

MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

HELD ON
TUESDAY 20 March 2012
AT 1.00PM

IN THE COUNCIL BOARD ROOM
90 WELSFORD STREET

COUNCILLORS:

Cr Michael Polan (Mayor)
Cr Chris Hazelman (Deputy Mayor)
Cr Cherie Crawford
Cr Geoff Dobson
Cr Jenny Houlihan
Cr Milvan Muto
Cr Kevin Ryan

VISION

GREATER SHEPPARTON
AS THE FOOD BOWL OF AUSTRALIA,
A SUSTAINABLE, INNOVATIVE
AND DIVERSE COMMUNITY
GREATER FUTURE

M I N U T E S
FOR THE
ORDINARY COUNCIL MEETING
HELD ON
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CHAIR
CR MICHAEL POLAN

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PRESENT: Councillors: Michael Polan, Chris Hazelman, Geoff Dobson, Cherie Crawford, Jenny Houlihan, Kevin Ryan and Milvan Muto

**OFFICERS: Gavin Cator – Chief Executive Officer
Peter Harriot – General Manager Asset Development
Julie Salomon – General Manager Community Development
Dwight Graham – General Manager Corporate Services
Dean Rochfort – General Manager Sustainable Development
Russell Parker – Executive Manager Organisational Performance
Georgina Beasley – Official Minute Taker
Lyn Martin – Assistant Minute Taker**

1. ACKNOWLEDGEMENT

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

2. APOLOGIES

Nil.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Cr Chris Hazelman declared an indirect interest because of conflicting duties in relation to item 6.8 as the Pony Club is a current tenant of Shepparton Harness Racing Club of which he is the appointed Chairman.

Cr Chris Hazelman declared an indirect interest because of conflicting duties in relation to item 6.10 as the subject land owners having undertaken commercial and contractual work for the Shepparton Harness Racing Club of which Cr Hazelman is the appointed Chairman.

Cr Chris Hazelman declared an indirect interest because of conflicting duties in relation to item 6.13 as Cr Hazelman facilitates volunteers for RedR Australia through the Ethnic Council of Shepparton.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**Moved by Cr Dobson
Seconded By Cr Ryan**

That the Minutes of the Ordinary Council Meeting held on 21 February 2012, as circulated, be adopted.

CARRIED

5. TABLING OF COUNCILLOR CONDUCT PANEL REPORT

Tabling of Councillor Conduct Panel Decision and Reasons

A Councillor Conduct Panel was convened in Shepparton on 21 February 2012 to consider applications made by Councillors Dobson, Crawford, Hazelman, Houlihan, Polan and Ryan seeking authorisation for an application to the Victorian Civil and Administrative Tribunal for a finding of serious misconduct against Councillor Muto. On 7 March 2012, the Panel authorised an application to VCAT and provided copies of its decision and the reasons for that decision to the Council. As required under section 81M of the *Local Government Act 1989*, Chief Executive Officer Gavin Cator tabled copies of the Panel's decision and reasons, to be recorded in the Minutes

6. MANAGEMENT REPORTS

FROM THE ASSET DEVELOPMENT DEPARTMENT

6.1 Our Sporting Future Funding Program Round Two 2011/2012 - Minor and Sports Aid Funding

Disclosures of 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.

Summary

Applications received for the second round of funding for the 2011/2012 Our Sporting Future Funding Program - Minor Facilities and Sports Aid Categories have been considered by the interim assessment team.

Moved by Cr Ryan

Seconded by Cr Houlihan

That the following allocations be made for the Council's 2011/2012 Our Sporting Future Funding Program.

Our Sporting Future – Minor Facilities Category

Club	Project	Allocation
Medland Park Body Corporate	Playground Equipment	\$2,900
Orrvale Primary School	Senior Playground	\$5,598
Tatura Netball Association	Lighting of Netball Courts	\$15,000
Mooroopna Bowls Club	Erection of shade shelters	\$7,920
	TOTAL	\$31,418

Our Sporting Future – Sports Aid

Club	Project	Allocation
Shepparton Rowing Club	Reformation of club	\$5,000
Skateboarding Australia	Skateboarding Hub	\$3,950
	TOTAL	\$8,950

CARRIED

6. MANAGEMENT REPORTS

6.1 Our Sporting Future Funding Program Round Two 2011/2012 - Minor and Sports Aid Funding (Continued)

Background

The Our Sporting Future Funding Program has been established to assist community organisations with the implementation of small to medium sized facility development projects. The program also assists with development programs for new and developing sporting organisations throughout the Greater Shepparton Municipality.

The funding program provides three categories for funding:

- Major facility development
- Minor facility development
- Sports Aid

The Minor and Sports Aid applications are assessed in three rounds, with the second round closing on Friday 25 November 2012 are subject to this report. The Major applications which are assessed in two rounds, with the second round closing on Friday 24 February 2012 and will be reported at the April 2012 Council meeting.

A cross department interim assessment team has been developed to improve the assessment of applications. The team consists of the following members:

- Team Leader Recreation
- Team Leader Events
- Strategic Planner Communities, Recreation and Parks Officer
- Grants Officer

Our Sporting Future (Minor) accommodates projects on a \$1 to \$1 basis requesting assistance from Council of up to, but not exceeding \$15,000. The program is for the implementation of small sized facility development projects.

The following applications were received for the Minor category:

MEDLAND PARK BODY CORPORATE

Funding Category	Minor		
Project	Purchase of Playground Equipment		
Project Details	Purchase of Equipment for their community playground to replace existing old equipment.		
Senior Membership (playing and social)		Junior Membership (playing and social)	
Total Project Cost	\$5,800	Organisation Cash	\$1,450
Requested Council Contribution	\$2,900	Organisation In-kind	\$1,450
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing Playground Development for the project. The project is recommended for funding with an allocation of \$2900.		

6. MANAGEMENT REPORTS

6.1 Our Sporting Future Funding Program Round Two 2011/2012 - Minor and Sports Aid Funding (Continued)

ORRVALE PRIMARY SCHOOL

Funding Category	Minor
Project	Senior Playground
Project Details	Installation of senior playground equipment

Senior Membership (playing and social)		Junior Membership (playing and social)	
Total Project Cost	\$23,991	Organisation Cash	\$18,393

Requested Council Contribution	\$5,598	Organisation In-kind	\$0
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Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing Schools Playground Development for the project. The project is recommended for funding with an allocation of \$5598.		
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TATURA NETBALL ASSOCIATION

Funding Category	Minor		
Project	Lighting of Netball Courts		
Project Details	Lighting of an additional four courts		
Senior Membership (playing and social)		Junior Membership (playing and social)	130
Total Project Cost	\$49,024.80	Organisation Cash	\$34,024.80
Requested Council Contribution	\$15,000	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing Sports Surface Development for the project. The project is recommended for funding with an allocation of \$15,000.		

MOOROOPNA BOWLS CLUB

Funding Category	Minor		
Project	Erection of shade structures		
Project Details	Erection of two shade structures to main green		
Senior Membership (playing and social)	160	Junior Membership (playing and social)	
Total Project Cost	\$15,840	Organisation Cash	\$4,920
Requested Council Contribution	\$7,920	Organisation In-kind	\$3,000
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing OH&S requirements for the project. The project is recommended for funding with an allocation of \$7, 920.		

6. MANAGEMENT REPORTS

6.1 Our Sporting Future Funding Program Round Two 2011/2012 - Minor and Sports Aid Funding (Continued)

The following applications were received for the Sports Aid Category:

SHEPPARTON ROWING CLUB

Funding Category	Sports Aid
Project	Reformation of Shepparton Rowing Club
Project Details	To reform rowing club on Victoria Park Lake

Senior Membership (playing and social)	40	Junior Membership (playing and social)	0
Total Project Cost	\$9,050	Organisation Cash	\$4,050
Requested Council Contribution	\$5,000	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria for the establishment for new sporting organisations. The project is recommended for funding with an allocation of \$5,000.		

SKATEBOARDING AUSTRALIA

Funding Category	Sports Aid		
Project	Greater Shepparton Skateboarding HUB		
Project Details	Set up a street wise 12 month skateboard program		
Senior Membership (playing and social)		Junior Membership (playing and social)	
Total Project Cost	\$2,3950	Organisation Cash	\$20,000
Requested Council Contribution	\$3,950	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria for the establishment for new sporting organisations. The project is recommended for funding with an allocation of \$3,950.		

Risk Management

Consideration has been given to risk management issues during the assessment of all applications for funding support.

Policy Implications

There are no conflicts with existing Council policy.

Best Value Implications

The funds allocated by the Council are considered to offer value in terms of facilitating improvements to the quality and condition of local leisure facilities and supporting clubs to increase participation in physical activity in our community.

6. MANAGEMENT REPORTS

6.1 Our Sporting Future Funding Program Round Two 2011/2012 - Minor and Sports Aid Funding

Financial Implications

Total annual budget amount for the 2011/2012 Our Sporting Future funding program - Minor and Sports Aid is \$109,200.

Recommendations for the second round total \$40,368.00 leaving a YTD balance for the third round of \$48,979.00.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

This proposal does not limit any of the human rights provided for under the Victorian *Charter of Human Rights and Responsibilities Act 2006*

Legal/Statutory Implications

The proposal is consistent with Section 186 of *Local Government Act 1989*.

Consultation

The grants are advertised through various grants newsletter, media releases, and via emails to groups registered on the Council's mailing lists

Parks and Recreation branch staff have discussed the projects with the applicants and assisted in the application process. All applicants have been reminded that projects will not be funded retrospectively.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

This proposal supports the community and infrastructure objectives of the Greater Shepparton 2030 Strategy.

b) Council Plan

This proposal supports the community and infrastructure objectives of the Council Plan.

c) Other strategic links

This proposal supports the community and infrastructure objectives of the Municipal Public Health Plan.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.2 Contract No.1348 – Isabel Pearce Kindergarten Extension

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

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

Summary

The contract includes the construction of an extension to the existing Isabel Pearce Kindergarten building at the junction of Channel Road and Central Avenue Shepparton East, construction of an extended car park and the supply and installation of a new septic system.

Moved by Cr Dobson Seconded by Cr Crawford

That the Council:

1. accept the tender submitted by GL & DC Marshall Pty Ltd of Shepparton for the construction of a building extension and associated civil works at the Isabel Pearce Kindergarten, Shepparton East for the lump sum price of \$337,258.90 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

CARRIED

Contract Details

The contract is a lump sum contract

Tenders

Tenders were advertised in the Shepparton News on 9 December 2011. The tenders closed at 4.00pm on Wednesday 1 February 2012. Seven tenders were received (one later withdrawn) from six companies as follows (arranged in price order – lowest to highest):

- Crow Constructions (tender withdrawn)
- GL & DC Marshall
- Neatline Homes Pty Ltd
- Castlereagh Building B (alternative tender)
- Big G Trading
- Castlereagh Building A
- Contract Control Pty Ltd

Tender Assessment

The Council's estimate for the works is \$410,000 (excl. GST) and the total available budget is \$399,000 (excl. GST).

The tenders were evaluated in accordance with the criteria detailed in the tender documentation using a point scoring method. A separate confidential tender assessment has been provided to councillors.

The Evaluation Committee consisted of:

- Early Childhood Services Coordinator - Children's Services
- Contracts Engineer - Engineering Projects
- Capital Works Planning Coordinator - Engineering Projects

6. MANAGEMENT REPORTS

6.2 Contract No.1348 – Isabel Pearce Kindergarten Extension (Continued)

Crow Constructions withdrew their tender and were excluded from further evaluation.

Upon review of the attributes of each contractor the evaluation committee makes the following comments:

- GL & DC Marshall is the preferred tenderer and has submitted the lowest priced conforming tender and received the highest overall score.
- GL & DC Marshall is a local contractor who has completed similar projects for Greater Shepparton City Council. These projects include extensions to childcare centres: Arthur Dickmann and Frank Pullar. The company has also successfully completed projects for Connect GV and The Adviser. The Evaluation Committee is satisfied that GL & DC Marshall has established a good performance history with Council, and is considered to have the experience, capability and resources to complete this project within the time period stipulated.
- The tender submitted by GL & DC Marshall for a total lump sum price of \$337,258.90 (including GST) has been determined to provide the best value for Council.

Risk Management

Financial Risk:

The tender submitted by the preferred tenderer is lower than the estimated cost prepared by the Council and is within the Budget allocation.

Delivery Risk:

The preferred tenderer is experienced in the delivery of these projects, and has a sound knowledge of the scope and locality of the works.

Procurement Risk:

The tender was publicly advertised, and Council's Procurement Protocols have been followed.

Community Engagement Risk:

Council will maintain a close working relationship with the kindergarten management committee to ensure cooperation of parents during the construction period and to emphasise safe operating conditions at the kindergarten.

OHS Risk:

On contract award, the successful contractor will develop a site specific OHS Management Plan. The Council officers managing the contract will undertake site inspections of the successful contractor's OHS site performance.

Policy Implications

There are no conflicts with Council Policy

Best Value Implications

The development of contract specifications and the tender assessment process has been undertaken in the context of over-arching principles of Best Value service delivery, which include quality and cost standards, responsiveness to community needs, accessibility and continuous improvement.

6. MANAGEMENT REPORTS

6.2 Contract No.1348 – Isabel Pearce Kindergarten Extension (Continued)

Financial Implications

This project is funded in the 2011/2012 budget and incorporates, Department of Education and Early Childhood Development, Isabel Pearce Kindergarten committee and budgeted Council funds. The proposed contract amount is within this available budget.

It should be noted that the initial price estimate was \$280,000 and was within the budget allocation. However, with further development of the project a need was identified for additional funds. These funds are covered from the environmental works allocation and previous financial year unspent Department of Education and Early Childhood Development grant from existing budget within the Children's Services program area. Isabel Pearce kindergarten submitted an application for DEECD funds based on quotes received from local suppliers. As there was no guarantee of being successful in this application the scope of the project and associated costs could not be fully investigated without financial implications. As a result of a successful grant application and further development of the project, additional and underestimated costs were identified. Some of the major extra expense was:

Item	Original estimate	Engineers estimate
Septic	\$10,000.00	\$64,000.00 GST exclusive
Building	\$213,000.00	\$230,000.00 GST exclusive
Roadwork's	\$0.00	\$10,590.00 GST exclusive
Storm Water	\$0.00	\$16,500.00 GST exclusive
	Total extra	\$84,140.00 GST exclusive

INCOME:	
DEECD Grant	\$200,000 GST exclusive
Kindergarten Committee Contribution	\$ 59,000 GST exclusive
DEECD Grant funds from previous financial year	\$100,000 GST exclusive
TOTAL INCOME	\$359,000 GST exclusive
EXPENDITURE:	
Contract value	\$303,533.00 GST exclusive
Maximum additional costs and contingency	\$60,706.00 GST exclusive
TOTAL MAXIMUM EXPENDITURE	\$364,239.00 GST exclusive
Direct Council contribution (from budget allocated for Kindergarten environmental works)	\$40,000

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

This proposal does not limit any of the human rights provided for under the Victorian *Charter of Human Rights and Responsibilities Act 2006*

Legal/Statutory Implications

The proposal is consistent with Section 186 of *Local Government Act 1989*.

6. MANAGEMENT REPORTS

6.2 Contract No.1348 – Isabel Pearce Kindergarten Extension (Continued)

Strategic Links

a) Greater Shepparton 2030

Direction 2: Community life

Enhance social connectedness, physical and mental health and wellbeing, education and participatory opportunities in other to improve liveability with a greater range of public open spaces, and recreation and community services.

b) Council Plan

Community Life strategies

- Item No. 15 - Provide affordable and sustainable community services
The large number of services we deliver must be provided to a standard acceptable to the community.

Infrastructure strategies

- Item No. 28 - Provide affordable and sustainable community infrastructure
Our community enjoys a high standard of infrastructure, which need to be maintained at a standard acceptable to the community.

c) Other Strategic Links

- Draft Greater Shepparton Best Start Early Years Plan 2011/2014 is incorporated in the Council plan and includes visions that –
- All children enjoy a healthy start on life
- All children are supported to become confident learners
- Greater Shepparton – a child and family friendly city
- Collaborative planning and service development

These works will increase the capacity of kindergarten places in Greater Shepparton, reducing waiting lists and providing for universal access 15 hours in 2013.

Attachments

Nil.

6. MANAGEMENT REPORTS

FROM THE COMMUNITY DEVELOPMENT DEPARTMENT

6.3 Greater Shepparton Best Start Early Years Plan 2011/2014

Disclosures of 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.

Summary

The Greater Shepparton Best Start Early Years Plan 2011/2014 is the new four year plan to improve learning, development, wellbeing and health outcomes for children aged 0 to 6 years living in our municipality. The new plan will provide the strategic direction for the Best Start Early Years Partnership and relevant workgroups responsible for implementing the plan.

The Partnership has approved this plan and is now seeking the endorsement/adoption of Council. A briefing was held with Councillors on Tuesday 14 February.

Moved by Cr Houlihan

Seconded by Cr Hazelman

That Council endorse the draft Greater Shepparton Best Start Early Years Plan 2011/2014 for broad public consultation over a period of four weeks.

CARRIED

Background

Greater Shepparton was one of the first Best Start demonstration sites from 2003 to 2005 and has continued as an extension since 2006. At this time Municipal Early Years Plans (MEYP) were introduced by the Municipal Association of Victoria and Councils were required to develop a plan for the children living in their municipality. The Partnership group made the decision to merge the Best Start plan and MEYP into one, given both cover the same age group, same priorities and the Partnership was already established to provide strategic direction. The most recent plan finished in December 2010.

In October 2010 Greater Shepparton was named one of two Enhanced Best Start sites in Victoria. The focus for Enhanced Best Start is to increase breastfeeding rates and to increase access to and participation in Maternal and Child Health and kindergarten services for children known to ChildFIRST and child protection.

Since January this year the Partnership and Best Start project team have undertaken extensive community consultations to identify priorities for the new plan. Interviews and focus groups with parents, forums with service providers and the Partnership, and review of the evaluation report from the 2008/2010 plan have informed the development of the new Greater Shepparton Best Start Early Years Plan 2011/2014.

Risk Management

Any risks associated with the Greater Shepparton Best Start Early Years Plan 2011/2014 are minimal as the actions are based on well researched and evaluated data with positive outcomes for children.

6. MANAGEMENT REPORTS

6.3 Greater Shepparton Best Start Early Years Plan 2011/2014 (Continued)

Policy Implications

There are no conflicts with Council policy. The adoption of this plan will meet Council's responsibility of providing a Municipal Early Years Plan and references Council's Public Health Plan.

Best Value Implications

This recommendation is in line with Best Value principles.

Financial Implications

The actions in the plan will be fully incorporated within the Best Start and Enhanced Best Start grant of \$300,000 per annum, which is fully funded by the Department of Education and Early Childhood Development. Council contributes \$20,000 annually to support the development and evaluation of the Municipal Early Years Plan component.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The review will give consideration to human rights provided for under the Victorian *Charter of Human Rights and Responsibilities Act 2006*. The actions identified within the plan will assist in giving all children in the municipality equitable opportunities to have the best start in life.

Legal/Statutory Implications

This recommendation is consistent with the *Local Government Act 1989*.

Consultation

Parents, community members, early years service providers, workgroup members and Partnership members were consulted in the development of this new plan. Consultation was undertaken broadly through early years networks, with focus groups and a series of 1-on-1 interviews. A community consultation report has been developed.

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan 2009-2013

Specific links to this document under Community Life strategies – 'provide a safe and family friendly community' and 'develop and pursue strategies to improve community health and wellbeing'

c) Municipal Public Health Plan 2009-2013

Links to the importance of the early years and specifically childhood immunisation

Attachment

Greater Shepparton Best Start Early Years Plan 2011/2014.

6. MANAGEMENT REPORTS

6.4 Cultural Diversity and Inclusion Strategy and Action Plan

Disclosures of 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.

Summary

Considering the cultural diversity of our region, it is imperative that Council highlight our commitment to diversity by developing a Cultural Diversity and Inclusion Strategy. The development of this strategy is designed to build on the work already undertaken and to strengthen partnerships between Council and the region's Culturally and Linguistically Diverse (CALD) communities, service providers and other cultural stakeholders. It considers all members of CALD communities, inclusive of established, new and emerging populations.

At an Ordinary Council meeting held on 20 December 2011, Council resolved to release the draft Cultural Diversity and Inclusion Strategy for public feedback. The draft strategy was made widely available to a broad range of community organisations and venues including our CALD communities.

The feedback from the recent consultations has indicated strong support for the adoption of the strategy and that Council continue to promote and celebrate cultural diversity.

Moved by Cr Hazelman

Seconded by Cr Houlihan

That the Council adopt the Cultural Diversity and Inclusion Strategy and Action Plan 2012/2015; and support further implementation of identified actions in the plan, subject to budget availability.

CARRIED

Cr Muto called a division.

Those voting in favour of the motion: Cr Polan, Cr Dobson, Cr Hazelman, Cr Ryan, Cr Crawford and Cr Houlihan.

Those voting against the motion: Cr Muto.

Background

Greater Shepparton is a richly diverse region with the 2006 Australian Bureau of Statistics Census revealing that 11 per cent of the population identifies as being born in a country other than Australia. The development of a Cultural Diversity and Inclusion Strategy is designed to build on the existing positive achievements of Greater Shepparton City Council and guide our commitment to supporting and celebrating cultural diversity through best practice. Its development will inform future Council strategies and policies to further support the development of harmonious communities which are inclusive of all.

Risk Management

The adoption of the Cultural Diversity and Inclusion Strategy and Action Plan 2012/2015 will strengthen community centric planning and result in reduced risk for Council, such as delivering programs which do not meet community needs.

6. MANAGEMENT REPORTS

6.4 Cultural Diversity and Inclusion Strategy and Action Plan (Continued)

Policy Implications

The adoption of the Cultural Diversity and Inclusion Strategy and Action Plan 2012/2015 is intrinsically linked to the Council Plan, Community Development Framework and Community Engagement Policy.

Best Value Implications

The Strategy is consistent with all Best Value principles

Financial Implications

Budget implications have been considered in the development of the Strategy. Actions identified within the plan requiring additional resources will be considered through Council's annual budgetary processes.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The Strategy does not limit any human rights provided for under the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Legal/Statutory Implications

The Strategy is consistent with the requirements of the *Local Government Act 1989*.

Consultation

The Cultural Diversity and Inclusion Strategy and Action Plan was developed from extensive community consultation with many cultural groups, service providers and internal Council staff.

The draft Strategy was placed on public exhibition from 20 December 2011 to 20 February 2012. A copy of the strategy was mailed to service providers and stakeholders who assisted with the development of the strategy. A summary of the strategy was translated into seven community languages, Albanian, Arabic, Dari, Greek, Italian, Swahili and Turkish, and then distributed to CALD community members. A consultation forum was held on 17 February 2012 with over 30 representatives from community organisations and CALD community groups.

The feedback from the recent consultations has indicated strong support of the adoption of the directions and actions within the strategy. Further feedback proposed that Council:

- Clearly outline that this document does not include our Aboriginal communities, but a separate document which will be developed throughout 2012 will outline Council's commitment and relationship with our Aboriginal communities.
- Continue to consult with CALD communities over the implementation of the action plan in the most appropriate manner
- Continue to work with CALD communities to ensure they understand Council processes
- Ensure we continue to work with the wider community to promote understanding and acceptance of our CALD communities.

Officers believe that appropriate consultation will occur and the matter is now ready for the Council's consideration.

6. MANAGEMENT REPORTS

6.4 Cultural Diversity and Inclusion Strategy and Action Plan (Continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

Vision and Direction- Community Life

b) Council Plan

- Objective 6 - Community Life- Embrace and strengthen cultural harmony and diversity
- Objective 7 - Community Life- provide a safe and family friendly community
- Objective 8- Community Life- Increase education and learning opportunities for our community
- Objective 9- Community Life- Develop and pursue strategies to improve community health and wellbeing
- Objective 11- Community Life- Ensure social issues are actively considered when making planning decisions
- Objective 15- Community life- Provide affordable and sustainable community services
- Objective 16- Community Life- Value Arts and Culture as an integral part of a dynamic community

Objective 31- Council Organisation and Management- Engage our community when making decisions

c) Other strategic links

- Greater Shepparton City Council – Community Engagement Policy
- Greater Shepparton City Council – Municipal Public Health Plan
- Greater Shepparton City Council - Community Development Framework
- Greater Shepparton City Council - Municipal Strategic Statement
- Greater Shepparton City Council – Customer First Commitment
- Victorian State Government – *Racial and Religious Tolerance Act 2001*
- Victorian State Government – Multicultural Victoria Act 2004 (including *Multicultural Victoria Amendment Act 2008*)
- Victorian State Government – *Charter of Human Rights and Responsibilities Act 2006*
- Victorian State Government – *Equal Opportunity Act 2010*
- Municipal Association of Victoria – Statement to Cultural Diversity 2007
- All of Us: Victoria’s Multicultural Policy 2009
- Australian Government – The People of Australia – Australia’s Multicultural Policy
- Federal legislation – *Racial Discrimination Act 1975*

Attachments

1. Cultural Diversity and Inclusion Strategy and Action Plan 2012/2015
2. Cultural Diversity and Inclusion Strategy - Community Consultation Overview
3. Cultural Diversity and Inclusion Strategy – Budget implications

6. MANAGEMENT REPORTS

FROM THE CORPORATE SERVICES DEPARTMENT

6.5 Councillor Expense Report – February 2012

Disclosures of 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.

Summary

The purpose of the report is to provide details of Councillor expense payments.

Moved by Cr Houlihan

Seconded by Cr Crawford

That the Council receive and note the Councillor expenses report for the month of February 2012.

CARRIED

Background

The report has been prepared in accordance with the *Council Plan 2009 – 2013* Strategic Objective 6 “Council Organisation and Management”. This provides that:

“Greater Shepparton City Council will deliver best practice management, governance, administrative and financial systems that support the delivery of Council programs to the community of Greater Shepparton”.

This report will be presented to Council on a monthly basis to make councillor expenses more transparent.

Risk Management

There are no identified risks associated with this report.

Policy Implications

There are no conflicts with other Council policies.

Best Value Implications

The public presentation of Councillor expenses is in line with Best Value principles.

Financial Implications

The 2011/2012 Budget provides a basis for measurement of actual performance/position to July 2012.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The report does not limit any human rights provided for under the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Legal/Statutory Implications

There are no legal/statutory implications.

Consultation

No consultation is required for this matter.

6. MANAGEMENT REPORTS

6.5 Councillor Expense Report – February 2012 (Continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

The report is consistent with the governance principal of Strategic Objective 6 of the *Council Plan 2009 – 2013* “Council Organisation and Management”.

c) Other strategic links

No other strategic links have been identified.

Attachment

February 2012 Councillor Expense Report.

6. MANAGEMENT REPORTS

6.6 Financial Report – February 2012

Disclosures of 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.

Summary

This report provides interim details of Council's financial position at 29 February 2012.

Moved by Cr Dobson

Seconded by Cr Crawford

That the Council receive and note the financial report and position as at 29 February 2012.

CARRIED

Background

Section 137 of the *Local Government Act 1989* provides that Council maintain a budgeting and reporting framework that is consistent with the principles of sound financial management. Ongoing monthly reports will provide the basis for this.

Council adopted a revised \$104M Operating Budget and a \$36M Capital Works Program for 2011/2012. Council expects to have another successful year in delivering a multitude of Capital and Community based projects.

The following reports have been prepared and are presented to Council to facilitate decision making:

- Overview Commentary
- Income Statement
- Balance Sheet
- Cash Flow Statement.

Other schedules have been included for the information of Councillors:

- Strategic Objective Reports (both Operating and Capital)
- Investment Reports
- Sundry Debtor Report
- Rates Report.

Risk Management

Risks identified as part of the preparation of this report include works being undertaken with invoices not yet received.

Policy Implications

There are no conflicts with existing Council policies.

Best Value Implications

Close monitoring of budgets is in line with Best Value principles.

Financial Implications

The 2011/2012 Budget provides a basis for measurement of actual performance/position to July 2012.

6. MANAGEMENT REPORTS

6.6 Financial Report – February 2012 (Continued)

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The report does not limit any human rights provided for under the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Legal/Statutory Implications

Section 138 of the *Local Government Act 1989* requires quarterly statements comparing budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date to be presented to the Council at a Council meeting which is open to the public. This report satisfies that requirement.

Consultation

All officers responsible for works included in the 2011/2012 Budget have been consulted in preparing this report.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

The report is consistent with the governance principle of Strategic Objective 6 of the *Council Plan 2009-2013* "Council Organisation and Management".

c) Other strategic links

No other strategic links have been identified.

Attachments

February 2012 Financial Report containing:

1. Overview Commentary
2. Income Statement
3. Balance Sheet
4. Cash Flow Statement
5. Strategic Objective Reports (both Operating and Capital)
6. Investment Reports
7. Sundry Debtor Report
8. Rates Report.

6. MANAGEMENT REPORTS

6.7 Proposed Road Closure of Part of Court Bowl in Marlboro Drive, Kialla

Disclosures of 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.

Summary

As a result of the planning permit application process it was identified that continuing residential development and subdivision along Marlboro Drive would benefit from the redesign of the road reserve to alter the existing court bowl into a through road, with Marlboro Drive then to connect with an extension of Kerang Avenue, Kialla.

This would result in a portion of the court bowl being surplus and it was recommended that part of the road reserve within the court bowl be formally closed and transferred to the adjoining property owner to be included in the subdivisional land.

Submissions

At the Council Meeting on 19 July 2011, the Council resolved to give public notice of the proposed partial road closure and invite submissions from any person affected by the proposed road closure.

Twelve submissions were received, however concerns related to general development matters rather than the proposed road closure and land transfer. Following discussions in which these matters were clarified, all submitters were satisfied and withdrew the submissions.

Moved by Cr Hazelman

Seconded by Cr Ryan

That the Council:

1. Determines that the portion of the road reserve within the existing court bowl known as Marlboro Drive, Kialla, is not required for public use as a road due to construction of a through road and will be formally closed.
2. Determines that the land within the closed road reserve will be transferred to the adjoining property owner and consolidated with lot 8 in Marlboro Drive, Kialla, being certificate of title volume 9321 folio 534 to form part of the proposed residential subdivision.
3. Give notice of the road closure in the *Victorian Government Gazette*.
4. Authorise the Chief Executive Officer to sign and seal all documentation for Council to complete the road closure and transfer the surplus former road reserve land to the adjoining property owner.

CARRIED

Background

The Council has considered the road closure and transfer of a portion of a road reserve within the court bowl in Marlboro Drive, Kialla. The court bowl was originally created as part of an earlier subdivision, however the adjoining property is now being further

6. MANAGEMENT REPORTS

6.7 Proposed Road Closure of Part of Court Bowl in Marlboro Drive, Kialla (Continued)

subdivided with the road reserve to be extended to connect with Kerang Avenue Kialla. Due to this realignment, part of the court bowl will no longer be required as road reserve. It is recommended that part of the court bowl should be formally closed, subdivided from the remaining road reserve and transferred to the adjoining property owners to be included in the subdivision. This will enable the best outcome identified for the development of this site. The new development will include an enhanced road network which will be transferred to the Council once construction is complete.

Risk Management

A risk assessment has been completed. A risk that the proposal would not be supported by nearby residents was identified through the public consultation process, however following further consultation and withdrawal of all submissions, it is believed this risk has been mitigated. There were no other significant risks identified.

Policy Implications

The proposed road closure of part of the road reserve within the court bowl and the transfer of the surplus road reserve land to the adjoining property owner does not conflict with Council's policies. The Asset Management Policy states that the Council is committed to maximising resources to achieve the best outcome for the community, which will be evidenced by the enhanced road network provided by the subdivisional development.

Best Value Implications

The proposal is consistent with Best Value principles in providing the best outcomes for the community. The closure of part of the court bowl and allowing for appropriate road realignment will provide improved road infrastructure.

Financial Implications

The cost of the closure and land transfer, including subdivision costs, will be met by the adjoining property owner. As a result of the proposed subdivisions, the Council will receive the newly constructed road infrastructure as a gifted asset.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The proposal does not limit any human rights provided for under the Victorian *Charter and Human Rights and Responsibilities Act 2006*

Legal/Statutory Implications

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

Consultation

A number of relevant Council branches have been consulted, including the planning, engineering and assets departments. The proposal was referred to all relevant authorities and as no assets were located in the portion of court bowl, no objection was received.

As a result of public notice being provided, 12 objections were received. Each of the objections stated that they objected to the closure unless Marlboro Drive was fully constructed with kerb and channel, footpaths, town water, gas and speed limits imposed on Archer Road. Two of those objectors asked to present their submissions in person.

6. MANAGEMENT REPORTS

6.7 Proposed Road Closure of Part of Court Bowl in Marlboro Drive, Kialla (Continued)

Following discussions with each of the objectors and assurances from Council that Marlboro Drive would be constructed as each of the adjoining properties were developed, each of the objections were withdrawn.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

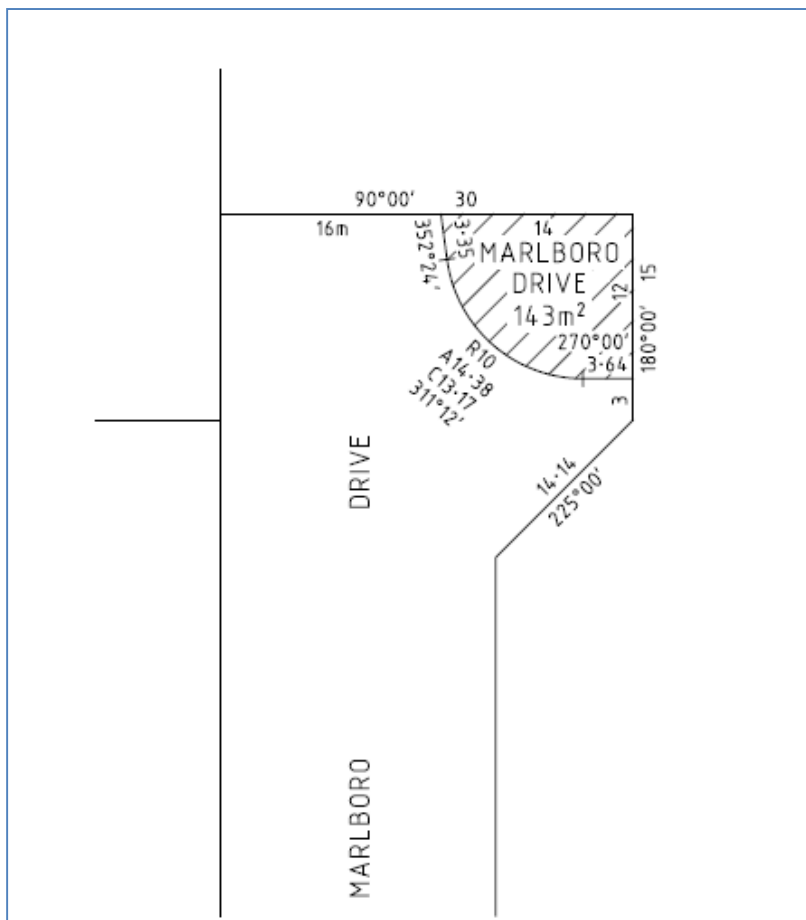
b) Council Plan

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

c) Other strategic links

No other strategic links have been identified.

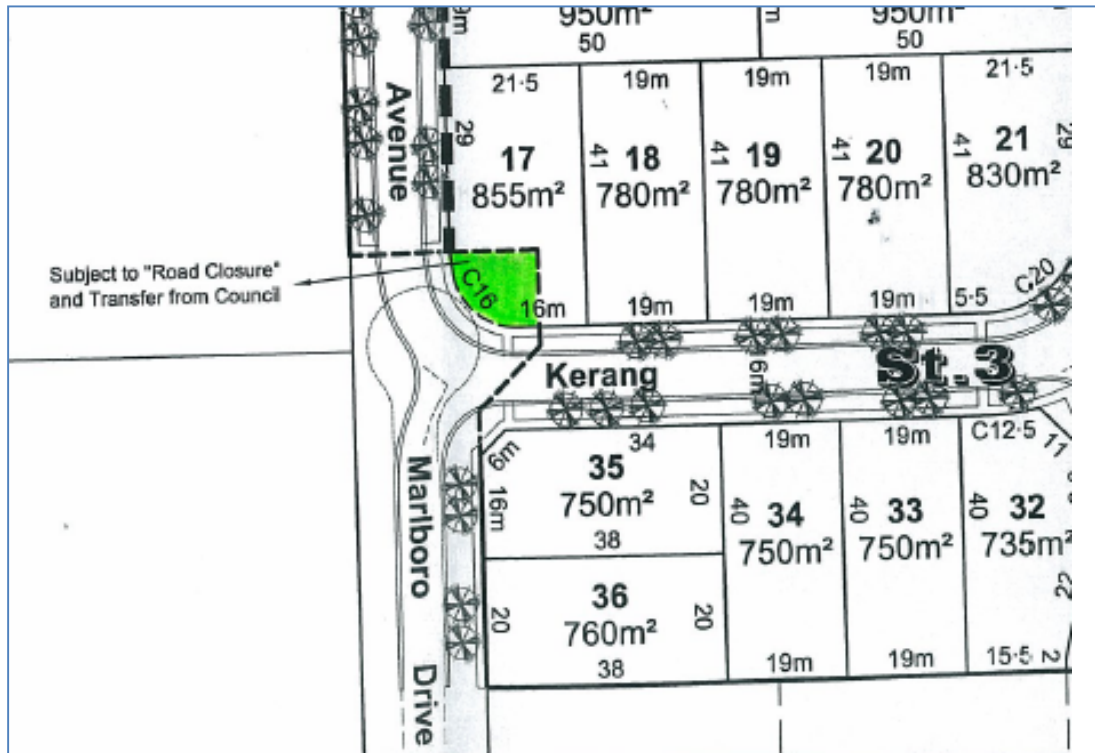
Site plan showing the portion of the court bowl identified for closure



6. MANAGEMENT REPORTS

6.7 Proposed Road Closure of Part of court bowl in Marlboro Drive, Kialla (Continued)

Site plan showing the proposed subdivisional development plan, with new road alignment



6. MANAGEMENT REPORTS

6.8 Withdrawal of Application to Lease Land at 26 Little Road, Mooroopna

Cr Chris Hazelman declared an indirect interest because of conflicting duties in relation to item 5.8 because the Pony Club is a current tenant of Shepparton Harness Racing Club of which he is the appointed Chairman.

Cr Hazelman left the room at 1.28pm

Disclosures of 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.

Summary

The Shepparton Horse and Pony Club Inc. (the Club) have been considering relocating from their current site for a number of years and had approached the Council to lease part of the land at 26 Little Road Mooroopna. On 18 May 2010 the Council resolved to give public notice and invite public submissions of its intention to enter into a lease with the Club.

The Club members have recently advised the Council that the site at 26 Little Road Mooroopna does not meet their future needs and has withdrawn its application to lease the property.

Moved by Cr Crawford

Seconded by Cr Ryan

That the Council notes that the Shepparton Horse and Pony Club Inc. has withdrawn its application to lease the Council owned land at 26 Little Road Mooroopna and that the land will be retained for Council purposes.

CARRIED

Cr Hazelman returned to the room at 1.30pm

Background

The Club currently leases Council land and adjoining land owned by and located at the rear of the Shepparton Harness Racing Club. The Club members have been pursuing the opportunity to relocate to a site which will provide additional space for its activities.

In 2009, the Club approached the Council with a request to enter into a lease of the land at 26 Little Road, Mooroopna. As a result of continuing discussions and investigations into the proposal, a report was submitted to the May 2010 Council meeting recommending that a lease to the Club be considered, and public notice of the proposal be given.

The Club members have since been investigating funding opportunities to assist them with relocating the site and has now determined that the land at 26 Little Road does not meet their needs. Its members have advised the Council that they do not wish to pursue a lease on the site.

6. MANAGEMENT REPORTS

6.8 Withdrawal of Application to Lease Land at 26 Little Road, Mooroopna (Continued)

Submissions

Three submissions were received in response to the public notice as follows:

1. Further public consultation should be undertaken and an ecological and recreational assessment of the land should be conducted prior to a final decision being made.
2. The site could be better utilised for public recreation and parkland.
3. The site could be used as a botanical site/parkland to enhance the entrance to Mooroopna from the north.

The matters raised in the submissions were taken into consideration during the development of proposed lease conditions and further consideration by the Club. The consultation process also identified the suitability for part of the land to be set aside to preserve significant vegetation. A further opportunity was identified that part of the site would meet the Council's requirement for land for offset planting. As the Club no longer has an interest in leasing the land, it is proposed that the site be retained for the Council to further explore this opportunity.

Interest has been expressed in using the site for offset vegetation planting. The site has been identified as ideal for this purpose which is strongly supported by RiverConnect. This will be further investigated and reported back to Council.

Risk Management

As part of the consideration of risks, RiverConnect provided advice on the impact to vegetation and investigation of any cultural heritage impacts were undertaken.

Public notice identified the risk that if the land which was tied up in a lease for an extended period of time, it would reduce the opportunity for the site to be utilised as parkland or for revegetation purposes.

The Club also considered their own risks in the financial viability of relocating to the site which contributed to their decision to withdraw their application.

Policy Implications

The recommendation to accept the Clubs withdrawal of interest in the lease and retain the land for Council purposes does not conflict with any Council Policy.

Best Value Implications

This report is in line with the Best Value principles.

Financial Implications

The proposed lease was a community lease therefore there are little financial implications.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The proposal does not limit any human rights provided for under the Victorian *Charter and Human Rights and responsibilities Act 2006*.

Legal/Statutory Implications

The procedure to consider the proposal to lease the property was undertaken in compliance with the *Local Government Act 1989*, section 190 and 223 which provide the Council with the power to publicly advertise its intention to lease land and receive public submissions.

6. MANAGEMENT REPORTS

6.8 Withdrawal of Application to Lease Land at 26 Little Road, Mooroopna (Continued)

Consultation

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

Strategic Links

a) Greater Shepparton 2030 Strategy

This proposal is consistent with the *Greater Shepparton 2030 Strategy* as one of the strategies identified within Community Life provides that Council, “Improve the image and appearance of public parks and spaces”.

b) Council Plan

This proposal is consistent with this document. The strategic objective Promote and Demonstrate Environmental Sustainability, provides that Council will “achieve positive environmental outcomes for our community”.

c) Other strategic links

No other strategic links have been identified.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.9 Discontinuance of Crown Road Reserves Abutting Kialla West Cemetery

Disclosures of 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.

