH&S System and implementation	10
Environmental Sustainability	10
Previous relevant experience, corporate capability, relevant personnel and equipment.	15
Project delivery methodology, Works Program	10

## 6. INFRASTRUCTURE DIRECTORATE

### 6.4 Contract 1752 - Old Dookie Road upgrade between Drummond Road and Doyles Road, Shepparton (continued)

Evaluation Criteria	Weighting
Integrated management system (i.e. Quality, Risk, HR, Environmental Mgmt. Systems) and financial capability	5
Economic Contribution to the Shepparton Region	10
<b>TOTAL</b>	<b>100</b>

#### Council Plan/Key Strategic Activity

Council Plan 2013-2017

Quality Infrastructure (Built)

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

2. Ensure that the community has access to appropriate transportation infrastructure.	Council, through the understanding that the need for appropriate transportation infrastructure is a key to the health and wellbeing of the community will continue to advocate for and strive to deliver the appropriate level of service across Greater Shepparton to serve the community.
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#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Traffic, Pedestrian and Buses /Trucks management during construction	Likely	Moderate	Moderate	Traffic management and work methodology to provide for vehicle access
Damage to existing/proposed electric lines and electrocution	Likely	Major	High	Consult with Powercor to identify the proposed lines. Safety Management during construction – use of warning equipment / “spotters” for overhead lines
Damage to assets owned by other Authorities	Likely	Moderate	Moderate	Consult with relevant authority to identify the proposed lines. Relocate assets prior to works Safety Management during construction
Delay in delivery of works due to Inadequate resources for the completion of works (given two contractors are carrying out all the civil works for the Council)	Likely	Moderate	Moderate	Council officers to monitor and control the contractor to guarantee the progress of works.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.4 Contract 1752 - Old Dookie Road upgrade between Drummond Road and Doyles Road, Shepparton (continued)

#### Policy Considerations

There are no conflicts with Council Policy

#### Financial Implications

	Approved Budget Estimate for this proposal <sup>1</sup> \$	This Proposal GST Exclusive \$	Variance to Approved Budget Estimate \$	Comment
Expenditure Budget	\$1,260,000			
		<b>\$1,216,797.44</b>		<b>CN1752 Civil works – Proposed award amount</b>
Income		(\$1,000,000)		Federal RIF funding
Income		(\$143,770)		Proposed GVW contribution
Expense		\$210,000.00		GVW main relocation - estimated amount
Expense		\$31,000.00		Telstra / NBN relocation works
<b>Sub Total</b>		<b>\$314,027.44</b>		
		\$513,840.00		Council adopted budget for SAR projects (Ledger 61075)
<b>Expenditure Result</b>		<b>\$199,812</b>		Amount allocated to New Dookie Rd / Verney Rd Intersection

<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

At the time of preparing the Council capital budget, there was significant doubt as to whether the funding bid would be successful. It was decided at the time to only reflect the proposed council contribution to the SAR Projects in the capital budget – a total of just \$514k. This would then be spread across the Old Dookie Rd project and the project to signalise the intersection of New Dookie Rd and Verney Rd.

Now that the funding has been secured, the capital budget has now been “grossed up” to reflect the full cost of this project and the council and federal government contributions.

#### 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

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

## 6. INFRASTRUCTURE DIRECTORATE

### **6.4 Contract 1752 - Old Dookie Road upgrade between Drummond Road and Doyles Road, Shepparton (continued)**

#### **Strategic Links**

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

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

##### **b) Other Strategic Links**

Asset Management Strategy 2007 (page 12)

Infrastructure

Greater Shepparton will provide urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

- Maintain the Council's major asset categories, such as roads, footpaths, kerb and channel, drainage and buildings to meet specified levels of service

#### **Conclusion**

Mawson Constructions Shepparton Pty Ltd has submitted the lowest priced conforming tender and received the highest overall score.

Mawson Constructions Shepparton Pty Ltd is a local contractor who has completed projects for Greater Shepparton City Council. These include Verney Road Stage 1 & 2 upgrade, various stages of Balaclava Road Drainage, Archer Street Drainage, Archer Street Duplication, Knight Street Drainage and Vaughan Street redevelopment.

The panel is satisfied that Mawson Constructions Shepparton Pty Ltd has established a good performance history in the civil works industry and is considered to have the experience, capability and resources to complete this project within the time period stipulated.

Therefore, the tender submitted by Mawson Constructions Shepparton Pty Ltd for a total lump sum price of \$1,338,477.18 (including GST) has been determined to provide the best value for Council.

#### **Attachments**

Nil



## 7. COMMUNITY DIRECTORATE

### 7.1 Section 86 Committees of Management

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

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

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

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

**Author: Committees and Cemeteries Operations Officer**

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

**Approved by: Director Community**

#### **Executive Summary**

In accordance with Greater Shepparton City Council CEO Directive 07.CEOD2 Section Four, Committees of Management (Special Committees) which are appointed under Section 86 of the Local Government Act 1989, committee members can only be rescinded by a formal resolution of Council.

This report recommends Council accept the resignation of two committee of management members and rescinded of their membership to the applicable committees of management accordingly.

**Moved by Cr O'Keeffe**  
**Seconded by Cr Patterson**

That the Council:

1. acknowledge the contribution of Paul VERBEEK to the Katandra West Community Facilities Committee of Management, accept his resignation and rescind his membership.
2. acknowledge the contribution of Donna WOOD to the Dookie Memorial Hall Committee of Management, accept her resignation and rescind her membership.

**CARRIED.**

#### **Background**

##### Katandra West Community Facilities Committee of Management

At the Ordinary Council Meeting held on 21 April 2015 four applicants were appointed to the Katandra West Facilities Committee of Management for a term of two years. Two additional members were appointed to the current term at the Council meeting held on 20 October 2015 with an additional member appointed at the Ordinary Council meeting held on 22 November 2016.

Paul Verbeek has now submitted his membership resignation to Council for this Committee. The Council would like to recognise Paul's contribution and work with the Committee of Management accept his resignation and rescind his membership accordingly.

## 7. COMMUNITY DIRECTORATE

### **7.1 Section 86 Committees of Management (continued)**

#### Dookie Memorial Hall Committee of Management

At the Ordinary Council Meeting held on 15 December 2015 six applicants were appointed to the Dookie Memorial Hall Committee of Management for a term of two years. A further membership appointment was confirmed at the Ordinary Council Meeting held on 19 March 2016.

Donna Wood has now submitted her membership resignation to Council for this Committee. The Council would like to recognise Donna's contribution, accept her resignation and rescind her membership accordingly.

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

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

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

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Governance risk associated with the delegation of Council powers to a committee	Possible	Major	High	The rescinding of membership by formal resolution of the Council upon resignation of a member reduces the risk to Council by ensuring that all delegated powers are removed.

#### **Policy Considerations**

There are no conflicts with existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal.

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

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

The appointment and rescinding of membership to Section 86 committees of management by formal resolution of the Council ensures that the powers, functions and duties delegated to these committees are able to be exercised legally.

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

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

#### **Social Implications**

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

## 7. COMMUNITY DIRECTORATE

### 7.1 Section 86 Committees of Management (continued)

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

The Katandra West Community Facilities Committee of Management have been informed that Council received notification of Paul Verbeek's resignation. The Committee recognised the contribution made by Mr Verbeek to the Committee.

The Dookie Memorial Hall Committee of Management informed Council that it received notification of Donna Wood's resignation. The Committee recognised the contribution made by Ms Wood to 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>• Newspaper advertisements</li> <li>• Website announcement</li> <li>• Letters to outgoing committee members</li> </ul>
Consult	Informed, listen, acknowledge	Council will consult with its committees prior to making decisions that relate to the relevant facilities.
Involve	Work together. Feedback is an input into decision making.	Committees provide an important source of feedback for Council to manage the facilities.
Collaborate	Feedback will be incorporated into decisions to the maximum level possible.	Council collaborates with its committees prior to making decisions that relate to the relevant facilities.
Empower	We will implement what the public decide.	Committees of Management have delegated powers to make decisions in relation to the day to day management of the facilities that they are responsible for.

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

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

##### b) Other strategic links

No other strategic links have been identified.

## **7. COMMUNITY DIRECTORATE**

### **7.1 Section 86 Committees of Management (continued)**

#### **Conclusion**

It is recommended that the resignations of Paul Verbeek from the Katandra West Community Facilities Committee of Management and Donna Wood from the Dookie Memorial Hall Committee of Management be accepted, their contributions acknowledged and their memberships rescinded in accordance with their resignations.

#### **Attachments**

Nil

## 7. COMMUNITY DIRECTORATE

### 7.2 Review of Community Safety Strategy's Year 2 Action Plan - December 2015 to December 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: Community Safety Officer**

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

**Approved by: Director Community**

#### **Executive Summary**

The Greater Shepparton Community Safety Strategy 2014-2017 was adopted by Council at its Ordinary Council Meeting on the 16 December 2014. Council Officers, in partnership with government organisation, local service provider and community members have been working together to creating a safer community through the implementation of the ongoing and year 2 actions from this strategy. Officers will continue to collaborate moving forward to build on and deliver the Community Safety Strategy 2014-2017.

**Moved by Cr Patterson  
Seconded by Cr O'Keeffe**

That the Council note the achievements of year two actions of the Greater Shepparton Community Safety Strategy 2014 - 2017.

**CARRIED.**

#### **Background**

To assist Council to focus its efforts on community safety, the Greater Shepparton Safe Communities Advisory Committee was first established in 2007. This committee works in partnership to achieve identified community safety goals. Membership of the Advisory Committee includes Victoria Police, Council, State Government Departments, health, community and welfare services, education providers, emergency response organisations, roads and community representatives and organisations with this group taking a lead role in the development of the Community Safety Strategy 2014-2017.

In developing a Community Safety Strategy it was essential a variety of settings were considered to improve safety within our diverse community. These settings include schools, workplaces, businesses, homes, religious settings, entertainment, recreation, sporting and social settings.

The Community Safety Strategy 2014-2017 addresses high priority and relevant community safety issues facing Greater Shepparton that were identified using local agency knowledge, statistics and community feedback. Each initiative has been developed with performance measures to enable the Advisory Committee to assess and report on progress of each initiative on an annual basis.

## 7. COMMUNITY DIRECTORATE

### **7.2 Review of Community Safety Strategy's Year 2 Action Plan - December 2015 to December 2016 (continued)**

The key directions of the Community Safety Strategy were developed based on those matters deemed to be of the highest priority within Greater Shepparton. These have been developed taking into account community feedback and perceptions as well as relevant local statistics.

These Key Directions are as follows;

Key Direction 1 – Safer Places and Spaces

- Create and maintain safe public areas which enhance perceptions of safety, liveability and encourage community engagement and connectedness

Key Direction 2 – Alcohol and Other Drugs

- Work in partnership to raise awareness of the effects of alcohol and other drugs whilst supporting the community to make educated life choices in this space.
- Work in partnership to raise awareness of support and treatment options available to Greater Shepparton and advocate as necessary for increased treatment facilities.

Key Direction 3 – Inclusive Communities

- Create an environment which promotes inclusive and supportive communities which supports the implementation of the Charter of Human Rights and Responsibilities Act 2006.

Key Direction 4 – Road Safety

- Create and maintain a network of safe roads and encourage safe use by the community.

#### **Highlights of the reporting period include:**

The second year of the Strategy aimed to build on the foundation of its first year and continue improving safety within Greater Shepparton by empowering the communities through awareness and education, as well as utilising external funding opportunities with the potential to increase the perceived and actual safety within Greater Shepparton. In the past twelve months Council has lead or partnered with organisations to achieve the below:

#### Perception of Safety Survey

In July / August 2016 the annual community safety survey was conducted, through three surveys, 276 community members participated, providing valuable feedback on how Greater Shepparton residents and visitors to Greater Shepparton perceive the safety of our municipality. This participation reflects a 57% increase in respondents when compared with the 2015 survey.

#### Media presence

Working with 3SR radio (now Triple M) Greater Shepparton City Council participated in a weekly radio segment to promote safe issues within the Greater Shepparton. This radio segment also provided an opportunity to raise awareness of services within Greater Shepparton who assist with consumer issues, homelessness, family violence, drug and alcohol and financial difficulties.

#### Greater Shepparton Community Ice Action Response Project (GSCRIP)

In partnership with various alcohol and other drug and mental health services and Victoria Police, Greater Shepparton City Council was successful in receiving a \$10,000 grant through the Victorian Government Ice Action Plan. This funding will deliver a multi-faceted response involving both service providers and the community focused on the prevention of Ice usage. This initiative is to be implemented in 2017.

## 7. COMMUNITY DIRECTORATE

### 7.2 Review of Community Safety Strategy's Year 2 Action Plan - December 2015 to December 2016 (continued)

#### St Georges Road Redevelopment Project

Council successfully secured funding through the Department of Justice's Public Safety Infrastructure Scheme. This funding will be used to redevelop the commercial district of St Georges Road in line with the principle of crime prevention through environmental design (CPTED).

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

*Greater Shepparton City Council, Council Plan 2013-2017*

Goal 1: Active and Engaged Communities (Social),

Objective 3: Ensure liveability options are always considered in our decision making activities, Strategies: "Develop, deliver and implement community safety initiatives with the State Government, Police, State agencies and the community, including but not limited to CCTV", and "Review and continue to implement the Greater Shepparton City Council Safer City Strategy

#### **Risk Management**

There are no anticipated moderate to extreme risks associated to any of the initiatives contained within this report.

#### **Policy Considerations**

There are no conflicts with current Council policies.

#### **Financial Implications**

The implementation of the Community Safety Strategy 2014-2017 year 2 was budgeted in the Community Safety, Safe City Camera Network and Street Rider Night Bus budgets 2016/2017 and additional grants were also received.

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

Year 2 of Community Safety Strategy 2014-2017 was delivered to abide with the *Victorian Charter of Human Rights and Responsibilities Act 2009*.

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

There have been no environmental/sustainability impacts in the past 12 months.

#### **Social Implications**

The Community Safety Strategy 2014-2017 contains initiatives which have been developed to positively impact the City of Greater Shepparton.

The Strategy has a positive impact on perceptions of safety through awareness raising, encouraging inclusive and connected communities whilst strengthening partnerships. Some initiatives also offer support and advocate for better services and support for community safety and crime prevention within the municipality.

#### **Economic Impacts**

By positively impacting perceptions of safety and actual safety within the municipality, impacts on the municipality's economy should be similarly positive. With the cost of crime to the community being reduced (less days off work needing to be paid by employers, less carers leave, reduced workload on doctors/hospitals, reduced pressure and cost to the justice system, etc) crime prevention initiatives are considered to positively impact a community's economy.

## 7. COMMUNITY DIRECTORATE

### 7.2 Review of Community Safety Strategy's Year 2 Action Plan - December 2015 to December 2016 (continued)

#### **Consultation**

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Direction 1 – Settlement and Housing

Direction 2 – Community Life

Direction 4 – Economic Development

Direction 5 - Infrastructure

##### b) Other strategic links

Greater Shepparton City Council – Community Safety Strategy 2014 – 2017

Greater Shepparton City Council – Municipality Public Health and Wellbeing Plan 2015-2016

Greater Shepparton City Council – Cultural Diversity and Inclusion Strategy 2015 – 2018

Greater Shepparton City Council Action Plan – Hume Region Preventing Violence

Against Women and Children Strategy 2013 – 2017

#### **Conclusion**

Over the past 12 months, Officers in partnership with local service providers have been working towards creating a safer community by implementing actions from the Community Safety Strategy. Throughout year 2 of this strategy many positive outcomes have been achieved and ongoing work continues to drive the Community Safety Strategy forward. Officers will continue to collaborate with service providers and the community to deliver high quality outcomes.

#### **Attachments**

Year 2 - Community Safety Strategy 2014-17 Page 112



## 8. CORPORATE SERVICES DIRECTORATE

### 8.1 Mayor and Councillor Allowances

#### **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**

The purpose of this report is to set the allowances payable to the Mayor and Councillors, following the annual review conducted by the Minister for Local Government which authorised a 2.5% increase, effective from 1 December 2016.

#### **Moved by Cr Hazelman**

#### **Seconded by Cr Giovanetti**

That the Council:

1. In accordance with Sections 74 and 223 of the *Local Government Act 1989*, provide public notice in the *Shepparton News* of the intention to set the Councillor allowance at \$24,730 and the Mayoral allowance at \$76,521
2. Stipulate in the public notice that persons may make a submission on the Councillor and Mayoral allowances in accordance with Section 223 of the Act and that written submissions must be received by 5.00pm, Friday 24 March 2017
3. Stipulate in the public notice that submissions received will be made available for public inspection for a period of 30 days
4. Authorise the Chief Executive Officer to undertake the administrative procedures necessary to enable the Council to carry out its functions under section 223 of the Act in relation to this matter;

If submissions are received under section 223 of the Act:

- a) a Special Council Meeting be convened to hear from any person or persons who request to be heard in support of a section 223 written submission and, if required, a Special Council Meeting be held at a time and date to be determined
  - b) a report on any section 223 submissions received by the Council, along with a summary of any hearings held, be provided to the Ordinary Council meeting of 18 April 2016; and
5. If no submissions are received within the prescribed period, the Council resolves to set the Councillor allowance at \$24,730 and the Mayoral allowance at \$76,521, without further resolution of the Council.

**CARRIED.**

## 8. CORPORATE SERVICES DIRECTORATE

### 8.1 Mayor and Councillor Allowances (continued)

#### Background

Under section 74(A)(2) of the *Local Government Act 1989* (the Act) Council is required to pay an allowance to each of its councillors (except where a councillor does not wish to receive an allowance). The allowance is in addition to any out-of-pocket expenses incurred by councillors while performing their duties as members of the Council.

The Minister for Local Government, the Hon Natalie Hutchins MP, conducts an annual review of the limits and ranges of the current Mayoral and Councillor allowances. The most recent review approved an adjustment factor of 2.5% and became effective on 1 December 2016.

Currently, allowances for Category 2 Councils (which includes Greater Shepparton City Council) range between \$10,284 and \$24,730 per annum with Mayors being paid an allowance of up to \$76,521 per annum.

Greater Shepparton City Council has traditionally paid the maximum allowance provided for under the Act. It is therefore recommended that councillors be paid an allowance of \$24,730 and that the Mayor be paid an allowance of \$76,521 which includes the 2.5% increment.

#### Council Plan/Key Strategic Activity

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

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Councillor allowances not paid in accordance with the Act.	C	3	Moderate	Setting of the Councillor allowance by resolution ensures that allowances are paid in accordance with the Act and updated as a result of any reviews conducted by the Minister.

#### Policy Considerations

There are no policy considerations arising from the payment of a Councillor Allowance. However Councillors will also be able to claim expenses incurred in the course of performing their councillor duties and these will be paid in accordance with the Councillor Expenses and Entitlements Policy.

Council also has a procedure outlining the Section 223 process which has been applied to ensure compliance with the relevant provisions of the *Local Government Act 1989*.

#### Financial Implications

Council's Budget contains provision for the payment of Councillor and Mayoral allowances.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.1 Mayor and Councillor Allowances (continued)**

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

Section 74(1) of the Act requires that Councils must review and determine the level of Mayoral and Councillor allowances within the period of six months after a general election or by next 30 June, whichever is later.

This report ensures Council is meeting this legislative requirement well within the allowable timeframe.

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

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

#### **Social Implications**

There are no social implications arising from this proposal.

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

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

##### b) Other strategic links

There are no other strategic links.

#### **Conclusion**

Greater Shepparton City Council has traditionally paid the maximum allowance provided for under the Act.

It is recommended that Councillors continue to receive the maximum amount allowed, and that annual increases to allowances be applied once authorised by the Minister for Local Government.

#### **Attachments**

Nil

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 January 2017 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 seven months ended 31 January 2017.

**Moved by Cr Giovanetti**

**Seconded by Cr Sutton**

That the Council receive and note the January 2017 Monthly Financial Report.

