

# AGENDA

Greater Shepparton City Council

## COUNCIL MEETING

**3:00PM, Tuesday 21 November 2023**

Studio 1, Riverlinks Eastbank

### COUNCILLORS

Cr Shane Sali (Mayor)

Cr Anthony Brophy (Deputy Mayor)

Cr Seema Abdullah

Cr Dinny Adem

Cr Geoffrey Dobson

Cr Greg James

Cr Ben Ladson

Cr Sam Spinks

Cr Fern Summer

### VISION

#### GREATER SHEPPARTON, GREATER FUTURE

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

# Values

Values reflect what we feel is important. Organisations may have core values that reflect what is important in the organisation. These values may be guiding principles of behaviour for all members in the organisation.

## **Respect first, always**

We are attentive, listen to others and consider all points of view in our decision making.

## **Take ownership**

We take pride in honouring our promises and exceeding expectations, and are transparent with and accountable for our actions.

## **Courageously lead**

We lead with integrity, and stand up and stand by what is in the best interests of the Greater Shepparton community.

## **Working together**

We work collaboratively to create higher quality outcomes that are more efficient, thoughtful, effective and responsive. We cannot accomplish all that we need to do without working together.

## **Continually innovate**

We are open to new ideas and creatively seek solutions that encourage us to do our best for our community.

## **Start the celebration**

As ambassadors for our people and place, we proudly celebrate the strengths and achievements of Council and the Greater Shepparton community.

**A G E N D A  
FOR THE  
COUNCIL MEETING  
HELD ON  
TUESDAY 21 NOVEMBER 2023 AT 3:00PM**

**CHAIR  
CR SHANE SALI  
MAYOR**

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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 (1)	Minor (2)	Moderate (3)	Major (4)	Extreme (5)
<b>Almost Certain (5)</b> Would be expected to occur in most circumstances (daily/weekly)	LOW	MEDIUM	HIGH	EXTREME	EXTREME
<b>Likely (4)</b> Could probably occur in most circumstances (i.e. Monthly)	LOW	MEDIUM	MEDIUM	HIGH	EXTREME
<b>Possible (3)</b> Reasonable probability that it could occur (i.e. over 12 months)	LOW	LOW	MEDIUM	HIGH	HIGH
<b>Unlikely (2)</b> It is not expected to occur (i.e. 2-5 years)	LOW	LOW	LOW	MEDIUM	HIGH
<b>Rare (1)</b> May occur only in exceptional circumstances (i.e. within 10 years)	LOW	LOW	LOW	MEDIUM	HIGH

**Extreme** Intolerable – Immediate action is required to mitigate this risk to an acceptable level. Event/Project/Activity is not to proceed without authorisation

**High** Intolerable – Attention is needed to treat risk.

**Medium** Variable – May be willing to accept the risk in conjunction with monitoring and controls

**Low** Tolerable – Managed by routine procedures

## 1 Welcome to Country

Cr James will now present a Welcome to Country on behalf of the Yorta Yorta Elders Council and the 16 family groups.

## 2 Acknowledgement

We, Greater Shepparton City Council, acknowledge the Yorta Yorta Peoples of the land which now comprises Greater Shepparton, we pay our respect to their tribal elders, we celebrate their continuing culture and we acknowledge the memory of their ancestors.

## 3 Privacy Notice

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

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

## 4 Governance Principles

Council considers that the recommendations contained in this Agenda gives effect to the overarching governance principles stated in Section 9(2) of the *Local Government Act 2020*. These principles are as follows:

1. Council decisions are to be made and actions taken in accordance with the relevant law;
2. priority is to be given to achieving the best outcomes for the municipal community, including future generations;
3. the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
4. the municipal community is to be engaged in strategic planning and strategic decision making;
5. innovation and continuous improvement is to be pursued;
6. collaboration with other Councils and Governments and statutory bodies is to be sought;
7. the ongoing financial viability of the Council is to be ensured;
8. regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
9. the transparency of Council decisions, actions and information is to be ensured.

## 5 Apologies

Nil Received.

## 6 Declarations of Conflict of Interest

In accordance with section 130 (1)(a) of the Local Government Act 2020 Councillors are required to disclose any “conflict of interest” in respect of a matter to be considered at a Council Meeting.

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

## 7 Confirmation of Minutes of Previous Meetings

### RECOMMENDATION

**That the minutes of the 17 October 2023 Council Meeting, 24 October 2023 Additional Council Meeting, and 3 November 2023 Additional Council Meeting as circulated, be confirmed.**

## 8 Public Question Time

Nil Received.

## 9 Deputations and Petitions

Nil Received.

## 10 Community Directorate

### 10.1 Community Matching Grants 2023/24 Round One

Author Administration Officer – Community Strengthening  
 Approved by Director Community  
 Purpose For Noting

#### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

#### RECOMMENDATION

That the Council note the successful applicants awarded funding under delegated authority for Round One of the 2023/24 Community Matching Grants Program as follows:

Organisation	Project	Total Requested (GST Free)
Tatura Civic Halls Inc.	Upgrade of electrical switchboards	\$5,000.00
Goulburn Valley Woodworkers	Woodworking Show	\$3,322.00
Shepparton Access	Gaming Cafe	\$5,000.00
Tallygaroopna Men's Shed Inc.	Cladding of shade shed	\$5,000.00
Mooroopna Education and Activity Centre	Barbeque Project	\$1,000.00
Toolamba Recreation Reserve and Community Centre Community Asset Committee	Lighting and kitchen facilities upgrade	\$3,406.50
Murchison Community Plan	Art Project	\$2,525.00
Primary Care Connect	Micro Kitchen Gardens Project	\$1,850.00
Siasi Uesiliana Tauataina o Tonga i Aositelelia, Shepparton Branch	PA System for Community Hall	\$5,000.00
Caniambo Public Hall	Renew Window Furnishings	\$ 765.00
<b>TOTAL</b>		<b>\$32,868.50</b>



## Executive Summary

Greater Shepparton City Council offers the Community Matching Grants Scheme to support the development and implementation of community projects and activities as a part of Council's Community Development Framework.

For the 2023/24 financial year the Community Matching Grants Scheme has a total budget of \$50,000. The internal grant assessment panel (the Panel) recommended that \$32,868.50 be approved for the ten recommended projects for round one 2023/24, leaving a remaining \$17,131.50 for round two.

Round one 2023/24 opened on Monday 24 July 2023 and closed on 1 September 2023. Thirteen applications were received and assessed by the Panel. The Panel recommended ten projects be funded within this grant round.

## Report Detail

The Community Matching Grant Scheme supports the development and implementation of community activities and projects and is part of Council's Community Development Framework.

Applications are assessed by a panel of Council officers and moderated by the Grants Coordinator. Consideration is given to the following factors in the assessment process:

- build new social connections and partnerships within communities or reinforce those that already exist
- encourage participation in community activities and organisations
- enable community members to acquire or develop a new skill
- create, renew, or revitalise places and spaces within the community.

Funded projects must be able to demonstrate that they are inclusive, have wide community support, and, where appropriate, are sustainable past Council's funding. Funding may be used to conduct events such as a celebration or social gathering, artistic or cultural projects, projects which address environmental needs or community building projects such as creating or rejuvenating a community asset.

Round one of the 2023/24 program received a total of thirteen applications, with three applications deemed ineligible against the funding criteria. Details of all applications are detailed in the below table.

### Recommended Projects

Organisation	Tatura Civic Halls Inc.		
Project	Upgrade of electrical switchboards		
Short Project Description	Funding to upgrade electrical switchboards at Tatura Civic Hall Complex, enhancing safety and efficiency.		
Requested Council Contribution	\$5,000	Organisation Cash/in-kind	\$11,000
Recommendation from the Assessment Panel	\$5,000		

Organisation	Goulburn Valley Woodworkers		
Project	Woodworking Show		
Short Project Description	Funding to assist the 31st annual woodworking show, the largest in regional Victoria.		
Requested Council Contribution	\$5,000	Organisation Cash/in-kind	\$8,000
Recommendation from the Assessment Panel	\$3,322 - Partial funding as income requested was more than expenditure required.		

Organisation	Shepparton Access		
Project	Gaming Cafe		
Short Project Description	Funding to establish a Gaming Cafe for people with disabilities, promoting community connection and learning through gaming.		
Requested Council Contribution	\$5,000	Organisation Cash/in-kind	\$6,994.00
Recommendation from the Assessment Panel	\$5,000		

Organisation	Tallygaroopna Men's Shed Inc.		
Project	Cladding of shade shed		
Short Project Description	Funding to support the installation of cladding to the shed with Colourbond and add entry and roller doors to enhance the facilities.		
Requested Council Contribution	\$5,000	Organisation Cash/in-kind	\$5,000
Recommendation from the Assessment Panel	\$5,000		

Organisation	Mooroopna Education and Activity Centre		
Project	BBQ Project		
Short Project Description	Funding to purchase a BBQ to host regular free community BBQs, fostering recovery from the 2022 floods and promoting social cohesiveness with the community.		
Requested Council Contribution	\$1,000	Organisation Cash/in-kind	\$1,000
Recommendation from the Assessment Panel	\$1,000		

Organisation	Toolamba Recreation Reserve and Community Centre Community Asset Committee		
Project	Lighting and kitchen facilities upgrade		
Short Project Description	Funding to upgrade of lighting and kitchen facilities at the Toolamba Community Centre to support various events and a coffee service.		
Requested Council Contribution	\$3,406.50	Organisation Cash/in-kind	\$3,406.50
Recommendation from the Assessment Panel	\$3,406.50		

Organisation	Murchison Community Plan		
Project	Art Project		
Short Project Description	Funding to support a project to explore local history through visual art, involving residents creating new works inspired by historical artefacts.		
Requested Council Contribution	\$5,000	Organisation Cash/in-kind	\$2,525.00
Recommendation from the Assessment Panel	\$2,525 - Partial funding in line with matched contribution and community benefit.		

Organisation	Primary Care Connect		
Project	Micro Kitchen Gardens Project		
Short Project Description	Funding to support a Micro Kitchen Gardens Project to encourage community members to grow their produce, addressing food insecurity and promoting mental wellbeing through workshops.		
Requested Council Contribution	\$1,850	Organisation Cash/in-kind	\$1,850
Recommendation from the Assessment Panel	\$1,850		

Organisation	Siasi Uesiliana Tauataina o Tonga i Aositelelia, Shepparton Branch		
Project	PA system for the Tongan Community Hall		
Short Project Description	Funding to support a newly developed Tongan group purchase a PA system to promote cultural advancement of Tongans living in Greater Shepparton.		
Requested Council Contribution	\$5,000	Organisation Cash/in-kind	\$8,000
Recommendation from the Assessment Panel	\$5,000		

Organisation	Caniambo Public Hall		
Project	Renew window furnishings		
Short Project Description	Funding to replace deteriorated curtains with new blinds to refresh the hall and provide a more appealing environment for local events and the community.		
Requested Council Contribution	\$765	Organisation Cash/in-kind	\$765
Recommendation from the Assessment Panel	\$765		

### Unsuccessful applications

Organisation	Bunbartha Recreation Reserve		
Project	Bunbartha Tennis Court Resurfacing		
Short Project Description	NA Applied to the wrong grant, intended to apply to our Sporting Future Grant and not the Community Matching Grant.		
Requested Council Contribution	NA	Organisation Cash/in-kind	NA

Organisation	Shepparton Seniors Citizens Club		
Project	Community Lunch		
Short Project Description	<p>The Funds were requested to assist with organising frequent lunch party for the members of Shepparton senior citizens, the funds requested to go towards consumables and maintenance.</p> <p>Application did not align with the objectives of the grant guidelines. Consultation or broader community benefit not shown within submission. No quotes were provided.</p> <p>Offer support to apply for future funding opportunities.</p>		
Requested Council Contribution	\$5,000	Organisation Cash/in-kind	\$225

Organisation	Katandra West Bowling Club Inc.		
Project	Lighting Upgrade		
Short Project Description	<p>Funds were requested to upgrade the lights of the Katandra East Bowling Club.</p> <p>The applicant applied for funding to both Our Sporting Future Grant and Community Matching Grant. The project was transferred to Our Sporting Future to be eligible for higher funding amount and align better to guidelines.</p>		
Requested Council Contribution	\$5,000	Organisation Cash/in-kind	\$9,342.61

The Community Matching Grants Program has an acquittal process which must be completed by successful applicants at the finalisation of the project. The acquittal requires the applicants to provide a report on the outcome of the project and supporting documents including invoices and photographs of the events. Applicants that fail to complete the acquittal to a satisfactory standard are unable to apply for Council's future grant programs.

## Council Plan/Key Strategic Activity

### COMMUNITY LEADERSHIP

We will prioritise leadership in the community to celebrate our cultures, people and places that makes Greater Shepparton a unique, vibrant, diverse, and liveable region.

1.1 Council to take an active leadership role for access and inclusion in our community.

1.2 Council to work with stakeholders to support leadership within our multicultural communities.

1.3 Council services will be realistic and delivered in an efficient and effective manner with the aim of continuously looking for delivery that matches our ever-changing environment.

1.4 Communities have resources and abilities to self-advocate.

1.8 Good governance and sustainable financial management.

### SOCIAL RESPONSIBILITY and WELLBEING

We will support the mental and physical health and wellbeing of all in our community, ensuring universal access to information, services, housing, healthcare and learning opportunities.

2.1 Council will promote the use of the Universal Design Principles across the region to ensure fair and reasonable access for all members of our community.

2.9 Community members are supported to achieve and sustain physical, emotional, and creative wellbeing.

### **VIBRANT and DIVERSE ECONOMY**

We will drive the visitor economy by growing visitor experiences and major events that provide employment and other opportunities to the community. Our economic development will focus on establishing a strong, adaptive, sustainable, and thriving region supported by agriculture and a diverse range of industries.

3.5 Encourage and facilitate investment and expansion.

3.6 Attract people to live, work, study and remain in our region.

### **INFRASTRUCTURE and TECHNOLOGY**

We will focus on the planning of our region's requirements to enable delivery of technology and infrastructure to meet the current and future needs of the community.

4.6 Engage with historical societies and museums to develop a plan that ensures their sustainability.

4.11 Develop and improve Community and recreation facilities.

### **ENVIRONMENT and CLIMATE EMERGENCY**

We will prioritise our environment and take urgent action to reduce emissions and waste to protect public health and create a region that mitigates and adapts to climate change.

5.5 Council commits to working with our community to deliver climate safe future.

5.6 Reduce carbon emissions in our community.

## **Risk Management**

Insignificant to low risks have been identified and will be addressed at the operational level. All grant recipients will be required to consult fully with Council representatives prior to, and during their projects to identify any potential adverse consequences, and to devise a strategy to minimise any risks. Applicants have been asked to confirm that they have the necessary public liability insurances for projects where activities are being undertaken by the Grantees themselves. This will be confirmed prior to the release of any funds. The risk of conflict of interest to the Assessment Panel members has been addressed with the inclusion of a Conflict of Interest Declaration on the Grant Assessment Form.

## **Policy Considerations**

Applications under the Community Matching Grant Program have been assessed and awarded under delegated authority in accordance with Council's Grant Distribution Policy adopted on 16 March 2021.

## **Financial Implications**

Council has allocated a total of \$50,000 for the 2023/2024 financial year for the Community Matching Grants Scheme. Round One 2023/2024 has allocated \$32,868.50 from this amount to fund the recommended projects, which leaves \$17,131.50 for allocation for Round Two.

All projects incorporate a matching component where the community group share the costs with Council, the matched contribution being financial or in kind (materials or labour).

The total cash/in-kind support from the recommended applicants is estimated at \$48,540.50. Community Matching Grants do not attract GST, all figures mentioned throughout the report are GST Free.

### Legal/Statutory Implications

The Community Matching Grants Scheme is consistent with the Local Government Act 2020 and the Victorian Charter of Human Rights and Responsibilities Act 2006.

The approval of the recommendations for this round of the Community Matching Grant Scheme will not have any negative environmental impacts.

### Social Implications

The recommended projects demonstrate the strength of community connection, engagement and meaningful participation in community life in Greater Shepparton. The volunteer contribution required to deliver these projects is inspiring. The community are taking on bold solutions to challenges in our community.

The recommended applications in round one of the Community Matching Grant Scheme reaches a broad cross section of our community and the positive impacts will have a ripple effect across our community.

### Economic Impacts

In most instances the applications are for the purchase of equipment, materials and services which will in most cases support local businesses.

### Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Ensure that the information about the application process was widespread.	Media Release Website Social Media Email lists and networks
Consult	Grant Information Session Appointments offered to discuss applications whilst the grants are open.	Sessions held: 19 July 2023 09 August 2023
Involve	Project Administration Officer and Community Development Officers assist community groups.	Consultation on an individual basis during the application process.
Collaborate	Successful community groups/members will be responsible for the implementation of their projects which will provide the opportunity for community capacity building.	Successful applicants will drive their own community initiatives. They can seek assistance if a variation is required during the delivery of the project.
Empower	Whilst decision making regarding successful grant applications are made by Council, community groups will be responsible for the delivery of projects.	Community organisations will deliver their projects.

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

## Strategic Links

### a) Greater Shepparton 2030 Strategy

There are no links to the Greater Shepparton 2030 Strategy.

## Conclusion

The applications for funding through the Community Matching Grants Round One 2023/24 have been reviewed by an internal Grant Assessment Panel in line with the Grant Distribution Policy of Council and the Guidelines of the Community Matching Grant Scheme.

The Grant Assessment Panel recommended ten projects be funded. All projects met eligibility requirements and aim to both build and strengthen connections in the Greater Shepparton community.

## Attachments

Nil

## 10.2 Access and Inclusion Grant Program 2023/24

Author Team Leader Diversity  
 Approved by Director Community  
 Purpose For Noting

### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

### RECOMMENDATION

**That the Council note the successful applicants awarded funding under delegated authority for the Access and Inclusion Grants Program 2023/24 as follows:**

Organisation	Project	Stream	Grant Amount Awarded (GST Free)
Mooroopna Education and Activity Centre	Creation of a sensory space	1	\$500.00
Bunbartha Recreation Reserve	Installation of a step ramp	1	\$200.00
Slade Consulting	Transcending the Narrative	1	\$660.00
Shepparton Access	Construction of a covered parking area	2	\$10,000
Shepparton Heritage Centre	Installation of access ramp	2	\$6,084.80
	<b>Total Amount Awarded</b>		<b>\$17,444.80</b>

### Executive Summary

Greater Shepparton City Council opened the Access and Inclusion 2023/24 Grant Program on 24 July 2023, closing the round on 1 September 2023. A total of seven applications were received and assessed by the internal grant assessment panel (the Panel). The Panel recommended five projects for funding within this grant program.

The Access and Inclusion Grant Program had a total budget of \$30,000 for the 2023/24 financial year. The Panel recommended \$17,444.80 be approved for the five recommended projects in the 2023/24 round.



## Report Detail

The Access and Inclusion Grants Program (the Program) was introduced in 2022/23 to support businesses, community groups and not-for-profit organisations to improve access and inclusion for people with disabilities, their families, friends, and carers within the municipality. A total budget amount of \$30,000 was allocated for the 2023/24 financial year.

Two streams of funding are offered under the Program:

- **Stream 1** - provide up to \$1,000 per successful applicant on a \$1 to \$1 matching basis for non-structural developments such as website accessibility, literature conversations, event support and technological purchases such as hearing loops and adjustable furniture.
- **Stream 2** – provide up to \$10,000 funding on a 4:1 matching basis for minor capital works including improving access to premises for people with disabilities, bathroom renovations, lighting and creating a sensory–friendly space.

This round of the program was promoted through Council's website, social media platforms, media releases, Council Advisory Committees including the Greater Shepparton Disability Advisory Committee, Positive Ageing Advisory Committee, LGBTIQ+ Advisory Committee and Women's Charter Advisory Committee. The grants were also promoted through business and community networks. Two grant information sessions were offered with one session being cancelled due to a lack of community interest.

Grant applications were assessed by an internal grant assessment panel (the Panel), comprising of Council officers from across the organisation. The Panel was assisted by Council's Grants Coordinator and Access & Inclusion Officer to ensure Council's investment and commitment to access and inclusion meets best practice.

All applications were received via SmartyGrants, the Council's online grants administration platform. Applications were initially managed by the Access and Inclusion Officer and were then evaluated and scored by the Panel using the following funding criteria;

- applications meet some or all the objectives of the Grants program
- the intended project meets an objective of the Council Plan
- community benefit
- project feasibility
- matching component.

The Panel recommended \$17,444.80 be approved for the five recommended projects in the 2023/24 round. One application was not recommended for funding as the applicant did not meet the Program requirements. One application received was not considered for funding as it was submitted under the wrong grant program. This applicant was advised by Council officers of their error and supported to submit their application to the correct grant program.

### Recommended Projects

The following organisations will be receiving a one-off grant to assist them with projects that were eligible for funding under **Stream 1** of the program.

Organisation	Mooroopna Education and Activity Centre (MEAC)		
Project	Creation of a sensory space		
Short project description	MEAC will create a dedicated sensory space to provide a safe space for community members using MEAC. The space will normalise the use of sensory and emotional regulation items across the community. The grant will be used to create the dedicated sensory space and purchase sensory and emotional regulation items.		
Requested Council Contribution	\$500.00	Organisation Cash/in-kind	\$500.00
Recommendation from the Assessment panel	\$500.00		

Organisation	Bunbartha Recreation Reserve		
Project	Installation of step ramp		
Short project description	Installation of a step ramp at the main entry door at the Bunbartha Community Centre that will provide access for people with mobility aides e.g. wheelchairs, walking aides, young children etc.		
Requested Council Contribution	\$400.00	Organisation Cash/in-kind	\$200.00
Recommendation from the Assessment panel	\$200.00		

Organisation	GV Pride		
Project	Transcending the Narrative		
Short project description	This project will invite neurodivergent people on a journey of writing, re-writing, and transcending their story.		
Requested Council Contribution	\$1000.00	Organisation Cash/in-kind	\$1000.00
Recommendation from the Assessment panel	\$660.00		

The following organisations will be receiving a one-off Grant to assist them with projects that were eligible for funding under **Stream 2** of the Grant Program.

Organisation	Shepparton Access		
Project	Construction of covered parking area		
Short project description	Funding will be used to construct a covered parking area to increase the safety of visitors, staff and participants at Eco Park.		
Requested Council Contribution	\$10,000.00	Organisation Cash/in-kind	\$22,440.00
Recommendation from the Assessment panel	\$10,000.00		

Organisation	Shepparton Heritage Centre Inc.		
Project	Installation of access ramp		
Short project description	An access ramp at the History Hub Shepparton will be installed to provide accessible for all users, ensuring safe, easy entry for all hub users.		
Requested Council Contribution	\$6,084.80	Organisation Cash/in-kind	\$1,521.20
Recommendation from the Assessment panel	\$6,084.80		

### Not Recommended for funding

Organisation	Interreach Limited
Project	Creation of sensory friendly spaces
Notes	The applicant has not met the requirements under the grant guidelines.

Organisation	Devenish, Dookie and District Good Friday Appel
Project	Good Friday Appeal Event
Notes	The application from Devenish Dookie & District Good Friday Appeal was a duplicate application for Minor Events Grant Program and was assessed under the Minor Events Grant Program.

The Program has an acquittal process which must be completed by successful applicants at the finalisation of the project. The acquittal requires the applicants to provide a report on the outcome of the project and supporting documents including invoices and photographs. Applicants that fail to complete the acquittal to a satisfactory standard are unable to apply for Council's future grant programs.

## Council Plan/Key Strategic Activity

### COMMUNITY LEADERSHIP

We will prioritise leadership in the community to celebrate our cultures, people and places that makes Greater Shepparton a unique, vibrant, diverse, and liveable region.

- 1.1 Council to take an active leadership role for access and inclusion in our community.
- 1.3 Council services will be realistic and delivered in an efficient and effective manner with the aim of continuously looking for delivery that suits our ever-changing environment.
- 1.4 Communities have resources and abilities to self-advocate.
- 1.8 Good governance and sustainable financial management.

### SOCIAL RESPONSIBILITY and WELLBEING

We will support the mental and physical health and wellbeing of all in our community, ensuring universal access to information, services, housing, healthcare and learning opportunities.

- 2.1 Council will promote the use of the Universal Design Principles across the region to ensure fair and reasonable access for all members of our community.
- 2.3 Council to provide accessible play spaces for all abilities.
- 2.4 Leave no one behind.
- 2.9 Community members are supported to achieve and sustain physical, emotional, and creative wellbeing.

### **VIBRANT and DIVERSE ECONOMY**

We will drive the visitor economy by growing visitor experiences and major events that provide employment and other opportunities to the community. Our economic development will focus on establishing a strong, adaptive, sustainable, and thriving region supported by agriculture and a diverse range of industries.

3.1 Council will promote the use of the Universal Design Principles across the regions to make Greater Shepparton an accessible tourism hub.

3.5 Encourage and facilitate investment and expansion.

3.6 Attract people to live, work, study and remain in our region.

3.8 Maximise utilization and investment return on Council assets.

### **INFRASTRUCTURE and TECHNOLOGY**

We will focus on the planning of our region's requirements to enable delivery of technology and infrastructure to meet the current and future needs of the community.

4.1 Council will implement the Universal Design Principles as a key tool in all our infrastructure and technology projects.

4.8 Plan, prioritise and communicate asset maintenance and new asset delivery.

4.11 Develop and improve Community and recreation facilities.

### **ENVIRONMENT and CLIMATE EMERGENCY**

We will prioritise our environment and take urgent action to reduce emissions and waste in order to protect public health and create a region that mitigates and adapts to climate change.

5.1 Council endeavors to make the natural environment accessible to all, regardless of age and abilities.

### **Risk Management**

Insignificant to low risks have been identified and will be addressed at the operational level. All grant recipients will be required to consult fully with Council representatives prior to, and during their projects to identify any potential adverse consequences, and to devise a strategy to minimise any risks.

Applicants have provided evidence of the necessary public liability insurance for projects where activities are being undertaken by the Grantees themselves.

The risk of conflict of interest to the assessment panel members has been addressed with the inclusion of a Conflict-of-Interest Declaration on the Grant Assessment Form

### **Financial Implications**

The council has allocated \$30,000 for the 2023/24 financial year for the Access and Inclusion Grant Program. These funds total \$17,444.80 have been allocated to support the 2023/24 Grant round to fund the recommended projects.

Access and Inclusion Grants do not attract GST, all figures mentioned throughout the report are GST Free.

### **Legal/Statutory Implications**

The Access and Inclusion Grant Program is consistent with the Local Government Act 2020 and the Victorian Charter of Human Rights and Responsibilities Act 2006.

### **Environmental/Sustainability Impacts**

There are no environmental/sustainability impacts arising from this project.

## Social Implications

The recommended projects demonstrate the communities' commitment to creating an inclusive community for people with disabilities and their families.

The recommended applications in the 2023/24 Grant round will reach a cross section of our community and the positive impacts will lead to a greater engagement of people with disabilities and their families in the wider community.

## Economic Impacts

In most instances, the applications are for purchasing equipment, materials and services which will support local businesses.

## Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Ensure that the information about the application process was widespread	Media Release Website Social Media Business and community email lists and networks Council Advisory Committee
Consult	Grant Information Session Appointments offered to discuss applications whilst the grants are open.	Information sessions offered on: 28 July 2023 9 August 2023
Involve	Access and Inclusion Officer aided community groups	Consultation individually during the application process.
Collaborate	Successful businesses, community groups and not for profit organisations will be responsible for the implementation of their projects which will provide the opportunity for community capacity building.	Successful applicants will drive their funded projects and can seek help if a variation is required during the project's delivery.
Empower	Whilst decision making regarding successful grant applications is made by Council, the funded applicants will be responsible for the delivery of projects.	Funded applicants will implement projects.

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

## Strategic Links

### Universal Access & Inclusion Plan 2022- 2026

#### Built and Natural – Our people can participate in our built and natural environment

2.6 Develop and implement a new annual grants program 'Access and Inclusion' grants (capital and non-capital) for businesses and not for profits.

## Conclusion

Applications for funding through the Access and Inclusion Grant Program have been reviewed by an internal grant assessment panel, with five applications being recommended for funding.

All applications recommended for funding by the grant assessment panel met the eligibility criteria of the Access and Inclusion Grant Guidelines and were recommended for funding.

\$17,444.80 was awarded to the successful applicants under delegated authority in accordance with the Grant Distribution Policy.

### Attachments

Nil

## 11 Corporate Services Directorate

### 11.1 October 2023 Monthly Finance Report

Author	Team Leader - Financial Analysis
Approved by	Director Corporate Services
Purpose	For noting at a Council Meeting

#### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

#### RECOMMENDATION

**That the Council note the October 2023 Monthly Finance Report, as attached.**

#### Executive Summary

This report presents the Council's actual financial performance compared to the 2023/2024 Q1 Adopted Forecast Review, as at 31 October 2023.

#### Report Detail

Council's actual financial performance compared to the budget is presented to Council monthly. The October 2023 Monthly Financial Report incorporates the following sections which are presented for Council's consideration:

- Dashboard
- Income Statement
- Balance Sheet
- Cash Flow Statement
- Statement of Capital Works
- Operating Statement

The 2023/2024 Q1 Forecast Review was adopted at the Ordinary Council Meeting held on 17 October 2023.

The 2023/2024 Q1 Forecast Review provides for:

- \$136.56 million operating revenues
- \$159.79 million operating expenditure
- \$35.78 million capital income
- \$58.12 million capital expenditure

### **Operating Position**

The Council's year-to-date (YTD) budget performance and projected full year underlying operating position are reflected in the income statement within the attachment.

The YTD actual underlying result is a surplus \$51.3 million, due to the annual rates being generated at the start of the year. As the financial year progresses and expenditure is incurred, Council is projecting a full year deficit of \$22.6 million.

This result is impacted by the Federal Financial Assistance Grants that relate to the current financial year but were received as income in 2022/2023. When the impact of this early receipt is removed, the projected full year deficit is \$6.3 million (refer to the "Operating Result" as shown within the attachment).

Since the Q1 Forecast Review, there has been a slight increase to the projected full year deficit. Operating grants have been increased to reflect current enrolment numbers in Council's childcare centres, however this has been offset by an increase in materials and services.

The increase in materials and services is to cover costs related to the Benalla Road Upgrade project which were not accounted for in the budget, increase for Tatura Structure Plan designs and expenditure required to undertake the nappy collection service trial.

### **Capital Works**

Council's projected full year capital expenditure has reduced by \$4.57 million compared to the Q1 Forecast Review.

The budget required for the purchase of purple bins (as part of the kerbside transition) has reduced. Additionally, the Shepparton Resource Recovery Centre Upgrade project has been removed while the scope of the project is reviewed, and the construction of Cormorant Park in Seven Creeks Estate has been delayed and therefore removed from the current financial year.

YTD expenditure is \$12.3 million which is slightly lower than the YTD adopted budget, however, is on track compared to the YTD Q1 Forecast Review.

### **Balance Sheet**

Council has adopted the liquidity ratio (current assets as a percentage of current liabilities) as a further measure of financial sustainability.

The current liquidity ratio is projected to reduce as expenditure is incurred throughout the year. The 2023/2024 Adopted Q1 Forecast Review liquidity was budgeted to be 138% which is within the desired range. This ratio will be reforecast at the end of December, taking into account changes in the income statement and capital works expenditure.

The 2023/2024 Adopted Q1 Forecast Review and 2021-2031 Financial Plan continue to indicate future challenges in maintain liquidity at the required level and Council's continued focus on financial sustainability through the review of services, reduction of operating expenditure, increases revenue and prioritisation of renewal ahead of new assets is required.



## Council Plan/Key Strategic Activity

### COMMUNITY LEADERSHIP

We will prioritise leadership in the community to celebrate our cultures, people and places that makes Greater Shepparton a unique, vibrant, diverse and liveable region.

1.8 Good governance and sustainable financial management.

## Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Poor performance against budget	Possible	Moderate	Medium	Regular monitoring and reporting of performance against budget and forecast variances.
Deterioration of Council's financial position against the adopted Financial Plan, resulting in diminished ability to achieve and maintain financial sustainability, as measured by the adjusted underlying operating result, liquidity and renewal and upgrade of assets.	Possible	Moderate	Medium	Linkage of budget setting and performance to the adopted Financial Plan.

## Policy Considerations

The monthly financial report has been prepared in accordance with accounting policies and the 2021-2031 Financial Plan.

## Financial Implications

The financial implications associated with this report are detailed in the attached October 2023 – GSCC Monthly Financial Statement report.

## Legal/Statutory Implications

Section 101 of the *Local Government Act 2020* provides that Council maintains a budgeting and reporting framework that is consistent with the principles of sound financial management. In addition, Section 97 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 Council at a Council meeting which is open to the public.

## Environmental/Sustainability Impacts

No environmental or sustainability impacts have been identified in relation to this report.

## Social Implications

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

## Economic Impacts

No economic impacts have been identified in relation to this report.

## Consultation

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

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 links to the Greater Shepparton 2030 Strategy

### b) Other strategic links

2021-2031 Financial Plan

## Conclusion

This report presents the Council's actual financial performance compared to the 2023/2024 Adopted Budget and the 2023/2024 Q1 Adopted Forecast Review, as at 31 October 2023.

Since the Q1 Forecast Review, there has been a net unfavourable movement to Council's adjusted underlying result due to increases in projected materials and services expenditure. The Capital Works budget has reduced which will favourably impact the current years' ending liquidity position (to be reforecast at the end of December 2023).

## Attachments

1. October 2023 - GSCC Monthly Financial Statement [11.1.1 - 11 pages]

## 11.2 Audit & Risk Management Committee - Confirmed Minutes - 9 August and 6 September 2023

Author	Team Leader Risk & Assurance
Approved by	Director Corporate Services
Purpose	Information Only

### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

### RECOMMENDATION

**That the Council receive and note the minutes of the 9 August 2023 and 6 September 2023 Audit and Risk Management Committee meetings, as attached.**

### Executive Summary

In compliance with the *Local Government Act 2020* (the Act) an Audit and Risk Management Committee must be established by Council under section 53 of the Act. The Audit and Risk Management Committee is not a delegated committee.

The purpose of this report is to present the confirmed minutes of the Audit and Risk Management Committee meetings held on 8 August and 6 September 2023 in accordance with the Local Government Act 2020 and the Committee's Charter.

### Report Detail

The Audit and Risk Management Committee Charter states that minutes from each committee meeting will be presented to Council, summarising progress, matters discussed and any issues the Committee wishes to share with the Council.

The confirmed minutes of the 8 August 2023 Audit and Risk Management Committee (the Committee) note the following key points of discussion:

- Finance
- Risk management and insurance; and
- Information, communication and technology

The confirmed minutes of the 6 September 2023 Audit and Risk Management Committee (the Committee) note the following key points of discussion:

- Financial Statements for 2022/2023; and
- Performance Statement for 2022/2023.

## Council Plan/Key Strategic Activity

### COMMUNITY LEADERSHIP

We will prioritise leadership in the community to celebrate our cultures, people and places that makes Greater Shepparton a unique, vibrant, diverse and liveable region.

1.3 Council services will be realistic and delivered in an efficient and effective manner with the aim of continuously looking for delivery that matches our ever changing environment.

1.6 Council provides customer service that meets the needs of the community.

1.8 Good governance and sustainable financial management.

## Risk Management

The Audit and Risk Management Committee are to provide guidance to Council in external and internal audit, annual financial reporting, insurance and risk exposures, compliance and assessment, all of which are high-risk components of Council's role.

Councillors may be unaware of significant issues raised and discussed at the Committee meetings, for example, control weaknesses if the minutes are not presented accurately and in a timely manner.

## Policy Considerations

There are no policy considerations associated with this report.

## Financial Implications

There are no financial implications associated with this report.

## Legal/Statutory Implications

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

## Environmental/Sustainability Impacts

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

## Social Implications

There are no social implications associated with this report.

## Economic Impacts

There are no economic impacts associated with this report.

## Consultation

The confirmed minutes of the 8 August and 6 September 2023 Audit and Risk Management Committee meetings were distributed to management for review.

Following management's review, the minutes were distributed to the Committee Chair for review.

Upon receiving confirmation from the Chair, the minutes were distributed to Council's independent members of the ARMC, in addition to all relevant internal staff.

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 strategic links to the Greater Shepparton 2030 Strategy.

## Conclusion

In accordance with Charter requirements, the Audit and Risk Management Committee minutes from the 8 August and 6 September 2023 meetings have been prepared and are presented to Council for noting.

## Attachments

1. Audit & Risk Management Committee - Minutes - 9 August 2023 [11.2.1 - 25 pages]
2. Audit and Risk Management Committee - Minutes - 6 September 2023 [11.2.2 - 9 pages]

## 11.3 Community Engagement Policy

Author	Manager - Communications and Engagement
Approved by	Director Corporate Services
Purpose	For Decision at a Council Meeting

### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

### RECOMMENDATION

**That the Council adopt the Community Engagement Policy, as attached.**

### Executive Summary

An Audit Findings Report of Council's Public Participation and Community Engagement noted several actions for Community Engagement at Greater Shepparton City Council.

Amongst the recommended actions is a review and revision of documents that support the Community Engagement Policy. The Policy has now been reviewed and is ready for endorsement.

Please note the Procedures were also updated and endorsed by the Director Corporate Services. In addition, a review of the relevant documents and development of the Toolkit to assist staff undertake community engagement is also underway pending the appointment of the Communications & Engagement Officer.

### Report Detail

Council previously reviewed and revised its Community Engagement Policy which was adopted by Council at the February 2021 Ordinary Council Meeting. The decentralised approach to Community Engagement was addressed by the establishment of a Project Control Group in April 2021 with representatives from different areas of Council.

Since then, the progress of the CE implementation stalled, due in part to the disruption of COVID, and later by the 2022 floods. Components of the procedures such as the toolkit, plan on a page and other items are due to be reviewed.

Earlier this year the Communications and Engagement department undertook Service Planning and as a result restructured and created a dedicated Community Engagement Officer role. This role, once filled, will take on many of the tasks of the Project Control Group enabling a centralised and co-ordinated approach to Community Engagement.

In the lead up to the position being filled the Community Engagement Policy has been reviewed and now reflects the changes to the structure and the process.

Other initiatives such as a calendar of engagements and co-ordination of consultation will also be included in the toolkit. Completion of the Community Engagement procedures will enable Council to meet the requirements of Public Participation and Community Engagement as identified in the report.

**Council Plan/Key Strategic Activity**

**COMMUNITY LEADERSHIP**

We will prioritise leadership in the community to celebrate our cultures, people and places that makes Greater Shepparton a unique, vibrant, diverse and liveable region.

1.6 Council provides customer service that meets the needs of the community.

1.8 Good governance and sustainable financial management.

**Risk Management**

There is a low to medium risk with the delivery of this strategy.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Limited resourcing – recruitment	Possible	Moderate	Medium	Recruitment is underway, 1 <sup>st</sup> round candidates unsuitable
Staff resistance to working with new CE approach	Unlikely	Minor	Low	Attend team meetings to introduce new approach and introduce officer
No operational budget within Department	Almost Certain	Minor	Moderate	Implementation will be low key and mostly internal

**Policy Considerations**

This policy is in line with the Community Engagement Policy.

**Financial Implications**

A training budget was identified when the Policy was launched in 2021 however was not utilised due to the lapse of the project during COVID. The 2024/25 Budget may need to include a community engagement training budget for staff depending on the ability for in-house training on an individual or small team basis or an external trainer being engaged. These costs will be scoped over the coming months and added to the next budget.

**Legal/Statutory Implications**

This report is consistent with the Victorian Local Government Act 2020.

There are no other legal or statutory implications associated with this report.

**Environmental/Sustainability Impacts**

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

**Social Implications**

Effective community engagement builds relationships between Council and the community. It enables two-way communication and ensures community feels valued and listened to.

Effective community engagement allows Council to be better informed and achieve better outcomes with – and for – the community it serves.

## Economic Impacts

Good, robust and well delivered community engagement activity often results in high quality and well received projects and outcomes for the community. Investing in good CE training, well planned CE methods and embedding high quality CE practice into the organisation can contribute to projects being delivered on time thus saving dollars in resources down the track when more time, money and staffing is spent on rectifying projects gone wrong. Further to this good CE planning can lead to a strong rationale to attract investment and funding into the Goulburn Valley.

## Consultation

Considered consultation with the community was undertaken when developing the initial Community Engagement Policy. The review of the Policy and updates have not changed the initial intention of the Policy.

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 links to the Greater Shepparton 2030 Strategy

### b) Other strategic links

- Council Plan 2021-2025
- Community Engagement Procedures
- Emergency Communications Plan, Greater Shepparton Municipal Emergency Management Plan
- Relevant Code of conduct
- Language Services Corporate Procedures
- Aboriginal Communications Strategy
- Privacy Policy

## Conclusion

Council Officers recommend that the Council endorse the Community Engagement Policy to ensure Council meets its CE obligations as outlined in the Local Government Act 2020.

## Attachments

1. Community Engagement Policy 2023 [11.3.1 - 8 pages]



## 11.4 Contracts Awarded Under Delegation - October 2023

Author Team Leader – Contracts and Procurement  
Approved by Director Corporate Services  
Purpose For Noting

### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

### RECOMMENDATION

**That the Council:**

- 1. note no contracts were awarded under delegation pursuant to a formal tender process for the reporting period; and**
- 2. note the requests for tender advertised but not yet awarded.**

### Report

To inform the Council of the status of request for tenders that have been awarded under delegation during the period 1 October 2023 to 31 October 2023, and those that have been publicly advertised but are yet to be awarded as at 3 November 2023. The report does not include all purchasing activities, only procurement which requires a formal quotation or tender process.

### Contracts Awarded under Delegated Authority

Nil.

### Requests for Tenders advertised but not yet awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
2319	Tatura Structure Plan Intersections Functional Design	Tatura Structure Plan Intersections Functional Design - Lump Sum Contract	Tender currently under evaluation
2317	Animal Management After Hours Emergency Service	Schedule of Rates Contract for the provision of Animal Management After Hours Emergency Service – two years with a further option of one year	Tender scheduled to close on 22 November 2023
2326	Management Services for Victoria Park Lake Caravan Park	Lump Sum Contract for Management Services for Victoria Park Lake Caravan Park – 1 year with a one-year option	Tender scheduled to close on 15 November 2023
2342	GV Link Freight Logistics Centre – Works Package 2 and 3 – Stage 1 Design	Lump Sum Contract for the design of GV Link Freight Logistics Centre – Works Package 2 and 3 – Stage 1 Design	Tender scheduled to close on 8 November 2023
2344	Ardmona Resource Recovery Centre Upgrade	Lump Sum Contract for the construction of the Ardmona Resource Recovery Centre Upgrade	Tender scheduled to close on 29 November 2023

Through the S5 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 \$1,000,000.

The financial delegation to Directors to approve contracts up to a value of \$750,000 for goods and services and works are included in the S7 Instrument of Sub-Delegation by Chief Executive Officer.

### Collaborative / Third Party Purchasing Arrangements

In accordance with Clause 5.2.11 of the Procurement Policy, Council has the option to utilise third party collaborative purchasing arrangements for various procurement activities.

These collaborative arrangements are established to be an effective and efficient way of sourcing goods and services. Benefits include pre-approved supplier lists, cost savings through economies of scale and dedicated contract administration.

There were no new collaborative purchasing arrangements entered into for the reporting period.

### **Legal/Statutory Implications**

In accordance with Section 108 of the Local Government Act 2020, Council has adopted its Procurement Policy establishing the value at which Council must invite a tender or seek an expression of interest.

### **Conclusion**

It is important that decisions and actions taken under delegation be properly documented and transparent in nature. The report details the contracts awarded under delegated authority of the Council during the period 1 October 2023 to 31 October 2023.

### **Attachments**

Nil

## 12 Sustainable Development Directorate

### 12.1 Greater Shepparton Heritage Advisory Committee - Nomination of Community Representatives

Author	Team Leader Strategic Planning
Approved by	Director Sustainable Development
Purpose	For Decision by Council

#### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

#### RECOMMENDATION

**That the Council resolve to appoint the following community representatives to the Greater Shepparton Heritage Advisory Committee for a term of two years commencing on 1 December 2023 and concluding on 1 December 2025:**

- John Dainton
- Jenny Nightingale, and
- Jill Muir

#### Executive Summary

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

The Terms of Reference for the Committee (see Attachment 1 – Heritage Advisory Committee Terms of Reference) allow for a minimum of two and a maximum of six community representatives who are not associated with any of the historical groups and societies already represented on the Committee. These community representative positions have a two-year term. The current community representative positions become vacant on 19 September 2023.

The call for community representative nominations for membership of the Committee commenced on 11 August 2023 and closed on 23 September 2023. Advertising was undertaken through the local newspapers, Council’s website, media releases and social media.

On 28 September 2023, a sub-committee of the Committee met and was tasked with assessing all nominations against the six selection criteria outlined in the Terms of Reference.

The sub-committee presented its recommendation to the Committee on 2 October 2023 and the Committee agreed to recommend that Council appoint three new members for the next two-year term, being:

- John Dainton
- Jenny Nightingale, and
- Jill Muir

### Report Detail

Council authorised the formation of the Heritage Advisory Committee (the Committee) at the Ordinary Council Meeting held on 17 January 2012. As part of the resolution, Council adopted Terms of Reference to guide the future operation of the Committee.

The Committee's membership consists of up to two Councillors, up to two members of Council's Strategic Planning Team, Council's Heritage Adviser, one voting member from each of the ten identified member organisations, and a minimum of two and a maximum of six community representatives unaffiliated with any of these organisations.

The tenure for the community representative positions ended on 19 September 2023.

The call for community representative nominations for membership of the Committee commenced on 2 August 2023 and closed on 23 September 2023. Advertising was undertaken through the local newspapers, Council's website, media releases and social media.

On 28 September 2023, a sub-committee of the Committee met and was tasked with assessing all nominations against the six selection criteria outlined in the Terms of Reference:

- an awareness of, and an interest in, the cultural heritage of the Municipality, and a willingness to have an input into the issues relating to this heritage;
- a commitment to the preservation of cultural heritage sites within the Municipality;
- acknowledge of heritage conservation processes and a willingness to acquire further knowledge;
- the ability to access historical or conservation networks and stakeholder groups;
- the ability to promote heritage within the Municipality; and
- experience in an area of building conservation.

The sub-committee presented its recommendation to the Committee on 2 October 2023 and the Committee agreed to recommend that Council appoint three new members for the next two-year term.

This report has been prepared to appoint the following representatives to the Committee:

- John Dainton
- Jenny Nightingale, and
- Jill Muir

An additional application was received. However due to illness they were unavailable for the interview process. Due to the low number of community representatives who nominated for positions, applications will remain open for the remaining positions.

### Council Plan/Key Strategic Activity

#### **SOCIAL RESPONSIBILITY and WELLBEING**

We will support the mental and physical health and wellbeing of all in our community, ensuring universal access to information, services, housing, healthcare and learning opportunities.

2.6 Welcome and embrace multicultural communities and their cultures.

## INFRASTRUCTURE and TECHNOLOGY

We will focus on the planning of our region's requirements to enable delivery of technology and infrastructure to meet the current and future needs of the community.

4.6 Engage with historical societies and museums to develop a plan that ensures their sustainability.

### Risk Management

Council reduces the governance risks associated with the operation of the Heritage Advisory Committee by ensuring that members are appointed, and appointments are rescinded in accordance with the *Local Government Act 2020*.

Failure to appoint community representatives to the Heritage Advisory Committee would fail to meet Council's obligations under the *Local Government Act 2020*. It would also reduce the Committee's ability to promote community participation in and raise awareness of cultural heritage issues within the municipality.

### Policy Considerations

Appointing community representatives to the Heritage Advisory Committee does not conflict with existing Council policies.

There are no costs associated with the appointment of community representatives to the Heritage Advisory Committee.

The approved budget for the Heritage Advisory Committee is \$1,500 in the 2023/2024 financial year. This budget is allocated to meet the operating costs of the Committee within that financial year.

### Legal/Statutory Implications

There are no legal or statutory implications associated with resolving to appoint community representatives to the Heritage Advisory Committee.

The appointment of members to the Heritage Advisory Committee accords with the *Victorian Charter of Human Rights and Responsibilities Act 2006*. No human rights were negatively impacted upon through the advertisement and consideration of the appointment of the community representative to the Heritage Advisory Committee. It is not foreseen that the appointment of community representatives will impact upon the rights of all individuals and groups regarding freedom of expression, right to be heard, entitlement to participate in public life and property rights.

This proposal is consistent with the provisions of the *Local Government Act 2020*.

The appointment of community representatives for the remainder of the vacant term is in accordance with the Committee's revised Terms of Reference, adopted by Council at the Ordinary Council Meeting held on 21 February 2023.

### Environmental/Sustainability Impacts

There are no environmental or sustainability impacts associated with the appointment of community representatives to the Heritage Advisory Committee.

### Social Implications

There are no direct social implications associated with the appointment of community representatives to the Heritage Advisory Committee.

The operation of the Committee has positive social impacts. The Committee is seen as a critical way of raising awareness and promoting community participation of cultural heritage issues within the Municipality. The Committee will continue to raise awareness within the community of cultural heritage conservation.

### **Economic Impacts**

There are no economic impacts associated with the appointment of community representatives to the Heritage Advisory Committee.

### **Consultation**

Council officers believe that appropriate consultation has occurred during both the formation and operation of the Committee, and the key activities it has been involved in since its formation by Council.

The call for community representative nominations for membership of the Committee commenced on 11 August 2023 and closed on 23 September 2023. Advertising was undertaken through the local newspapers, Council's website, media releases and social media.

Due to the low number of nominations the vacant positions will remain open on Council's website.

### **Strategic Links**

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

- The appointment of community representatives to the Heritage Advisory Committee is consistent with the objectives, strategies and actions outlined in the Environment Section of the *Greater Shepparton 2030 Strategy 2006*.

### **Conclusion**

It is recommended that Council resolve to appoint three people to the Heritage Advisory Committee for a two-year term ending in on 1 December 2023:

- John Dainton;
- Jenny Nightingale; and
- Jill Muir.

The Committee is a critical way of raising awareness of cultural heritage issues, as well as promoting community participation in cultural heritage issues within the Municipality.

By continuing to support the Committee, Council is continuing to embrace a cost-effective opportunity of raising awareness and promoting community participation of cultural heritage issues within the municipality.

### **Attachments**

Nil

## 12.2 GV LINK Land Sale

Author Senior Strategic Planner  
 Approved by Director Sustainable Development  
 Purpose For Decision at a Council Meeting

### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the Local Government Act 2020 officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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

### RECOMMENDATION

That the Council;

1. Notes the GV Link – *Economic Valuation Report 3 – Final Report* by Ethos Urban dated 12 October 2023 (including all previous reports referred to therein) which confirms the findings of the *First Interim Report (Assessing Exceptional Circumstances Supporting Private Treaty Land Sales)* dated 23 May 2023, also prepared by Ethos Urban. This earlier report establishes the business case that exceptional circumstances exist justifying private treaty sales at discounted market values of lots within Stage 1, GV Link as an early mover advantage for purchasers prepared to commit to purchase and develop those lots within agreed development timeframes.
2. Acting under section 114 of the *Local Government Act 2020 (Vic) (Act)*, resolves to commence the required statutory processes to give notice of an intention to sell one or more lots within the proposed Stage 1 of GV Link, being the land generally shown on the plan titled GV Link – Staging Plan (current) as attached and being part of the land contained certificates of title Volume 11071 Folios 690 and 695 and Volume 12022 Folio 891, on the following terms:
  - I. to business operators, manufacturers, producers, or persons of a like nature;
  - II. at a discount to market value, as an early mover advantage; and
  - III. in consideration of commitments from the purchasers to the early development of part of the relevant lot.
3. In accordance with section 114 of the Act and the Greater Shepparton City Council Community Engagement Policy 2021, authorises that a public notice outlining Council’s intention to sell lots within Stage 1 GV Link, and calling for submissions, be:
  - I. placed in the Shepparton News (or such other news publication chosen by Council officers); and
  - II. published on Council’s website.



4. **Authorises the Chief Executive Officer and/or their nominees to undertake the administrative procedures necessary to carry out Council's functions under section 114 of the Act in relation to this matter.**
5. **Notes that, following the completion of the consultation process, any submissions received in relation to Council's intention to sell land within Stage 1 of GV Link will be considered by Council at a future scheduled Council Meeting.**
6. **Authorises the Chief Executive Officer to sign (on behalf of Council) memorandums of understanding (or such similar documents) with potential purchasers outlining the proposed terms of sale that would be acceptable to each such potential purchaser if Council decides, following compliance with section 114 of the Act, to sell any of the Stage 1 lots by private treaty.**
7. **Notes additional funding of \$100,000 to be provided in the 2023/24 budget to continue scoping and development of the site.**

### Executive Summary

The development of land at GV Link has been a long held strategic goal of Council. Historically, whilst there has been varied levels of interest to establish operations on the site, the lack of services and infrastructure including adequacy of access has always been a deterrent to potential investors.

There is now growing interest in the GV Link site primarily attributed to the known lack of alternative available large industrial sites both locally and regionally. From evidence and anecdotally, large plots of land for industry, logistics and manufacturing, with efficient transport connections to major international and interstate freight gateways that are development ready, are hard to find.

It is apparent that GV Link has now reached the critical positive tipping point demonstrated by the growing interest from investors in the site. It is crucial Council capitalise on this interest as any development at GV Link can act as a catalyst to attract more businesses and industries to the site and surrounding region, thereby stimulating economic activity and generating significant employment opportunities.

There have been various assessments and reviews undertaken to ensure the necessary elements and processes are in place to capitalise on investor interest and facilitate the sale of land at GV Link. Given the circumstances, considering Council's Sale and Acquisition of Land Policy (July 2022) sale via private treaty is considered the most appropriate method of sale in this instance.

Whilst the above recommendation is deliberately broad (in order to provide flexibility), the current proposal is to develop and sell Lots 1 – 4 (as shown on the attached plan) as follows:

- sale of Lot 1 to a storage and warehousing operator for development of a new storage and warehouse facility on part of Lot 1;
- sale of Lot 2 to a food and beverage operator for the development of a new warehouse and manufacturing facility on part of Lot 2;
- sale of Lot 3 to distilling group for a development of a facility for the manufacture and warehousing of alcohol related products on part of Lot 3; and
- sale of Lot 4 to a pallet manufacturer for the development of a manufacturing and warehousing/logistics centre on part of Lot 4.