Summary

The Kialla West Cemetery, located at 7374 Goulburn Valley Highway, Kialla West, has three unused crown road reserves abutting its boundaries to the north, east and south. There is no existing public access to these road reserves as a channel has been constructed on a fourth crown road reserve which abuts the western side of the cemetery.

The Department of Sustainability and Environment (DSE) has provided Ministerial consent for the road reserves to be formally discontinued and combined to form part of the cemetery. This would greatly benefit the cemetery as it would allow for expansion into the future and additional area to deal with flood mitigation and beautification works.

Moved by Cr Houlihan Seconded by Cr Dobson

That the Council:

1. in accordance with the provisions of section 223 of the *Local Government Act 1989*, give public notice of its intention to discontinue the three unused crown road reserves, abutting the north, east and south boundaries of crown allotment 14 Parish of Kialla, known as Kialla West Cemetery, 7374 Goulburn Valley Highway, Kialla to enable the parcels to be consolidated with the cemetery property; and
2. invite submissions from any person affected by the proposed discontinuance of those crown road reserves.

CARRIED

Background

The Council has received Ministerial consent to formally discontinue the crown road reserves abutting the Kialla West Cemetery, which the Council can facilitate in accordance with section 206 and clause 3 of schedule 10 of the *Local Government Act, 1987*. The Crown road reserves are unused roads and are not considered to be required for road use into the future. The land is currently used by adjoining farmers for grazing and/or cropping purposes, however this use is not licensed.

Formally discontinuing the road reserves will remove the road status from the titles of the unused crown road reserves, which will enable the land to be consolidated with the Kialla West Cemetery property. As land used for cemetery purposes is Crown land, the ownership status will remain unchanged. DSE is very supportive of this action, demonstrated by providing written Ministerial approval.

While the cemetery currently has capacity to provide for interments for 50 years or more based on existing trends, an emerging demand to establish new specific denominational areas provides additional challenges on this capacity. With the Goulburn Valley attracting settlers from different cultural backgrounds, the Kialla West Cemetery can provide a solution for the specific cultural burial needs. The opportunity to expand the site by inclusion of the closed road reserves supports this.

6. MANAGEMENT REPORTS

6.9 Discontinuance of Crown Road Reserves Abutting Kialla West Cemetery (Continued)

Risk Management

A risk assessment has been undertaken which identified mostly positive outcomes. There was no unacceptable risk identified. One risk identified was that the adjoining land owners may oppose the loss of land for their use, although it is not licensed. These parties have been advised in writing of the proposal. They will also be formally advised and will have an opportunity to make a submission as part of the public notice process. All submissions will be taken into consideration when the Council determine the matter.

Policy Implications

The proposed discontinuance of the unused Crown road reserves and consolidation with the Kialla West Cemetery does not conflict with any Council policies.

Best Value Implications

The proposal is consistent with the intent of the best value principals, enhancing the future capacity of the cemetery to continue to meet the community's needs.

Financial Implications

The costs of providing public notice and notification in the *Victorian Government Gazette* will be less than \$1,000 and will be paid by the Kialla West Cemetery Trust. This will be managed within budget. As the land will be retained by the crown there will be no transfer, stamp duty or purchase costs.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The proposal does not limit any human rights provided for under the *Victorian Charter and Human Rights and responsibilities Act 2006*.

Legal/Statutory Implications

This road discontinuance procedure is being undertaken in compliance with *the Local Government Act 1989*. Section 206 clause 3 of schedule 10 provides the Council with the power to discontinue a road. The road reserves belong to the Crown and upon discontinuance will remain the property of the Crown and will be consolidated with the title to Kialla West Cemetery.

Consultation

The proposal was discussed with the Kialla West Cemetery Trust at its meeting on 12 September 2011 and the trust secretary was authorised to proceed with the proposal. Advertising and public consultation will be undertaken if the proposal is supported by the Council. Any submissions received as a result of the public notice will then be considered in Council's final determination of the matter. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

This proposal is consistent with this document. The strategic objective Embrace and Strengthen Cultural Harmony and diversity, supplies the direction to "Ensure Council

6. MANAGEMENT REPORTS

6.9 Discontinuance of Crown Road Reserves Abutting Kialla West Cemetery (Continued)

activities support and enhance its reputation for cultural harmony and inclusiveness". By supporting this proposal, the Council is ensuring the sufficient land will be available to consider the requests to accommodate the needs of different cultures in providing separate areas for burial.

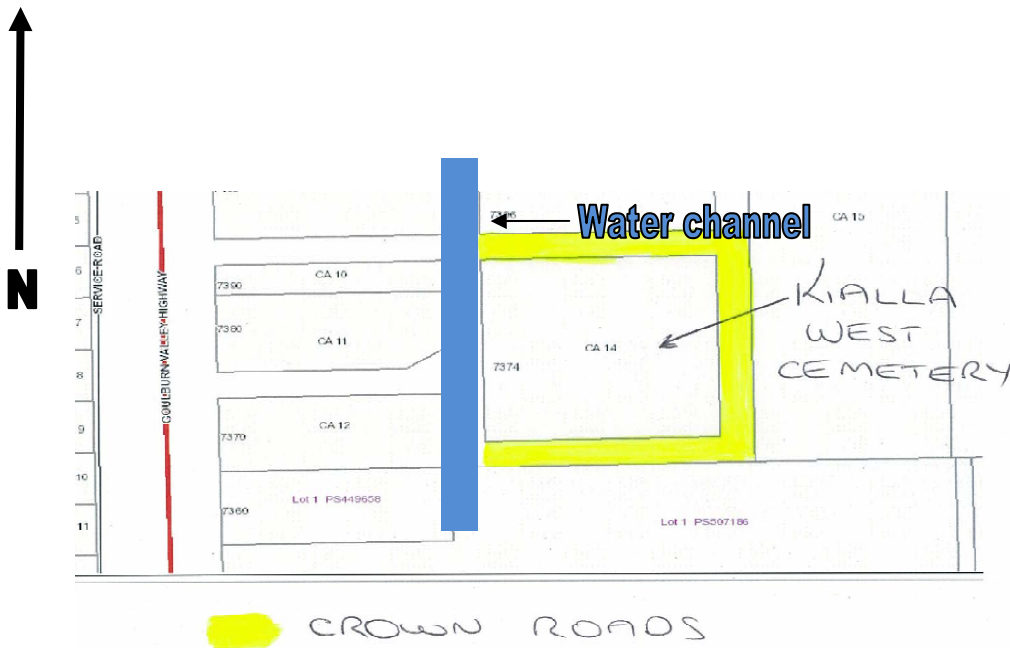
c) Other strategic links

No other strategic links have been identified.

Attachments

Nil.

Site Plan showing the unused road reserves identified for discontinuance.



6. MANAGEMENT REPORTS

FROM THE SUSTAINABLE DEVELOPMENT DEPARTMENT

6.10 Shared Path Location

Cr Chris Hazelman declared an indirect interest because of conflicting duties in relation to item 6.10 as the subject land owners having undertaken commercial and contractual work for the Shepparton Harness Racing Club of which Cr Hazelman is the appointed Chairman.

Cr Hazelman left the room at 1.34pm

Disclosures of 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.

Summary

This report reconsiders the location of the shared path alignment through 7615 Goulburn Valley Highway, Kialla (the land) following the preparation of an independent review of the Council's previous decision.

The Council resolved on 21 September 2010 to require that the proposed shared path alignment on the land abuts the Sevens Creek.

This alignment resulted in the future shared path being located between the Creek and the dwelling on the land and was opposed to by the land owner given the impact on the dwellings privacy.

Following the Council's resolution in September 2010 the Council's previous Chief Executive Officer (CEO) sought an independent review of the Council's decision. This review was undertaken by Isis Planning Pty Ltd.

This review was provided on 26 November 2010 and made the following recommendations regarding the shared path location:

- *That the Council confirms with the landowner the precise location of the shared pathway east of the existing dwelling prior to assessing an application to subdivide the land.*
- *That the Council identifies the extent of the Urban Floodway Zone (UFZ) that will be required on the land for public open space purposes. The current high bank of the Sevens Creek (plus three metres should provide the basis for this).*

To implement these recommendations, the Planning and Development Branch was instructed to negotiate a shared path alignment to the east of the existing dwelling with the land owner. Following numerous discussions an agreed shared path alignment was agreed to on 25 October 2011.

On the basis of this agreed plan and the Isis review, the Planning and Development Branch recommend that the Council resolve to allow the future shared path location to be aligned to the east of the dwelling as shown on 'Plan of Proposed Shared Path Location' prepared by GVIS Onleys Version 10'.

6. MANAGEMENT REPORTS

6.10 Shared Path Location (Continued)

RECOMMENDATION

That the Council resolves to approve the plan of proposed shared path location as prepared by GVIS Onleys Version 10 and require the plan to be incorporated into any future planning application for residential development for the land.

Moved by Cr Dobson Seconded by Cr Crawford

1. That the Council resolves to approve the plan of proposed shared path location as prepared by GVIS Onleys Version 10 and require the plan to be incorporated into any future planning application for residential development for the land.
2. That the Council resolves to require that rather than requiring the land owner to vest to the Council a three metre wide reserve abutting the Seven Creek for emergency access, that the land owner enter into a Section 173 Agreement under the *Planning and Environment Act, 1987* to provide for the following:
3. Council Access
The owners of the land covenant to allow the Council and its officers, employees, contractors or agents or any of them, to enter that Owner's Land (at any reasonable time) to access the Seven Creek to undertake any necessary works to the Seven Creek as the Council or Goulburn Broken Catchment Management Authority deems necessary.
4. Maintenance Area
The owners of the land covenant to maintain a three metre lineal strip of land from the high bank of the Seven Creek in a useable condition that is free of obstructions to allow Council and Goulburn Broken Catchment Management Authority officers to access the Sevens Creek.
5. Payment of Council costs
The owner agrees to pay on demand to the Council the Council's costs and expenses (including any legal fees incurred on a solicitor-client basis) of and incidental to the preparation, execution, recording and enforcement of this Agreement.

6. MANAGEMENT REPORTS

6.10 Shared Path Location (Continued)

Amendment Moved by Cr Muto Seconded by Cr Ryan

1. That the Council resolves to approve the plan of proposed shared path location as prepared by GVIS Onleys Version 10 and require the plan to be incorporated into any future planning application for residential development for the land.
2. That the Council resolves to require that rather than requiring the land owner to vest to the Council a three metre wide reserve abutting the Seven Creek for emergency access, that the land owner enter into a Section 173 Agreement under the *Planning and Environment Act, 1987* to provide for the following:
3. Council Access
The owners of the land covenant to allow the Council and its officers, employees, contractors or agents or any of them, to enter that Owner's Land (at any reasonable time) to access the Seven Creek to undertake any necessary works to the Seven Creek as the Council or Goulburn Broken Catchment Management Authority deems necessary.
4. Maintenance Area
The owners of the land covenant to maintain a three metre lineal strip of land from the high bank of the Seven Creek in a useable condition that is free of obstructions to allow Council and Goulburn Broken Catchment Management Authority officers to access the Sevens Creek.

Moved by Cr Crawford

That the amended motion be now put.

The Chair ruled not enough debate

The amended motion was put and lost.

Cr Muto called a division.

**Those voting in favour of the motion: Cr Ryan, and Cr Muto.
Those voting against the motion: Cr Polan, Cr Dobson, Cr Crawford and Cr Houlihan**

Moved by Cr Muto

That the motion be now put.

The Chair ruled not enough debate

6. MANAGEMENT REPORTS

6.10 Shared Path Location (Continued)

Moved by Cr Muto

That the question now not be put.

In accordance with clause 92 of council's *Local Law No. 2 Processes of Local Government (Meetings and Common Seal)* the chair did not accept the motion as Cr Muto had already spoken to an amendment to the motion.

The original motion was put and carried.

Cr Hazelman returned to the room at 2.00pm

Background

This matter dates back to April 2008, when planning application 2007-207 sought to subdivide the land into two lots. The application was refused on the grounds that the subdivision did not provide land for the future shared path route in accordance with the approved Overall Development Plan (ODP) for the southern growth corridor.

Following this refusal lengthy, discussions were held with the applicant to attempt to resolve the location of the shared path. This was brought to a head by the Council's resolution in September 2010 requiring that the shared path following the Creek.

This Council decision led to the Isis 'independent review of the decision by the Greater Shepparton City Council on the provision of a shared path within the Shepparton South Outline Development Plan Area'.

Isis made the following conclusions regarding the alignment of the shared path:

- The shared path shown in the ODP has an alignment east of the original dwelling
- On the basis there is no need to modify the ODP to support the shared path on the land east of the dwelling.

Following the preparation of this independent report, planning officers and the applicant negotiated an agreed plan which includes the following features:

- 2.5 metre wide shared path alignment to the east of the existing dwelling
- Land within the Creek environs to be vested to the Council as public open space
- Three metre wide Council reserve along the Creek is to prevent privatisation of the Creek (this three metre reserve is to provide emergency access and should not in the future be used as a shared path alignment).

Although this plan is agreed to in principle by the Planning and Development Branch, the applicant was informed a Council resolution is required to endorse the eastern alignment of the shared path.

Based on the Isis report it is recommended that the Council resolve to adopt the position within the Isis report.

6. MANAGEMENT REPORTS

6.10 Shared Path Location (Continued)

There is a risk that future developers may rely on this Council decision as a precedent to argue that future shared path alignments should not to follow the Creek / River environs. This risk is minimised however as each planning decision should be assessed and decided on its own individual planning merits.

Policy Implications

The Isis report states that the ODP shows the shared path alignment to the east of the original dwelling, therefore it is Isis conclusion that the shared path on the eastern side of the dwelling is generally in accordance with the ODP.

Financial Implications

The land is within the Developer Contributions Plan Overlay 2, which requires that the developer make financial contribution towards the cost of construction for the shared path.

It is likely that the contributions made by the developer towards the shared path would not be enough to fund the construction. If this occurs the balance would need to be made up by the Council. The contribution is not required to be paid until development of the land occurs.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The Victorian bills explanatory memoranda states that the purpose of this 'Charter is to establish a framework for the protection and promotion of human rights in Victoria'.

The human rights protected by the Charter are civil and political rights.

Smith v Hobsons Bay (Red Dot) 2010 (VCAT 668) considered the link between planning decisions and the Charter.

The Charter does not manifestly change the role and responsibility of the Tribunal. Implicitly, the Tribunal already considers the reasonableness of potential infringements on a person's privacy and home in its day-to-day decision making, in dealing with issues such as overlooking (as in this case), overshadowing, noise, environmental constraints and a variety of other issues and potential amenity impacts within the planning regulatory framework. That framework recognises that reasonable restrictions may be placed on the use and development of land, and that there may on occasion be reasonable and acceptable off-site impacts on others. There is an emphasis on performance based policies, objectives and guidelines that deal with a range of potential amenity impacts on a person's privacy and home. Provided these issues are properly considered, it would be a rare and exceptional case where the exercise of a planning discretion in accordance with the regulatory framework is not Charter compatible.

Given the alignment of the shared path is a routine planning decision that has been considered in accordance with the relevant parts of the Greater Shepparton Planning Scheme, the decision does not contravene the Charter.

Risk Management

This recommendation adopts the alignment of a shared path which is a standard type planning decision of the Council. The matter is discretionary and it is open for the Council to decide on the matter.

6. MANAGEMENT REPORTS

6.10 Shared Path Location (Continued)

Legal/Statutory Implications

This is a decision that interprets that shared path should be located to the east of the dwelling in the southern growth corridor ODP.

This decision will bind the Council to the location of the shared path to the east of the dwelling, when considering any future planning applications.

Consultation

The plan of shared path has been prepared and agreed to following numerous meetings between the Council's Planning Officers and the applicants. The plan represents an acceptable shared path alignment outcome for both parties.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The southern growth corridor

'covers the area south of the Broken River to Bennetts Road between the west side of the Goulburn Valley Highway and Goulburn River, and its western and southern boundaries shaped by Seven Creeks, and has a total area of approximately 490 hectares. This corridor contains the former drive-in site (corner Riverview Drive and Goulburn Valley Highway), which is a major redevelopment site, and is also located close to Shepparton Airport and the Shepparton Harness Racing Track to the east'.

The southern growth corridor provides for 181 hectares of developable land which will accommodate a population of 3,671.

b) Council Plan

The Council plan encourages innovative, appropriate, sustainable and affordable housing solutions and to encourage sustainable municipal growth and development.

c) Public Health Plan

Being active has proven health and well-being benefits. The Greater Shepparton community needs to be responsive to the needs of all residents to promote physical activity.

The resolution of the dispute regarding the shared path location, will allow the residential subdivision of the land at the appropriate time which allows for increased growth in a designated growth corridor and provides for shared path links which promote physical activity.

Attachments

1. Isis independent review
2. Plan of proposed shared path location.

6. MANAGEMENT REPORTS

6.11 Minor Amendments to Existing Planning Delegations Required Due to Legislative Changes

Disclosures of 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.

Summary

Section 98 of the *Local Government Act 1989* and section 188 of the *Planning and Environment Act 1987* empower the Council to delegate its powers, duties and functions under relevant legislation to members of Council staff.

The Council may also delegate to committees comprising Councillors and staff or a combination of both, pursuant to sections 86 and 87 of the *Local Government Act 1989* and section 188 of the *Planning and Environment Act 1987*.

The report addresses minor changes required to the existing Instrument of Delegation, particularly following some amendments to the *Planning and Environment Act 1987* regulations.

These include:

1. The delegation on the duty to notify the Minister if abandoning an amendment has been limited so that the power to make a decision to abandon an amendment cannot be delegated.
2. Power to agree to extend time for making a claim.
3. The replacement of the Planning and Environment (Fees) Regulations 2000 with the Planning and Environment (Fees) Interim Regulations 2011, which delegate the power to waive or rebate fee in prescribed circumstances:
 - where the Council is the responsible authority the power to waive or rebate fee for amendment to a planning scheme in prescribed circumstances
 - where the Council is the planning authority and the duty fee waived or rebated to record in writing the matters taken into account and which formed the basis of the decision
 - where the Council is the responsible authority or planning authority.

Moved by Cr Houlihan

Seconded by Cr Dobson

In relation to the exercise of the powers conferred by section 86, 87 and 98 (1) of the *Local Government Act 1989* and section 188 of the *Planning and Environment Act 1987* and the other legislation referred to in the attached Instrument of Delegation, the Council resolves that:

1. There be delegated to the person holding the position, acting in or performing the duties of General Manager Sustainable Development, Manager Planning and Development, Statutory Planning Team Leader, Development Team Leader, Strategic Planning Team Leader, Principal Statutory Planner, Principal Strategic Planner, Statutory Planners, Strategic Planners and Development

6. MANAGEMENT REPORTS

6.11 Minor Amendments to Existing Planning Delegations Required Due to Legislative Changes (Continued)

Engineers the powers, duties and functions set out in the attached Instrument of Delegation to the General Manager Sustainable Development, Manager Planning and Development, Statutory Planning Team Leader, Development Team Leader, Strategic Planning Team Leader, Principal Statutory Planner, Principal Strategic Planner, Statutory Planners, Strategic Planners and Development Engineers, subject to the conditions and limitations specified in that Instrument.

2. The Instrument of Delegation comes into force immediately the Common Seal of Council is affixed to the instrument.
3. On the coming into force of the Instrument all previous delegations to the General Manager Sustainable Development, Manager Planning and Development, Statutory Planning Team Leader, Development Team Leader, Strategic Planning Team Leader, Principal Statutory Planner, Principal Strategic Planner, Statutory Planners, Strategic Planners and Development Engineers are revoked.
4. The duties and functions set out in the Instrument of Delegation must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED

Background

The Council's Planning Delegations were last updated on 16 August 2011. This update was to address minor changes required to the existing Instrument of Delegation, particularly following some amendments to the *Planning and Environment Act 1987* and also amendments to include provision for delegated Council staff to perform functions and duties under the Greater Shepparton Planning Scheme.

Risk Management

The review of Instruments of Delegation ensures that they remain valid and legal and that generally routine decisions are able to be made without the need for a Council meeting.

The Council subscribes to the Delegations and Authorisations Service provided by Maddocks Lawyers and the proposed changes have been recommended by this Service. Subscribing to the Maddocks Service reduces the risk that legislative changes which have implications for the Council's delegations and authorisations are not properly identified and implemented.

Should Council not have appropriate delegations in place there is a risk of slower processing times and therefore delays to applicants.

Policy Implications

The existing Instrument of Delegation was adopted by the Council on the 16 August 2011. The proposed Instrument of Delegation makes minor changes to the existing Instrument and continues to reflect the Council's ongoing commitment to reducing the waiting times and delays in planning processes.

6. MANAGEMENT REPORTS

6.11 Minor Amendments to Existing Planning Delegations Required Due to Legislative Changes (Continued)

Best Value Implications

The proposal is consistent with the Planning and Development Branch Best Value review, to streamline planning processes and avoid unnecessary delays.

Financial Implications

There are no financial implications as a result of the proposed changes. However there are significant cost savings to applicants and developers in reducing waiting times and delays.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The proposal does not limit any human rights provided for under the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Legal/Statutory Implications

The proposed Instrument of Delegation is consistent with the *Planning and Environment Act 1987*. The decision of a delegate of Council is "deemed" to be a decision by the Council.

It binds the Council in the same manner and to the same extent as a decision made at a Council meeting.

Consultation

Streamlining of planning processes has been discussed on a number of occasions with the development industry. The development industry is supportive of the proposed changes.

Officers believe that appropriate consultation will occur and the matter is now ready for the Council's consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

The proposed changes are consistent with Greater Shepparton 2030.

b) Council Plan

The proposal is also consistent with one of the Council Plan's strategies to maintain an efficient planning permit service to meet industry needs.

c) Other strategic links

No other strategic links have been identified.

Attachment

Instrument of Delegation - Council to Members of Staff (Planning)

6. MANAGEMENT REPORTS

6.12 Heritage Advisory Committee – Community Nominations

Disclosures of 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.

Summary

At the Ordinary Council Meeting held on the 17 January 2012, the Council authorised the formation of the Heritage Advisory Committee in accordance with the proposed Terms of Reference. The Committee's role is one of providing advice. It is not delegated to act as an internal referral body, to comment / object to applications or to make decisions on behalf of the Council. The primary purpose of the Committee is to provide the best possible advice to Council on how to conserve and promote the unique cultural heritage of Greater Shepparton and to act as an advocate for all cultural heritage matters within the Municipality.

The Council also resolved to appoint the three community members unaffiliated with historical groups and societies within the Municipality to the Committee subject to a public consultation period.

An advertisement calling for community applications for membership of the Heritage Advisory Committee was placed in the Shepparton News on Friday, 27 January 2012 and Friday, 3 February 2012, and the Tatura Guardian on Wednesday, 1 February 2012.

Four nomination forms were received. The Committee assessed each nomination against the following selection criteria:

- demonstrated experience in area or building conservation, or the development industry in general,
- knowledge of conservation and historical issues affecting the Municipality, and
- the ability to access historical or conservation networks and stakeholder groups.

Following consideration of each nomination application, the Committee resolved to advise the Council that it seeks to propose three of these nominations to the Committee for a one year term.

**Moved by Cr Houlihan
Seconded by Cr Dobson**

That the Council, having considered the nominations received for appointment to the Heritage Advisory Committee, appoint the following members for a one year term to the Committee:

1. Evan LLOYD
2. Neil C PENNEY
3. Brian PETHYBRIDGE

CARRIED

6. MANAGEMENT REPORTS

6.12 Heritage Advisory Committee – Community Nominations

Background

At the Ordinary Council Meeting held on the 17 January 2012, the Council authorised the formation of the Heritage Advisory Committee and to appoint three community members unaffiliated with historical groups and societies within the Municipality to the Committee following a public consultation period.

An advertisement calling for community applications for membership of the Heritage Advisory Committee was placed in the Shepparton News on Friday, 27 January 2012 and Friday, 3 February 2012, and the Tatura Guardian on Wednesday, 1 February 2012. Following this public consultation period, four applications were received. The Committee assessed the nomination applications against the following selection criteria:

- demonstrated experience in area or building conservation, or the development industry in general,
- knowledge of conservation and historical issues affecting the Municipality, and
- the ability to access historical or conservation networks and stakeholder groups.

Following consideration of each nomination application against these selection criteria, the Committee resolved to advise the Council that it seeks to propose three of these nominations to the Committee for a one (1) year term.

Risk Management

Failure to resolve to approve the three community nominations for the Heritage Advisory Committee would reduce the Committee's ability to promote community participation in and raise awareness of cultural heritage issues within the Municipality.

Policy Implications

There are no conflicts with existing Council policies.

Best Value Implications

The Best Value principles have been taken into account and the proposal is consistent with them. The Heritage Advisory Committee will ensure that the Council is best equipped to identify and protect the unique cultural heritage of the Municipality.

Financial Implications

There are no financial implications relating to the approval of the three community nominations for the Heritage Advisory Committee, as the Committee is a voluntary group.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The proposal does not limit any of the human rights provided for under the Victorian *Charter of Human Rights and Responsibilities Act 2006*

Legal/Statutory Implications

The proposal conforms with the *Local Government Act 1989* and all other relevant legislation.

Consultation

Key stakeholders were actively engaged following the publication of the advertisement calling for nominations for the Cultural Heritage Awards. Officers believe that appropriate consultation has occurred and the matter is now ready for the Council's consideration.

6. MANAGEMENT REPORTS

6.12 Heritage Advisory Committee – Community Nominations

Strategic Links

a) Greater Shepparton 2030 Strategy

The approval of the three community nominations for the Heritage Advisory Committee is consistent with the objectives, strategies and actions outlined in the Environment Section of the Greater Shepparton 2030 Strategy.

b) Council Plan

The approval of the three community nominations for the Heritage Advisory Committee is consistent with the following objectives outlined in the Council Plan:

- Strategic Objective 3: Environment - Point 18: Identify and respect our significant cultural and environmental assets.
- Strategic Objective 6: Council Organisation and Management - Point 31: Engage our community when making decisions.

c) Any other strategic links

The approval of the three community nominations for the Heritage Advisory Committee will also develop and implement the initiatives outlined in the:

- Section 14.2 of the Greater Shepparton Heritage Study Stage IIB.

Attachments

Nil

6. MANAGEMENT REPORTS

FROM THE ORGANISATIONAL PERFORMANCE BRANCH

6.13 RedR Australia Ambassadorship Proposal

Cr Chris Hazelman declared an indirect interest because of conflicting duties in relation to item 6.13 because Cr Hazelman facilitates volunteers for RedR Australia through the Ethnic Council of Shepparton.

Cr Hazelman left the room at 2.05pm

Disclosures of 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.

Summary

RedR Australia provides emergency assistance to communities devastated by conflict or natural disaster, by selecting, training and providing competent and effective personnel to humanitarian relief programs worldwide.

Each year, RedR Australia's trains and prepares approximately 200 aid workers from across Australia and overseas at its training base at the Dookie campus of the University of Melbourne.

Greater Shepparton Councillors were briefed on the work of RedR Australia in 2011 and following that briefing, have been invited to become informal ambassadors for RedR Australia.

**Moved by Cr Crawford
Seconded by Cr Ryan**

That the Council accept the offer to become informal ambassadors for RedR Australia and promote the work of RedR Australia in the community and more widely when the opportunity arises.

CARRIED

Cr Hazelman returned to the room at 2.09pm

Background

RedR Australia provides emergency assistance to communities devastated by conflict or natural disaster, by selecting, training and providing competent and effective personnel to humanitarian relief programs worldwide.

Since 1998, RedR Australia has been training humanitarian workers for organisations such as the United Nations, the World Food Program, AusAid and many humanitarian Non Government Organisations. Training is conducted at the Dookie campus of the University of Melbourne and each year, approximately 200 aid workers from across Australia and overseas are prepared for deployment on humanitarian operations.

At the time of writing this report, registered RedR Australia personnel are assisting humanitarian operations in the Horn of Africa, Afghanistan, Democratic Republic of Congo, Ghana, Syria, Ivory Coast, Kenya, Somalia, Liberia, Fiji, Philippines, Cambodia, Pakistan, Sri Lanka and South Sudan.

6. MANAGEMENT REPORTS

6.13 RedR Australia Ambassadorship Proposal (Continued)

Greater Shepparton Councillors were briefed on the work of RedR Australia in September 2011. At the time of the briefing, most councillors were not aware that RedR Australia undertook its important training within the municipality of Greater Shepparton and expressed the view that more should be done to promote the organisation to the wider community. The CEO of RedR Australia invited all councillors to become “informal ambassadors” for RedR Australia, by making people aware of its existence and training role when the opportunity arose, particularly when natural or manmade disasters occurred and were reported on in the media. In November 2011, the CEO wrote to the Council, again extending this invitation.

Risk Management

Two potential risks were identified and are considered below:

1. Reputational

By aligning itself with RedR Australia, the Council could incur damage to its reputation if RedR Australia or any of its staff were ever found to have acted in an illegal, immoral or unethical manner. RedR is considered to be a highly reputable organisation which receives funding from AusAid, the Australian Government’s international aid agency. Reputational risk is assessed as very low.

2. Financial

An agreement by councillors to become informal ambassadors carries no current or future obligation to provide funding or in kind support to RedR Australia. If in the future the Council is approached to provide more tangible support, such requests would be assessed on their merits at that time. Financial risk is considered low.

Policy Implications

While it does not include a financial component, the proposal for councillors to become informal ambassadors was assessed against the Council’s Provision of Sponsorship Policy, which requires that any proposals for sponsorship are not approved if they conflict with any Council objectives, policies or values. No conflicts were identified.

Best Value Implications

This report does not relate to the procurement of goods or services, or the delivery of Council services or programs and therefore, there are no Best Value considerations.

Financial Implications

Informal ambassadorship as proposed has no financial implications for the Council. As noted under Risk Management, any future approaches for financial support would be considered on their merits and included in the Council’s budget, if approved.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The five step Human Rights impact assessment has been applied to this proposal and it is not considered to limit or infringe any human rights contained in the Charter. To the contrary, supporting the work of RedR Australia contributes to the upholding of human rights for the victims of manmade and natural disasters, particularly their right to life and the rights of families and children to protection.

Legal/Statutory Implications

This proposal has no legal or statutory implications.

6. MANAGEMENT REPORTS

6.13 RedR Australia Ambassadorship Proposal (Continued)

Consultation

Councillors were briefed by the CEO of RedR in September 2011, at which time they expressed interest in becoming informal ambassadors for that organisation. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

This proposal supports the aims of the Key Objective of Community Life, through the promotion of volunteerism and social connectedness.

b) Council Plan

This proposal links to Key Strategic Objective 2: Community Life. The work of RedR Australia enhances social connectedness in our community, as many of our new citizens arrived as refugees and would have had firsthand experience of and benefited from the types of services RedR Australia personnel are able to provide

c) Other strategic links

No other strategic links were identified

Attachments

Nil.

6. MANAGEMENT REPORTS

6.14 Dookie Memorial Hall Committee of Management

Disclosures of 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 a conflict of interest in relation to the matter under consideration.

Summary

At the Ordinary Council Meeting held on 20 December 2011, six members were appointed to the Dookie Memorial Hall Committee of Management for a two year term expiring on 20 December 2013. An additional member has now submitted an application to be appointed to the Committee of Management.

Moved by Cr Dobson

Seconded by Cr Ryan

That the Council having considered the application received for appointment to the Dookie Memorial Hall Committee of Management, appoint Lynda Ford to the committee for a term expiring on 20 December 2013.

CARRIED

Background

At the Ordinary Council Meeting held on 20 December 2011, six members were appointed to the Dookie Memorial Hall Committee of Management for a two year term expiring on 20 December 2013.

The Committee of Management have an agreement that the town's kindergarten facilities are run from a room that forms part of the hall and the outdoor area. It was proposed at the Committees annual general meeting on Tuesday 7 February 2012, that a representative from the kindergarten should be encouraged to apply for membership of the Committee of Management, to ensure that when there are matters or issues to be raised in relation to the kindergarten, they can be discussed during the meeting.

The proposal was raised with the kindergarten staff, and Lynda Ford agreed and has applied to be part of the Committee. Lynda is currently the kindergarten president and would be the ideal candidate to form part of the committee to allow for better cross communication.

Risk Management

The appointment of members through formal resolution of the Council reduces governance risks associated with the delegation of Council powers to a committee by ensuring that all members appointed to a committee are covered by the Council's public liability insurance.

Policy Implications

There are no conflicts with Council Policy.

Best Value Implications

The Best Value principles have been taken into account and the proposal is consistent with them.

Financial Implications

There are no financial implications associated with this proposal.

6. MANAGEMENT REPORTS

6.14 Dookie Memorial Hall Committee of Management

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The proposal does not limit any of the human rights embodied in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Legal/Statutory Implications

The proposal conforms to all relevant legislation.

Consultation

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

This proposal supports objective 35 – provide best practice management and administrative systems and structures to support the delivery of Council services and programs.

c) Other strategic links

No other strategic links have been identified.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.15 Instrument of Delegation – Members of Staff - Non Planning

Disclosures of 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.

Summary

The Council is a legal entity composed of its members (the Councillors). As the Council it is not a “natural” person, it can act in only one of two ways: by resolution or through others acting on its behalf. For others to act on the Council’s behalf, the relevant Council powers must be delegated by the Council.

The Council has delegated the majority of its delegable powers to the Chief Executive Officer, who is permitted under the act to further sub-delegate these powers to other members of Council staff. The powers conferred on the Council under some legislative instruments cannot be delegated through the CEO, however, and must be delegated by resolution directly to Council officers.

These updates take into account legislative changes made since the last update in May 2011. These changes affect Council’s powers, functions and duties. The Acts and Regulations affected by the changes are:

- *Cemeteries and Crematoria Act 2003*
- *Cemeteries and Crematoria Regulations 2005*
- *Food Act 1984*
- *Residential Tenancies Act 1997*

Moved By Cr Houlihan Seconded by Cr Dobson

That in the exercise of powers conferred by section 98(1) of the *Local Government Act 1989* and other legislation referred to in the revised and attached Instrument of Delegation to Council Staff:

1. the Council delegates to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to Members of Council Staff (Non Planning)*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. the Instrument comes into force immediately the common seal of Council is affixed to the instrument
3. on the coming into force of the instrument, the *Instrument of Delegation to Members of Council Staff (Non Planning)* adopted by the Council on 20 July 2010 is revoked.

The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED

6. MANAGEMENT REPORTS

6.15 Instrument of Delegation – Members of Staff - Non Planning (Continued)

Background

The power of a Council to act by resolution is set out in section 3(5) of the Act:

“Where a Council is empowered to do any act, matter or thing, the decision to do the act, matter or thing is to be made by a resolution of the Council.”

The Council is not in a position to exercise all the powers conferred upon it by resolution and requires others to act on its behalf. This is made possible under section 98(1) of the Act which provides that a Council may, by Instrument of Delegation, delegate to a member of its staff any power, duty or function of a Council under the *Local Government Act 1989* or any other Act, other than certain specified powers.

The Council has delegated the majority of its delegable powers to the CEO. Section 98(2) of the Act provides that the CEO may, by Instrument of Delegation, delegate to a member of the Council staff any power, duty or function of his or her office, except the power of delegation itself. This is the avenue by which most Council officers are delegated the power to make decisions.

The powers conferred on the Council under some legislative instruments cannot be delegated through the CEO, however, and must be delegated by resolution directly to Council officers. The Acts and Regulations referred to in the attached *Instrument of Delegation to Members of Council Staff (Non Planning)* are among those which require direct delegation.

This Instrument has been reviewed as required by section 98(6) of the Act and a number of changes proposed. These changes are necessary to reflect changes in the delegable powers and duties under these Acts and Regulations since the last delegation was adopted.

The following outlines the changes made to the Instrument of Delegation:

1. The notation has been amended as to when the *Cemeteries and Crematoria Act 2003* and the Regulations apply.
2. There have been legislative changes the *Food Act 1984*, in relation to the regulation of food premises and other relevant provisions have been inserted.
3. For sections 518F and 526A of the Residential Tenancies Act 1997, a notation has been inserted that these provisions are not yet in force and are due to commence on 31 March 2012 if not proclaimed earlier.

Risk Management

The review of Instruments of delegation ensures that they remain valid and legal and that generally routine decisions are able to be made without the need for a Council meeting.

The Council subscribes to the Delegations and Authorisations Service provided by Maddocks Lawyers and the proposed changes have been recommended by this Service. Subscribing to the Maddocks Service reduces the risk that legislative changes which have implications for the Council's delegations and authorisations are not properly identified and implemented.

Policy Implications

The proposed Instrument must be exercised in accordance with the Council's Exercise of Delegations policy.

6. MANAGEMENT REPORTS

6.15 Instrument of Delegation – Members of Staff Non Planning (Continued)

Best Value Implications

The *Instrument of Delegation to Members of Council Staff (Non Planning)* has no Best Value Implications.

Financial Implications

There are no direct financial implications arising from the *Instrument of Delegation to Members of Council Staff (Non Planning)*. Financial delegations have been made by the CEO and are consistent with the Council's Exercise of Delegations Policy.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

This proposal does not limit any of the human rights provided for under the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Legal/Statutory Implications

The *Instrument of Delegation to Members of Council Staff (Non Planning)* ensures that decision made by Council officers are legally compliant and enforceable.

Consultation

The review of the Delegation was undertaken by the Organisational Performance Executive team in conjunction with advice provided by Maddocks Lawyers.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

The issuance of the *Instrument of Delegation to Members of Council Staff (Non Planning)* supports Strategy 35 of the Council Organisational and Management objective: "Provide best practice management and administrative systems and structures to support the delivery of Council services and programs".

c) Other strategic links

No other strategic links have been identified.

Attachment

Instrument of Delegation to Members of Council Staff (Non Planning).

6. MANAGEMENT REPORTS

6.16 Bunbartha Recreation Reserve Committee of Management

Disclosures of 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.

Summary

At the Ordinary Council Meeting held on 16 February 2010, six members were appointed to the Bunbartha Recreation Reserve Committee of Management for a two year term. The appointment of these members has now expired and it is necessary to fill the vacant positions on the committee.

An advertisement calling for applications for membership of the Bunbartha Recreation Reserve Committee of Management was placed in the Shepparton News on Friday 10 February 2012 and Friday 17 February 2012. Letters were sent to the six committee members whose membership was due to expire, encouraging them to reapply.

Six nomination forms were received to form the Committee of Management.

Moved By Cr Hazelman Seconded by Cr Houlihan

That the Council, having considered the nominations received for appointment to the Bunbartha Recreation Reserve Committee of Management, appoint the following members for a term of two years:

Barry HINCHCLIFFE
Douglas LEES
Tonieta MACKIN
Tony PEARDON
John PETTIGREW
Barry RUTHERFORD

CARRIED

Background

At the Ordinary Council Meeting held on 16 February 2010, six members were appointed to the Bunbartha Recreation Reserve Committee of Management for a two year term. The appointment of these members has now expired and it is now necessary to fill the positions of a minimum of 5 members to the vacant positions on the committee.

Risk Management

The appointment of replacement members through formal resolution of the Council reduces governance risks associated with the delegation of council powers to a committee by ensuring that all members appointed to a committee are covered by the Council's public liability insurance.

Policy Implications

There are no conflicts with existing Council policies.

Best Value Implications

The Best Value principles have been taken into account and the proposal is consistent with them.

6. MANAGEMENT REPORTS

6.16 Bunbartha Recreation Reserve Committee of Management

Financial Implications

There are no financial implications associated with this proposal.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The proposal does not limit any of the human rights embodied in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Legal/Statutory Implications

The proposal conforms with all relevant legislation.

Consultation

Letters were sent to all members of the committee whose membership was due to expire, encouraging them to reapply.

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

This proposal supports strategic objective 12 – to develop and promote local community sporting facilities.

c) Other strategic links

No other strategic links have been identified.

Attachments

Nil.

7. TABLED MOTIONS

7.1 Planning Application 2005-306 – 45 Apollo Drive Shepparton

At the Ordinary Council Meeting held on 21 February 2012 Cr Houlihan moved:

Moved by Cr Houlihan

That this matter lay on the table for one month only, subject to Council being supplied with a detailed works program for completion.

CARRIED

A decision was taken to lay the motion as presented on the table for one month only.

**Moved by Cr Dobson
Seconded by Cr Crawford**

That the Council resolves to take the question from the table.

CARRIED

7. TABLED MOTIONS

7.2 Planning Application 2005-306 – 45 Apollo Drive Shepparton

On 16 March 2012, Council officers inspected 45 Apollo Drive Shepparton. After the inspection, a document containing additional information and a revised recommendation was circulated to all councillors. This occurred after the Council meeting agenda had closed and in order to have it included in the minutes of this meeting, Chief Executive Officer Gavin Cator sought the leave of the Council to table it prior to consideration of the report tabled at the ordinary Council meeting held on 21 February 2012.

Moved by Cr Dobson

Seconded by Cr Muto

That leave of the Council be granted for the tabling of the report.

CARRIED

Disclosures of 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 in relation to the matter under consideration.

Summary

Planning permit 2005-306 was issued by the Victorian Civil and Administrative Tribunal (VCAT) on 6 June 2006 and allowed the use and development of the land for a brothel. Condition 29 required that the use and development be commenced within two years of the date of the permit and that the development be completed within four years of the date of the permit.

On 22 December 2008, VCAT ordered the extension of time to the permit for the commencement of the development, and therefore required the development be completed by 31 August 2011.

Senior Member Horsfall made the following comment:

'An extension for a brothel permit is entitled to consideration on the same basis as an extension of a permit for a factory, medium density housing or any other permit, irrespective of views on the morality or acceptability of brothels'.

On 18 August 2011, the permit applicant sought an extension to the completion date of the permit to 31 December 2011.

On 23 September 2011, following a resolution of the Council, the permit was extended by four months to require completion of the development and commencement of use by 31 December 2011.

As the development is not complete the permit holder has sought to extend the permit until 31 March 2012 to allow completion of the works and commencement of the use.

At the Ordinary Council meeting on 21 February 2012, Council decided that the consideration of the extension request lay on the table for one month only, subject to Council being supplied with a detailed works program.

7. TABLED MOTIONS

7.2 Planning Application 2005-306 – 45 Apollo Drive Shepparton (Continued)

The planning permit applicant has submitted a works program to Council. An inspection of the site on 16 March 2012, revealed that works had progressed since the last detailed inspection of the site in December 2011. Photos attached give an indication of the works undertaken.

While landscaping and internal fit out works are still to be completed the majority of the concrete works (sealing of car park area vehicle access ways) and underground drainage have been completed.

Landscaping works could be reasonably completed in around a fortnight. It is estimated that it may take up to three months to complete all of the items below:

- complete the internal fit out
- complete the sealing of the site
- complete boundary fencing
- install external lighting and the waste storage and disposal area.