**CARRIED.**

#### **Background**

The 2016/2017 Budget was adopted at the Ordinary Council Meeting held 21 June 2016. The 2016/2017 Budget provided for an operating surplus of \$13.81 million with revenue of \$130.31 million and expenditure of \$116.74 million. The 2016/2017 Budget also provided for capital works of \$45.49 million.

On 14 September 2016, Council adopted the 2016/2017 August Budget Review (Q1 Adopted Forecast) with an accounting surplus of \$13.1 million which is \$0.47 million less than the 2016/2017 Adopted Budget. The capital works program of \$42.03 million are forecast to be expended during the 2016/2017 financial year which is a decrease of \$3.45 million from the Adopted Budget.

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

The January 2017 Monthly Financial Report incorporates the following sections which are presented for Council's consideration:

- Operating Performance
- Capital Works Performance
- Income Statement
- Balance Sheet
- Cash Flow Statement
- Capital Works Statement

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

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

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 January 2017 Monthly Financial Report (continued)

#### **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 implications have been identified.

#### **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 seven months ended 31 January 2017.

#### **Attachments**

January 2017 - Monthly Financial Statements Page 132

## 8. CORPORATE SERVICES DIRECTORATE

### 8.3 Financial Hardship Policy

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

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

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

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

**Author: Team Leader Rates**

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

**Approved by: Acting Director Corporate Services**

#### **Executive Summary**

Council's Financial Hardship Policy 34.POL2 was adopted at the Ordinary Council meeting held on Tuesday 17 November 2015. Council had previously resolved that the policy be reviewed annually.

In reviewing this policy, Council officers identified the need to clarify and expand the conditions required with regards to hardship situations. This was to ensure ratepayers experiencing any financial hardship are aware of the rating assistance available.

The updated Financial Hardship Policy will provide clear guidance to staff to allow for a consistent, transparent, sensitive and responsive approach when considering requests for assistance from ratepayers.

To make this possible, the policy is now broken up into separate categories e.g Financial Hardship – Residential and Financial Hardship – Non Residential and then sub categories for Short Term Arrangements and Long Term Arrangements. The key changes with payment arrangements are:

- Maximum life of short term arrangement is until the end of the financial year during which the rates were levied
- Interest will not be levied for the duration of the arrangement provided the arrangement is adhered to
- Maximum life of long term arrangement is twelve months following the end of the financial year the arrangement was entered into.

The policy now more clearly defines what is required from both the Ratepayer and also Council staff in order to apply and process applications for assistance.

**Moved by Cr Patterson**  
**Seconded by Cr O'Keeffe**

That the Council:

1. adopt the Financial Hardship Policy 34.POL2;
2. resolve the policy be reviewed every four years in line with the Rating Strategy Review.

**CARRIED.**

## 8. CORPORATE SERVICES DIRECTORATE

### 8.3 Financial Hardship Policy (continued)

#### **Background**

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

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

The purpose of this Financial Hardship Policy is to provide Council with a framework to provide financial relief to individuals who need assistance. This policy also provides ratepayers with a clear, transparent understanding of the options and assistance available if they are currently experiencing, or are at risk of experiencing hardship.

The Municipal Association of Victoria Hardship Policy Guidelines (clause 5.1) says: "Hardship assistance should only be granted to individuals experiencing hardship, with regard to the rates on their primary residence. Therefore applications for hardship assistance for residential assistance for residential investment, commercial or industrial properties should generally not be granted. Councils differ in their treatment of applications for rates assistance for farms or commercial properties that are also used for residential purposes."

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

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

High Performing Organisation (Leadership & Governance)

*"We will deliver best practice management, governance, administrative support and financial systems that support the delivery of Council programs to the community of Greater Shepparton".*

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Economic downturn which results in more ratepayers facing hardship	C	4	Low	Impact is on cashflow, so slow/reduce Council expenditure

#### **Policy Considerations**

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

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

## 8. CORPORATE SERVICES DIRECTORATE

### **8.3 Financial Hardship Policy (continued)**

#### **Financial Implications**

The recommended option which allows for payment arrangements and payment deferral for ratepayers who have met the financial hardship criteria will have no impact on revenue as the Hardship Policy is reflective of current practice.

There will be small costs involved in improving processes e.g. communication costs, updating the website, simplifying forms.

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

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

##### *Local Government Act 1989*

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

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

Section 171A. Waiver by application – A person who

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

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

##### *State Concessions Act 2004*

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

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

##### *Information Privacy Act 2000*

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

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

##### *Municipal Association of Victoria Hardship Policy Guidelines November 2013*

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

There are no environmental or sustainability impacts with this proposal.

#### **Social Implications**

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

#### **Economic Impacts**

No economic impacts have been identified.



## 8. CORPORATE SERVICES DIRECTORATE

### **8.3 Financial Hardship Policy (continued)**

#### **Consultation**

Officers believe that appropriate consultation through the Rating Strategy Reference Group and public submission process for the 2013-2017 Rating Strategy has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

There are no direct links to the Greater Shepparton 2030 Strategy

##### b) Other strategic links

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

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

#### **Conclusion**

So to meet with the aspirations of Section 9.5 of Council's Rating Strategy 2013-2017, the adoption of the updated Hardship Policy is proposed.

#### **Attachments**

Financial Hardship Policy 34.POL2 Page 142

## 8. CORPORATE SERVICES DIRECTORATE

### 8.4 Council Plan Progress Report

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

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

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

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

**Author: Team Leader Governance**

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

**Approved by: Director Corporate Services**

#### **Executive Summary**

In accordance with the *Local Government Act 1989* Section 125 Council developed and adopted a four year Council Plan. The Council Plan contains Key Strategic Objectives and Strategies to achieve those objectives.

This report provides details in relation to the Key Strategic Objectives identified in the 2013-2017 Council Plan and forms part of council's accountability framework which will see continued quarterly reporting on progress in relation to the achievement of the Council Plan. The report also includes progress made in achieving the Key Strategic Activities contained within the 2016/2017 Budget which will become Councils Performance Statement.

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

Of the identified general actions for progress reporting in relation to measuring achievement, there has been significant progress made in relation to the delivery of actions against the Strategic Objectives within the Council Plan and the Strategic Activities from the budget.

**Moved by Cr Abdullah**

**Seconded by Cr Giovanetti**

That the Council note the Council Plan Progress Report December 2016 which provides details in relation to achieving the:

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

**CARRIED.**

## 8. CORPORATE SERVICES DIRECTORATE

### **8.4 Council Plan Progress Report (continued)**

#### **Background**

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

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

These five strategic goals are:

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

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

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

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

#### **Risk Management**

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

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

#### **Policy Considerations**

There are no policy considerations associated with this report.

#### **Financial Implications**

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

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

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

## 8. CORPORATE SERVICES DIRECTORATE

### **8.4 Council Plan Progress Report (continued)**

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

The report contains no environmental/sustainability impacts, however many of the initiatives contained within the Council Plan are detailed that will improve the Greater Shepparton sustainability, both as an organisation and a municipality.

#### **Social Implications**

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

#### **Economic Impacts**

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

#### **Consultation**

Internal consultation occurs with the responsible officers regularly updating individual actions and the overall review of all plans by the Executive Team. Community consultation is achieved by publishing this report, including it on Councils website and as part of Councils meeting agenda.

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

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

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

##### b) Other strategic links

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

#### **Conclusion**

This report updates progress against achieving the Key Strategic Objectives contained within the 2013-2017 Council Plan and the Key Strategic Activities contained within the 2016/2017 Budget.

#### **Attachments**

Council Plan Progress Report | October - December 2016 Page 153

## 8. CORPORATE SERVICES DIRECTORATE

### **8.5 Report on the Greater Shepparton City Council General Elections 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: Governance Officer**

**Proof reader(s): Team Leader Governance, Manager Corporate Governance**

**Approved by: Director Infrastructure**

#### **Executive Summary**

To provide Council with a copy of the report from the Victorian Electoral Commission (VEC) which was Councils Election Services provider in accordance with Schedule 3 Clause 14(3) of the *Local Government Act 1989*.

#### **Moved by Cr Hazelman**

#### **Seconded by Cr O'Keeffe**

That the Council receive this report from the Victorian Electoral Commission in relation to the Greater Shepparton City Council General Elections 2016.

**CARRIED.**

#### **Background**

The VEC was appointed Councils Election Services provider for the 2016. With the Elections now concluded, the VEC has now provided a report on the 2016 elections as required under Schedule 3 Clause 14(2) of the *Local Government Act 1989*.

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

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

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

#### **Risk Management**

There are no identified risks associated risks with this report.

#### **Policy Considerations**

There are no policy considerations associated with this report.

#### **Financial Implications**

There are no financial implications associated with this report. The provision of Election Services was included in the adopted 2016/17 budget.

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

This report ensures compliance with Schedule 3 Clause 14(3) of the *Local Government Act 1989*.

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

There are no identified Environmental/Sustainability impacts associated with this report.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.5 Report on the Greater Shepparton City Council General Elections 2016 (continued)**

#### **Social Implications**

There are no identified Social Implications associated with this report.

#### **Economic Impacts**

There are no identified Economic Implications associated with this report.

#### **Consultation**

The VEC and Council provided appropriate consultation throughout the election process and the provision of this report to Council will further inform the community in relation to the conduct of the elections.

#### **Strategic Links**

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

The provision of electoral services supporting the election of Council provides the key linkage to the establishment of policy and strategic directions of Council for the future.

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

There are no other identified strategic links associated with this report.

#### **Conclusion**

The receiving of this report from the VEC by Council finalises the legislative obligations in relation to the Greater Shepparton City Council General Elections 2016.

#### **Attachments**

Report on the 2016 Greater Shepparton City Council General Election Page 194

## 8. CORPORATE SERVICES DIRECTORATE

### 8.6 Contracts Awarded Under Delegation and Status of Contracts Advertised and yet to be Awarded - February 2017

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

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

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

**Author: Contracts and Procurement Analyst**

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

**Approved by: Manager Corporate Governance**

#### **Executive Summary**

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

**Moved by Cr Giovanetti**  
**Seconded by Cr Patterson**

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

**CARRIED.**

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

<b>Contract Number</b>	<b>Contract Name</b>	<b>Contract details, including terms and provisions for extensions</b>	<b>Value inclusive of GST</b>	<b>Awarded to</b>
1754	Provision of Aquamoves Co-generation Plant Maintenance Plan	Lump sum / Schedule of rates nine year contract	\$238,648.00	Optimal Group Australia Pty Ltd
1731	GVW Mains relocation Welsford St	Lump sum contract for Welsford St upgrade and mains relocation	\$177,694.00	NL Drainage, Tatura

## 8. CORPORATE SERVICES DIRECTORATE

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

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

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1760	Provision of Drainage Maintenance Services	Schedule of Rates Contract for Provision of Drainage Maintenance Services for a period of three (3) years with provision for a One (1) year extension	Tender closes 15 March 2017
1732	New Shepparton Art Museum (SAM) - Stage 2 - Concept Design <b>(Private)</b>	Lump sum contract. Stage 2 concept design competition, winning submission to be engaged for the full detailed design	Tender closed on 14 December 2016 Tenders currently under evaluation
1717	Panel of Suppliers - Onsite Crushing of Recycled Concrete & Bricks	Schedule of rates panel contract for the provision of onsite Crushing of Recycled Concrete & Bricks. Three year (3) contract with the provision for 2 (1) year extensions.	Tender closed on 23 November 2016. Tenders currently under evaluation.
1706	Alteration of the Kialla Community Centre/AFL Goulburn Murray Office	Lump sum contract for alterations to Kialla Community centre	Tender closed 14 December 2016 Tender currently under evaluation.
1736	Aquamoves Cardio & Gym Equipment Renewal	Schedule of rates contract. One (1) year contract with the provision for 1(1) year extension	Tender closed on 23 November 2016 Tender currently under evaluation.
1693	Fraser St Toilet Redevelopment	Lump sum Contract for the redevelopment of Fraser St Toilets	Tender Evaluations complete. A recommendation for this tender forms part of the January special Council meeting Agenda
1743	Cosgrove Landfill - GITA and CQA	Schedule of rates contract for the provision of geotechnical inspection and testing	Tender closed on 15 February.



## 8. CORPORATE SERVICES DIRECTORATE

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

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1755	Cosgrove 3 Landfill – Construction of Perimeter Fencing	Lump sum contract for the erection of perimeter fencing at Cosgrove landfill	Tender closed on 15 February.
1764	GVW Water Main Relocation – Old Dookie Road – Drummond Road	Lump sum contract for the relocation of Dookie Rd water main	Tender closed on 2 February.

#### **Policy Considerations**

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

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

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

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

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

#### **Conclusion**

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

The report details the publicly advertised contracts awarded by the Chief Executive Officer under delegated authority and the status of requests for tenders that have not yet been awarded during the period 1 December 2016 to 31 January 2017.

#### **Attachments**

Nil

## 8. CORPORATE SERVICES DIRECTORATE

### 8.7 2016/2017 Quarter 2 Forecast Review

#### **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 the draft forecast financial performance for the 2016/2017 financial year compared to budget based on the Quarter 2 (Q2) Forecast Review submitted by Responsible Managers.

Council's forecast performance is an accounting surplus of \$11.94 million, \$1.16 million less than the Quarter 1 (Q1) Adopted Forecast.

Capital works of \$42.03 million are forecast to be expended during the 2016/2017 financial year which remains steady from the Q1 Adopted Forecast.

While Council's forecast working capital is a healthy \$16.0 million, which demonstrates Council has the necessary funds to cover debts, the remaining balance should not be treated as being available for discretionary use. Council has a forecast restricted investment balance of \$15.34 million which needs to be covered by Council's available working capital.

A number of adjustments to the schedule of fees and charges are also proposed.

**Moved by Cr Patterson**  
**Seconded by Cr O'Keeffe**

That the Council:

1. adopt the revised forecasts identified by the 2016/2017 Quarter 2 Forecast Review;
2. adopt a new Parks and Public Open Space user fee 'Community Not for Profit Organisation – Market Fee' of \$100 (including GST) per market;
3. adopt the following amendments to Cosgrove Landfill User Fees and Charges:
  - reduce the 'Industrial/Commercial and Building & Demolition Waste – Cosgrove Landfill (per tonne)' fee from \$225.50 to a maximum of \$170.00 (including GST);
  - delegate to the CEO the ability to adjust the 'Industrial/Commercial and Building & Demolition Waste – Cosgrove landfill (per tonne)' fee within a fixed range of \$145 per tonne (including GST) to \$170 per tonne (including GST) to allow Cosgrove landfill to respond quickly to market pressures; and

## 8. CORPORATE SERVICES DIRECTORATE

### 8.7 2016/2017 Quarter 2 Forecast Review (continued)

4. adopt the following amendments to Planning and Subdivision Fees and Charges:

Description of Fee	Current Fee	Action	Revised Fee
Change of Use	\$502.00	Remove	\$0.00
Remove a restriction within the meaning of the Subdivisions Act 1988 in the circumstances described in S47(2) of the Act 1987	\$249.00	Remove	\$0.00
Class 1	\$541.00	Remove	\$0.00
Class 2	\$404.00	Remove	\$0.00
Boundary realignment and consolidation of land	\$386.00	Remove	\$0.00
Other	\$780.00	Remove	\$0.00
Plan checking service at SOC for Developers	0.75% of estimated cost of construction works	Remove	\$0.00
Subdivision into two lots only	\$386.00	Remove	\$0.00
Subdivision of a building/s (existing or proposed)	\$386.00	Remove	\$0.00
Supervision for SOC subdivisions	\$2.5% of estimated cost of construction works	Remove	\$0.00
<b>Planning Permit Applications</b>			
Class 1 – Use only	\$0.00	New	\$1,240.70
Class 2 – Single dwelling development \$10,000 or less	\$0.00	New	\$188.20
Class 3 – Single dwelling development \$10,000-\$100,000	\$0.00	New	\$592.50
Class 4– Single dwelling development \$100,000 -\$500,000	\$0.00	New	\$1,212.80
Class 5 – Single dwelling development \$500,000 - \$1million	\$0.00	New	\$1,310.40
Class 6 – Single dwelling development \$1million-\$2million	\$0.00	New	\$1,407.90
Class 7 – VicSmart less than \$10,000	\$0.00	New	\$188.20
Class 8– VicSmart more than \$10,000	\$0.00	New	\$404.30
Class 9 – VicSmart subdivision application	\$0.00	New	\$188.20
Class 10 – Development less than \$100,000	\$0.00	New	\$1,080.40
Class 11 – Development more than \$100,000-\$1,000,000	\$0.00	New	\$1,456.70
Class 12– Development more than \$1,000,000- \$5,000,000	\$0.00	New	\$3,213.20

## 8. CORPORATE SERVICES DIRECTORATE

### 8.7 2016/2017 Quarter 2 Forecast Review (continued)

Class 13 – Development more than \$5million - \$15million	\$0.00	New	\$8,189.80
Class 14 – Development more than \$15million-\$50million	\$0.00	New	\$24,151.10
Class 15 – Development more than \$50million*	\$0.00	New	\$27,142.05
Class 16– Subdivide an existing building (non VicSmart)	\$0.00	New	\$1,240.70
Class 17 – Subdivide land into 2 lots (non VicSmart)	\$0.00	New	\$1,240.70
Class 18– Boundary re-alignment	\$0.00	New	\$1,240.70
Class 19 – Other subdivisions per 100 lots	\$0.00	New	\$1,240.70
Class 20 – Create, vary and remove restrictions and easements	\$0.00	New	\$1,240.70
Class 21 – An application not otherwise provided for above	\$0.00	New	\$1,240.70
<b>Amendments to amend Planning Permit Applications</b>			
Class 1 – Change the use allowed by permit or allow new use	\$0.00	New	\$1,240.70
Class 2 – General amendment other than specified below	\$0.00	New	\$1,240.70
Class 3 – Amendment to a class 2 permit	\$0.00	New	\$188.20
Class 4 – Amendment to a class 3 permit	\$0.00	New	\$592.50
Class 5 – Amendment to a class 4 permit	\$0.00	New	\$1,212.80
Class 6 – Amendment to a class 5 or class 6 permit	\$0.00	New	\$1,310.40
Class 7 – Amendment to a class 7 permit	\$0.00	New	\$188.20
Class 8– Amendment to a class 8 permit	\$0.00	New	\$404.30
Class 9 – Amendment to a class 9 permit	\$0.00	New	\$188.20
Class 10 – Amendment to a class 10 permit	\$0.00	New	\$1,080.40
Class 11 – Amendment to a class 11 permit	\$0.00	New	\$1,456.70
Class 12– Amendment to a class 12,13,14 or 15 permit	\$0.00	New	\$3,213.20
Class 13 – Amendment to a class 16 permit	\$0.00	New	\$1,240.70
Class 14 – Amendment to a class 17 permit	\$0.00	New	\$1,240.70
Class 15 – Amendment to a class 18 permit	\$0.00	New	\$1,240.70

## 8. CORPORATE SERVICES DIRECTORATE

### 8.7 2016/2017 Quarter 2 Forecast Review (continued)

Class 16– Amendment to a class 19 permit – per 100 lots created	\$0.00	New	\$1,240.70
Class 17 – Amendment to a class 20 permit	\$0.00	New	\$1,240.70
Class 18– Amendment to a class 21 permit	\$0.00	New	\$1,240.70
<b>Subdivisions Act</b>			
Applications made under the Subdivisions Act 1988	\$0.00	New	\$164.50
Alteration to a plan under section 10(2) of the Act	\$0.00	New	\$104.60
Amendment to certified plan under section 11(1) of the Act	\$0.00	New	\$132.40
Checking of engineering plans	\$0.00	New	% specified in regulations
Subdivision of works	\$0.00	New	% specified in regulations
<b>PLANNING – Other Fees</b>			
For a certificate of compliance	\$0.00	New	\$306.70
To end or amend a Section 173 Agreement	\$0.00	New	\$620.30
Satisfaction matter	\$0.00	New	\$306.70
Combined permit application	\$0.00	New	Specified in regulations
Combined permit and planning scheme amendment	\$0.00	New	Specified in regulations
Combined application to amend permit	\$0.00	New	Specified in regulations
Amend application prior to or after notice	\$0.00	New	Specified in regulations
			<b>CARRIED.</b>

#### Background

Under section 138 of the *Local Government Act 1989* the Chief Executive Officer at least every three months must ensure quarterly statements comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date are presented to the Council.