The main purpose of this report is to:

- Provide information for Council to consider selling land at GV Link via the private treaty process in accordance with section 114 of the Local Government Act 2020
- Provide relevant information on the GV Link project (project) so the Councillors have a clear understanding of the background and current status.
- Enable Councillors to make informed decisions regarding the next steps associated with the project, such as considering any submissions because of the section 114 process.
- Provide Councillors with the financial implications and risks associated with the project, i.e., how the net funding for Stage 1 (or expanded Stage 1) will be sourced, such as for any borrowing in subsequent financial years.
- Provide information on the updated marketing strategy.
- Provide Councillors with a status of the grant funding associated with the project.

## Report Detail

### Background

The Greater Shepparton City Council commenced investigation of the feasibility of developing an intermodal terminal in the region in 1997.

A summarised chronology of items undertaken to process the concept toward the ultimate operation of GV Link is provided below.

### GV Link – Chronology

*(1997-2002) Initial concept studies and several reports were commissioned to assess feasibility of GV Link along with delegation to seek government support.*

*(2003-2011) Commencement of the planning/design process, land acquisition, and feasibility.*

*(2014 to now) Further review, recent activity, and investor interest.*

A more detailed chronology is provided as an attachment.

### Previous Council reports, decisions, and outcomes

Council report dated 16 March 2010 resulted in Council adopting the following resolution:

*“That the Council resolves:*

1. *In accordance with Sections 189 and 190 and 223 of the Local Government Act 1989, to give notice of, and invite public submissions in respect of, Council’s intention to sell or lease the New Lots to be created as part of the GV Link project, such New Lots currently forming part of the land contained in certificates of titles volume 11071 folio 144, volume 11071 folio 690 and volume 11071 folio 695.*
2. *That in accordance with Section 223(3) of the Local Government Act 1989, the Council authorises the Chief Executive Officer, the Director Corporate and Economic Development and the Manager Business Support and Property to carry out the administrative functions necessary to undertake the procedures associated with the notice and submission process under Section 223, as required”.*

The necessary procedures and processes were undertaken and resulted in no land sales/lease contracts being secured. Council report dated 18 May 2010 resulted in the following resolution being adopted:

*“That the Council resolves to authorise the sale or lease of New Lots to be created as part of the GV Link project, such New Lots currently forming part of the land contained in certificates of title volume 11071 folio 144, volume 11071 folio 690 and volume 11071 folio 695”.*

At the time there were several reasons that land sales at GV Link did not occur including difficulty in securing an anchor tenant, uncertain timing of intermodal terminal and bypass construction, and availability of alternative large industrial lots as well as the lack of services, infrastructure, and roads.

Council report dated 15 April 2014 resulted in Council resolving:

*That Council instruct officers to:*

1. *Continue advocacy for the Shepparton Bypass*
2. *Abandon further investment in development of the site until investment on the bypass is announced, or an investor is secured*
3. *Report back to Council on next steps associated with the GV Link project if an investor is secured or bypass funding is announced*
4. *Develop a Marketing Strategy for the site*
5. *Make contact with Federal and State Governments and advise them that Council has been unable to meet the requirements of the funding agreements to secure an investor and commence discussions regarding reallocation of the remaining \$2.25M of Federal Government Funds and \$1.5M of State Government Funds previously allocated to GV Link. The funds would be reallocated to Greater Shepparton projects.*

Outcomes of each of the items from Council resolution (15 April 2014) is provided below.

***Item 1 - Continue advocacy for the Shepparton Bypass***

In 2019 the then Commonwealth Government (Liberals and Nationals) committed \$208 million to deliver Stage 1 of the Goulburn Valley Highway bypass of Shepparton.

Council and local Federal and State members continue to lobby State and Federal Government regarding the construction of the bypass. A strong emphasis of this lobbying is directed to the state government seeking the release of the business case for the project and a funding commitment.

***Item 2 - Abandon further investment in development of the site until investment on the bypass is announced or an investor is secured***

Council is presently conferring with four interested parties to purchase land at GV Link in Stage 1. Council officers are continuing commercial in confidence discussions with two other parties. As Council owns the land at GV Link, notice of any future sale must be given and a community engagement process undertaken in accordance with section 114 of the *Local Government Act 2020* before Council can resolve whether or not to sell any lots in Stage 1.

***Item 3 - Report back to Council on next steps associated with the GV Link project if an investor is secured or bypass funding is announced***

Council officers have been approached on an infrequent basis for opportunities to invest at GV Link. The GV Link project, extensively reported to Council in the past, has now reached a stage where individual lots created from the subdivision of the land can be considered for sale or lease or a combination of both, across the GV Link project.

***Item 4. Develop a Marketing Strategy for the site***

Finalisation of the marketing strategy has largely been dependant on both site interest and broader economic indicators. As such the marketing strategy update had been placed on hold until these indicators have been more favourable. The environment is now more positive, so Council officers are currently working on an update of all GV Link marketing and promotion material.

This will include updates to the existing prospectus and website to ensure information is more current, targeted, and appealing to drive further interest.

**Item 5. Make contact with Federal and State Governments**

Advise them that Council has been unable to meet the requirements of the funding agreements to secure an investor and commence discussions regarding reallocation of the remaining \$2.25M of Federal Government Funds and \$1.5M of State Government Funds previously allocated to GV Link. The funds would be reallocated to Greater Shepparton projects.

The Federal and State governments were advised of the inability of Council to meet the funding agreement requirements in April 2014. Consequently, officers worked with Commonwealth and State government officers and secured the remaining \$2.75 million (Commonwealth \$2.25m and State \$500,000) funding to have it repurposed and directed to increasing the capacity and efficiency of the Shepparton Alternate Route (SAR) involving;

- upgrading Old Dookie Road in Shepparton to reconstruct and widen the pavement between Shepparton Alternative Route and Drummond Road (\$1.2 million)
- upgrading the roundabout that intersects the Shepparton Alternate Route (Doyles Road) at Old Dookie Road and New Dookie Road (\$1.05 million)
- signalling intersection at Mitchell Street/Old Dookie Road (\$300,000)
- installing a slip lane at the corner of Bypass St and Lockwood Road. (\$200,000)

**Council report dated 27 October 2022** resulted in Council resolving:

- *That the Council allocate funding to complete a revised detailed design for GV Link, at 250 Toolamba Road, Mooroopna.*

To further the Council's understanding of the likely development construction costs, and improve feasibility of the project, a review of the original design (copy of original staging plan is provided as an attachment) was undertaken. Spiire was appointed to undertake this review which identified that the development assumptions and standards were somewhat "over designed" for a project of this size and nature, particularly in relation to drainage, flood mitigation and land forming (and including road infrastructure).

The review sought to reduce the potential cost of site works whilst identifying the future development strategy options for the site, including the initial land area ready for development.

**Issues and Next Steps**

**GV Link Staging Plan**

Given the amount of land comprising the whole of the GV Link site, it is intended that GV Link is to be constructed and released in stages. The staging plan of the ultimate development layout of GV Link is provided as an attachment.

The project will start with the development of Stage 1 (Lots 1 – 4), which will include approximately 40ha of fully serviced lots. Works to prepare Stage 1 for future tenants include the following enabling infrastructure:

- Site clearing and earthworks.
- Extending core services (water, sewer, power, gas, and telecommunications) from Mooroopna to Simson Road, the northern border of GV Link.
- Construction of the internal road network (Simson Road).
- Drainage and catchment basin works.
- Lot preparation, including fencing and landscaping.
- Provision of early access if required.

Given the strong interest in GV Link, additional lots, such as lot 5 and 7 and potentially lot 6 may be added as an expanded Stage 1. However, the lots will not be developed as part of the initial works packages as the focus is on the delivery of Stage 1 (lots 1-4). The concept of expanding Stage 1 beyond lots 1-4 has been foreshadowed in the business case and will enable additional lots and subsequent investment to be realised sooner, rather than being delayed as part of wider Stage 2 considerations.

### **Proposed Works Program**

The works program for Stage 1 is as follows:

- **Works package 0 – Design (WP0)**  
WP0 is a design phase covering the delivery of service to the GV Link site. Specific elements include 2.5km of water, sewer and gas services from Mooroopna along Toolamba Road to the northern boundary of the site. Power and communication services will be delivered from their immediate easements along Toolamba Road. A concept design for the roundabout detailed in the below 'Works Package 2' will be developed within WP0, ensuring a viable integration of both designs.
- **Works package 1 – Provision of Services (WP1)**  
WP1 will deliver services to Simson Road, the northern boundary of the GV link Regional Employment Precinct.
- **Work package 2 – Road Access Enhancement (WP2)**  
WP2 includes the design and delivery of a single lane, 80km/h, B-Double rated roundabout upgrade to the intersection of Toolamba Rd and Simson Rd. An upgrade to Simson Rd will also be delivered. These works will provide the GV Link site with key access and gateway enhancement.
- **Works package 3 – Stage 1 Lot Development (WP3)**  
WP3 will deliver 4 serviced lots and associated service infrastructure. Works will include site clearing and earthworks, construction of the internal road network, drainage and catchment basin works and fencing and landscaping of individual lots.

The intention is for Council to provide this enabling infrastructure (utility services) and road and civil infrastructure through a combination of Commonwealth, State and Council funding. Investors will be responsible for providing internal lot infrastructure (e.g., connections to core services, roads, etc.), and construction of facilities, such as warehouses/logistics centres.

In addition to infrastructure costs, given the various changes to legislation and planning provisions since the original planning/subdivision approval, a currency check to update the approval framework for the GV Link site will be required. This will necessitate an update of the previous reports undertaken including (but not limited to) flora and fauna assessments, soil contamination etc. Additional legal expenses will also be required to continue commercial negotiations with the interested parties.

### **Cost Estimates**

To date, Council has invested considerable resources in designing infrastructure to cater for the GV Link project. While construction is yet to occur on site, further investment will be required to drive the current strong marketability of the GV Link site.

Preliminary cost estimates have been completed for each of the Stage 1 work packages above. The following table shows the estimated cost for each works package and sets out the expected income from lot sales and funding (based on the most likely funding model).

### Works Packages – Estimated Cost/Expected Revenue

Task	Total Forecast (CAC)
	* CAC Cost at Completion
<b>EXPENSE</b>	
WP0 - Design	\$ 336,667
WP0 - Council Overheads	\$ 1,108,667
WP1 - Delivery of Services to Site	\$ 6,426,000
WP2 - Toolamba Rd Roundabout and Simson Rd Upgrade	\$ 10,667,650
WP3 - Stage 1 Development (Lots 1 to 4)	\$ 7,483,640
Risk - 20% Contingency	\$ 5,204,525
Escalation - 2%	\$ 1,356,333
<b>Total EXPENSE</b>	<b>\$ 32,583,482</b>
<b>REVENUE</b>	
Lot Sales	\$ (10,000,000)
State Funding	\$ (2,000,000)
Local Roads and Community Infrastructure (LRCI)	\$ (1,172,966)
Federal Funding	\$ (8,500,000)
<b>Total REVENUE</b>	<b>\$ (21,672,966)</b>
<b>TOTAL</b>	<b>\$ 10,910,516</b>

More broadly, the complete project costs and income are set out below. This table also includes the most likely funding scenario. There are several assumptions informing the figures which are difficult to predict, i.e., lot take up, lot price, and impact on lot price once Stage 1 is complete etc., and further government funding opportunities. Despite the unknowns, the project is supported by the business case, both the need to proceed with enabling (utility connections to the site) and road works (irrespective of confirmed lot sales) and the broader economic benefits to region, including addressing lack of industrial land and job creation.

### Expected Project Costs, Anticipated Funding, and Income

Works Package	Description	TEC (\$M)	Anticipated Funding (\$M)	Anticipated Land Sales (\$M)	CAC (\$M)
WP0	Project Prelims	7.2	0.0	0.0	7.2
WP1	Provision of Services	6.4	3.2	0.0	3.2
WP2	Prelim Civils	10.7	8.5	0.0	2.2
WP3	Stage 1	7.5	0.0	10.0	(2.5)
WP4	Stage 2	23.5	0.0	19.0	4.5
WP5	Stage 3	24.5	0.0	61.8	(37.2)
WP6	Shepparton Bypass	0.0	0.0	0.0	0.0
WP7	Intermodal	0.0	0.0	0.0	0.0
WPA	Adjustments	20.0	0.0	0.0	20.0
<b>Totals</b>		<b>99.9</b>	<b>11.7</b>	<b>90.8</b>	<b>(2.6)</b>

TEC – Total Estimated Cost

CAC – Cost at Completion

### Funding

Funding for some of the infrastructure components of GV Link is principally being pursued through a variety of different funding streams as outlined below.

#### Regional Rail Revival program

The Australian and Victorian governments funded Regional Rail Revival program included \$10 million for the Shepparton Rail Freight Network Study. As part of this commitment, it was agreed between Victoria and the Commonwealth to allocate some of these funds to develop a freight demand study for the Goulburn Valley region, with the remaining funding to be allocated to targeted infrastructure initiatives. It is understood the potential upgrades identified by this plan significantly exceeded the allocated funding.

Council officers are presently seeking to have the remaining \$8.5million from the Regional Rail Revival program repurposed to early works at GV Link. This involves submitting a specific “Road Project Proposed Report” to the Federal Government for consideration.

Any repurposed funding would be used for specific Stage 1 road construction elements, involving;

- Gateway activation by upgrading the intersection of Toolamba Road and Simson Road to a roundabout.
- Upgrading approximately one kilometre of Simson Road to provide internal access.

#### Infrastructure Investment Program Strategic Review

In parallel to developing the Road Project Proposed Report Council officers have provided a submission to the Commonwealth’s Infrastructure Investment Program Strategic Review that outlines the case to secure repurposed funding of \$8.5million for the road and roundabout construction elements of stage 1.

*Local Roads and Community Infrastructure Program (LRCI Program) - Phase 4*

A targeted component of this program is to improve rural, regional, and outer urban roads. Council can access approximately \$1.3million of the funding allocation for road construction elements of the development plan. These works need to be completed by 30 June 2025.

**Additional Funding**

An additional funding source has been identified by Council officers and is being explored namely the Commonwealth Governments Regional Precinct and Partnerships Program.

*Regional Precincts and Partnerships Program (rPPP)*

Council officers are currently preparing a funding application to the Commonwealth “Regional Precincts and Partnerships Program – Stream 2: Precinct Delivery”. The rPPP is an open, non-competitive grants process that will support both the development and delivery of precincts across regional, rural, and remote Australia.

The emphasis will be on the delivery of regional precincts (in this instance a future industrial activity centre and support them to being investment ready).

Stream two of this funding is for delivery of projects as part of a precinct. The funding sought will, if granted, be used to activate Stage 1 of GV Link by extending services from Mooroopna and preparing around 40ha of the site for new businesses including road construction and is in the vicinity of \$30 million with a \$5 million contribution from Council.

However, if Council is successful in obtaining funding of \$25 million under the regional Precincts and Partnerships Program (rPPP) it will mean the following:

- Due to the rPPP funding needing to be spent by 31/03/26, it will need to be used to fund WP1, WP2, WP3 and a portion of WP0
- Other funding sources will need to be utilised to fund WP4
- The total financial outcome of the project will be \$27.6M profit. This profit could be used to fund projects such as:
  - Intermodal design and lot development
  - GV Link portion of Shepp Bypass design and partial construction funding

It should be noted however, that this will be an extremely competitive funding round.

**Investor interest**

Whilst over time there has been an array of investor interest in GV Link this has resulted in no actual commitment. It is recognised that there are a variety of reasons that can be attributed to this with one of the main factors being the lack of infrastructure, including road access to the site as well as limited services.

These elements need to be accommodated to both incite and maintain current and future investor interest. To this end the exact details and cost of the necessary services and infrastructure for Stage 1 as set out above in the cost estimates section of this report.

As noted in the *GV Link – Economic Evaluation Report 3*, this absence of core services and infrastructure to GV Link has proven to be a significant barrier to private investment. Numerous approaches from parties seeking to purchase and develop land in the GV Link Employment Precinct have not progressed. Approaches from various private sector organisations did not result in any successful transactions with them choosing to set up in alternative regional Victorian locations (e.g., Ballarat West Employment Zone, Logic Wodonga), which provided fully serviced lots within a short time frame.



It is understood that timing was seen as a barrier to pursue/set up at GV Link, given the lack of services and infrastructure, as well as a lack of confidence that the project would be undertaken by Council.

The benefit of pursuing the provision of these service and infrastructure elements at GV Link is in promoting renewed investor interest in land at GV Link. Council is currently negotiating with several separate parties regarding sale of land at GV Link. Preliminary non-binding Memorandums of Understanding (MOUs) for the purchase of land at GV Link are currently being negotiated with interested parties in an endeavour to ascertain the terms upon which prospective purchasers would be willing to purchase lots within Stage 1, if Council were minded to sell and resolved to do so following compliance with section 114 of the *Local Government Act 2020*. The lots of initial interest are those positioned to be more readily developable i.e., Lots 1, 2, 3 and 4 in Stage 1. The *GV Link – Economic Evaluation Report 3* previously referred to establishes that exceptional circumstances exist justifying private treaty sales of these lots.

*Local Government Best Practice Guideline for the Sale, Exchange, and Transfer of Land (June 2009)*

Whilst this document, published by the former Department of Planning and Community Development, does not have regard to section 114 of the *Local Government Act 2020* and is based upon the corresponding (now repealed) provisions of the *Local Government Act 1989*, this guideline is still regarded as enunciating principles of best practice in relation to the sale of Council land, at least until new guidelines are issued which have regard to the current provisions in the 2020 Act.

This guideline provides, as a general principle, that sales of Council land should be conducted through a public process, (such as public auction, public tender or by registration of expressions of interest) unless circumstances exist that justify an alternative method of sale, such as a sale by private treaty. The *GV Link – Economic Evaluation Report 3* previously referred to establishes that exceptional circumstances apply in this case justifying Council considering the sale of Stage 1 lots by private treaty.

*Sale and Acquisition of Land Policy (July 2022)*

The process of selling land is governed by section 114 of the *Local Government Act 2020*. Council's *Sale and Acquisition of Land Policy (July 2022)* adds layers of additional considerations for Council and provides guidance to help processes meet best practice and legislative requirements.

Section 1.3.3 sets out the matters Council need to consider prior to the sale of land that is outlined in a property land assessment. The property land assessment is provided as an attachment. In summary, it is deemed that the subject land at GV Link is not required for retention by Council and, therefore, can be set aside for sale.

In determining the method of sale, given the strategic uniqueness of the land, the serious intent of the expressions of interest received and evidence of previous unsuccessful methods of sale, it is considered the most suitable method of sale of land at GV Link warrants proceeding directly to sale by private treaty. The *GV Link – Economic Evaluation Report 3* establishes that exceptional circumstances apply justifying such private treaty sales. It is anticipated that the selling and or letting of the lots will go on for several years as the stages of GV Link are progressively developed.

Accordingly, to enable the sale of land in Stage 1 GV Link to commence, a Council resolution approving the commencement of the statutory process under the provisions of section 114 of the *Local Government Act 2020* is required, as provided in the recommendations of this report.

Section 1.3.6 outlines the statutory requirements for the sale of Council land as set out in Section 114 of the *Local Government Act 2020* and aside from public notice and community engagement requirements, requires a valuation of each lot sold, which is not more than 6 months old at the time of sale. The time of sale is the date of execution and exchange of contracts of sale between the parties.

As indicated in the abovementioned policy, “the sale price of Council Land sold by private treaty should not be less than the market value as determined by Council’s valuer, unless a price below market value is supported by Council’s valuer and Council’s Delegate, having regard to prevailing market conditions and any other relevant considerations at the time of sale.”

### **Valuation**

A valuer (Opteon (Goulburn Northeast Vic) Pty Ltd) was engaged to provide a valuation of indicative land parcels situated on the southwest corner of Toolamba Road and Simson Road. The assessment was provided on a ‘rate per square metre’ value for both a parcel of 10 hectares, and a parcel of 25 hectares.

Marketability of the site is considered good particularly as there has been a “significant take up in large greenfield industrial sites in regional centres of Victoria, and supply of such assets is now considered to be at a 20-year low”.

This observation is consistent with the findings of the *Industrial Land Supply and Demand Assessment* undertaken in 2022 and 2023 which also highlighted there was a distinct lack of availability of large industrial lots – see below.

The valuation provided is based on the provision of services to the (boundary of the) site. Any internal service connections to the building would be the developer’s responsibility.

In determining the value an analysis of market evidence of sales of other large industrial sites across regional Victoria and New South Wales was provided. This included sales in the more established LOGIC centre of Barnawartha North reflecting \$25/sqm for an 11.8 Ha site, and \$32/sqm for a smaller site of 3.7 Ha. It was considered that these benchmarks are very comparable to the subject land, after adjustment for specific locational factors.

The valuations also provide support for the current lot prices under negotiation.

### **Other Regional Intermodals**

There have been comparable freight precincts established in regional areas of Wodonga (Logic), Ballarat (Ballarat West Employment Zone) and Albury (Nexus) to support economic growth and the prosperity of these regional locations. All these sites have required considerable upfront infrastructure investment from all levels of government to provide the catalyst for subsequent private sector investment and development.

Common to all sites was the selection of large land holdings abutting rail to enable the further operation of an intermodal terminal. The operation of the rail terminal is an ultimate outcome at GV Link, and the site choice enables this outcome to be future proofed consistent with the evolution of development at both BWEZ, Logic and Nexus.

These freight precincts have been designed and constructed to enhance business productivity, with access from the site to the surrounding transport network design for Heavy Productivity Freight Vehicles. These sites have provided regionally based alternative sites to GV Link.

### **Solar Farm**

A potential advantage of GV Link to other regional freight precincts is the future operation of a solar farm on part of the GV Link site to the east of Toolamba Road.

The then Minister for Planning on the 6 July 2022, issued a planning permit (PA2000932) for Goulburn Valley Community Energy (GVCE) Mooroopna Solar PTY LTD to construct a 21MW solar PV array with a 5MW battery storage system on the land known as 250 Toolamba Road Mooroopna

Council is the landowner of this site and has issued a lease for GVCE to occupy this site for the purpose of building and operating a solar farm for a period of 25 years, with an option by the leaseholder to renew the lease for a further 25 years. The lease period will commence once the project has reached financial close, estimated to be in October 2024.

GVCE Mooroopna solar farm design is progressing towards the 1 March 2024 construction commencement date. The proponents have a preference to connect the entire facility (or part) directly to the adjoining property being GV Link (west), through a privately owned microgrid.

### **Recent Studies**

Several recent studies have been undertaken to both update the economic elements of GV Link and to importantly provide the necessary information to support the latest funding submissions to the Federal government. Below is an overview of the outcomes of these studies;

#### ***GV Link Economic Evaluation***

***This evaluation comprises three reports namely***

- Interim Report 1 – Economic Evaluation, Assessing Exceptional circumstances
- Interim Report 2 – Economic Evaluation, Economic Benefits
- Final Report – Economic Evaluation

Interim Report 1 sought to determine whether exceptional economic circumstances exist to pursue land sale at GV Link via private treaty and consider any probity issues. The evaluation considered the previous unsuccessful effort to progress GV Link, the local economic growth, shortage of land industrial lots, loss of funding and recent growing interest in the site. The outcome being that there is considered sufficient exceptional circumstances for Council to consider entering private treaty arrangements with purchasers of initial lots at GV Link.

Interim Report 2 was prepared to assess the economic benefits of stage1 and to support the funding application to repurpose the remaining \$8.5million from the Regional Rail Revival program (Rail Freight Planning). The report concluded that there would be substantial benefits to the local economy if Stage 1 GV Link was successfully developed and operated. These benefits would derive from increases in economic activity and additional employment.

Final Report summarises the above interim reports as well as undertaking an assessment of specific issues concerning the potential development of GV Link. This report stresses that providing the enabling infrastructure including road access improvements to deliver the initial lots in Stage 1 is the number one priority and that without this infrastructure GV Link will not advance.

Overall, in undiscounted terms, the successful development of GV Link Stage 1 would result in cumulative value-added of \$3.19b billion to the Greater Shepparton economy over the 20-year period 2023 to 2042. Most of this economic benefit would be generated by ongoing jobs in the businesses that first become operational in 2027.

The report also concludes that;

*From a market point of view, as has been emphasised throughout, the problems associated with the absence of basic services are critical. In our view, enabling infrastructure, including improvements to road access, is the #1 issue to be addressed – without basic services being made available, GV Link simply cannot advance.*

*Not only is providing services needed from a practical viewpoint, but it would also send a strong signal to the market– Council has commitment to the project and GV Link is open for business.*

### **GV Link Business Case**

The expected outcomes and benefits from the delivery of a successful Stage 1 of GV Link outlined in the Business Case include the attraction of future investment, enhancing the competitiveness of the local and regional industry, easing the pressure on industrial land supply as well as long term economic benefits.

In addition, the Business Case highlights that a successful Stage 1 GV link has the capacity to generate long term economic benefits, including:

- 80 direct and 70 indirect jobs over the enabling infrastructure construction phase.
- Substantial private investment in building approximately 140,000m<sup>2</sup> of factories and warehouses supporting approximately 770 direct and 780 indirect jobs.
- \$138m (discounted) added to the economy during the construction phase.
- 720 direct and 540 indirect jobs from 2036 onwards.
- Additional value-added to the economy generated by ongoing employment at Stage 1 GV Link over a 20-year appraisal period of \$1.3b (real \$2023 discounted to PV) or an average of \$78m per annum, once the first site is operational in 2026/27.

Further economic as well as environmental and social implications/impacts are provided later in this report.

**Industrial land supply and demand assessment (2022)** - highlights that Greater Shepparton is currently experiencing a rapid increase in the actual consumption of industrial land at unprecedented levels. In total, there are only 109 vacant industrial allotments, representing a lot of vacancy rate of just 11%. Both the quantum and vacancy rate relative to metropolitan Melbourne and other major regional Victorian centres is considerably low. Typically, the lot vacancy rate is from 25 to 30%.

The Industrial Land Supply & Demand Assessment undertaken in 2019 also highlighted that the shortage of larger industrial lots particularly between 1 and 5 hectares within the City of Greater Shepparton is an ongoing issue. The research in this assessment showed that of the last 114 industrial lots created in the municipality since 2004, only six have been larger than a hectare in area.

The GV Link site will significantly contribute to the supply of industrial land for the region with many lots proposed to be greater than 5,000sqm. By creating large lots for large-scale businesses, the site will facilitate expansion of existing industries that are constrained in existing locations, creating investment opportunities and boost job creation.

### **Industrial land supply and demand assessment (2023)**

A recent review of Industrial land prepared by Spatial Economics (2023) indicates that with the eventual development of the GV Link Freight and Logistics Centre there will be less pressure for other precincts in Shepparton to provide land for logistic (or logistic related manufacturing). This means there will be less demand for larger lots in the other precincts, and it is likely that they will be subdivided for smaller uses.

However, the GV Link site requires significant up front infrastructure investment to enable the site for freight and logistic development.