This estimate is at the conservative end of the scale, however it would seem pointless, should Council decide to do so, to extend the planning permit for one or two months and then have to consider another extension of time.

While all works have not been completed within the timeframes in the submitted schedule of works, VCAT would be unlikely to refuse the request for an extension of time as works on the site are progressing.

**Moved by Cr Dobson
Seconded by Cr Crawford**

That in relation to the extension of time to the completion date for Planning Permit 2005-306 for use and development of a brothel at 45 Apollo Drive, Shepparton, on the basis of the information before the Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, in accordance with Section 69(2) of the *Planning and Environment Act 1987* the Council extends the permit as follows:

1. The time in which the permit will expire if the development is not completed is extended to 29 June 2012
2. The time in which the permit will expire if the use is not started is extended to 29 June 2012

Moved by Cr Muto

That the motion be now put.

LOST

Moved by Cr Muto

That the question now not be put.

LOST

7. TABLED MOTIONS

7.2 Planning Application 2005-306 – 45 Apollo Drive Shepparton (Continued)

The motion was put and carried.

**Cr Houlihan called a division.
Those voting in favour of the motion: Cr Polan, Cr Dobson, Cr Hazelman, Cr Ryan,
Cr Crawford and Cr Muto.
Those voting against the motion: Cr Houlihan.**

7. TABLED MOTIONS

7.2 Planning Application 2005-306 – 45 Apollo Drive Shepparton (Continued)

Disclosures of 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 in relation to the matter under consideration.

Summary

Planning permit 2005-306 was issued by the Victorian Civil and Administrative Tribunal (VCAT) on 6 June 2006 and allowed the use and development of the land for a brothel. Condition 29 of the permit required that the use and development be commenced within two years of the date of the permit and that the development be completed within four years of the date of the permit.

On 22 December 2008, VCAT ordered the extension of time to the permit for the commencement of the development, and therefore required the development be completed by 31 August 2011.

Senior Member Horsfall made the following comment:

'An extension for a brothel permit is entitled to consideration on the same basis as an extension of a permit for a factory, medium density housing or any other permit, irrespective of views on the morality or acceptability of brothels.'

On 18 August 2011, the permit applicant sought an extension to the completion date of the permit to 31 December 2011.

On 23 September 2011, following a resolution of the Council, the permit was extended by four months to require completion of the development and commencement of use by 31 December 2011.

As the development is not complete the permit holder has sought to extend the permit until 31 March 2012 to allow completion of the works and commencement of the use.

It is important to note that the merits of the use and development of the land for a brothel are not being reconsidered. This application is limited to deciding if the application to extend the completion date should be granted.

The two most substantive considerations are:

1. Has there been significant change to planning policies which would prevent the re-issue of the permit?
2. Has the development been substantially commenced?

Since the issue of the permit in June 2006, the zoning of the land and surrounding land is unchanged, there has been no significant change to the planning policies relating to brothels. Therefore, it is likely if this permit was to expire and a fresh application was applied for a permit would be re-issued, most likely at the direction of VCAT.

At the time of the previous extension request in September 2011, the development was described as being at lock up stage. The applicant has informed that since the previous extension internal works have been progressed such as plastering, bathrooms, electrical works and tiling.

7. TABLED MOTIONS

7.2 Planning Application 2005-306 – 45 Apollo Drive Shepparton (Continued)

The applicant made assurances that the previous extension would allow works to be completed, including

'the writer (Mr Albon) says no further request for extension of time will come forward, at least not one in his name'.

The application for extension made by Mr Albon goes against this previous undertaking. Whilst this is less than ideal, it is not a valid planning reason to deny an extension based on a non binding assurance provided to the Council and its planning officers.

Given the applicant continues to satisfy the two substantive considerations, it is the Planning and Development Branch's view that there is no practical planning purpose in not allowing an extension of time to allow the development to be completed and the use to commence.

TABLED RECOMMENDATION: SUPERSEDED BY RECOMMENDATION IN DOCUMENT TABLED BY CEO GAVIN CATOR

That in relation to the extension of time to the completion date for Planning Permit 2005-306 for use and development of a brothel at 45 Apollo Drive, Shepparton, on the basis of the information before the Council and having considered all relevant matters as required by the *Greater Shepparton Planning Scheme*, in accordance with Section 69(2) of the *Planning and Environment Act 1987* the Council extends the permit as follows:

1. The time in which the permit will expire if the development is not completed is extended to 31 March 2012
2. The time in which the permit will expire if the use is not started is extended to 31 March 2012.

Assessment under the Planning and Environment Act

When submitting a request for an extension of time to a permit it is generally accepted, that the applicant is obliged to advance some reason in support of the application.

In the written request for the extension the following reasons were provided by the applicant in support of the application:

The works undertaken since the previous extension of time are – plastering of the entire building, near completion of showers, their screens and the associated tiling, vanities. Completion of all electrical wiring and half way through fit out, west wall completed in tiling of bluestone blocks. Erection of two wings that are fencing. Additional signage. Near completion of air-conditioning. All door jams completed and doors in place in most instances. Purchase of further communication equipment, and completion of security system wiring and monitoring. Installation of lockers near completed, facilities for working women advanced and all storm water pipes laid, hot water services installed. Installation of cabling for computer systems. All insulation in internal and exterior walls completed. All underground cabling for lighting has been completed. General cleaning of site and building. Removal of excessive building material from the site.

7. TABLED MOTIONS

7.2 Planning Application 2005-306 – 45 Apollo Drive Shepparton (Continued)

It is proposed to commence the use on 14 February 2012. It follows that the permit should extend until that date, but erring on the side of caution and with regard to my personal health which has seen me hospitalised on two occasions during November and December 2011 that massively impacted on the project not being completed and the operation commenced by 31 December 2011, let us say, an extension to 31 March 2012.

The applicant's proposal to commence the use on 14 February 2012, is seven days before the February Council meeting, at which it will be decided if the permit extension is granted. The applicant has been informed the use cannot commence until this application is decided on by the Council, or VCAT if necessary.

Kantor & Ors v Murrindindi Shire Council 18 AATR 285 at 313 and Juric v Banyule set out relevant considerations for the application to extend the completion date, which are considered below.

Whether there has been a change of planning policy.

Since the issue of the permit in 2006, the zoning of the land and surrounding land is unchanged. There has been no major changes to either State or Local planning policies relating to the use and development of land for brothels.

Whether the landowner is seeking to 'warehouse' the permit.

The *Planning and Environment Act, 1987* (The Act) does not support a permit holder extending a permit so that the owner may obtain a windfall by selling the land. If the owner was reasonably considered to be seeking to warehouse the permit, this would negatively influence the issue of an extension.

The warehousing test generally relates to an application to extend time for a commencement of a development. Given the project is substantially completed and continues to progress towards completion, this test is of little relevance.

Intervening circumstances bearing on grant or refusal of the extension.

This ground relates to circumstances that have arisen since the granting of the permit and which are not entirely under the control of the permit holder and which have reasonably caused a delay in being able to act upon the permit. Such matters would need to be of significance (beyond life's common setbacks), such as unusual seasonal conditions, natural disasters, actions by third parties, sudden and significant changes to markets and unexpected delays in obtaining other necessary approvals.

The applicant states that recent hospitalisations of the permit holder has 'massively impacted' on the completion of the development.

The total elapse of time and whether the time limit originally imposed was adequate.

An extension would tend not to be supported if the permit has become excessively old and it is appropriate that all issues be reconsidered and any interested parties or referral authorities be given an opportunity for input by way of a fresh application. Given there has been no significant changes in policy since the issue of the permit, the total elapse of time does not either negatively or positively impact on the application to extend the completion date.

7. TABLED MOTIONS

7.2 Planning Application 2005-306 – 45 Apollo Drive Shepparton (Continued)

The economic burden imposed on the landowner by the permit.

The applicant would have investigated significantly in the development by obtaining the permit and in construction costs incurred to date.

The probability of a fresh permit issuing should a fresh application be made.

This test is determinative as to whether the original permit is still appropriate. If the extension was refused, how likely is it that a similar permit would be issued. If it is likely that a permit would re-issue, this leads to the extension of a permit.

This test triggers consideration if there would be any practical planning purpose by refusing to extend the permit and force the permit holder to apply for a fresh permit.

Also relevant to this ground is whether or not a fresh permit would be issued subject to similar conditions. If the circumstances had changed to the extent that significantly different conditions would be appropriate, this would negatively influence the grant of an extension to the completion date.

It is considered that if this request for an extension to the completion date was refused, and a fresh application was made, it is likely to be granted. This is primarily based on the fact that there has been no significant change to planning policies relating to the land or brothels.

Based on this, there is no practical purpose served in preventing the development from being completed.

Substantial Commencement

This test specifically relates to applications seeking to extend the completion date, such as this application. It considers how far the development has proceeded and if the developer has committed to the proposal by progressing towards completion.

The applicant has sought a short extension period (three months) for the development to be completed.

The applicant has obviously expended significant amounts of money on progressing the development to a point of near completion. In doing this the developer has complied with numerous planning permit conditions including, submission of design plans and drainage plans, urban vehicle crossings and signage.

Given that the development has clearly substantially commenced, to now prevent a development that is said to be 90% complete provides no beneficial planning outcome.

Risk Management

There are no identified risks associated with this report if it is decided to extend the permit. Should it be decided to refuse to extend the permit it is possible that VCAT could overturn the Council's decision and award costs against the Council.

7. TABLED MOTIONS

7.2 Planning Application 2005-306 – 45 Apollo Drive Shepparton (Continued)

Policy Implications

There are no conflicts with existing Council policy.

Financial Implications

In the event of an application for review by VCAT, each respective party will be required to bear its own costs.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

This proposal does not limit any of the human rights provided for under the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Legal/Statutory Implications

The responsible authority's decision may be subject to an application for review by VCAT.

Consultation

There is no statutory requirement to provide public notice of an application to extend a planning permit.

Despite this, one interested person informed the Planning and Development Branch of their concern with the planning application being extended by the Council.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Greater Shepparton 2030 does not contain any objectives that specifically relate to this proposal.

b) Council Plan

There are no direct links to the Council Plan.

c) Other strategic links

There are no Strategic Links.

7. TABLED MOTIONS

7.2 Planning Application 2005-306 – 45 Apollo Drive Shepparton (Continued)

Attachment
Nil.

Site Photos

August 2011	March 2012	Officers comment
		<p>Between August 2011 and March 2012, visible works undertaken include, sealing of the majority of car parking area and access ways</p>
		<p>Completion of façade and façade structure to the east of the main building</p>
		<p>Construction of façade structure to the west of the main building. Construction of landscaping beds</p>

8. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

Nil.

9. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

Nil.

10. NOTICES OF MOTION, AMENDMENT OR RESCISSION

Notice of Motion 2/2012 – Cr Crawford

Cr Crawford has given notice that she will move:

Moved by Cr Crawford

Seconded by Cr Ryan

That in relation to the Council's recent decision to issue a Notice of Refusal for permit 2012-4 relating to the installation and use of electronic gaming machines at the Peppermill Hotel, relevant Council Officers provide detailed information and advice on:

1. The courses of action open to the Council now that the decision has been appealed to the Victorian Civil and Administrative Tribunal (VCAT); and
2. The Planning Officer's professional opinion as to the likelihood of VCAT upholding the Council's decision.

CARRIED

11. DOCUMENTS FOR SIGNING AND SEALING

Nil.

12. COUNCILLOR ACTIVITIES

Councillors' Community Interaction and Briefing Program

From 24 January 2012 to 26 February 2012, some or all of the Councillors have been involved in the following activities:

- Meet Your Councillors session - Merrigum
- Mooving Art 10th Birthday Picnic
- Australia day events around the local area
- Signing of the Leeton / Greater Shepparton MOU
- Consultation Stuart Reserve Shepparton
- Summer Stroll Series – Merrigum
- Launch of Fairley Leadership 2012 Program
- Summer Stroll Series – Toolamba
- Reconciliation 'Sorry' Breakfast
- Shepparton Art Museum – Media Launch prior to launch
- Shepparton Art Museum – Official opening night
- Meet Your Councillors session - Toolamba
- Draft Murray Darling Basin Plan Community Education and Feedback Session

13. COUNCILLOR ACTIVITIES

Councillors' Community Interaction and Briefing Program (Continued)

Councillors were also briefed on the following matters:

- Sustainability Policy
- Word and Mouth Funding Post July 2014
- Sustainability and Environment Strategy Update
- North Tatura Industrial Investigation Area
- Councillor Annual Survey Results
- Shepparton Bowls Club
- International Relations
- Dairy Industry Council
- United Way GV Community Fund Presentation to seek renewal of funding
- Heritage Advisory Committee
- Best Start Early Years Plan
- Councillor Walk through of Art Gallery
- MAV Position on role of Local Government in Emergency Management
- Verbal briefing and presentation for the emerge Festival
- Melbourne Rd Landscape project
- Meet Your Councillors – Toolamba

In accordance with section 80A of the Local Government Act 1989 records of the Assemblies of Councillors are attached.

Moved by Cr Dobson
Seconded by Cr Muto

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

CARRIED

Attachments

Assemblies of Councillors Records

- Short Discussion Session - 24 January 2012
- Short Discussion Session - 31 January 2012
- Stuart Reserve Residents Meeting - 2 February 2012
- Goulburn Valley Highway Shepparton Bypass Action Group - 2 February 2012
- Short Discussion Session - 7 February 2012
- Short Discussion Session - 14 February 2012
- RiverConnect Implementation Advisory Committee Meeting - 15 February 2012
- Short Discussion Session - 21 February 2012
- Disability Advisory Committee – 21 December 2011
- Disability Advisory Committee – 28 October 2011

12 URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

Nil.

14. PUBLIC QUESTION TIME

Question 1 (John Gray)

Community Plans, for Mooroopna, Tatura and the larger small towns and districts (but none for Shepparton itself), have been drawn up from community consultations, using professional consultants, and finalized by local volunteer steering committees whose job it is to oversee the passage of the prioritized community wishes. Can you provide information as to when community consultation was conducted drawing up this policy, and the policy itself was formally adopted by Council and why, it appears, do the decisions of the volunteer steering committee seem to have the potential to override the decisions of more formally constituted hall, recreation reserve and other council committees?

Response:

The Community Plans Policy and the Policy for Implementation of Community Plans were both formally adopted by the Council at the ordinary Council meeting on 15 June 2010.

Consistent with the Council policy for policy development at the time, no stakeholder consultation was required as part of this process.

The community plan committees do not hold any power to make a decision on behalf of the Council or override a decision being made by a committee appointed by the Council under *Section 86 of the Local Government Act*. The community plan committees are made up of volunteers and the purpose of the committees is advocacy only. The members of the different community plan steering committees are encouraged to work in partnership with local clubs, groups and other committees and their role is to lead the priorities identified by the community in the community plan in a coordinated and inclusive way.

Question 2 (John Gray)

Does Council have the power, when larger 'satellite' shopping complexes, including supermarkets, are being established, or redeveloped, to impose conditions insisting on parking shade (as developed at the Riverside Plaza complex) and all-weather vehicle shelter for disabled parking bays? If so are these conditions being deployed?

Response:

There is no legislation that requires the construction of shade sails or all weather vehicle shelters for disabled car parks in commercial developments.

The Council's Planning and Development Branch would generally require the developer to either plant shade trees in customer car parks or erect shade sail type structures. It really depends on the type of development and the preference of the developer.

The Council's Planning and Development Branch is in the preliminary stage of developing some landscape development guidelines. One of the aims of the guidelines is to assist in improving the provision of landscaping and shade in commercial developments.

15. CONFIDENTIAL MANAGEMENT REPORTS

14.1 Designation of Confidentiality of Information – Report Attachments

Moved by Cr Muto
Seconded by Cr Hazelman

In accordance with section 77(2)(b) of the *Local Government Act 1989* (the Act) the Council designates as confidential all documents used to prepare the following agenda item 5.1 'Contract No.1348 – Isabel Pearce Kindergarten Extension' and designated by the Chief Executive Officer or her delegate in writing as confidential under section 77(2)(c) of the Act. These documents relate to contractual matters, which is a relevant ground applying under section 89(2)(d) of the Act.

CARRIED

MEEETING CLOSED 2.35PM

CONFIRMED

CHAIR

Delegations and Authorisations

S6. Instrument of Delegation – Members of Staff

Greater Shepparton City Council

Instrument of Delegation

to

**Members of Council Staff
(Non Planning)**

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;

2. records that a reference in the Schedule to:

“GMAD” means General Manager Asset Development

“GMSD means General Manager Sustainable Development

“GMCS means General Manager Corporate Services

“MSE” means Manager Sustainability and Environment

“EHO” means Environmental Health Officer

“MPD” means Manger Planning and Development

“CEO” means Chief Executive Officer

“MA” means Manager Assets

“TLAMg” means Team Leader Asset Management

“TLAMt” means Team Leader Asset Maintenance

“TLEH” means Team Leader Environmental Health

“MEP” means Manager Engineering Projects

“MO” means Manager Operations

“MBSP” means Manager Business Support

3. declares that:

- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 20 October 2009 and

- 3.2 the delegation:

- 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

- 3.2.2 remains in force until varied or revoked;

- 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts.

The COMMON SEAL of the GREATER)
SHEPPARTON CITY COUNCIL was affixed)
on theday of2012)
in the presence of the Chief Executive Officer)
being a delegated officer pursuant to Local)
Law No. 2 of the Council.)

.....
CHIEF EXECUTIVE OFFICER
Gavin Robert Cator

SCHEDULE

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CEMETERIES AND CREMATORIA ACT 2003

[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii), as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.8(1)(a)(ii)	power to manage one or more public cemeteries	Senior Business and Property Officer	<ul style="list-style-type: none"> • where appointed to manage cemetery by Governor in Council • where the Senior Business and Property Officer is the Trust Secretary
s.12(1)	function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	Senior Business and Property Officer	where council is a Class B cemetery trust
s.12(2)	duty to have regard to the matters set out in paragraphs (a)-(c) in exercising its functions	Senior Business and Property Officer	where council is a Class B cemetery trust
s.12A(1)	function to do the activities set out in paragraphs (a) – (n)		where council is a Class A cemetery trust
s.12A(2)	duty to have regard to matters set out in paragraphs (a)-(e) in exercising its functions		where council is a Class A cemetery trust
s.13	duty to do anything necessary or convenient to enable it to carry out its functions	Senior Business and Property Officer	

CEMETERIES AND CREMATORIA ACT 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii), as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.14	power to manage multiple public cemeteries as if they are one cemetery		
s.15(1) and (2)	power to delegate powers or functions other than those listed	Senior Business and Property Officer	
s.15(4)	duty to keep records of delegations	Executive Manager Organisational Performance	
s.17(1)	power to employ any persons necessary	Senior Business and Property Officer	
s.17(2)	power to engage any professional, technical or other assistance considered necessary	Senior Business and Property Officer	
s. 17(3)	power to determine the terms and conditions of employment or engagement	Senior Business and Property Officer	subject to the any guidelines or directions of the Secretary
s.18(3)	duty to comply with a direction from the Secretary	Senior Business and Property	

CEMETERIES AND CREMATORIA ACT 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii), as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		Officer	
s.18B(1) & (2)	duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time		where council is a Class A cemetery trust
s.18C	power to determine the membership of the governance committee		where council is a Class A cemetery trust
s.18D	power to determine procedure of governance committee		where council is a Class A cemetery trust
s.18D(1)(a)	duty to appoint community advisory committee for the purpose of liaising with communities		where council is a Class A cemetery trust
s.18D(1)(b)	power to appoint any additional community advisory committees		where council is a Class A cemetery trust
s.18D(2)	duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.		where council is a Class A cemetery trust
s.18D(3)	duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management</i>		where council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii), as though it were a cemetery trust (see section 53)]			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	<i>Act 1994</i>		
s.18F(2)	duty to give preference to a person who is not a funeral director or a stonemason (or a similar position) when appointing a person to a community advisory committee		where council is a Class A cemetery trust
s.18H(1)	duty to hold an annual meeting before 30 December in each calendar year, in accordance with section		where council is a Class A cemetery trust
s.18I	duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting		where council is a Class A cemetery trust
s.18J	duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in section 18J(2))		where council is a Class A cemetery trust
s.18L(1)	duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust		where council is a Class A cemetery trust
s.18N(1)	duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)		where council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii), as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.18N(3)	duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval		where council is a Class A cemetery trust
s.18N(5)	duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months		where council is a Class A cemetery trust
s.18N(7)	duty to ensure that an approved annual plan is available to members of the public on request		where council is a Class A cemetery trust
s.18O(1)	duty to prepare a strategic plan and submit the plan to the Secretary for approval		where council is a Class A cemetery trust
s.18O(4)	duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan		where council is a Class A cemetery trust
s.18O(5)	duty to ensure that an approved strategic plan is available to members of the public on request		where council is a Class A cemetery trust
s.18Q(1)	duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.		where council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii), as though it were a cemetery trust (see section 53)]			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19	power to carry out or permit the carrying out of works	Senior Business and Property Officer	
s.20(1)	duty to set aside areas for the interment of human remains	Senior Business and Property Officer	
s.20(2)	power to set aside areas for the purposes of managing a public cemetery	Senior Business and Property Officer	
s.20(3)	power to set aside areas for those things in paragraphs (a) – (e)	Senior Business and Property Officer	
s.21(1)	power to establish and operate a crematorium in a public cemetery		<ul style="list-style-type: none"> ▪ council must not establish or operate a crematorium set aside for particular religious or community groups.
s.22	power to establish mausolea facilities		<ul style="list-style-type: none"> ▪ subject to the prior written approval of the Secretary
s.24(2)	power to apply to the Secretary for approval to alter		

CEMETERIES AND CREMATORIA ACT 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii), as though it were a cemetery trust (see section 53)]			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	the existing distribution of land		
s.26(1)	power to make rules for or with respect to the general care, protection and management of a public cemetery	Senior Business and Property Officer	
s.36	power to grant licences to enter and use part of the land or building in a public cemetery in accordance with this section	Senior Business and Property Officer	<ul style="list-style-type: none"> ▪ subject to the approval of the Minister
s.37	power to grant leases over land in a public cemetery in accordance with this section	Senior Business and Property Officer	<ul style="list-style-type: none"> ▪ subject to the Minister approving the purpose
s.39(1)	power to fix fees and charges or a scale of fees and charges for its services in accordance with this section	Senior Business and Property Officer	subject to the approval of the Secretary under section 40 unless exempt under section 40A
s.39(3)	power to fix different fees and charges for different cases or classes of cases	Senior Business and Property Officer	
s.40	duty to notify Secretary of fees and charges fixed under section 39	Senior Business and Property Officer	
s.45	power to invest money		<p>subject to any direction of the Minister</p> <p>This provision does not apply if the</p>

CEMETERIES AND CREMATORIA ACT 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii), as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			management of the public cemetery is a municipal council, not a cemetery trust. In this case, the borrowing & investment powers are governed by the Local Government Act 1989.
s.46	power to borrow money to enable it to perform its functions and exercise its powers		subject to the approval and conditions of the Treasurer This provision does not apply if the management of the public cemetery is a municipal council, not a cemetery trust. In this case, the borrowing & investment powers are governed by the Local Government Act 1989.
s.47	power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery		provided the street was constructed pursuant to the Local Government Act 1989
s.57(1)	duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	Senior Business and Property Officer	applies only to municipal councils, not cemetery trusts report must contain the particulars listed in s.57(2)

CEMETERIES AND CREMATORIA ACT 2003			
[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii), as though it were a cemetery trust (see section 53)]			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.59	duty to keep records for each public cemetery	Senior Business and Property Officer	
s.60(1)	duty to make information in records available to the public for historical or research purposes	Senior Business and Property Officer	
s.60(2)	power to charge fees for providing information	Senior Business and Property Officer	
s.64(4)	duty to comply with a direction from the Secretary under section 64(3)	Senior Business and Property Officer	
s.64B(d)	power to permit interments at a reopened cemetery	Senior Business and Property Officer	
s.66(1)	power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park		the application must include the requirements listed in s.66(2)(a)–(d)
s.69	duty to take reasonable steps to notify of conversion to historic cemetery park		
s.70(1)	duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	Senior Business and Property Officer	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.70(2)	duty to make plans of existing place of interment available to the public	Senior Business and Property Officer	
s.71(1)	power to remove any memorials or other structures in an area to which an approval to convert applies		
s.71(2)	power to dispose of any memorial or other structure removed	Senior Business and Property Officer	
s.72(2)	duty to comply with request received under section 72	Senior Business and Property Officer	
s.73(1)	power to grant a right of interment	Senior Business and Property Officer	
s.73(2)	power to impose conditions on the right of interment	Senior Business and Property Officer	
s.75	power to grant the rights of interment set out in subsections (a) and (b)	Senior Business and Property Officer	
s.76(3)	duty to allocate a piece of interment if an unallocated right is granted	Senior Business and Property Officer	
s.77(4)	power to authorise and impose terms and conditions on the removal of cremated human remains or body	Senior Business and Property Officer	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	parts from the place of interment on application	Officer	
s.80(1)	function of receiving notification and payment of transfer of right of interment	Senior Business and Property Officer	
s.80(2)	function of recording transfer of right of interment	Senior Business and Property Officer	
s.82(2)	duty to pay refund on the surrender of an unexercised right of interment	Senior Business and Property Officer	
s.83(2)	duty to pay refund on the surrender of an unexercised right of interment (sole holder)	Senior Business and Property Officer	
s.83(3)	power to remove any memorial and grant another right of interment for a surrendered right of interment	Senior Business and Property Officer	
s.84(1)	function of receiving notice of surrendering an entitlement to a right of interment	Senior Business and Property Officer	
s.85(1)	duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	Senior Business and Property Officer	the notice must be in writing and contain the requirements listed in s.85(2)
s.86	power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified		

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.87(3)	duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment		
s.88	function to receive applications to carry out a lift and re-position procedure at a place of interment	Senior Business and Property Officer	
s.89(1)	power to approve or refuse an application for a lift and re-position procedure in accordance with subsection (2) & (3)		can only be delegated to members of a committee established under section 86 of the <i>Local Government Act 1989</i>
s.90	power to authorise a person without an exhumation licence to carry out a lift and re-position procedure as set out in section 90(1)(a)-(d)		can only be delegated to members of a committee established under section 86 of the <i>Local Government Act 1989</i>
s.91(1)	power to cancel a right of interment in accordance with this section	Senior Business and Property Officer	
s.91(3)	duty to publish notice of intention to cancel right of interment	Senior Business and Property Officer	
s.92	power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	Senior Business and Property Officer	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.98(1)	function of receiving application to establish or alter a memorial or a place of interment	Senior Business and Property Officer	
s.99	power to approve or refuse an application made under section 98, or to cancel an approval	Senior Business and Property Officer	
s.99(4)	duty to make a decision on an application under section 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	Senior Business and Property Officer	
s.100(1)	power to require a person to remove memorials or places of interment	Senior Business and Property Officer	
s.100(2)	power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with section 100(1)	Senior Business and Property Officer	
s.100(3)	power to recover costs of taking action under section 100(2)	Senior Business and Property Officer	
s.101	function of receiving applications to establish or alter a building for ceremonies in the cemetery	Senior Business and Property Officer	
s.102(1)	power to approve or refuse an application under	Senior Business and Property Officer	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	section 101, if satisfied of the matters in (b) and (c)	Officer	
s.102(2) & (3)	power to set terms and conditions in respect of, or to cancel, an approval granted under section 102(1)	Senior Business and Property Officer	
s.103(1)	power to require a person to remove a building for ceremonies	Senior Business and Property Officer	
s.103(2)	power to remove and dispose of a building for ceremonies or remedy the failure to comply with section 103(1)	Senior Business and Property Officer	
s.103(3)	power to recover costs of taking action under section 103(2)	Senior Business and Property Officer	
s.106(1)	power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	Senior Business and Property Officer	
s.106(2)	power to require the holder of the right of interment to provide for an examination	Senior Business and Property Officer	
s.106(3)	power to open and examine the place of interment if section 106(2) not complied with	Senior Business and Property Officer	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.106(4)	power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under section 106(1) is not complied with	Senior Business and Property Officer	
s.107(1)	power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	Senior Business and Property Officer	
s.107(2)	power to repair or take down, remove and dispose any building for ceremonies if notice under section 107(1) is not complied with	Senior Business and Property Officer	
s.108	power to recover costs and expenses	Senior Business and Property Officer	
s.109(1)(a)	power to open, examine and repair a place of interment	Senior Business and Property Officer	where the holder of right of interment or responsible person cannot be found
s.109(1)(b)	power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial		where the holder of right of interment or responsible person cannot be found
s.109(2)	power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and	Senior Business and Property	where the holder of right of interment or responsible person cannot be found

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	dispose of a building for ceremonies	Officer	
s.110(1)	power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary	Senior Business and Property Officer	
s.110(2)	power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	Senior Business and Property Officer	
s.111	power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Senior Business and Property Officer	
s.112	power to sell and supply memorials		
s.116(4)	duty to notify the Secretary of an interment authorisation granted	Senior Business and Property Officer	
s.116(5)	power to require an applicant to produce evidence of the right of interment holder's consent to application	Senior Business and Property Officer	
s.118	power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Senior Business and Property Officer	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.119	power to set terms and conditions for interment authorisations	Senior Business and Property Officer	
s.131	function of receiving an application for cremation authorisation		
s.133(1)	duty not to grant a cremation authorisation unless satisfied that requirements of section 133 have been complied with		Subject to subsection (2)
s.145	duty to comply with an order made by the Magistrates' Court or a coroner		
s.146	power to dispose of bodily remains by a method other than interment or cremation		subject to the approval of the Secretary
s.147	power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	Senior Business and Property Officer	
s.149	duty to cease using method of disposal if approval revoked by the Secretary		
s.150 & 152(1)	power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11	Senior Business and Property	

CEMETERIES AND CREMATORIA ACT 2003			
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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	are met	Officer	
s.151	function of receiving applications to inter or cremate body parts	Senior Business and Property Officer	
s.152(2)	power to impose terms and conditions on authorisation granted under section 150.	Senior Business and Property Officer	
Schedule 1 clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication		where council is a Class B cemetery trust
Schedule 1 clause 8(8)	power to regulate own proceedings		where council is a Class B cemetery trust subject to clause 8
Schedule 1A clause 8(3)	power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication		where council is a Class A cemetery trust
Schedule 1A clause 8(8)	power to regulate own proceedings		where council is a Class A cemetery trust subject to clause 8

DOMESTIC (FERAL & NUISANCE) ANIMALS ACT 1994 [##Name change on 1/12/2009 to Domestic Animals Act 1994]			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	COMMENTS
s.41A(1)	power to declare a dog to be a menacing dog	MSE	Council may delegate this power to an authorised officer

ENVIRONMENT PROTECTION ACT 1970			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.53M(3)	power to require further information	EHO	
s.53M(4)	duty to advise applicant that application is not to be dealt with	EHO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	EHO	refusal must be ratified by Council or it is of no effect
s.53M(6)	power to refuse to issue septic tank permit	EHO	refusal must be ratified by Council or it is of no effect
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	EHO	refusal must be ratified by council or it is of no effect

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	EHO	If section 19(1) applies
s.19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	EHO	If section 19(1) applies
s.19(4)(a)	Power to direct that an order made under section 19 (3)(a) or (b). (i) be affixed to a conspicuous part of the premises , and (ii) inform the public by notice in a published newspaper or otherwise	CEO	If section 19(1) applies
s.19(4)(b)	Duty to notify the Department of the making of the order	MSE	If section 10(1) applies
s.19(4)(c)	Duty to notify the registration authority of the making of the order and any appeal and the outcome of the appeal	MSE	If section 19(1) applies and if council is not the registration authority
s.19(6)(a)	duty to revoke any order under s.19 if satisfied that an order has been complied with	EHO	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under s.19(6)(a) if satisfied that an order	EHO	If section 19(1) applies

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	has been compiled with		
s.19A(4)(b)	Function of receiving notice from authorised officer		Where council is the registration authority
s.19BA(3)	Duty to give notice of the variation or revocation of the order to the general public in the same manner as the original notice	CEO	Must be done by the same person as gave the original notice
s.19CB(4)(b)	power to request copy of records	EHO	where council is the registration authority
s.19E(1)(d)	Power to request a copy of the food safety program	EHO	Where council is the registration authority
s.19EA(3)	Function of receiving a copy of any significant revision made to the food safety program	EHO	Where council is the registration authority
s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO	Where council is the registration authority
s.19H(5)(a) & (5)(b)	Duty to take into account (a) the food safety performance of the food business; and (b) any guidelines issued by the Secretary in determining the frequency and intervals of the assessments and	MSE, TLEH	Where council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	audits		
s.19I	duty to conduct a food safety assessment as required under section 19H	EHO	Subject to section 19J where council is the registration authority
s.19IA(2)	Duty to give written notice to proprietor if food safety requirements or section 19DC(2) have not complied with unless subsection (3) applies	EHO	Where council is the registration authority
s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified		where council is the registration authority
s.19N	Function of receiving information from a food safety auditor	EHO	Where council is the registration authority
s.19NA(1)	Power to request food safety audit reports	EHO	Where council is the registration authority
s.19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	MSE	
s.19U(4)	Duty to ensure that information relating to costs of a food safety audit are available for inspection by the public	MSE, TLEH	
s.19UA	Power to charge fees for conducting a food safety assessment or inspection	MSE, TLEH	Except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)© or 39

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19UA(4)	Duty to consider proprietor's history of compliance in deciding whether to charge the fee	MSE, TLEH	
s.19UA(5)	Duty to ensure that the method of determining a fee under subsection (3)(a) and the considerations that apply under subsection (3)(a) and the consideration that apply under subsection (4) are available for inspection by the public	MSE, TLEH	Where council is the registration authority
s.19W	Power to direct a proprietor of a food premises to comply with any requirement under Part 111B	MSE, TLEH, EHO	Where council is the registration authority
s.19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	MSE, TLEH	Where council is the registration authority
s.19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	MSE, TLEH	Where council is the registration authority
---	power to register, renew or transfer registration	MSE, TLEH, EHO	Where council is the registration authority refusal to grant/renew/transfer registration must be ratified

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			by Council (see section 58A(2))
s.35A(2)	function of receiving notice of operation from the proprietor of a food premises	EHO	where council is the registration authority
s.37	function of receiving application, information and documents required under section 36 from the proprietor of a food business	EHO	
s.38(3)	Duty to consult with the secretary about the proposed exemption under section 38(2)	MSE	
s.38AA(2)	Function of being notified of operation	EHO	Where council is the registration authority
s.38AA(4)	Duty to determine whether the food premises are exempt from the requirement of registration	EHO	Where council is the registration authority
s.38AA(5)	Power to (a) request further information: or (b) advise the proprietor that the premises must be registered if the premises are not exempt	EHO	Where council is the registration authority
s.38AB(4)	Power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	MSE	Where council is the registration authority
s.38A(4)	Power to request a copy of a completed	EHO	Where council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	food safety program template		
s.38A(5) & (6)	function of receiving a food safety audit certificate from a proprietor	EHO	where council is the registration authority
s.38B(1)(a)	Duty to assess the application and determine which class of food premises under section 19C the good premises belongs	EHO	Where council is the registration authority
s.38B(1)(b)	Duty to ensure proprietor has complied with requirements of section 38A	EHO	Where council is the registration authority
s.38B(1)(c)	Duty to inspect premises	EHO	Where council is the registration authority
s.38B(2)	Duty to be satisfied of the matters in section 38B(2)(a)-(b)	EHO	Where council is the registration authority
s.38D(1)	Duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	EHO	Where council is the registration authority
s.38D(2)	Duty to be satisfied of the matters in section 38D(2)(a)-(d)	EHO	Where council is the registration authority
s.38D(3)	Power to request copies of any audit reports	EHO	Where council is the registration authority
s.38E(1)(c)	Function of assessing the requirement for	EHO	Where council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	a food safety program		
s.38E(2)	Power to register the food premises on a conditional basis	MSE, TLEH, EHO	Where council is the registration authority Not exceeding the prescribed time limit defined under subsection (5)
s.38E(3)(a)	Function of receiving certificates	EHO	Where council is the registration authority
s.38E(4)	Duty to register the food premises when conditions are satisfied	EHO	Where council is the registration authority
s.38F(3)(a)	Duty to note the change to the classification of the food premises on the certificate of registration	EHO	Where council is the registration authority
s.38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO	Where council is the registration authority
s.39(2)	Duty to inspect within 12 months before renewal of registration	EHO	Where council is the registration authority
s.39(3)	Duty to inspect within 3 months before renewal of registration if circumstances in section 39(3)(a)-(d) apply	EHO	Where council is the registration authority
s.39A	Power to register, renew or transfer food premises despite minor defects	MSE, TLEH, EHO	Where council is the registration authority Only if satisfied of matters in subsections (2)(a)-(c)

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.39A(6)	Duty to comply with direction of Secretary	EHO	
s.40(1)	duty to issue a certificate of registration in the prescribed form	MSE, TLEH, EHO	Where council is the registration authority
s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under the Health Act 1958* [##This will be the <i>Public Health and Wellbeing Act 2008</i> on 1/1/2010]	MSE, TLEH, EHO	
s.40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	MSE, TLEH, EHO	Where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	MSE, TLEH, EHO	Where council is the registration authority
s.40D(2)	duty to specify how long a suspension is to last under s.40D(1)	TLEH, EHO	Where council is the registration authority
s.40E(4)	Duty to comply with direction of secretary	EHO	
s.43(1) and 2	duty to maintain records of the prescribed particulars and orders in force under Part 111	EHO	Where council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.43(3)	Duty to make available information held in records, free of charge, on request	EHO	Where council is the registration authority
s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	EHO	where council is the registration authority
s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	EHO	where council is the registration authority
s.43I	function of receiving a statement of trade of a proprietor of a food business	EHO	
s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	TLEH, EHO	Where council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS

HERITAGE ACT 1995			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(2)	power to sub-delegate Executive Director's functions	MPD	Must obtain Executive Director's written consent first.