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

The 2016/2017 Budget was adopted at the Ordinary Council Meeting held 21 June 2016. The 2016/2017 Adopted Budget provided for an operating surplus of \$13.81 million with revenue of \$130.31 million and expenditure of \$116.74 million. The 2016/2017 Adopted Budget also provided for capital works of \$45.49 million.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.7 2016/2017 Quarter 2 Forecast Review (continued)**

On 14 September 2016, Council adopted the 2016/2017 Q1 Adopted Forecast with an accounting surplus of \$13.1 million which was \$0.47 million less than the 2016/2017 Adopted Budget. The capital works program of \$42.03 million was forecast to be expended during the 2016/2017 financial year which was a decrease of \$3.45 million from the Adopted Budget.

The budget review process involves Managers reviewing the adopted budget for their departmental areas compared to actual income and expenditure. Managers are to update forecasts to reflect the expected year end result. The Executive then undertake a detailed review to understand and confirm forecast variations. The review is then submitted to Council for consideration.

Forecast variances to the adopted budget include re-budgeted projects that are to be delivered in the 2016/2017 financial year where funding was received or is held from last financial year and were not included in the adopted 2016/2017 budget.

#### **Changes to 2016/2017 User Fees and Charges**

##### Amendment to planning and subdivision fees

In October 2015, the Minister for Planning commenced a review of the planning and subdivision fees. The review led to proposed new regulations *Planning and Environment (Fees) Regulations 2016* and *Subdivision (Fees) Regulations 2016*.

The regulations have resulted in revised planning and subdivision fees which apply from 13 October 2016. This report seeks a change to the adopted fees and charges to be brought into line with the new regulations.

##### Amendment to Cosgrove Landfill User Fees

The amount of commercial and industrial waste received at the Cosgrove landfill site has significantly decreased impacting on the operational viability and sustainability of the landfill.

Due to market price competition in landfill fees across the region, along with the ongoing management of remaining airspace, the adopted Cosgrove landfill user fees for 2016/17 require amending.

The Waste Department are therefore proposing a reduction in the 2016/17 Industrial/Commercial fee from \$225.50 to \$170 per tonne (including GST). In order to quickly respond to market price competition, ensuring the long term financial sustainability of the landfill, a delegation to the CEO is sought to allow the setting of fees within a range of \$145 to \$170 per tonne (including GST)

##### New Parks, Sport and Recreation – Parks and Public Open Space fee

The Parks, Sport and Recreation Department is proposing a new fee 'Community Not for Profit Organisation – Market Fee' of \$100 including GST per market. This fee is within the Parks and Public Open Space fees and charges.

#### **2016/2017 Q2 Forecast Review**

Council's forecast performance is an accounting surplus of \$11.94 million, a reduction of \$1.16 million from the Q1 Adopted Forecast.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.7 2016/2017 Quarter 2 Forecast Review (continued)

#### Income Statement

The decrease in the accounting surplus from Q1 Adopted Forecast to the Q2 Forecast Review of \$1.16 million is largely due to the following factors:

Item	\$'000's	Comment
Increased operating expenses	569	Consultants required to complete studies such as the passenger rail trail, North, South East and South Growth Corridors, Urban Forest Strategy, Shell Service Station and GV Freight Hub.
Decreased operating expenses	(2,235)	Largely due to Reduction in EPA levy due to a decrease in waste received at Cosgrove Landfill (\$1.2m) and a reduction in the corporate training budget (\$246k).
Increased operating revenue	(1,139)	Largely due to additional developer contributions and planning permit fees (\$317k) and additional supplementary rates (\$248k).
Decreases operating revenue	4,494	Primarily due to lower levels of commercial waste received at Cosgrove Landfill (\$4.1m).
Increased non-operating revenue	(525)	Largely due to contributions for various organisations for works completed by Council.
<b>Total</b>	<b>1,164</b>	

\*For further information please see Notes to the Income Statement in the attached report.

#### Balance Sheet

Working capital (current assets less current liabilities) is forecast to decrease from the 2016/2017 Q1 Adopted Forecast by \$4.24 million to \$16.0 million. This is largely due to the pay down of \$2m of existing debt and the impact of lower revenue from Cosgrove Landfill.

#### Cash Flow Statement

Ending cash and cash equivalents are forecast to be \$0.82 million higher than the 2016/2017 Q1 Adopted Forecast. The improved forecast ending cash and cash equivalents is largely due to the transfer of funds held in investments with maturity dates greater than 90 days to on call.

#### Capital Works

Greater Shepparton City Council has conducted a review of its historical capital expenditure performance. The review identified historical trends relating to a level of approved capital project expenditure not being achieved each financial year due to various factors such as delays with poor weather and time impacts of obtaining authority approvals. In consideration of the historical performance and in an effort to provide a more realistic total capital works expenditure forecast to stakeholders, a "reduction factor" of approximately 10% (\$4.67m) was applied to the Q1 Adopted Forecast.

As part of the Q2 Forecast Review approximately \$3.09 million worth of projects have been reduced offsetting this original reduction factor.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.7 2016/2017 Quarter 2 Forecast Review (continued)**

As the financial year progresses Council will report performance of individual projects against this reduction factor as projects that are seeking a reduced forecast are submitted as part of each quarterly review.

The 2016/2017 Capital Works forecast remains steady at \$42.03 million.

Further analysis is contained within the attached 2016/2017 Q2 Forecast Review.

#### **Cash Position**

The term surplus is often perceived to be cash. The surplus reported in the Income Statement is an accounting surplus, it is accrual based and prepared in accordance with accounting standards. It should be noted that it contains both cash and non-cash items.

It is important that a cash surplus is generated from Council's operations to fund the capital works program. Capital income is reported as part of the operating surplus however capital works are reported as an increase in assets in the Balance Sheet rather than an operating expense.

The forecast underlying cash surplus of \$25.2 million is a \$2.62 million decrease on the 2016/2017 Q1 Adopted Forecast.

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

This proposal is consistent with the strategic objective High Performing Organisation (Leadership and Governance).

#### **Risk Management**

Monitoring of performance against the 2016/2017 adopted budget as well as the forecast year end position provides for prudent financial management and ensures that Council is made aware of any known or potential financial risks.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Inability to achieve current budget due to income not reaching budgeted levels or costs exceeding budget exposing the Council to a cash deficit.	Likely	Moderate	Moderate	Review detailed monthly financial reports and take corrective action where forecast varies against budget.
Breaching the local Government Act by expending funds against line items without endorsed budget.	Possible	Moderate	Moderate	Undertake quarterly budget reviews to formally consider and adjust for any known variances.

#### **Policy Considerations**

There are no identified conflicts with existing Council policies.



## 8. CORPORATE SERVICES DIRECTORATE

### 8.7 2016/2017 Quarter 2 Forecast Review (continued)

#### Financial Implications

Forecast variances to the 2016/2017 Q1 Adopted Forecast are detailed throughout the attached report.

	2016/2017 Adopted Budget \$'000	2016/2017 Q1 Adopted Forecast \$'000	2016/2017 Q2 Forecast Review \$'000	Variance to Q1 Adopted Forecast \$'000
Revenue	130,088	130,536	127,925	2,611
Expense	116,517	117,433	115,986	(1,447)
<b>Net Result</b>	<b>13,571</b>	<b>13,103</b>	<b>11,939</b>	<b>1,164</b>

The forecast end of year result is expected to be an accounting surplus of \$11.94 million which is \$1.16 million less than the Q1 Adopted Forecast.

#### Capital works

Capital works of \$43.61 million are forecast to be expended during the 2016/2017 financial year which is a decrease of \$1.58 million from the Q1 Adopted Forecast. Including the reduction factor Council will adopt a Capital works budget forecast of \$42.03 million.

	2016/2017 Adopted Budget \$'000	2016/2017 Q1 Adopted Forecast \$'000	2016/2017 Q2 Forecast Review \$'000	Variance to Q1 Adopted Forecast \$'000
Capital works	45,485	46,702	43,609	(3,093)
Capital works (incl. reduction factor)	0	42,032	42,032	0

#### Net current assets

Net current assets (current assets less current liabilities) is an indicator of Council's ability to pay existing liabilities in the next 12 months. The aim is to have more cash and liquid assets than short-term liabilities.

If current assets are less than current liabilities difficulties may arise in meeting obligations as they fall due. Current assets include cash and debtors whereas current liabilities include creditors, some employee provisions and trust funds.

A comparison of Council's budgeted net current assets less restricted investments is included in the table below.

	2016/2017 Adopted Budget \$'000	2016/2017 Q1 Adopted Forecast \$'000	2016/2017 Q2 Forecast Review \$'000	Variance Q1 Adopted Forecast \$'000
Net current assets	8,803	20,238	16,002	(4,235)
Less Restricted investments	(12,866)	(14,405)	(15,343)	938
<b>Underlying current assets</b>	<b>(4,063)</b>	<b>5,833</b>	<b>659</b>	<b>(5,174)</b>

## 8. CORPORATE SERVICES DIRECTORATE

### **8.7 2016/2017 Quarter 2 Forecast Review (continued)**

The table above demonstrates that Council has sufficient working capital to meet its obligations when they fall due. However, the \$16.00 million working capital should not be treated as available for discretionary use. Council has a forecast restricted investment balance of \$15.34 million containing significant commitments that need to be covered by Council's available working capital.

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

Section 138 of the Local Government Act 1989 requires that at least every three months the Chief Executive Officer must ensure a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date are presented to the Council. A detailed financial report is presented to the Council each month.

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

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

#### **Social Implications**

There are no social impacts that will arise from this proposal.

#### **Economic Impacts**

There are no identified economic impacts.

#### **Consultation**

External consultation has not occurred regarding the contents of this report. Specific consultation, however, has and will take place on some specific items within the budget as and when appropriate.

Appropriate consultation has occurred with Council Officers and the matter is now ready for Council consideration.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Nil

##### b) Other strategic links

The report is consistent with the governance principle of Strategic Objective five of the Council Plan 2013-2017 "High Performing Organisation (Leadership and Governance)".

#### **Conclusion**

This report has been prepared and presented to identify and reflect known variances in the end of year financial forecast compared to budget.

#### **Attachments**

Quarter Two Forecast Review 2016/2017 Page 235

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (May 2016 to September 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.
- An increase in the percentage of applications issued within the statutory timeframe when compared to the corresponding reporting period in 2015.
- A decrease in average decision making time frames for planning permit applications when compared to the corresponding reporting period in 2015.

An area of concern is the number of planning permit applications that are required to be referred to the Council's Development Hearings Panel (DHP) for a decision. At the time of writing this report there are 21 applications awaiting a decision.

The DHP has been without a chair, as a result of the Council Election process and therefore inactive since August 2016. Work is underway to ensure a new chair is appointed and this backlog of applications can be decided on in an efficient manner.

Despite the backlog of work overall performance figures remain good.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (May 2016 to September 2016) (continued)

**Moved by Cr Patterson**  
**Seconded by Cr Hazelman**

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 May 2016 until the end of September 2016 was 261. Planning permit applications lodged for the same period in 2015 was 234.

The number of planning permit applications decided from 1 May 2016 until the end of September 2016 was 257. Planning permit applications decided in this period in 2015 was 232.

The average decision making time for planning permit applications from 1 May 2016 until the end of September 2016 was 42.00 statutory days. The average decision making time for the corresponding period in 2015 was 47.75 statutory days.

The percentage of applications completed within the statutory timeframe (60 days), for the financial year to date, has moved above 80% (currently 87%). The previous financial year ended with 77% of applications being completed within 60 days. The Statutory Planning Team will aim to finish the financial year above 80%.

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. Given the amount of applications awaiting a decision at the DHP, this percentage is likely to drop in late 2016 and early 2017.

As at the date of writing this report there are 11 planning permit applications that have been in the assessment system for more than 100 days. This is approximately 10% of all active applications. This is an increase on the 6.5% of applications during the last reporting period (January-April 2016). This increase is due to the number of applications awaiting a decision at the DHP.

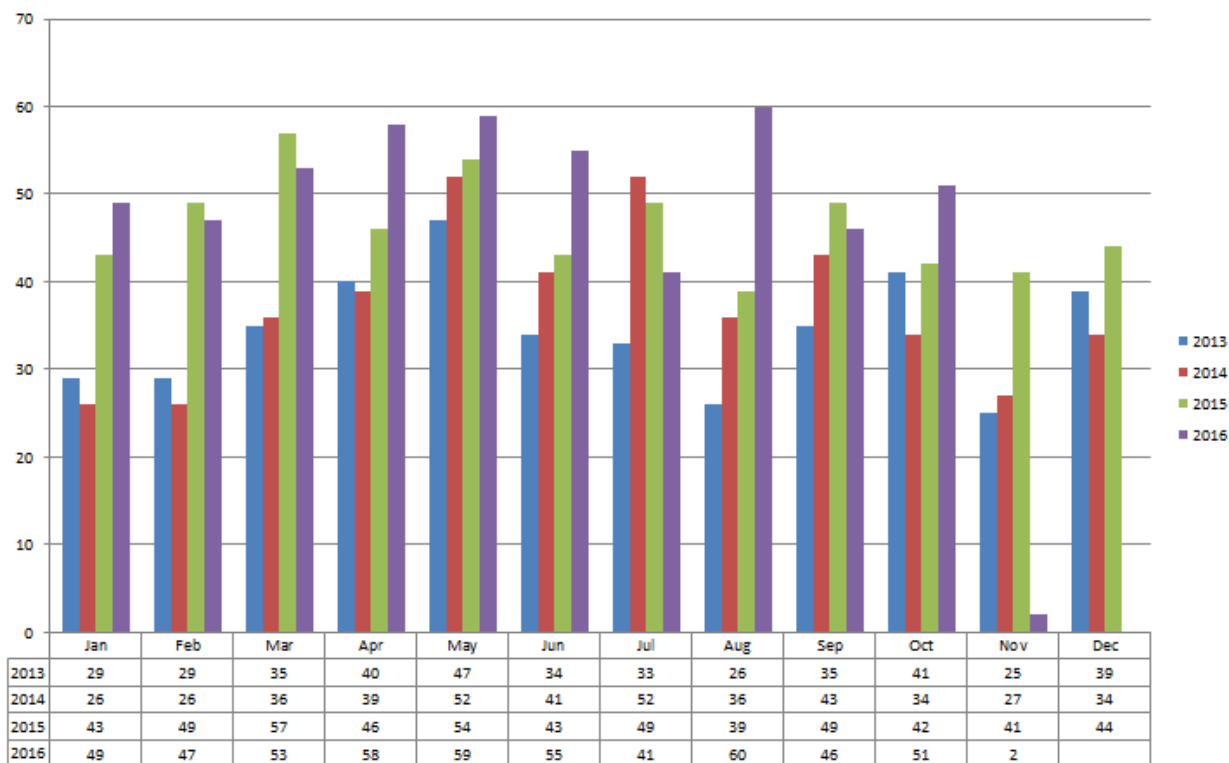
The tables listed below provide a summary of the monthly reporting undertaken by the Statutory Planning Team. The data considered in this report is up until the end of September 2016. Information shown for October and November 2016 has not been considered in this report due to the latest Planning Activity Report not being available at the time of writing the report. November 2016 does not reflect a completed month.

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

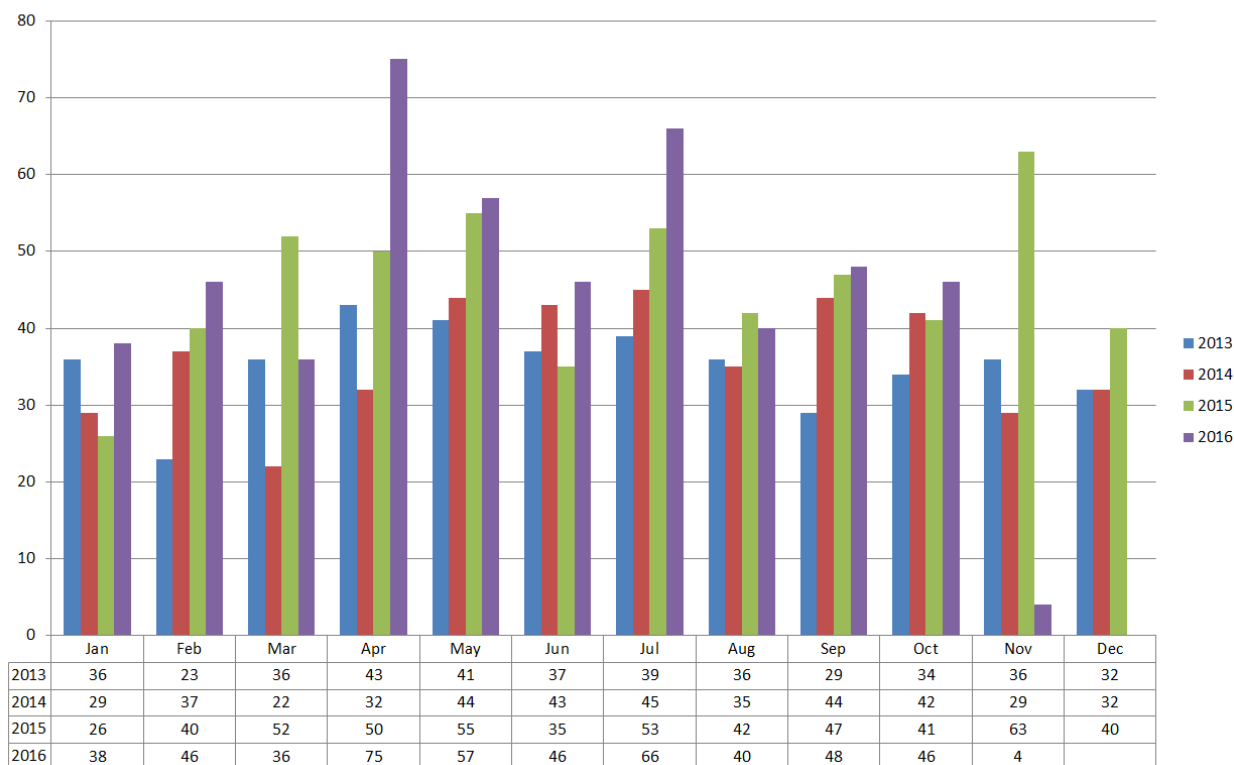
## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (May 2016 to September 2016) (continued)