It is clear that there are limited vacant industrial lot stocks across Greater Shepparton, both in terms of smaller and larger allotments.

The lack of larger allotments is an issue for potential large industrial land users to locate/expand in Shepparton and as a land supply source for potential subdivisions.

In total, there is between 5 to 7 years supply of zoned industrial land across Greater Shepparton and an additional 6 to 7.5 years supply of land identified for future industrial zoning/development.

The estimation of 5 to 7 years supply of zoned industrial land masks the current deficiency of zoned industrial land across Greater Shepparton.

In total, there are only 104 vacant industrial allotments, representing a lot vacancy rate of just 10%. Both the quantum and vacancy rate relative to metropolitan Melbourne and other major regional Victorian centres is considerably low. Typically, the lot vacancy rate is from 25 to 30%.

Furthermore, there are significant deficiencies in the lot size composition. Since 2009, 30% (35 lots) of all industrial land consumption was on lots sized greater than 0.5 hectares. Currently there are only 27 vacant lots sized over 0.5 hectares. In addition, there are only 3 lots sized greater than 5 hectares, and one over 10 hectares. This provides limited choice for potential large industrial land users and limited stock for further subdivision to smaller allotments.

Spatial Economics considers there are currently insufficient zoned broad hectare land stocks to meet the requirements in the medium to longer term. Greater Shepparton is currently experiencing a sustained increase in the consumption of industrial land.

**Benefit Cost Assessment** – this assessment anticipated to yield a negative return however the focus was only on the road user benefit component undertaken as part of the application to repurpose the Regional Rail Revival program (Rail Freight Planning) funding. It does not include an assessment of other benefits and costs such and economic, environment and social.

Despite this assessment presenting a negative BCR initially, the consideration of a broader range of benefits when evaluating infrastructure projects is needed as the positive outcomes, are often intangible and/or long-term. GV Link provides a solid foundation for future growth and development. It has the attributes particularly the industrial lot sizes suitable for large industrial operations and those wishing to consolidate their operational activities at one location. Investor interest and activity at the site will stimulate economic growth, and employment leading to increased revenue generation ensuring a promising trajectory for the region's economic progress.

## Council Plan/Key Strategic Activity

- a) Greater Shepparton City Council Plan 2021-2025
  - Theme - Vibrant and Diverse Economy
    - 3.5 Encourage and facilitate investment and expansion.
  - Theme - Infrastructure and Technology
    - 4.5 Support the development of GV Link.

## Risk Management

A business case has been completed which reviews the project and provides guidance on the implementation. The business case has examined barriers to activation of GV Link and the implications for not moving forward with the project. Cash flow analysis and future delivery pathways were also examined. The options highlight advantages and potential risks.

Importantly, the report concluded that the commercial feasibility of Stage 1 is less important than the economic benefits that would accrue.

And ... “Achievable land sale prices, in particular, will be highly sensitive to prices offered by competing industrial and logistics centres.” And “In any event, irrespective of whether early land sales can be transacted, Council must demonstrate tangible progress towards activating GV Link. This demonstration, of progress, which includes detailed design, costed work programs, legal expenses, and funding applications, will, with a high probability, require Council to commit some of its own funds.”

Future investment beyond Stage 1 (or expanded stage 1) will be subject to further review and explore future delivery pathways as mentioned above.

Further, the report concludes that;

*Providing enabling infrastructure to GV link, including road access improvements, is the #1 priority and should be progressed as soon as possible, despite Council facing some financial risk.*

It should be noted that progressing Stage 1 (or expanded Stage 1) or early enabling works forming part of Stage 1 (i.e., service extensions to the site boundary from Mooroopna) may require consideration of how the Council contribution to the project will be sourced, such as borrowing. This is because the project may create financial obligations not contemplated by the 23/24 budget or 4-year financial plan. Any commencement of early works in the 23/24 budget year will need to consider if section 95 1(b) and 1(c) of the *Local Government Act 2020* may apply. Further advice is being sought on this issue.

Consideration must also be given to Council’s borrowing capacity (including funds to service repayments) at the time, which is limited. Council must also have sufficient liquidity to cover the loan repayments as they fall due at the time. This liability may result in Council not being able to pursue (or having to defer) other strategic priorities that would require borrowings at a similar time. Council is, from a financial sustainability perspective, is monitored against a couple of different audited risk indicators.

Additionally, as noted in this report, the Council’s contribution is also provided/off set through land sales and future rate revenue from the site. There are risks that failure to achieve lot sales for Stage 1 (or expanded Stage 1) results in pressure on Council’s financial sustainability.

However, as noted earlier in this report, following the completion of Stage 1 (or as expanded) a review needs to be undertaken on delivery pathways and land revaluation process to determine the commencement of further stages.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Negative Public Perspective	Possible	Moderate	Medium	Media Release regarding the benefits of the project.
Investor not secured	Possible	Moderate	Medium	Develop and implement a GV Link Marketing Strategy and update prospectus
Repurposed Federal funding not realised	Possible	Moderate	Medium	Identify other funding streams including the Commonwealths Regional Precincts and Partnerships Program
Project does not proceed	Possible	High	High	Abandon project Potential sell all GV Link site
Future land sales are not realised at projected sale price	Possible	Moderate	Medium	Review valuations post construction of stage 1 (or expanded) and review delivery options/market analysis etc

### Policy Considerations

GV Link is underpinned by a body of sound policy and has been reserved, zoned, and acquired to facilitate the development. As outlined below the project aligns with various key objectives and/or actions of relevant government strategies. More details of the alignment are provided as an attachment.

#### Local Government

Shepparton & Mooroopna 2050: Regional City Growth Plan  
 Greater Shepparton Economic Development Tourism and Major Events Strategy (2017-2021)  
 Greater Shepparton Freight and Land Use Plan 2013  
 Greater Shepparton Planning Scheme

#### Regional

Hume Strategy – Regional Growth Plan  
 Hume Region – Planning for Freight  
 Northern Victoria Regional Transport Strategy  
 Freight Directions in the Hume (RDA)  
 Goulburn Valley – Invest in Victorian agriculture and food  
 Regional Cities Victoria

#### State Government

Victorian Freight Plan – Delivering the Goods  
 Moving More with Less (2021)  
 Victoria Infrastructure Strategy 2021-2051  
 Plan Melbourne 2017-2050

## **Federal Government**

National Freight and Supply Chain Strategy

### **Financial Implications**

#### *Summary of cost estimates*

An overview of the cost estimates to carry out initial delivery of services, complete the overall development of Stage 1, and potential anticipated revenues and external funding sources, is set out under the “Cost Estimates”, “Funding”, and “Additional Funding” sections above.

#### *Further comments*

The ability to secure sales or other leasing or commercial arrangements in respect of the Lots 1-4, Stage 1 may enable the Council to achieve some financial return, offsetting a portion of the costs of the GV Link project and confirming the securing of Victorian and Australian government funding.

Current strategic financial protections anticipate spreading stage 1 construction costs across three years. This is dependent upon sale of the first lots to be released and will be undertaken once a sale occurs. Future stage developments will occur once further lots are sold, and demand warrants the construction and further sales. As expenditure is dependent upon sales, and future Council approval, the timing of expenditure is an estimate and actual timing may vary considerably.

At the 27 October 2022 OCM, the Council resolved to complete the detailed design with an anticipated cost of \$500,000. As of 30 September 2023, \$106,384 was spent in the 22/23 Financial year, and YTD, a further \$81,870 has been spent. Tenders have now closed and are being assessed for the remaining design contract, but it is expected that to finalise the design, the full \$500k will be expended.

Additional funding may be required if tenders are greater than the predicted budget. Project manager costs are also being partly funded by this budget allocation.

In addition to the design budget (capital expenditure), there has also been other expenses incurred by the project (operation expenditure). This expenditure primarily relates to the need for further project scoping and development, i.e., flood hydraulic modelling, consultancy relating to the business case preparation, funding applications, preparation of a BCR (Benefit Cost ratio) and legal expenses incurred in relation to negotiations with investors.

The 22/23 expenditure was \$144,056 and as of 30 September 2023, the year-to-date expenditure is \$73,894. It is anticipated that further funding will be required for legal costs as negotiations continue, valuations, and importantly, review of some of the technical reports relating to the planning permit application.

The reports referred to were previously prepared for the planning application. These reports need to be both reviewed for currency and updated to reflect changes in legislation. At this time, the costs incurred have been accommodated within the existing operating budget process.



A cost summary is provided below.

GV Link - Summary of Expenditure Incurred and Budget Required - 2022/23 and 2023/24

	2022/23 Actuals	2023/24 Actuals	Commitments	Further Costs	TOTAL
<b>Capital</b>					
Project Management*	75,349	36,075	23,576		135,000
Utility Design	31,035	45,795	84,330		161,160
Design Estimate	-	-	-	203,840	203,840
<b>Sub Total Capital</b>	<b>106,384</b>	<b>81,870</b>	<b>107,906</b>	<b>203,840</b>	<b>500,000</b>
<b>Operating</b>					
Project Management*	75,349	36,075	23,576		135,000
Legal	29,123	20,459	1,025	50,000	100,607
Land Valuation	8,000	2,000	-	10,000	20,000
Flood Modelling	8,700	-	-		8,700
Business Case Preparati	22,885	15,360	31,255		69,500
<b>Sub Total Operating</b>	<b>144,056</b>	<b>73,894</b>	<b>55,857</b>	<b>60,000</b>	<b>333,807</b>
<b>TOTAL</b>	<b>250,440</b>	<b>155,764</b>	<b>163,763</b>	<b>263,840</b>	<b>833,807</b>

#### *Financial implications of sales and development proceeds*

If Council commits to the sales of the lots within Stage 1, there is presently an estimated spend of up to \$32.6 million to fully develop Stage 1 (subject to construction tender responses), part of which is aimed to be, but which is not guaranteed to be, funded by State and/or Commonwealth funding and sales revenue, but there may still be a shortfall to be funded by Council.

It would be open to Council to limiting its initial works commitment to the delivery of a services package described as WP1 *Delivery of Services to Site*, with a total estimated spend of up to \$7.5 million. Any such works are not allowed for in the current budget and would have minimal impact upon the current financial year, given that any such works (if any) undertaken in this financial year would be limited (likely to be in the range of \$500K-\$1M worth of works).

Implications for Council's forward budgeting in successive financial years would need to be considered at the appropriate time.

There would be benefits to completing the WP1 *Delivery of Services to Site* even if future development of GV Link did not progress, given the services would increase the saleability and marketability of GV Link.

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

The recommendations of this report comply with the legislative requirements of the *Local Government Act 2020*.

In particular, the method of sale is in accordance with the requirements of Section 114 of the *Local Government Act 2020* and supported by Council's Sale and Acquisition of Land Policy (July 2022) and the *Local Government Best Practice Guideline for the Sale, Exchange, and Transfer of Land* (June 2009).

Following completion of the statutory process, Council needs to consider any submissions received and a report will be considered outlining the proposed recommendations for the next steps.

## Environmental/Sustainability Impacts

The activation of GV Link will;

- Provide the simulates for the take up of the industrial lots at GV Link enabling the amalgamation of business operations to one site rather than operators having to drive from warehouse to warehouse across Shepparton/Mooroopna.
- Provide the opportunity to concentrate industry close to the significant irrigated areas of Northern Victoria being the area where much of the agriculture and manufacturing product is generated thereby improving freight efficiency and reduce transportation distances and cost.
- Lead to better traffic management, reduced congestion, and improved fuel efficiency thereby leading to a decline in greenhouse gas emissions and a lower environmental impact.
- Drive the potential for the industrial lots within GV Link to explore direct connection to the approved GV Community Energy (Akua) 21 MW solar farm thereby reducing energy costs for industry.
- Stimulate the exploration of developing aspects of GV Link as a green energy precinct
- Strengthen sustainability of the transport and manufacturing network in the Goulburn Valley.

## Social Implications

The activation of GV Link will;

- Consolidate industrial activity in a large industrial area that will not detrimentally impact the amenity of Shepparton and Mooroopna residents.
- Facilitate significant job creation by providing access to job opportunities that will invariably build stronger communities.
- Benefit the local community that is particularly vulnerable to the impacts of significant flood events. The development of GV Link will include drainage infrastructure that will provide much needed relief to local residents, reducing the impacts from serious flood events.
- Potentially encourage some freight mode shift into the future which will help reduce road congestion caused by freight vehicles thereby enhancing road safety.

## Economic Impacts

The activation of GV Link will

- Build investor confidence in the GV Link industrial site and importantly the prosperity of the Goulburn Valley region.
- Be advantageous to support an increase in regional freight services to meet the needs of a growing population, promote employment opportunities and support business growth and investment.
- Lower capital and operating costs on road maintenance and reduce infrastructure maintenance.
- Position the region for substantial economic growth and prosperity by attracting investment, that supports overall development not just for Shepparton but also for Mooroopna, Tatura, and surrounding municipalities
- Leverage off strategic location, excellent infrastructure, access to labour markets and cheaper property costs.
- Affirmatively respond to the growing freight task and urban population growth in the Goulburn Valley region.

## Consultation

Internal consultation with the GV Link Board, relevant departments including Planning, Investment Attraction, Major Projects, and Finance has occurred to develop this report. Officers believe appropriate consultation has occurred and is ready for consideration.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Continue to inform and provide updates on project	Social media, traditional media avenues and engage the community
Consult	Potential investors	Meetings
Involve	Federal and State Government	Regular Reporting

The GV Link project overall, has been subject to extensive consultation, through the planning process and by reference to various stakeholder groups including Australian and Victorian government agencies and industry groups and experts.

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

Section 114 of the *Local Government Act 2020* requires Council, before selling or exchanging land, to publish notice of its intention to sell the land, undertake a community engagement process in accordance with its community engagement policy and obtain a recent valuation. This report recommends that Council begin this process and further consider this item after the completion of the consultation process.

## Strategic Links

### Greater Shepparton 2050 Strategy

- Plan 2 (Growth Framework Plan) and Plan 3 (Industrial Growth Area) identify GV Link as a key site.
- Strategy 1.1 highlights GV Link as a site where the expansion of the freight and industrial sector will be a key action.

## Conclusion

The economic growth within the region particularly within the agricultural and food manufacturing sectors has seen the freight task in the region continue to significantly increase. Locationally the GV Link site presents the opportunity to maximise upon the capacity of the existing major transport corridors which is a distinct advantage not available to other regions in Victoria.

GV Link offers large unencumbered industrial lots with plans in place to develop an onsite intermodal that would support the consolidation of freight handling, freight modal interchange and distribution from the Goulburn Valley as well as the irrigation area and extensive cropping areas of Northern Victoria and Southern Riverina.

Current timing with respect to leveraging funding and the opportunity to potentially capitalise on the operation of the solar farm provides both positive operational and economic circumstance that should be taken advantage of to drive the future prosperity of the Greater Shepparton and the broader Goulburn Valley region.

The sale of land and development of industrial operations at GV Link is a long held strategic aim of Council. Investor interest in the site is presently at an all-time high. This is attributed to the current lack of large industrial sites in the region and the clear commitment to having the lots serviced and development ready.

Council officers have been working to clearly identify the costings and infrastructure and service components of Stage one to ensure potential investors are well informed to path the way to committing to land purchases.

The most appropriate method of sale of land at GV Link is sale via private treaty given the strategic uniqueness of the land, the serious nature of the expressions of interest received and evidence of previous unsuccessful public methods of sale. This is supported by the Business Case previously referred to, which establishes that exceptional circumstances exist in relation to Stage 1, GV Link justifying the sale of Lots 1-4 by private treaty. The process and procedures to undertake this process are set out in section 114 of the *Local Government Act 2020*.

### Attachments

1. Strategic Alignment [12.2.1 - 10 pages]
2. Chronology [12.2.2 - 2 pages]
3. Property Land Assessment [12.2.3 - 3 pages]
4. Staging Plan (current) [12.2.4 - 1 page]
5. Staging Plan (original) [12.2.5 - 1 page]
6. Economic Evaluation Report - November 2023 [12.2.6 - 60 pages]
7. Business Case - 08 November 2023 [12.2.7 - 27 pages]

## 12.3 Land Acquisition - 420 Goulburn Valley Highway, Shepparton North

Author Team Leader Statutory Planning  
 Approved by Director Sustainable Development  
 Purpose For Decision at a Council Meeting

### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

### RECOMMENDATION

#### That the Council

1. authorise the Chief Executive Officer to undertake the administrative procedures and acquire, by agreement or compulsory acquisition, the Proposed Road Land (portion of land at 420 Goulburn Valley Highway, Shepparton North), including pursuant to the processes under the *Land Acquisition and Compensation Act 1986 (Vic)*, and to take all steps necessary to resolve the consideration or compensation payable to finalise the matter; and
2. authorise the Chief Executive Officer to sign and seal all documentation associated with or necessary to effect the acquisition and finalisation of the matter.

### Executive Summary

Council officers note the proposed extension of Warrumbungle Drive to the Goulburn Valley Highway.

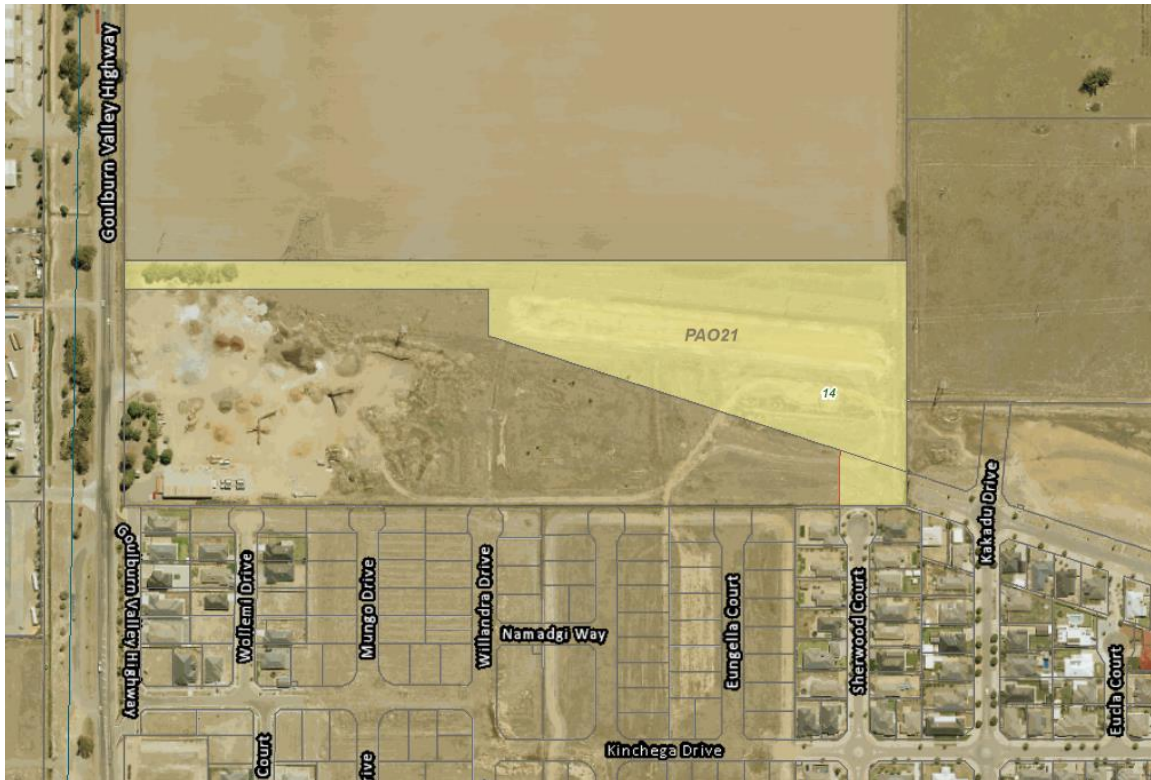
The extension is broadly shown on the plan below (figure 1).



**Figure 1** Land required for the proposed road extension requires a portion of land to be acquired at 420 Goulburn Valley Highway, Shepparton North (Proposed Road Land) (see blue shaded area in figure 2 below and a photo of the Proposed Road Land in figure 4).



**Figure 2** The yellow shaded area is the Council Reserve, and the blue shaded area is the Proposed Road Land.



**Figure 3** Existing Public Acquisition Overlay (PAO 21)



**Figure 4** Photo of the Proposal Road Land

Officers will seek to acquire the land by agreement in the first instance, or compulsory acquisition if necessary. Normally, compulsory acquisition first requires the imposition of a Public Acquisition Overlay. Public Acquisition Overlay – Schedule 21 (PAO21) already applies to the Proposed Road Land as shown in Figure 3.

Accordingly, officers recommend the acquisition of the Proposed Road Land to facilitate further residential development in Shepparton’s North Growth Corridor.

## Report Detail

The Proposed Road Land is an irregular rectangle comprising an area of approximately 1,600sqm.

The acquisition of the Proposed Road Land will enable the extension of Warrumbungle Drive to connect to a planned residential estate.

The Proposed Road Land is on part of the land known as 420 Goulburn Valley Highway, Shepparton North, being the land more particularly described as part of the land contained within the land described in certificate of title volume 08735 folio 456.

The registered proprietors of that title are Frank Adornato, Vivienne Adornato, Giorgio Adornato, George Nathan Adornato, Sharon Olive Adornato and Nicoletta Adornato, who each have different interests in the land. 420 Goulburn Valley Highway, Shepparton North is used by Adornato Sand and Gravel Supplies Pty Ltd for its sand and gravel supplies business. The Proposed Road Land is located at the far eastern side of the property.

The Proposed Road Land is adjacent to the Council reserve at 420A Goulburn Valley Highway, Shepparton North (Council Reserve).

This strategic land acquisition is critical to realise Council's original strategy from when it acquired the Council Reserve, a process which commenced around 2015 and concluded in early 2021 when compensation for the Council Reserve was paid. Without the addition of the Proposed Road Land, Warrumbungle Drive cannot be feasibly extended.

The extension of Warrumbungle Drive will provide an east-west access road between Verney Road and the Goulburn Valley Highway and improved access to the surrounding road network for existing and future residential estates.

Officers have considered whether potentially less than the whole of the Proposed Road Land could be acquired to accommodate the full width of an extended Warrumbungle Drive and its associated road reserve.

Even if this were feasible following the undertaking of detailed design, this would result in the landowner retaining a small sliver of land which would be subject to the PAO. If that were to occur compensation payable to the landowner would be comparable to the acquisition of the whole of the Proposed Road Land. In addition, because the PAO would remain, the landowner's rights to obtain a permit for that land are constrained. Officers consider that the appropriate and best course now is to acquire the whole of the remaining land subject to the PAO.

Having regard to a range of factors (such as the likelihood of successfully agreeing with the relevant landowner regarding acquisition, the periods of time involved and historical experience with projects of this kind), officers seek that Council resolve to authorise compulsory acquisition as an acquisition option.

Officers will still take steps to acquire the Proposed Road Land by agreement and in that regard are mindful to liaise with the Adornato's to seek to acquire by agreement.

Officers note that even following commencement of the compulsory acquisition process, it is still open to Council and the landowner to enter into an agreement to provide for the acquisition.



By having compulsory acquisition as an option, if agreement is not reached, Council can proceed to compulsorily acquire and avoid unnecessary delays in realising the extension of Warrumbungle Drive. Officers note that when the Council Reserve was acquired, it was acquired by compulsory acquisition.

### Council Plan/Key Strategic Activity

#### **VIBRANT and DIVERSE ECONOMY**

We will drive the visitor economy by growing visitor experiences and major events that provide employment and other opportunities to the community. Our economic development will focus on establishing a strong, adaptive, sustainable and thriving region supported by agriculture and a diverse range of industries.

3.5 Encourage and facilitate investment and expansion.

3.6 Attract people to live, work, study and remain in our region.

3.10 Efficient land use planning to encourage and support future development.

#### **INFRASTRUCTURE and TECHNOLOGY**

We will focus on the planning of our region's requirements to enable delivery of technology and infrastructure to meet the current and future needs of the community.

4.10 Progress housing and business development opportunities.

4.11 Develop and improve Community and recreation facilities.

### Risk Management

Council will engage an independent valuer, and solicitors, to manage the acquisition process. An offer of compensation will be made to the landowners based upon the recommendations of the Council's independent valuer. In the normal course, the landowners would then engage their own valuer. The respective valuers typically have a valuer conference to seek to agree upon the sum of compensation, or to narrow the issues.

If agreement cannot be reached, the next step is normally compulsory acquisition.

Following compulsory acquisition, further valuer conferences can occur.

Officers note the Council Reserve was acquired from the same landowners by compulsory acquisition.

If the compensation amount cannot be agreed, the matter will become disputed and can be referred to VCAT or the Supreme Court for determination.

The costs of litigation can be significant, however, when the Council Reserve was compulsorily acquired, the parties were able to reach agreement without the need to refer the matter to VCAT or the Supreme Court.

### Policy Considerations

The acquisition process will assist in providing road infrastructure that supports the Shepparton North Growth Corridor. This has been identified in Council policy and planning documents, including the North Growth Corridor Outline Development Plan, which includes an east-west access road between Verney Road and the Goulburn Valley Highway.

Policy support to complete the road acquisition is found in the following clauses of the Greater Shepparton Planning Scheme:

Clause 11.03-2S

To locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits.

Clause 15.01-1S

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 16.01-1S

To facilitate well-located, integrated and diverse housing that meets community needs.

Clause 18.01-1S

To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

Clause 18.02-4S

To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

### Financial Implications

If the compensation amount cannot be agreed, the matter will become disputed and can be referred to VCAT or the Supreme Court for determination. The costs of litigation can be significant, however, as noted, when the Council Reserve was compulsorily acquired, the parties were able to reach agreement without the need to refer the matter to VCAT or the Supreme Court. Compensation for the acquisition of the land will need to be paid for. An independent valuer will be engaged to provide guidance on the amount of compensation payable.

### Legal/Statutory Implications

Lawyers have been engaged on behalf of the Council to advise upon and ensure that any acquisition of the Proposed Road Land is consistent with legal requirements.

### Environmental/Sustainability Impacts

When the Council becomes the owner of the Proposed Road Land, it will become responsible for any environmental contamination.

Environmental investigations of the land have not been undertaken.

This could be undertaken, however, given the Council already acquired the Council Reserve, and the land will be used for a non-sensitive use (being a road) environmental risk through acquisition of the Proposed Road Land is unlikely to materially increase risk to the Council from an environmental perspective.

### Social Implications

Acquiring the Proposed Road Land has a beneficial social outcome given the functional nature of a potential east-west access road between Verney Road and the Goulburn Valley Highway.

### Economic Impacts

The improved road capacity will support developments in the Shepparton North Growth Corridor and allow officers to facilitate new developments along Goulburn Valley Highway.

### Consultation

Officers recommend working closely with the landowners of the Proposed Road Land as part of the Council's efforts to acquire that land by agreement or resolve compensation payable following compulsory acquisition without the need for referral to VCAT or the Supreme Court.

## Strategic Links

### Greater Shepparton 2030 Strategy Plan Objectives

- To provide sustainable infrastructure to support the growth and development of the municipality
- To ensure the safety and efficient functioning of the roads for a variety of users

## Conclusion

Officers recommend that Council authorise the Chief Executive Officer to undertake the administrative procedures and acquire, by agreement or compulsory acquisition, the Proposed Road Land.