RAIL SAFETY ACT			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s33	duty to comply with a direction of the Safety Director under this section	TLAMt	duty of council as a utility under s3
s33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	TLAMt	duty of council as a utility under s3
s34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s33(1)	TLAMt	duty of council as a utility under s3
s.34C(2)	Function of entering into safety interface agreements with rail infrastructure manager		Where council is the relevant road manager
s.34D(1)	Function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed		Where council is the relevant road manager
s.34D(2)	Function of receiving written notice of opinion		Where council is the relevant road manager
s.34D(4)	Function of entering into safety interface agreement with		Where council is the relevant road manager

	infrastructure manager		
s.34E(1)(a)	Duty to identify and assess risks to safety		Where council is the relevant road manager
s.34E(1)(b)	Duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)0(c)		Where council is the relevant road manager
s.34E(3)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager		Where council is the relevant road manager
s.34F(1)(a)	Duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)		Where council is the relevant road manager
S.34F(1)(b)	Duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)		Where council is the relevant road manager
s.34F(2)	Duty to seek to enter into a safety interface agreement with rail infrastructure manager		Where council is the relevant road manager
s.34H	Power to identify and assess risks to safety as required under sections 34B.34C, 34D, 34E or 34F in accordance with subsections (a)-(c)		Where council is the relevant road manager

s.34I	Function of entering into safety interface agreements		Where council is the relevant road manager
s.34J(2)	Function of receiving notice from Safety Director		Where council is the relevant road manager
s.34J(7)	Duty to comply with a direction of the safety director given under section 34J(5)		Where council is the relevant road manager
s.34K(2)	Duty to maintain a register of items set out in subsections (a)-(b)		Where council is the relevant road manager

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	EHO	
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies		where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises		where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council		
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements		[Note: this provision has not commenced yet and is due to commence on 31/3/2012 if not proclaimed earlier]
s.522(1)	give a compliance notice to a person	EHO	
s.525(2)	power to authorise an officer to exercise powers in s.526 (either generally or in a particular case)	CEO	
s.525(4)	duty to issue identity card to authorised officers	CEO	
s.526(5)	duty to keep record of entry by authorised officer under section 526	EHO	
s.526A(3)	function of receiving report of inspection		[Note: this provision has not commenced yet and is due to commence on 31/3/2012]

RESIDENTIAL TENANCIES ACT 1997			
			if not proclaimed earlier
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	CEO	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s11(1)	power to declare a road by publishing a notice in the Government Gazette	GMSD, MPD	obtain consent in circumstances specified in s11(2)
s11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	GMSD, MPD	
s11(9)(b)	duty to advise Registrar	GMSD, MPD	
s11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	GMSD, MPD	
s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person		where council is the coordinating road authority
s.12(2)	Power to discontinue road or part of road		Power of coordinating road authority where it is the discontinuing body Unless subsection (11) applies
s12(4)	power to publish, and provide copy, notice of proposed discontinuance	GMCS, MBSP	power of coordinating road authority
s12(5)	duty to consider written submissions received within 28 days of notice	GMCS, MBSP	<ul style="list-style-type: none"> • duty of coordinating road authority where it is the discontinuing body • unless subsection (11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s12(6)	function of hearing a person in support of their written submission	GMCS, MBSP	<ul style="list-style-type: none"> function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	GMCS, MBSP	<ul style="list-style-type: none"> duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s12(10)	duty to notify of decision made	GMCS, MBSP	<p>power of coordinating road authority where it is the discontinuing body</p> <p>does not apply where an exemption is specified by the regulations or given by the Minister</p>
s13(1)	power to fix a boundary road by publishing notice in Government Gazette	GMCS, MBSP	power of coordinating road authority and obtain consent under s13(3) and s13(4) as appropriate
s.14(4)	function of receiving notice from VicRoads		
s14(7)	power to appeal against decision of VicRoads		
s15(1)	power to enter into arrangement with another road authority or a utility or a provider of public transport to transfer a road management function of the road		

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	authority to the other road authority or to the utility or a provider of public transport		
s15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority		
s15(2)	duty to include details of arrangement in public roads register		
s16(7)	power to enter into an arrangement under s15		
s16(8)	duty to enter details of determination in public roads register	GMAD, MA	
s17(2)	duty to register public road in public roads register	GMAD, MA	Where council is coordinating road authority
s17(3)	power to decide that a road is reasonably required for general public use	GMAD, MA	Where council is coordinating road authority
s17(3)	duty to register a road reasonably required for general public use in public roads register	GMAD, MA	Where council is coordinating road authority
s17(4)	power to decide that a road is no longer reasonably required for general public use	GMAD, MA	Where council is coordinating road authority
s17(4)	duty to remove road no longer reasonably required for general public use from public roads register	GMAD, MA	Where council is coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s18(1)	power to designate ancillary area	GMAD, MA	Where council is coordinating road authority and obtain consent in circumstances specified in s18(2)
s18(3)	duty to record designation in public roads register	GMAD, MA, TLAMg	Where council is coordinating road authority
s19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	GMAD, MA, TLAMg	
s19(4)	duty to specify details of discontinuance in public roads register	GMAD, MA	
s19(5)	duty to ensure public roads register is available for public inspection	GMAD, MA, TLAMG	
s.21	power to reply to request for information or advice	GMAD, MA, TLAMg	obtain consent in circumstances specified in s11(2)
s.22(2)	power to comment on proposed direction	GMAD, MA	
s.22(4)	Duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report		
s.22(5)	Duty to give effect to a direction under this section		

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.40(1)	duty to inspect, maintain and repair a public road.	GMAD, MA, TLAMt	
s.40(5)	power to inspect, maintain and repair a road which is not a public road		
s.41(1)	Power to determine the standard of construction, inspection, maintenance and repair		
s42(1)	power to declare a public road as a controlled access road	Council	power of coordinating road authority and Schedule 2 also applies
s42(2)	power to amend or revoke declaration by notice published in Government Gazette	Council	power of coordinating road authority and Schedule 2 also applies
s42A(3)	duty to consult with VicRoads before road is specified	TLAMt	<ul style="list-style-type: none"> duty of coordinating road authority if road is a municipal road or part thereof
s42A(4)	power to approve Minister's decision to specify a road as a specified freight road	TLAMt	<ul style="list-style-type: none"> where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	TLAMt	Where council is the responsible road authority, infrastructure manager or works manager
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M		
s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council		
s.49	power to develop and publish a road management plan		
s.51	power to determine standards by incorporating the standards in a road management plan		
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	GMAD, MA	
s.54(2)	duty to give notice of proposal to make a road management plan	GMAD, MA	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals		

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54(6)	power to amend road management plan		
s.54(7)	duty to incorporate the amendments into the road management plan		
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	GMAD, MA	
s.63(1)	power to consent to conduct of works on road	GMAD, MA, TLAMt	Where council is the coordinating road authority
s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	GMAD, MA, TLAMt, MEP	Where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	MA, MO	Where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	GMAD, MA	Where council is the coordinating road authority
s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill		where council is the coordinating road authority
s.67(3)	power to request information	GMAD, MA	Where council is the coordinating road authority
s.68(2)	power to request information	GMAD, MA	Where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s71(3)	power to appoint an authorised officer	CEO	
s.72	duty to issue an identity card to each authorised officer		
s.85	function of receiving report from authorised officer		
s86	duty to keep register re s85 matters	MSE	
s.87(1)	function of receiving complaints		
s87(2)	duty to investigate complaint and provide report	GMAD, MA	
s.112(2)	power to recover damages in court		
s116	power to cause or carry out inspection	GMAD, MA, TLAMt	
s.119(2)	function of consulting with VicRoads		
s.120(1)	Power to exercise road management function on an arterial road (with the consent of VicRoads)		
s120(2)	Duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120 (1)	GMAD, MA	
s121(1)	power to enter into an agreement re works	GMAD	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.122(1)	power to charge and recover fees		
s.123(1)	power to charge for any service		
Schedule 2 Clause 2(1)	power to make a decision re controlled access roads	GMAD, MA	
Schedule 2 Clause 3(1)	power to make policy about controlled access roads	Council	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Council	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads		
Schedule 2 Clause 5	duty to publish notice of declaration	GMAD, MEP	
Schedule 7, clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	GMAD, MA	Where council is the infrastructure manager or works manager
Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road	GMAD, MA	Where council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	reserve of any road		
Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	MA, MO	Where council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	MA, MO	Where council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	MA, MO	Where council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	MA, MO	Where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	MA, MO	Where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	MA, MO	Where council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7 Clause 12(5)	power to recover costs	MA, MO	Where council is the coordinating road authority
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	MO	Where council is the works manager
Schedule 7 Clause 13(2)	Power to vary notice period	GMAD, MA	Where council is the coordinating road authority
Schedule 7, Clause 13(3)	Duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	MA	Where council is the infrastructure manager
Schedule 7 Clause 16(1)	Power to consent to proposed works	GMAD	Where council is the coordinating road authority
Schedule 7 Clause 16(4)	Duty to consult		where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	Power to consent to proposed works		where council is the coordinating road authority
Schedule 7	Power to set reasonable conditions on consent		where council is the coordinating road

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Clause 16(6)			authority
Schedule 7 Clause 16(8)	Power to include consents and conditions		where council is the coordinating road authority
Schedule 7 Clause 17(2)	Power to refuse to give consent and duty to give reasons for refusal	GMAD	Where council is the coordinating road authority
Schedule 7 Clause 18(1)	Power to enter into an agreement	GMAD	Where council is the coordinating road authority
Schedule 7 Clause 19(1)	Power to give notice requiring rectification of works	GMAD	Where council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred		where council is the coordinating road authority
Schedule 7 Clause 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	GMAD	Where council is the coordinating road authority
Schedule 7A Clause 2	Power to cause street lights to be installed on roads	GMAD, MA, TLAMt	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	MA, TLAMt	where council is the responsible road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7A Clause 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	MA, TLAMt	where council is the responsible road authority
Schedule 7A Clause (3)(1)(f),	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with clauses 3(2) and 4	MA, TLAMt	Duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

CEMETERIES AND CREMATORIA REGULATIONS 2005			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> , and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.17	power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)		
r.18(1)	power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator		
r.18(2)	duty to ensure any fittings removed of are disposed in an appropriate manner		
r.19	power to dispose of any metal substance or non-human substance recovered from a cremator		
r.20(2)	power to release cremated human remains to certain persons		Subject to any order of a court
r.21(1)	duty to make cremated human remains available for collection within 2 working days after the cremation		
r.21(2)	duty to hold cremated human remains for at least 12 months from the date of cremation		

CEMETERIES AND CREMATORIA REGULATIONS 2005			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> , and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)]			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.21(3)	power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation		
r.21(4)	duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period		
r.22	duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)		
r.26	duty to provide statement that alternative vendors or supplier of monuments exist		
r.36	power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)		
r.38(2)	power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area		
Schedule 6, clause 4	power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of Schedule 6		
Schedule 6, clause 5(1)	duty to display the hours during which pedestrian access is available to the cemetery	Manager Business Support	

CEMETERIES AND CREMATORIA REGULATIONS 2005			
[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the <i>Cemeteries and Crematoria Act 2003</i> , and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 6, clause 5(2)	duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	Manager Business Support	
Schedule 6, clause 6(1)	power to give directions regarding the manner in which a funeral is to be conducted	Manager Business Support	
Schedule 6, clause 7(1)	power to give directions regarding the dressing of places of interment and memorials	Manager Business Support	
Schedule 6, clause 11(1)	power to remove objects from a memorial or place of interment	Manager Business Support	
Schedule 6, clause 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	Manager Business Support	
Schedule 6, clause 12	power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	Manager Business Support	
Schedule 6, clause 14	power to approve an animal to enter into or remain in a cemetery	Manager Business Support	

RESIDENTIAL TENANCIES (CARAVAN PARKS & MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	Function of entering into a written agreement with a caravan park owner	MSE, TLEH	
r.11	Function of receiving application for registration	EHO	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	TLEH, EHO	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	TLEH, EHO	
r.13(4) & (5)	Duty to issue certificate of registration	MSE, TLEH, EHO	
r.15(1)	Function of receiving notice of transfer of ownership	EHO	
r.15(3)	Power to determine where notice of transfer is displayed	EHO	
r.16(1)	Duty to transfer registration to new caravan park owner	MSE, TLEH, EHO	
r.16(2)	Duty to issue a certificate of transfer of registration	MSE, TLEH, EHO	
r.17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration		
r.18	Duty to keep register of caravan parks	EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS & MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.19(4)	Power to determine where the emergency contact person's details are displayed	EHO	
r.19(6)	Power to determine where certain information is displayed	EHO	
r.22(6)	Duty to notify caravan park owners of emergency service agencies	TLEH, EHO	
r.22(7)	Duty to consult with relevant emergency services agency	TLEH, EHO	
r.23(2)	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHO	
r.24(1)	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO	
r.25(3)	Duty to consult with relevant floodplain management authority	TLEH	
r.26	Duty to have regard to any report of the relevant fire authority	TLEH	
r.28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a	TLEH, EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS & MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	movable dwelling		
r.39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	TLEH, EHO	
r.39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	TLEH, EHO	
r.40(4)	Function of receiving installation certificate	TLEH, EHO	
r.42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	TLEH	
Schedule 3 clause 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	TLEH	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.301(1)	Duty to conduct reviews of road management plan	GMAD	
r.302(2)	Duty to give notice of review of road management plan	GMAD	
r.302(5)	Duty to produce written report of review of road management plan and make report available	GMAD	
r.303	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	GMAD	
r.306(2)	Duty to record on road management plan the substance and date of effect of amendment	GMAD	
r.501(1)	Power to issue permit	GMAD, MA	Where council is the coordinating authority
r.501(4)	Power to charge fee for issuing permit under r.501(1)	GMAD, MA	Where council is the coordinating authority
r.503(1)	Power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	GMAD, MA	Where council is the coordinating authority
r.508(3)	Power to make submission to Tribunal	GMAD, MA	Where council is the coordinating authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.509(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	GMAD, MA, MO	Where council is the coordinating authority
r.509(2)	Power to sell or destroy things removed from road or part of road (after first complying with r.509(3))	GMAD, MA, MO	Where council is the coordinating authority
r.509(4)	Power to recover in the Magistrates' Court, expenses from person responsible	GMAD, MA, MO	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.10	Power, where consent given under s.63(1) of the Act, to exempt a person from requirement under clause 13(1) of Schedule 7 to that Act to give notice as to the completion of those work	GMAD, MA	Where council is the coordinating authority
r.18(2)	Power to waive whole or part of fee in certain circumstances	GMAD, MA	Where council is the coordinating authority

COUNCILLORS' EXPENSE REPORT FOR JANUARY 2011

	January	February	Total
Geoff Dobson			
Telephone Rent	\$40.86		\$154.77
Internet Connection			\$0.00
SMS	\$2.60		\$26.87
Calls	\$97.44		\$542.43
Travel			\$22.00
Other		\$118.18	\$1,434.28
Allowance			\$40,656.05
Vehicle			\$7,535.00
	\$140.90	\$118.18	\$50,371.40
Kevin Ryan			
Telephone Rent	\$40.86		\$153.66
Internet Connection	\$34.50	\$34.50	\$276.00
SMS			\$26.63
Calls	\$120.58	\$139.69	\$554.48
Travel			\$0.00
Other			\$24.33
Allowance			\$17,642.35
	\$195.94	\$174.19	\$18,677.45
Jenny Houlihan			
Telephone Rent	\$9.09		\$58.35
Internet Connection	\$50.00	\$50.00	\$400.00
SMS	\$1.42		\$18.36
Calls	\$56.77		\$362.55
Travel			\$0.00
Other		\$31.82	\$686.37
Allowance	\$443.26		\$18,085.61
	\$560.54	\$81.82	\$19,611.24
Milvan Muto			
Telephone Rent	\$40.86		\$154.77
Internet Connection	\$160.00		\$472.73
SMS	\$17.01		\$101.61
Calls	\$96.58		\$651.90
Travel			\$0.00
Other			\$12.72
Allowance		\$3.64	\$17,645.99
	\$314.45	\$3.64	\$19,039.72
Michael Polan			
Telephone Rent	\$40.86		\$154.77
Internet Connection			\$0.00
SMS	\$14.30		\$26.59
Calls	\$74.54		\$156.39
Travel			\$0.00
Other	\$14,518.18	\$10.00	\$14,628.18
Allowance	\$489.09		\$32,004.11
Vehicle	\$1,507.00	\$1,507.00	\$4,521.00
	\$16,643.97	\$1,517.00	\$51,491.04
Cherie Crawford			
Telephone Rent	\$40.86		\$154.77
Internet Connection	\$50.00	\$50.00	\$400.00
SMS			\$0.00
Calls	\$22.96		\$157.77
Travel			\$1,290.86
Other			\$0.00
Allowance			\$17,642.35
	\$113.82	\$50.00	\$19,645.75
Chris Hazelman			
Telephone Rent	\$36.31		\$140.05
Internet Connection	\$49.99	\$49.99	\$399.92
SMS	\$2.12		\$17.31
Calls	\$40.90		\$611.69
Travel			\$0.00
Other			\$2,167.50
Allowance			\$17,642.35
	\$129.32	\$49.99	\$20,978.82
Catering	\$2,290.10	\$1,133.90	\$14,415.27
Total	\$20,389.04	\$3,128.72	\$214,230.69

Councillors travel from different locations in the municipality to attend to Council business. This means different travel costs are reimbursed.

Catering includes catering for all Council meetings and briefings, together with civic functions and receptions.

Councillors also attend conferences and there may be travel costs associated with these conferences.

FINANCIAL STATEMENTS

2011-2012 FINANCIAL YEAR TO DATE AT

29 February 2012

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Capital Budget vs Actual	6
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Comparative Rates Debtors	11

Greater Shepparton City Council

Financial Narrative**29 February 2012****Summary**

After an exhaustive review process, the Council at the Ordinary Council Meeting held on 21 February 2012, endorsed the 2011-2012 Mid Year Budget. This Mid Year budget now becomes the budget which monthly reports will be reviewed against. Due to this February report being prepared in such close proximity to the endorsement of the Mid Year Budget there are very few significant items to note, largely variances are relatively minor in dollar value at this early stage.

As at 29 February 2012, Greater Shepparton City Council reports an operating surplus of \$23.6m, which is \$0.5m higher than expected. This surplus comprises revenue of \$86.3m and expenditure of \$62.7m. The end-of-year forecast indicates that the operating surplus will be \$7.99m, \$0.08m more than the Mid Year Budget.

Capital expenditure totalling \$18.87m has been recorded to 29 February 2012. This equates to 54% of the capital expenditure budget, with two thirds of the year passed. The end-of-year forecast for capital expenditure indicates that \$34.96m is required for works, which is \$0.16m more than the Mid Year Budget of \$34.80m.

Income Statement

Operating revenue of \$86.3m is \$0.4m behind budget, while operating expenses of \$62.7m are \$0.1m over budget.

The end-of-year forecast estimates that an additional \$0.4m of revenue is expected to be received, while expenditure is forecast to be an additional \$0.3m.

- 1 Capital Grants and Contributions are \$0.2m behind budget. The notable variance is:
 - A budgeted grant (\$0.1m) was expected for flood mitigation studies but has not yet been received
- 2 Proceeds from sale of assets is \$0.26m behind budget. This is largely due to:
 - Sale of Council land having experienced delays and is \$0.2m behind budget, however is still expected to reach budget.
- 3 External Contracts are \$0.30m over budget. The most significant variances are:
 - Library Contracts are \$0.19m ahead of budget. This is due to the timing of the contributions throughout the financial year.
 - Maintenance Reseals \$0.07m unbudgeted expenditure for contract
 - Waste management is \$0.04m ahead of budget in the area of collection/disposal due to underestimation of costs.

Balance Sheet

- 5 Receivables have increased by \$6.96m due to Rates and Charges being raised in July 2011 and one final instalment due in May 2012.
- 6 Investments have declined only marginally by \$1.0m and are at expected levels at the end of February due to the receipt of grants commission funding and the payment of municipal rates and charges which fell due throughout the month.
- 7 Payables have declined by \$1.9m largely due to the reduction in accrued expenses from 30 June 2011.
- 8 Total Equity has increased by \$23.8m, to \$665.6m, for the financial year to 31 January 2012.

Investments

Investments remain stable and at expected levels of \$25.5m, having received during the month rates instalments and grants commission funding.

The average interest rate on investments is 5.5%.

Capital

Capital revenue of \$5.9m is \$0.3m behind budget, while capital expenditure of \$18.9m is \$0.6m ahead of budget. There are a number of individual items which explain these variances with further details provided on page 7 of this report.

Greater Shepparton City Council
Income Statement
for period ending February 2012

	2011/2012 Mid Year Budget	2011/2012 Forecast	2011/2012 YTD Budget	2011/2012 YTD Actual	2011/2012 YTD Variance (Fav)/Unfav	2011/2012 YTD Variance (Fav)/Unfav	Note
	\$	\$	\$	\$	\$	%	
Revenue							
Rates and Charges	53,779,568	53,779,568	53,741,565	53,708,966	32,599	0.1%	
Operating Grants and Contributions	19,623,859	19,681,559	13,449,776	13,549,774	(99,998)	(0.7%)	
Capital Grants and Contributions	8,729,894	8,711,894	5,784,194	5,584,866	199,328	3.4%	1
Interest	1,646,930	1,651,930	1,087,991	980,983	107,008	9.8%	
User Charges	12,729,507	12,902,197	8,500,261	8,604,504	(104,243)	(1.2%)	
Statutory Fees	2,381,865	2,392,228	1,372,322	1,266,159	106,163	7.7%	
Proceeds from Sale of Assets	1,539,000	1,539,000	406,261	146,721	259,540	63.9%	2
Other	1,085,051	1,243,063	675,562	827,183	(151,621)	(22.4%)	
Parking Fees and Fines	1,914,600	1,914,600	1,189,816	1,118,541	71,275	6.0%	
Rent	688,218	688,770	539,251	548,220	(8,969)	(1.7%)	
Total Revenue	104,118,492	104,504,809	86,746,999	86,335,918	411,081	0.5%	
Expenses							
Employee Benefits	35,634,985	35,540,767	23,818,944	23,681,527	(137,417)	(0.6%)	
Materials and Consumables	27,841,635	27,905,744	17,650,911	17,585,539	(65,372)	(0.4%)	
External Contracts	10,457,028	10,528,278	6,596,645	6,900,291	303,646	4.6%	3
Utilities	2,356,241	2,352,779	1,478,214	1,478,736	522	0.0%	
Borrowing Costs	1,075,134	1,075,134	555,132	555,132	0	0.0%	
Depreciation and Amortisation	18,650,763	18,928,554	12,433,848	12,433,840	(8)	(0.0%)	
Written Down Value of Assets Sold	183,800	183,800	105,153	105,153	0	0.0%	
Total Expenses	96,199,586	96,515,056	62,638,847	62,740,219	101,372	0.2%	
Surplus/(Deficit) for the period	7,918,906	7,989,753	24,108,152	23,595,699	512,453	2.1%	

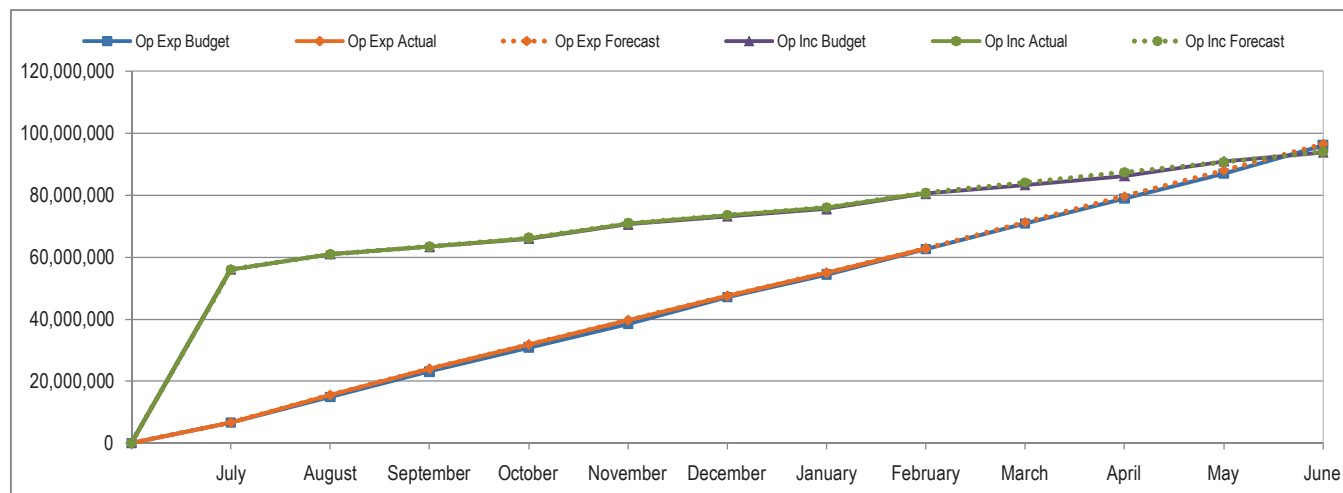
Greater Shepparton City Council
Balance Sheet
for period ending February 2012

	2011/2012 Mid Year Budget \$	June 2011 \$	February 2012 \$	Note
Current Assets				
Cash	3,000,000	2,017,104	9,509,108	
Receivables	6,000,000	6,129,104	13,092,686	5
Investments	19,251,360	26,554,082	25,514,528	6
Other	75,000	74,396	125,010	
Non Current Assets Held for Resale	-	-	-	
Total Current Assets	28,326,360	34,774,685	48,241,333	
Non Current Assets				
Receivables	-	0	0	
Infrastructure	672,236,248	637,096,890	644,952,338	
Other	2,400,000	1,371,049	1,371,049	
Total Non Current Assets	674,636,248	638,467,939	646,323,387	
Total Assets	702,962,608	673,242,625	694,564,720	
Current Liabilities				
Payables	9,286,728	7,744,926	5,849,911	7
Interest Bearing Liabilities	300,355	83,528	(121,583)	
Trust Funds	2,200,000	2,407,101	2,094,590	
Employee Benefits	7,000,000	7,290,255	7,278,165	
Other	-	-	(2,879)	
Total Current Liabilities	18,787,083	17,525,811	15,098,204	
Non Current Liabilities				
Payables	300,000	268,417	268,417	
Employee Benefits	740,000	731,778	731,778	
Interest Bearing Liabilities	17,324,518	12,824,518	12,823,693	
Total Non Current Liabilities	18,364,518	13,824,713	13,823,889	
Total Liabilities	37,151,601	31,350,524	28,922,092	
Net Assets	665,811,007	641,892,101	665,642,628	
Represented By				
Accumulated Surplus	291,190,101	283,271,194	307,021,721	
Reserves	374,620,906	358,620,906	358,620,906	
Total Equity	665,811,007	641,892,100	665,642,627	8

Greater Shepparton City Council
Cash Flow Statement
for period ending February 2012

	2011/2012 Mid Year Budget \$	2011/12 Actual February 2012 \$
<i>Cash flows from operating activities</i>		
Receipts from customers	72,578,809	59,018,109
Payments to suppliers	(76,289,889)	(52,775,846)
Net cash inflow(outflow) from customers(suppliers)	(3,711,080)	6,242,263
Interest received	1,646,930	980,983
Government receipts	25,353,753	19,134,641
Other	(1,075,134)	548,220
Net cash inflow(outflow) from operating activities	22,214,469	26,906,107
<i>Cash flows from investing activities</i>		
Property, plant & equipment, infrastructure - receipts	1,539,000	146,721
Property, plant & equipment, infrastructure - payments	(34,790,121)	(20,394,441)
Other	-	
Net cash inflow(outflow) from investing activities	(33,251,121)	(20,247,720)
<i>Cash flows from financing activities</i>		
Proceeds from interest bearing loans and borrowings	5,000,000	-
Repayment of interest-bearing loans and borrowings	(283,173)	(205,936)
Other	-	
Net cash inflow(outflow) from financing activities	4,716,827	(205,936)
Net increase(decrease) in cash and equivalents	(6,319,825)	6,452,451
Cash and equivalents at the beginning of the year	28,571,185	28,571,185
Cash and equivalents at the end of the year	22,251,360	35,023,637

Greater Shepparton City Council
Operating Budget vs Actual
 2011/2012 Financial Year to period ending February 2012



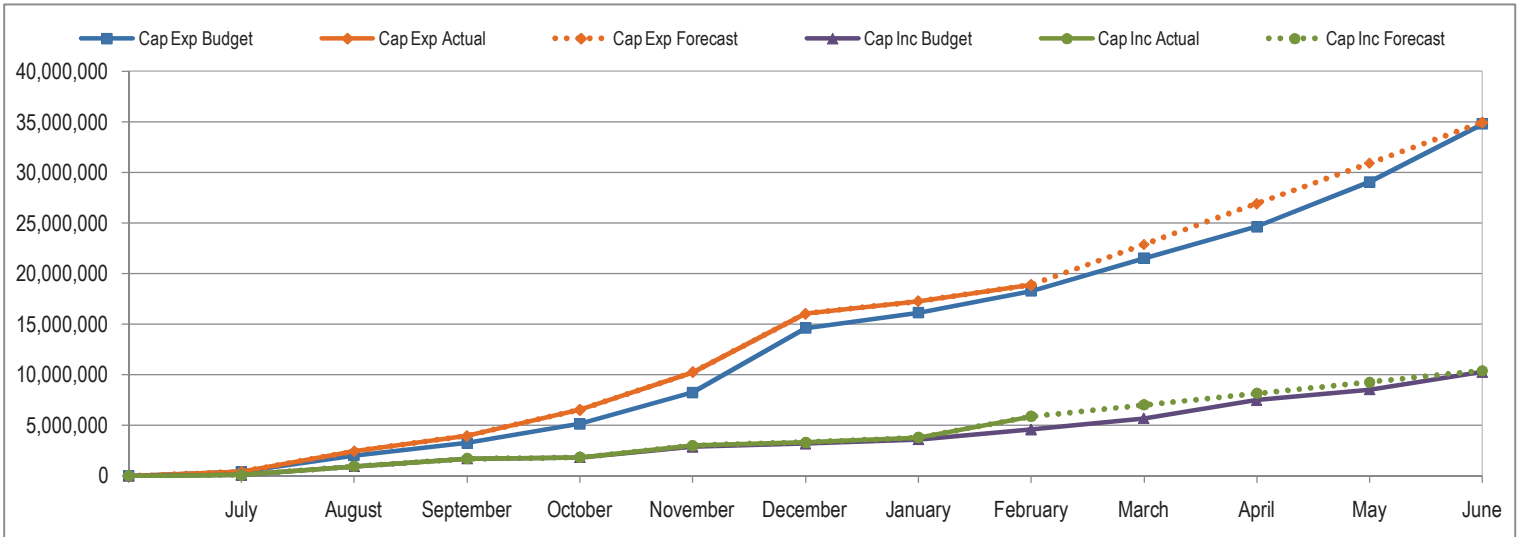
Expenditure

Strategic Objective	2011/2012 E.O.Y. Forecast	2011/2012 Mid Year Budget	2011/2012 YTD Budget	2011/2012 YTD Actuals	2011/2012 YTD Variance (Fav./Unfav.)		
					Variance \$	Variance %	Note
Community Life	35,168,379	35,988,398	22,864,477	23,004,427	139,950	0.6%	1
Council Organisation and Management	13,625,582	13,830,096	9,549,833	9,508,346	(41,487)	(0.4%)	
Economic Development	6,453,033	6,452,965	4,216,673	4,178,656	(38,017)	(0.9%)	
Environment	11,655,941	11,613,171	7,268,624	7,264,062	(4,562)	(0.1%)	
Infrastructure	23,977,242	22,677,847	14,947,728	14,932,160	(15,568)	(0.1%)	
Settlement and Housing	5,634,879	5,637,109	3,791,512	3,852,567	61,055	1.6%	2
Grand Total	96,515,056	96,199,586	62,638,847	62,740,219	101,372	0.2%	

Income

Strategic Objective	2011/2012 E.O.Y. Forecast	2011/2012 Mid Year Budget	2011/2012 YTD Budget	2011/2012 YTD Actuals	2011/2012 YTD Variance (Fav./Unfav.)		
					Variance \$	Variance %	Note
Community Life	17,713,696	17,704,274	11,012,904	10,696,990	315,914	2.9%	3
Council Organisation and Management	57,754,018	57,598,405	54,833,164	54,894,386	(61,222)	(0.1%)	
Economic Development	3,260,764	3,205,901	2,228,159	2,317,191	(89,032)	(4.0%)	
Environment	11,248,408	11,248,408	9,946,803	10,123,548	(176,745)	(1.8%)	4
Infrastructure	2,400,173	2,401,810	1,368,880	1,249,511	119,369	8.7%	
Settlement and Housing	1,729,071	1,690,800	1,166,634	1,171,012	(4,378)	(0.4%)	
Grand Total	94,106,130	93,849,598	80,556,544	80,452,637	103,907	0.1%	

Greater Shepparton City Council
Capital Budget vs Actual
 2011/2012 Financial Year to period ending February 2012



Expenditure

Strategic Objective	2011/2012 E.O.Y. Forecast	2011/2012 Mid Year Budget	2011/2012 YTD Budget	2011/2012 YTD Actuals	2011/2012 YTD Variance (Fav./)Unfav.		
					Variance \$	Variance %	Note
Community Life	6,811,738	6,647,068	3,922,842	4,081,632	158,790	4.0%	
Council Organisation and Management	385,000	385,000	337,839	326,728	(11,111)	(3.3%)	
Economic Development	7,814,790	7,833,790	4,166,409	4,165,574	(835)	(0.0%)	
Environment	3,371,538	3,371,538	1,469,151	1,238,137	(231,014)	(15.7%)	5
Infrastructure	13,869,885	13,856,260	8,171,900	8,879,807	707,907	8.7%	6
Settlement and Housing	2,705,200	2,705,200	221,126	174,825	(46,301)	(20.9%)	
Grand Total	34,958,151	34,798,856	18,289,267	18,866,703	577,436	3.2%	

Income

Strategic Objective	2011/2012 E.O.Y. Forecast	2011/2012 Mid Year Budget	2011/2012 YTD Budget	2011/2012 YTD Actuals	2011/2012 YTD Variance (Fav./)Unfav.		
					Variance \$	Variance %	Note
Community Life	1,069,861	940,076	685,676	714,670	(28,994)	(4.2%)	
Council Organisation and Management	0	0	0	0	0		
Economic Development	1,605,685	1,605,685	534,602	307,701	226,901	42.4%	7
Environment	405,360	405,360	81,072	20,125	60,947	75.2%	
Infrastructure	4,288,773	4,288,773	3,361,368	3,313,048	48,320	1.4%	
Settlement and Housing	3,029,000	3,029,000	1,527,737	1,527,737	(0)	(0.0%)	
Grand Total	10,398,679	10,268,894	6,190,455	5,883,282	307,173	5.0%	

Greater Shepparton City Council
Budget vs Actual Notes
29 February 2012

OPERATING

Expenditure

- 1 Community Life has overspent in operating by \$0.14m. The notable drivers of this variance are:
 - Aged & Disability Services has a \$0.1m overspend largely due to Home Care services over the peak Summer period.
 - Arts and Culture reflects an over budget result of \$0.2m, primarily in the area of the GV Regional Library Contributions (\$0.19m), although this will be corrected in March.
 - Children's Services has a \$0.09m underspend, largely due to \$0.06m of Early Home Learning which will occur during 2012. Additional budgeted staffing regulation requirements which commences in 2012 are expected to bring the actuals back in line with the budget during the course of the first quarter of 2012, in both salary areas and general expenses associated with programming.
 - Community programs reports an underspend of \$0.1m of which \$0.05m relates to a delay in expenditure associated with Kaiela Gallery and \$0.02m to delays in delivery of the A&EC Employment program.

- 2 Settlement and housing reflects as overspend \$0.2m, with the variance largely (\$151k) relating to community plan implementation costs being expended in the operational budget area, however actual budget rests in capital expense.

Income

- 3 Community life reports an underbudget result of \$0.1m less operating income than budgeted. The drivers of this variance are:
 - Animal registrations are behind budget \$0.1m, with majority of income due in April during the registration period.
 - Grant funding of \$0.05m for the LEAD project and \$0.04m for Kaiela Institute not yet received.
 - Grant funding of \$0.1m for the community connection project has been received earlier than expected.

- 4 Environment has received \$0.18m more operating income than budgeted. The driver of this variance is:
 - Waste management, in particular Cosgrove Landfill Site reports \$0.1m over budget in user charges due to slight increases in usage.

CAPITAL

Expenditure

- 5 Environment reports a \$0.23m underspend against budget. The main drivers of this variance are:
 - Works associated with rehabilitation of Murchison Landfill behind budget \$0.06m.
 - Urban drainage replacement program experiencing minor delay, reporting an underspend of \$0.1m.

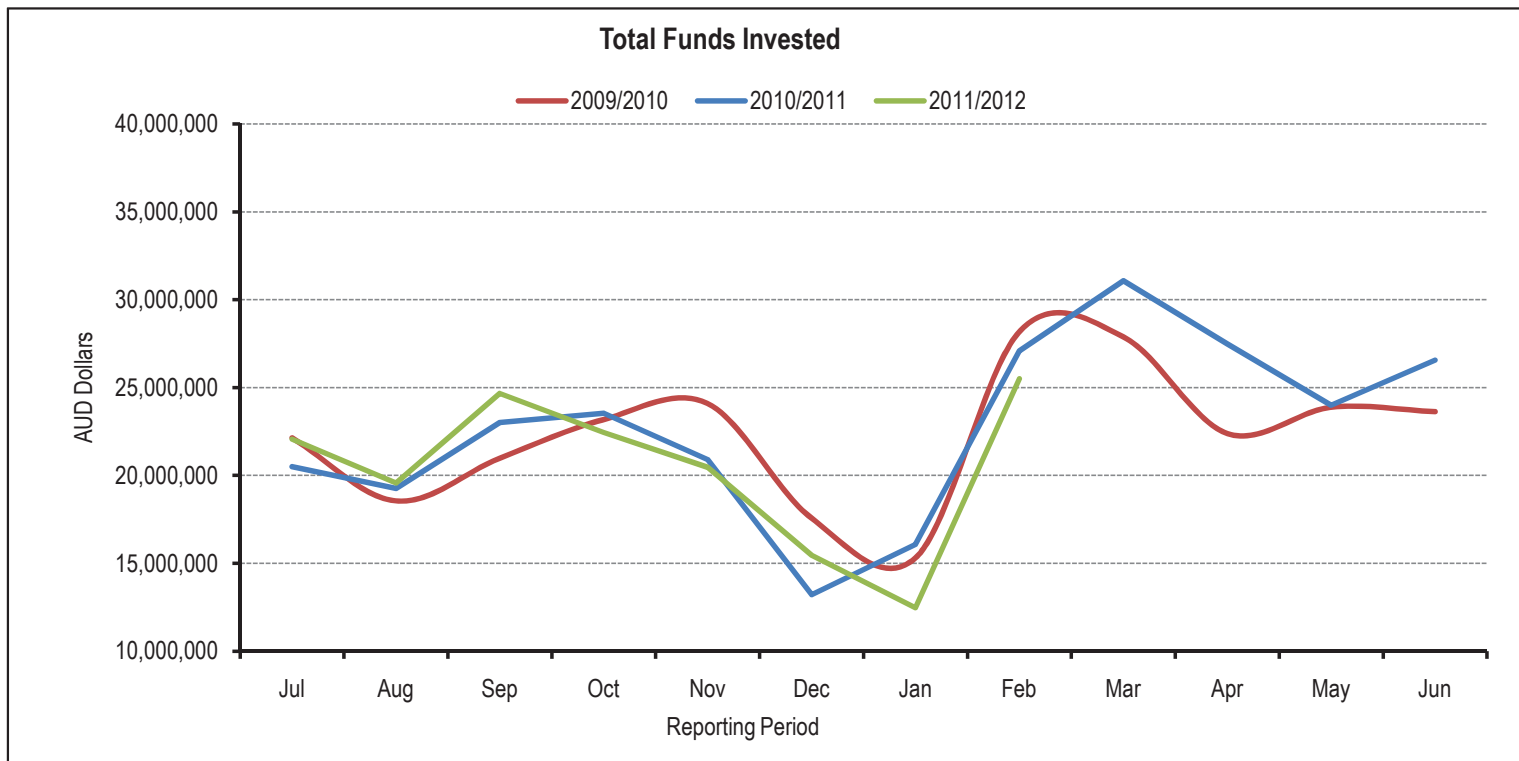
- 6 Infrastructure reports an \$0.7m over budget result. The main drivers of this variance are:
 - Plant purchase ahead of schedule \$0.5m.
 - Asset preservation works ahead of budget \$0.5m with favourable weather conditions allowing for works to be completed ahead of schedule.

Income

- 7 Economic Development reports a under budget result of \$0.2m and primarily relates to a timing delay in property sales.