**Applications Lodged**



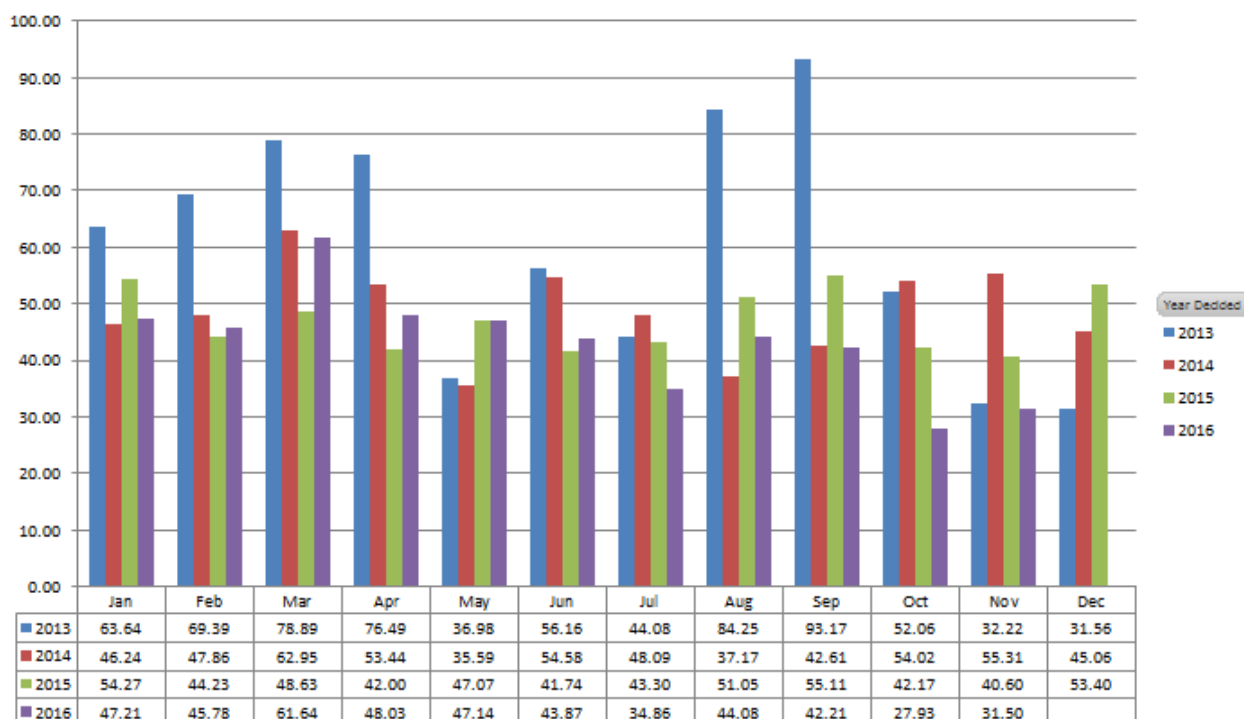
**Applications Decided**



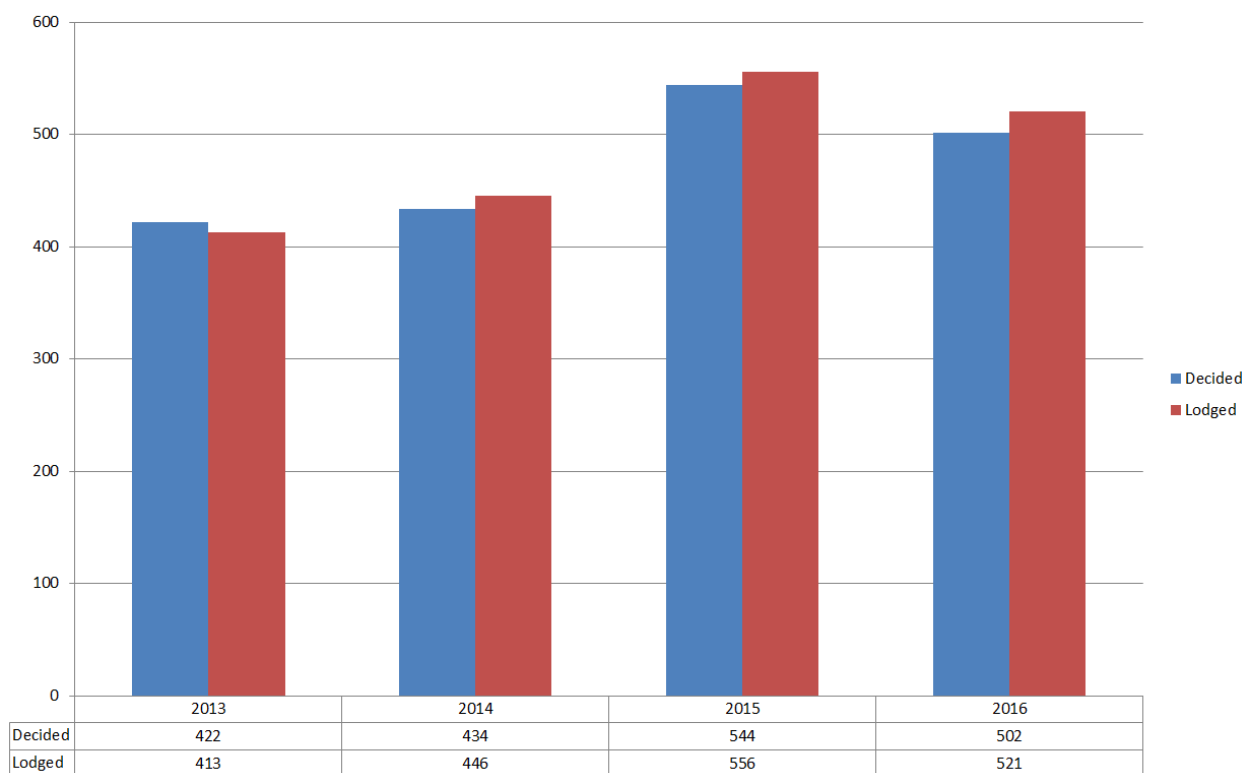
## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (May 2016 to September 2016) (continued)

**Average Decision Statutory Days**



**Applications Lodged & Decided**



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (May 2016 to September 2016) (continued)

#### **VCAT Activity**

Below is a summary of recent VCAT activity:

- 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 9 January 2016.
- 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. VCAT has issued an enforcement order for requiring works to be undertaken to comply with the 173 Agreement. The owners have failed to comply with the enforcement order. Officers have instructed that an application be lodged in the Magistrates Court to give effect to the VCAT order.
- An appeal was 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. VCAT upheld the decision to refuse the planning permit application.
- An appeal was 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. VCAT ordered that a permit issue in accordance with the Notice of Decision.
- An appeal was lodged at VCAT against a decision to refuse a planning permit application for a major promotion sign at 195 Numurkah Road, Shepparton. VCAT set aside the decision of the DHP and ordered that a permit issue.
- A VCAT enforcement application is currently being prepared for failure to comply with road safety permit conditions relating to a childcare centre at 615-619 Wyndham Street Shepparton.
- An appeal was lodged at VCAT against a decision to refuse a planning permit application for a house lot excision at 380 Turnbull Road, Ardmona. The hearing was held on 27 October 2016. VCAT set aside the decision of the DHP and ordered that a planning permit issue.

#### **Planning Enforcement update**

Through the 1 May 2016 until the end of September 2016 the Planning Department resolved 48 planning enforcement matters, 13 of which have since resulted in a planning permit applications being lodged, assessed and approved.

At the time of writing this report there are 46 active enforcement cases (files), all of which are at varying stages of the investigative process.

Currently there are eight planning permit applications being assessed as a result of enforcement action.

During the aforementioned period, 70 planning permits were audited, 34 were found to be non-compliant, 17 were found to be compliant and one permit was not acted upon.

The remaining 18 permits were at various stages of completion, with compliance having not yet been determined.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.1 Statutory Planning Update (May 2016 to September 2016) (continued)**

Enforcement action was undertaken by the Planning Department on the 34 non-complaint permits. To date 17 of these permits are now compliant, with the remainder requiring some form of additional works/enforcement action in order to achieve compliance with the permit conditions.

#### **Developments Hearings Panel Update**

As mentioned in the executive summary of this report, the Development Hearings Panel (DHP) has been inactive during the months of August and September 2016, being without a Councillor chair. At the time of writing this report it is hoped that the DHP will be operational again in December 2016 following the appointment of a new Councillor chair.

The following applications were considered by the DHP in the months from May – July 2016:

- An application for a medical centre at 39 Wyndham Street, Shepparton. Notice of Decision to Grant a Planning Permit was issued.
- An application for an above verandah electronic promotional sign at 73-83 Fryers Street, Shepparton. The matter was adjourned for a letter hearing at the request of the applicant.
- An application for an electronic business identification sign at 75-77 Hawdon Street, Shepparton. The matter was adjourned for a letter hearing at the request of the applicant.

#### **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.

#### **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.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (May 2016 to September 2016) (continued)

#### **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. Pleasingly, the average approval times decreased when compared to the corresponding reporting period in 2015. Another positive is the increase in the percentage of applications decided on within the statutory timeframe which has moved above 80% for the reporting period.

Key focuses for the remainder of 2016 will be to reduce the number of active planning permit applications in the system for over 100 days, ensuring the reactivation of the DHP and continuing to meet statutory obligations to enforce the requirements of the Planning and Environment Act and Greater Shepparton Planning Scheme.

#### **Attachments**

1. Planning Permit Applications Decided - May-September 2016 Page 261
2. Planning Permit Activity May-September 2016 Page 273

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions

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

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

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

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

**Author: Graduate Strategic Planner Amendments**

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

**Approved by: Director Sustainable Development**

**Other: Senior Strategic Planner**

#### **Executive Summary**

At the 19 July 2016 Ordinary Council Meeting, Council resolved to note the findings of the *Investigation Area 3 – Model of Flood Behaviour and Conceptual Masterplan, July 2016 (Model of Flood Behaviour and Conceptual Masterplan)* and prepare and exhibit an amendment to implement its findings.

Amendment C195 proposes to rezone approximately 474 hectares of land at Kialla, generally bound by Archer Road to the west, River Road to the south, Doyles Road to the east and the Broken River to the north from the Rural Living Zone to the Urban Growth Zone (see *Attachment 1 – Exhibition Documentation*).

The proposed Amendment was exhibited from 3 November 2016 to 5 December 2016 in accordance with the *Planning and Environment Act 1987* (the Act). Council received eleven submissions in total, including five late submissions (see *Attachment 2 – Submissions Recorder*). Two submissions were received from referral authorities and requested changes; these submissions have been resolved. One submission was received that requested the proposed Amendment be abandoned. Four late submissions queried flood controls and objected to the proposed Amendment.

The concerns raised in the submissions that objected to the proposed Amendment are summarised below:

- Intensification of residential uses without first undertaking a precinct structure planning process;
- Consideration of land capability factors, including flooding and access;
- Addressing and managing flood risks;
- Consideration of the costs associated with excavation and fill required to mitigate flooding;
- Lack of monitoring and review of the *Greater Shepparton Housing Strategy, 2011* and, subsequently, lack of strategic justification for the proposed Amendment;
- Future development of Investigation Area 4;
- Need for a flood study to inform the proposed Amendment and to manage flood risk;
- Devaluation of properties and compulsory acquisition of land;
- Request for an independent investigation to be undertaken in relation to the Investigation Area study; and
- Queries the legitimacy of the previously implemented flood study.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

Council officers have corresponded with all submitters in an effort to resolve the issues raised; however, five submissions remain outstanding. As such, all submissions have been referred under delegation to an Independent Planning Panel appointed by the Minister for Planning for consideration. The Independent Planning Panel Directions Hearing was held on 30 January 2017 and the Panel Hearing will be held on 15 March 2017.

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

**Moved by Cr Hazelman**  
**Seconded by Cr O'Keeffe**

That, with regard to submissions received for Amendment C195 the Greater Shepparton Planning Scheme, Council:

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

**CARRIED.**

#### **Background**

Amendment C195 proposes to rezone land in the Rural Living Zone (RLZ) to the Urban Growth Zone (UGZ) to safeguard the area for future development as a strategic residential growth corridor (as shown on *Figure 1 – Locality Map*).

The Amendment seeks to reduce the minimum lot size for subdivision from eight hectares to a maximum of two hectares to allow for house excisions, where appropriate. The Amendment also proposes to amend the Municipal Strategic Statement (MSS) of the Greater Shepparton Planning Scheme (Planning Scheme) to provide interim guidance for planning permit applications until a Precinct Structure Plan (PSP) and Development Contributions Plan (DCP) are prepared and implemented through a future planning scheme amendment.

**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)**

Figure 1 – Locality Map (land generally affected by the proposed Amendment is outlined in green)

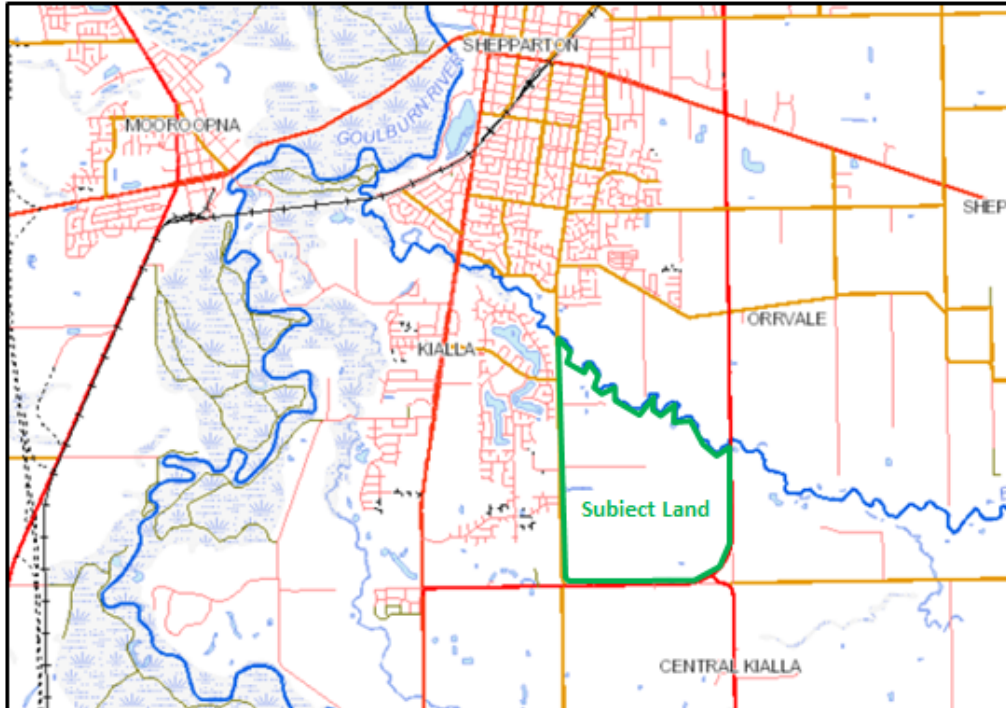
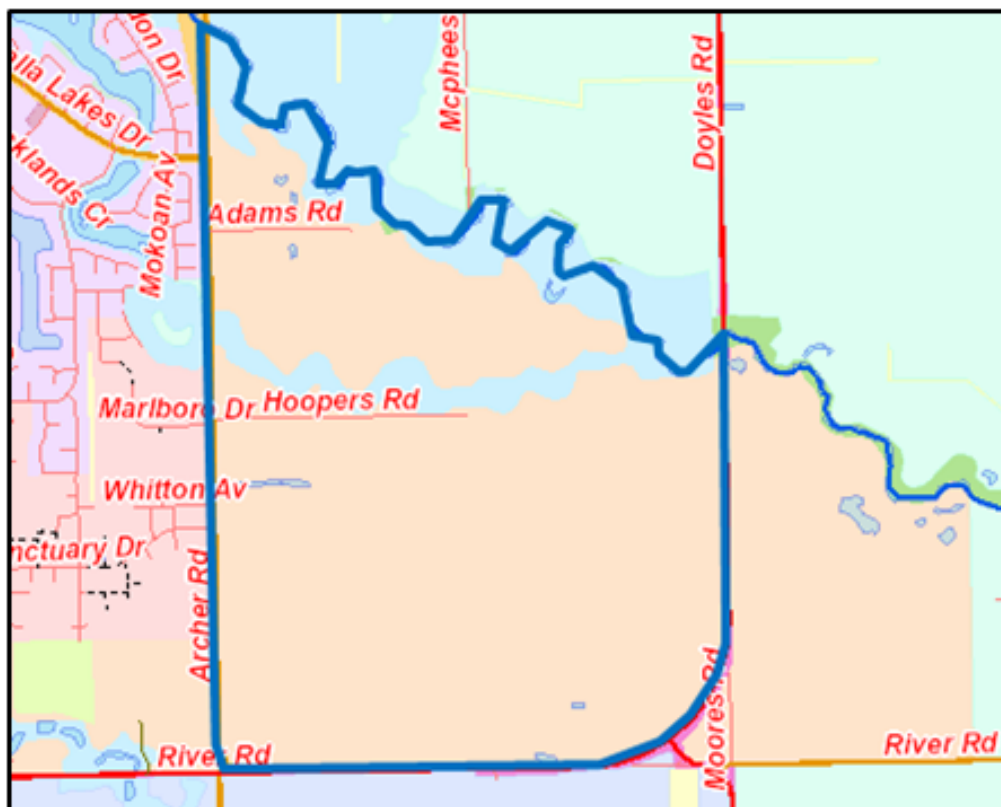


Figure 2 – Current Zone Mapping (land in the Rural Living Zone is shown in orange and land in the Urban Floodway Zone is shown in pale blue)



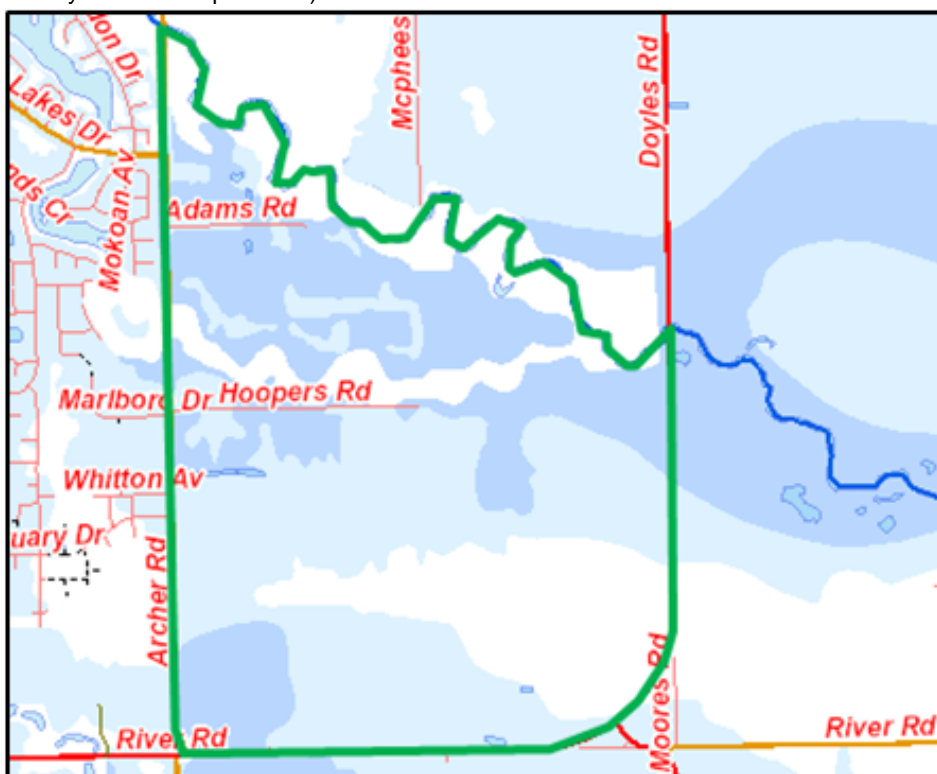
## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

The land is currently within the Rural Living Zone and the Urban Floodway Zone (see *Figure 2 – Current Zone Mapping*) and is affected by the Land Subject to Inundation Overlay and the Floodway Overlay (see *Figure 3 – Current Overlay Mapping*).

The Amendment proposes to rezone land currently within the Rural Living Zone. The Land within the Urban Floodway Zone is not proposed to be rezoned.

*Figure 3 – Current Overlay Mapping* (Floodway Overlay is shown in darker blue and Land Subject Inundation Overlay is shown in pale blue)



The proposed Amendment is required to acknowledge the strategic vision for the subject land as identified in the *Greater Shepparton Housing Strategy 2011* (GSHS) and the Planning Scheme, and to implement the findings of the *Model of Flood Behaviour and Conceptual Masterplan*.