## Attachments

Nil

## 12.4 Proposed Sale of land - 45 Parkside Drive, Shepparton - Goulburn Valley Health and Victorian Health Building Authority proposal

Author Principal Strategic Planner  
 Approved by Director Sustainable Development  
 Purpose For Decision at a Council Meeting

### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

### RECOMMENDATION

**That the Council:**

1. **abandon the proposal to sell part of the land at 45 Parkside Drive, Shepparton to Women's Housing Ltd, since the Women's Housing Ltd's funding application under the Big Housing Build program was not successful;**
2. **note the progress of the Parkside Gardens feasibility assessment;**
3. **authorise the commencement of a new statutory process pursuant to section 114 of the Local Government Act 2020 to consider an alternative proposal to sell part of the land at 45 Parkside Drive, Shepparton to the Victorian Government (Department of Health) for health infrastructure (new Early Parenting Centre), and Goulburn Valley Health for staff accommodation; and**
4. **note that following the completion of the consultation process, any submissions received in relation to Council's intent to sell part of the land at 45 Parkside Drive, Shepparton will be considered by Council at a future scheduled Council Meeting.**

### Executive Summary

On 27 September 2023 Council received an expression of interest from the Department of Health to purchase part of the land at 45 Parkside Drive, Shepparton. The land will be used for the development of family health related infrastructure on the site.

Specifically, the sale will enable the Department of Health to deliver on Victorian Government's commitment to deliver health infrastructure in Shepparton for a new Early Parenting Centre, which will ensure parents are supported when it comes to sleeping, feeding and extra care for babies with additional needs.

Additionally, on 2 November 2023, the Council received an expression of interest from Goulburn Valley Health (GV Health) to purchase part of the land at 45 Parkside Drive, Shepparton, for the purposes of staff accommodation.

45 Parkside Drive is a vacant Council-owned site that is part of the Parkside Gardens Estate, which was partly developed as a joint initiative between Council and Vic Urban (now Places Victoria) in the early 2000's. The site is appropriately zoned for residential development.

The expression of interest follows an earlier proposal for the site where Women's Housing Ltd requested to buy part of 45 Parkside Drive to facilitate 45 dwellings that would cater for those in need of Affordable Housing.

At the Ordinary Council Meeting held on 15 February 2022, Council resolved to provide in-principle support for the preparation of any funding applications by Women's Housing Ltd to realise approximately 45 dwellings for affordable housing purposes on part of the land at 45 Parkside Drive, Shepparton, and to begin the community consultation process under Section 114 of the *Local Government Act 2020* for the sale of part of the land to Women's Housing Ltd.

Council undertook community consultation between the 14 February to 28 March 2022, in which Council received 61 submissions and seven verbal presentations to this consultation process. At the Ordinary Council Meeting held on 21 June 2022, Council agreed to sell part of the land at 45 Parkside Drive, Shepparton to Women's Housing Ltd to facilitate affordable housing, and to undertake a feasibility assessment for the development of the remaining stages of the Parkside Gardens estate.

On the 1 September 2022 Women's Housing Ltd informed Council that its funding application to develop the site for affordable housing under the Victorian Government's Big Housing Build program was unsuccessful, thus the sale of 45 Parkside Drive, Shepparton never took place.

As part of the resolution at the Ordinary Council Meeting held on 21 June 2022, Council is to undertake a feasibility study for the development of the remaining stages of the Parkside Gardens Estate. Council officers have engaged a consultant to undertake this study and are currently considering options on how to best develop the remaining stages of the estate for residential purposes. However, the draft development plan for the area is attached.

Council officers are supportive of the latest proposals from the Department of Health and GV Health to develop part of the land for family-health infrastructure and staff accommodation as it will facilitate improved health and social wellbeing for residents in Greater Shepparton and help attract and retain health service professionals in the region. and is compatible with Parkside Garden's vision as a residential area.

Before this can be further considered and determined, section 114 of the *Local Government Act 2020* requires Council, before selling or exchanging land, to publish notice of its intention to sell the land, undertake a community engagement process in accordance with its community engagement policy and obtain a recent valuation.

This report recommends that Council begin this process and further consider this item after the completion of the consultation process.

## Report Detail

The Parkside Gardens Estate in northern Shepparton was established as a joint venture between Greater Shepparton City Council and Vic Urban (now Places Victoria) with the aim of redeveloping the site of the former International Village. The original development plan can be seen in figure one, which envisaged a multi-lot residential subdivision on the site.

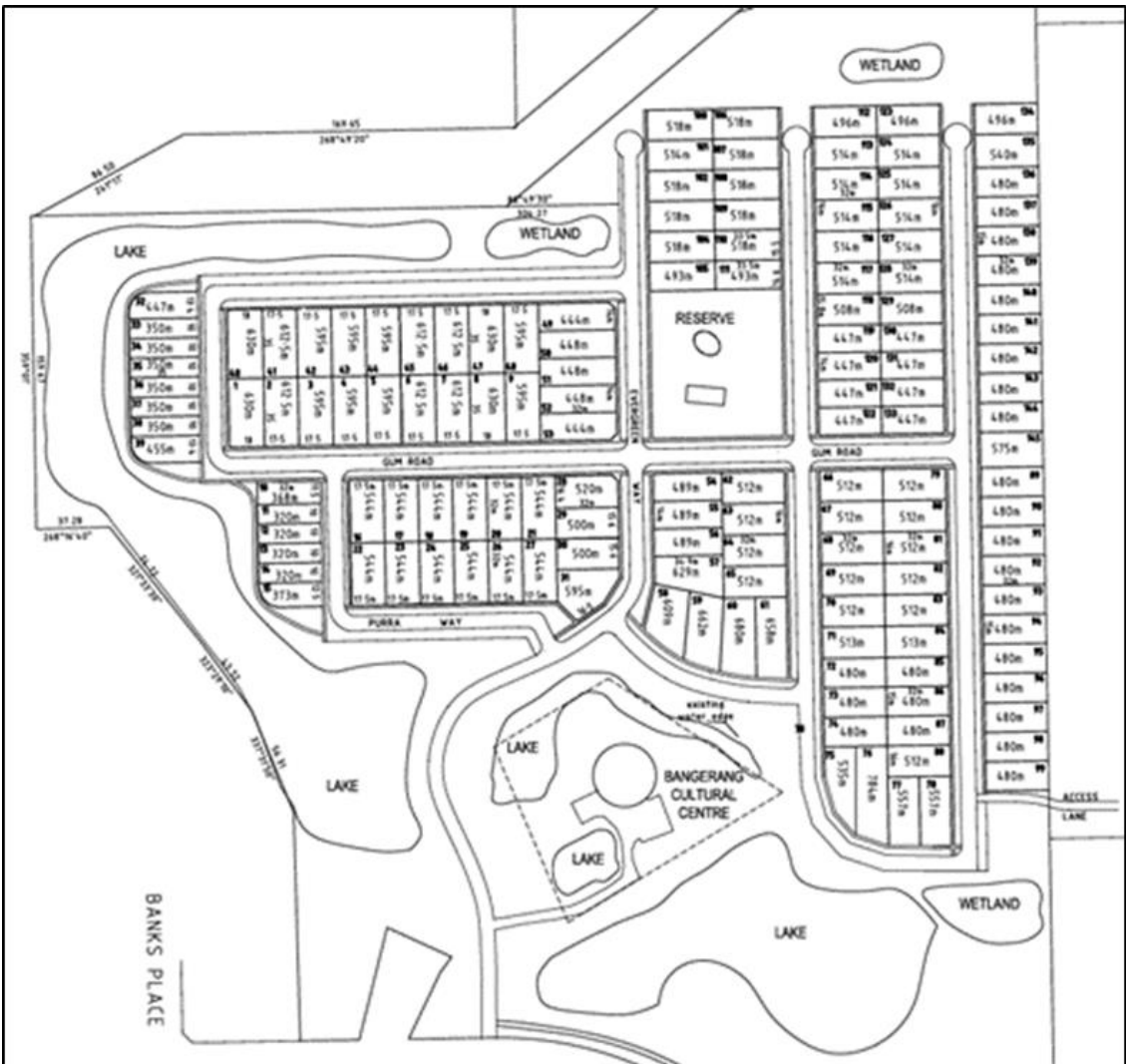


Figure one: The development plan for the Parkside Gardens Estate.

Only the western portion of the site was subdivided and developed for residential purposes. The remainder of the site (now known as 45 Parkside Drive) was never developed and is currently vacant. It is located within the General Residential Zone and is still suitable for residential development.

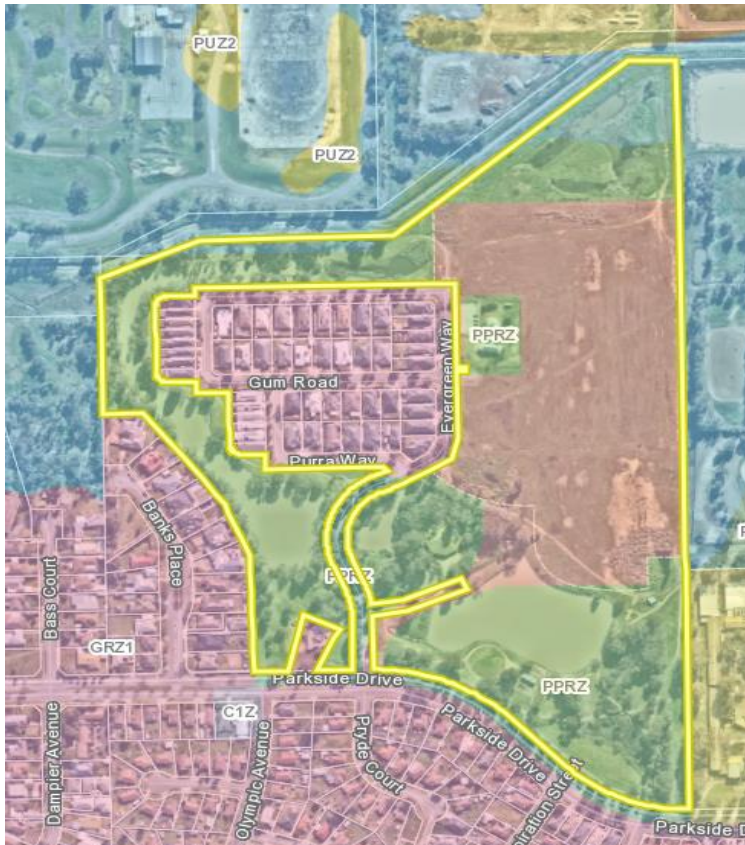


Figure two: Vacant land at 45 Parkside Drive, Shepparton. The General Residential Zone is highlighted in pink.

On 21 December 2021, Council received a request from Women’s Housing Ltd to buy part of the land at 45 Parkside Drive, Shepparton to facilitate an Affordable Housing development. This proposal would have realised 45 dwellings that would cater for those in need of Affordable Housing. At the Ordinary Council Meeting held on 15 February 2022, Council resolved, amongst other things, to provide in-principle support for the preparation of any funding applications by Women’s Housing Ltd to realise approximately 45 dwellings for Affordable Housing purposes on part of the land at 45 Parkside Drive, Shepparton.

As part of the requirements of section 114 of the *Local Government Act 2020* and the *Greater Shepparton City Council Engagement Policy 2021*, Council undertook consultation with the community between 14 February to 28 March 2022 for the sale of part of the land to Women’s Housing Ltd to realise affordable housing. Council received 61 submissions and seven verbal presentations to this consultation process.

At the Ordinary Council Meeting held on 21 June 2022, following the completion of the community consultation process, Council agreed to sell part of the land at 45 Parkside Drive, Shepparton to Women’s Housing Ltd to facilitate affordable housing, and to undertake a feasibility assessment for the development of the remaining stages of the Parkside Gardens Estate.

On 1 September 2022 Women’s Housing Ltd formally notified Council that their application for funding for the regional round of the Victorian Government’s Big Housing Build Program was not successful. As a result, the sale of land to Women’s Housing Ltd to facilitate affordable housing did not eventuate.

As per the resolution carried by Council at the Ordinary Council Meeting held in June 2022, Council officers have continued to progress the feasibility study for the yet-to-be-developed land at 45 Parkside Drive, Shepparton on the presumption that the land will be developed as a residential subdivision.

Council officers have engaged a consultant to undertake this study and are currently considering options on how to best develop the remaining stages of the estate, including lot size and layout, review of the road network and improving the interface between the developable area and the sporting precinct and Verney Rd School site (former Wanganui Park Secondary College site).

A report to further consider pathways forward will be presented to Council in due course. However, the latest draft concept plan is attached.

On 27 September 2023 Council received an expression of interest from the Department of Health to purchase part of 45 Parkside Drive, Shepparton for the purposes of family health infrastructure on the site.

In summary, the sale will enable the Department of Health to deliver on Victorian Government's commitment to deliver health infrastructure in Shepparton for a new Early Parenting Centre, which will ensure parents are supported when it comes to sleeping, feeding and extra care for babies with additional needs.

If the site is suitable, the proposed facility would be developed to suit the local environment and the surrounding development, providing health and wellbeing services for children and families. The facility would provide consistent, high-quality service tailored to local needs, and offer a range of other education, programs, and parenting advice.

Early Parenting Centres typically operate Monday- Fridays and are staffed by multi-disciplinary nurse led care team.

The purchase will involve a 5,985m<sup>2</sup> allotment, outlined in red in Figure three, north of the existing Bangerang Cultural Centre.

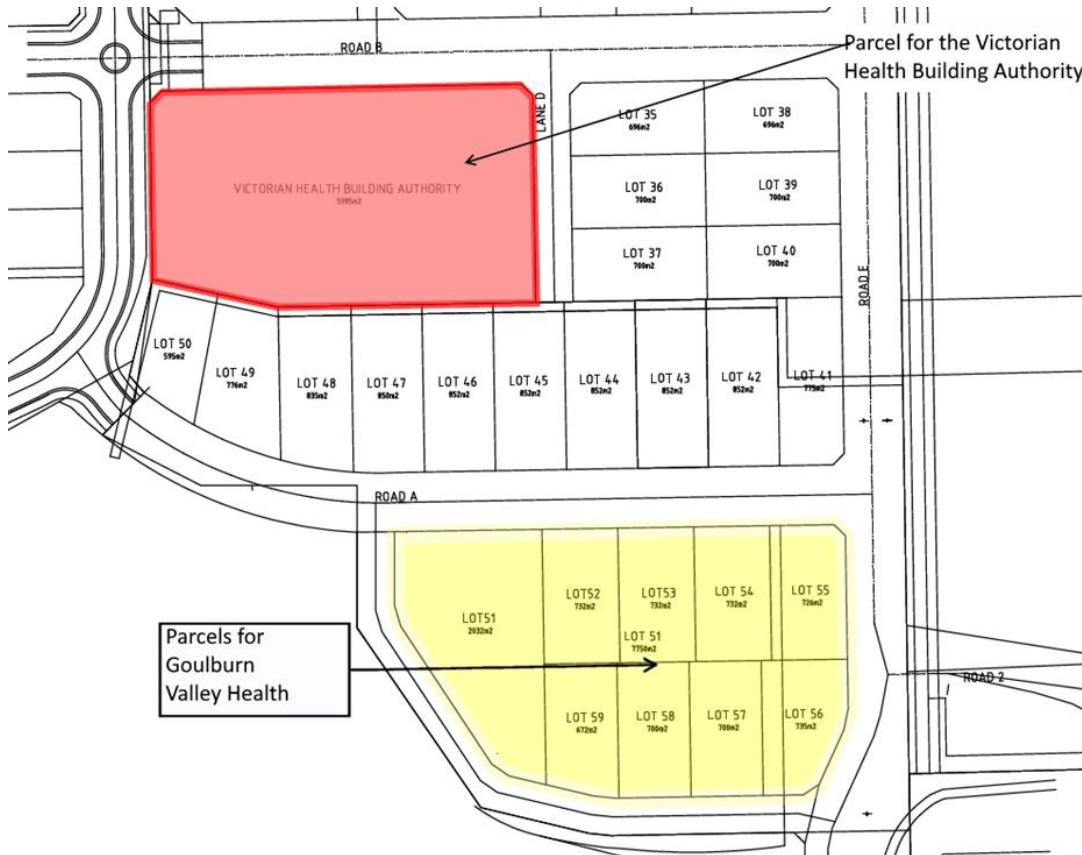
On 2 November 2023 Council received an expression of interest from GV Health to purchase part of 45 Parkside Drive, Shepparton for the purposes of providing staff accommodation on the site.

GV Health currently leases over sixty residential properties and thirty hotel rooms within the Shepparton area at any given time. This demand for residential accommodation is increasing and stands as the most limiting factor for GV Health to attract and retain professional talent to the region.

GV Health is planning to consolidate and procure bulk accommodation in Shepparton, to provide contemporary apartment living that will be attractive for clinical personnel. Only GV Health staff will be accommodated in these proposed dwellings.



The purchase will involve nine lot allotments totalling 7,761m<sup>2</sup> which is also outlined in yellow in Figure three.



**Figure three:** Allotments subject of interest from the Department of Health in red, and GV Health in yellow.

Both purchases of the land from the Department of Health and GV Health are subject to their evaluation of the site, and the undertaking of due diligence, investigations, and other government approvals.

Council officers are supportive of the site being developed for family-health infrastructure as it will facilitate improved health and social wellbeing for residents in Greater Shepparton. Utilising the site for staff accommodation will assist in attracting and retaining much needed health services professionals in the region.

The site being used for family-health purposes and staff accommodation is compatible with the feasibility study for the remaining stages for the Parkside Gardens estate being undertaken by Council and will complement the current and future residential uses within the estate. Given this, the 5985m<sup>2</sup> requested by the Department of Health and the 7,761m<sup>2</sup> requested by GV Health is being annexed from the feasibility study given State Government’s timeframes for this project, with Council officers continuing the feasibility study as per the Council resolution.

Before this proposal can be fully considered, section 114 of the *Local Government Act 2020* requires Council, before selling or exchanging land, to publish notice of its intention to sell the land, undertake a community engagement process in accordance with its community engagement policy and obtain a recent valuation.

It is recommended that Council begin this process and further consider this item following the completion of the consultation process.

## Council Plan / Key Strategic Activity

### **SOCIAL RESPONSIBILITY and WELLBEING**

We will support the mental and physical health and wellbeing of all in our community, ensuring universal access to information, services, housing, healthcare and learning opportunities.

2.8 Support for families and children at all stages of their learning and development.

### **VIBRANT and DIVERSE ECONOMY**

We will drive the visitor economy by growing visitor experiences and major events that provide employment and other opportunities to the community. Our economic development will focus on establishing a strong, adaptive, sustainable, and thriving region supported by agriculture and a diverse range of industries.

3.6 Attract people to live, work, study and remain in our region.

3.10 Efficient land use planning to encourage and support future development.

## Risk Management

This recommendation will not result in any unacceptable risk to Council.

## Policy Considerations

There are no conflicts with Council policies. The facilitation of family-health related infrastructure is consistent with the objectives of the 2021-2025 Council Plan, and the Best Start Early Years Plan 2020 – 2025. The use of the site for staff accommodation is consistent with the Greater Shepparton Affordable Housing Strategy April 2020.

## Financial Implications

In January 2022 section of the land that would have been purchased for Women's Housing Limited was valued by Opteon (Goulburn Northeast Vic) Pty Ltd at \$1,350,000. Parts of the site that the Department of Health and GV Health are interested in was included in this original valuation.

The land area for the Department of Health is 5,985m<sup>2</sup> and the land area for the Women's Housing Proposal was approximately 1.9 ha. Applying a pro rata square metre rate would result in an approximate valuation of \$425,000. The land area for GV Health is 7761m<sup>2</sup>, applying a pro rata square metre rate would result in an approximate valuation of \$550,000. These are approximate valuations.

The *Local Government Act 2020* requires Council to obtain an up-to-date valuation of the site prior to the selling of land.

Any costs to facilitate the proposal to sell the land will be budgeted for within the Building, Planning and Compliance Department's Strategic Planning Work Program.

## Legal / Statutory Implications

There are no conflicts with any Council policies arising from the recommendation.

The *Local Government Act 2020* requires Council, before selling or exchanging land, to publish notice of its intention to sell the land, undertake a community engagement process in accordance with its community engagement policy and obtain a recent valuation.

This community engagement process is provided for in section 114(2) of the *Local Government Act 2020*.

This report recommends that Council begin this process and further consider this item after the completion of the consultation process. It is intended that Council will further consider this item following the consultation process.

The following flow chart sets out the process (with Contract of Sale step occurring only if the Council resolves in future to proceed with the sale).



### Environmental / Sustainability Impacts

This recommendation to commence the statutory process will not result in any environmental/sustainability impacts.

### Social Implications

There are no direct social implications arising from the recommendation of the report however the facilitation of family-health related infrastructure by the Department of Health will provide targeted services for families that will improve health and wellbeing.

The facilitation of staff accommodation by GV Health will result in improved health services at the Goulburn Valley Hospital and other GV Health facilities through increased recruitment and retention of health services professionals.

### Gender Impact Assessment

Officers reviewed the Gender Impact Assessment (GIA) which was undertaken during the development of this procedure / policy to ensure it remains compliant with Council's obligations outlined in the Gender Equality Act 2020.

A Gender Impact Assessment was not conducted.  
This policy / program / service does not have a direct significant impact on the public.

### Economic Impacts

The facilitation of family health infrastructure and staff accommodation will result in positive economic impacts in the municipality through improved community health and wellbeing and increased provision of health services.

## Consultation

The *Local Government Act 2020* requires Council, before selling or exchanging land, to publish notice of its intention to sell the land, undertake a community engagement process in accordance with its community engagement policy and obtain a recent valuation.

This community engagement process is provided for in Section 114(2) of the *Local Government Act 2020* and requires that:

*Before selling or exchanging the land, the Council must:*

- (a) at least 4 weeks prior to selling or exchanging the land, publish notice of intention to do so*
  - (i) on the Council's Internet site; and*
  - (ii) in any other manner prescribed by the regulations for the purposes of this subsection; and*
- (b) undertake a community engagement process in accordance with its community engagement policy; and*
- (c) obtain from a person who holds the qualifications or experience specified under section 13DA (2) of the **Valuation of Land Act 1960** a valuation of the land which is made not more than 6 months prior to the sale or exchange.*

Council officers will apply the *Greater Shepparton City Council Community Engagement Policy 2021* in ensuring that residents, business owners and visitors will be given detailed information about the proposal and facilitate a range of opportunities to make a submission.

This report recommends that Council begin this process and further consider this item after the completion of the consultation process.

## Strategic Links

- *Greater Shepparton Best Start Early Years Plan 2020 – 2025.*
- *Greater Shepparton Affordable Housing Strategy April 2020.*

## Conclusion

On 27 September 2023, Council received a request from the Department of Health to purchase part of the land at 45 Parkside Drive, Shepparton, to facilitate the use of the site for family-health infrastructure. On 2 November 2023 Council received an expression of interest from Goulburn Valley Health (GV Health) to purchase part of the land at 45 Parkside Drive, Shepparton, for the purposes of staff accommodation. The land is currently zoned General Residential Zone and identified as part of the Parkside Gardens estate but is undeveloped.

Council officers are supportive of part of the site being used for family-health infrastructure and staff accommodation as it will facilitate improved health and social wellbeing for residents in Greater Shepparton and is compatible with Parkside Garden's future vision as a residential area.

This report recommends that Council begin the community engagement process to sell the land and further consider this item after the completion of the consultation process later in 2023.

## Attachments

1. Parkside Gardens LMP [12.4.1 - 1 page]

## 12.5 7 Dwellings - 57 Mason Street, Shepparton

Author	Team Leader Statutory Planning
Approved by	Director Sustainable Development
Purpose	For Decision at a Council Meeting

### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

### RECOMMENDATION

**That the Council in relation to Planning Permit Application 2023-116, on the basis on the information before the Council and having considered all relevant matters as required by the Planning and Environment Act 1987, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of seven single storey dwellings and the reduction of one visitor car park at 57 Mason Street, Shepparton, subject to the following conditions:**

#### Amended Plans Required

**Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be provided. Such plans must be generally in accordance with the plan submitted with the section 57A application but modified to show:**

- Adequate turning circles for all dwellings, with an internal radius of 4m**
- The location of external storage of 6 cubic metres per dwelling**
- The location of mailboxes and bin store area for each dwelling**
- The driveway to be setback 1.5m from habitable room windows**
- New side and rear boundary fencing to a height of 1.95m**

#### Layout Not Altered

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

*Continued..*

**Buildings and works on endorsed plans to be completed prior to occupation**

Before the dwellings are occupied, all buildings and works, including landscaping shown on the endorsed plans forming part of this permit, including landscaping, must be completed to the satisfaction of the responsible authority unless otherwise agreed in writing by the responsible authority.

**Drainage Discharge Plan**

Before the development begins, a drainage plan with computations prepared by a suitably qualified person or organisation, to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and submitted in an electronic format. The plans must be in accordance with Council’s Infrastructure Design Manual and include:

- a. how the land will be drained;
- b. underground pipe drains conveying stormwater to the legal point of discharge;
- c. measures to enhance stormwater discharge quality from the site and protect downstream waterways;
- d. maximum discharge rate shall not be more than (37) lit/sec/ha with (12) litres (Tank/Basin) or (14) litres (Pipe) of storage for every square metre of Lot area, in accordance with Infrastructure Design Manual Clause 19 Table 13 (or as agreed in writing by the responsible authority).;
- e. incorporation of water sensitive urban design in accordance with Clause 20 of the Infrastructure Design Manual or as otherwise approved in writing by the Responsible Authority; and
- f. provision of an electronic copy of the MUSIC model (or equivalent) demonstrating the achievement of the required reduction of pollutant removal to the satisfaction of the Responsible Authority.

Before the occupation of the new dwellings all drainage works required by the endorsed drainage plan must completed to the satisfaction of the responsible authority.

**Urban Vehicle Crossing Requirements**

Before the dwellings are occupied vehicle crossings shall be constructed in accordance with the endorsed plans and constructed to Councils IDM standard drawing SD235, and must:

- a. be constructed at right angles to the road, and any redundant crossing shall be removed and replaced with concrete (kerb and channel);
- b. be setback a minimum of 1.5 metres from any side-entry pit, power or telecommunications pole, manhole cover or marker, or 3 metres from any street tree unless otherwise agreed in writing by the responsible authority.

A Works within Road Reserves permit must be obtained from the responsible authority prior to carrying out of any vehicle crossing works

***Continued..***

**Underground Connection**

Before the dwellings are occupied, the electricity connection to the development must be undergrounded.

**Goulburn Valley Region Water Corporation Requirements**

- a. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;
- b. Provision of one water tapping per lot with 7-way manifold meter assembly to service each dwelling at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;
- c. Provision of separate water supply meters to each tenement within the development, located at the property boundary and to the satisfaction of Goulburn Valley Region Water Corporation;
- d. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
- e. Provision of combined sewer drains with an inspection opening to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;

In the case of multi-tenement development, the works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage,' and include disconnection of any existing house connection drain to the satisfaction of the Corporation's Property Services Section;

- f. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.