Investments Summary

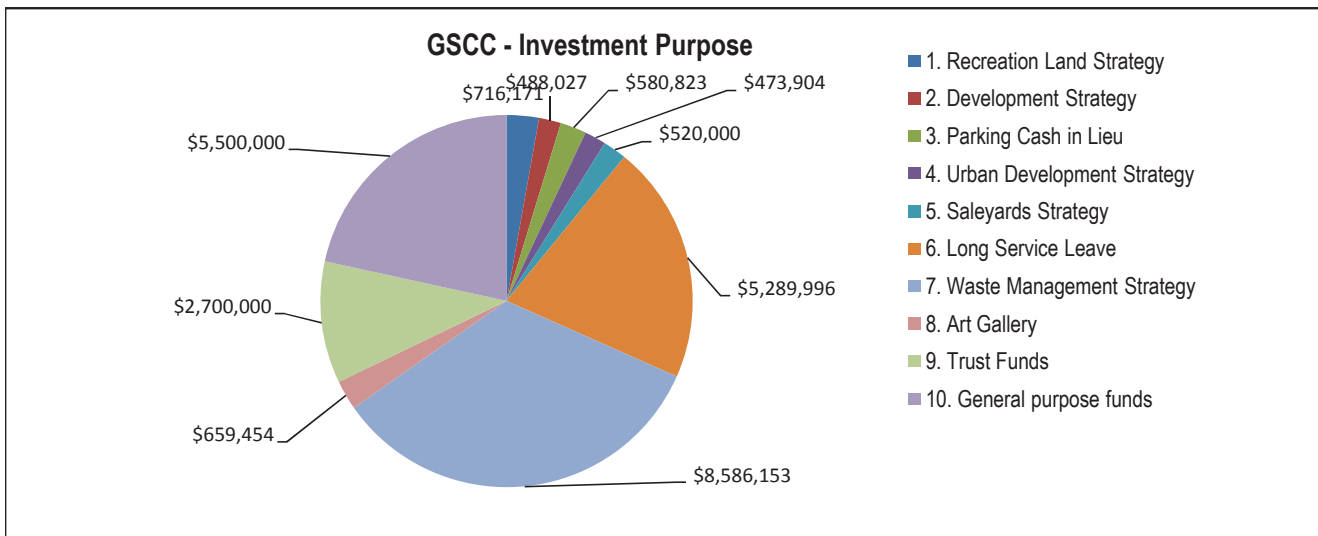
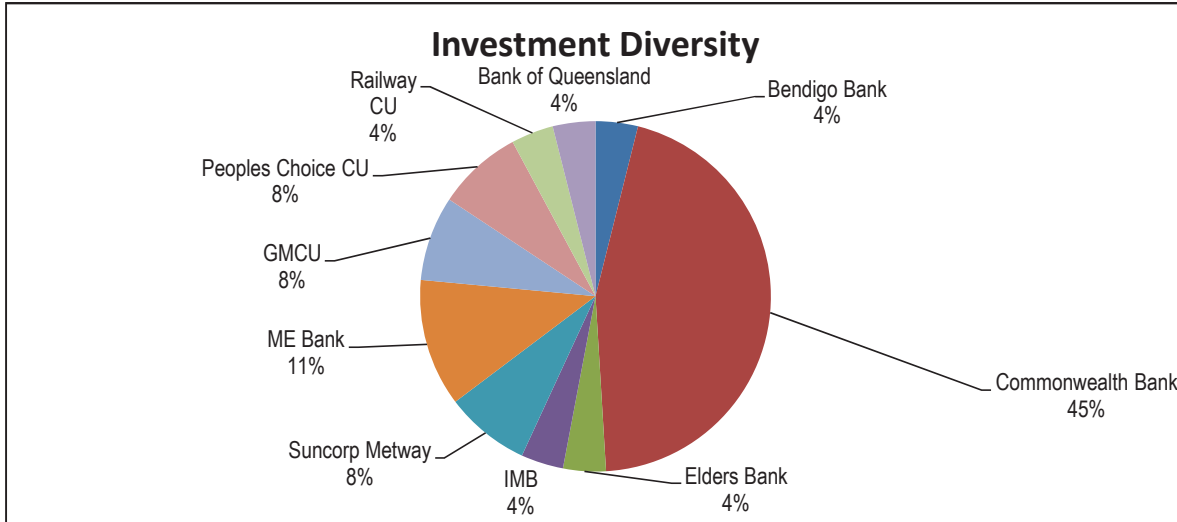
2011/2012 Financial Year to Date at 29 February 2012



GREATER SHEPPARTON CITY COUNCIL INVESTMENT REGISTER AT 29 FEBRUARY 2012

Investment Body	Purpose of Investment	Rate	Maturity Date	Investment Amount
ANZ	General Fund	5.5800%	6/03/2012	1,000,000
Bendigo Bank	General Fund	5.8000%	12/04/2012	1,000,000
CBA	General Fund	4.1500%	AT CALL	5,000,000
CBA	Long Service Leave	5.3500%	3/04/2012	5,289,996
CBA	Art Gallery	5.4000%	11/04/2012	635,500
CBA	Fairley Bequest	5.4000%	11/04/2012	33,079
CBA	Rural Water	5.4000%	21/03/2012	35,953
CBA	Saleyards	4.1500%	AT CALL	120,000
CBA	Saleyards	5.3500%	15/05/2012	400,000
IMB	General Fund	5.7500%	3/04/2012	1,000,000
Suncorp Metway	General Fund	6.0000%	11/04/2012	1,000,000
Suncorp Metway	General Fund	6.0000%	13/04/2012	1,000,000
ME Bank	General Fund	5.8500%	5/04/2012	1,000,000
ME Bank	General Fund	5.9000%	17/05/2012	1,000,000
GMCU	General Fund	5.7500%	15/05/2012	2,000,000
ME Bank	General Fund	5.1000%	29/03/2012	1,000,000
Peoples Choice CU	General Fund	5.3300%	22/03/2012	2,000,000
Railway CU	General Fund	5.6500%	17/04/2012	1,000,000
Bank of Queensland	General Fund	5.7000%	20/04/2012	1,000,000
TOTAL				25,514,528

Greater Shepparton City Council
Investments Summary
 2011/2012 Financial Year to Date at 29 February 2012

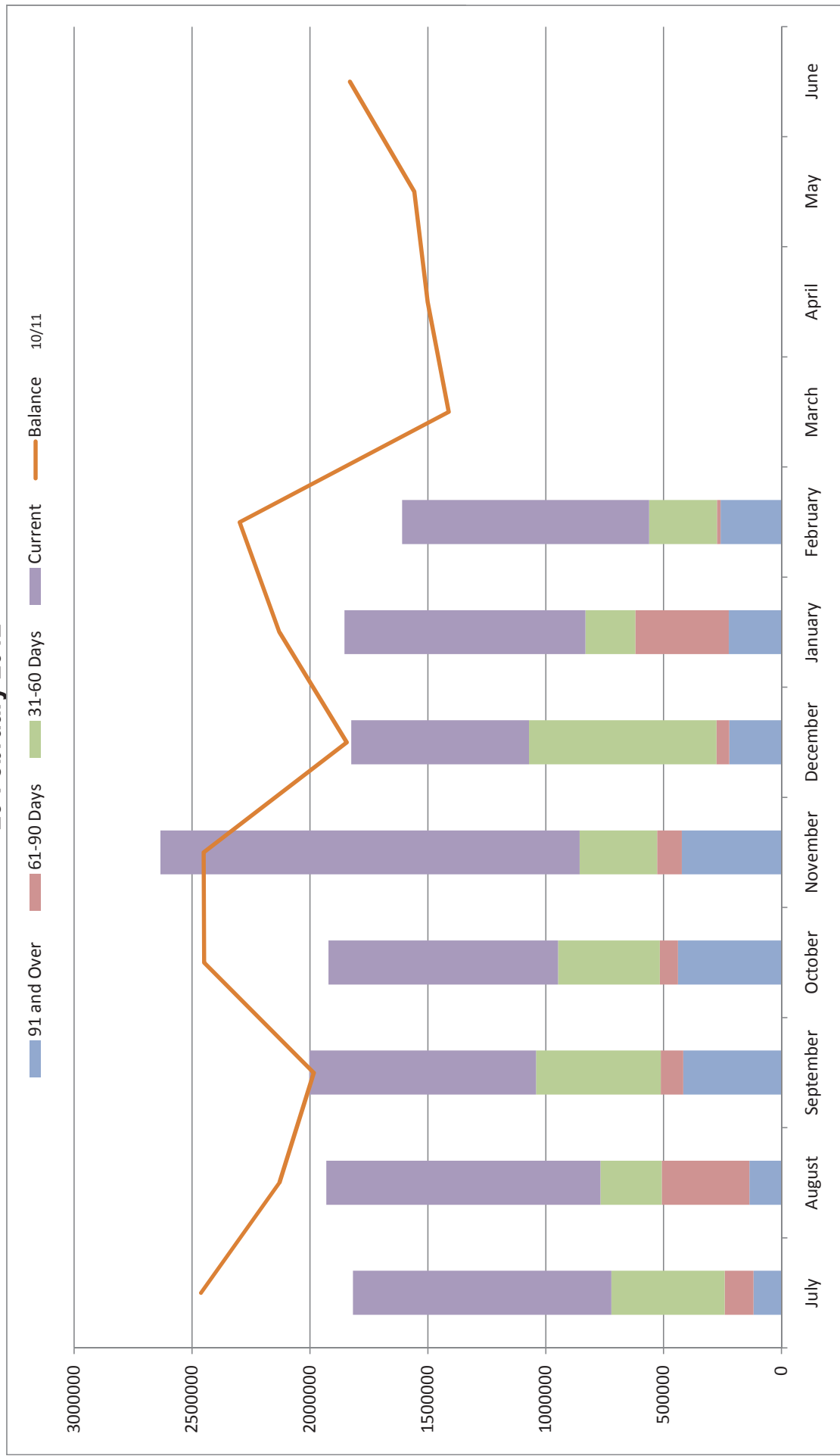


GSCC - INVESTMENT PURPOSE LISTING	
Purpose	Amount
1. Recreation Land Strategy	\$ 716,171
2. Development Strategy	\$ 488,027
3. Parking Cash in Lieu	\$ 580,823
4. Urban Development Strategy	\$ 473,904
5. Saleyards Strategy	\$ 520,000
6. Long Service Leave	\$ 5,289,996
7. Waste Management Strategy	\$ 8,586,153
8. Art Gallery	\$ 659,454
9. Trust Funds	\$ 2,700,000
10. General purpose funds	\$ 5,500,000
	25,514,528

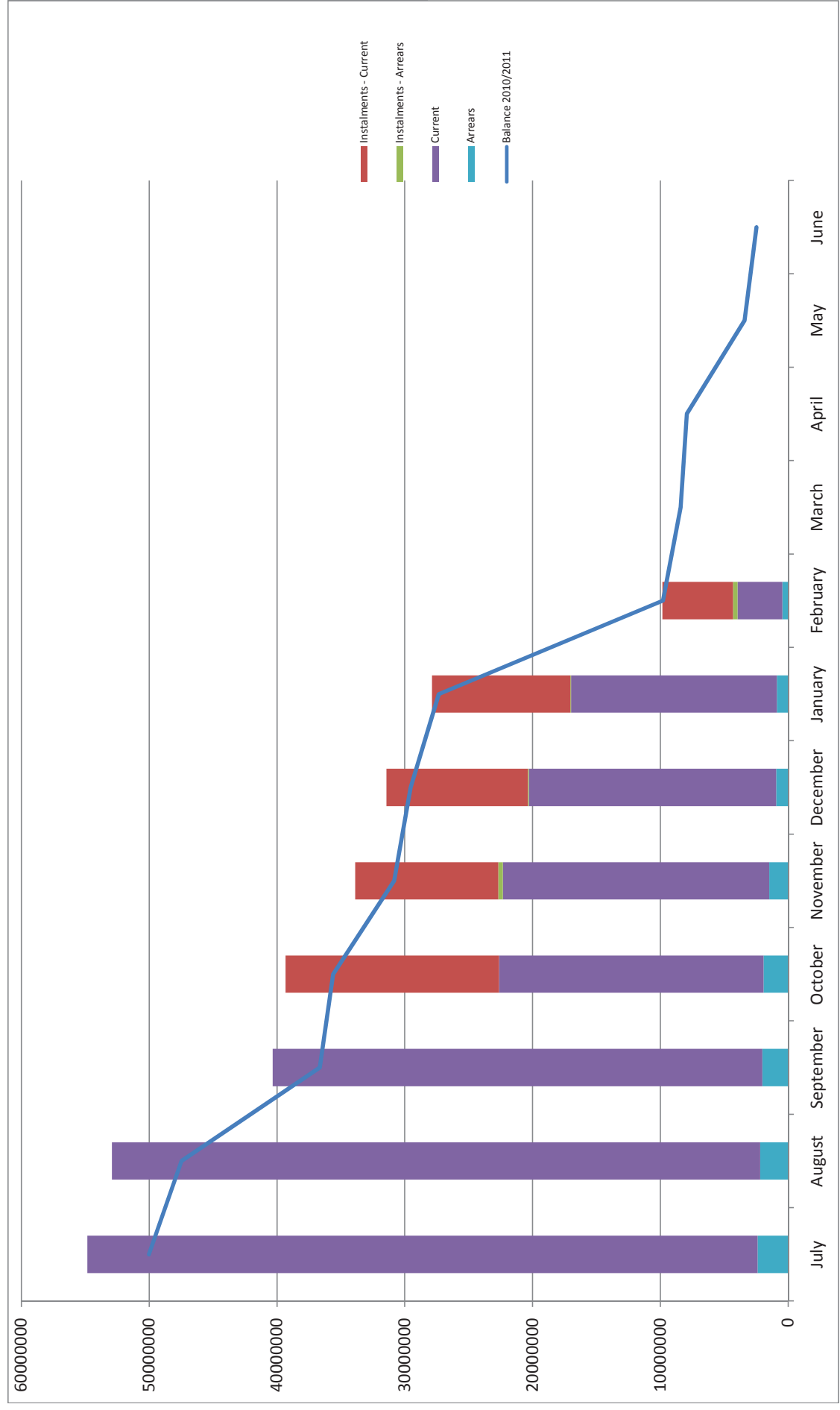
Funds Held Notes:

- ** Investments 1,2 and 3 relate to contributions received under planning permit conditions and are subject to use on
- ** Investments 4,5 and 6 relate to surplus operational funds maintained in accordance with council process to
- **Investment 7 is in accordance with regulations requiring Council to hold funds relating to employee entitlements.
- **Investment 8 relates to Art Work sale proceeds and are held for future collection acquisitions.
- ** Investment 9 are funds identified and held by council in trust and therefore unavailable for use by Council.
- ** Investment 10 are funds held to cover operating and capital expenditure for the remainder of the financial year.

Greater Shepparton City Council Comparative Sundry Debtors 29 February 2012



City Of Greater Shepparton Comparative Rates Debtors 29 February 2012





ISIS PLANNING

for people and places

Greater Shepparton Council	
File No	2007-207
Project No	
25 NOV 2010	
Referred To	AD
Copies To	

INDEPENDENT REVIEW *of the*
Decision by the Greater Shepparton City Council
on the Provision of a Shared Path within the
Shepparton South Outline Development Plan Area

'VILLANI' LAND

November 2010

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Isis Planning Pty Ltd as trustee of the D & B Merrett Family Trust

ABN: 45 579 971 594 ACN: 137 977 710



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1. Introduction

The City of Greater Shepparton ("Council") has commissioned Isis Planning to review the recent decision of Council for a shared pedestrian and cycling path on the property at 7615 Goulburn Valley Highway (GVH) Kialla ("Villani land") within the Shepparton South Outline Development Plan (ODP) area.

Council resolved on 21 September 2010 to require the shared path on the Villani property to be located along the Sevens Creek corridor on the west side of the existing dwelling.

This report is structured to:

- provide a background to the preparation and approval of the ODP in 2003 and what steps have occurred since then for the Villani land,
- document the statutory and strategic basis of the Greater Shepparton Planning Scheme,
- provide a merits based assessment of the issue, and
- make recommendations on where the shared path should be located on the Villani land.

I met with the landowners Tony and Sandra Villani and their representative, Tony Onley of Onleys Survey, Design and Irrigation on site. I also met with Council representatives (Colin Kalms, Braydon Aitken, Gerri Jones and Andrew Dainton). Both meetings were held on 28 October 2010.

Matters not considered by this report include any disputes between the landowner and Council on whether agreement had been reached on certain matters. This report focuses on the merits of the proposed shared path as it relates to the Villani land.

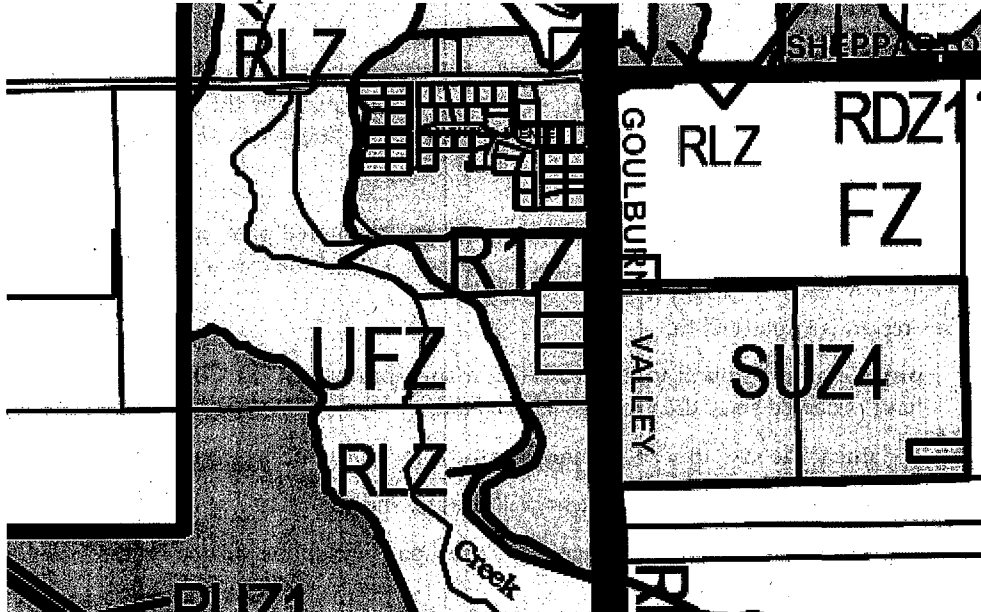
2. The 'Villani' land

The land is located at 7615 Goulburn Valley Highway, Kialla. It has an area of 8.1 hectares. A substantial dwelling is currently being constructed on the property (nearing lock up stage). This dwelling replaces a previous dwelling and commenced construction in early 2007. The location of the new dwelling is at the western end of the property adjacent to Sevens Creek. It is located approximately 25-20 metres from the high bank of the creek. There are a number of outbuildings of varying age.

The land is highlighted on zoning map below.



Plan A – location map



The photos below show the dwelling and its context with Sevens Creek.



Photo A – Front of new dwelling



Photo B – Rear of new dwelling

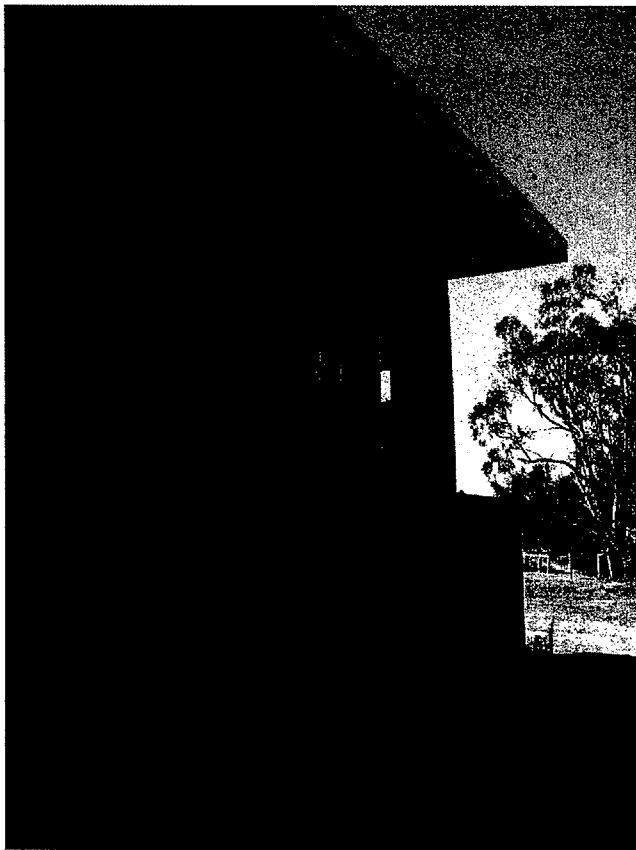


Photo C – Approximate extent of dwelling within the Urban Floodway Zone



Photo D – Taken from rear of dwelling. Sevens Creek is background

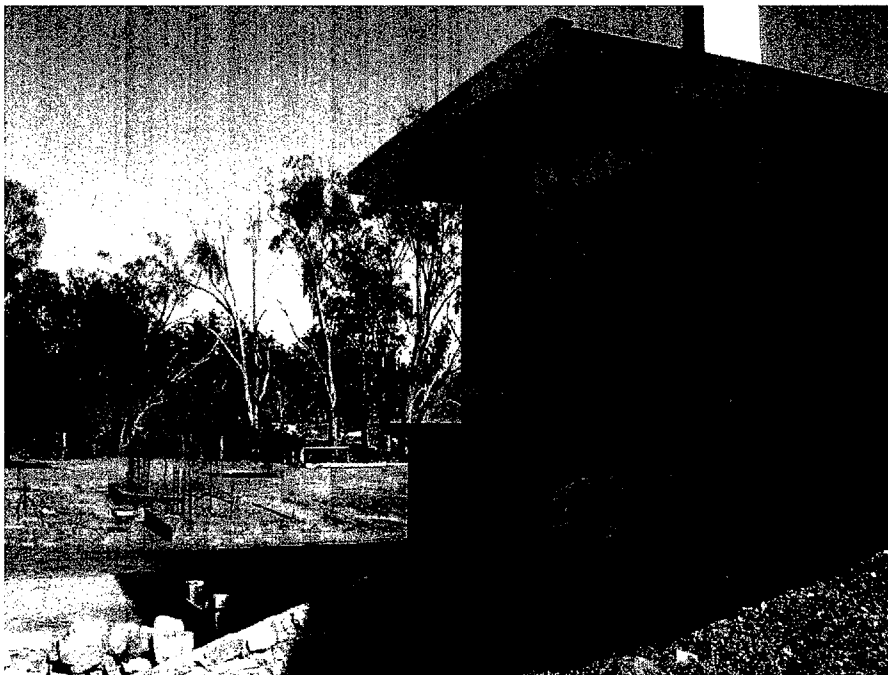


Photo E – Indicates elevate floor level and raised gardens nominated for removal



3. Background

Council prepared the *North and South Shepparton Growth Corridors Outline Development Plan Report* in 2003 to provide for the orderly development of the cities two largest urban growth corridors. The Villani land is located in the southern corridor.

The ODP for the Shepparton South growth corridor is provided below. The Villani land is identified in red.

Plan B – Shepparton South Growth Corridor Plan B

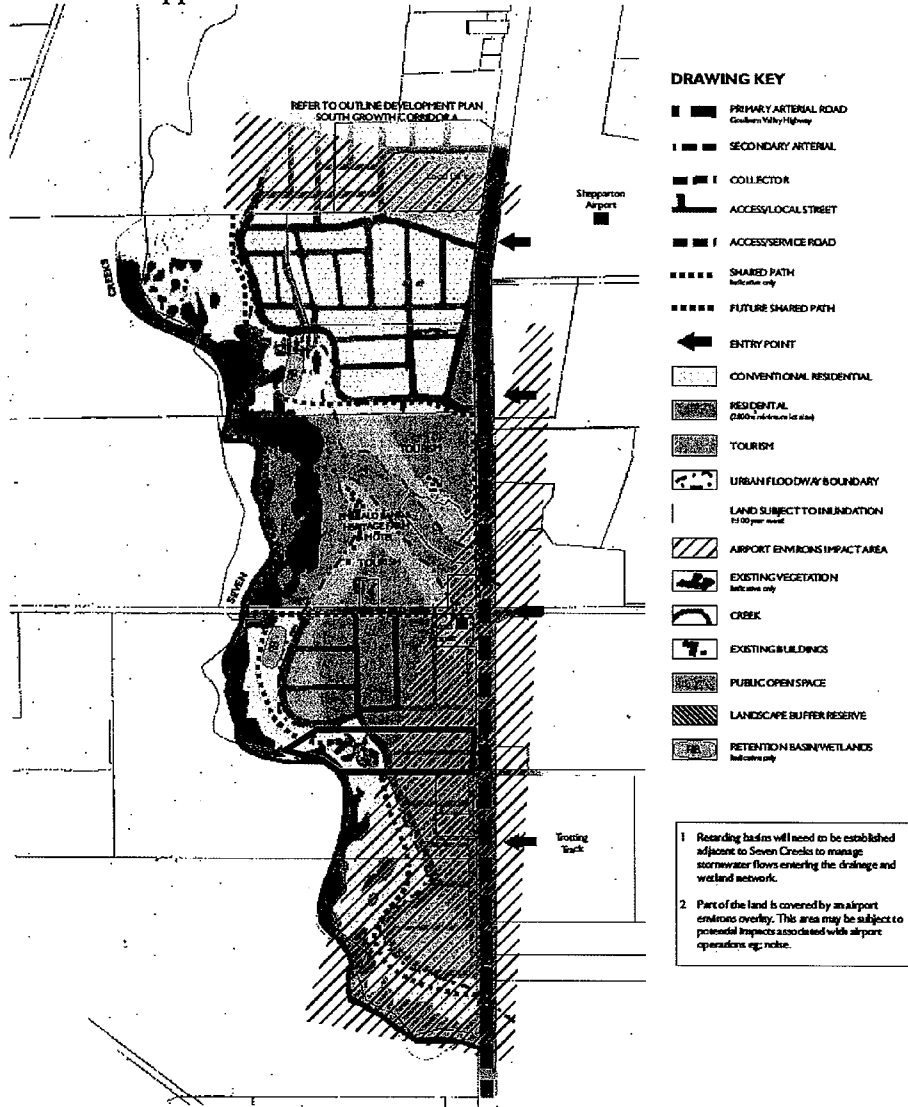


FIGURE 3b
Shepparton South Growth Corridor Plan B
Outline Development Plan

SCALE 1:10,000
0 10 20 30 40 50 METRES
ST/15/14/000 8 May 2003
Coomes
Consulting Group Pty Ltd



This plan highlights the location of existing buildings. It is noted the original dwelling on the Villani land is not identified, along with the dwellings on the small lots fronting the GVH south of the Villani that have not been identified.



The shared path is shown generally west of and within the Urban Floodway Zone (UFZ). However on the Villani land it is shown in reverse. Council has advised this was the case to avoid the removal of native vegetation.

Amendment C11 was approved on 27 November 2003. This amendment introduced the provisions of the ODP. For the Villani land it:

- Rezoned the Rural Living part to Residential 1;
- Introduced a new schedule to the Design and Development Overlay to provide control over building height and reflective surfaces for land within the Shepparton Airport environs.
- Introduced Schedule 3 to the Development Plan Overlay to reflect the Outline Development Plans prepared for the southern growth corridors. These schedules replaced the existing Development Plan Overlay Schedule (DPO1) where it applied to the corridors.
- Introduced Clause 45.06 Development Contributions Plan Overlay and a schedule for the southern corridor.
- Inserted the *Shepparton North and South Growth Corridor Development Contributions Plan, December 2002* into Clause 81 - Incorporated documents.
- Applied the Environmental Audit Overlay to those areas being rezoned to Residential 1.

The ODP report is a reference document for the Greater Shepparton Planning Scheme. The ODP report requires all UFZ land to be set aside as a reserve to the benefit of Council.

The provision of a shared path was raised at the C11 Panel Hearing by the owner (Mawson) of the tourist facility to the north of the Villani land on the basis there was a need to control access to the land via a commercial entry point and security and public liability issues. The Panel commented¹:

the Panel believes that the ODP should seek continuity/connectivity of a publicly owned shared pathway in the vicinity of the Sevens Creek throughout the corridor. It is recognised that provision for the shared path in this area, perhaps on an alignment that is closer to the creek, may only be able to be achieved when future development proposals are considered. The Panel accepts the submission that inclusion of a shared path and designation as public open space through the tourism complex is not appropriate.

This demonstrates the Panel did consider, and the final ODP report did confirm, support for the shared path along the Sevens Creek corridor. However it also demonstrates there were occasions when the alignment of the path away from the creek was justified².

3.1 Chronological order of events

An understanding of the timing of events is important in considering this matter as it sets the context of the issue, particularly with the construction of the new dwelling. Mr Onley and Mr and Mrs Villani made reference to an agreement that had been reached with Council for the shared path alignment. I have however restricted my assessment to the planning merits of the case.

¹ Page 41 Amendment C11 Panel Report

² The eventual redevelopment of this land for residential purposes would include a realignment of the shared path to the Sevens Creek corridor.



I have provided a broad background to the issue below:

27 November 2003	Amendment C11 approved
24 March 2005	Council confirms a planning permit is not required for Villani the replacement dwelling \
26 February 2007	Building permit issues for the replacement dwelling. Construction commences shortly after.
28 May 2007	Planning application (2007-207) lodged for two lot (3.22 and 4.87ha) subdivision on the Villani land
December 2007	A portion of the replacement dwelling is within the UFZ
9 April 2008	Planning application 2007-207 is refused on the basis the subdivision did not provide for a shared path as required under Schedule 3 of the DPO and therefore is not generally in accordance with the ODP.
2009	Further negotiations on shared path and how to resolve the construction of the part of the dwelling in the UFZ.
26 March 2009	The Goulburn Broken CMA is prepared to support a PSA to rezone the UFZ portion that is constructed on to Residential 1 Zone provided a shared path is provided and the raised garden beds are removed.
20 May 2010	Council confirms in writing its desire for land between the creek and dwelling being vested in Council for the shared pathway.
June 2010	Other options considered including a path alignment between the sheds and dwelling and using the roadway.
17 August 2010	Report provided to Council that recommended the pathway be located between the dwelling and the sheds to the east of the dwelling and encouraging the owner to seek agreement with the GBCMA to support a rezoning. This report was tabled by Council.
21 September 2010	A second Council report resulted Council supporting the path alignment follow the Sevens Creek.

4. What are the Issues?

A review of the material indicates the following two issues should be considered further:

- Does the Greater Shepparton Planning Scheme support the development of a shared path?
- Where should the shared path be located?
- What provision should there be for public open space?
- How should the partial construction of the dwelling in the UFZ be dealt with?



5. Does the Greater Shepparton Planning Scheme support the development of a shared path?

5.1 Policy context of the issue

Zone and Overlay controls

The land is zoned partly Residential 1 (R1Z) and partly Urban Floodway (UFZ) under the provisions of the Greater Shepparton Planning Scheme. The land is also affected by:

- In part Schedule 2 of the Design and Development Overlay (DDO – Airport Environs);
- In part Schedule 2 of the Development Contributions Plan Overlay (DCPO – South Corridor DCP);
- In full Schedule 3 of the Development Plan Overlay (DPO – Shepparton South Growth Corridor);
- In part by the Environmental Audit Overlay (EAO); and
- In part by the Land Subject to Inundation Overlay (LSIO).

Schedule 3 of the Development Plan Overlay control provides the following two relevant principles for southern growth corridor:

- *Provision of aesthetic and accessible linear recreational parks, especially for cyclists and pedestrians. A shared pathway is to be provided along the Seven Creeks environs.*
- *The eventual public ownership of land adjacent to Seven Creeks within the urban floodway. As land is subdivided the areas within the Urban Floodway Zone will be transferred to Council as a public open space contribution. This will result in the creation of a significant linear open space link through the corridor.*

State Planning Policy Framework (SPPF)

The relevant provisions of the SPPF are:

- Clause 11.02-2 – Planning for growth areas
- Clause 11.02-3 – Structure planning
- Clause 11.03 – Open space

Relevant strategies include:

Ensure that open space networks:

- *Are linked through the provision of walking and cycle trails and rights of way.*
- *Are integrated with open space from abutting subdivisions.*
- *Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest, as well as maintaining public accessibility on public land immediately adjoining waterways and coasts.*

Ensure land identified as critical to the completion of open space links is transferred for open space purposes

- Clause 11.05 – Regional development

Local Planning Policy Framework (LPPF)

The relevant provisions of the LPPF are:

- Clause 21.04-1 – Urban consolidation and growth. One strategy is to:



Link the parks, open spaces and bicycle paths to create connectivity between the three urban areas of Shepparton, Mooroopna and Kialla, with the floodplain becoming a recreation asset.

- The land is identified on the Shepparton, Mooroopna and Kialla Framework Plan as *an area for urban development*.

5.2 Discussion

There is strong policy support for the approach Council has taken with the planning for the Shepparton South growth corridor. The completion of the outline development plan for the area will guide its future development. The use of the *North and South Shepparton Growth Corridors Outline Development Plan Report 2003* as a reference document in the planning scheme provides the flexibility required for a broad based document such as the ODP to be amended over time without the constraints of a formal planning scheme amendment process. However, as a reference document it is not part of the planning scheme and is only important to the extent that it provides background material for the consideration of Council. It does not carry significant weight in Councils administration of this planning scheme. If the document was of such importance that it influenced decision making then it should be included as an incorporated document. I understand Council did take this approach initially with Amendment C11 however supported its use as a reference document at the C11 panel hearing.

As a broad based document that covers a large area I believe the approach taken by Council to the document was the correct approach otherwise it would have been unduly constrained over time.

Where the ODP carries more statutory weight is its use as a development plan in the Development Plan Overlay (DPO) that applies to the southern growth corridor. The control states:

A permit granted must:

- *Be generally in accordance with the development plan.*
- *Include any conditions or requirements specified in a schedule to this overlay.*

A development plan under the DPO can be varied without the need for a planning scheme amendment however there is a caveat included (as stated above) that use and development need only to be just generally in accordance with the development plan.

The DPO3 makes it clear the intention for the UFZ land along the Sevens Creek corridor is to convert it to public ownership and would eventually accommodate the shared path.

I believe there is strong policy support for locating the shared path along the Sevens Creek corridor within the UFZ.

Conclusion

1. **There is strong policy support for the use of the Sevens Creek corridor as a location for the shared path.**



6. Where should the shared path be located?

I believe the concern over the shared path on the Villani land has resulted from:

1. The interpretation of a broad ODP plan to provide specific locational advice on the shared path;
2. The alternative approach taken on the Villani land where the shared path is shown east of the UFZ;
3. The construction of a new substantial dwelling without the need for a planning permit; and
4. The reliance on landowner initiated development of the land to construct the shared path and convert the UFZ land to public open space;

These matters are addressed below.

1. The interpretation of a broad ODP plan to provide specific locational advice on the shared path.

The southern growth corridor covers a large area of land. Current best practice takes a precinct planning approach to provide further detail on smaller areas of the ODP. Due to the conveyance of time since the preparation of the ODP Council has not taken this approach and therefore has relied solely on the planning permit process for subdivisions to ensure elements of the ODP are accommodated. At its basic level this is the reason that has given rise to the current situation. There seems to be too much reliance on the ODP to provide this specific direction (ie the location of the shared path) and guidance. An example of this is the statement in the text of the DPO3 that the UFZ would define the land to be set aside as a public open space reserve. However the ODP Plan B clearly shows an area greater than the UFZ on the Villani land that would be set aside as POS including the site of the new dwelling. On this basis I believe Council should take a flexible approach with interpreting the elements of the ODP Plan B.

Conclusion

2. Council should not interpret the ODP Plan B rigorously to define and implement elements of the ODP.

2. The alternative approach taken on the Villani land where the shared path is shown east of the UFZ

The ODP report provides maps that show existing conditions for the corridor that do show the location of the original dwelling. One of these maps is provided below with the dwelling highlighted. It seems that this detail was not carried forward to the ODP Plan B which also purports to show existing buildings. I believe this explains why the alignment of the UFZ and shared path is dealt with differently on the Villani land. A comparison of the plans indicates this was likely to respond to the location of the original dwelling. I do not accept Councils point that this was due to avoiding the vegetation that was on the property. The shared path alignment in other areas of the ODP passes through existing vegetation. It is highly likely the former explains this outcome.

Conclusion

3. The shared path shown on the ODP Plan B has an alignment east of the original dwelling.
4. On this basis there is no need to modify the ODP to support the shared path on the Villani land east of the dwelling.



Conclusion

5. The construction of the replacement dwelling has significantly impacted the ability to construct a shared path along the creek alignment.

4. The reliance on landowner initiated development of the land to construct the shared path and convert the UFZ land to public open space

It is understood Council considered the use of the Public Acquisition Overlay (PAO) to delineate the UFZ and its future role as public open space. Council's current approach with the Mooroopna ODP is to use the PAO. This step would have been the preferable approach as it provides certainty for the landowner that a process will be put in place for the acquisition of the land and for Council as it maps the area to be purchased and commits them to the purchase of the land. This may occur prior to the development of the land and would not rely on the landowners' intention to develop for the construction of the shared path.

Conclusion

6. The lack of a process for the compulsory acquisition of land for POS places an undue reliance on developer initiated subdivision to bring forward the construction of critical piece of infrastructure.

7. Council current use of the PAO in Mooroopna is supported to obtain land for POS.

7. What provision should there be for public open space?

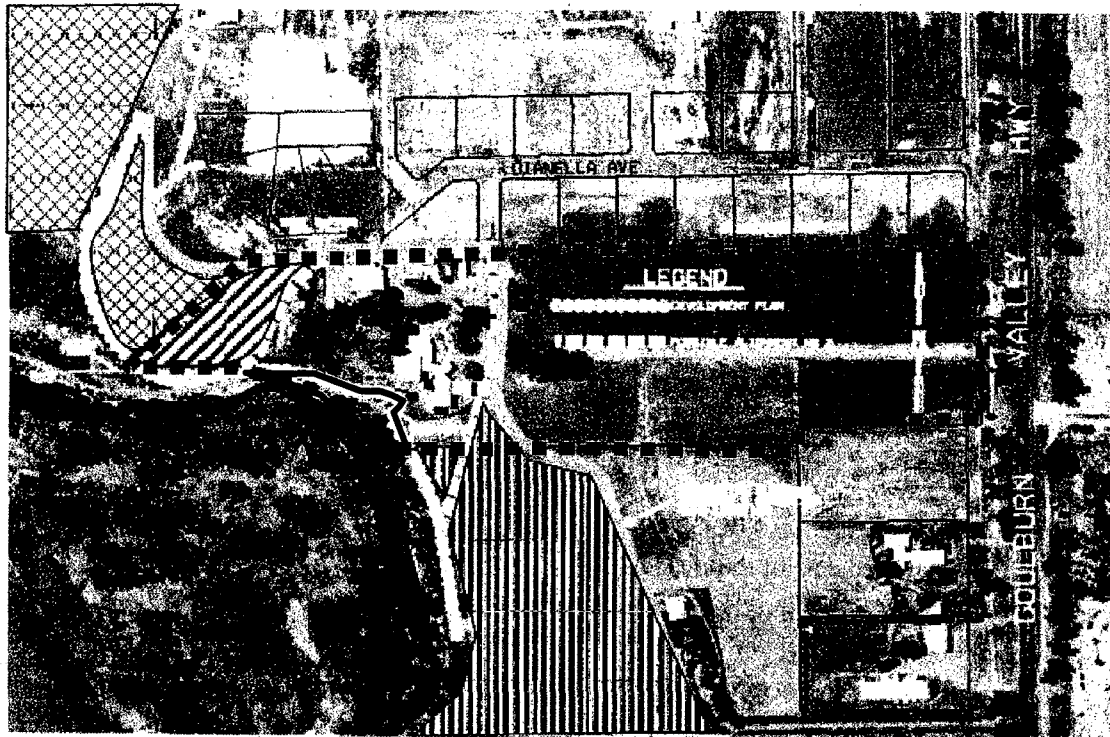
The ODP states clearly the UFZ area will eventually form the public open space provision of the corridor. If this is the case then the dwelling as constructed would have nearly its entire 'backyard' adjacent to the river as public open space. Through no direct fault of any one party the dwelling is constructed in this location. It is a substantial structure and will be a long term feature of the property. It is understandable that a landowner would seek to maximise the most appealing view from the property. As a replacement dwelling I believe the integrity of the ODP remains intact as I have already confirmed the ODP shows the shared pathway east of the original dwelling. Council should review its approach with requiring all the UFZ to be set aside as POS. On balance:






- the current dwelling should have a reasonable level of amenity including its aspect to Sevens Creek and land between the dwelling and high bank of the creek; and
- Council and the Goulburn Broken CMA should have access to the creek for maintenance and to ensure this continues for the length of Sevens Creek. This would be consistent with the aims of the ODP.

The Villani property title extends into the Sevens Creeks further west of the high bank. I have a concern with enduring private access to a public waterway, particularly in an area where there is to be expected an increase in activity given adjacent residential growth. I received a plan that indicated options for the provision of public open space on the Villani property. I have provided this below and added a further strip of land equivalent to the high bank plus 3m to allow for emergency access (shown red). This should not be interpreted as a location for the shared path. I believe this provides a balanced outcome.



Plan D – Provision of POS on the Villani land



-  Land that has been vested in the Council (Riviera Estate)
-  Area of land to be transferred to the Council (Villani Property)
-  Property boundary
-  Land to be vested in the Council in the future
-  8m wide vested to Council

Conclusion

8. It would be unreasonable for Council to require a significant portion of the land between the dwelling and the high bank to be set aside as POS.

9. On balance private access to the creek should be avoided.

10. A small lineal strip equivalent to the high bank of the creek plus 3m for emergency access should form the boundary between the Villani title and the POS.

8. How should the partial construction of the dwelling in the UFZ be dealt with?

I understand Council supports the rezoning to Residential 1 Zone of that part of the dwelling that is constructed in the UFZ. The Goulburn Broken CMA also supports the rezoning however requires the removal of the raised garden beds and *must satisfy Council that there is sufficient space between the dwelling and Sevens Creek to accommodate a shared pathway which will be required to be located within a public reserve.* Assuming Council support the recommendations in this report I believe the former has been accepted by the landowner and the latter is no longer an issue.

Conclusion



11. Council should consider the shared path alignment and the need to rezone a portion of the land as two mutually exclusive issues.
12. Council should require the landowner to prepare planning scheme amendment documents for the rezoning of this land.

9. Conclusions and recommendations

Conclusions

- There is strong policy support for the use of the Sevens Creek corridor as a location for the shared path.
- Council should not interpret the ODP Plan B rigorously to define and implement elements of the ODP.
- The shared path shown on the ODP Plan B has an alignment east of the original dwelling.
- On this basis there is no need to modify the ODP to support the shared path on the Villani land east of the dwelling.
- The construction of the replacement dwelling has significantly impacted the ability to construct a shared path along the creek alignment.
- The lack of a process for the compulsory acquisition of land for POS places an undue reliance on developer initiated subdivision to bring forward the construction of critical piece of infrastructure.
- Council current use of the PAO in Mooroopna is supported to obtain land for POS.
- It would be unreasonable for Council to require a significant portion of the land between the dwelling and the high bank to be set aside as POS.
- On balance private access to the creek should be avoided.
- A small linear strip equivalent to the high bank of the creek plus 3m for emergency access should form the boundary between the Villani title and the POS.
- Council should consider the shared path alignment and the need to rezone a portion of the land as two mutually exclusive issues.
- Council should require the landowner to prepare planning scheme amendment documents for the rezoning of this land.

Recommendations

1. That Council require the landowner to prepare planning scheme amendment (PSA) documents for the rezoning of the subject land.
2. That Council de-link the consideration of the PSA and the shared path on the Villani land.
3. That Council confirm with the landowner the precise location of the shared pathway east of the existing dwelling prior to assessing an application to subdivide the land.
4. That Council identify the extent of the UFZ that will be required on the Villani land for public open space purposes. The current high bank of the Sevens Creek (plus 3m) should provide the basis for this.
5. That Council request the landowner to submit a planning application to subdivide the land supported by:



- a full feature survey that shows the current R1Z and UFZ alignments, all existing buildings, vegetation and note any buildings or structures (ie garden beds) to be removed;
- a plan of subdivision showing the proposed lots and public open space reserve;
- a public open space plan that shows the alignment of the shared pathway east of the existing dwelling, its method of construction, how it integrates with the proposed path further north and south; and
- other requirements of the DPO3.

David Merrett
Isis Planning - Director
19 November 2010

Working together to give every child

the best possible start in life



Greater Shepparton Best Start Early Years Plan 2011-2014

An integrated plan combining the strategic directions of Best Start, Enhanced Best Start and Council's Municipal Early Years Plan

Best Start



August 2011

This plan was developed by the Greater Shepparton Best Start Team.

For further information please contact

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Message from the Mayor Greater Shepparton City Council Councillor Michael Polan



Greater Shepparton is a vibrant and diverse community. It is a playground of arts and culture, educational and employment opportunities, family and community events, and has a strong and well developed economy. As a major regional centre with significant continuing growth, Greater Shepparton offers all the benefits of a rural lifestyle as well as excellent access to the provisions and amenities of urban areas. This makes the municipality an ideal place to live, work and raise a family.

The Greater Shepparton Best Start Early Years Plan 2011-2014 is the roadmap for implementing the community's priorities to ensure we are giving our children the best start in life and supporting them and their families during the most critical years of development. I am extremely pleased to present this plan as, having raised my own family in Greater Shepparton, I am aware first hand of the importance of the supports and services families need as they navigate those early years of life.

Greater Shepparton City Council recognises and values the important role of families in our community and aims to support them through the implementation of this plan as well as Council's Municipal Public Health Plan. I would like to congratulate all who have been involved with the development of this plan and the significant work they have put in. I am confident that this plan reflects the needs and priorities of our community, and that it will contribute greatly to Greater Shepparton's continued development as a leading child and family friendly community.

Message from Chair Greater Shepparton Best Start Early Years Partnership Councillor Jenny Houlihan



As Chair of the Greater Shepparton Best Start Municipal Early Years Partnership I am extremely pleased to present this new four year plan for our municipality. The Greater Shepparton Best Start Early Years Plan 2011 – 2014 has been developed after an intensive community consultation process to identify the true needs of our community; and responds to the priority issues that impact on the health, wellbeing and development of our children.

Greater Shepparton is a great place for children to grow up in; with a comprehensive universal early years service system and family support agencies to ensure our children and families are supported during the most crucial years of life. This plan builds on the strengths of this existing system and the previous Best Start Municipal Early Years Plan 2008-2010 to enhance access to and use of these important services.

Since the inception of the Partnership in 2002, many individuals have worked together to provide an integrated early years and family support service system to improve the life chances of all children aged from zero to six years of age in the City of Greater Shepparton. The Partnership is now recognised by Council and local forums and networks as the expert early years advisory panel for Greater Shepparton and one that is referred to for input and commnet in relation to the early yers issues afecting our community.

The Partnership will provide the strategic direction for this new plan and will be responsible for the monitoring and evaluation of outcomes during the next 4 years. By continuing to work together we can build a brighter future for our children.



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Acknowledgements

This Early Years Plan reflects the energy, knowledge and expertise of a wide range of individuals and organisations who believe that we as a community have a responsibility to nurture and protect our children.

Sincere thanks go out to all of you have contributed in diverse ways to the development of this document which is an expression of our collective commitment.

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Executive Summary

‘Children are our future. There is now irrefutable evidence that investment in the first eight years will improve children’s health and educational prospects – particularly for children from vulnerable families. It will lead to improved social, human and economic capital outcomes for the community.’

MAV Municipal Early Years Planning Framework and Practical Resource Guide May 2011

This *Greater Shepparton Best Start Early Years Plan 2011-2014* is both a statement of achievement and an ambitious blueprint for improving the life chances of children in our municipality. It builds on the learnings and achievements of the past eight years - the activities of previous Best Start Municipal Early Years Plans which have established early years planning as a priority area of Council business and a shared community responsibility.

Greater Shepparton was fortunate to be selected as one of the inaugural five Best Start sites in 2002, and has continued to receive recurrent funding to undertake a range of activities that promote optimal early learning and development. In 2011 Greater Shepparton was successful in being nominated as one of two Victorian municipalities for the three year Enhanced Best Start initiative; which focuses specifically on breastfeeding rates and improving access and participation for vulnerable children in Maternal & Child Health Services and Kindergarten.

Complimenting the objectives of Best Start and Enhanced Best Start is the Department of Education and Early Childhood Development (DEECD) requirement for every Victorian local government to comprehensively plan for the needs of children through the articulation of a Municipal Early Years Plan (MEYP). **The strategic directions for Best Start, Enhanced Best Start and Council’s Municipal Early Years Plan are being combined into one integrated plan. Leadership for this process has been provided by the Greater Shepparton Best Start Early Years Partnership¹.**

A significant aspect of this new Plan is a **focus on the most vulnerable children in our community.**

¹ This Partnership has been the driving force for Best Start since 2003 and for municipal early years planning since 2005

Our vision is to give our local children the best start in life through collaborative achievement of the following eleven objectives.