The GSHS identified the subject land as Investigation Area 3 – Adams Road area, Kialla. Clause 21.04 *Settlement* of the Planning Scheme states:

*This area is directly adjacent to the Kialla Lakes Estate though is significantly impacted by flooding. The potential to develop this land to a more intensive residential use is dependent on this issue being resolved.*

At the 19 July 2016 Ordinary Council Meeting, Council resolved to note the findings of the *Investigation Area 3 – Model of Flood Behaviour and Conceptual Masterplan, July 2016* (*Model of Flood Behaviour and Conceptual Masterplan*) and prepare and exhibit an amendment to implement its findings.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)**

The *Model of Flood Behaviour and Conceptual Masterplan* provides a possible future development scenario for the Investigation Area that will not have detrimental impacts on surrounding land. Two amendments are required to give effect to the *Model of Flood Behaviour and Conceptual Masterplan*.

This Amendment is the first of these two amendments and is required to identify the subject land for future urban development by rezoning it to the UGZ. The proposed rezoning of the subject land to the UGZ will safeguard the land from development that could prejudice its long term urban development potential. This will provide certainty to land owners, developers, service authorities and relevant government agencies about the future role of this strategically important residential growth corridor.

The current minimum lot size for subdivision in this area, included in the Schedule to the RLZ, is eight hectares. The Amendment seeks to allow subdivision, only where the subdivision is for the excision of an existing dwelling, with a maximum lot size of two hectares. By allowing the excision of dwellings, the proposed Amendment seeks to assist in the amalgamation of land, which will facilitate the future residential development of the corridor.

A PSP and DCP will be prepared in the future following the completion of this amendment and a second planning scheme amendment will be required to include these documents in the Planning Scheme.

#### Strategic assessment

The proposed Amendment implements the objectives of planning in Victoria at Section 4 of the *Planning and Environment Act 1987* by providing the appropriate planning tools to allow for the orderly planning of the Investigation Area to occur. This will provide for the longer term sustainable use and development of the land. This will also allow for the creation of a sustainable and liveable community within this important future residential growth corridor.

The proposed Amendment supports the State Planning Policy Framework (SPPF), giving effect to the principles and specific policies contained within the SPPF.

The proposed Amendment is consistent with the *Hume Regional Growth Plan 2014* (HRGP) in that it will facilitate growth and development in the regional city of Shepparton. The HRGP seeks to direct future urban growth to areas with existing infrastructure and services to ensure the efficient use of infrastructure and services are maximised.

The proposed Amendment implements the Local Planning Policy Framework (LPPF). In particular, the proposed Amendment supports Clause 21.04-1 *Urban Consolidation and Growth*.

A series of Growth Management Plans were developed in the GSHS to provide guidance as to how and where Greater Shepparton will grow. These Growth Management Plans were incorporated into the Planning Scheme with a series of *Framework Plans*.

The *Kialla and Shepparton South Framework Plan* identifies the subject land as Investigation Area 3. The Planning Scheme states that significant flooding issues must be resolved to determine the development potential of the investigation area.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)**

The *Model of Flood Behaviour and Conceptual Masterplan* examined the flood constraints and identified the development potential of the land. The application of the UGZ is the first step in realising that development potential.

The PSP will (through a future planning scheme amendment) provide a coordinated approach for the future sustainable development of the subject land and will, ultimately, assist in providing housing diversity and affordability within the municipality.

The proposed Amendment makes proper use of the Victoria Planning Provisions by proposing to apply the UGZ, which is the most appropriate zone to protect land in a growth area for future development. The UGZ is proposed, as it offers a clearer process for converting and preparing land for urban development. The use of this zone provides certainty to landholders within the growth area that the land can be developed for urban purposes, allowing for future planning work to be undertaken.

A full strategic assessment of this proposed Amendment is included in the Explanatory Report (see *Attachment 1 – Exhibition Documentation*).

#### Exhibition

The proposed Amendment was exhibited from 3 November 2016 to 5 December 2016 in accordance with the *Planning and Environment Act 1987*. Exhibition included the following notice:

- Direct notice to land owners;
- Direct notice to prescribed Ministers;
- Direct notice to relevant referral authorities;
- Notice in the Shepparton News;
- Notice in the Victoria Government Gazette;
- Notice on the Greater Shepparton City Council website;
- Notice on the Department of Environment, Land, Water and Planning website; and
- Copy of exhibition documentation in the foyer of the Council offices at 90 Welsford Street, Shepparton.

#### Submissions

Eleven submissions were received by Council, including five late submissions.

Two of these submissions were received from referral authorities who did not object to the proposed Amendment; however, requested changes.

Five submissions objected to the proposed Amendment (see *Attachment 2 – Submissions Recorder*).

#### Submissions which did not object

Four submissions were received from referral authorities who did not object to or request changes to the proposed amendment. These referral authorities are:

- Goulburn Valley Water (Submission No. 1);
- Goulburn-Murray Water (Submission No. 2);
- APA Group Networks (Submission No. 4); and
- Goulburn Broken Catchment Management Authority (Late Submission No. 11).

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)**

#### Submissions from Referral Authorities that requested changes

Two submissions were received from referral authorities, which did not object to the proposed Amendment; however, they requested changes. These referral authorities are:

- Department of Environment, Land, Water and Planning (DELWP) (Submission No. 5); and
- Department of Economic Development, Jobs, Transport and Resources (DEDJTR) (Submission No. 6).

DELWP requested changes to the MSS at Clause 21.05 (*Environment*) of the Planning Scheme to ensure that any future residential growth provides for biodiversity protection and enhancement measures.

DEDJTR requested changes to the MSS at Clause 21.04-1 (*Policy Guidelines – Urban Growth and Consolidation*) of the Planning Scheme to ensure that consideration is provided to minimise access points from the Investigation Area to the Shepparton Alternate Route.

Council officers agree to the requested changes and these submissions have been resolved.

#### Submissions that objected to the proposed Amendment

Submission Nos. 3, 7, 8, 9 and 10 objected to the proposed Amendment.

Submission No. 3 requested that the proposed Amendment be abandoned. The concerns raised and Council officers' responses are outlined below.

Concern raised:

The proposed Amendment prepares the land for intensified residential uses and relies on an unprepared future PSP.

Council officers' response:

Amendment C195 proposes to rezone land in the Rural Living Zone (RLZ) to the Urban Growth Zone (UGZ) to safeguard the area for future development as a strategic residential growth corridor.

Clause 37.07 *Urban Growth Zone* of the Victorian Planning Provisions states that the purpose of the UGZ (Part A), where a PSP has not been prepared, is to:

- *provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs; and*
- *ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future use and development of the land.*

The intention of Amendment C195 is to identify the land as a future residential growth corridor, and to safeguard the Investigation Area from use and development that may hinder the future development potential of the land. The future residential development of the land is an aspiration and is subject to a future PSP and DCP being prepared and implemented.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)**

A PSP and DCP must be prepared and implemented through a second planning scheme amendment before any future residential development can occur within Investigation Area 3. As a result, the UGZ (Part A) is deemed to be the most appropriate planning tool to implement the findings of the *Model of Flood Behaviour and Conceptual Masterplan*.

Concerns raised:

Land capability factors have not been considered, including flooding and access; and

The proposed Amendment does not appropriately address or manage flood risk and does not adequately consider the costs associated with the extent of excavation and fill required to mitigate flooding.

Council officers' response:

Clause 21.04 *Settlement* of the Planning Scheme identifies flooding as the principal issue that must be resolved for the potential development of Investigation Area 3.

The *Model of Flood Behaviour and Conceptual Masterplan* provides a framework for the possible future development of the entire Investigation Area. The Model of Flood Behaviour assesses the impact of developing land in the Investigation Area. Critically, it outlines the quantum of stormwater infrastructure required to support any future residential development to ensure that there are no detrimental impacts on surrounding properties. The Conceptual Masterplan provides the framework for the future development of the entire Investigation Area. It outlines a possible development scenario for the land and provides guidance for the location of collector roads, and flood storage and drainage infrastructure.

As a result, Council believes that the *Model of Flood Behaviour and Conceptual Masterplan* provides the strategic justification for the land to be rezoned to the UGZ (Part A). Council acknowledges that a PSP must be prepared and implemented through a second planning scheme amendment before any residential development can occur in the Investigation Area.

Concern raised:

The proposed rezoning is premature, given the lack of monitoring and review of the *Greater Shepparton Housing Strategy, 2011*.

Council officers' response:

Council previously prepared the *Urban Development Program 2011: Regional Residential Report City of Greater Shepparton* (the UDP). The UDP provides an analysis of the supply and demand of residential and industrial land across parts of regional Victoria. Council has recently updated the UDP, and received and noted the *Urban Development Program 2016 – Residential and Industrial Land Supply Assessments* (UDP Update) at the Ordinary Council Meeting held on 16 August 2016. The UDP Update reviews the supply, demand, adequacy, and analyses of historical and current residential and industrial development in the municipality.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)**

The UDP Update states:

*“for both the urban centres of Shepparton and Tatura, there will be a need in the short-term (over the next 2-3 years) to increase the stock of zoned broadhectare residential land to ensure ample zoned stocks are available to ensure a competitive land supply industry. There is ample identified unzoned (Urban Growth Area) stock in both urban centres to meet this need... There is an immediate need to progress strategically identified unzoned residential land stocks through the structure planning and rezoning process to maintain [and] ensure ongoing ample supply”.*

Rezoning the land to the UGZ (Part A) is considered to be appropriate given these findings.

Concern raised:

Investigation Area 4 is identified in Clause 21.04 *Settlement* of the Planning Scheme as an area for potential future residential development. Submitter No. 3 believes that this land is relatively unencumbered and that the future development of the land has been unduly prejudiced by Council's commitment of resources to Investigation Area 3 rather than Investigation Area 4.

Council officers' response:

Council has previously allocated budgets to complete relevant studies for Investigation Area 4; however, completing these studies is considered to be premature pending the finalisation of the *Shepparton East Flood Study* (Flood Study) by the Goulburn Broken Catchment Management Authority. Therefore, this budget allocation was not utilised for this purpose. The Flood Study will investigate overland flooding in the Shepparton East area, including the issues that caused and/or exacerbated flooding as a result of the localised intense storm activity experienced in 1993 and in 2012. The Flood Study is expected to be available in late 2017 at the earliest. Upon completion of the Flood Study, budget bids will be made for the completion of Investigation Area 4.

Late Submission Nos. 7, 8, 9 and 10 were late submissions received by Council. These submissions objected to the proposed amendment. The concerns raised and Council officers' responses are outlined below.

Concerns raised:

A flood study is required to inform the proposed amendment.

The proposed amendment will devalue the property and includes the compulsory acquisition of land.

The proposed amendment does not appropriately address or manage flood risk.

Queries the legitimacy of the previously implemented flood study.

Requests that an independent investigation be undertaken in relation to the Investigation Area study.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

Council officers' response:

The intention of this Amendment is to safeguard the land from use and development that may hinder its future development potential, while allowing the excision of existing dwellings to facilitate the amalgamation of land holdings.

The proposed amendment is not seeking the compulsory acquisition of any land or the amendment of flood controls on the land. Flood controls and concerns can be addressed through separate planning scheme amendments, but are outside the scope of this proposed Amendment and at some future point in time.

The concerns raised in late Submission Nos. 3, 7, 8, 9 and 10 cannot be resolved. As such, all submissions are being referred to an Independent Planning Panel appointed by the Minister for Planning for consideration.

#### Post-Exhibition Changes

Council officers are proposing to make some post-exhibition changes to accommodate the concerns raised in submissions received from DELWP (Submission No. 5) and DEDJTR (Submission No. 6). These changes include amending the MSS as follows:

- amend Clause 21.05 (*Environment*) of the Planning Scheme to ensure that any future residential growth provides for biodiversity protection and enhancement measures; and
- amend Clause 21.04-1 (*Policy Guidelines – Urban Growth and Consolidation*) of the Planning Scheme to ensure that consideration is provided to minimise access points from the Investigation Area to the Shepparton Alternate Route.

Additionally, Council officers are proposing a post-exhibition change to the MSS at Clause 21.04-1 (*Urban Consolidation and Growth*) to improve the clarity and function of the Planning Scheme in relation to land included in an Investigation Area, where the studies required have now been completed. To provide further clarity, Council officers are proposing to update the Framework Plans to align with these changes and graphically show where studies for Investigation Areas have been completed.

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

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

Goal: *Enhancing the Environment (Natural)*

Objective 1: *Ensure the environment is a major priority in planning for the future.*

Goal 4: *Quality Infrastructure (Built)*

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

#### **Risk Management**

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

In accordance with Ministerial Direction No. 15, Council must request the appointment of an Independent Planning Panel under Part 8 of the Act within 40 business days of the closing date for submissions, unless a Panel is not required. To meet this timeframe, an Independent Planning Panel has been requested by Council officers under delegation.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)**

It is recommended that Council endorse Council officers' position prior to the upcoming Independent Planning Panel Hearing.

#### **Policy Considerations**

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

#### **Financial Implications**

The costs of the proposed Amendment, including the cost of an Independent Planning Panel, must be met by the proponent, Greater Shepparton City Council.

The cost of the Independent Planning Panel for this Amendment would be expected to cost approximately \$5,000, plus the cost of \$3,150 for a planning consultant to peer review Council's proposed post-exhibition changes.

A Planning Scheme Amendment includes fees of \$226.50 for the Minister for Planning to consider a request to approve an amendment. However, this request is subject to a future Council resolution.

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

All procedures associated with this proposed Amendment comply with the legislative requirements of the Act. The Amendment has been assessed in accordance with the Act and the Planning Scheme. The assessment is considered to accord with the *Victorian Charter of Human Rights and Responsibilities Act 2006* (the Charter) – no human rights have been negatively impacted upon throughout the process.

The Charter recognises that reasonable restrictions may be placed on the use and development of land, and that there may on occasion be reasonable and acceptable offsite impacts on others. Provided these issues are properly considered, it would be a rare and exceptional case where the exercise of a planning decision in accordance with the regulatory framework is not Charter compatible.

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

The proposed Amendment will not have any significant detrimental environmental impacts.

Similar planning permit triggers for the removal of native vegetation that apply under the RLZ will apply under the UGZ prior to the implementation of the PSP. The Planning Scheme provides protection for native vegetation under Clause 52.17 – *Native Vegetation*. The proposed Amendment will not change the provisions of Clause 52.17.

Clause 52.17 provides permit exemptions for the removal of native vegetation on land that has an area of less than 0.4 hectare. The proposed Amendment may allow the creation of new lots of less than 0.4 hectare. This may provide a permit exemption for the removal of some native vegetation, which are be exempt under the current provisions. Most significant native vegetation in the area is located along the Broken River corridor. This vegetation is within the Urban Floodway Zone (UFZ) and the proposed Amendment does not propose any changes to land within the UFZ.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)**

A full assessment of the environmental impacts of the proposed Amendment is included in the Explanatory Report (see *Attachment 1 – Exhibition Documentation*).

#### **Social Implications**

The proposed Amendment will have positive social effects by ensuring that the strategic vision for the land is clearly articulated to the community. It will enable community participation in the preparation of the PSP that will seek to facilitate detailed planning for the future residential development of the Growth Corridor. Additionally, the preparation of the PSP will reflect the most up-to-date planning controls that apply to the land, which may provide the community with increased flood and fire protection.

#### **Economic Impacts**

The proposed Amendment will have positive economic effects by acknowledging that the land is designated for future residential development. This will provide certainty for landholders within the Growth Corridor.

#### **Consultation**

The proposed Amendment was exhibited from 3 November 2016 to 5 December 2016 in accordance with the *Planning and Environment Act 1987*. Exhibition included the following notice:

Direct notice to land owners;

- Direct notice to prescribed Ministers;
- Direct notice to relevant referral authorities;
- Notice in the Shepparton News;
- Notice in the Victoria Government Gazette;
- Notice on the Greater Shepparton City Council website;
- Notice on the Department of Environment, Land, Water and Planning website; and
- Copy of exhibition documentation in the foyer of the Council offices at 90 Welsford Street, Shepparton.

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: Growth*

*To release land efficiently in terms of location, supply of services and infrastructure.*

###### *Direction 3: Environment*

*To maintain and enhance biodiversity of native flora and fauna communities.*

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

###### *Investigation Area 3 – Model of Flood Behaviour and Conceptual Masterplan, July 2016*

The proposed Amendment implements the recommendations of the *Investigation Area 3 – Model of Flood Behaviour and Conceptual Masterplan, July 2016*, which was noted by Council at the Ordinary Council Meeting held on 19 July 2016.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Amendment C195 - Investigation Area 3 (Rezoning to the Urban Growth Zone) - Consideration of Submissions (continued)

#### **Conclusion**

Amendment C195 proposes to rezone approximately 474 hectares of land at Kialla, generally bound by Archer Road to the west, River Road to the south, Doyles Road to the east and the Broken River to the north (as shown on *Figure 1 – Locality Map*) from the Rural Living Zone to the Urban Growth Zone (see *Attachment 1 – Exhibition Documentation*).

The proposed Amendment was exhibited from 3 November 2016 to 5 December 2016 in accordance with the *Planning and Environment Act 1987*. Council received eleven submissions (see *Attachment 2 – Submissions Recorder*). Two submissions were received from referral authorities requesting changes. Council officers agree to the requested changes and these submissions were resolved. Five submissions were received that requested objected to the proposed Amendment.

The concerns raised in five submissions could not be resolved. As such, all submissions have been referred under delegation to an Independent Planning Panel appointed by the Minister for Planning for consideration. The Independent Planning Panel Directions Hearing was held on 30 January 2017 and Panel Hearing will be held on 15 March 2017.

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

#### **Attachments**

1. Exhibition Documentation Page 276
2. Submissions Recorder Page 331

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Landscape Plan Guide - Endorse and Release for Public Comment**

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

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

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

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

**Author: Senior Strategic Planner**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The *Landscape Plan Guide for landscapes in the agricultural floodplains (Draft) December 2016* (the Draft Guide) has been prepared by Spiire Australia Pty Ltd (see *Attachment 1 – Draft Landscape Plan Guide*). The purpose of the project is to develop a guide to assist those applying for planning permits to efficiently and effectively submit the required characteristics of a landscape plan.

This project has been undertaken in collaboration with Campaspe Shire Council, Greater Shepparton City Council, Moira Shire Council and the Goulburn Broken Catchment Management Authority (GBCMA).

The Draft Guide establishes common requirements for sustainable and appropriate landscape developments across the three municipalities.

It will assist private developers and permit applicants in the preparation of informed and sustainable landscape plans that meet the expectations and standards of the councils and the GBCMA.

The Draft Guide also includes advice on plant species selection (such as low water use natives and indigenous species) and encourages the use of appropriate species for the existing environmental conditions.

The Draft Guide will be a separate and complementary document to the *Draft Greater Shepparton Urban Forest Strategy 2017* and the *Greater Shepparton Street Tree Master Plan 2003*.

Council officers intend to release the Draft Guide formally for public comment. Any feedback received during this consultation phase will be considered prior to adoption of a final document. The final document will inform a future planning scheme amendment to implement any findings and recommendations.

It is recommended that Council endorse the Draft Guide and release it for public comment.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Landscape Plan Guide - Endorse and Release for Public Comment (continued)

**Moved by Cr Abdullah**  
**Seconded by Cr Giovanetti**

That the Council:

1. endorse the *Landscape Plan Guide for landscapes in the agricultural floodplains (Draft) December 2016*
2. release the *Landscape Plan Guide for landscapes in the agricultural floodplains (Draft) December 2016* for public comment for the period 27 February to 3 April 2017;
3. note that officers will report on any feedback, comments and submissions received from the public prior to adoption of a final document and prior to a planning scheme amendment being undertaken to implement the final document.

**CARRIED.**

#### **Background**

Landscaping is a very important part of the development process. It performs an important physical, visual and cultural function in our environment. It is required to varying degrees as part of all urban (e.g. subdivisions), industrial, commercial, rural and residential permit applications.

Campaspe Shire Council, Greater Shepparton City Council and Moira Shire Council require most approved residential, industrial, rural and commercial developments to submit a landscape plan as part of a permit application. This is to ensure that the visual and environmental quality of the landscape and neighbourhood character is not adversely affected by inappropriate landscaping.