All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage,' and to the satisfaction of the Corporation's Property Services Section;

**Goulburn Broken Catchment Management Authority Requirements**

The finished floor levels of the seven dwellings must be constructed at least 300 millimetres above the highest existing ground level underneath the building footprint. In terms of the building footprint, it excludes all associated non-habitable areas such as the garage, carport, patio, verandah areas and the like.

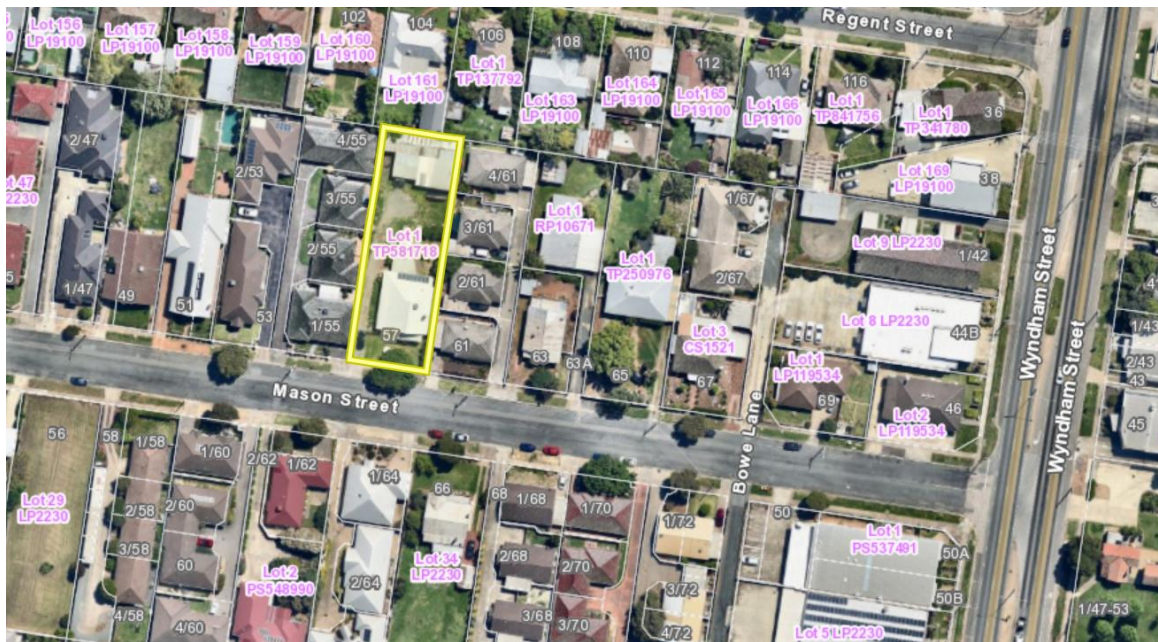
**Time for Starting and Completion**

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

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

## Executive Summary

The application is for the development of seven dwellings on the lot at 57 Mason Street, Shepparton (the land).



A planning permit is required to construct two or more dwellings on a lot in the Residential Growth Zone (RGZ). No Overlays apply to the site.

Clause 52.06 (Parking) requires 1 space to dwelling and 1 visitor car parking space for every 5 dwellings. The proposal includes a car parking space per dwelling however seeks a reduction in a visitor car parking space.

The application was advertised, and 11 objections were received. The main grounds of objection relate to the proposal being an overdevelopment of the site that is not in keeping with the character of the area, as well as traffic concerns relating to the proposal and reduction in car parking.

Officers believe the concerns raised in the objections, while legitimate, can be effectively managed by conditions of a planning permit and do not warrant refusal of the application.

There is strong policy support in the Greater Shepparton Planning Scheme for a variety of housing types that meets diverse community needs, particular in locations with good access to services and transport and officers recommend that the application should be approved.



## Property and Application Details

Responsible Officer:	Andrew Dainton
Application Number:	2023-116
Applicant Name:	K Anastasou
Owner Name:	ARKAS NOMINEES PTY LTD and RIVERSDALE PROPERTY GROUP PTY LTD
Cost of works:	\$1.2M
Land/Address:	57 Mason Street, Shepparton
Date Received:	3 May 2023 and amended under 57A on 2 October 2023
Zoning?	Residential Growth Zone (RGZ)
Overlay(s)	Nil
What is proposed?	7 single storey dwellings
Why is a permit required?	Buildings and works in the RGZ under 32.07-5 Waiver of visitor parking space under 52.06-3
Are all plans provided?	Yes
Any application history?	2020-51 allows a four-dwelling development of the land
Date referred/notified:	30 May 2023
Further Information?	No
Lapse date?	NA
Notice/Referral?	Yes, to neighbours, GVW and GBCMA
Number of Objections?	11
Authority responses	Consent from GVW and GBCMA subject to standard conditions
Title details – any:	
o Restrictive Covenant?	No
o Section 173 agreement?	No
o Caveat?	No
o Easement?	No
o Building Envelope?	No
o Access restrictions?	No
Is a CHMP required?	No
Garden area provisions?	NA
Is the site contaminated?	No
Is the site in a BMO or BPA?	No
Is Cl. 13.01-2 Bushfire applicable:	NA
Conflicts of interest in relation to advice provided in this report	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.
Recommendation:	Approval

## Proposal in Detail

The land at 57 Mason Street, Shepparton has a total area of 1214 square metres and currently contains an existing single storey dwelling, with a large shed to the rear of the property.

The site is located on the northern side of Mason Street, with access from via a crossover and driveway on the southern west corner of the property.

The properties abutting the dwelling to the east and west comprise of similar sized lots, each containing four dwellings on the lot, with land to the north comprising a smaller lot, containing a single dwelling.

The surrounding area along Mason Street comprises of similar sized lots, many containing multi-unit developments, around 3 -4 dwellings per lot, with older, single detached housing located throughout.

The application proposes buildings and works for a seven-dwelling development. The site is in the Residential Growth Zone. No Overlays apply to the site.

The application proposes seven single storey dwellings constructed of brick and timber look cladding, with pitched corrugated roofs. The proposal includes 5 one-bedroom dwellings and 2 two-bedroom dwellings.

Each dwelling will have a car port with a single car space with access via a new crossover and common driveway along the western boundary of the site.

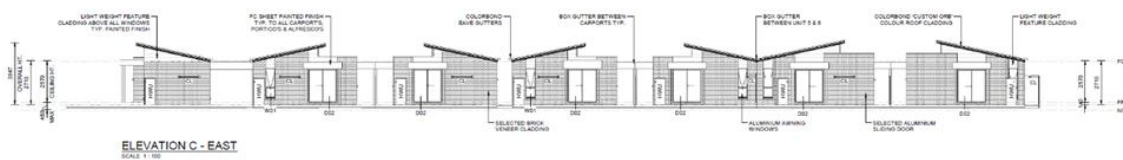
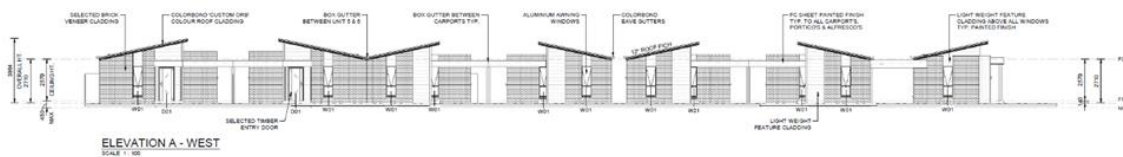
A planning permit is required for two or more dwellings on a lot in the Residential Growth Zone pursuant to Clause 32.07-5. A Clause 55 assessment has been undertaken as part of the report.

The application includes a reduction in car parking requirements for one visitor car park pursuant to Clause 52.06-3. The application provides a single car park for each of the seven dwellings in accordance with the car parking requirements.

However, the application does not include a visitor car park as required for a development of 5 or more dwellings. Therefore, the application proposes to reduce the number of car parks by one space.

The subject site is in an established residential area in Shepparton shown as an area of substantial change in the Greater Shepparton Housing Strategy 2011, near schools, shops, and services.

Plans of the proposed unit development are below:



### Summary of Key Issues

- Permission is sought to develop the land for seven single storey dwellings
- The land is within the RGZ and Substantial Change Area, both of which provide policy direction for medium density housing
- The application was advertised to neighbours and 11 objections were lodged
- Relevant authorities being GVW and GBCMA consent to the application
- Officer's assessment is that the application achieves compliance with Rescode
- Design revisions are required to improve on site vehicle movements
- Officers recommend that approval of the development be granted

## Assessment under the Planning and Environment Act

### Zoning

The application is located in the Residential Growth Zone. The purpose of the Zone is to:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide housing at increased densities in buildings up to and including four storey buildings.
- To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.
- To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.
- To ensure residential development achieves design objectives specified in a schedule to this zone.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Pursuant to Clause 32.07-5 a planning permit is required for the construction and extension of two or more dwellings on a lot. The application is for seven dwellings; therefore, a planning permit is required.

A development must meet the requirements of Clause 55.

### 32.07-13 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

#### General

- The Municipal Planning Strategy and Planning Policy Framework.
- The purpose of this zone/
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed-Use Zone or Residential Growth Zone.

#### Dwellings and residential buildings

- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.

### The Planning Policy Framework (PPF)

#### Clause 15.01-1S Urban design

##### Objective

To create urban environments that are safe, healthy, functional, and enjoyable and that contribute to a sense of place and cultural identity.

##### Strategies

- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape, and climate.
- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility, and providing for inclusiveness.
- Ensure the interface between the private and public realm protects and enhances personal safety.
- Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.

- Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts, and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.
- Ensure that development provides landscaping that supports the amenity, attractiveness, and safety of the public realm.
- Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- Promote good urban design along and abutting transport corridors.

### **Clause 15.01-5S Neighbourhood Character**

#### **Objective**

To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

#### **Strategies**

- Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.
- Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:
  - Pattern of local urban structure and subdivision.
  - Underlying natural landscape character and significant vegetation.
  - Neighbourhood character values and built form that reflect community identity.

### **Clause 16.01-1S Housing Supply**

#### **Objective**

To facilitate well-located, integrated, and diverse housing that meets community needs.

#### **Strategies**

- Ensure that an appropriate quantity, quality, and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.
- Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.
- Encourage higher density housing development on sites that are well located in relation to jobs, services, and public transport.
- Identify opportunities for increased residential densities to help consolidate urban areas.
- Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.
- Encourage the development of well-designed housing that:
  - Provides a high level of internal and external amenity.
  - Incorporates universal design and adaptable internal dwelling design.
- Support opportunities for a range of income groups to choose housing in well-serviced locations.
- Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

## **Clause 16.01-2S Housing affordability**

### **Objective**

To deliver more affordable housing closer to jobs, transport, and services.

### **Strategies**

Improve housing affordability by:

- Ensuring land supply continues to be sufficient to meet demand.
- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
- Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
- Encourage a significant proportion of new development to be affordable for households and very low to moderate incomes.

Increase the supply of well-located affordable housing by:

- Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.
- Facilitate the delivery of social housing by identifying surplus government land suitable for housing.

## **Local Planning Policy Framework**

### **Clause 15.01-1L-01 Urban design**

#### **Strategies**

- Avoid building frontages with long expanses of solid walls by incorporating design elements and a variety of materials that create articulation and visual interest.
- Encourage landscaping in new developments to mitigate the impact of buildings on the surrounds and provide additional vegetation in the canopy.
- Orient buildings in the vicinity of the river towards the riverside environment.
- Encourage retention of existing vegetation where practical.
- Encourage the use of indigenous and low maintenance plant species.

### **Clause 16.01-1L Residential development**

#### **Strategies**

- Support retention and renovation of existing dwellings that front the street in the General Residential Zone.
- Encourage additional dwellings to the rear of existing dwellings in the General Residential Zone.

## **Municipal Planning Strategy**

### **Clause 02.03-1 Settlement**

Identifies that Shepparton will need growth to accommodate a population that is forecast to grow 59,202 in 2006 to 71,509 by 2026. At the same time, changing demographic trends such as an increase of persons aged 65 and over, smaller household sizes and an increase in non-Australian born persons will create demand for a broad range of housing types within the municipality.

It is expected that the urban areas of Shepparton, Mooroopna and Kialla will accommodate the majority of new residential development.

In facilitating the future growth and development of its towns, Council is committed to achieving urban consolidation, thereby promoting walking, the use of bicycles and reducing the dependence on car use.

In proximity to the Shepparton CBD and other key activity centres, people will be encouraged to live at higher densities in environments that offer individual, lifestyle and community benefits.

### **Relevant Particular Provisions**

#### **52.06 Car parking**

Clause 52.06 applies to a new use. Before a new use commences the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

Pursuant to Clause 52.06-5, one car parking space is required for every 1-2 bedroom dwelling on the lot and a visitor space is required for developments of over five dwellings.

**Clause 55 Assessment – Seven dwellings on a lot**

Clause 55 (ResCode – Two or More Dwellings on a Lot) applies to the development. An assessment of the proposal against the relevant objectives and standards of Clause 55 is provided as follows:

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.02-1 Neighbourhood Character Objectives</b>            To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character;            To ensure the development responds to the features of the site and surrounding area.</p>	<p><b>Standard B1 (Cannot be varied)</b>            The design response must be appropriate to the neighbourhood and the site.            The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p><b>Complies</b>            The subject site is a rectangular lot in a typical residential block layout. The surrounding land comprises of similar lots oriented towards the street, many containing multi-unit developments.            The surrounding development pattern is primarily older, single unattached dwellings on a lot fronted to the street, or multi-unit developments on lots of a comparable size. Most multi-unit development contains 3 – 4 dwellings on a similar sized lot, with a similar layout of all dwellings oriented to one side of the lot and a single access along the other. Landscaping throughout the area is modest, with varying front setbacks and fencing. It is considered, low, transparent fencing with some lawn and modest plants within the front garden is the prevailing character of the street.            Secluded private open space is typically provided to the rear of the dwellings. Much of the existing unit development is already some years old and reflects a similar design outcome, with brick walls and tiled rooves prevalent.            The proposed development introduces an increased scale and pattern of development into the neighbourhood, proposing seven dwellings on the lot. Council supports housing diversity and higher density development within infill areas, where the development respects the character of the neighbourhood and complies with relevant provisions. The proposal will allow for infill development of site in an identified area for growth which will have benefit for the community.            The predominant streetscape is modestly vegetated gardens with low front fences and dwellings oriented towards the street. There are multiple examples of multi-unit development along Mason Street, most of a similar layout to what is proposed.            The dwellings will be constructed from Brick and timber paling with pitched Colourbond roofing. Dwelling 1 will have habitable rooms facing the street.            The proposed development provides housing diversity in an established area of Shepparton, within proximity to the CBD.</p>



Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.02-2 Residential Policy Objectives</b>            To ensure that residential development is provided in accordance with any policy for housing in the MPS and PPF.            To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</p>	<p><b>Standard B2 (Cannot be varied)</b>            An application must be accompanied by a written statement that describes how the development is consistent with any relevant policy for housing in the MPS and PPF</p>	<p><b>Complies</b>            The application proposes to provide additional housing variety within the municipality.            The proposal is in an area identified for <b>substantial change</b> in the <i>Greater Shepparton Housing Strategy 2011</i>, with any new development to include a variety of housing types, styles and configurations in areas that are close to activity centres, public transport, employment opportunities and open space. Substantial Change Areas will support increased residential densities to maximise the amount of people who can take advantage of these desirable locations. It is expected that the character of these areas will change significantly in the future.            The development of seven, single storey dwellings is a simple, higher density development that has responded to the changing character of the area and will provide housing choice near services and community facilities.</p>
<p><b>Clause 55.02-3 Dwelling Diversity Objective</b>            To encourage a range of dwelling sizes and types in development of ten or more dwellings</p>	<p><b>Standard B3 (Can be varied)</b>            Developments of 10 or more dwellings should provide a range of dwelling sizes and types including:</p> <ul style="list-style-type: none"> <li>• dwellings with a different number of bedrooms; and</li> <li>• at least one dwelling with a kitchen, bath or shower, and toilet and wash basin at ground floor level.</li> </ul>	<p><b>N/A</b>            Not applicable as the development is for less than 10 dwellings.</p>
<p><b>Clause 55.02-4 Infrastructure Objectives</b>            To ensure development is provided with appropriate utility services and infrastructure;            To ensure development does not unreasonably overload the capacity of utility services and infrastructure</p>	<p><b>Standard B4 (Can be varied)</b>            Development should be connected to reticulated services including reticulated sewerage, drainage, electricity, and gas if available.            Developments should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.            In areas where utility services or infrastructure have little or no space capacity, developments should provide for the upgrading or mitigation of the impact on services or infrastructure.</p>	<p><b>Complies</b>            The proposal is not expected to overload the capacity of utility services and infrastructure. All services can be provided subject to the requirements and standards of the relevant servicing providers. No objections from the servicing authorities have been received.            The proposal includes a single crossover and driveway to the site in a similar location to what exists at present.            It is not anticipated the additional dwellings will significantly impact the existing road network.</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.02-5 Integration with the Street Objective</b> To integrate the layout of development with the street.</p>	<p><b>Standard B5 (Can be varied)</b> Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. Dwellings should be orientated to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable. Development next to existing public open space should be laid out to complement the open space.</p>	<p><b>Complies</b> The proposed driveway connects all dwellings to the street via the proposed crossover and driveway along the western boundary. Dwelling 1 is orientated to the front street, with no front fence and open garden area in the front setback. Modest landscaping has been shown via a landscaping plan that will be required to be implemented via a condition on any planning permit issued.</p>
<p><b>Clause 55.03-1 Street Setback Objective</b> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p><b>Standard B6 (Can be varied)</b> Walls of buildings should be setback from streets the distance specified in Table B1</p>	<p><b>Varied (meets objective)</b> The proposal includes a 4m setback from Mason Street. ResCode requires that the development be setback the average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres (whichever is the lesser). The dwelling to the west has a minimum setback of around 4m, while the dwelling to the east is setback approx. 5m, which makes the average 4.5m. The front dwelling is proposed to be setback 4m from the frontage. This setback, while marginally smaller than the standard, allows for an open front lawn area and landscaping, typical to the existing character of the street.</p>
<p><b>Clause 55.03-2 Building Height Objective</b> To ensure that the height of buildings respects the existing or preferred neighbourhood character.</p>	<p><b>Standard B7 (Can be varied)</b> The max building height should not exceed 9m, unless the slope of the natural ground level at any cross section wider than 8m of the site of the building is 2.5 degrees or more, in which case the max building height should not exceed 10m. Change of building height between existing buildings and new buildings should be graduated.</p>	<p><b>Complies</b> Buildings will not exceed 9 metres, satisfying Standard B7.</p>
<p><b>Clause 55.03-3 Site Coverage Objective</b> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site</p>	<p><b>Standard B8 (Can be varied)</b> The site area covered by buildings should not exceed 60%.</p>	<p><b>Complies</b> The overall site area is 1214sqm. The site area covered by buildings is 553sqm The site area covered by buildings is 45% of the site area in compliance with the Standard.</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.03-4 Permeability Objectives</b> To reduce the impact of increased stormwater run-off on the drainage system; To facilitate on-site stormwater infiltration.</p>	<p><b>Standard B9 (Can be varied)</b> At least 20% of the site should not be covered by impervious surfaces.</p>	<p><b>Complies</b> The area of the site covered by pervious surface is 425sqm. The total permeability of the site is 35% of the site, meeting the minimum requirement of 20% under Standard B9.</p>
<p><b>Clause 55.03-5 Energy Efficiency Objectives</b> To achieve and protect energy efficient dwellings and residential buildings; To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy</p>	<p><b>Standard B10 (Can be varied)</b> Buildings should be:</p> <ul style="list-style-type: none"> <li>• Orientated to make appropriate use of solar energy.</li> <li>• Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> <li>• Living areas and private open space should be located on the north side of the dwelling, if practicable.</li> </ul> <p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p><b>Varied</b> Most dwellings in the proposed development respond sufficiently to the orientation of the site. All dwellings have SPOS to the east/northeast of the site, with all except Dwelling 5 also having a small area of open space to the north of the dwelling. All SPOS is accessible via the kitchen/living areas. Any overshadowing is mostly contained on site and will not impact dwellings on adjoining lots. The development does not reduce the performance of rooftop solar energy facilities on adjoining lots.</p>
<p><b>Clause 55.03-6 Open Space Objective</b> To integrate the layout of the development with any public or communal open space provided in or adjacent to the development</p>	<p><b>Standard B11 (Can be varied)</b> Any public or communal open space should:</p> <ul style="list-style-type: none"> <li>• be substantially fronted by dwellings, where appropriate; <ul style="list-style-type: none"> <li>• provide outlook for as many dwellings as practicable</li> </ul> </li> <li>• be designed to protect any natural features on the site; and</li> <li>• be accessible and useable.</li> </ul>	<p><b>N/A</b> There is to be no communal open space as part of this development.</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.03-7 Safety Objective</b> To ensure the layout of development provides for the safety and security of residents and property</p>	<p><b>Standard B12 (Can be varied)</b> Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility, and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>	<p><b>Complies</b> The entrance to Dwelling 1 is visible and accessible from Mason Street. The remaining dwellings have their main entrances open and visible to the internal accessway. Each entry porch will be externally lit which will also adequately light the accessway. No private spaces will be useable as public thoroughfares.</p>
<p><b>Clause 55.03-8 Landscaping Objectives</b> To encourage development that respects the landscape character of the neighbourhood; To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance; To provide appropriate landscaping; To encourage the retention of mature vegetation on the site</p>	<p><b>Standard B13 (Can be varied)</b> Landscape layout and design.</p>	<p><b>Complies</b> A landscaping plan has been submitted in support of the proposal, and adequate space has been provided within the development, particularly in the property frontage, to provide appropriate landscaping within the front setback and throughout the site. This will be implemented via a condition on any planning permit issued.</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.03-9 Access Objectives</b>            To ensure vehicle access to and from a development is safe, manageable, and convenient;            To ensure the number and design of vehicle crossovers respects the neighbourhood character</p>	<p><b>Standard B14 (Can be varied)</b>            Accessways should:            1. Be designed to allow convenient, safe, and efficient vehicle movements and connections within the development and to the street network.            2. Be designed to ensure vehicles can exit a development in a forward's direction if the accessway serves 5 or more car spaces, 3 or more dwellings, or connects to a road in a Road Zone.            3. Be at least 3m wide.            4. Have an internal radius of at least 4m at changes of direction.            5. Provide a passing area at the entrance that is at least 5m wide and 7m long if the accessway serves 10 or more spaces and connects to a road in a road zone.            6. The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> <li>• 33% of the street frontage if the width of the street frontage is more than 20m; or</li> <li>• 40% of the street frontage if the width of the street frontage is less than 20m.</li> </ul>	<p><b>Complies (Varied)</b>            The access for the property is 3m wide.            The application did not include plans demonstrating a 4m radius for internal movement however plans included dimensions of the proposed driveway and access.            The proposal has been reviewed by Council's Engineering Department who have indicated that the current turning circles for Units 6 &amp; 7 clash with the verandah/ carport posts. It is considered a condition can be placed on any planning permit issue to rectify this issue and allow for appropriate turning circles for the development.            Total driveway access along Mason Street remains 3m.</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.03-10 Parking Location Objectives</b>            To provide for convenient parking for residents and visitor vehicles;            To avoid parking and traffic difficulties in the development and the neighbourhood;            To protect residents from vehicular noise within developments</p>	<p>Summary of Standard B15 (Can be varied)            Car parking facilities should:            Be reasonably close and convenient to dwellings and residential buildings;</p> <ul style="list-style-type: none"> <li>• Be secure;</li> <li>• Be designed to allow safe and efficient movements within the development.</li> <li>• Be well ventilated if enclosed.</li> <li>• Large parking areas should be broken up with trees, buildings, or different surface treatments.</li> <li>• Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5m from habitable room windows. This setback may be reduced to 1m where there is a fence at least 1.5m high or where windowsills are at least 1.4m above the accessway.</li> </ul>	<p><b>Complies</b>            The proposal is for five one-bedroom dwellings and two-bedroom dwellings with one carport per site.            All dwellings have car park spaces within car ports and provide convenient access to the dwellings front or rear entrances.            The carports are roofed, creating a partial sense of enclosure and delineation whilst allowing ventilation.            The driveway will be setback 1.5m from habitable room windows in accordance with the standard to protect residents from vehicular noise.</p>
<p><b>Clause 55.04-1 Side and Rear Setbacks Objective</b>            To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</p>	<p><b>Summary of Standard B17 (variable)</b>            New building not on, or within 150 mm of boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> <li>• 1m, plus 0.3m for every metre height over 3.6m up to 6.9m, plus 1m for every metre height over 6.9m.</li> <li>• Sunblinds, verandahs, porches, eaves, gutters etc may encroach not more than 0.5m into the setbacks of this standard.</li> </ul>	<p><b>Complies</b>            Dwellings are setback at least 1.2m metres from the eastern boundary and are single storey. Dwelling 7 is setback a minimum 1m from the northern boundary and all dwellings are sufficiently setback from the western boundary (approx. 5m), in accordance with the standard.            All dwellings are single storey.</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.04-2</b> <b>Walls on Boundaries</b> <b>Objective</b> To ensure that the location, length, and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</p>	<p>Standard B18 (Can be varied) New wall on or within 200mm of a side or rear boundary of a lot, or a carport on or within 1m of a side or rear boundary should not about the boundary for a length of more than:</p> <ul style="list-style-type: none"> <li>• 10m plus 25% of the remaining length of the boundary of an adjoining lot; or the length of an existing or simultaneously constructed wall or carport whichever is the greater.</li> <li>• A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls would result in the effective height of the wall or carport being less than 2m on the abutting property boundary.</li> <li>• A building on a boundary includes a building up to 150mm from a boundary.</li> <li>• New walls on or within 150mm of a side or rear boundary of a lot, or a carport on or within 1m               <ul style="list-style-type: none"> <li>• of a side or rear boundary should not exceed an average of 3m height, with no part higher than 3.6m, unless abutting a higher existing or simultaneously constructed wall.</li> </ul> </li> </ul>	<p><b>Complies</b> There are no walls along the boundary. Closest wall is 1m off the boundary (Dwelling 7).</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.04-3 Daylight to existing windows objective</b> To allow adequate daylight into existing habitable room windows.</p>	<p><b>Standard B19 (Can be varied)</b> Buildings opposite an existing habitable room window should provide for a light court to the existing window, of at least 3m<sup>2</sup> and 1m clear to the sky. The area may include land on the abutting lot. Walls or carports more than 3m high opposite an existing habitable room window should be setback from the window at least 50% of the height of the new wall if the wall is within a 55-degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. <b>Note:</b> Where the existing window is above ground level, the wall height is measured from the floor level of the room containing the window.</p>	<p><b>Complies</b> All existing habitable room windows are more 3 metres from the proposed buildings. While the application does not include setbacks, the nearest habitable rooms to the development are located to the east of the site, being part of the Dwellings at 61 Mason Street. These dwellings are setback approximately 3m from the common boundary.</p>
<p><b>Clause 55.04-4 North-facing windows objective</b> To allow adequate solar access to existing north-facing habitable room windows.</p>	<p>Standard B20 (Can be varied) If a north-facing habitable room window of an existing dwelling is within 3m of a boundary of an abutting lot, a building should be setback from the boundary:</p> <ul style="list-style-type: none"> <li>• 1m, plus 0.6m for every metre height over 3.6m up to 6.9m, plus 1m for every metre height over 6.9m, for a distance of 3m from the edge of each side of the window.</li> </ul>	<p><b>Complies</b> Overshadowing diagrams submitted which identify that the proposal will not impact the adjoining properties to the east or west greater than the existing fencing on the boundary (1.8m). The property to the north contains a single detached dwelling, setback sufficiently from the proposed buildings.</p>



Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.04-5 Overshadowing open space objective</b> To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p><b>Standard B21 (Can be varied)</b> Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40m<sup>2</sup> with a minimum dimension of 3m, whichever is the lesser area, of the secluded open space should receive a minimum of 5 hours sunlight between 9am and 3pm on 22 September. If existing sunlight to the secluded private open space of a dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p><b>Complies</b> The existing dwellings to the west of the site will not be impacted by the proposal, as any buildings are setback approximately 5m from this boundary. The proposed development does not reduce sunlight any further than the existing boundary fencing between the properties to the east which is considered acceptable. These properties have POS outside of this already impacted area.</p>
<p><b>Clause 55.04-6 Overlooking objective</b> To limit views into existing secluded private open space and habitable room windows.</p>	<p><b>Standard B22 (Can be varied)</b> Habitable room windows, balconies, terraces etc should be located and designed to avoid direct view to secluded private open space and habitable room windows of an existing dwelling within 9m distance, and a 45-degree arc from the window, balcony etc.</p>	<p><b>Complies</b> All proposed dwellings are single storey, and all boundary fences are 1.8m high, to further mitigate any potential for overlooking.</p>
<p><b>Clause 55.04-7 Internal Views Objective</b> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings with a development</p>	<p><b>Standard B23 (Can be varied)</b> Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and in the same development.</p>	<p><b>Complies</b> All dwellings are single storey. Internal fencing to 1.8 m high as shown on the application plans will prevent overlooking.</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.04-8 Noise Impacts</b> Protect residents from external noise and contain noise sources in developments that may affect existing dwellings.</p>	<p><b>Standard B24</b> Noise sources should not be located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and private open space should consider noise sources on immediately adjacent properties. Noise levels should be limited in habitable rooms in dwellings and residential buildings. Dwellings and residential buildings should be designed to limit noise levels in habitable rooms close to busy roads, railway lines or industry.</p>	<p><b>Complies</b> The plans show mechanical equipment associated with the development to the east and north of the dwelling. The locations are significant setback from adjoining existing dwellings and not expected to cause any detriment to amenity.</p>
<p><b>Clause 55.05-1 Accessibility</b> Consider people with limited mobility in the design of developments.</p>	<p><b>Standard B25</b> Dwelling entries of the ground floor of buildings should be accessible or able to be easily made accessible to people with limited mobility.</p>	<p><b>Complies</b> All dwellings provided with an accessible entry and facilities on the ground floor.</p>
<p><b>Clause 55.05-2 Dwelling Entry</b> Provide a sense of identity to each dwelling/residential building</p>	<p><b>Standard B26</b> Entries are to be visible and easily identifiable from streets and other public areas. The entries should provide shelter, a sense of personal address and a transitional space.</p>	<p><b>Complies</b> Dwellings 1, 5 and 7, provide an easily identifiable entry and portico to provide shelter and a sense of address. The four remaining dwellings (2-6) provide access to the dwellings via the car port. While not ideal, the carports are designed to be open structures with plenty of accessibility from the driveway and will provide shelter to the entrance.</p>
<p><b>Clause 55.05-3 Daylight to New Windows</b> Allow adequate daylight into new habitable room windows.</p>	<p><b>Standard B27</b> Habitable room windows to face: Outdoor space open to the sky or light court with minimum area of 3sqm and a min. dimension of 1m clear to the sky or; Verandah, provided it is open for at least one third of its perimeter or; A carport provided it has two or more open sides and is open for at least one third of its perimeter.</p>	<p><b>Complies</b> All dwellings contain windows to each habitable room.</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.05-4 Private Open Space</b> Provide reasonable recreation and service needs of residents by adequate private open space</p>	<p><b>Standard B28</b> Unless specified in the schedule to the zone, a dwelling should have private open space consisting of: 40sqm with one part at the side or rear of the dwelling/residential building with a minimum dimension of 3m, a minimum area of 25sqm and convenient access from a living room or; Balcony - minimum 8sqm, minimum width 1.6m and accessed from living room or; Roof-top – minimum 10sqm, minimum width 2m and convenient access from living room</p>	<p><b>Complies</b> All units have a minimum area of 25sqm private open space with appropriate dimensions to the rear or side of the dwelling and accessible via a living room.</p> <p>Dwelling 1 – 25sqm Dwelling 2 – 35sqm Dwelling 3 – 46sqm Dwelling 4 – 36sqm Dwelling 5 – 35sqm Dwelling 6 – 36sqm Dwelling7 – 44sqm Each SPOS has a minimum dimension of 3m and is suited to the rear or side of the dwelling.</p>
<p><b>Clause 55.05-5 Solar Access to Open Space</b> Allow solar access into the secluded private open space of new dwellings/buildings.</p>	<p><b>Standard B29</b> The private open space should be located on the north side of the dwelling if appropriate. Southern boundary of open space should be setback from any wall on the north of the space at least <math>(2+0.9h)</math> h= height of wall.</p>	<p><b>Varied</b> The SPOS for most dwellings is generally acceptable and will achieve good solar access. Secluded Private Open space is located to the rear of all dwellings, open to the north and east. All southern boundaries of the open space are sufficiently setback from the northern wall and thus there are considered to comply with the objective.</p>
<p><b>Clause 55.05-6 Storage</b> Provide adequate storage facilities for each dwelling.</p>	<p><b>Standard B30</b> Each dwelling should have access to a minimum 6m<sup>3</sup> of externally accessible, secure storage space.</p>	<p><b>Complies - condition</b> The proposal includes small sheds with an approximate area of 1.17sqm. No height has been provided. It is considered there is sufficient space within the external area to provide externally accessible storage space and this will be required via a condition on any planning permit issued.</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.06-1 Design Detail</b> Encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p><b>Standard B31 (Can be varied)</b> Design of buildings should respect the existing or preferred neighbourhood character and address:</p> <ul style="list-style-type: none"> <li>• Façade articulation &amp; detailing.</li> <li>• Window and door proportions.</li> <li>• Roof form.</li> <li>• Verandahs, eaves, and parapets.</li> </ul> <p>Garages and carports should be visually compatible with the development and neighbourhood character.</p>	<p><b>Complies</b> The surrounding neighbourhood comprises of varying building designs and materials, however most buildings are single storey and detached, set within a modest garden landscape.</p> <p>The design of the development includes a pitched Colourbond roof and small eaves, with detail to the front of the dwellings that is respectful of the general character of the area.</p>
<p><b>Clause 55.06-2 Front Fences</b> Encourage front fence design that respects the existing or preferred neighbourhood character</p>	<p><b>Standard B32 (Can be varied)</b> The front fence should complement the design of the dwelling or any front fences on adjoining properties. A front fence within 3m of the street should not exceed the maximum height specified in the schedule to the zone or if no max. specified, the front fence should not exceed: 2m if abutting a Road Zone, Category 1. 1.5m in any other streets</p>	<p><b>Complies</b> No front fence is proposed.</p>
<p><b>Clause 55.06-3 Common Property Objectives</b> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive, and easily maintained; To avoid future management difficulties in areas of common ownership</p>	<p><b>Standard B33 (Can be varied)</b> Developments should clearly delineate public, communal, and private areas. Common property where provided, should be functional and capable of efficient management.</p>	<p><b>Complies</b> The private parking spaces and SPOS clearly adjoin the corresponding dwellings and are separated by 1.8m high fencing. The communal driveway/accessway is clearly delineated.</p>

Objectives	Standards	Complies/ does not comply/ variation required
<p><b>Clause 55.06-4 Site Services Objectives</b>            To ensure that site services can be installed and easily maintained;            To ensure that site facilities are accessible, adequate, and attractive</p>	<p><b>Standard B34 (Can be varied)</b>            The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.            Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.            Bin and recycling enclosures should be located for convenient access by residents.            Mailboxes should be provided and located for convenient access as required by Australia Post</p>	<p><b>Complies - condition</b>            The proposed dwellings are appropriately located to allow for the provision of connection to services. The location of mailboxes and bins have not been provided for on the plans and a condition to be placed on any planning permit issued will ensure appropriate locations for these facilities.</p>

**Officer Assessment:**

The site is shown as an area of substantial change in the *Greater Shepparton Housing Strategy 2011*, referenced in the Greater Shepparton Planning Scheme and zoned Residential Growth Zone accordingly. The site is in close location to the shops and business of Shepparton CBD, schools and parks and access to public transport.

The application also seeks a reduction in car parking requirements. The application includes seven car parks – one for each dwelling, in accordance with Clause 52.06-5. An additional car park is required for developments of five or more dwellings as a designated visitor car park. The application seeks a reduction to waive this car parking requirement and proposes to rely on on-street car parking for the visitor car park.

Officers support the provision of medium to higher density development in locations close to amenities, neighbour conveniences, schools, and open space, and consider the site is an appropriate location for such a development.

**Housing Strategy**

The land is within the substantial change area (SCA) under the Greater Shepparton Housing Strategy.

The SCA is described as:

*Substantial Change Areas are established residential areas that have significant capacity to accommodate substantial residential development. These areas will support increased housing diversity by encouraging a variety of housing types, styles and configurations in areas that are close to activity centres, public transport, employment opportunities and open space. Substantial Change Areas will support increased residential densities to maximise the amount of people who can take advantage of these desirable locations. These areas' character is expected to change significantly in the future.*

*The strategies for managing residential development in Substantial Change Areas seek to:*

- *support a diversity of housing types, sizes, styles, and designs;*
- *support (re)development at higher overall densities to maximise development opportunities;*
- *encourage lot consolidation to allow for larger scale development;*
- *encourage mixed-use developments which incorporate residential uses above commercial or retail uses;*
- *focus higher density development within or immediately adjacent to significant commercial areas;*  
*support the recommendations and strategies of the Shepparton CBD Structure Plan;*
- *encourage a high standard of design for new development and major renovations;*
- *support housing for people with special needs;*
- *discourage increased development intensity in areas where there is a significant environmental risk such as flooding and wildfire, unless an appropriate design response can be provided to the satisfaction of the Council; and*
- *ensure that development at the edges of the Substantial Change Area is sensitive to any adjoining Minimal or Incremental Change Areas.*

Officers consider that the SCA provides clear policy direction that Council is seeking to increase housing stock in Mason Street, in turn this application for seven dwellings implements Council's policy direction.

### **Neighbourhood Character**

The Scheme emphasises that new developments should respect the existing character of an area while contributing to the preferred character (if applicable). Furthermore, emphasis is placed on striking an appropriate balance between the amenities offered to proposed dwellings and mitigating negative amenity impacts on adjoining/nearby properties.

The surrounding development pattern is one of change. Most lots are similar in size to the subject site, however while several of lots contain a single storey standalone dwelling, most of these are aging and have been in existence for some time. There is a significant amount of multi-unit developments on similar sized lots.

There is no particular vegetation or planting character to the area, with most properties containing modest gardens and low scale front fencing, the occasional dwelling exhibiting higher front fencing and more landscaped gardens.

The prevailing character of the street, therefore, is one of change, as is reflected by the designation of the area as a Residential Growth Zone and SCA.

While consideration is to be given the character of the neighbourhood, the expectation of the area is of substantial change, and the character is expected to significantly evolve over time. The question here is whether the proposed density responds to the pattern and layout of the street in a manner that will reflect the future neighbourhood character.

It is considered that the proposal reflects existing multi-unit development in the street, with a row of dwellings situated behind each along one boundary and a single entry to the site. The front setback and dwelling design are not out of character to the surrounding pattern of development and will maintain visual spaces between the built form in the skyline, retaining the detached dwelling pattern of the street.

Officers consider that the proposed development fits comfortably in the changing character of Mason Street.

### **The Residential Growth Zone and ResCode requirements**

A planning permit is required for two or more dwellings on a lot pursuant to Clause 32.07-5 of the Scheme. The proposal supports the purpose of the Residential Growth Zone, providing infill housing diversity near services, open space, Shepparton's CBD, and transport routes.

Officers have provided a Clause 55 assessment of the proposal earlier in the Report. The application complies with the Standards of ResCode and provides an appropriate design response.

### **State Planning Policy**

The application complies with the relevant state policy provisions as the proposal is for development within an established urban area located appropriately for jobs, services and public transportation and is redirecting development to an urban area rather than greenfield development.

The proposal allows for a mix in housing types and improves housing choice for Shepparton to allow for a range of income groups to choose housing in a well-served location.

### **Local Planning Policy Provisions**

The subject site is identified as an area of Substantial Change in the *Greater Shepparton Housing Strategy 2011* reflected in the Residential Growth Zoning.

The proposal allows for low rise, medium density redevelopment of a site and will provide housing diversity within proximity to services and employment areas.

The development offers a range of dwelling types and layouts that will increase housing choice in the area and contribute to the evolving character of the area towards a higher density, walkable neighbourhood.

Residential Growth Zones are expected to significantly evolve over time. The current pattern of development along the street demonstrates that the character has been in evolution for some time, and although existing multi-unit development is less than is proposed, the proposal responds to a trend for medium density and low-rise dwelling options in existing urban areas.

### **Clause 52.06 Car Parking**

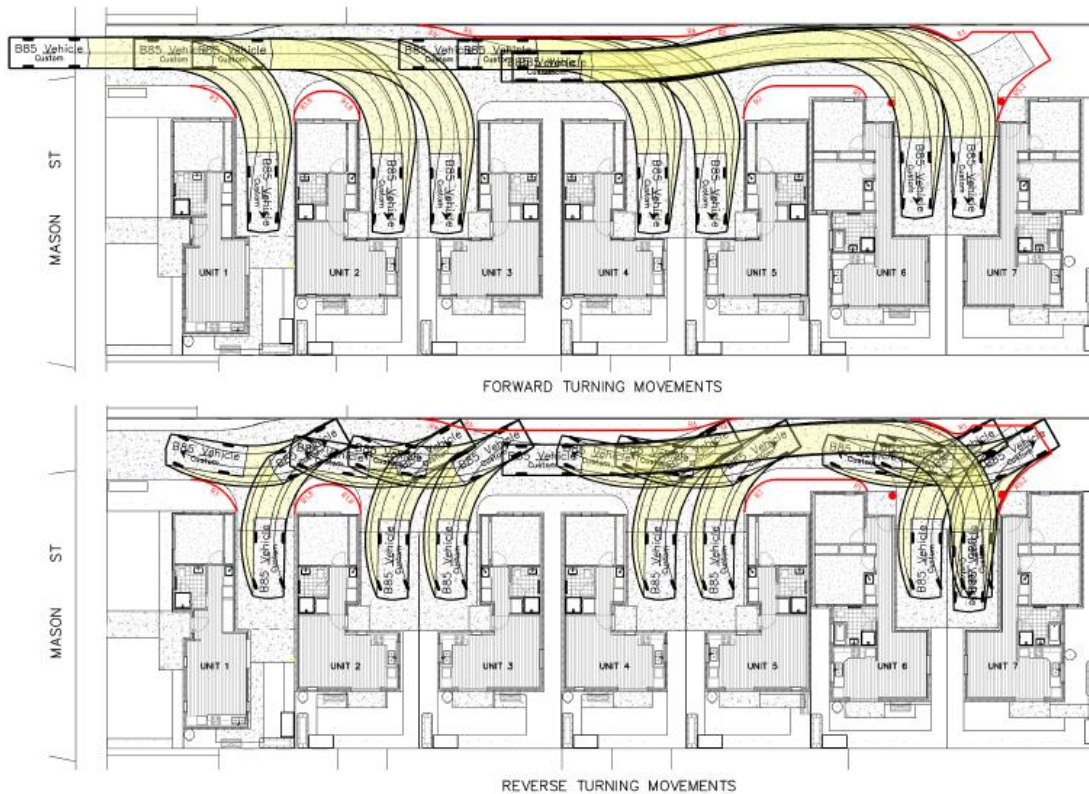
The proposal provides for off streetcar parking for all dwellings and relies on on-street parking for one visitor space. The waiver of the visitor car parking space is considered appropriate given the design and layout of Mason Street. Mason Street is subject to unrestricted kerbside parking and the Street and surrounding network is not expected to be significantly impacted by the additional traffic generated by the proposal.

### **Vehicle turning movements**

Officers have undertaken an assessment of the internal vehicles to and from the driveway to car ports to ensure that these movements are safe, manageable, and convenient.

Officers' assessment plan is below, which demonstrates that amendments are required to allow for improved vehicle movements. Of note, under the current proposal it is likely that vehicle strikes of the dwellings would occur when accessing / egressing car ports.

Permit conditions are recommended to require the submission of amended plans to implement the access changes shown on the below plan.



**Council Plan / Key Strategic Activity**

**SOCIAL RESPONSIBILITY and WELLBEING**

We will support the mental and physical health and wellbeing of all in our community, ensuring universal access to information, services, housing, healthcare and learning opportunities.

2.7 Address issues contributing to homelessness.

**VIBRANT and DIVERSE ECONOMY**

We will drive the visitor economy by growing visitor experiences and major events that provide employment and other opportunities to the community. Our economic development will focus on establishing a strong, adaptive, sustainable, and thriving region supported by agriculture and a diverse range of industries.

3.5 Encourage and facilitate investment and expansion.

3.10 Efficient land use planning to encourage and support future development.

**Risk Management**

This planning application produces no significant risks for Council.

**Policy Considerations**

The application has been considered against the relevant policies contained within the Greater Shepparton Planning Scheme and found to achieve an acceptable planning outcome in terms of providing for a range of housing choice, price and tenure for the community and diversity of housing stock in an area identified as residential.

**Financial Implications**

There are no major financial implications associated with this planning permit application.



### Legal / Statutory Implications

Should the applicant or objectors be dissatisfied with Council's decision an application for review can be lodged with the Victorian Civil and Administrative Tribunal (VCAT).

### Cultural Heritage

The proposed use is not in an area of identified Aboriginal Cultural Heritage Sensitivity and does not trigger the need for a Cultural Heritage Management Plan (CHMP).

### Environmental / Sustainability Impacts

The proposed use is for additional dwellings on an already developed site and will have no significant environmental or sustainability impacts for Council.

### Social Implications

This planning application is for a multi dwelling development in an area with proximity to services, public transport, and community infrastructure. The application will provide housing choice and affordability in an established residential area to benefit the community.

### Economic Impacts

This planning permit has no significant economic impacts for Council.

### Referrals/Public Notice

#### Public Notification

The application was advertised pursuant to Section 52 of the *Planning and Environment Act 1987* with the following description seven single storey dwellings, by:

- Sending notices to the owners and occupiers of adjoining land; and
- Placing a sign on site.

The applicant provided a signed declaration stating that the sign on site was displayed on the land between 24 June 2023 and 10 July 2023.

The Council has received 11 objections.

The key issues that were raised in the objections are.

- Seven dwellings are an over development of the site. There is an existing permit for a four-dwelling development on the land that is more appropriate and reflective of the neighbourhood character.
- The proposal will result in an unacceptable increase in traffic in conjunction with the nearby medical clinic and removal of visitor car parking.
- The proposal is out of character with the surrounding density of development.
- The proposal will result in value of surrounding property decreasing.
- The proposal does not provide sufficient details of how wastewater is to be treated in a non-sewered area.
- Buildings materials and design does not reflect the character of the surrounding area.
- The proposal will result in short term residential use and anti-social behaviour.

An assessment of the grounds of objection is shown below:

<b>Grounds for Objection</b>	<b>Officer's Response</b>
<p>The proposal will result in value of surrounding property decreasing.</p>	<p>VCAT has consistently held that property devaluation because of planning application is not a relevant planning consideration.</p>
<p>Seven dwellings are an over development of the site. There is an existing permit for a four-dwelling development on the land that is more appropriate and reflective of the neighbourhood character. The proposal is out of character with the surrounding density of development.</p>	<p>The proposal is in an established residential area identified for substantial change. Council's Housing Strategy notes that the character of the area will change over time. There are no specific overlays relating to neighbourhood character for this site. It is acknowledged that the proposal allows for an increase in density on the site in comparison to the multi-unit developments in the immediate area. The multi-unit development that has occurred to date represents an evolution of character to the area, with the older detached housing stock that was original to the street still evident throughout.</p> <p>The Scheme emphasises that new developments should respect the existing character of an area while contributing to the preferred character (if applicable). The prevailing character of the street, therefore, is one of change, as is reflected by the designation of the area as a Residential Growth Zone.</p> <p>While consideration is to be given the character of the neighbourhood, the expectation of the area is of substantial change, and the character is expected to significantly evolve over time.</p> <p>It is considered that the proposal reflects existing multi-unit development in the street, with a row of dwellings situated behind each along one boundary and a single entry to the site. The front setback and design are not out of character to the surrounding pattern of development and will maintain visual spaces between the built form in the skyline, retaining the detached dwelling pattern of the street.</p>
<p>The proposal will result in an unacceptable increase in traffic in conjunction with the nearby medical clinic and removal of visitor car parking.</p>	<p>The proposal includes the required amount of occupant parking per dwelling, in accordance with the planning scheme. There is ample on street parking in the area, and it is considered appropriate to allow for the reduction considering the design and layout of Mason Street and on streetcar parking availability.</p>

Grounds for Objection	Officer's Response
The proposal does not provide sufficient details of how wastewater is to be treated in a non-sewered area.	The proposal has been referred to Goulburn Valley Water and will be required to connect to services as part of any planning permit issued.
Buildings materials and design does not reflect the character of the surrounding area.	The dwelling design incorporates brick elements like many of the dwellings on the street, with Colourbond roofing in dark colours which again reflect design elements of the existing housing stock. The proposal introduces timber elements on the frontage to provide articulation and interest in the façade. The use of weatherboard is evident (while not dominant) along the street and considered acceptable.
The proposal will result in short term residential use and anti-social behaviour.	The proposal is for the development of seven dwellings on the site and will be considered as such. Any future changes to the use may require planning permission and will be assessed at this stage.

**External Referrals Required by the Planning Scheme:**

Section 55 - Referrals Authority	List Planning clause triggering referral	Determining or Recommending	Advice/Response/Conditions
CMA	44.04-7	Recommending	Consent subject to a floor level requirement.

**External Notice to Authorities:**

Section 52 - Notice Authority	List Planning clause triggering notice	Advice/Response/Conditions
GVW	NA	Consent subject to standard connection conditions.

## Strategic Links

**a) Greater Shepparton 2030 Strategy**

- Settlement and housing By 2030 Greater Shepparton will be home to approximately 81,000 people, who will be housed in 36,500 dwellings. Growth will be higher than the Victorian average and will be across all ages. For Shepparton and Mooroopna and the many towns of Greater Shepparton, this will mean consolidating growth and housing opportunities within clear boundaries and development occurring in accordance with adopted development plans

## Conclusion

Officers having undertaken an assessment of the application, have determined that on balance the proposal will achieve a net community benefit by providing additional housing type, tenure, and price in an established residential location with access to public transport, shops, and services.

## Attachments

Nil

## 12.6 1225 Union Road, Kialla East - Dwelling

Author	Team Leader – Statutory Planning
Approved by	Director Sustainable Development
Purpose	For Decision at a Council Meeting

### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

### RECOMMENDATION

**That the Council in relation to Planning Permit Application 2022-244, on the basis of the information before the Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, resolves to Refuse a Planning Permit for the use and development of the land for a dwelling for the following reasons:**

- 1. The proposal is contrary to Clause 14.01-1S as it will lead to the loss or fragmentation of productive agricultural land.**
- 2. The proposal is contrary to the decision guidelines of Clause 14.01-1L and Clause 35.07-6 as it fails to demonstrate a nexus between the dwelling and the agricultural use of the land.**
- 3. The proposal is incompatible with the surrounding land uses contrary to the decision guidelines of Clause 35.07-6.**
- 4. The proposal fails to consolidate existing lots to support the ongoing agricultural use of the land through a process of property restructure.**

### Executive Summary

The application is for the construction of a dwelling on the land at 1225 Union Road (CA 1A Parish of Kialla), Kialla East (the land).

A planning permit is required for the use and development of the land for a dwelling on a lot less than 60 hectares in the Farming Zone 1.

The land is also affected by the Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO) however the dwelling will be located outside of these overlays. Access to the dwelling is partially constructed within the LSIO.

The dwelling is proposed to support the operation of a fat lambing enterprise on the family farming land.

The application was advertised, and seven objections were received.

The main grounds of objection were impact of the proposal on the ongoing use of the Karramous Rifle Club, which currently utilises a portion of the land under a previous agreement for their target shooting; the development on land within an area susceptible to flooding and the development of land for a use other than agriculture.

Officers consider that there is a strong policy basis in the Greater Shepparton Planning Scheme to protect viable agricultural land from non-agricultural uses, including dwellings.

The proposal does not demonstrate an adequate nexus for the dwelling on the land.

The proposal does not seek to consolidate existing land titles to allow for the use to be as of right.

The proposal is contrary to the agricultural policy and objectives of the Greater Shepparton Planning Scheme.

Officers recommend refusal of the application.

## Property and Application Details

Responsible Officer:	Tracey Mercuri
Application Number:	2022-244
Applicant Name:	Regional Planning Services
Owner Name:	Susanne M Thrum
Cost of works:	\$450 000
Correct application fee paid?	Yes
Land/Address:	1225 Union Road (CA 1A Parish of Kialla) KIALLA VIC 3631
Date Received:	6 July 2022
Zoning?	Farming Zone 1
Overlay(s)	Floodway Overlay Land Subject to Inundation Overlay
What is proposed?	Dwelling in the Farming Zone
Why is a permit required?	Use and development of land in the Farming Zone for a dwelling under Clause 35.07-1 and 35.07-4.
Date referred/notified:	3 August 2022
Further Information?	No
Notice/Referral?	Yes, to GBCMA. GBCMA consented to the application.
Title details – any: <ul style="list-style-type: none"> <li>o Restrictive Covenant?</li> <li>o Section 173 agreement?</li> <li>o Caveat?</li> <li>o Easement?</li> <li>o Building Envelope?</li> <li>o Access restrictions?</li> </ul>	No No Yes – two caveats No No No
Is a CHMP required?	No – exempt activity
Is the site in a BMO or BPA?	Yes - BPA
Is Cl. 13.01-2 Bushfire applicable:	No
<b>Conflicts of interest in relation to advice provided in this report</b>	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.
Key Planning Considerations:	Protection of agricultural land
Recommendation:	Refusal

## Proposal in Detail

The land at 1225 Union Road, Kialla East has a total area of 53 hectares. 1225 Union Road comprises two titles bisected east to west by Honeysuckle Creek. The proposed subject site is the southern lot, abutting Honeysuckle Creek to the north, Violet Town Boundary Road to the east, Union Road to the south and farming land to the west.

The lot is irregular in shape currently appears to be used as grazing land, with sheep visible in the paddock. There is limited vegetation spotted throughout the site, with more vegetation along the boundary with Honeysuckle Creek.

The surrounding land comprises open farmland, with native vegetation concentrated along waterways and the road reserves. Most sites comprise a few land parcels, however individual lots tend to be larger than the minimum lot size in the Farming Zone (60 hectares). There are some dwellings in the vicinity, however they are not the dominant land use. Agricultural buildings are visible throughout.