Action Area 1: All children enjoy a healthy start in life

Objective 1.1: To increase early engagement of expectant parents in antenatal services

Objective 1.2: To enhance the capacity of the Maternal & Child Health Service to better engage those families currently not using or underusing the service.

Objective 1.3: To increase breastfeeding rates in Greater Shepparton

Objective 1.4: To improve immunisation rates in Greater Shepparton

Action Area 2: All children are supported to become confident learners

Objective 2.1: To increase children’s language and literacy skills before they start school

Objective 2.2: To enhance the capacity of kindergarten services to better engage those families currently not using or underusing the service.

Action Area 3: Greater Shepparton – a child and family friendly community

Objective 3.1: To increase the opportunity for parents and children to participate in play and recreational activities

Objective 3.2: To foster a family centred culture within universal early childhood services

Action Area 4: Collaborative planning and service development

Objective 4.1: To maintain a vibrant, proactive Partnership and strong community networks to inform, implement and support the Best Start Early Years Plan

Objective 4.2: To build a monitoring, research and evaluation capacity within the service development activities of the Greater Shepparton Best Start Early Years Plan

Objective 4.3: The Partnership advocates on behalf of children in relation to key issues that affect their health, safety and educational success; and for the recognition of their rights

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The Vision for our Children

This Greater Shepparton Early Years Plan 2011-2014 represents the shared vision of a broad range of individuals and organisations – that every child in Greater Shepparton has the best possible start in life and is supported to reach their fullest potential.

International and national research shows that a child's 'early years' are critical in shaping their future; and investing resources in the early childhood years pays positive dividends for communities. Investment in children's wellbeing builds the 'human capital' of a strong society.

We know from longitudinal research that this type of early intervention increases the likelihood of children doing well at school, gaining employment and having successful and fulfilling relationships. In contrast, not assisting all children to reach their full potential has significant social costs with higher unemployment, increased likelihood of crime and imprisonment, increased mental health problems and poorer physical health.

Investing in Children's Development: the importance of early relationships
Benevolent Society Position Paper August 2010

Such research has been the driving force behind early childhood policy at a state and national level for the last decade. In Victoria the Department of Education and Early Childhood Development (DEECD) funds 30 Best Start programs, predominantly auspiced by local governments.

Greater Shepparton was fortunate to be selected as one of the inaugural five Best Start sites in 2002. Complimenting the objectives of Best Start is the DEECD requirement for every Victorian local government to comprehensively plan for the needs of children through the articulation of a Municipal Early Years Plan (MEYP).

The recently released MAV *Municipal Early Years Planning Framework and Practical Resource Guide May 2011* is less prescriptive than the previous 2006 framework; and acknowledges the progress Councils have made in the last five years in the quality of their strategic local area planning for the early years. Instead the emphasis is on providing a set of 'key foundations' to underpin early years planning; and providing resources to assist councils to develop their early years plans in an evidence based and outcomes focussed manner.

These **key foundations** include consideration of the WHO Social Determinants of Health, a strategic focus on outcomes based planning, effective community engagement and partnership building, the fostering of learning organisations and a strong emphasis on providing better support for the socially marginalised, vulnerable families in our community. We can proudly say that we have already made significant progress to building such a foundation.

In June 2011 Greater Shepparton was nominated as one of the two Victorian **Enhanced Best Start** sites. This 3 year funding provides the opportunity to focus on two specific indicators:

- Increasing the initiation and duration rates of breastfeeding;
- Increasing participation rates in Maternal and Child Health and Kindergarten services for vulnerable children and families; with a particular focus on children and families referred to Child Protection and Child First.

The strategic directions for Best Start, Enhanced Best Start and Council's Municipal Early Years Plan are combined into this one integrated plan. Leadership for the process has been provided by the Greater Shepparton Best Start Early Years Partnership².

This new plan builds on the achievements and strengths of the *Greater Shepparton Best Start Municipal Early Years Plan 2008-2011*. It continues the work of the last nine years during which Best Start has provided the platform for improving health and wellbeing outcomes for children. A long term view is required to effect sustainable change.

Our four major visions are that:

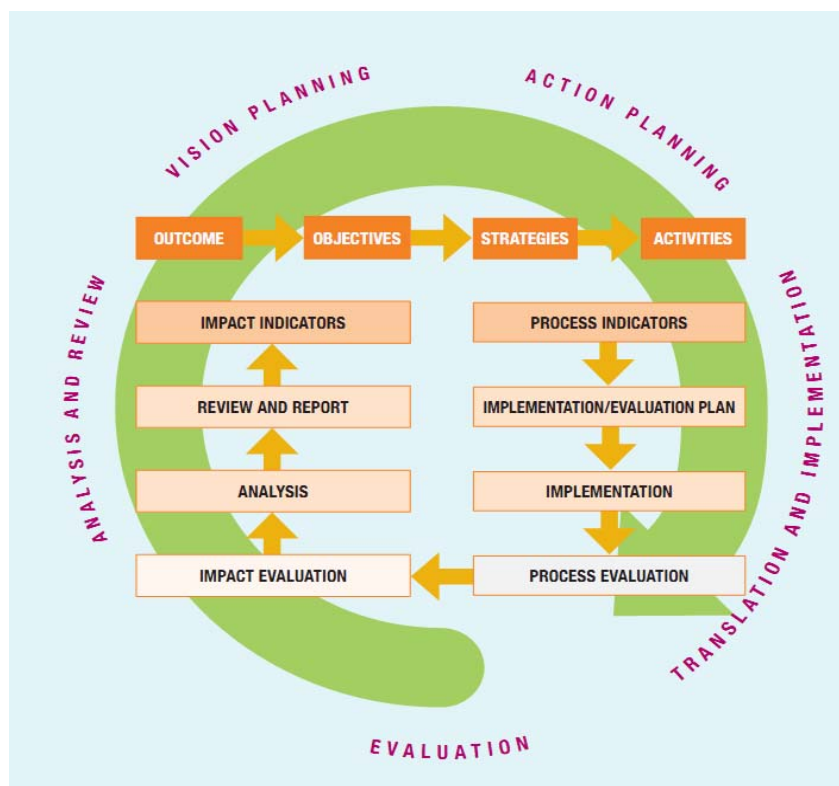
- All children enjoy a healthy start in life
- All children are supported to become confident learners
- Greater Shepparton is a child and family friendly community
- Well informed, collaborative service planning and service development underpins all that we do.

² This Partnership has been the driving force for Best Start since 2003 and for municipal early years planning since 2005

Adopting an Outcomes Based Planning Approach – What does it take to successfully support children and families in Greater Shepparton?

In developing the Greater Shepparton Early Years Plan the Partnership has utilised an ‘outcomes based’ approach. This is one which **starts** with creating a vision of what sort of community is needed for children to be healthy, feel secure and start school ready to learn; and then seeks to put into place the best strategies to achieve this vision. It has assisted our Partnership to plan in a disciplined way - to think long term, to ask questions about how visions and strategies will be achieved, to critically reflect on the effectiveness of the actions taken.

The *Platforms Model* developed by the Centre for Community Child Health articulates this approach. It provides both a planning and evaluation cycle that has facilitated a shared sense of direction for the Partnership and its Workgroups.



Source: *Platforms A Service Redevelopment Framework*
Centre for Community Child Health 2008

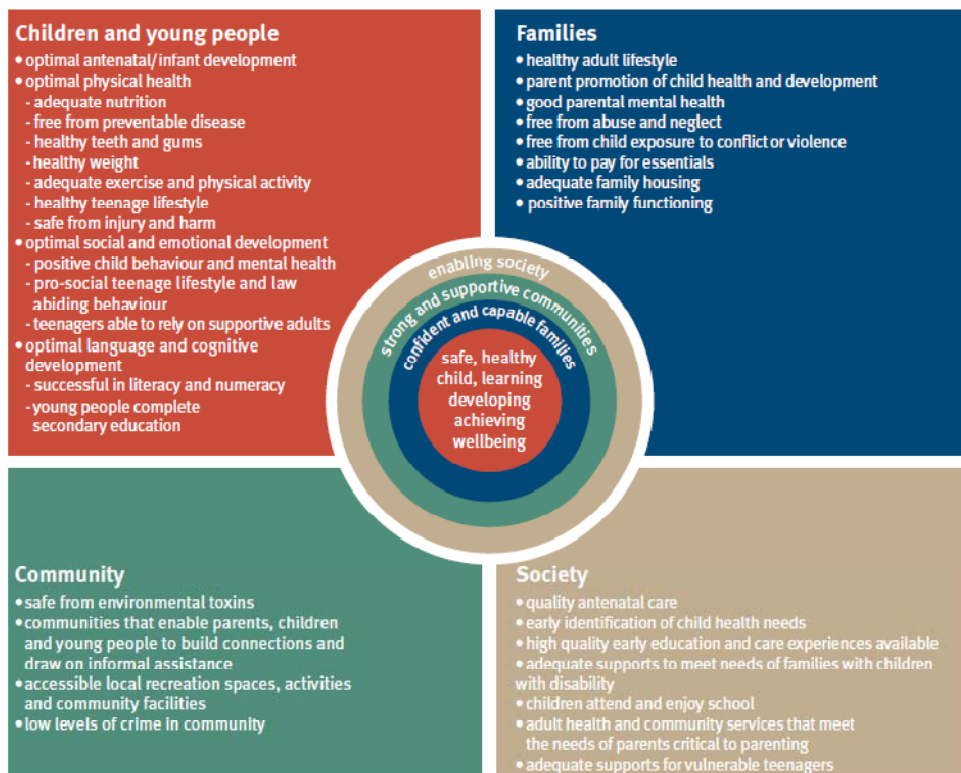
Think Child, Think Family, Think Community

Promoting child development, wellbeing and safety relies on the ability to ‘think child, think family and think community’. Our knowledge about how biological, psychological and social factors interact to influence development and well being of children has never been greater. In a growing number of countries this knowledge has led to intense interest in the early childhood, motivated by both social justice concerns as well as increasing awareness that the economic future of a society depends on the degree to which its children are healthy, educated and well adjusted.

Working with Vulnerable Families – a partnership approach Arney & Scott 2010

The Victorian Child and Adolescent Outcomes Framework³ as shown below illustrates such biological, psychological and social factors; and provides a useful conceptual model for early years planning. Children need a nurturing family, quality local health, educational and welfare services; and to live in a society that recognises the importance of investing in the future of its children.

Figure 1: The Victorian Child and Adolescent Outcomes Framework



Source: Department of Education and Early Childhood Development, 2006.

³ Source Municipal Early Years Planning Framework and Practical Resource Guide May 2011

Developing the Greater Shepparton Best Start Early Years Plan 2011-2014

A broad range of activities and information has guided the development of this plan. The evaluation process of our 2008-2011 Plan⁴ highlighted that some gains have definitely been made in building a stronger local capacity to nurture children and support parents.

1. Key achievements of the previous plan

- The establishment of 8 new Supported Playgroups.
- Activities to promote Greater Shepparton as a Breastfeeding Friendly City – reprinting of the breastfeeding friendly locations map, and introducing computer based breastfeeding resources for GPs.
- Improvement of early childhood literacy resources including the extension of the 'Story A Day' program in 13 kindergartens, and the distribution of approximately 2500 Book Bags through Maternal & Child Health Centres.
- Improved data collection and usage for planning and evaluation. Of note was the introduction of the Australian Early Development Index (AEDI).
- The consolidation of our locally developed professional education resource '*Integrated Practice Training*'. It aims to increase skills of early years staff in a way of working called family centred practice, and to foster closer interagency relationships.
- The maturation of our Partnership to position itself as an 'expert panel', providing leadership in the early years sector.

The evaluation process also highlighted that we have a lot more work to do.

2. Consideration of our AEDI results

The AEDI essentially tells us how well our community has supported a child's learning and development before they start school. It tells us how our Prep children are going compared to the rest of Victoria and Australia, but also compares children residing in the various neighbourhoods and localities that make up Greater Shepparton. Utilising a range of developmental criteria the AEDI indicates

⁴ See the *Greater Shepparton Best Start Municipal Early Years Plan 2008-2011 Evaluation Report October 2011*

whether children are 'On Track', 'Developmentally At Risk' or 'Developmentally Vulnerable'.

More children in Greater Shepparton are developmentally at risk and developmentally vulnerable than comparative population averages for Victoria and Australia.

Greater Shepparton 2009 AEDI results⁵



The national 2009 AEDI results⁶ showed that across Australia 64.6% of children were 'on track', 23.6% were developmentally vulnerable (one or more domains) and 11.8% were developmentally at risk (two or more domains). In Victoria 69.7% were on track, 20.3% were developmentally vulnerable and 10% were developmentally at risk.

A strength of the AEDI is that it presents the domain data by localities – a local map of where children are doing well, and an alert to where children are not doing so well. In Greater Shepparton children in six out of our ten localities have significant developmental risks – evidence that we have a responsibility to respond to through planning local services in accordance with where resources are most needed.

Language and literacy development is our greatest area of concern. Our children are doing best on the physical health and wellbeing domain. This includes a child's readiness for school every day, physical independence, and their gross and fine motor skills.

⁵ *Developmentally at Risk* relates to children vulnerable on two or more AEDI domains, and *Developmentally vulnerable* relates to children who are vulnerable on one or more AEDI domains

⁶ Australian Early Development Index Community Profile Greater Shepparton March 2011

3. Trends from local and statewide data



Alerts from State Wide Data – areas where we are not doing as well as other municipalities

We have lower rates for:

- Prep, Year 1 and Year 2 Reading Levels
- Breastfeeding rates
- Proportion of children who are fully immunized.

We have higher rates of:

- Confirmed instances of child abuse
- Hospital admissions for gastroenteritis in children under one year of age
- Hospitalisation rate for asthma
- Teenage Pregnancies..

Caution from State Wide Data – areas to watch

- Children with reported difficulties in speech and language
- Kindergarten participation rate.

Better than average results from State Wide Data

We have :

- Higher school attendance rates
- Less children who are the subject of a child abuse re-report within 12 months.

Greater Shepparton Early Childhood Community Profile 2010

4. Community Feedback

A range of consultation activities were undertaken in early 2011 to complement our learnings from the *Best Start Municipal Early Years Plan 2008-2011* evaluation activities; and seek community input into the development of the new Plan and Enhanced Best Start.

These included:

- 4 Service Provider Forums - Mooroopna, north Shepparton, south Shepparton and Tatura.
- One to one interviews with vulnerable families in relation to Maternal and Child Health and kinder.
- A facilitated Partnership Forum.
- 3 breastfeeding Focus Groups.

Themes from the 2011 Community Consultation

- Speech therapy services are not meeting local needs.
- Vulnerable families identified a number of personal and practical barriers that impede their use of early years services. Kinder places need to be within walking distance for them.
- More outreach visiting would increase rates of completed key 'Age and Stage' MCH visits and improve the efficacy of breastfeeding support.
- Newly arrived refugee families struggle to understand what services are available and how to access them.
- Families value the 'Book Bags' which promote early and regular reading to infants and children.
- Early Years staff would value the opportunity to meet regularly at a local community level to build professional networks and consider joint service development.

The consultation findings are summarised in the *Greater Shepparton Best Start Early Years Plan Community Consultation Summary October 2011*.

This Greater Shepparton Best Start Early Years Plan 2011-2014 therefore consolidates the work undertaken to date, reflects on what has been learnt and what needs to be improved on; and responds to new, emerging priorities. Its focus is children aged 0 to 6 years.



A Focus on Vulnerability in Greater Shepparton

A significant aspect of this new Plan is a **focus on the most vulnerable children in our community**. As our AEDI results indicate some children are not doing as well as others. They and their families need more intensive support, and to have services provided in a manner that better suits their individual circumstances. Families experience vulnerability because of a broad range of personal, practical and structural factors.

How effectively a parent can respond to their child's needs might be determined by their own experiences of being parented, their mental health and use of drugs and alcohol, their financial resources, their experiences of parenting other children and whether they are supported by friends, families and where needed, services⁷.

Recent research highlights that it is not that families are hard to reach but services are hard to access for some families. One size doesn't fit all. The *Best Start Parent Survey 2010* found that parents holding a Health Care Card and those whose first language is not English experience difficulty in accessing early childhood services such as Maternal & Child Health services and kindergarten.

Practitioners in child and family services, especially those in socially disadvantaged communities, often encounter parents who carry within them the pain of past worlds which can greatly impair their capacity to nurture their child. When this coexists with an outer world that is characterised by fear of violence or the despair of poverty, then there is a double layer of difficulty in nurturing their children⁸.

Our leadership role in the early childhood sector comes with a responsibility to ensure that the core services for families and children are provided in a family centred manner which understands and respects family diversity, and ensures equitable access for all families and children.

⁷ Centre for Community Child Health (Arney & Scott p 13)

⁸ Arney and Scott 2010 *Working with Vulnerable Families – a partnership approach* p13

Children need local environments that are safe and which provide low or no cost opportunities for play, early learning and exercise.

Enhanced Best Start⁹ provides us with a significant resource to better enable vulnerable children gain the benefits of regular involvement in Maternal & Child Health and Kindergarten services.

Greater Shepparton has also been selected as one of the two Victorian sites for the Communities for Children Family Support Program, the aim of which is:

*'to provide integrated services for families, particularly vulnerable and disadvantaged families; to improve child wellbeing and development, safety and family functioning, and to help build stronger, more resilient families and communities.'*¹⁰

Given such strong alignment to the strategic planning objectives of Best Start, Enhanced Best Start and Municipal Early Years Plans; the Greater Shepparton Best Start Early Years Partnership welcomes the opportunity to work collaboratively with CentreCare, the local organisation appointed as the Facilitating Partner for the Communities for Children initiative.

Additionally the Youth Connections Partnership (The Bridge Youth Service, Berry Street and Mission Australia) will receive \$50,000 a year for the next two years to support education and workforce participation for a small group of teenage parents. The Bridge Youth Service will take the lead role for this initiative. Best Start and the Bridge successfully worked together in the initial phases of Best Start¹¹ to establish the Young Women's Antenatal Program; a community based antenatal program which effectively engages vulnerable adolescents and young women.

⁹ \$200,000 per annum, three year funding. Please note this funding is also to be utilised to increase breastfeeding rates

¹⁰ Australia Government Department of Families, Housing, Community Services and Indigenous Affairs Family Support Program Guidelines Part C – Communities for Children (2011) p 4. This is one of the 3 components of the Commonwealth *Building Australia's Workforce* package; the other two being income management and workforce participation for teenage parents

¹¹ 2004 - 2008

The Four Action Areas

The following section outlines a set of objectives and strategies for each of our four key visions - termed Action Areas.

Some of the strategies carry over from the last plan, some specifically respond to the Enhanced Best Start indicators, some have been put forward by the Partnership and Workgroups, and others have emerged from the community consultation process.

The rationale underlines why particular areas are selected priorities. The **measurements of success** are indications of what will be evaluated. Such evaluation will be fully described in the Evaluation Plan – a separate document. to be developed in November 2011.

The Partnership and Workgroups will develop detailed **Action Plans** that are brought together as our Annual Operational Plans. The Workgroups will guide the implementation of the actions. They have the expert knowledge and experience to identify what needs to be done in order to achieve the strategies and realise the objectives. For a full listing of Workgroup membership see pages 30 and 31.

The key organisations who have committed to work together to achieve agreed objectives are listed as **Partners**.



Action Areas 1: All children enjoy a healthy start in life

'Antenatal care is one of the most important services in health care. Every pregnant woman should have full access to it.' World Health Organisation Europe December 2003¹²

Objective 1.1: To increase early engagement of expectant parents in antenatal services

Best Start Indicator: No

Rationale statement: At the May 2011 Partnership forum this issue was identified and approved as a priority for the new plan. Local knowledge indicates that many women are not accessing an adequate level of antenatal care and education. Formal literature and our local *Parent Survey 2010* indicate that women who have utilised antenatal care and education are more likely to use early childhood services after the delivery of their baby and more likely to breastfeed. Quality antenatal education and care provides a valuable opportunity to start supporting vulnerable expectant parents as early as possible in their parenting journey.

Strategies	Measures of success
<ul style="list-style-type: none"> ▪ Conduct local research to investigate the extent to which women currently access antenatal care services; and identify groups who are underusing and/or whose needs are not being met ▪ Support collaboration and networking between the key services responsible for antenatal care in our community ▪ Further develop community based models which link strongly to other early childhood services; with particular reference to those groups of women who are considered to be more vulnerable 	<p>Research completed and recommendations made for future service development</p> <p>Partners report effective collaboration</p> <p>Additional local capacity in the provision of targeted antenatal education and care</p>
<p>Partners To be determined. It is anticipated that an additional Workgroup will be formed to progress the above strategies.</p> <p>Workgroup The Greater Shepparton Adolescent Pregnant and Parenting Partnership <i>Please note that this reference group currently meets for the purpose of supporting The Bridge Young, Pregnant and Parenting Program only.</i></p>	

¹² *What is the efficacy/effectiveness of antenatal care and the financial and organisational implications?* Health Evidence Network World Health Organisation Europe December 2003

Action Area 1: All children enjoy a healthy start in life

‘Active participation in early childhood services such as maternal and child health services can foster positive learning and development, and lessen or eliminate the effects of disadvantage before they become entrenched.’

DEECD Maternal and Child Health Service Guidelines February 2011

Objective 1.2: To enhance the capacity of the Maternal & Child Health Service to better engage those families currently not using or underusing the service.

Enhanced Best Start Indicator: Increase attendance and participation in Maternal & Child services (and kindergarten services) for children known to ChildFIRST and child protection

Best Start Indicator: Increase attendance at Maternal and Child Health

Rationale statement: Local data identifies underuse of MCH services, particularly by vulnerable families. MCH is a key pathway to connect families to other early years services.

Strategies	Measure of success
<p>Utilising an evidence based and consultative framework, take action to ensure that vulnerable families and children have equitable access to the benefits of MCH services. Strategic activities to include:</p> <ul style="list-style-type: none"> ▪ The provision of professional education to enhance staff understanding of the impact of poverty and the vulnerability factors which inhibit use of MCH services ▪ Develop a ‘working definition’ of vulnerability for MCH ▪ Improve data monitoring and review processes to better identify vulnerability and continuity of service use ▪ Review current service delivery models to increase the percentage of completed key ages and stages checks for vulnerable and at risk families ▪ Strengthen linkages to support early referrals into the MCH service through: <ul style="list-style-type: none"> – Antenatal and maternity services – Secondary and tertiary support services – Culturally specific and adolescent services ▪ Explore and implement ways of ensuring that MCH services are ‘ready services’ – welcoming, responsive, culturally sensitive, child and family friendly services 	<p>Specialised training undertaken such as the <i>Bridges out of Poverty</i> training MCH Nurses report increased knowledge in relation to the dimensions of poverty and vulnerability</p> <p>Shared definitions in place for identifying childhood vulnerability Improved use of data to review and reshape service models to meet service demands</p> <p>An increase in the percentage of completed ages and stages checks, especially in areas of high need Service models reflect the needs of local area communities and are flexible to meet the needs of families</p> <p>Evidence of improved communication and referral pathways between MCH and other early childhood and family support services</p> <p>Implementation of family friendly policies and guidelines</p>

Partners: Greater Shepparton City Council Aged and Children’s Services department (Children’s Services and MCH Service), Goulburn Valley Health, FamilyCare, Rumbalara Aboriginal Cooperative, The Bridge, DHS Child Protection Unit, Department of Education and Early Childhood Development

Workgroup: Enhanced Best Start Reference Group

Action Area 1: All children enjoy a healthy start in life

‘A large body of evidence demonstrates that breastfeeding provides significant value to infants, mothers and society. Furthermore there are a number of health risks and costs associated with not breastfeeding’
 Breastfeeding in Victoria: A Report July 2010

Objective 1.3: To increase breastfeeding rates in Greater Shepparton

Enhanced Best Start Indicator: Increase the initiation rates and duration of breastfeeding

Best Start Indicator: Increased rate of breastfeeding

Rationale statement: Greater Shepparton breastfeeding rates are some of the lowest in the state. Research clearly indicates the superior benefits of breastfeeding as compared to formulae feeding. Local parent feedback indicates that many new mothers feel that there is an inadequate level of support to assist them to establish breastfeeding successfully.

Strategies	Measures of success
Utilise local media and social networks to increase community awareness of the importance of breastfeeding	Regular activities undertaken to promote the importance and value of breastfeeding and where support can be accessed
Increase availability of antenatal breastfeeding education with emphasis on: <ul style="list-style-type: none"> ▪ Empowering women to own breastfeeding as a natural process that is the best option for their baby ▪ Promoting awareness that breastfeeding is a learnt skill, not something that is intuitive ▪ Respecting and responding to the needs of particular groups such as adolescent women, women whose primary language isn't English, women who are geographically and socially isolated 	Establishment of additional community based antenatal breastfeeding education programs Increase in number of women who have accessed breastfeeding programs antenatally
Enhance the level of support available to women to successfully establish breastfeeding after the birth of their baby	Increase level of community based supports available to women post birth Goulburn Valley Health gains ‘Baby Friendly Hospital’ accreditation
Resource key health professionals such as GP’s and Maternal & Child Health Nurses to better promote and support breastfeeding	Key health professionals report increase in breastfeeding knowledge and awareness of local support services
Consolidate the Breastfeeding Workgroup activities that aim to make Greater Shepparton a breastfeeding friendly city. Consider additional initiatives such as breastfeeding rooms in new building developments	Evaluation demonstrates utility of resources such as the Breastfeeding Friendly Locations Map, the Returning to Work Kit

Partners: Greater Shepparton City Council Aged and Children’s Services (Children’s Services and MCH Service), Goulburn Valley Health, Australian Breastfeeding Association, FamilyCare, DEECD
Workgroup: Greater Shepparton Breastfeeding Workgroup

Action Area 1: All children enjoy a healthy start in life

'Immunisations have helped children stay healthy for more than 50 years. They are safe and they work. In fact, serious side effects are no more common than those from other types of medication. Vaccinations have reduced the number of infections from vaccine-preventable diseases by more than 90%.'

www.pediatricassociatesnh.com

Objective 1.4: To improve immunisation rates in Greater Shepparton

Best Start Indicator: Increase rates of immunisation

Rationale statement: Greater Shepparton has lower immunisation rates than the Victorian average, and conditions such as whooping cough are becoming more prevalent.

Strategies	Measures of success
Review immunisation rates across the municipality and undertake research to identify which groups of children have low immunisation rates	Research undertaken and recommendations made for service enhancement
Monitor immunisation rates and report to interdisciplinary workgroup	Immunisation workgroup is re-established and meets on a regular basis to explore data
Implement service enhancements as appropriate to improve immunisation rates and access to immunisation services	Service enhancements are implemented and evaluated.

Partners: Greater Shepparton City Council – Health department and Aged and Children’s Services department, local paediatric specialist, GVGPs
Workgroup: Greater Shepparton Immunisation Advisory Committee



Action Area 2: All children are supported to become confident learners

'Language is the foundation of reading development and is strongly tied to children's growth in reading and writing.' Scholastic – The Meaning of Preliteracy

Objective 2.1: To increase children's language and literacy skills before they start school

Best Start Indicators: Increased rate of parents reading to their children
Improved reading, writing and numeracy

Rationale statement: The AEDI data and DEECD Prep Assessment Scores for Greater Shepparton identify language and literacy as a strategic priority. This issue was identified at each of the four Service Provider Forums held in May 2011.

Strategies	Measures of success
<p>Consolidate the existing Best Start ELF activities of the Greater Shepparton Community Literacy Workgroup (including Book Bags, Story a Day, Community Reading Days and Book Swap Boxes) and continue delivery of these</p> <p>Structure early years literacy development initiatives in a manner that most effectively reaches our most vulnerable children. Utilise research evidence and local data to inform such early literacy program development</p> <ul style="list-style-type: none"> ▪ Review available local data to identify areas of highest need to prioritise extension of existing programs or introduction of new programs ▪ Program development decisions are 'evidence informed' <p>Participate in research projects which build on the existing body of research and improve learning outcomes of children</p> <p>Identify and offer training and professional development opportunities with a focus on early literacy, language and play for both staff and parents</p>	<p>Increased rates of parents reading to their children Existing programs are sustainable by the end of the plan</p> <p>Targeted programs and activities are introduced in communities of identified need</p> <p>Evidence of use of early learning and literacy evidence base in program development, and program continuation or extension</p> <p>Research project participation informs and assists service development</p> <p>Training programs developed and implemented</p>
<p>Partners: Greater Shepparton City Council Aged and Children's Services department, Department of Education and Early Childhood Development, Goulburn Valley Regional Library, Familycare, SCOPE, Bouchier Street Primary School, Rumbalara Aboriginal Cooperative, local kinders and primary schools</p> <p>Workgroup: Greater Shepparton Community Literacy Workgroup</p>	

Action Area 2: All children are supported to become confident learners

'The important thing is not so much that every child should be taught, as that every child should be given the wish to learn.' John Lubbock

Objective 2.2: To enhance the capacity of kindergarten services to better engage those families currently not using or underusing the service.

Enhanced Best Start Indicator: Increase attendance and participation in kindergarten services (and MCH services) for children known to ChildFIRST and child protection

Best Start Indicator: Increased participation in kindergarten

Rationale statement: Research clearly indicates that attendance at kindergarten enhances early childhood development and school readiness.

Strategies	Measures of success
<p>Utilising an evidence based and consultative framework, take action to ensure that vulnerable families and children have equitable access to the benefits of kindergarten services. Strategic activities to include:</p> <ul style="list-style-type: none"> ▪ The provision of professional education to enhance understanding of the impact of poverty and the vulnerability factors which inhibit participation in kinder ▪ Review of current service delivery models to ensure that all families and children have equitable access to the benefits of kindergarten ▪ Explore and implement ways of ensuring that kinder is a 'ready service' – welcoming, responsive, culturally sensitive, a child and family friendly services ▪ Review the Greater Shepparton kindergarten central enrolment process to ensure it is fair and equitable for all families ▪ Establish local 'early years networks' to strengthen communication between services and improve kinder to school transition for families 	<p>Specialized training such as <i>Bridges out of Poverty</i> undertaken Kindergarten staff report increased knowledge in relation to the dimensions of poverty and vulnerability</p> <p>Higher participation rates in kindergarten</p> <p>Implementation of family friendly policies and guidelines</p> <p>Policy review undertaken to ensure vulnerable children have equitable access to kindergarten Early years networks are established and early years staff report improved communication Increased use of transition statements</p>
<p>Partners: Greater Shepparton City Council Aged and Children's Services department (Children's Services and MCH Service), Goulburn Valley Health, FamilyCare, Rumbalara Aboriginal Cooperative, The Bridge, DHS Child Protection Unit, Department of Education and Early Childhood Development, Goulburn Region Preschool Association, local kinders</p> <p>Workgroup: Enhanced Best Start Reference Group</p>	

Action Area 3: Greater Shepparton – a child and family friendly community

‘Children need the freedom and time to play. Play is not a luxury. Play is a necessity.’
 Kay Redfield Jamison, Contemporary American Professor of Psychiatry

Objective 3.1: To increase the opportunity for parents and children to participate in play and recreational activities

Best Start Indicator: No

Rationale statement: The Supported Playgroup and Parent Group Initiative (SPPI) came about from the evaluation findings of the Best Start Demonstration Projects 2003 – 2005. This evaluation identified the value of supported playgroups, especially for vulnerable families, and their capacity to link families into other early childhood services such as MCH and kindergarten. Greater Shepparton is funded through the SPPI to support the establishment and ongoing delivery of supported playgroups for indigenous children, children from diverse cultural backgrounds, children with special needs, and children from vulnerable families who have complex needs.

Feedback from the Best Start Parent Survey May 2010 indicated that parents would welcome more free family recreational activities.

Strategies	Measures of success
Ensure financial sustainability of the SPPI playgroups across Greater Shepparton	New and existing supported playgroups become core business of facilitating agency.
Promote play opportunities across Greater Shepparton through: <ul style="list-style-type: none"> ▪ Support existing playgroups and assistance in the establishment of new playgroups ▪ Facilitation of family and child activities, especially those that are low or no cost 	New playgroups established in response to emerging community needs Regular training offered to playgroup coordinators Six monthly newsletter distributed A series of low cost/free family activities offered in Greater Shepparton

Partners: Greater Shepparton City Council Aged and Children’s Services (Children’s Services and Maternal and Child Health Service), Uniting Care Cutting Edge, Familycare, Rumbalara Aboriginal Cooperative, Mooroopna Education and Activity Centre, Save the Children Foundation, Playgroup Victoria, local primary schools and early childhood services
Workgroup: Greater Shepparton Playgroup Network

Action Area 3: Greater Shepparton – a child and family friendly community

.....the success of interventions is determined as much by the way in which they are delivered as by what is delivered; if services are not delivered in ways that engage parents and respond to their needs, then they will struggle to attract and retain them and their effectiveness will be compromised. The relationship between service providers and service users is a major factor influencing the engagement of parents in mainstream services; service providers need to be able to establish positive, non-judgmental, partnership-based relationships with all children and parents.

Engaging Marginalised and Vulnerable Families Centre for Community Child Health Policy Brief No. 18 2010

Objective 3.2: Foster a family centred culture within universal early childhood services

Best Start Indicator: No

Rationale statement: This area has been a priority since the first Best Start Demonstration Action Plan. Recent research has underlined the critical importance of relationship building and the centrality of effective engagement with families. The value of the locally developed Integrated Practice Training has been endorsed through ongoing evaluation and at the May 2011 Service Provider Forums.

Strategies	Measures of success
<p>Continue and consolidate the partnership between Council, Berry Street and Familycare to ensure ongoing sustainability of the Integrated Practice Training.</p> <ul style="list-style-type: none"> ▪ Ensure the training reflects best practice and current research in the family centred practice field ▪ Expand the training to offer specialised modules with a focus on vulnerable and at risk families <p><i>Explore and implement ways of ensuring that early years services are ‘ready services’ – welcoming, responsive, culturally sensitive, child and family friendly**</i></p> <p><i>Foster collaborative interagency work practices – building an integrated model across early childhood services**</i></p> <p><i>**The above two strategic activities are enacted through other areas within this plan but included here to underline how they also relate to this objective.</i></p>	<p>Integrated Practice Training is well attended twice yearly. Participant evaluation indicates positive benefit</p> <p>Extension module(s) are developed and implemented</p> <p><i>Implementation of family friendly policies and guidelines</i></p> <p><i>Availability and format of early childhood services information is accessible for all parents</i></p> <p><i>Locality networks established</i></p>

Partners: Greater Shepparton City Council Aged and Children’s Services, FamilyCare, Berry Street, Rumbalara Aboriginal Cooperative, DHS Child Protection Unit, DEECD, The Bridge, Goulburn Valley Health
Workgroups: Integrated Practice Workgroup and Enhanced Best Start Reference Group

Action Area 4: Collaborative planning and service development

The partnership must be structured and have processes in place that enable efficient and democratic decision making. Although the membership may change over time, the partnership, led by the facilitating partner, will maintain responsibility for delivering the Best Start project throughout its life and is ultimately responsible for its success.

Best Start Guidelines 2005

Objective 4.1: To maintain a vibrant, proactive Partnership and strong community networks to inform, implement and support the Best Start Early Years Plan

Best Start Indicator: No

Rationale statement: While not a Best Start Indicator, the success of the Best Start Municipal Early Years Plan lies with a proactive, cohesive and committed Partnership; supported by the relevant workgroups and reference groups. This expert body should be recognised and referred to for strategic issues relating to early childhood health and family support in the local area. Local resources are maximised by collaboration and shared effort.

Strategies	Measures of success
<p>Conduct a Partnership Review to:</p> <ul style="list-style-type: none"> ▪ Ensure Partnership membership is reflective of universal, secondary and tertiary early years and family support services ▪ Confirm that agency representation is at a sufficiently senior level to make effective decisions ▪ Ensure the purpose and direction of the Partnership remains meaningful to all members ▪ Ensure that structures and processes are in place to enable the Partnership to effectively progress the objectives of the Best Start Early Years Plan <p>Establish strong links with the Communities for Children project and key stakeholders</p> <p>Build and maintain linkages with other key networks whose purpose is to improve the health and wellbeing of children</p>	<p>Formal review completed and recommendations acted on</p> <p>Partnership is established between Best Start and Communities for Children</p> <p>Evidence of participation in /liaison with networks such as the Regeneration Projects, Primary Care Partnership, Goulburn Valley Hume Interagency Team</p>

Partners: Greater Shepparton City Council, Familycare, Goulburn Valley Health, DHS, DEECD, Lulla’s Family Services, Rumbalara Aboriginal Cooperative, Paediatric specialist, Ethnic Council Shepparton and District, parent representative
Workgroup: Greater Shepparton Best Start Early Years Partnership

Action Area 4: Collaborative planning and service development

We can't close gaps until we can measure them. In the National Interest ABC Radio 26/8/2011

Objective 4.2: To build a monitoring, research and evaluation capacity within the service development activities of the Greater Shepparton Best Start Early Years Plan

Best Start Indicator: No

Rationale statement: The Partnership is committed to building in effective monitoring and evaluation in all that it does.

Strategies	Measures of success
<p>To improve data collection systems across early childhood settings to better inform service development and review, and provide input to the BSEYP planning and evaluation</p>	<p>Partnership reports timely provision of suitable data. Evaluation reporting shows effective data utility</p>
<p>To promote use of AEDI data through leadership in its dissemination and consideration of data implications</p>	<p>Evidence of utility of 2009 and 2012 AEDI data</p>
<p>Identify and obtain baseline data to inform the development of the BSEYP 2011-2014 evaluation framework and measure success of project activities</p>	<p>Baseline data collated and considered</p>
<p>Undertake process, impact and outcome evaluation of the BSEYP 2011-2014 in consultation with the appointed evaluators for the statewide evaluation of Best Start and Enhanced Best Start</p>	<p>BSEYP 2011-2014 evaluation framework is developed and implemented Program Logic models used productively for major activity areas</p>
<p>Pursue opportunities that have the capacity to build the local early years knowledge base</p>	<p>Local research is undertaken, disseminated and utilised</p>
<p>Partnership responsibility Workgroup: Evaluation and Data Sub Committee</p>	

Action Area 4: Collaborative planning and service development

There is increasing awareness of the value of including children’s voices in consultation with the community UNICEF describes a Child Friendly City as a local system of good governance committed to fulfilling children’s rights.

Municipal Early years Planning Framework and Practical Resource Guide May 2011

Objective 4.3: The Partnership advocates on behalf of children in relation to key issues that affect their health, safety and educational success; and for the recognition of their rights

Best Start Indicator: No

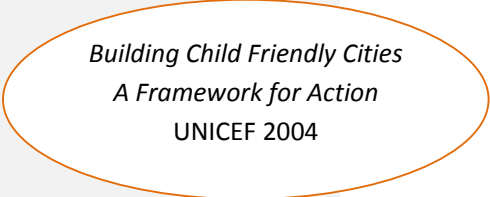
Rationale statement: At the May 2011 Partnership forum this area was approved for inclusion in the new plan. New and emerging issues are consistently brought to the attention of the Partnership for consideration. The Partnership adopts an advocacy role for those issues they believe impact on the wellbeing and development of children and families and require action from an expert early years advisory panel.

Strategies	Measures of success
<p>The Partnership acts as an advocate for children. Issues identified to date include:</p> <ul style="list-style-type: none"> ▪ A residential Mother Baby Unit in Greater Shepparton ▪ The growing sexualisation of children in society ▪ The inadequacy of speech therapy services in our municipality ▪ To need for greater co-ordination and collaboration mechanisms for responding to the incidence of perinatal depression in Greater Shepparton ▪ Continuation of Occasional Care Services 	<p>Action results from advocacy</p>
<p>The Partnership considers the value and benefits of Greater Shepparton seeking to become a UNICEF accredited Child Friendly City</p>	<p>Child Friendly City accreditation is explored</p>

Responsibility of the Greater Shepparton Best Start Early Years Partnership

A Child Friendly City guarantees the right of every young citizen to:

- Influence decisions about their city
- Express their opinions about the city they want
- Participate in family, community and social life
- Receive basic services such as health care, education and shelter
- Drink safe drinking water and have access to proper sanitation
- Be protected from exploitation, violence and abuse
- Walk safely in the streets of their own city
- Make friends and play
- Have green spaces for plants and animals
- Live in an unpolluted environment
- Participate in cultural and social events
- Be an equal citizen in their own city with access to every service, regardless of ethnic origin, religion, income, gender or disability.



Making it happen

Council's role

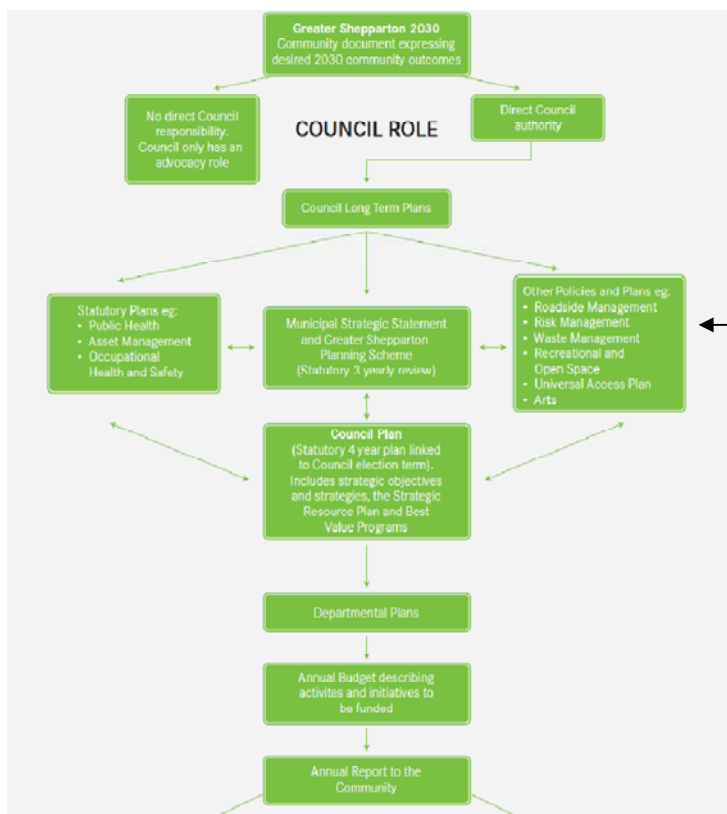
'Local Government has been continuing to refine and strengthen its strategic approach to influencing early years outcomes as it updates existing MEYP's. It continues to develop a stronger focus on long term facility planning, child friendly city planning and provision of a seamless system that is easy to access for families and friendly to use. There is also now strengthened focus on achieving locally determined early years outcomes in partnership with community stakeholders, who can equally share in the responsibility of developing, implementing and evaluating the MEYP across the municipality.'