Most applicants become aware of the need to develop a landscape plan due to a condition requiring that a plan be submitted to Council for approval in their planning permit. Often the planning permit will require a landscape plan as well as specified details which need to be included or addressed in order to obtain approval. This may include names, size and maturity of plants, methods of draining, watering and maintaining landscaped areas, weed management programs, in-ground irrigation systems, etc.

A Landscape Plan Guide (including templates and information on scheduling and species selection) would assist those applying for planning permits to efficiently and effectively submit the required characteristics of a landscape plan. To date no known guide or template exists to provide such guidance to applicants.

The Local Government Agricultural Floodplains Reference Group agreed to undertake a collaborative project to prepare a Landscape Plan Guide for Campaspe Shire Council, Moira Shire Council and Greater Shepparton City Council. It was agreed that Greater Shepparton City Council would be the lead Council for this project, and would manage the project on behalf of the three councils.

The project is collaboratively funded with \$10,000 received each from Campaspe Shire Council and Moira Shire Council to be included in a \$30,000 total budget for the project.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Landscape Plan Guide - Endorse and Release for Public Comment** **(continued)**

The purpose of the project is to develop a guide to assist those applying for planning permits to efficiently and effectively submit the required characteristics of a landscape plan. Spiire Australia Pty Ltd was engaged to prepare the *Landscape Plan Guide for landscapes in the agricultural floodplains (Draft) December 2016* (the Draft Guide).

The Draft Guide will be a separate and complementary document to the *Draft Greater Shepparton Urban Forest Strategy 2017* and the *Greater Shepparton Street Tree Master Plan 2003*. These documents focus on Council's ability to green our public urban spaces and the public realm. The Draft Guide aims to assist private developers to achieve appropriate landscape outcomes on private land or land that will be vested to Council as open space, drainage or stormwater infrastructure, etc.

The Draft Guide (see *Attachment 1 – Draft Landscape Plan Guide*) includes advice on species selection (such as low water use natives and indigenous species, wherever possible), and encourages the use of appropriate species for existing environmental conditions (e.g. integrated with drainage design, existing infrastructure needs and shade trees for car park designs).

The project also includes the development of local policy for inclusion in the Municipal Strategic Statement to give statutory effect to the Landscape Plan Guide in the planning schemes.

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

Strategic Goal 2: Enhancing the Environment (Natural)

Objective 2.1: Ensure the environment is a major priority in planning for the future

#### **Risk Management**

There are no adverse risks associated with releasing the Draft Guide for public consultation.

The consultation associated with the Draft Guide will be undertaken in accordance with Council's Community Engagement Strategy.

#### **Policy Considerations**

The Draft Guide supports existing Council policy including *The Greater Shepparton City Council: Council Plan 2013-2017*.

The consultation associated with the Draft Guide will be undertaken in accordance with Council's Community Engagement Strategy.

#### **Financial Implications**

The project is collaboratively funded with \$10,000 received each from Campaspe Shire Council and Moira Shire Council to be included in a \$30,000 total budget for the project.

A budget allocation was included in the adopted budget for this project.

The recommendation does not have any financial or budgetary implications for Council.

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

All procedures associated with the Draft Guide comply with the legislative requirements. The Draft Guide has been prepared in accordance with the Planning Scheme and Council's Community Engagement Strategy.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Landscape Plan Guide - Endorse and Release for Public Comment** **(continued)**

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

The Draft Guide will result in positive environmental/sustainability impacts for the municipality. It seeks to ensure the environmental quality of the landscape is not adversely affected by inappropriate landscaping. It includes a comprehensive list of plant species, which are appropriate for the environmental and climatic conditions of the region.

#### **Social Implications**

The Draft Guide will result in positive social outcomes for the municipality. It seeks to ensure the visual quality of the landscape and neighbourhood character is not adversely affected by inappropriate landscaping. It includes clear key design considerations to assist in the preparation of quality landscape plans for new developments.

#### **Economic Impacts**

The Draft Guide will not result in any negative economic impacts.

#### **Consultation**

It is recommended that Council endorse the Draft Guide and release it for public comment.

The consultation associated with the Draft Guide will be undertaken in accordance with Council's *Community Engagement Strategy*.

It is proposed to release the Draft Guide for public comment from 27 February to 3 April 2017.

Any feedback, comments and submissions received from the public will be considered by Council officers. Council officers will provide a report to Council on the feedback received prior to adoption of a final master plan and prior to a planning scheme amendment being undertaken to implement the report.

#### **Strategic Links**

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

Topic: Settlement and Housing

Theme: Sustainable Design

Objective 1: To develop and enhance a distinctive character for Greater Shepparton.

Strategy 1.2: Promote landscaping themes throughout the municipality to create a unified identity yet retaining individual town character.

Topic: Community Life

Theme: Recreation and Open Space

Objective 2: To protect and enhance the network of public open space that contributes to the amenity of the municipality and advances the image of the community.

Topic: Environment

Theme: The Natural Environment

Objective 1: To maintain and enhance biodiversity of native flora and fauna communities.

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

1. *Greater Shepparton Street Tree Master Plan, 2003; and*

2. *Draft Shepparton Urban Forest Strategy, 2017.*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Landscape Plan Guide - Endorse and Release for Public Comment (continued)**

#### **Conclusion**

The Draft Guide has been prepared by Spiire Australia Pty Ltd. The purpose of the project is to develop a guide to assist those applying for planning permits to efficiently and effectively submit the required characteristics of a landscape plan.

The Draft Guide establishes common requirements for sustainable and appropriate landscape developments across the three municipalities. It will assist developers and permit applicants in the preparation of informed and sustainable landscape plans that meet the expectations and standards of the councils and the GBCMA.

Council officers intend to release the Draft Guide formally for public comment. Any feedback received during this consultation phase will be considered prior to adoption of a final document. The final document will inform a future planning scheme amendment to implement any findings and recommendations.

It is recommended that Council endorse the Draft Guide and release it for public comment.

#### **Attachments**

Draft Landscape Plan Guide Page 333

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Climate Adaptation 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: Sustainability and Environment Officer**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

Council's assets, services and community are increasingly at risk from the effects of climate change. Increased financial costs and reduced service delivery are likely impacts.

A Climate Adaptation Plan has been developed for Council's assets and services to assess and manage these risks.

Officers have undertaken extensive internal and external consultation, and identified key risks and current controls for Council. These risks include increased damage to Council buildings due to severe storms; higher energy and water demand due to increased temperatures and drought; and increased risk from flooding to buildings, drainage and roads due to increased severe rainfall and floods.

Council was briefed on the Draft Climate Adaptation Plan in July 2016, and feedback on the Draft Climate Adaptation Plan has been incorporated into the final Plan. This final Plan is now presented to Council for adoption.

**Moved by Cr O'Keeffe  
Seconded by Cr Sutton**

That the Council adopt the Climate Adaptation Plan.

**CARRIED.**

#### **Background**

In July 2014, Council adopted the Environmental Sustainability Strategy (ESS). A key action in Council's ESS is to:

- Section 3.2.1 - Develop and implement a climate change adaptation plan.

Climate change events have the potential to significantly affect Council's assets, services and the community. These impacts may include:

- Extreme storm events damaging building infrastructure and requiring time out of service and associated repair costs
- Floods damaging roads and isolating residents and businesses, and
- Extreme heat affecting council staff delivery of services and events to the community.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Climate Adaptation Plan (continued)

To mitigate these risks and impacts, a Climate Adaptation Plan has been prepared for Council's assets and services, to provide adaptation actions to address the risks posed by climate change. A number of workshops to discuss both risk assessment and adaptation measures were conducted with council officers and external agencies such as the CFA, Goulburn Broken Catchment Management Authority, Goulburn-Murray Water, Goulburn Valley Water, Powercor, VicRoads and the Goulburn Broken Greenhouse Alliance.

The risk workshops undertook a risk assessment to identify climate risks, provide a risk rating, and identify current control measures to manage these risks. The adaptation workshops identified actions to reduce the severity of these identified climate risks to Council. These adaptation actions are listed in the Plan, with appropriate funding and timelines identified.

A draft Climate Adaptation Plan was developed, reviewed by relevant council staff and provided to Councillors for comment in July 2016. Feedback on the draft plan was then incorporated into this final Climate Adaptation Plan.

The Climate Adaptation Plan has been developed in close consultation with Council's Risk Department and in alignment with Council's risk assessment process. Identified risks will be entered into Council's Risk Register once the Plan has been adopted.

Both the State and Federal Governments have legislation and policy to adapt to the impacts of Climate Change. The Victorian *Climate Change Act 2010* has recently been reviewed and requires the preparation of a Victorian Climate Change Adaptation Plan every four years. The State Government are in the process of finalising the second Climate Change Adaptation Plan 2017-2020. This new plan, and the revised *Climate Change Act 2010*, outlines Local Government's role in local climate change adaptation. Local Governments with their own Climate Adaptation Plans will be in a favoured position to receive State and Federal funding to support the implementation of actions.

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

Council Plan 2013-2017: The Climate Adaptation Plan is relevant to achieving the goals and objectives of the Council Plan 2013-2017.

##### *Active and engaged community:*

Objective 1.1: Continue to enhance community capacity building

Objective 1.3: Ensure liveability options are always considered in our decision making activities

Objective 1.4: Provide sustainable community services to our community

##### *Enhancing the environment:*

Objective 2.1: Ensure the environment is a major priority in planning for the future

##### *High performing organisation:*

Objective 5.3: Ensure strong internal systems and processes to ensure best practice delivery of services for the community

#### **Risk Management**

The Climate Adaptation Plan mitigates risk to Council by clearly identifying and assessing climate risks, and identifying adaptation actions to reduce risks to a more acceptable level. Identified risks will be added into Council's risk register.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Climate Adaptation Plan (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Council does not address climate change for its assets and services. Risks increase in damage to assets, reduced service delivery and an increase in financial costs	B	Major	High	Implement Climate Adaptation Plan
Funding not allocated to implement actions	C	Moderate	Moderate	Council consider external funding options, and assess cost of inaction.

#### Policy Considerations

The above recommendations do not conflict with any Council policy.

#### Financial Implications

Estimated costs for the implementation of the Climate Adaptation Plan are listed in the Action Plan. Many actions require only internal staff time. Some actions will be budgeted in coming years, through operational, capital and external funding in consultation with relevant Council staff. Not acting on the identified risks could result in higher financial costs to Council, through increased costs of repair, staff resourcing and increased insurance premiums.

#### Legal/Statutory Implications

The Plan conforms with the *Local Government Act 1989* and other relevant legislation and policy.

#### Environmental/Sustainability Impacts

The Plan will reduce the environmental and sustainability impacts of climate change on Council. The actions identified will reduce the requirement for energy and water during heatwaves and drought, and reduce flood damage to open space areas. The targeting of revegetation to factor climate risks will enhance the ability of native flora and fauna to respond to a changing climate.

#### Social Implications

The Plan identifies risks to the community from climate change, particularly from heatwaves and flooding, and identifies actions to address these.

#### Economic Impacts

The Plan identifies risks to the local economy from climate change, particularly our agricultural sector on which this region is reliant. The Plan identifies actions to address these risks. The Plan lists some actions that have a financial cost, but inaction may result in higher costs to Council than implementation of the Action Plan.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.4 Climate Adaptation Plan (continued)

#### Consultation

The Sustainability and Environment team has worked extensively with Council officers and a number of external stakeholders to develop the plan (Goulburn Valley Water, Goulburn-Murray Water, Goulburn Broken Catchment Management Authority, Goulburn Broken Greenhouse Alliance, Country Fire Authority, Department of Environment, Land, Water and Planning, VicRoads, Rural Financial Services, Powercor and the Department of Health and Human Services). Targeted community surveys have also been conducted through the HACC program, Community Plan groups, and the University of the Third Age.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Notify stakeholders of project	Email
Consult	Organise workshops for stakeholders	Workshops
Involve	Share and incorporate information	Workshops, email, telephone calls, distribution of documents
Collaborate	Work with stakeholders to understand current processes, and ensure considerations are considered in the Plan	Workshops, email, telephone calls, distribution of documents
Empower	Work with stakeholders to understand current processes, and ensure considerations are considered in the Plan	Workshops, email, telephone calls, distribution of documents

Feedback on the Draft CAP included: increase the Risk Ratings for native vegetation and biodiversity and strengthen the Action Plan to ensure our biodiversity is adequately referenced; clarifying the role of the Infrastructure Design Manual; highlight the appropriate project planning required to address climate risks; clarify the role of drainage throughout the municipality; and acknowledge the level of expertise and capacity building already existing or underway at Council in dealing with flood and stormwater management.

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

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

The Climate Adaptation Plan aligns with the objectives, strategies and actions outlined in the Environment and Infrastructure sections of the Greater Shepparton 2030 strategy.

The Plan addresses:

Environment Floodplain Management Objective 1 “To recognise constraints of the floodplain on the use and development of land and minimise the future economic impacts of flooding”;

Infrastructure Urban and Rural services Objective 1: “To provide sustainable infrastructure to support the growth and development of the municipality”; and, Urban and Rural Services Objective 3: “To maintain an efficient and environmentally sensitive stormwater management system” by addressing climate change projections.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.4 Climate Adaptation Plan (continued)**

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

The development of a Climate Adaptation Plan is an action identified in the Greater Shepparton Environmental Sustainability Strategy 2014-2030.

Section 3.2.1 - Develop and implement a climate change adaptation plan.

#### **Conclusion**

Council's assets, services and community are at risk from the effects of climate change. Adoption and implementation of the Climate Adaptation Plan will ensure Council understands and mitigates the risks of climate change. Implementing the Climate Adaptation Plan will reduce impacts on assets and services, and reduce the financial implications from more frequent extreme weather events.

#### **Attachments**

Greater Shepparton City Council Climate Adaptation Plan Page 480



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Shepparton Railway Precinct Master Plan - Endorse and Release for Public Comment**

**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): Manager Building and Planning, Team Leader Strategic Planning**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The *Shepparton Railway Precinct Master Plan (Draft) December 2016* (the Draft Master Plan) has been prepared by Spiire Australia Pty Ltd. The purpose of the project is to conceptualise the transformation of the Shepparton Railway Precinct into an enticing gateway to the City of Greater Shepparton. This includes identifying actions and aspirations that will better integrate the Shepparton Railway Station into the Shepparton Central Business District (CBD), both physically and symbolically. It also includes a technical investigation and feasibility study into the provision of a pedestrian overpass connecting the Shepparton Railway Station with the CBD.

The Draft Master Plan forms part of the Shepparton CBD Revitalisation Project as a "priority project". The Shepparton Railway Precinct Redevelopment is listed as one of the three major infrastructure projects that make up the Shepparton CBD Revitalisation Project along with the Maude Street and Vaughan Street Redevelopment, and the Shepparton Court House.

This project has been collaboratively funded by Council, the State Government (Department of Economic Development, Jobs, Transport and Resources), V/Line and VicTrack.

A Project Board has been formed including representatives from Council, the Department of Economic Development, Jobs, Transport and Resources, V/Line, VicTrack and Public Transport Victoria.

A Technical Reference Group has also been formed that includes stakeholders from the Disability Advisory Committee, Positive Ageing Advisory Committee, Ethnic Council of Shepparton & District Inc., local community groups, transport action groups, Committee for Greater Shepparton, Tourism Greater Shepparton, Goulburn River Valley Tourism, etc.

The Draft Master Plan provides actions for the future of the Shepparton Railway Precinct. These actions are set out in an implementation plan that includes three stages, being short term (0-5 years), medium term (5-15 years) and long term (15+ years). The implementation plan is further categorised into sections of responsibilities between Council, V/Line, VicTrack, the community and the private sector.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Shepparton Railway Precinct Master Plan - Endorse and Release for Public Comment (continued)**

Council officers intend to release the Draft Master Plan formally for public comment. Any feedback received during this consultation phase will be considered prior to adoption of a final master plan. The final master plan will inform a future planning scheme amendment to implement any findings and recommendations.

It is recommended that Council endorse the Draft Master Plan and release it for public comment.

**Moved by Cr Hazelman  
 Seconded by Cr Patterson**

That the Council:

1. endorse the *Shepparton Railway Precinct Master Plan (Draft) December 2016*;
2. release the *Shepparton Railway Precinct Master Plan (Draft) December 2016* for public comment, commencing on 27 February 2017 and concluding on 3 April 2017; and
3. note that officers will report on any feedback, comments and submissions received from the public prior to adoption of a final master plan and prior to a planning scheme amendment being undertaken to implement the final master plan.

**CARRIED.**

#### **Background**

The Shepparton Railway Station is located at the eastern edge of the Shepparton CBD (see *Figure 1 – Aerial Map*). It provides transportation linkages to the retail, commercial, health, education and recreational facilities in Greater Shepparton from Melbourne as well as other regional areas in Victoria and New South Wales (via the regional bus network).

The *Shepparton CBD Strategy 2008* provides a development vision for the Shepparton Railway Station Precinct. This vision includes discussion of new higher scale development on underutilised land adjoining the railway and the upgrading of streets, pedestrian and cycle spaces linking the Shepparton Railway Station with the CBD. This Strategy also identifies the need for a pedestrian bridge linking the Shepparton Railway Station with Hoskin Street and Vaughan Street.

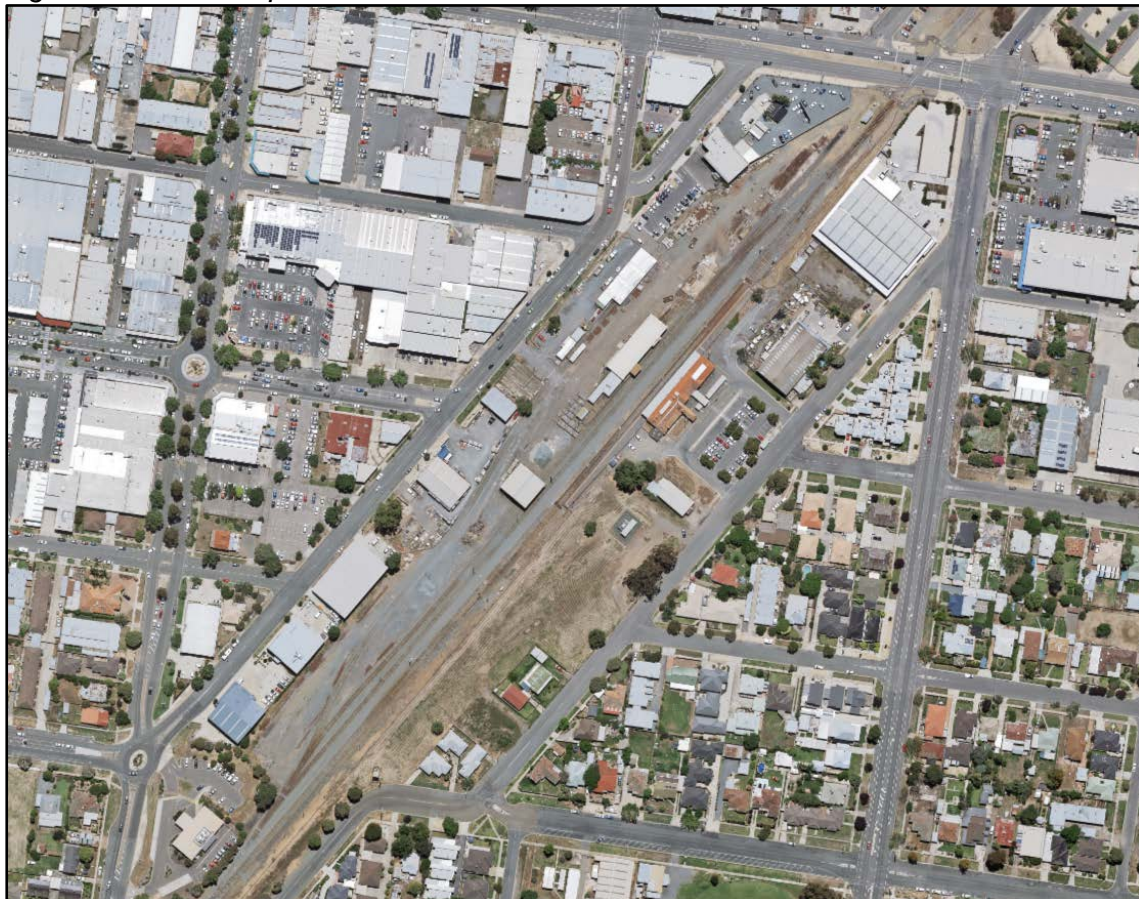
The *Make Shepparton Greater Prospectus 2014* identifies the Shepparton CBD Revitalisation Project as a “priority project”. The Shepparton Railway Precinct Redevelopment is listed as one of the three major infrastructure projects that make up the Shepparton CBD Revitalisation Project.