SITE PLAN - 1225 UNION ROAD KIALLA EAST 3631

GRU  
REGIONAL PLANNING



The application proposes a four-bedroom dwelling to be built in the southwest portion of the site. The proposal will include:

1. Single storey dwelling with entry, kitchen, butler's pantry, dining room, living room, study, four bedrooms, ensuite bathroom, bathroom, laundry, and outdoor living area (with cooking area)
2. Constructed from face brickwork, weatherboard, colorbond roof
3. Setback 251m from the southern boundary (Union Road) and 95m from the western boundary

The applicant states the dwelling will be built to allow the occupant to take over the fat lambing enterprise currently being run on the property and grow this agricultural business.

### Summary of Key Issues

The proposal is for the use and development of the land for a dwelling.

The subject site is less than the minimum lot size required for a dwelling to be an as of right use in the Farming Zone (60 hectares). While it could be considered the difference is marginal, it is noted that the subject site is part of a larger land holding in the same ownership and consolidation of the titles would enable the proposed use without a planning permit. This has not been proposed as part of this application.

The applicant states the dwelling is required to support the fat lamb operation currently being run by a family member. The dwelling will allow for a son to take over the operation of the business.

There is limited detail provided regarding the current operation, including overall land size and any existing farming infrastructure.

The subject land has an existing informal relationship with the Karramomus Rifle Club. Members of the Club have advised that the subject site is within the potential line of fire for the rifle range, and they believe there is a long-standing formal agreement that the land is maintained as such.

The Rifle Club is located approximately 1.5km northwest of the proposed dwelling.

The current landowners dispute the existence of an agreement as described above. Regardless, Council sought a legal opinion as to the validity of the argument put forth from the Rifle Club.

The legal advice noted that it is not likely existing use rights could be established for the use of the land as a buffer for the rifle land, nor is it likely legal that a Rifle Club could operate on the basis that they could shoot over private land without the consent of the landowner (at a minimum).



## Assessment under the Planning and Environment Act

### Zoning

The Land is located within the Farming Zone 1.

The purpose of the Farming Zone is to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

A planning permit is required for the use of the land for a dwelling on a lot that is at least the area specified in a schedule to this zone. The lot is in a Farming Zone Schedule 1 and must be 60 hectares.

Given that the lot is 53 hectares, a planning permit is required for the use of land for a dwelling.

A planning permit is required for buildings and works associated with a Section 2 Use. Clause 35.07-2 details the requirements that must be met by a lot used as a dwelling.

These are:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

While the application was not accompanied by a Land Capability Assessment, it is considered likely it can support an on-site wastewater management system. This can be ensured via a condition on any planning permit issued.

Relevant decision guidelines are provided at Clause 35.07-6. These include:

### General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

### **Agricultural issues and the impacts from non-agricultural uses**

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.
- Whether Rural worker accommodation is necessary having regard to:
  - The nature and scale of the agricultural use.
  - The accessibility to residential areas and existing accommodation, and the remoteness of the location.
- The duration of the use of the land for Rural worker accommodation.

### **Accommodation issues**

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.
- The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to:
  - A permit for a wind energy facility; or
  - An application for a permit for a wind energy facility; or
  - An incorporated document approving a wind energy facility; or
  - A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

### **Environmental issues**

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

### Design and siting issues

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to:
  - A permit for a wind energy facility; or
  - An application for a permit for a wind energy facility; or
  - An incorporated document approving a wind energy facility; or
  - A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

While the application was not accompanied by a Land Capability Assessment, it is the Council officer's opinion the proposal can be located outside of the mapped flood area with sufficient area for any effluent system to be sited to mitigate impact on waterways, the flow of water on site and the surrounding property. This can be managed via a condition on any planning permit issued.

The application was accompanied by limited information in relation to the nexus with the proposed lambing operation. The application stated that it would allow for the proposed occupant to take over the fat lamb farming operation from their mother, who was currently breeding up to 500 lambs, and grow this to up to 1000 lambs.

It is unclear how the use and development of a dwelling will allow the business to grow in this manner. There is no detail on the existing operation, including whether this is contained to this land (and therefore already operating without the oversight of a dwelling) or whether it relates to a broader property.

The operation runs over a broader land area, as the family owns another farm in the locality.

As such, there is no justification for the use and development of this 53ha lot.

The proposal leaves the lot north of Honeysuckle Creek undeveloped. This lot is greater than 60 hectares (64ha) and therefore the use of the land on this site does not require planning permission.

Development on the lot to the south allows an additional dwelling in the landscape and could lead to the fragmentation of productive agricultural land.

There is no support for the proposed expansion of the business and operation on 1225 Union Road.

The application suggests the land is currently being utilised for sheep farming, with the current farmer (his mother) living elsewhere. It is unclear why this particular lot needs to be developed to support the takeover of the business by the applicant, nor how it will have a nexus with the lamb farming.

At present, the dwelling will be in an established farming area. It will be setback from adjacent farming properties such that it is likely any impact from existing farming operations could be mitigated appropriately.

### **Relevant Overlay Provisions**

#### **Clause 44.03 Flood Overlay (FO)**

The land is partially covered by a Floodway Overlay. The land is a small area along the north boundary with Honeysuckle creek and will not be impacted by this proposal.

#### **Clause 44.04 Land Subject to Inundation Overlay (LSIO)**

The land is in the LSIO. The applicant states the proposal is outside of the LSIO, except for driveway access. A planning permit is not required for an access way constructed a natural ground surface level. The applicant proposed to construct a driveway in accordance with this condition and a planning permit is therefore not required for the proposal.

While it is noted that the proposal is likely located outside of the LSIO, the application was referred to the relevant flood authority (Goulburn Broken Catchment Management Authority), who informed they had no objections to the proposal subject to standard conditions to be placed on any planning permit issued. This included a requirement that the dwelling be located outside of the LSIO, required finish floor levels and requirements for any septic system on the site.

The proposal can be adequately sited outside of the LSIO, as can any proposed effluent area.

### **Municipal Planning Strategy (MPS)**

Clause 02.03-4 Natural resource management states the level of agricultural production is nationally imported and groups the farming areas of the municipality into three categories:

- **Farming ‘Growth’ areas**, being areas for the growth and expansion of existing farm businesses and for new investment. These areas comprise/include larger properties and provide opportunity for large scale, standalone agricultural development as well as consolidation of existing farm properties wishing to grow.
- **Farming ‘Consolidation’ areas**, being areas that support existing farm businesses to operate and expand. These areas provide opportunities for development of growing agricultural enterprises that can, over time, expand and consolidate through a process of property restructure.
- **Farming ‘Niche’ areas**, being those areas with opportunities for smaller scale and specialised agriculture. These areas include locations of productive potential due to soil type, property size or water access that are not rural living areas. The opportunity for properties within these areas to expand in response to general market trends is limited due to land value and existing development as most lots are smaller, with dwellings.

The subject site is in Schedule 1 of the Farming Zone, advocating larger minimum lot sizes better suited to the Growth or Consolidation areas described above.

### **Planning and Local Policy Framework**

Clause 13.02-1S seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

The subject land is also within a bushfire prone area designated in accordance with regulations made under the Building Act 1993 (Vic). The development will be required to adhere to Australian Standard AS3959-2018 Construction of Buildings in Bushfire-prone Areas.

Clause 13.07-1S Land use compatibility seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

The proposal is located within close proximity to the Karramomus Rifle Club. Club members have objected to the proposal based on the impact of the development on the ability of the club to operate effectively.

As discussed above in the Summary of Key Issues section of this Report, the Rifle Club has not established a legal basis to use the subject site as a 'buffer area' without the consent of the landowner. In any event, such a use would require permissions outside of the planning process that cannot be considered as part of this application.

It is likely that the development of a dwelling on the land in this location would experience some adverse amenity from the operation of the Rifle Club, likely noise impacts. In the event any planning permit is granted on the land, acoustic conditions should be placed on any planning permit issued to ameliorate the impact of the Rifle Club, or the applicant encouraged to locate further from the Rifle Club on the land.

Clause 14.01-1S Protection of agricultural land seeks to protect the state's agricultural base by preserving productive farmland.

The related strategies include:

Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.

- Protect productive agricultural land from unplanned loss due to permanent changes in land use.
- Prevent inappropriately dispersed urban activities in rural areas.
- Limit new housing development in rural areas by:
  - Directing housing growth into existing settlements.
  - Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
  - Encouraging consolidation of existing isolated small lots in rural zones.
- In considering a proposal to use, subdivide or develop agricultural land, consider the:
  - Desirability and impacts of removing the land from primary production, given its agricultural productivity.
  - Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
  - Compatibility between the proposed or likely development and the existing use of the surrounding land.
  - The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
  - Land capability.

Local policy for agricultural land is found at Clause 14.01-1L. The local policy expands on the above with the following relevant strategies:

**General**

- Encourage farm earthworks that minimise the impact on drainage and flooding through Whole Farm Plans.
- Discourage land use and development in the Farming Zone (Schedule 1) that would compromise the future agricultural use of the land, including farm related tourism.

**Dwellings**

- Discourage new dwellings unless it is associated with or required for the agricultural use of the land.
- Discourage dwellings on old and inappropriate lots where amenity may be negatively impacted by farming activities or where dwellings may inhibit rural activities.
- Ensure new dwellings support rural activities and production.
- Discourage dwellings that are constructed for ‘rural lifestyle’ purposes.
- Discourage the clustering of new dwellings unless they support the productive use and development of surrounding land.
- Discourage the construction of new dwellings over land with a water table within one metre of the surface when wastewater is to be treated and retained on site.

In considering whether the proposal is appropriate, Council should consider the following policy guidelines:

- Whether a new dwelling in the Farming Zone, Schedule 1 (FZ1) and Farming Zone, Schedule 2 (FZ2) responds to the above strategies:
  - Through an Integrated Land Management Plan under Clause 35.07-6.
  - By being located on a lot of at least 2 hectares in area.
  - By being located on a lot created after 1st January 1960.
- Whether an agreement under section 173 of the Act is required to:
  - Ensure that the dwelling is used in conjunction with agricultural production.
  - Prevent the subdivision of the lot containing the dwelling.
  - Acknowledge that any nearby agricultural activities take precedence over the protection of the residents’ amenity.

The proposal introduces a four-bedroom dwelling on the smaller of two lots that make up 1225 Union Road. The larger lot, to the north of Honeysuckle Creek, is approximately 64 hectares and does not need a planning permit for the use of the land for a dwelling. Should the southern lot be developed, the opportunity arises for additional development on the lot to the north, with no need to establish a nexus with agricultural use.

No information has been provided in relation to the existing water table on site, however the application was referred internally to Council’s Environmental Health Officer and externally to GBCMA, both who raised no objections to the capacity of the land for wastewater treatment.

The application has not satisfied Council officers that the dwelling is required to support the future agricultural use of the land.

There is no information as to why the dwelling should be in this location. The applicant could consider the consolidation of the two parcels that make up 1225 Union Road, which would ensure the land is maintained of a size to support continued agricultural use and would limit future development of viable agricultural land to the north that will lead to a proliferation of dwellings in an established broad hectare farming area.

The application did not include an integrated land management plan. While the applicant noted one could be provided if required, it is clear in the provisions of the Farming Zone and the state and local policy in relation to agricultural land that any proposed dwelling on a lot smaller than the minimum lot size should be accompanied by sufficient information to determine a nexus between the development and any agricultural use. This has not been sufficiently determined, by the application material, contrary to local and state policy.

Clause 14.02-1S Catchment planning and management seeks to assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

The proposal locates the development in an area outside of mapped areas of flooding can be constructed to mitigate any impact on the passage of water over the land. The proposal is well setback from existing waterways and Honeysuckle Creek and sufficient land can be provided to setback any associated effluent system.

Clause 16.01-3S Rural residential development seeks to identify land suitable for rural residential development.

Strategies include:

- Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.
- Encourage the consolidation of new housing in existing settlements where investment in physical and community infrastructure and services has already been made.
- Discourage development of small lots in rural zones for residential use or other incompatible uses.
- Encourage consolidation of existing isolated small lots in rural zones.

The proposal locates residential development in an established broad hectare farming area. The application does not include relevant support to sufficiently establish a nexus between residential development in this location and the agricultural use of the land and will take productive agricultural land out of use.

### **General Provisions**

The decision guidelines of Clause 65

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

The use is inconsistent with the orderly planning of the area as it allows for the development of productive agricultural land for a dwelling, with limited demonstration of the nexus to the agricultural use of the land.

The proposal is contrary to the purpose of the Farming Zone as it allows for the fragmentation of agricultural land.

No supporting information has been provided to determine the impact of the proposal on the land and how it will impact on the amenity of the area.

The application has considered the available flood mapping and located and design the proposal in response. Any dwelling constructed on the land will be required to meet Australian standards in relation to bushfire regulations.

The proposal does not require the removal of any native vegetation.

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

#### **VIBRANT and DIVERSE ECONOMY**

We will drive the visitor economy by growing visitor experiences and major events that provide employment and other opportunities to the community.

Our economic development will focus on establishing a strong, adaptive, sustainable and thriving region supported by agriculture and a diverse range of industries.

3.10 Efficient land use planning to encourage and support future development.

### **Risk Management**

The planning application leads to no significant risks to the Council.

### **Policy Considerations**

The application has been considered against the relevant policies of the Greater Shepparton Planning Scheme and is found that the dwelling achieves unacceptable planning outcomes. No permit should issue.

### **Financial Implications**

There are no major financial implications associated with this planning permit application.

### **Legal / Statutory Implications**

Should the applicant or objectors be dissatisfied with Council's decision an application for review can be lodged with the Victorian Civil and Administrative Tribunal (VCAT).

### **Cultural Heritage**

The proposed use and development for a dwelling is not considered a 'high impact activity' and does not trigger the need for a Cultural Heritage Management Plan (CHMP).

### **Environmental / Sustainability Impacts**

The application leads to no significant environmental or sustainability impacts.

### **Social Implications**

This planning application has limited social implications.

### **Economic Impacts**

This planning permit has no significant economic impacts for Council.

### **Gender Impact Assessment**

Officers have undertaken a Gender Impact Assessment (GIA) as part of the development of this policy and it has been prepared in accordance with Council's obligations as outlined in the Gender Equality Act 2020.

No recommendations were made.

### **Referrals/Public Notice**

The application was referred internally to Council's Environmental Health Officer who had no objections to the proposal subject to conditions.

The application was advertised pursuant to Section 52 of the *Planning and Environment Act 1987* with the following description 'Use and development of the land for a dwelling by:

- a. Sending notices to the owners and occupiers of adjoining land.
- b. Placing a sign on site.



Notice was given to GBCMA as the relevant catchment management authority given the proximity of the proposal to the floodplain. GBCMA had no objections subject to standard conditions to be placed on any planning permit issued.

The Council has received seven objections to date.

The key issues that were raised in the objections are:

- a. Impact of development within proximity of the dwelling to the Rifle Club
- b. Whether the land is reserved for the use of a 'buffer' for the Rifle Club
- c. Development within a flood area, including the installation of a septic system
- d. Proposal is not compatible with surrounding land uses
- e. Nexus with agricultural production
- f. Impact on biodiversity in the area
- g. Response to bushfire risk

An assessment of the grounds of objection is shown below:

Grounds for Objection	Officer's Response
Impact of development within proximity of the dwelling to the Rifle Club	<p>The proposal has already impacted the operation of the Karramomus Rifle Club, as the owner does not support the use of the land for the 'buffer' for the Rifle range, regardless of the planning outcome.</p> <p>Should the Rifle Club continue to operate in a revised capacity, it is likely the proposed location of the dwelling will cause conflict with the existing use, via noise impacts. Council officers consider any development should be located further from the north western corner of the site, to mitigate any amenity impacts from the existing use.</p>
Whether the land is reserved for the use of a 'buffer' for the Rifle Club	The land cannot be reserved for this use within the planning system. Any further use of the land in this manner would be established outside of planning.
Development within a flood area, including the installation of a septic system	The proposal will have sufficient space outside of the known flood area to locate the development and any effluent treatment system. The application was provided to the relevant floodplain authority (GBCMA) and Council's Environmental Health Officer, both of which had no objections to the proposal subject to standard conditions to be placed on any planning permit granted.
Proposal is not compatible with surrounding land uses	It is likely the dwelling could be sited on the land to limit impact on surrounding land uses, including the Karramomus Rifle Club.
Nexus with agricultural production	Council officers agree limited information has been provided in support of the connection with the proposed agricultural use.
Impact on biodiversity in the area	The proposed development is in an already cleared area of the site, well setback from Honeysuckle Creek and any established vegetation and the dwelling is likely to have limited impact on the biodiversity of the area.
Response to bushfire risk	The proposal is not located within a Bushfire Management Overlay. It is in a Bushfire prone area and any development will be built in accordance with Australian Standards as per building requirements.

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

### Strategic Links

a) Greater Shepparton 2030 Strategy (GS2030)

GS2030 includes the following relevant strategic directions:

*Discourage housing on old and inappropriate lots and where amenity may be negatively impacted by farming and related activities, or where housing may inhibit rural activities.*

### Conclusion

Officers having undertaken an assessment of the application, have determined that on balance the proposal fails to satisfy the objectives and strategies of the Farming Zone.

The proposal will allow the fragmentation of productive agricultural land and fails to demonstrate a nexus between the agricultural use of the land and the use and development of the small lot.

It is recommended that no permit issue.

Officers continue to observe that if the two separate lots were consolidated by the applicant, the single lot would exceed 60ha and no use permission would be required for the dwelling.

### Attachments

Nil

## 13 Infrastructure Directorate

### 13.1 Australian Botanic Gardens Shepparton Advisory Committee - Appointment of Community Representatives

Author                      Manager - Parks, Sport and Recreation  
 Approved by              Director Infrastructure  
 Purpose                     For Decision at a Council Meeting

#### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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.

#### RECOMMENDATION

**That the Council appoint community representative Karen Kilgour to the Australian Botanic Gardens Shepparton Advisory Committee for a period of two years commencing on 22 November 2023 and concluding on 20 September 2025.**

#### Executive Summary

The Australian Botanic Gardens Shepparton Advisory Committee has one vacant position. Council called for application for the vacant position by way of Public Notice in the Shepparton News on 13 October 2023 and it was also advertised on the Council website for a two-week period. A total of one application was received.

Council Officers have assessed the application and present this report consider the application received and formerly appoint the member to fill the vacant position on the Committee.

#### Report Detail

The purpose of the Advisory Committee is to provide advice to Council in relation to the ongoing development, functioning and performance of the Australian Botanic Gardens Shepparton.

In accordance with the Terms of Reference for the Committee, membership shall comprise of up to eight member representatives of the community and one Councillor.

The term of office for appointed members will be for two years commencing the following day after the formal appointment.

Advertisements calling for community representative applications for membership to fill the one vacancy of the Advisory Committee were placed in the Shepparton News on 13 October 2023 and it was also advertised on the Council website for a two-week period. A total of one application was received.

Applicants were asked to outline relevant qualifications, skills and experience that could contribute to the management and development of the Australian Botanic Gardens Shepparton Advisory Committee. They were also asked to provide details to support their application.

Based on the application received, the community applicant has the various skills and qualifications that will assist in the informing of the maintenance and management of the Australian Botanic Gardens. The candidate's skills and qualifications will be an asset to the ongoing promotion and development of the gardens.

Council Officers recommend the appointment of community representative Karen Kilgour to the Committee effective from 22 November 2023 and concluding on 20 September 2025 in line with the recently appointed members.

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

### **COMMUNITY LEADERSHIP**

We will prioritise leadership in the community to celebrate our cultures, people and places that makes Greater Shepparton a unique, vibrant, diverse and liveable region.

1.1 Council to take an active leadership role for access and inclusion in our community.

1.3 Council services will be realistic and delivered in an efficient and effective manner with the aim of continuously looking for delivery that matches our ever-changing environment.

### **INFRASTRUCTURE and TECHNOLOGY**

We will focus on the planning of our region's requirements to enable delivery of technology and infrastructure to meet the current and future needs of the community.

4.11 Develop and improve Community and recreation facilities.

### **ENVIRONMENT and CLIMATE EMERGENCY**

We will prioritise our environment and take urgent action to reduce emissions and waste in order to protect public health and create a region that mitigates and adapts to climate change.

5.4 Council commits to improving biodiversity and the natural environment within Greater Shepparton.

5.7 Conserve and improve biodiversity and our natural environment and protect and improve river health.

## **Risk Management**

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

## **Policy Considerations**

This process is in accordance with the Australian Botanic Gardens Shepparton Advisory Committee Terms of Reference and the Council Corporate Procedure for Advisory Committees.

## **Financial Implications**

There are no financial implications associated with this recommendation.

## **Legal / Statutory Implications**

There are no legal or statutory implications associated with this recommendation.

### **Environmental / Sustainability Impacts**

The Advisory Committee will have an official capacity in community involvement, promotion and education in local natural values related to the Gardens.

### **Social Implications**

There are no adverse social implications associated with this recommendation.

Appointing community members to the committee will assist in engaging with the community and increase stakeholder participation and pride in their local community.

### **Gender Impact Assessment**

Officers reviewed the Gender Impact Assessment (GIA) which was undertaken during the development of this procedure / policy to ensure it remains compliant with Councils obligations outlined in the Gender Equality Act 2020.

A Gender Impact Assessment was not conducted.

### **Economic Impacts**

There are no economic impacts associated with this recommendation.

### **Consultation**

A public notice calling for applications from members interested in joining the committee was advertised in the Shepparton News on Friday 13 October 2023 and was also advertised on the Council website.

An email was sent to a former member of the Advisory Committee to advise them that a public notice calling for applications was advertised in the Shepparton News. Attached to this email was a link to the online application form for appointment to Australian Botanic Gardens Shepparton Advisory Committee.

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 links to the Greater Shepparton 2030 Strategy.

### **Conclusion**

Officers recommend that Council appoint Karen Kilgour to the Australian Botanic Gardens Shepparton Advisory Committee for a two-year term commencing on 22 November 2023 and concluding on 20 September 2025 in line with the recently appointed members.

### **Attachments**

Nil

## **14 Confidential Management Reports**

Nil Received.

## **15 Documents for Signing and Sealing**

Nil Received.

## 16 Councillor Reports

### 16.1 Councillor Activities

#### 16.1.1 Councillor Activities - October 2023

Author	Executive Assistant to the Mayor and Councillors
Approved by	Director Corporate Services
Purpose	For Noting

#### Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the Local Government Act 2020 officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

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

#### RECOMMENDATION

**That the Council receive and note the summary of the Councillors' Community Interactions and Informal Meetings of Councillors.**

#### Councillors' Community Interaction and Briefing Program

From 1 October 2023 to 31 October 2023, some or all of the Councillors have been involved in the following activities:

- Launch - Seniors Festival | RiverConnect & Birdlife Murray Goulburn - Breakfast with the Birds!
- Heritage Advisory Meetings 2023
- Greater Shepparton LGBTIQ+ Advisory Meeting
- Tatura's Ritchie's IGA Supermarket Grand Re-Opening and Celebration
- Greater Shepparton Great Christmas | Promotion & Networking Event
- Public Health Advisory Committee Meeting
- Seniors Week | Splinters Band - History Talk and Afternoon Tea
- Sports Hall of Fame Advisory Committee
- St Georges Road | Food Festival
- R2 Joyride Cup – Mountain Bike Event | Mayor Welcome & Presentations
- Shepparton South Rotary Club | Rotary Friendship Exchange – Sweden
- Lions Club of Toolamba | Seniors Lunch
- GMID Water Leaders Forum Meeting
- Seniors Week Festival | The Beattlez
- National Coming Out Day
- Asia Pacific Cities Summit & Mayoral Forum
- Municipal Association of Victoria - State Council Meeting
- Headspace Day 2023
- Affordable Housing Reference Group Meeting
- Israel Vigil Mass

- National Day of Remembrance | Australian Greek Ex-Servicemen’s Association - Memorial Service & Wreath Laying Ceremony
- RiverConnect Implementation Advisory Committee meeting
- Launch | Australian Football Skool - Shepparton Cup
- Regional Cities Victoria - General Meeting
- La Trobe University | Professor John Dewar - Farewell Dinner
- Shepparton District Car Club - Centre of Operations | Grand Opening
- Australian Football Skool - Shepparton Cup | VIP Event
- Australian Football Skool - Shepparton Cup | Presentations
- Launch | Middleton Street Shepparton - Youth Accommodation
- 40th Anniversary | Shepparton Italian Ladies Group – Luncheon
- Meeting with Victorian Local Government Grants Commission | Greater Shepparton
- KFC Rally for Youth - Charity Event 2023
- It’s Your Plan | Safety Matters Community Expo 2023
- Development Hearing Panel meeting
- 2023 SPC Business Excellence Awards - Gala Dinner
- Official Opening | Goulburn Valley Woodworkers - Woodshow 2023
- KFC Rally for Youth - Charity Dinner 2023
- ‘Ladies Who Lunch’ event (GV Health Foundation)
- MEAC & OLLY Empowering Communities Project | Mooroopna Mural
- GSCC Councillors - Town Catch Up – Mooroopna
- Shepparton Villages | 55th Annual General Meeting

## Attachments

1. Informal Meetings of Councillors - CEO and Councillor Catch Up 3 October [**16.1.1.1** - 1 page]
2. Informal Meetings of Councillors - Councillor Briefing 03 October [**16.1.1.2** - 3 pages]
3. Informal Meetings of Councillors - CEO and Councillor Catch Up 10 October [**16.1.1.3** - 1 page]
4. Informal Meetings of Councillors - Councillor Briefing 10 October [**16.1.1.4** - 2 pages]
5. Informal Meetings of Councillors - Councillor Briefing 17 October [**16.1.1.5** - 1 page]
6. Informal Meetings of Councillors - CEO and Councillor Catch Up 24 October [**16.1.1.6** - 1 page]
7. Informal Meetings of Councillors - Councillor Briefing 24 October [**16.1.1.7** - 2 pages]
8. Informal Meetings of Councillors - CEO and Councillors Catch Up 31 October [**16.1.1.8** - 1 page]
9. Informal Meetings of Councillors - Councillor Briefing 31 October [**16.1.1.9** - 2 pages]



## 17 Notice of Motion, Amendment or Rescission

### 17.1 Notice of Motion, Amendment or Rescission

Author	Cr Seema Abdullah
Approved by	Chief Executive Officer
Purpose	For decision at a Council Meeting

Cr Seema Abdullah has given a notice of intent to move:

#### RECOMMENDATION

**That the Council:**

- 1. acknowledge that sections of the Greater Shepparton's community are deeply impacted and grieving due to the events unfolding in Gaza. These communities have strong family, social and above all, human connection with the victims of the war in Gaza.**
- 2. write a letter to the Federal Government to take the following actions:**
  - a. Condemn the initial attacks on civilians and subsequent attacks on hospitals, schools and refugee shelters that has resulted in the killing of thousands of civilians including women and children in the current conflict.**
  - b. Call for an immediate cessation of hostilities in Gaza-Palestine.**
  - c. Support the UN resolutions for an honourable peace and truce in Palestine.**

## **18 Urgent Business not Included on the Agenda**

Nil Received.

## **19 Close of Meeting**