Municipal Early Years Planning Framework and Practical Resource Guide May 2011 p 11

Council's role is one of strategic leadership, co-ordination and facilitation. Each Council is required to develop a community plan that articulates coordinated local planning for children. As the fund holder for Best Start and Enhanced Best Start Council has the responsibility for administering and managing these initiatives. The Best Start Early Years Plan is aligned to Council's purpose to build strong, active, confident and resilient communities in order to improve liveability and community life. At the local level, the policy context for the Council is outlined in its Council Plan. This is summarised in Greater Shepparton's vision statement and further articulated in its strategic objectives, specifically the theme of Community Life.

The Early Years Plan integrates with other key Council planning documents such as:

- *Greater Shepparton Council Plan and Strategic Resource Plan 2009-2013*
- *Greater Shepparton 2030 Strategy*
- *Greater Shepparton Municipal Public Health Plan 2009-2013.*
- *Greater Shepparton Community Development Framework* adopted by Council in November 2010.



Source: *Greater Shepparton Council Plan and Strategic Resource Plan 2009-2013*

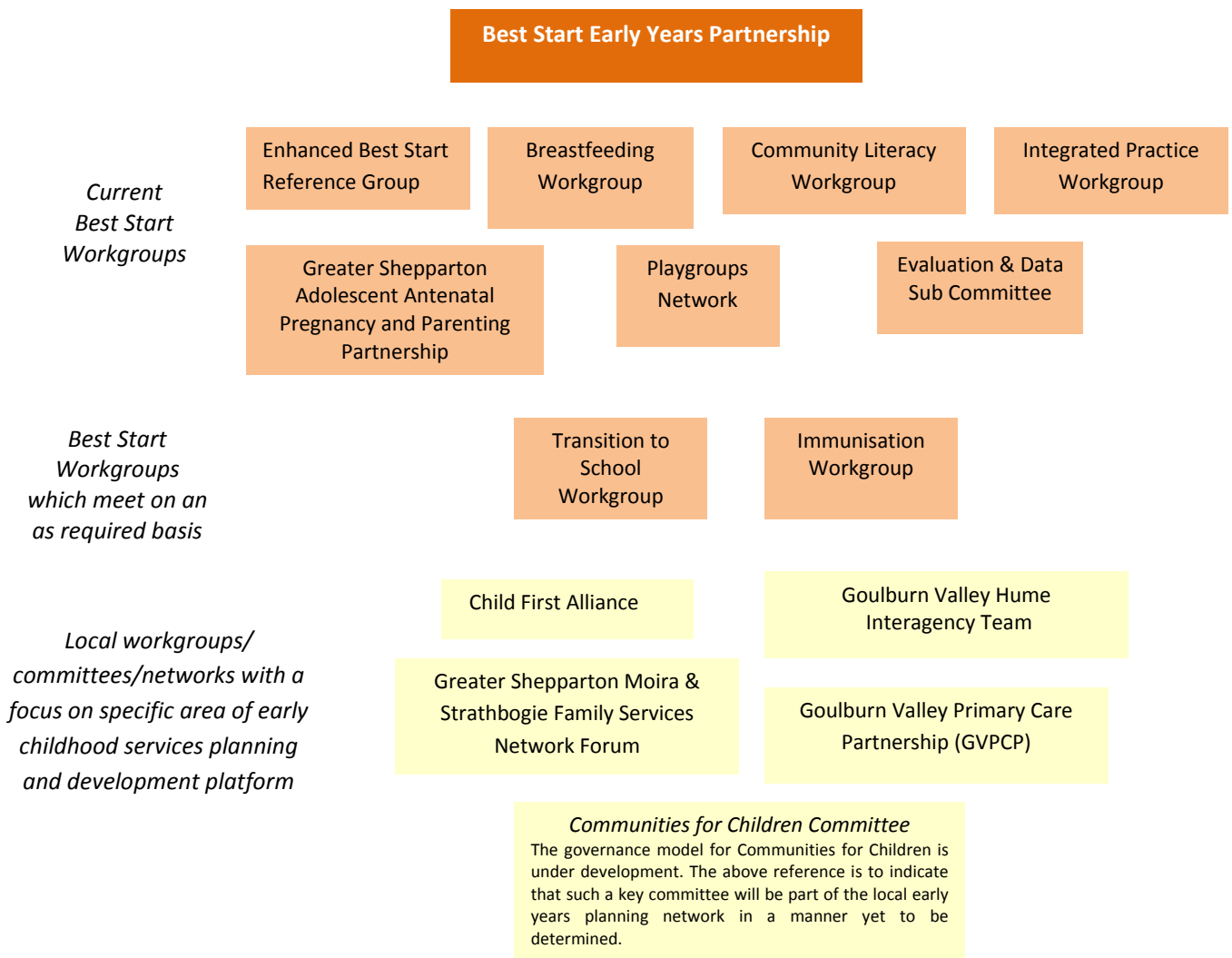
A Greater Shepparton Councillor is the Chair of the Greater Shepparton Best Start Early Years Plan Partnership¹³

¹³ This position is currently held by Councillor Jenny Houlihan

Partnership and Workgroups

The **objectives** of this Best Start Early Years Plan will be achieved through local organisations and individuals stepping forward to take responsibility for progressing particular strategies and actions contained in the Early Years Plan.

In utilizing an outcomes-based approach the **actions**, which describe how the **strategies** will be achieved, are the last elements to be specified. These will be developed by the relevant workgroups. Each workgroup will develop an **action plan** that will sit as a complementary document under the GSBSEYP 2011-2014. The workgroups hold the expert knowledge and experience and will be responsible for overseeing implementation. See full listing of Workgroup Membership pages 30 and 31.



The Community Facilitator Role

The 2006 state wide evaluation of Best Start Phase 1 highlighted how valuable facilitation resources have been in assisting local communities to progress with what they know will make a difference. The Best Start community facilitation role is shared within Council's Best Start team. Their key responsibilities are to work with the Partnership and Workgroups to implement and evaluate the Early Years Plan.

Monitoring and Evaluation

The Partnership and Workgroups incorporate monitoring and evaluation into all activities and looks forward to working with KPMG, the appointed evaluators for the statewide evaluation of Enhanced Best Start and Best Start.

A local Evaluation Plan will be developed for the *Greater Shepparton Best Start Early Years Plan 2011-2014*, reflecting the requirements of the statewide evaluation and our own local strategy and activities assessment. Evaluation is a demanding process, and so must be approached in a manner that yields benefit for all who participate.

Timeline

2011	2012	2013	2014
Planning Phase <ul style="list-style-type: none"> ▪ Community and stakeholder consultation ▪ Development of Early Years Plan ▪ Development of Action Plan and Year 1 Operational Plan ▪ Development of Evaluation Plan and baseline data profile ▪ Initiation of Strategies and Actions 	Implementation Phase <ul style="list-style-type: none"> ▪ Continuation of strategy and actions implementation ▪ Monitoring and evaluation activities ▪ Development of Year 2 Operational Plan 	Implementation Phase <ul style="list-style-type: none"> ▪ Continuation of strategy and actions implementation ▪ Monitoring and evaluation activities ▪ Development of Year 3 Operational Plan Jan – June 2014 ▪ Completion of Enhanced Best Start December 2013 	Implementation and Final Review Phase <ul style="list-style-type: none"> ▪ Continuation of strategy and actions implementation January 2014-June 2014 ▪ Monitoring and evaluation activities ▪ Impact and Outcome reporting ▪ Write up of Evaluation Report

Budget

Greater Shepparton City Council receives \$100,000 per year recurrent funding for Best Start, and a grant of \$200,000 per year for three years for Enhanced Best Start. For this financial year Council has contributed \$20,000 for strategies linked to the goals of municipal early years planning. It is anticipated that these funds will cover the majority of strategic activities. Further funding will be sought as required as specific service development needs emerge over the life of this Plan.

Publicity and Distribution

The Early Years Plan will be formally launched, placed on Council’s Website and the Best Start Collaboration Site; and distributed to key organisations and interested community members.

A short ‘easy reading’ community version will be developed for distribution to early years services and key community contact points.

Partnership and Workgroup Membership

Greater Shepparton Best Start Municipal Early Years Plan Partnership

Simon Rose – Greater Shepparton City Council

Sally Rose – Greater Shepparton City Council (Children’s Services)

Peter Eastaugh - Paediatric Specialist

Jill Guerra - DEECD

Ann Sexton - DEECD

Diane O’Bree - FamilyCare

Jenny Manuel - Wilmot Rd Primary School

Jane Lloyd - Tatura Primary School

Chris Hazelman - Ethnic Council of Shepparton and District

Kaye Gall – Goulburn Valley Health

Miranda Borlini - Lulla’s Family and Children’s Centre

Kayte McKay – Department of Human Services

Chris Widdicombe – Greater Shepparton City Council (MCH)

Debbie Vincitorio - Parent representative

Julieanne James – Rumbalara Aboriginal Co-operative

Jenny Houlihan – Chair - Greater Shepparton City Council

Community Literacy Workgroup

Peggy Boyle - SCOPE

Kate Brett – Department of Education and Early Childhood Development

Sandy Clough – Community Representative

Tamara Goodfellow – Community Representative

Jenni Harris – Best Start Administration

Denise Howley – Bouchier Street Primary School

Sue Lorains – Community Representative

Karen Mitchell – Greater Shepparton City Council (Maternal and Child Health)

Anne Tomietto – Goulburn Valley Region Library Corporation

Joy Wakefield – Familycare

Belinda Whitelaw – Chair - Best Start

Enhanced Best Start Reference Group

Kathy Baksh – Rumbalara Aboriginal Co-operative

Cheryl Bourke – Rumbalara Aboriginal Co-operative

Kate Brett – Department of Education and Early Childhood Development

Kayte McKay – Department of Human Services (Child Protection)

Diane O’Bree – Familycare

Sally Rose – Greater Shepparton City Council (Children’s Services)

Janet White – Familycare

Chris Widdicombe – Greater Shepparton City Council (Maternal and Child Health)

Sally Wright - Best Start

Belinda Whitelaw – Chair - Best Start

Breastfeeding Workgroup

Tish Okley – Australian Breastfeeding Association
Tracy Birchall - Australian Breastfeeding Association
Rosemary Rutledge – Family Care
Mandy Faram - Goulburn Valley Health
Bernadette Wardle – Goulburn Valley Health
Catherine Meredith - Goulburn Valley Health
Chris Widdicombe – Greater Shepparton City Council (Maternal & Child Health)
Heather Hayes¹⁴ - Greater Shepparton City Council (Maternal & Child Health)
Jenni Harris – Best Start Administration
Sally Wright – Chair – Best Start

Greater Shepparton Adolescent Antenatal Pregnant and Parenting Partnership

Jenny Cook – The Bridge Youth Service
Marina Klooster – Centrelink
Bernadette Wardle - Goulburn Valley Health
Rosemary Rutledge – Family Care
Janet White - FamilyCare
Pat Moran – Pregnancy Support
Sally Wright – Best Start
Graeme Parish – Chair - The Bridge Youth Service

Integrated Practice Workgroup

Sue Lorains – representing Berry Street
Diane O’Bree – FamilyCare
Noellene Morrow – FamilyCare
Kristie Welch – Greater Shepparton City Council (Children’s Services)
Jackie Vibert - Greater Shepparton City Council (Children’s Services)
Sally Wright – Chair – Best Start

Evaluation & Data Sub Committee

Jill Guerra - DEECD
Peter Eastaugh – Paediatrician
Sally Rose – Greater Shepparton City Council (Children’s Services)
Belinda Whitelaw – Best Start
Sally Wright – Best Start
Ann Sexton – Chair - DEECD

¹⁴ Heather recently replaced long serving member Robyn Howarth

References

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Building Child Friendly Cities A Framework for Action UNICEF 2004

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Parent Survey 2010 Greater Shepparton City Council Best Start Team

Platforms: A Service Development Framework Centre Community Child Health 2009

Redfield Jamison K – www.childsplaymagazine.com

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What is the efficacy/effectiveness of antenatal care and the financial and organisational implications? Health Evidence Network World Health Organisation Europe December 2003

Working with Vulnerable Families – a partnership approach Arney F & Scott D Cambridge University Press 2010

LANDSCAPING REQUIRED TO SCREEN SHED WALLS & COLOR BOND FENCING TO BE ERECTED IN THE FUTURE. NO EXISTING SHED OPENING ONTO NORTHERN BOUNDARY

PART OF SHED TO BE REMOVED IF REQUIRED FOR 5M PATH

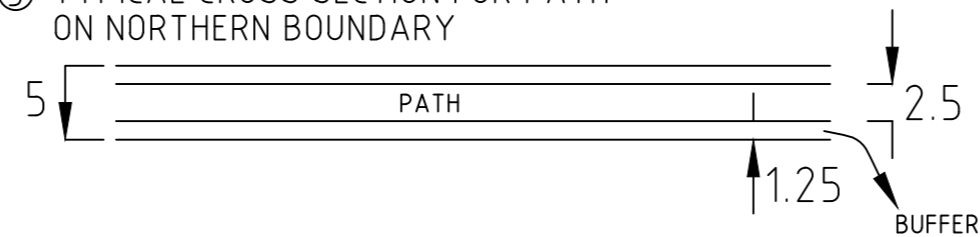


MGA 94 (ZONE 55)

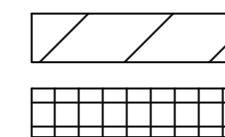
NOTES:

- ① PROPOSED SHARED PATH TO RUN IN ROAD RESERVE (WIDTH OF 24m), TO THE EAST OF EXISTING DWELLING.
- ② THE SHARED PATH ALIGNMENT TO BE DESIGNED TO COMPLY WITH AUSTRROADS GUIDE TO ROAD DESIGN PARTS 6 & 6A
- ③ TRANSPARENT FENCE TO BE CONSTRUCTED ON BOUNDARY BETWEEN CATTLE YARDS & SHEDS FACING NORTH WITH LANDSCAPING WITHIN VILLANI LAND TO PROVIDE A SCREEN
- ④ WHERE LAND IS RETAINED IN THE UFZ NORTH OF THE DWELLING A POST & WIRE FENCE IS TO BE ERECTED TO DEMARK PROPERTY BOUNDARIES

⑤ TYPICAL CROSS SECTION FOR PATH ON NORTHERN BOUNDARY



LEGEND:



LAND TO BE PUBLIC OPEN SPACE
POTENTIAL 3m WIDE EMERGENCY ACCESS.

PLAN OF PROPOSED (R10) SHARED PATH LOCATION

COUNTY OF MOIRA
PARISH OF KIALLA
CROWN ALLOTMENT 61^B (PART)
SECTION -
TITLE: C/T V.10010 F.959
TITLE:

CLIENT: A & S VILLANI
7615 GOULBURN VALLEY HIGHWAY
KIALLA, 3631

LENGTHS ARE IN METRES.

Onleys GVIS
SURVEY DESIGN IRRIGATION
PO Box 2120
7 Telford Drive
Shepparton Vic 3630
Tel (03) 5821 7171
Fax (03) 5821 2725

SURVEYORS REF:
1100
VERSION:
10

Sheet 1 of 1 Sheets
SCALE
1 : 750
SHEET SIZE
A2

REVISIONS: 16/2/12	
•	POTENTIAL EMERGENCY ACCESS (ADDED AT REQUEST OF PLANNING DEPARTMENT 16/2/12 - LANDHOLDER AGREEMENT YET TO BE OBTAINED).
•	PROPOSED EFFLUENT FIELD.
•	ROAD REALIGNED TO MATCH UFZ BOUNDARY.



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Maddocks Delegations and Authorisations

S6. Instrument of Delegation – Members of Staff (Planning)

Greater Shepparton City Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

In exercise of the power conferred by section 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. records that a reference in the Schedule to:

“GMSD” means General Manager Sustainable Development

“MP” means Manager Planning and Development

“SP” means Team Leader Statutory Planning

“STP” means Team Leader Strategy and Community Planning

“DV” means Team Leader Development

“PSP” means Principal Strategic Planner – Major Projects

“PSTP” means Principal Statutory Planner

“SSP” means Senior Statutory Planner

“SSTP” means Senior Strategic Planner – Major Projects

“TP” means Statutory Planners and Planning Assistant

“STRP” means Strategic Planners

“DVE” means Development Engineers

“DHP” means Development Hearings Panel which consists of General Manager Sustainable Development, Manager Planning and Development, Team Leader Statutory Planning, Team Leader Strategy and Community Planning, Team Leader Development

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a **resolution** of Council passed on 16 August 2011; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and



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- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 - (c) adopted by Council; or
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The COMMON SEAL of the GREATER)
 SHEPPARTON CITY COUNCIL was affixed)
 on theday of2011)
 in the presence of the Chief Executive Officer)
 being a delegated officer pursuant to Local)
 Law No. 2 of the Council.)

.....
CHIEF EXECUTIVE OFFICER
Gavin Robert Cator



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SCHEDULE



INDEX

PLANNING AND ENVIRONMENT ACT 19876

PLANNING AND ENVIRONMENT REGULATIONS 200532

PLANNING AND ENVIRONMENT (FEES) INTERIM REGULATIONS 201133



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victoria Planning Provisions	GMSD, MP, STP, SSTP, PSP	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	GMSD, MP, STP, SSTP, PSP, STRP	
s.4H	duty to make amendment to Victoria Planning Provisions available	GMSD, MP,STP, SSTP, PSP, STRP	
s.4I	duty to keep Victoria Planning Provisions and other documents available	GMSD, MP,STP, SSTP, PSP, STRP	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	GMSD, MP, STP, PSP	
s.11(3)(b)	duty to submit amendment to planning scheme to Minister for approval if the Minister withdraws authorisation	GMSD, MP, STP, PSP	
s.12(3)	power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	GMSD, MP,STP, SSTP, PSP, STRP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12A (1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	GMSD, MP,STP, SSTP, PSP, STRP	
s.12B(1)	duty to review planning scheme	GMSD, MP,STP, SSTP, PSP, STRP	
s.12B(2)	duty to review planning scheme at direction of Minister	GMSD, MP,STP, SSTP, PSP, STRP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	GMSD, MP,STP, PSP,	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	GMSD, MP,STP, SSTP, PSP, STRP	
s.17(1)	duty of giving copy amendment to the planning scheme	GMSD, MP,STP, SSTP, PSP, STRP	
s.17(2)	duty of giving copy s.173 agreement	GMSD, MP,STP, SSTP, PSP, STRP	
s.18	duty to make amendment etc. available	GMSD, MP,STP, SSTP, PSP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		STRP	
s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	GMSD, MP,STP, SSTP, PSP, STRP	
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	GMSD, MP,STP, PSP	
s.21(2)	duty to make submissions available	GMSD, MP,STP, SSTP, PSP, STRP	
s.21A(4)	duty to publish notice in accordance with section	GMSD, MP,STP, SSTP, PSP, STRP	
s.22	duty to consider all submissions	GMSD, MP,STP, SSTP, PSP, STRP	
s.23(2)	power to refer submissions to a panel	GMSD, MP,STP, PSP	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	GMSD, MP,STP, SSTP, PSP, STRP	
s.26(1)	power to make report available for inspection	GMSD, MP,STP, SSTP, PSP, STRP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.26(2)	duty to keep report of panel available for inspection	GMSD, MP,STP, SSTP, PSP, STRP	
s.27(2)	power to apply for exemption if panel's report not received	GMSD, MP,STP, PSP	
s.28	duty to notify the Minister if abandoning an amendment		Note: the power to make a decision to abandon an amendment cannot be delegated
s.30(4)(a)	duty to say if amendment has lapsed	GMSD, MP,STP, PSP	
s.30(4)(b)	duty to provide information in writing upon request	GMSD, MP,STP, PSP	
s.31	duty to submit adopted amendment to Minister and, if applicable, details under section 19(1B)	GMSD, MP,STP, PSP	
s.32(2)	duty to give more notice if required	GMSD, MP,STP, SSTP, PSP, STRP	
s.33(1)	duty to give more notice of changes to an amendment	GMSD, MP,STP, SSTP, PSP, STRP	
s.35A(2)	duty to not approve an amendment under section 35B unless the amendment has been certified by the Secretary	GMSD, MP,STP, PSP,	
s.35B(1)	power to approve amendment in form certified under section	GMSD, MP,STP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	35A	PSP	
s.35B(2)	duty to give to Minister notice of approval, copy of approved amendment and other documents	GMSD, MP,STP, SSTP, PSP, STRP	
s.36(2)	duty to give notice of approval of amendment	GMSD, MP,STP, SSTP, PSP, STRP	
s.38(5)	duty to give notice of revocation of an amendment	GMSD, MP,STP, SSTP, PSP, STRP	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	GMSD, MP,STP, SSTP, PSP, STRP	
s.40(1)	function of lodging copy of approved amendment	GMSD, MP,STP, SSTP, PSP, STRP	
s.40(1A)	duty to lodge prescribed documents and copy of approved amendment with the relevant authorities	GMSD, MP,STP, SSTP, PSP, STRP	
s.41	duty to make approved amendment available	GMSD, MP,STP, SSTP, PSP, STRP	
s.42	duty to make copy of planning scheme available	GMSD, MP,STP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		SSTP, PSP, STRP	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	GMSD, MP, SP, PSTP, SSP, TP	
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	GMSD, MP, SP, PSTP, SSP, TP, DV, DVE	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	GMSD, MP, SP, PSTP, SSP, STP, DV	
s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	GMSD, MP, SP, PSTP, SSP, STP, DV	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	GMSD, MP, SP, PSTP, SSP, STP, DV	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	GMSD, MP, SP, PSTP, SSP, STP, DV, TP	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	GMSD, MP, SP, PSTP, SSP, STP, DV	
s.46Q(1)	duty to keep proper accounts of levies paid	GMSD, MP, SP,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		PSTP, SSP, STP, DV	
s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency	GMSD, MP, SP, DV, PSTP	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc.	GMSD, MP, SP, PSTP, SSP, STP, DV, TP	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	GMSD, MP, SP, DV, PSTP	only applies when levy is paid to Council as a 'development agency'
s.46Q(4)(c)	duty to pay amount to current owners of land in the area	GMSD, MP, SP, DV, PSTP	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	GMSD, MP, STP, PSP, SSTP, STRP	must be done in accordance with Part 3
s.46Q(4)(e)	duty to expend that amount on other works etc.	GMSD, MP, STP, SP, DV	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	GMSD, MP, STP, SP, DV, PSTP	
s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any	GMSD, MP, STP, PSP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	documents lodged with it available	SSTP, STRP	
s.46Y	duty to carry out works in conformity with the approved strategy plan	GMSD, MP, STP, PSP, SSTP, STRP	
s.47	power to decide that an application for a planning permit does not comply with that Act	GMSD, MP, SP, PSTP, SSP, TP	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	GMSD, MP, SP, PSTP, SSP, TP	
s.49(2)	duty to make register available for inspection	GMSD, MP, SP, PSTP, SSP, TP	
s.50(4)	duty to amend application	GMSD, MP, SP, PSTP, SSP, TP	
s.50(5)	power to refuse to amend application	Development Hearing Panel Section 86 Committees	Refer to Development Hearings Panel
s.50(6)	duty to make note of amendment to application in register	GMSD, MP, SP, PSTP, SSP, TP	
s.50A(1)	power to make amendment to application	GMSD, MP, SP, PSTP, SSP, TP	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	GMSD, MP, SP, PSTP, SSP, TP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.50A(4)	duty to note amendment to application in register	GMSD, MP, SP, PSTP, SSP, TP	
s.51	duty to make copy of application available for inspection	GMSD, MP, SP, PSTP, SSP, TP	
s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	GMSD, MP, SP, PSTP, SSP, TP	
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	GMSD, MP, SP, PSTP, SSP, TP	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	GMSD, MP, SP, PSTP, SSP, TP	
s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	GMSD, MP, SP, PSTP, SSP, TP	
s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	GMSD, MP, SP, PSTP, SSP, TP	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	GMSD, MP, SP, PSTP, SSP, TP	
s.52(1AA)	duty to give notice of an application to remove or vary a	GMSD, MP, SP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	registered restrictive covenant	PSTP, SSP, TP	
s.52(1A)	power to refuse an application	Development Hearing Panel Section 86 Committees	Refer to Development Hearing Panel
s.52(3)	power to give any further notice of an application where appropriate	GMSD, MP, SP, PSTP, SSP, TP	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	GMSD, MP, SP, PSTP, SSP, TP	
s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	GMSD, MP, SP, PSTP, SSP, TP	
s.54(1)	power to require the applicant to provide more information	GMSD, MP, SP, PSTP, SSP, TP	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	GMSD, MP, SP, PSTP, SSP, TP	
s.54(1B)	duty to specify the lapse date for an application	GMSD, MP, SP, PSTP, SSP, TP	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	GMSD, MP, SP, PSTP, SSP, TP	
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	GMSD, MP, SP, PSTP, SSP, TP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.55(1)	duty to give copy application to every referral authority specified in the planning scheme	GMSD, MP, SP, PSTP, SSP, TP	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	GMSD, MP, SP, PSTP	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	GMSD, MP, SP, PSTP, SSP, TP	
s.57(5)	duty to make available for inspection copy of all objections	GMSD, MP, SP, PSTP, SSP, TP	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	GMSD, MP, SP, PSTP, SSP, TP	
s.57A(5)	power to refuse to amend application	Development Hearing Panel Section 86 Committees	Refer to Development Hearing Panel
s.57A(6)	duty to note amendments to application in register	GMSD, MP, SP, PSTP, SSP, TP	
s.57B(1)	duty to determine whether and to whom notice should be given	GMSD, MP, SP, PSTP, SSP, TP	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	GMSD, MP, SP, PSTP, SSP, TP	
s.57C(1)	duty to give copy of amended application to referral authority	GMSD, MP, SP,	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		PSTP, SSP, TP	
s.58	duty to consider every application for a permit except for a development assessment committee application	GMSD, MP, SP, PSTP, SSP, TP	
s.60	duty to consider certain matters	GMSD, MP, SP, PSTP, SSP, TP	
s60(1A)	power to consider certain matters before deciding on application	GMSD, MP, SP, PSTP, SSP, TP	
s.61(1)(a)	power to decide to grant a permit	GMSD, MP, SP, PSTP	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(1)(b)	power to decide to grant a permit with conditions	GMSD, MP, SP, PSTP	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(1)(c)	power to refuse the permit	Development Hearing Panel Section 86 Committees	Refer to Development Hearing Panel
s.61(2)	duty to decide to refuse to grant a permit if referral authority objects to grant of permit	Development Hearing Panel Section 86 Committees	Refer to Development Hearing Panel
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	GMSD, MP, SP, PSTP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	Development Hearing Panel Section 86 Committees	Refer to Development Hearing Panel
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Development Hearing Panel Section 86 Committees	Refer to Development Hearing Panel
s.62(1)	duty to include certain conditions in deciding to grant a permit	GMSD, MP, SP, PSTP, SSP, TP	
s.62(2)	power to include other conditions	GMSD, MP, SPPSTP, SSP, TP	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	GMSD, MP, SP, PSTP, SSP, TP	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	GMSD, MP, SP, PSTP, SSP, TP	
s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	GMSD, MP, SP, PSTP, SSP, TP, DV	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	GMSD, MP, SP, PSTP, SSP, TP, DV	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	GMSD, MP, SP, PSTP, SSP, TP, DV	
s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	GMSD, MP, SP, PSTP, SSP, TP, DV	
s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	GMSD, MP, SP, PSTP	
s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	GMSD, MP, SP, PSTP, SSP, TP	
s.64(3)	duty not to issue a permit until after the specified period	GMSD, MP, SP, PSTP, SSP, TP	
s.64(5)	duty to give each objector a copy of an exempt decision	GMSD, MP, SP, PSTP, SSP, TP	
s.65(1)	duty to give notice of refusal to grant permit to applicant and objector	GMSD, MP, SP, PSTP, SSP, TP	
s.66	duty to give notice under section 64 or section 65 and copy permit to referral authorities	GMSD, MP, SP, PSTP, SSP, TP	
s.69(1)	function of receiving application for extension of time of permit	GMSD, MP, SP, PSTP, SSP, TP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.69(2)	power to extend time	GMSD, MP, SP, PSTP, SSP, TP	
s.70	duty to make copy permit available for inspection	GMSD, MP, SP, PSTP, SSP, TP	
s.71(1)	power to correct certain mistakes	GMSD, MP, SP, PSTP	
s.71(2)	duty to note corrections in register	GMSD, MP, SP, PSTP, SSP, TP	
s.73	power to decide to grant amendment subject to conditions	GMSD, MP, SP, PSTP	
s.74	duty to issue amended permit to applicant if no objectors	GMSD, MP, SP, PSTP	
s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	GMSD, MP, SP, PSTP, SSP, TP	
s.76A	duty to give referral authorities copy of amended permit and copy of notice	GMSD, MP, SP, PSTP, SSP, TP	
s.76D	duty to comply with direction of Minister to issue amended permit	GMSD, MP, SP, PSTP, SSP, TP	
s.83	function of being respondent to an appeal	GMSD, MP, SP, PSTP, SSP, TP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.83B	duty to give or publish notice of application for review	GMSD, MP, SP, PSTP, SSP, TP	
s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	GMSD, MP, SP, PSTP	
s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	GMSD, MP, SP, PSTP, SSP, TP	
s.84(3)	duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	GMSD, MP, SP, PSTP, SSP, TP	
s.84(6)	duty to issue permit on receipt of advice within 3 working days	GMSD, MP, SP, PSTP	
s.86	duty to issue a permit at order of Tribunal within 3 working days	GMSD, MP, SP, PSTP	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	GMSD, MP, SP, PSTP	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	GMSD, MP, SP, PSTP, SSP, TP	
s.91(2)	duty to comply with the directions of VCAT	GMSD, MP, SP, PSTP, SSP, TP	
s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	GMSD, MP, SP, PSTP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	GMSD, MP, SP, PSTP, SSP, TP	
s.93(2)	duty to give notice of VCAT order to stop development	GMSD, MP, SP, PSTP, SSP, TP	
s.95(3)	function of referring certain applications to the Minister	GMSD, MP, SP, PSTP	
s.95(4)	duty to comply with an order or direction	GMSD, MP, SP, PSTP	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	GMSD, MP, SP, PSTP	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	GMSD, MP, SP, PSTP	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	GMSD, MP, SP, PSTP, STP	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	GMSD, MP, SP, STP, PSTP, PSP, SSTP, STRP	
s.96F	duty to consider the panel's report under section 96E	GMSD, MP, STP, PSP, SSTP, STRP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	Development Hearing Panel Section 86 Committees	Refer to Development Hearing Panel
s.96H(3)	power to give notice in compliance with Minister's direction	GMSD, MP, STP, SP, PSTP, PSP	
s.96J	power to issue permit as directed by the Minister	GMSD, MP, STP, SP, PSTP, PSP	
s.96K	duty to comply with direction of the Minister to give notice of refusal	GMSD, MP, STP, SP, PSTP, PSP	
s.97C	power to request Minister to decide the application	GMSD, MP, STP, SP, PSTP, PSP	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	GMSD, MP, STP, SP, PSTP, PSP	
s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	GMSD, MP, STP, SP, PSTP, PSP	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	GMSD, MP, STP, SP, PSTP, PSP	
s.97L	duty to include Ministerial decisions in a register kept under section 49	GMSD, MP, SP, STP, PSP, PSTP, SSP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
		SSTP, TP, STRP	
s.97MCA(2)	function of consulting with advisory committee regarding the areas for which the Development Assessment Committee is to be established	GMSD, MP, STP, PSP, SSTP, STRP	
s.97MG	duty to provide documents and information to development assessment committee	GMSD, MP, STP, PSP, SSTP, STRP	
s.97MH	duty to provide assistance to the development assessment committee	GMSD, MP, STP, PSP, SSTP, STRP	
s.97MJ(2)	duty to ensure that the register of applications specifies whether the development assessment committee has made the decision	GMSD, MP, STP, PSP, SSTP, STRP	
s.97MK	function of nominating member of the development assessment committee	GMSD, MP, STP, PSP, SSTP, STRP	
s.97ML(4)	power to nominate alternate members of the development assessment committee	GMSD, MP, STP, PSP, SSTP, STRP	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	GMSD, MP, SP, DV, PSTP, SSP	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a	GMSD, MP, SP, DV, PSTP, SSP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	certificate	TP	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	GMSD, MP, SP, DV, PSTP, SSP, TP	
s.97Q(4)	duty to comply with directions of VCAT	GMSD, MP, SP, DV, PSTP, SSP, TP	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	GMSD, MP, SP, DV, PSTP, SSP, TP	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	GMSD, MP, SP, PSTP	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	GMSD, MP, SP, PSTP	
s.101	function of receiving claim for expenses in conjunction with claim	GMSD, MP, SP, PSTP	
s.103	power to reject a claim for compensation in certain circumstances	GMSD, MP, SP, PSTP	
s.107(1)	function of receiving claim for compensation	GMSD, MP, SP, PSTP	
s.107(3)	power to agree to extend time for making claim	GMSD, MP, SP, PSTP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.114(1)	power to apply to the VCAT for an enforcement order	GMSD, MP, SP, PSTP, SSP	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	GMSD, MP, SP, PSTP, SSP, TP	
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	GMSD, MP, SP, PSTP, SSP	
s.123(1)	power to carry out work required by enforcement order and recover costs	GMSD, MP, SP, PSTP, SSP	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	GMSD, MP	except Crown Land
s.125	power to apply for an injunction restraining a person from contravening an enforcement order or interim enforcement order	GMSD, MP, SP, PSTP	
s.129	function of recovering penalties	GMSD, MP, SP, PSTP	
s.130(5)	power to allow person served with an infringement notice further time	GMSD, MP, SP, PSTP	
s.149A(1)	power to refer a matter to the VCAT for determination	GMSD, MP, SP, PSTP	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister	GMSD, MP, STP, PSP	where council is the relevant planning authority



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	directs otherwise under subsection (2B)power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)		
s.171(2)(f)	power to carry out studies and commission reports	GMSD, MP, STP, PSP	
s.171(2)(g)	power to grant and reserve easements	GMSD, MP, SP, PSTP	
s.173	power to enter into agreement covering matters set out in section 174	GMSD, MP, SP, PSTP, DV	
---	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP	
---	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP	
s.177(2)	power to end a section 173 agreement with approval of the Minister or the consent of all those bound by any covenant in the agreement	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP	
s.178	power to amend a s.173 agreement	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP	
s.179(1)	duty to lodge agreement with Minister	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.179(2)	duty to make available for inspection copy agreement	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP, TP	
s.181	power to apply to the Registrar of Titles for registration of the agreement and to deliver a memorial to Registrar-General	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP, TP	
s.182	power to enforce an agreement	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP, TP	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP, TP	
s.198(1)	function to receive application for planning certificate	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP, TP	
s.199(1)	duty to give planning certificate to applicant	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP, TP	
s.201(1)	function of receiving application for declaration of underlying zoning	GMSD, MP, SP, PSTP, DV, STP, PSP, SSP, SSTP, TP	
s.201(3)	duty to make declaration	GMSD, MP, SP, PSTP	
-	power to decide, in relation to any planning scheme or permit,	GMSD, MP, SP, STP, PSP,	



PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	that a specified thing has or has not been done to the satisfaction of Council	PSTP, SSP, SSTP, TP, STRP, DV	
	power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	GMSD, MP, SP, STP, DV, PSTP, PSP	
	power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	GMSD, MP, SP, STP, DV, PSTP, PSP	
-	power to give written authorisation in accordance with a provision of a planning scheme	GMSD, MP, SP, STP, DV, PSTP, PSP	
s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	GMSD, MP, SP, STP, DV, PSTP, PSP	
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	GMSD, MP, SP, STP, DV, PSTP, PSP	

PLANNING AND ENVIRONMENT ACT 1987 (Greater Shepparton Planning Scheme, Planning Permits & Agreements: not in Maddocks Template)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 13 Planning scheme provision	power to determine that a specified document required under the Planning Scheme (eg. a development plan required under the Development Plan Overlay) is to the satisfaction of the Council in its capacity as the responsible authority	GMSD, MP, SP, PSTP, DHP	Must be in accordance with the <i>Planning and Environment Act 1987</i> , the Greater Shepparton Planning Scheme and any relevant adopted Council policy.
s 13 Planning scheme provision	power to determine that a planning permit application is generally in accordance with a specified document prepared and approved pursuant to the Planning Scheme (eg. a planning permit application made following the approval of a development plan prepared pursuant to the Development Plan Overlay)	GMSD, MP, SP, PSTP, DHP	Must be in accordance with the <i>Planning and Environment Act 1987</i> , the Greater Shepparton Planning Scheme and any relevant adopted Council policy.
s 13 Planning scheme provision	any other discretion vested in the Council under the Planning Scheme, including whether a document or plan is to the satisfaction of the Council in its capacity as the responsible authority (including engineering plans)	GMSD, MP, SP, PSTP, DHP, DV, DVE, SSP	Must be in accordance with the <i>Planning and Environment Act 1987</i> , the Greater Shepparton Planning Scheme and any relevant adopted Council policy.
s 13 Condition in planning permit	power vested in Council under a planning permit to provide secondary consent under a planning permit condition to approve a document or plan or allow modifications to an endorsed document or plan	GMSD, MP, SP, PSTP, DHP, DV, DVE, SSP	Must be in accordance with the <i>Planning and Environment Act 1987</i> , the Greater Shepparton Planning Scheme and any relevant adopted Council policy.



Maddocks

PLANNING AND ENVIRONMENT ACT 1987 (<i>Greater Shepparton Planning Scheme, Planning Permits & Agreements: not in Maddocks Template</i>)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 13 Clause in agreement made under s 173 of the <i>Act</i> or s52A of <i>Town and Country Planning Act 1961</i>	power vested in Council under agreement made under s173 of the <i>Planning and Environment Act 1987</i> or s52A of <i>Town and Country Planning Act 1961</i> to provide secondary consent for the approval of a document or plan or to approve the amendment of a document or plan	GMSD, MP, SP, PSTP, DHP, DV, DVE, SSP	Must be in accordance with the <i>Planning and Environment Act 1987</i> , the Greater Shepparton Planning Scheme and any relevant adopted Council policy.



PLANNING AND ENVIRONMENT REGULATIONS 2005			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.6	duty of responsible authority to provide copy of matter considered under section 60(1A)(g) for inspection free of charge	GMSD, MP, SP, STP, DV, SSP, PSTP, PSP, SSTP, TP, STRP	
r.7	duty of responsible authority to provide copy information or report requested by Minister	GMSD, MP, SP, STP, DV, SSP, PSTP, PSP, SSTP, TP, STRP	
r.22	power of responsible authority to require verification of information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act	GMSD, MP, SP, STP, DV, SSP, PSTP, PSP, SSTP, TP, STRP	
r.55	duty of responsible authority to tell Registrar of Titles under r 183 of the Act of the cancellation or amendment of an agreement	GMSD, MP, SP, STP, DV, SSP, PSTP, PSP, SSTP, TP, STRP	



PLANNING AND ENVIRONMENT (FEES) INTERIM REGULATIONS 2011			
* These regulations expire on 23 July 2012			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.16	power to waive or rebate fee in prescribed circumstances	GMSD,MP,SP,S TP,DV	where Council is the responsible authority
r.17	power to waive or rebate fee for amendment to a planning scheme in prescribed circumstances	GMSD,MP,SP,S TP,DV	where Council is the planning authority
r.18	duty if fee waived or rebated to record in writing the matters taken into account and which formed the basis of the decision	GMSD,MP,SP,S TP,DV	where Council is the responsible authority or planning authority

Cultural Diversity and Inclusion Strategy 2012-2015 - Budget Implications

Budget implications have been considered in the development of the Action Plans with annual projections provided below. It is important that these are considered as indicative costs only and will be reviewed as part of annual budgetary processes.

Project	Budget Required	Current Budget	Additional funds
Cultural Development Budget	\$27,250	\$15,000	\$12,250
Interpreting Budget	\$27,000	\$500	\$26,500
LEAD Budget	\$5,000	\$5,000	0

Project	Budget Required	Current Budget	Additional funds
Cultural Development Officer (Culture CS)	\$27,250	\$15,000	\$12,250
Develop mechanisms for CALD consultation in partnership with CALD service providers.	\$2,000		
Work in partnership with local services providers to deliver community information sessions about particular services related to ongoing settlement.	\$4,550		
Develop a partnership with Shepparton Interfaith Network to promote events and cultural/faith information	\$500		
Develop media/communication strategy to promote the positive benefits of cultural diversity and define proactive/reactive media approaches.	\$5,000		
Develop CALD communities' capacity to apply for funding from governments bodies.	\$1,500		
Create greater cross cultural representation and participation in community events to increase social inclusiveness and cohesion.	\$2,000		
Develop a Cultural Award program to recognise the achievement and contribution of migrants in mainstream awards.	\$3,000		
Support cultural festivals throughout the year to promote cultural celebration and harmony.	\$6,300		
Develop opportunities for citizenship ceremonies to be celebratory, public events for educational and acknowledgement purposes	\$2,000		
Build on existing culturally appropriate library services	\$400		

Interpreting Budget (Corporate Services)	\$27,000	\$500	\$26,500
Develop a communications policy to outline the best way to communicate with CALD community. Options explored will include: <ul style="list-style-type: none"> • Scoped interpreting services • Define the approach for translation of Council publications and brochures • Explore the opportunity for bilingual community advocates • The use of online, visual mediums and pre-recorded information services 	\$20,000		
Develop a Welcome Kit for new arrivals regarding Council services relevant to settlement.	\$7,000		
LEAD Budget	\$5,000	\$5,000	0
Develop a leadership/mentoring program for CALD communities.	\$2,000		
Introduce elements of cultural diversity into the Council foyer to create a more reflective and welcoming environment	\$1,000		
Develop a multi faith/contemplation room within the Welsford Street and Doyles Road offices	\$2,000		

Cultural Diversity and Inclusion Strategy – Community Consultation Plan

Level of Consultation: Involve/Collaborate

Key stakeholders:

- Service providers in CALD sectors
- CALD communities
- Council staff and broader community.