The *Shepparton Railway Precinct Master Plan (Draft) December 2016* (the Draft Master Plan) has been prepared by Spiire Australia Pty Ltd.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Shepparton Railway Precinct Master Plan - Endorse and Release for Public Comment (continued)

Figure 1 – Aerial Map



The vision for the project is:

*“The Railway Precinct Master Plan will conceptualise the transformation of the Railway Precinct into an enticing gateway to the City of Greater Shepparton. This project will identify the actions and aspirations that will allow Shepparton to bring its Rail Station into the City both physically and symbolically. The Master Plan will showcase urban design and provide a blueprint to guide existing and future land use within the Precinct and surrounding area. This will lead to increased vitality of the CBD and encouraging the use of, and investment in, sustainable transport.”*

The objectives of the project are:

- Improve pedestrian and cycle access to the Rail Station. To include a technical investigation and feasibility study relating to the provision of a pedestrian overpass connecting the Shepparton Railway Station with the CBD at the junction of Hoskin Street and Vaughan Street;
- Improve the visual amenity of the Precinct with special consideration given to Purcell Street and key routes from High Street (Education Precinct) to the proposed pedestrian overpass. Utilising appropriate land use planning controls and urban design/placemaking (e.g. landscaping, way finding, use of non-standard materials, lighting, etc.);

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Shepparton Railway Precinct Master Plan - Endorse and Release for Public Comment (continued)**

- Provide amenity improvements for public transport users by linking the Shepparton Railway Station with the proposed bus interchange at Maude Street, south of the Vaughan Street intersection;
- Application of land use planning controls to encourage appropriate land use mix in, and better utilisation of, the Shepparton Railway Precinct;
- Identify opportunities for the development of vacant and underutilised railway land whilst facilitating VicTrack's current/future operational needs and recognising any land ownership issues e.g. lease arrangements, land tenure etc.; and
- Prepare outline proposals for a longer term objective of relocating the Rail Station and platform to the storage area on the other side of the tracks.

This project has been collaboratively funded by Council, the State Government (Department of Economic Development, Jobs, Transport and Resources), V/Line and VicTrack.

A Project Board has been formed of representatives from Council, the Department of Economic Development, Jobs, Transport and Resources, V/Line, VicTrack and Public Transport Victoria (PTV).

A Technical Reference Group has also been formed that includes stakeholders from the Disability Advisory Committee, Positive Ageing Advisory Committee, Ethnic Council of Shepparton & District Inc., local community groups, transport action groups, Committee for Greater Shepparton, Tourism Greater Shepparton, Goulburn River Valley Tourism, etc.

#### **Existing and Planned Infrastructure and Operations Report**

*TSA Management Pty Ltd* prepared a report on the existing and planned buildings, rail and civil infrastructure within and adjoining the Shepparton Railway Precinct. The report explores future land and infrastructure requirements of the main railway stakeholders, being V/Line, VicTrack and PTV, and also identifies redundant land and infrastructure that is available for redevelopment.

The main findings of this report are summarised below:

- The current rail operators that utilise the Shepparton Railway Precinct are:
  - V/Line, who is responsible for operating and maintaining the passenger rail network and station;
  - Qube, who operates freight services (these freight services do not stop at the Shepparton Railway Station, but do pass through the Shepparton Railway Precinct); and
  - Public Transport Victoria (PTV), who is responsible for future planning of the transport network in this region.
- The portion of land managed by VicTrack is approximately 65,000m<sup>2</sup> in size.
- V/Line has indicated that approximately 5,000m<sup>2</sup> of land would satisfy future requirements for a consolidated works depo, which would replace the two existing smaller areas either side of the tracks that are currently satisfying this need.
- New lighting masts with associated power are planned for installation between the existing tracks in order to improve visibility for diesel locomotive shunting movements during the evenings and early mornings.
- PTV plans to improve the customer experience at the existing Shepparton Railway Station in the short term by exploring options for a new larger and brighter waiting

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Shepparton Railway Precinct Master Plan - Endorse and Release for Public Comment (continued)**

area, and to increase the frequency of trains, with an aim for eight trains per day. It is also proposed to upgrade the existing four tracks to include stabling to house trains overnight (in order to achieve this proposed additional daily service). There are no plans to increase the number of tracks beyond the existing footprint.

- There is currently redundant infrastructure within the Shepparton Railway Precinct. It is quite feasible that this infrastructure could be removed based on future plans for this land.

#### Benchmarking new infrastructure for improving connectivity with the CBD Report

*TSA Management Pty Ltd* prepared a report on potential new infrastructure options for the Shepparton Railway Precinct. These options are aimed at providing better connectivity between the existing Shepparton Railway Station and the Shepparton CBD. The report also produces an estimated cost breakdown for a new pedestrian bridge traversing the existing four rail lines, based on a typical truss design.

The report notes that budget estimates vary due to the high level of uncertainty of the design requirements and materials. However, the budget estimate for a standard pedestrian bridge to span four tracks is calculated at approximately \$3.1million.

The report also includes a high level budget estimate for a new Shepparton Railway Station and transport interchange on the western side of the existing Shepparton Railway Precinct. This budget estimate is \$30million; however, the report again notes the uncertainty regarding scope, conditions and requirements for a new transport interchange.

#### Draft Master Plan

The *Shepparton Railway Precinct Master Plan (Draft) December 2016* (the Draft Master Plan) has been prepared by Spiire Australia Pty Ltd (see *Attachment 1 – Shepparton Railway Precinct Master Plan (Draft) December 2016*).

The Draft Master Plan assesses the current role and function of the Shepparton Railway Station, including the existing land uses and planning controls that apply to the land, access arrangements for pedestrians, cyclists, and other users, and connections to the CBD (see *Figure 2 – Existing Conditions Plan*).

The report also evaluates the future role and function of the Shepparton Railway Station and provides recommendations for the future. These recommendations are captured in a Draft Master Plan and an implementation plan.

The Draft Master Plan is proposed to be implemented across three stages, being short term (0-5 years), medium term (5-15 years) and long term (15+ years). The implementation actions are included in the table attached to this report (see *Attachment 2 – Implementation Actions*).

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.5 Shepparton Railway Precinct Master Plan - Endorse and Release for Public Comment (continued)

Figure 2 – Existing Conditions Plan

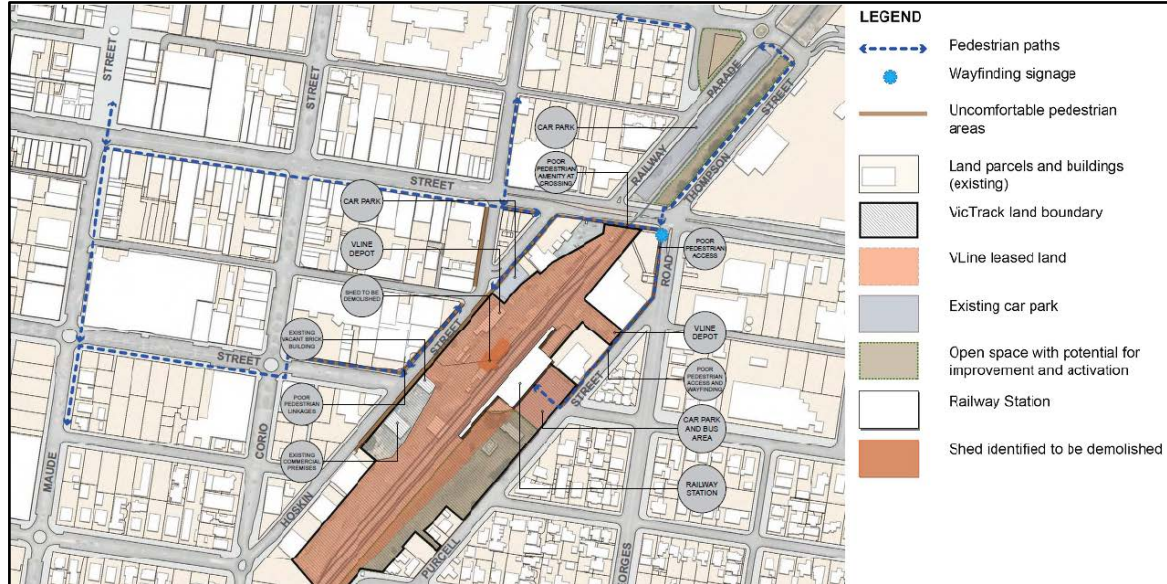
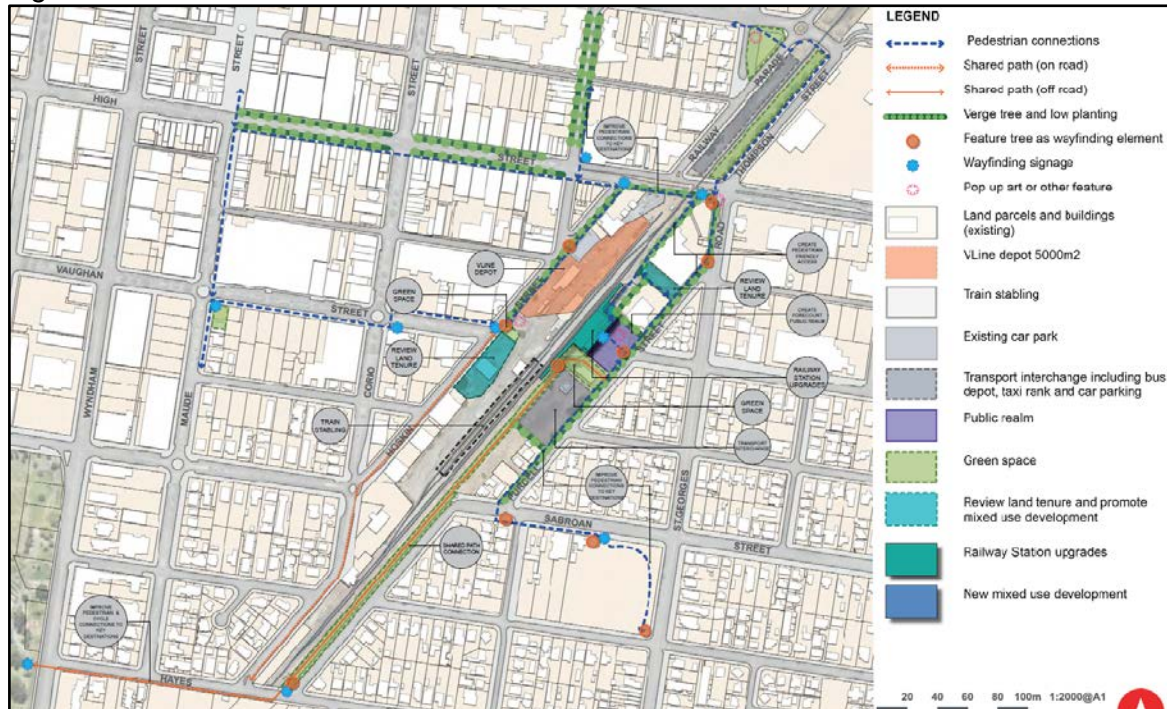


Figure 3 – Short Term Master Plan



**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.5 Shepparton Railway Precinct Master Plan - Endorse and Release for Public Comment (continued)**

Figure 4 – Medium Term Master Plan

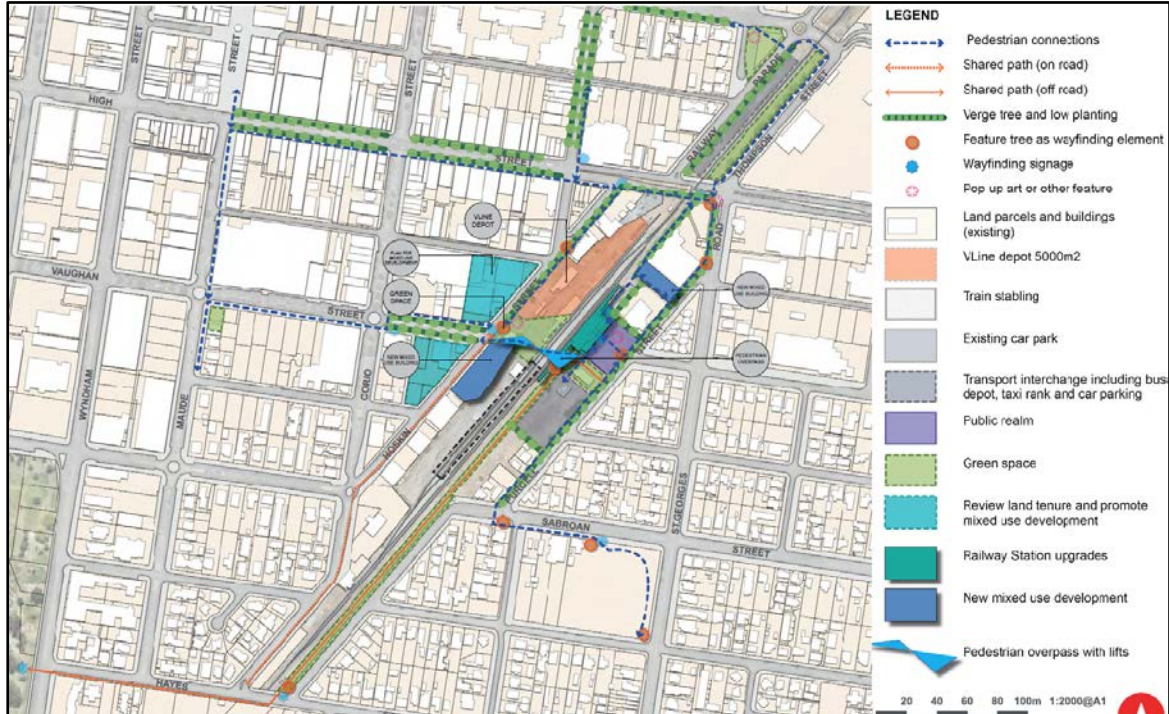
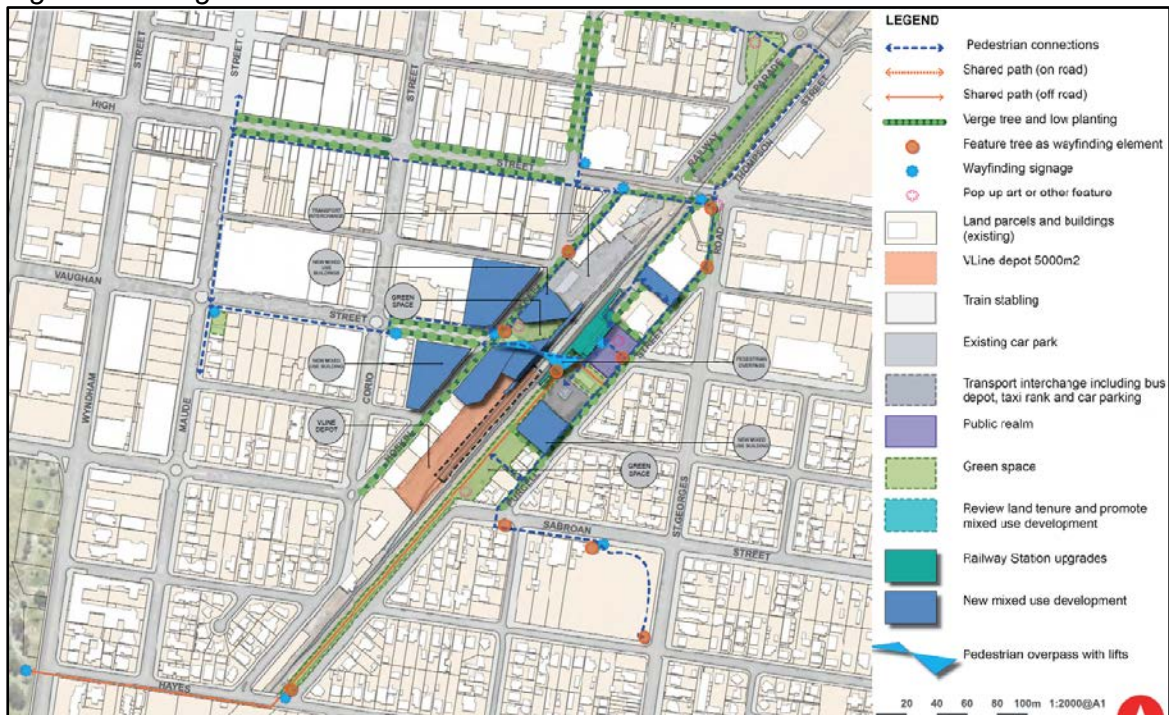


Figure 5 – Long Term Master Plan



**Council Plan/Key Strategic Activity**

Strategic Goal 4: Quality Infrastructure (Built)

Objective 4.2: Ensure the community has access to appropriate transportation infrastructure

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Shepparton Railway Precinct Master Plan - Endorse and Release for Public Comment (continued)**

Strategy: In collaboration with the community, lobby and advocate for the continued development of the railway station precinct with priority linkage to the CBD.

#### **Risk Management**

There are no adverse risks associated with releasing the Draft Master Plan for public consultation.

The consultation associated with the Draft Master Plan will be undertaken in accordance with Council's Community Engagement Strategy.

#### **Policy Considerations**

The Draft Master Plan supports existing Council policy including The *Greater Shepparton City Council: Council Plan 2013-2017*.

The consultation associated with the Draft Master Plan will be undertaken in accordance with Council's *Community Engagement Strategy*.

#### **Financial Implications**

This project has been collaboratively funded by Council, the State Government (Department of Economic Development, Jobs, Transport and Resources), V/Line and VicTrack.

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

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

All procedures associated with the Draft Master Plan comply with the legislative requirements. The Draft Master Plan has been prepared in accordance with the Planning Scheme and Council's *Community Engagement Strategy*.

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

The recommendation will not result in any negative environmental/sustainability impacts. The Draft Master Plan seeks to promote active transport through plans to improve pedestrian connectivity between the Shepparton Railway Station and the CBD and improve access to public transport for all transport users.

#### **Social Implications**

The recommendation will not result in any negative social implications. The Draft Master Plan seeks to achieve the following social benefits:

- improved access to public transport within the Shepparton CBD;
- increased potential for mixed use development of the Shepparton Railway Station; and
- improved appeal and liveability, which will assist to attract more residents and visitors to Greater Shepparton.

#### **Economic Impacts**

The recommendation will not result in any negative economic impacts. Key economic benefits arising from the Shepparton Railway Precinct Master Plan project were developed in the *Shepparton CBD Revitalisation Project: Economic Benefits Analysis*, which assessed the potential benefits of the wider program. These benefits include:



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Shepparton Railway Precinct Master Plan - Endorse and Release for Public Comment (continued)**

- increased business and economic prosperity for existing small to medium businesses in the Shepparton CBD;
- improved retail diversity in the Shepparton CBD; and
- improved appeal and liveability, which will assist to attract more residents, visitors, businesses and investors to Greater Shepparton.

#### **Consultation**

Two Technical Reference Group meetings (or workshops) were held on 29 July and 17 August 2016. The workshops were attended by representatives from the Disability Advisory Committee, Positive Ageing Advisory Committee, Ethnic Council of Shepparton & District Inc., local community groups, transport action groups, Committee for Greater Shepparton, Tourism Greater Shepparton, Goulburn River Valley Tourism, etc.