Consultation Period/s:

- Draft Development Phase: 26 September – 28 October 2011
- Council Consultation & Approval Phase – 2 November - 20 December 2011
- Community consultation Phase – 23 December 2011 – 20 February 2012

Date	Consultation Tools	Activity Plan	Stage
26 September 2011	1:1 Consultation -	Key Stakeholder - Centrelink	Providing Information and inviting feedback
27 September 2011	1:1 Consultation -	Key Stakeholder – FamilyCare	Providing Information and inviting feedback
28 September 2011	Consultation Promotion - verbal	Afghani CALD community leaders consultation times, venues, flyers	Consultation sessions: Confirmed dates, venues and that a translated flyer would be produced
28 September 2011	Consultation Promotion - verbal	Discussion with Congolese community leader and Department of Justice about community consultation/information session	Confirmed date as 15 October
30 September 2011	1:1 Consultation	Key Stakeholder – Family Relationships Centre	Providing Information and inviting feedback
30 September 2011	1:1 Consultation	Key Stakeholder – Ethnic Council of Shepparton and District Inc	Providing Information and inviting feedback
30 September 2011	Consultation Promotion - Flyer	Flyer for Afghani consultation translated and distributed	Distributed to two leaders of community, plus Ethnic Council and Cutting Edge
30 September 2011	Consultation Promotion - verbal	Meeting with Sudanese community leader to combine community consultation with	Venue and date confirmed. Flyer to follow.

Date	Consultation Tools	Activity Plan	Stage
		Congolese on 15 September	
3 October 2011	Forum coordination	Confirm venue and catering for Congolese and Sudanese consultation – 15 October	Venue and catering is confirmed. Flyer to be produced and translated
4 October 2011	1:1 Consultation	Key Stakeholder – Uniting Care Cutting Edge	Providing Information and inviting feedback
4 October 2011	1:1 Consultation	Key Stakeholder – Relationships Australia	Providing Information and inviting feedback
4 October 2011	1:1 Consultation	Council staff – Customer Service and Rates	Providing Information and inviting feedback
5 October 2011	1:1 Consultation	Council staff – Visitor Information Centre	Providing Information and inviting feedback
5 October 2011	1:1 Consultation	Council staff – Leisure Facilities	Providing Information and inviting feedback
6 October 2011	1:1 Consultation	Council staff – Aged and Children’s Services	Providing Information and inviting feedback
6 October 2011	1:1 Consultation	Council staff – Events and Performing Arts	Providing Information and inviting feedback
6 October 2011	Consultation Promotion - verbal	Discuss with CALD community leaders (Iraqi) consultation times, venues, flyers	Confirmed dates, venues and that a translated flyer would be produced
6 October 2011	Forum coordination	Booking venue for community consultation – 22 October	Venue booked – therefore flyers can be produced
7 October 2011	Consultation Promotion - Flyer	Flyer for Iraqi consultation translated and distributed	Distributed to community leader, plus Ethnic Council and Cutting Edge
7 October 2011	Consultation Promotion - Flyer	Flyer for Congolese and Sudanese consultation translated and distributed	Distributed to community leaders, emailed to all contacts, plus given to Ethnic Council and Cutting Edge
10 October 2011	Consultation Promotion - Flyer	Emailed flyer for community consultation – 22 October to contacts	Inviting feedback
10 October 2011	Meeting	Council staff – Local laws and building	Providing Information and inviting feedback
10 October 2011	1:1 Consultation	Council staff – Skilled Migration Coordinator	Providing Information and inviting feedback
12 October 2011	Meeting	Key Stakeholder – Gotafe	Providing Information

Date	Consultation Tools	Activity Plan	Stage
		Multicultural Education Unit	and inviting feedback
12 October 2011	Meeting	Key stakeholder – Shepparton Interfaith Network	Providing Information and inviting feedback
12 October 2011	Meeting	Council staff – Environmental Health	Providing Information and inviting feedback
12 October 2011	Meeting	Council staff – Park and Recreation	Providing Information and inviting feedback
14 October 2011	Community consultation – Forum (Interpreter lead)	CALD community – Iraqi	Providing Information and inviting feedback
15 October 2011	Community consultation – Forum (Interpreter lead)	CALD communities – Congolese and Sudanese	Providing Information and inviting feedback
16 October 2011	Community consultation – Forum (Interpreter lead)	CALD community – Afghani	Providing Information and inviting feedback
17 October 2011	Meeting	Council staff – Human Resources	Providing Information and inviting feedback
17/18 October 2011	Forum Coordination	RSVPs. Community spokesperson/interpreters. Albanian, Chinese, Dutch, Filipino, Greek, Indian, Italian, Macedonian, Samoan, Sri Lankan and Turkish	All communities are invited to attend or provide feedback directly to Council
18 October	Forum Coordination	Arranged appropriate catering for consultation 22 October	Catering confirmed for 22 October
20 October 2011	1:1 Consultation Meeting	Stakeholder – Student from Mooroopna Education and Resource Centre	Providing Information and inviting feedback
20 October 2011	1:1 Consultation Meeting	Stakeholder – Kialla United Football Club	Providing Information and inviting feedback
20 October 2011	1:1 Consultation Meeting	Key Stakeholder – GV Integrated Settlement Meeting	Providing Information and inviting feedback
20 October 2011	1:1 Consultation Meeting	Key Stakeholder – Shepparton English Language Centre	Providing Information and inviting feedback
20 October 2011	Meeting	Council staff – Planning	Providing Information and inviting feedback
22 October 2011	Community consultations – Forum	CALD communities - Albanian,	Providing Information and inviting feedback

Date	Consultation Tools	Activity Plan	Stage
	(Interpreter lead)	Chinese, Dutch, Filipino, Greek, Indian, Italian, Macedonian, Samoan, Sri Lankan and Turkish	
24 October 2011	Meeting	CALD community – Maltese	Providing Information and inviting feedback
25 October 2011	1:1 Consultation Meeting	Key Stakeholder – Primary Care Connect	Providing Information and inviting feedback
27/28 October 2011	1:1 Consultation Meeting	Council staff – Community Strengthening	Providing Information and inviting feedback
Draft Development			
Date	Consultation Tools	Activity Plan	Stage
9 November	ELT Briefing	Draft provided to ELT 2 November	
22 November 2011	Councillor Briefing		
6 December 2011	ELT Agenda Review		
20 December	Council Approval to Consult		
Community Consultation - Draft			
Date	Consultation Tools	Activity Plan	Stage
23 December 2011	Public Notice	Shepparton News	Beginning of consultation
23 December 2011	Website	Front page of Council website(Scrolling image 'Cultural Diversity & Inclusion Strategy' Council news	Beginning of Consultation to end of consultation
23 December 2011	Direct Mail	Draft copy sent to key stakeholders and CALD community leaders, who contributed to the development of the draft	Beginning of Consultation
January 2012	Media Release	All Local media	Beginning of consultation
January 2012	Translation	Translation of draft Strategy for circulation to CALD communities	When translation is completed
January 2012	Display	Foyer/Reception display: <ul style="list-style-type: none"> • Poster display of changed conditions • Posters in all CALD service providers, with copy of strategy 	Duration of consultation
2 February 2012	Meeting	Present draft to GV Settlement Committee	During consultation

Date	Consultation Tools	Activity Plan	Stage
		meeting	
3 February 2012	Community Radio	Draft Strategy promotion	During consultation
17 February 2012	Community Forum (interpreters available)	Key Stakeholders , CALD communities and general community	End of consultation
March	ELT Agenda Review	Review of community feedback prior and amendments made	
20 March 2012	Council adoption		

Greater Shepparton City Council

Cultural Diversity and Inclusion Strategy and Action Plan



2012 - 2015



Photographs taken by Lesley Poole

Greater Shepparton City Council

Cultural Diversity and Inclusion Strategy and Action Plan

2012 - 2015



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Acknowledgement of Traditional Owners

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

Message from the Mayor

For decades, Greater Shepparton has been the destination for thousands of migrants. Greater Shepparton City Council is proud of our immigration history and the resulting diverse community we now enjoy. Patterns of immigration are likely to continue as new emerging communities seek settlement in Australia.

This is the first Cultural Diversity and Inclusion Strategy for Greater Shepparton and forges the way for the coming years. The strategy provides platforms for how we will communicate, celebrate, advocate, and work in partnership with other sector leaders to improve service delivery for our culturally diverse community.

Council has consulted broadly in the development of this plan with the many emerging and established cultural communities. Sector organisations have also provided valuable input and ideas into the future directions for the region to ensure we have a welcoming, inclusive and vibrant community. Partnership with these local sector organisations will be critical in the delivery of many of these initiatives and we acknowledge their commitment and ongoing support.

We look forward to delivering the many initiatives outlined in this strategy and the positive benefits they will make for our whole community.



Cr Michael Polan

Mayor, Greater Shepparton City Council



Greater Shepparton City Council

Cultural Diversity and Inclusion Strategy and Action Plan

2012 - 2015



Executive Summary

Greater Shepparton is a richly diverse region, with the 2006 Australian Bureau of Statistics Census revealing that 11% of the population, or 6,147 individuals, identified as being born in a country other than Australia.

The development of a Cultural Diversity and Inclusion Strategy is designed to build on the existing positive achievements of Greater Shepparton City Council and guide our commitment to supporting and celebrating cultural diversity through best practice. Its development will inform all future Council strategies and policies to further support the development of harmonious communities; inclusive of all.

Developed with extensive consultation with Culturally and Linguistically Diverse (CALD) communities, CALD service providers and stakeholders and relevant Council staff, the strategy reflects the needs of the community and service providers. CALD communities expressed the importance of feeling a sense of belonging, while service providers identified areas where Council could strengthen partnerships with the sector for the benefit of our diverse communities. Council staff also contributed many ideas to improve services to meet the needs of our diverse community.

Our Vision

Greater Shepparton City Council's vision for this region is of a vibrant, cohesive society which celebrates and incorporates aspects of cultural diversity within daily life. It is essential that we continue to be a welcoming place for migrants into the future and provide appropriate services to CALD communities, many who have specific cultural needs.

Key Strategic Directions & Action Plan

Six key strategic directions have been formed to frame future action Council will take to support cultural diversity within the region. The Action Plan consists of identified activities we will undertake during 2012-2015 and is based around the six strategic directions. These include;

- Engagement; communicate and education
- Partnership
- Leadership
- Celebration
- Advocate
- Services

The Strategy and associated Action Plan is considered a living document which will be updated yearly by the Cultural Development Officer. Council is proud to take a leadership role in showing the positive influence of cultural diversity in all aspects of community and organisations.

Greater Shepparton City Council

Cultural Diversity and Inclusion Strategy and Action Plan

2012 - 2015



Developing a New Strategy

Considering the cultural diversity of our region, it is imperative that Council highlight our commitment to diversity by developing a Cultural Diversity and Inclusion Strategy. In the past, Council has supported diversity through a range of means, the achievements of which have been provided below. This has increased in the past years, through involvement in the Localities Embracing and Accepting Diversity (LEAD) pilot project and the development of a Cultural Development Team, with a dedicated Cultural Development Officer.

The development of this Strategy is designed to build on the work already undertaken and to strengthen partnerships between Council and the regions CALD communities, service providers and other cultural stakeholders. It is inclusive of all members of CALD communities, including aged, socio economic status, sexuality, women and youth.

The Cultural Diversity and Inclusion Strategy is based on valuing community, including their opinions and perspectives, recognising and celebrating diversity and fostering social cohesion.

This Strategy is not intended to apply to Aboriginal communities in Greater Shepparton. Council is currently in the process of developing an Aboriginal Partnership Strategy which will outline our commitment to our indigenous communities and their culture.

Process

Council has undertaken a range of activities to engage with the CALD sector in the development of this Strategy. Initial consultations were held with CALD communities, CALD service providers and stakeholders and relevant Council staff. CALD communities expressed the importance of feeling a sense of belonging, while service provider consultations identified areas where Council could strengthen partnerships with the sector for the benefit of our diverse communities. Council staff also contributed many ideas to improve services to meet the needs of our diverse community.

In the development of this Strategy, Council has used information from the community, as well as a review of current demographics and legislation to inform the Strategy and Action Plan. The Strategy aligns with the strategic objectives of various Council policies and reflects current state and national legislation. Appendix 1 outlines how the Strategy relates to these.

The Action Plan associated with the Strategy, outlines the direct action Council will take to develop and support cultural diversity within the region during 2012-2015. It will be updated annually by the Cultural Development Officer, with corresponding consultation.

Community Consultations

The Residents

Consultations have occurred with CALD communities within Greater Shepparton. This has included four individual consultations with the Afghani, Congolese, Iraqi and Sudanese community leaders, as well as a general consultation with the Filipino, Indian, Italian, Macedonian, Maltese, Sri Lankan and Turkish communities. Local interpreters were used to ensure all community ideas were captured.

These consultations have covered numerous people and provided a wide variety of ideas on how Council can continue to support cultural diversity within the region. In particular there were noticeable differences between the needs of more established communities and new/emerging communities.

The Service Providers

Consultations have occurred with a variety of service providers and those whose work relates strongly to cultural diversity. This includes 1:1 consultations with Centrelink Shepparton, Ethnic Council of Shepparton and District Inc (Ethnic Council), FamilyCare, Family Relationships Centre, Shepparton Interfaith Network, Goulburn Valley Settlement Committee, Gotafe Multicultural Education Unit, Primary Care Connect, Relationships Australia, Shepparton English Language Centre and Uniting Care Cutting Edge.

These consultations provided valuable feedback on the positive actions Council is already completing and many ideas on how to build on this work and relationships with the sector.

Focus group questions included:

- What are your current perceptions of Council's role in cultural affairs?
- How could this be improved?
- What are we doing well?
- Do you consider the partnerships between organisations in this sector to be productive and open?
- What importance do you place on maintaining these relationships?
- Is there any needs or issues which CALD communities express to you that Council is equipped to assist with?
- Do CALD clients express particular opinions of Council, positive or negative?

Council Staff

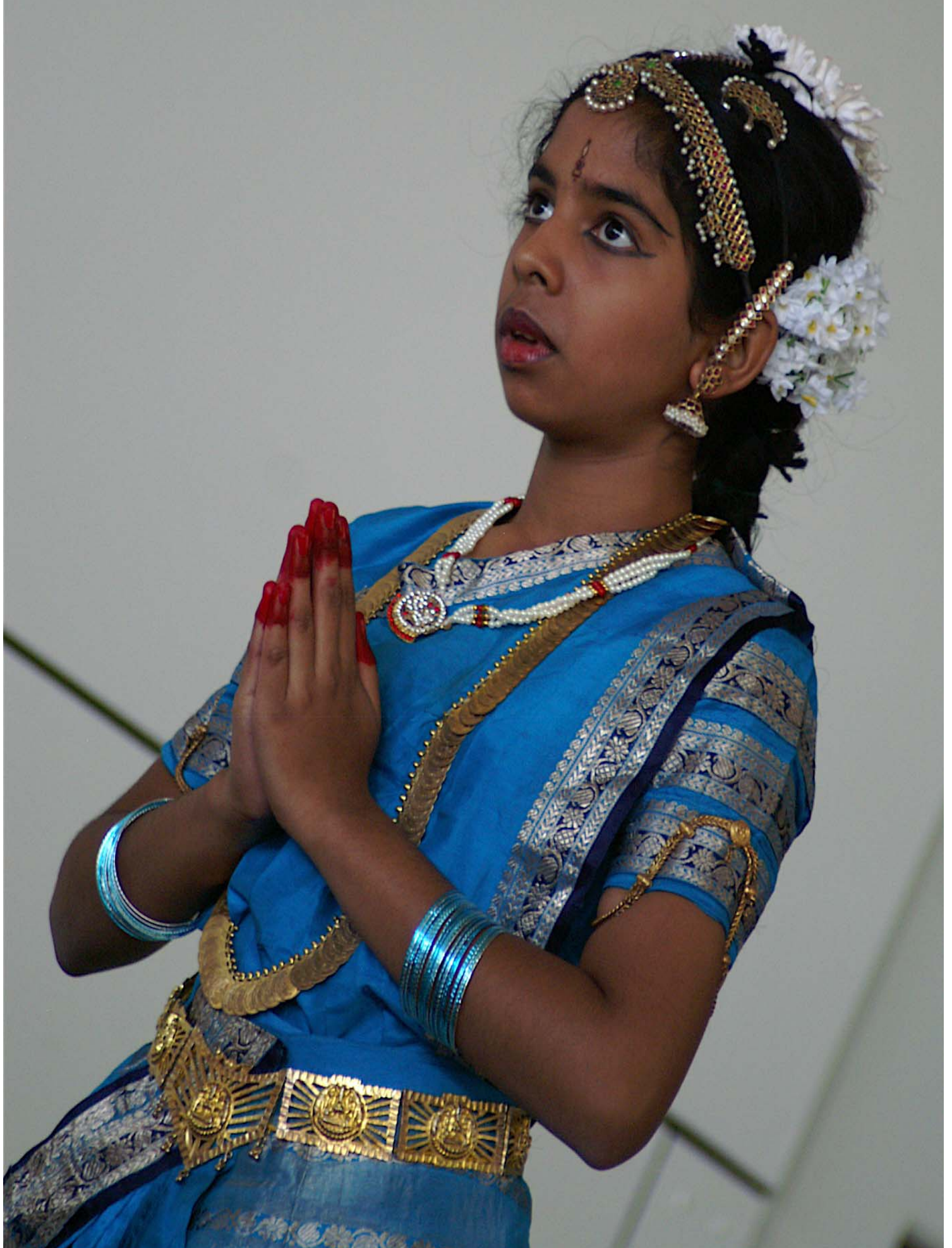
Council staff, across departments and management levels were consulted during the development of this strategy to gain an understanding of current relationships with CALD communities across the organisation. These consultations also provided an opportunity for staff to suggest possible positive actions and the capacity they have to achieve them.

Following the development of a draft strategy, further consultation was undertaken. The strategy was available for public viewing and feedback for two months, during which time copies were sent to service providers who assisted in its development. A public consultation forum was also held, allowing community members to liaise directly with Council staff about the directions and actions outlined in the strategy.

Current Achievements

During consultations with community and service providers, a variety of programs were identified as positive actions Council is already completing. These include:

- The LEAD project, especially the Social Marketing Campaign 'See Beyond Race'
- Identification of Cultural Development Officer position and recognition that Council needs to work in this area
- Support of cultural events during the past year, such as Harmony Day, Cultural Diversity Week, Refugee Week, Congolese Independence Day and South Sudanese Independence Day
- Skilled migration program
- Maternal and Child Health teams use of interpreters and development of relationships with CALD community
- Elf Program – the inclusion of books with multiple languages
- Family Day Care – around 50% of carers are of a CALD background
- Library – availability of books in different languages
- Art Galleries programs with communities
- Engagement in SheppARTon Festival
- Availability of public spaces – such as Kidstown, lake, parks and walking tracks



Greater Shepparton City Council

Cultural Diversity and Inclusion Strategy and Action Plan

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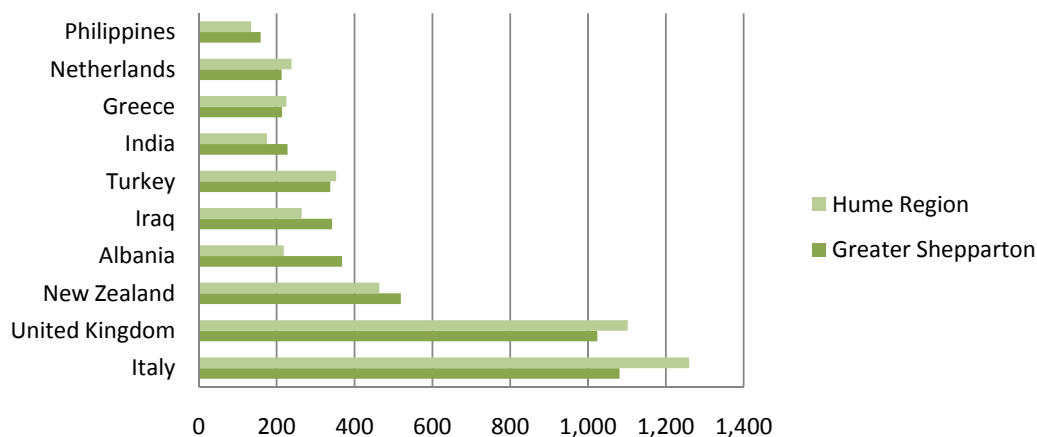
Our Diverse Community

In the 2006 Australian Bureau of Statistics (ABS) Census, 57,089 people resided in the Greater Shepparton region. This area comprises not only the major centre Shepparton, but also the smaller townships of Congupna, Dookie, Katandra, Merrigum, Mooroopna, Murchison, Tallygaroopna, Tatura, Toolamba and Undera.

The Census reveals that 11% of the population, or 6,147 individuals, identified as being born in a country other than Australia, with 7.8% of these in countries where English is not a first language.

The census shows the dominant non-English speaking country of birth as Italy, where 1.9% of the population, or 1,081 people, were born. High populations also originate from the United Kingdom and New Zealand, followed by Albania, Iraq, Turkey, India, Greece, the Netherlands and Philippines.

Country of Birth



Source: Australian Bureau of Statistics, 2006 Census of Population and Housing

The history of migration to Greater Shepparton is long, in particular beginning following World War I with the arrival of many immigrants from Southern Europe, in particular Greeks, Italians, Macedonians and Albanians. Post World War II, further migrants arrived from Europe, including large numbers of Turks around the 1960's. These populations are well established in the region and have further built the fruit industry which Greater Shepparton is well known for, through hard work and strong entrepreneurial spirits.

From the late 1980's Punjabi Indians and Pacific Islander populations began to arrive, and following the breakup of Yugoslavia in the 1990's, further European immigrants arrived. More recent arrivals from the mid 1990's include Afghani, Iraqi, Sudanese and Congolese populations.

Considering this more recent history, the 2006 Census doesn't adequately represent the visible breadth of diversity, in particular Sudanese, Congolese, Afghani, Iraqi, Samoan, Indian and Sri Lankan populations. Further, several of these populations arrived in the region following 2006. Many CALD communities don't understand the importance of a census and believe it could be used to discrimination against them if filled out accurately, for this reason census data may not be an accurate reflection of current population. In the 2006 Census, 3383 people did not state their country of birth, which could reflect those who were unwilling to provide these details. We believe the release of the 2011 census results may provide a more accurate reflection of our diverse communities.

Recent studies undertaken by the Ethnic Council estimates the populations of our four newest and largest communities: Iraqi community numbering 3000-4000 individuals, Afghani community numbering 700 individuals, Sudanese as a community of 800 individuals and 140 Congolese individuals.

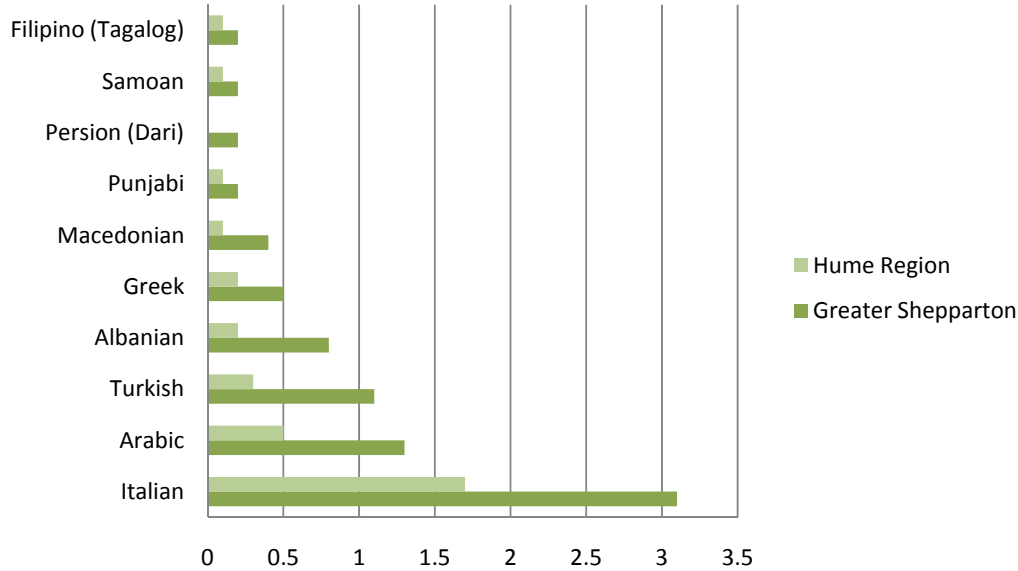
Greater Shepparton is an attractive place to a wide range of migrants for a variety of reasons. These include our history of migration and reputation of welcoming new arrivals, social factors such as family or community members already living in the region, the lifestyle of a country town with the economic and employment opportunities of a city and the agricultural industry.

The pattern of migration is anticipated to continue and in comparison to the Hume Region, Greater Shepparton continues to receive high levels of migration each year. In 2006 there was a 2.4% increase in the population in Greater Shepparton, in comparison to 1.8% in the Hume Region.

The census shows the majority of CALD communities are centred around the urban base of Shepparton-Mooroopna, although in the peripheral regions and towns percentages of the population include Italian (4.2%), Dutch (0.8%) and Turkish (1.3%). Newer populations of Iraqi and Afghani descent are more likely to live in south Shepparton; while Albanian, Italian and Turkish communities tend to be more evenly spread throughout the city.

In regard to language skills, those who identified as being born in a country other than Australia, 16%, or 1,021 people, stated that they spoke another language and English not well or not at all, while 41%, or 2,548 people, stated they spoke another language and English well or very well. These levels are 10% and 13%, respectively, higher than the Hume region.

% who speak a language other than English at home



Source: Australian Bureau of Statistics, 2006 Census of Population and Housing

In regard to religious diversity, while 65% of Greater Shepparton still identify as Christians, the 2006 census showed an increase of 427 people who identified as Islamic. Making up 3.9% of the population in 2006, this is markedly higher than the Hume Region as a whole, 1.1%.

Refugee Settlement

Many recent arrivals to Greater Shepparton are of a refugee and humanitarian background. While there is not statistical evidence of these numbers, anecdotally it is believed to include 5,000 people in the past ten years; predominately from Afghanistan, Democratic Republic of Congo, Iraq and Sudan. The lack of statistical evidence is a result of secondary migration, as individuals move to the region due to the family ties, employment opportunities and lifestyle.

Greater Shepparton City Council recognises that people who flee their countries due to war and other conflicts, have often experienced trauma and persecution and therefore required additional support during settlement.

As a Council we support the arrival of refugee's to our region, and recognise the positive influence their skills, knowledge and culture bring. Considering the long term impact of an increasing population, we strongly advocate to State and Federal government for a well-funded, planned and coordinated settlement approach. This includes ensuring sufficient housing, employment, education, health and support services are available.





The Strategy

Our Vision

Greater Shepparton City Council's vision for this region is of a vibrant, cohesive society which celebrates and incorporates aspects of cultural diversity within daily life. Considering our strong history of migration, it is imperative that Council continue to engage with CALD communities and ensure their aspirations are met, along with the whole community. It is also essential that we continue to be a welcoming place for migrants into the future and provide appropriate services to this group of people, many who have specific cultural needs.

Greater Shepparton City Council is proud to take a leadership role within the community in showing the positive influence of cultural diversity in all aspects of community and organisations, such as the richness of community life, the opportunities for employers and positiveness of strong social cohesion.

Key Strategic Directions & Action Plan

The following Action Plan has been formed around the ideas and feedback gained throughout consultation. Six key strategic directions have been formed to frame the future action Council will take to develop and support cultural diversity within the region. These include;

- Engagement; communicate and education
- Partnership
- Leadership
- Celebration
- Advocate
- Services

The following Action Plan will be delivered throughout 2012-2015 and will be reviewed annually by the Cultural Development Officer, with consultation.

Budget Implications

Actions from the Action Plan requiring additional resources will be considered through Council's annual budgetary processes.

Key Strategic Directions 2012-2015

1. Engagement; communicate and educate

Develop strong and meaningful relationships with CALD communities to provide opportunities to increase their understanding, engagement and participation within the wider community.

2. Partnership

Council will work in partnership with communities, services providers and government bodies to enhance settlement coordination and maximise collaborative efforts towards building inclusive communities.

3. Leadership

Greater Shepparton City Council is committed to building local leadership within the CALD community and supporting other initiatives that develop positive perceptions of diversity.

4. Celebration

Council will celebrate our cultural diversity in cultural and mainstream events within the region. We will actively acknowledge the real and positive influence, past and present, migrants have made to our region.

5. Advocate

Council will advocate for the improvement of settlement services for CALD communities. Council will also play an active role promoting positive opinions of CALD communities, including working to combat prejudices and race based discrimination.

6. Services

Greater Shepparton City Council will work towards ensuring our services are culturally appropriate and continue to address the specific cultural needs of our CALD communities.

Key Strategic Direction 1: Engagement: Communicate and Educate

Develop strong and meaningful relationships with CALD communities to provide opportunities to increase their understanding, engagement and participation within the wider community.

Action	Measure	Timeframe	Responsibility/Partners
<p>Develop a communications policy to outline the best way to communicate with CALD community. Options explored will include:</p> <ul style="list-style-type: none"> • Scoped interpreting services • Define the approach for translation of Council publications and brochures • Explore the opportunity for bilingual community advocates • The use of online, visual mediums and pre-recorded information services. 	Communication policy developed.	June 2013	Communications Customer Service Cultural Development Team
Develop mechanisms for CALD consultation in partnership with CALD service providers.	Consultation processes defined and implemented.	December 2013	Cultural Development Officer CALD communities and service providers
Work in partnership with local services providers to deliver community information sessions about particular services related to ongoing settlement.	CALD community information sessions delivered quarterly or in response to settlement patterns.	Ongoing – Reviewed Annually	Council branches CALD community service providers Ethnic Council, Uniting Care Cutting Edge and Gotafe
Maximise participation in interpretation courses with Gotafe to provide more local interpreters.	Promote available interpreter courses locally as they become available.	Ongoing	Cultural Development Officer Gotafe
Promote volunteering opportunities to the CALD community.	Volunteer promotion in relevant agencies.	Annually	Community Development Officer Cultural Development Team Volunteer Managers Network Visitor Information Centre
Engage CALD communities in Council strategies specific to settlement.	CALD communities are targeted in consultation during the development and implementation of Council plans including Housing Strategy and Community Plans.	Ongoing	Planning Branch Cultural Development Officer

Key Strategic Direction 2: Partnership

Council will work in partnership with communities, services providers and government bodies to enhance settlement coordination and maximise collaborative efforts towards building inclusive communities.

Action	Measure	Timeframe	Responsibility/Partners
Develop a partnership with Shepparton Interfaith Network to promote events and cultural/faith information.	Network development with meetings bimonthly for event sharing and promotion.	December 2012	Cultural Development Officer Shepparton Interfaith Network
Improve networking between Skilled Migration Coordinator and CALD service providers.	Two bimonthly meetings.	June 2012	Skilled Migration Coordinator Manager Economic Development Cultural Development Officer Uniting Care Cutting Edge Ethnic Council Gotafe
Develop a plan for improved settlement coordination in partnership with key service partners in regard to community health services.	Settlement Coordination Plan developed.	December 2015	Maternal and Child Health Cultural Development Officer Senior Environmental Health Officer Community Connections Coordinator Uniting Care Cutting Edge Primary Care Connect GV Health
Create greater understanding of the important role of police among the CALD community.	Working partnership with Victoria Police Multicultural Liaison Officer to achieve an annual 80% attendance at cultural events.	December 2014	Cultural Development Officer Victoria Police

Key Strategic Direction 3: Leadership

Greater Shepparton City Council is committed to building local leadership within the CALD community and supporting other initiatives that develop positive perceptions of diversity

Action	Measure	Timeframe	Responsibility/Partners
As part of the review of the Communications Strategy for Council, implement initiatives that promote the positive benefits of cultural diversity to the broader community.	Communications Strategy renewed. Positive media stories exceed negative in local media.	March 2014	Communications Cultural Development Team Shepparton News Adviser WIN News Weeknights
Develop a leadership/mentoring program for CALD communities and upon completion support participants in applying for Council positions currently advertised.	Leadership/mentoring program developed for CALD community.	October 2013	Human Resources Cultural Development Team
Increase the diversity of Council staff by developing a culturally appropriate recruitment policy (linked to Human Resources policy in development).	Recruitment policy developed.	February 2013	Human Resources Cultural Development Team
Develop CALD communities' capacity to apply for funding from governments bodies.	Grant training provided to CALD community annually.	Ongoing	Cultural Development Officer Grants Officer CALD communities
Explore opportunities to assist communities in the establishment of Social Enterprises to support the concept of cultural precincts through entrepreneurship.	Grant opportunities explored and an appropriate social enterprise model developed for submission where possible.	Ongoing	Culture and Community Strengthening Branch Economic Development CALD communities

Key Strategic Direction 4: Celebration

Council will celebrate our cultural diversity in cultural and mainstream events within the region. We will actively acknowledge the real and positive influence, past and present, migrants have made to our region.

Action	Measure	Timeframe	Responsibility/Partners
Council publications represent, recognise, and celebrate our diverse society.	Imagery used in all Council plans will represent the regions cultural diversity.	Ongoing	Communications Cultural Development Team
Create greater cross cultural representation and participation in community events to increase social inclusiveness and cohesion.	Mainstream events including Australia Day, Anzac Day, Queens Gardens markets, Unity Cup and Mayoral Ball have cultural diversity representation in programs. These events are advertised to CALD communities through emailing flyers to CALD service providers. Cultural events such as Festival of Lights and Ramadan are promoted to mainstream community to welcome participation.	Ongoing	Culture and Community Development Branch Events Team Visitor Information Centre Performing Arts Branch CALD service providers CALD communities
Develop a Cultural Award program to recognise the achievement and contribution of migrants in mainstream awards.	Introduction of awards for migrants in Australia Day awards and/or civic awards.	June 2013	Governance Team Cultural Development Team Communications Team
Develop a Council calendar that identifies cultural celebrations throughout the year eg. Ramadan, Chinese New Year, Festival of Lights.	Council Cultural Calendar developed and circulated.	December 2012	Communications Cultural Development Team
Support cultural festivals throughout the year to promote cultural celebration and harmony.	Council participation in: Harmony Day Cultural Diversity Week Refugee Week Emerge Festival CALD Ladies Pampering Day	Ongoing	Performing Arts Branch Events Branch Cultural Development Team CALD and mainstream service providers and regional schools

Key Strategic Direction 4: Celebration

Celebrations of the range of cultures which make up our region provide opportunities to connect and learn about other cultures. It also provides an opportunity to acknowledge the contribution that migrants make to our region.

Action	Measure	Timeframe	Responsibility/Partners
Work with youth agencies to promote greater inclusion of CALD young people in events and committees to showcase and share their culture.	Greater numbers of CALD young people involved in community events and consultation processes.	Ongoing	Youth Officer Cultural Development Officer Word and Mouth Uniting Care Cutting Edge
Develop opportunities for citizenship ceremonies to be celebratory, public events for educational and acknowledgement purposes.	Ensure two citizenship ceremonies are conducted each year that are open to the broader public (including schools) and have a celebratory theme.	Ongoing	Organisation Performance Cultural Development Officer Shepparton English Language Centre
Explore opportunities for public/community art to assist in creating inclusion.	Initiatives in proposed Community Arts Policy include opportunities for cultural representation.	June 2013	Culture and Community Strengthening Branch Performing Arts Branch

Key Strategic Direction 5: Advocate

Council will advocate for the improvement of settlement services for CALD communities. Council will also play an active role promoting positive opinions of CALD communities, including working to combat prejudices and race based discrimination.

Action	Measure	Timeframe	Responsibility/Partners
Proactively work with key industries to reduce race-based discrimination in policy and practice.	Working partnership with: <ul style="list-style-type: none">- Retail organisations- Education providers- Sporting bodies and- Real estate agents- Media organisations to develop policy and practice approaches to reduce race based discrimination.	December 2014	Cultural Development Team
Encourage the regions Community Centres to promote their facilities to the CALD communities.	MOU and funding agreements with Community Centres outlines shared agreement to promote use of the facilities by the CALD community.	December 2012	Cultural and Community Strengthening Branch Mooroopna Education and Activity Centre North Shepparton Community and Learning Centre South Shepparton Community Centre Tatura Community House

Key Strategic Direction 6: Services

Greater Shepparton City Council will work towards ensuring our services are culturally appropriate and continue to address the specific cultural needs of our CALD communities.

Action	Measure	Timeframe	Responsibility/Partners
Introduce elements of cultural diversity into the Council foyer to create a more reflective and welcoming environment.	Cultural diversity is represented in imagery within the Council foyer.	December 2013	Cultural Development Officer Customer Service Manager Corporate Services
Increase Council staff knowledge and skills in liaising with CALD clients by providing cross cultural training.	80% front line staff are trained in cultural awareness.	December 2012	Cultural Development Team Human Resources Victorian Equal Opportunity and Human Rights Commission
Develop a multi faith/contemplation room within the Welsford Street and Doyles Road offices for staff and visitors.	Faith spaces are created in Welsford St and Doyles Rd that are private and culturally appropriate.	December 2012	Human Resources Cultural Development Team Performing Arts Branch Eastbank Operations Manager Asset Development
Create opportunities for CALD communities to participate in sport.	Support the Sports Without Borders Program and LEAD Project. Conduct annual information sessions on the projects.	December 2014	Park and Recreation Leisure Facilities Cultural Development Officer Valley Sport and sports leagues
Develop a Welcome Kit for new arrivals regarding Council services relevant to settlement.	Welcome kits developed.	December 2013	Communications Cultural Development Officer Skilled Migration Coordinator Customer Service
Continue to work with Leisure Facilities and Ethnic Council to increase CALD women's use of mainstream swimming and leisure centres.	Two information sessions held to educate community on swimwear standards. Cultural dress code alternatives outlined to new patrons, with interpreted documents.	December 2012	Leisure Facilities Cultural Development Officer Ethnic Council Uniting Care Cutting Edge
Build on existing culturally appropriate library services	Hold two bilingual story times yearly and develop a young women's engagement program.	December 2013	Library Community Liaison Officer Cultural Development Officer



Greater Shepparton City Council

Cultural Diversity and Inclusion Strategy and Action Plan

2012 - 2015



Appendix 1: Strategy Context

The Cultural Diversity and Inclusion Strategy aligns with the strategic objectives of the Greater Shepparton Council Plan 2009-2013, Community Development Framework, Community Engagement Strategy, Municipal Public Health Plan 2009-2013 and Customer First Commitment. It also reflects current challenges with respect to cultural diversity at a state and national level.

Greater Shepparton Council Plan 2009-2013

It is a requirement of the Local Government Act 1989 that all Councils develop a Council Plan. This plan outlines the strategic objectives and directions over the life of an elected Council. One of the key strategic objectives in the current Council Plan relates directly to this Strategy:

- Community Life - Greater Shepparton City Council will enhance social connectedness, physical and mental health and well being, education and participatory opportunities in order to improve livability and a greater range of community services.

The sixth goal in this section is to *Embrace and strengthen cultural harmony and diversity*. Included in this is:

- A commitment to develop a Cultural Diversity Plan for Greater Shepparton and pursue implementation of any outcomes there from
- Elimination of discrimination in all activities and services
- The promotion of cultural festivals and activities
- Increase understanding and appreciation of cultural difference to improve the community's connectedness, including recognising and valuing our Aboriginal heritage

Community Development Framework

Adopted in 2010, this framework outlines Council's commitment to implement a community development approach in working with the community. This approach aims to positively shape our future by developing connected, resilient communities through initiatives that benefit the community for the long term.

People is outlined as Focus Area 1 of the Framework and aims to provide accessible and inclusive communities for all to ensure individuals and families feel connected, safe and supported within the community. This includes a strong focus on honouring and celebrating our cultural heritage and diverse communities.

Community Engagement Strategy

Adopted in 2009, this strategy recognises the importance of community input in developing and delivering better services. It commits Council to the involvement of community, community based agencies and local business in Council's decision making processes so that decisions will be more likely to reflect community issues and interests.

Associated with the strategy is a toolkit to assist Council staff in engaging hard to reach groups, such as people from CALD backgrounds.

Municipal Public Health Plan 2009-2013

Developed every four years, the Municipal Public Health Plan identifies existing and emerging priority areas of public health that need to be addressed during the term of a Council. Two sections in the current Public Health Plan are particularly relevant to the Cultural Diversity and Inclusion Strategy:

Objective 2 – Participation in decision making – developing and promoting initiatives to increase involvement of migrants in Council and community decision making.

Objective 6 – Our Diverse Community – supports the development of a cultural diversity policy and plan and will act to ensure all activities and programs delivered by Council actively promote the inclusion of people from all backgrounds.

Customer First Commitment

Developed from a committee consisting of 60 staff and councillors, this commitment outlines specific targets to ensure Council customer service meets the expectations of the residents of Greater Shepparton. In particular it states that Council will:

- Ensure all Council brochures and publications are accessible and easy to understand
- Interpreter services are available

State and Federal Legislation and Policies

Federal and state legislation and policies inform and influence local government work in regard to cultural diversity.

Victorian Legislation

Racial and Religious Tolerance Act 2001 – Prohibits the vilification of a person on the ground of race, religious belief or activity, with the aim to promote racial and religious acceptance.

Multicultural Victoria Act 2004 (including Multicultural Victoria Amendment Act 2008) – enshrines principles of multiculturalism including mutual respect and understanding regardless of background, the duty of all Victorians to promote and preserve diversity and that strengthening multiculturalism will be a core goal of every Victorian Government Department.

The Charter of Human Rights and Responsibilities Act 2006 – Aims to ensure basic human rights have clear legal protection, such as freedom, respect, equality and dignity. All government departments and public bodies, such as local government, must observe these rights during their day to day activities and development of policies.

Equal Opportunity Act 2010 (replaces the Equal Opportunity Act 1995) – Acts to promote, recognise and develop acceptance of everyone's right to equal opportunity and the elimination of discrimination on the basis of specific attributes. It also outlines that such discrimination is against the law.

Victorian Policies and Reports

The Municipal Association of Victoria: Statement of Commitment to Cultural Diversity 2007 – advocates for local governments which include inclusive communities and outlines how the Municipal Association of Victoria will support local government to nurture, promote and celebrate cultural diversity.

All of Us: Victoria's Multicultural Policy 2009 – Builds upon the Multicultural Victoria Act 2004 and outlines that supporting multiculturalism is a whole of government and whole of community approach. It sets out a framework for strengthening and promoting cultural, linguistic and religious diversity throughout Victoria.

Federal Legislation and Policy

Racial Discrimination Act 1975 – Under the Act it is against the law to harass or treat someone unfairly because of their race, colour, descent or national or ethnic background.

The People of Australia – Australia's Multicultural Policy 2010 – developed from recommendations from the Australia Multicultural Advisory Council, this policy highlights the federal government's commitment to a multicultural Australia and their plan to support communities to continue to embrace our different cultural traditions.