These workshops provided valuable insight into the positive and negative attributes of the existing Shepparton Railway Station, as well as aspirations for the future.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration. It is now recommended that Council endorse the Draft Master Plan and release it for public comment. The consultation associated with the Draft Master Plan will be undertaken in accordance with Council's *Community Engagement Strategy*.

It is proposed to release the Draft Master Plan for public comment from 27 February 2017 to 3 April 2017.

Any feedback, comments and submissions received from the public will be considered by Council officers. Council officers will provide a report to Council on the feedback received prior to adoption of a final master plan and prior to a planning scheme amendment being undertaken to implement the report.

#### **Strategic Links**

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

Topic: Infrastructure – the provision and restructure of urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

Theme: Traffic and Transport Systems

Objective 4: To provide effective and efficient rail services for freight and passengers

Strategy 4.1: Promote the use and development of the rail links through the municipality.

Strategy 4.6: Prevent traffic congestions that may be caused by rail movements across roads.

##### b) Other strategic links

The *Make Shepparton Greater Prospectus 2014* identifies the Shepparton CBD Revitalisation Project as a “priority project”. The Shepparton Railway Precinct Redevelopment is listed as one of the three major infrastructure projects that make up the Shepparton CBD Revitalisation Project.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.5 Shepparton Railway Precinct Master Plan - Endorse and Release for Public Comment (continued)**

The master planning work to identify improvements in access and amenity for public transport users also contributes to the vision for improved public transport between Shepparton and Melbourne identified in the *Hume Regional Growth Plan (2014)*. These improved linkages will add further justification to the requirement for increased passenger rail services between Shepparton and Melbourne, which has been identified in a number of publications including *Regional Development Australia: Hume Region Passenger & Freight Rail Review (2011)* and *Greater Shepparton City Council: Make Shepparton Greater – Shepparton Passenger Rail Services Survey Report (2014)*.

The *Shepparton CBD Strategy 2008* provides a development vision for Precinct 10: Railway and Adjoining Land. This vision includes discussion of new higher scale development on underutilised land adjoining the railway and the upgrading of streets within the Precinct as pedestrian and cycle spaces linking the Shepparton Railway Station and the CBD. This Strategy identifies the proposed pedestrian bridge linking the station with Hoskin Street and Vaughan Street.

#### **Conclusion**

The *Shepparton Railway Precinct Master Plan (Draft) December 2016* (the Draft Master Plan) has been prepared by Spiire Australia Pty Ltd.

This project has been collaboratively funded by Council, the State Government (Department of Economic Development, Jobs, Transport and Resources), V/Line and VicTrack.

The Draft Master Plan provides actions for the future of the Shepparton Railway Precinct. These actions are set out in an implementation plan that includes three stages, being short term (0-5 years), medium term (5-15 years) and long term (15+ years). The implementation plan is further categorised into sections of responsibilities between Council, V/Line, VicTrack, the community and the private sector.

Council officers intend to release the Draft Master Plan formally for public comment. Any feedback received during this consultation phase will be considered prior to adoption of a final master plan. The final master plan will inform a future planning scheme amendment to implement any findings and recommendations.

It is recommended that Council endorse the Draft Master Plan and release it for public comment.

#### **Attachments**

1. Shepparton Railway Precinct Master Plan (Draft) December 2016 Page 564
2. Implementation Actions Page 605

**10. TABLED MOTIONS**

Nil Received

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

Nil Received

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

Nil Received

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

Nil Received

**14. DOCUMENTS FOR SIGNING AND SEALING**

Nil Received

## 15. COUNCILLOR ACTIVITIES

### 15.1 Councillors Community Interaction and Briefing Program

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

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

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

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

From 1 December 2016 to 31 January 2017, some or all of the Councillors have been involved in the following activities:

The Hon Jenny Mikakos | Visit to Arthur Mawson Kindergarten and St Georges Road, Primary School  
 Mooroopna Men's Shed BBQ  
 140th GV Health Annual General Meeting  
 Welcome Event for New Mayors  
 Emperor of Japan's Birthday Reception  
 Kaiela Arts | Design Roots 1 - curated by Joe Pascoe  
 Fairley Leadership Graduation Dinner  
 International Day of People with Disability  
 Professional Golf Association of Australia Pro-Am | Presentations  
 Greater Shepparton Basketball Association annual tournament | Presentations  
 Meeting with Damian Drum and FBIRA Group regarding Inland Rail  
 Meeting with Damian Drum MP - GV Bypass  
 Official Opening by Damian Drum | Construction of Second Multi Use Synthetic Pitch  
 Informal Dinner - Damian Drum & The Hon Keith Pitt MP [Assistant Minister for Trade, Tourism & Investment]  
 MEMPC | Full committee meeting  
 GSCC - 'Christmas Thank You' function for Key Stakeholders  
 BOAO Gala Dinner  
 2016 Volunteer Thank You Event  
 Living Stories of the Dungala Kaiela and screening of the DVD  
 Orrvale Primary School | Book Launch  
 Exhibition Opening - Tarli Bird and VCE Art & Studio Arts  
 Goulburn Valley Sri Lankan Musical Night  
 Development Hearings Panel  
 Official Announcement | Beach Volleyball  
 SWL Awards | Mooroopna Secondary College  
 Visitor Centre | Volunteer 25 years of Service Presentation  
 Official Launch - by The Hon. Natalie Hutchins MP - Victorian Aboriginal Local Government Action Plan  
 Opening | Victoria Legal Aid - Goulburn Region (Shepparton) Office - The Hon Martin Pakula  
 Wilmot Road Primary School Grade 6 Graduation Dinner  
 SWL Awards | 'Wanganui on Show'  
 Goulburn Region Assembly | Regional Partnerships  
 Goulburn Regional Assembly [Pre Meeting with Mayors] | The Hon Jaala Pulford  
 Climate Smart Agricultural Development Project | Spatial Modelling Tool

## 15. COUNCILLOR ACTIVITIES

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

Dreamtime Tour/Meeting with Philip (Mr Huang Weiping - Jiangsu Provincial) & Artist Zhou Xiaoping & Kim Seddick & Others - Rumbalara  
 SAM - Best of Friends Exhibition Opening  
 'Carols by Candlelight' | Shepparton  
 Councillors, Executive & Committee for Greater Shepparton - Gathering and Drinks [at MB&M]  
 Launch | Indigenous Cow - [Rumbalara Elders Facility]  
 Council Christmas Staff Get Together 2016  
 DRC Christmas Break Up & Show 'n' Shine  
 Greater Shepparton Women's Charter Alliance Advisory Committee meeting  
 OneFM Radio with Susan Parnell - Women's Health and Wellbeing  
 2017 Australian Speedway Solo Titles  
 Shepparton Parkrun 3rd Anniversary  
 Shepparton Gold Cup  
 Media briefing - exhibition launch for new SAM design concepts  
 2017 International Dairy Industry  
 Cosgrove Community Information Session  
 Official Australia Day Luncheon  
 MAV | 'Working Together to Deliver' program - First Session  
 Aichi College of Agriculture welcome  
 Shepparton Showgrounds Advisory Group Meeting  
 Meeting with Kevin Preece | Goulburn Valley Libraries board  
 Australia Day Eve Celebrations  
 Dookie Australia Day Ceremony  
 Murchison Australia Day Ceremony  
 Toolamba Australia Day Ceremony  
 Arcadia Australia Day Celebration  
 Mooroopna Australia Day Ceremony  
 Shepparton Australia Day Citizenship Ceremony  
 Tatura Australia Day Celebration  
 Official 'Munzee' Opening  
 Victorian Population Policy Taskforce Shepparton Community Forum  
 Nitro Sponsorship Announcement  
 All Aboard Event  
 Media Announcement | Basketball Victoria Country U16 and U18 division one and two championships 2017/2018  
 Launch | Crime Stoppers Campaign - Bushfire Arson and Reckless Fires  
 Tourism and Events Industry Luncheon

In accordance with section 80A of the *Local Government Act 1989* records of the Assemblies of Councillors are attached.

**Moved by Cr Giovanetti**  
**Seconded by Cr O'Keeffe**

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**

Greater Shepparton Women's Charter Alliance Advisory Committee 25 November 2016		
Councillors:	Cr Seema Abdullah	
Officers:	Emma Hofmeyer, Michelle Bertoli, Jean Young, Charlene Norton	
Matter No.	Matters discussed	Councillors Present at Discussion
5	Correspondence in and out	Cr Seema Abdullah
6	Media – articles about the Women's Charter Committee in the last month	Cr Seema Abdullah
7	Budget – current remaining budget for GSWCAAC 2016/17	Cr Seema Abdullah
9	Committee Memberships	Cr Seema Abdullah
10	Membership Working Group update	Cr Seema Abdullah
11	Women's Charter Award	Cr Seema Abdullah
12	International Women's Day planning	Cr Seema Abdullah
13	Soroptimists International Women's Day breakfast	Cr Seema Abdullah
14	Primary Care Connect – Conversations for Change	Cr Seema Abdullah
15	Community Dinner in Support of White Ribbon	Cr Seema Abdullah
16	Queen of Katwe – Refugee Week opportunity	Cr Seema Abdullah
17	3x3 Action Plan	Cr Seema Abdullah
18	10thousandgirl scholarship update	Cr Seema Abdullah

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

<b>Councillor Briefing Session – 29 November 2016</b>		
<b>Councillors</b>	Cr Dinny Adem, Cr Kim O’Keeffe, Cr Seema Abdullah, Cr Bruce Giovanetti, Cr Chris Hazelman, Cr Les Oroszvary, Cr Dennis Patterson, Cr Fern Summer, Cr Shelley Sutton	
<b>Officers:</b>	Peter Harriott, Steve Bowmaker, Johann Rajaratnam, Chris Teitzel, Kaye Thomson, Sharlene still, Natarlie Phillips, Greg McKenzie, Sharon Terry, Ronan Murphy, Michael MacDonagh, Danielle Murdoch, Mel Weston, Janelle Bunfield, Amanda Tingay, Michelle Bertolli, Amy Jones, Tony Tranter, Belinda Conna, Rosemary Pellegrino, John Lloyd, Malcolm Styles, Adam Poole, Mel Sporry, Heath Chasemore and Rebecca Good (not all officers were present for all items).	
<b>Matter No.</b>	<b>Matters discussed</b>	<b>Councillors Present for Discussion</b>
1.	Presentation from David Wolf, Chief Municipal Inspector	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton
2.	Councillor Representation on Committees	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton
3.	Council Meeting Locations	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton
4.	Audit and Risk Management Committee	Cr O’Keeffe(Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton
5.	Greenhouse Alliance Committee	Cr O’Keeffe(Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton

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

Matter No.	Matters discussed	Councillors Present for Discussion
6.	Use and development of the Land for a Contractors Depot and Associated Signage at 23-43 Cussen Street, Tatura. Planning Permit application 2016-278	Cr O'Keeffe(Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton
7.	Parliamentary Inquiry into Community Energy Projects	Cr Adem (Chair) (partial) Cr O'Keeffe(Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer (partial) Cr Sutton
8.	Cussen Park Advisory Committee – Terms of Reference and Appointment of Members	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton
9.	Draft RiverConnect Strategic Plan Community Consultation	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer (partial) Cr Sutton
10.	Contract 1718 – Provision of Municipal Valuation Services 2018 and 2020	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton
11.	Capital Works – Verney Road and Old Dookie Road (road works and roundabout upgrade)	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton



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

Matter No.	Matters discussed	Councillors Present for Discussion
12.	Greater Shepparton Volunteer Strategy and Action Plan 2014-2018 Year 2 Update	Cr O'Keeffe (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton
13.	Community Plan Action Plan Summary 2016	Cr O'Keeffe (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton
14.	Greater Shepparton Women's Charter Alliance Advisory Committee Membership	Cr O'Keeffe (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton
15.	Greater Shepparton Women's Charter Alliance – Action Plan	Cr O'Keeffe (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton
16.	Annual Review – Municipal Health and Wellbeing Action Plan 2015-2016	Cr Adem (Chair) (partial) Cr O'Keeffe (Chair) Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton

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

Matter No.	Matters discussed	Councillors Present for Discussion
17.	Contract 1711 – Quarry Products	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton
18.	Contract 1710 – Provision of Traffic Management Services	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton
19.	Sir Murray Burchier Memorial – Proposed Site Location	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Summer Cr Sutton
20.	Toolamba Community Plan 2016 – 5 Year Review	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti (partial) Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton

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

Matter No.	Matters discussed	Councillors Present for Discussion
21.	Tatura Sports, Events and Community Precinct Master Plan – Status Report	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
22.	CBD Revitalisation	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil	

**Councillor Briefing Session – 6 December 2016**

Councillors	Cr Dinny Adem, Cr Kim O’Keeffe, Cr Seema Abdullah, Cr Bruce Giovanetti, Cr Chris Hazelman, Cr Les Oroszvary, Cr Dennis Patterson, Cr Fern Summer, Cr Shelley Sutton
Officers:	Peter Harriott, Steve Bowmaker, Johann Rajaratnam, Chris Teitzel, Kaye Thomson, Fiona LeGassick, Michael Carrafa, Sonja King, Tim Russell, Jeremy Bianco, Elke Cummins, Colin Kalms, Michael MacDonagh, Tim Watson, Braydon Aitken, Andrew Dainton, Ronan Murphy, Amanda Tingay, Amy Jones, Adam Poole, Sharlene Still, Maree Martin and Rebecca Good (not all officers were present for all items).

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

Matter No.	Matters discussed	Councillors Present for Discussion
1.	Shepparton Chamber of Commerce	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton
2.	Consolidated Land and Rail Australia	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton
3.	Proposal to rebuild the Old Shepparton Post Office	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton
4.	Greater Shepparton Movement and Place Strategy – Draft Challenges and Opportunities Paper	Cr Adem (Chair) (partial) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Patterson Cr Sutton
5.	Planning Permit Application 2016-299 – Application to sell packaged liquor	Cr Adem (Chair) (partial) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary (partial) Cr Patterson Cr Summer (partial) Cr Sutton

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

Matter No.	Matters discussed	Councillors Present for Discussion
6.	Request for Extension of Completion Date – Planning Permit 2005-195B Hassett Street, Shepparton	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
7.	Use and Development of Land for a Caravan Park including Host Farm, Primary Produce Sales and Restaurant – 215 Mitchell Road, Kialla	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
8.	Use and Development of Land for a Caravan Park / Resort Including Local Produce Sales and Restaurant	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
9.	71 Corio Street, Shepparton Demolition in the Heritage Overlay	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti (partial) Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
10.	Combined Amendment C193 – Shepparton North	Cr Adem (Chair) Cr O’Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Patterson Cr Summer Cr Sutton

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Matter No.	Matters discussed	Councillors Present for Discussion
11.	Boulevard and Golf Estates Neighbourhood Plan	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Patterson Cr Summer Cr Sutton (partial)
12.	Councillor Code of Conduct	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
13.	CBD Place Manager and Maude Street Mall Consultation	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
14.	Council Plan Development	Cr Adem (Chair) Cr O'Keeffe Cr Abdullah Cr Giovanetti Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
7 & 8	Cr Hazelman	Yes

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Councillor Briefing Session – 13 December 2016		
Councillors	Cr Dinny Adem, Cr Kim O’Keeffe, Cr Bruce Giovanetti, Cr Chris Hazelman, Cr Les Oroszvary, Cr Dennis Patterson, Cr Fern Summer, Cr Shelley Sutton	
Officers:	Peter Harriott, Steve Bowmaker, Johann Rajaratnam, Chris Teitzel, Kaye Thomson, Laurienne Winbanks, Peter Gunn, Braydon Aitken, Greg McKenzie, Darren Buchannan, Amy Jones, Amanda Tingay, Michelle Bertolli, Geraldine Christou, Fiona LeGassick, Sonja King, Tim Russell, Tom Lyall and Rebecca Good (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	November 2016 Monthly Financial Report	Cr Adem (Chair) Cr O’Keeffe Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
2.	MOU and Funding Agreement   Shepparton Youth Haven Project (Pilot)	Cr Adem (Chair) Cr O’Keeffe Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
3.	CFA Schedule 13 Permit to Burn	Cr Adem (Chair) Cr O’Keeffe Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
4.	Statutory Planning Update (May to September 2016)	Cr Adem (Chair) Cr O’Keeffe Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Matter No.	Matters discussed	Councillors Present for Discussion
5.	Margaret Street Tatura – Petition Requesting Seal	Cr Adem (Chair) Cr O’Keeffe Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
6.	Eastbank Lake Project	Cr Adem (Chair) (partial) Cr O’Keeffe Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
7.	Community Houses	Cr Adem (Chair) (partial) Cr O’Keeffe Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton
8.	GBCMA Briefing on Regional Floodplain Management Strategy	Cr Adem (Chair) Cr O’Keeffe Cr Giovanetti Cr Hazelman Cr Oroszvary Cr Patterson Cr Summer Cr Sutton

**Moved by Cr Giovanetti**  
**Seconded by Cr Sutton**

That the Council note the record of Assemblies of Councillors.

**CARRIED.**

#### Attachments

Nil



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

Nil received.

## 18. PUBLIC QUESTION TIME

### Question One - John Gray

As I recall, when the Victorian government authority, succeeding the previous VicUrban, has completed the planned development and sale of Council-owned "Parkside Gardens" residential allotments, a sum of one million dollars will be paid to Council. What is the current state of play in this protracted project and what steps, including local promotion, is Council taking to expedite the timely conclusion of this agreement?

### Response

In 2002 Council entered into an agreement with Urban Regional Land Corporation (now Places Victoria) for the development of the land at Parkside. As part of the agreement Places Vic undertook all the costs of the development, advertising and sales, with Council to receive 10.95% of the net sale proceeds. At the time the agreement was entered into it was anticipated that Council would receive in excess of \$1 million. However the development deed stated that Council would receive a guaranteed minimum sum of \$662,000.

The sale of the land had been slow with one or two properties being sold each year. In May 2014, Places Victoria had the blocks revalued by the Valuer General's Office and Council agreed to reduce the price of the blocks in line with that valuation. Since then sales have been steadily increasing and to date this financial year Places Vic have sold nine properties. As each property is sold, Council receives payment of the 10.95% so there is no lump sum payment at the end of the project. Council will continue to work with Places Victoria until the completion of this project.

### Question Two - John Gray

More than two years ago a clumsy and ultimately unsuccessful attempt was made to close a highly-trafficked carriageway on Shepparton. The process cost Council tens of thousands of dollars in consultants and legal expenses whereas if the municipality had had a cost-neutral Road Closure Policy, such as in municipalities like Melbourne, Geelong and Wodonga, the process would have saved that unnecessary expenditure. Has any progress, not discounting sensible plagiarism, been made to rectify this situation?

### Response

Thank you for your question. The circumstances surrounding the proposed closure of Andrew Fairley Avenue were driven by an urgent request from both the State Government and SPC to secure over \$100m in investment in jobs and growth for one of Shepparton's largest employers. The urgency of the request required Council to act quickly to instigate the statutory requirements to signal its intent to close the road, which, in turn, triggered the requirement for public consultation. A Road Closure Policy such as the ones referred to in your question would have delivered very little value due to the urgency of the matter being considered.

## 19. CONFIDENTIAL MANAGEMENT REPORTS

### 19.1 Designation of Confidentiality of Information – Report Attachments

**Moved by Cr Hazelman  
Seconded by Cr Giovanetti**

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. Report 6.3 - Contract 1693 - Fraser Street Toilets Redevelopment - Awarding of Contract. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.
2. Report 6.4 - Contract 1752 Old Dookie Road upgrade between Drummond Road and Doyles Road, Shepparton.

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 is a relevant ground applying under section 89(2)(d) of the Act.

**CARRIED.**

**THE MEETING CLOSED AT 6.35PM**