

AGENDA

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

TO BE HELD ON
TUESDAY 17 April 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

A G E N D A
FOR THE
ORDINARY COUNCIL MEETING
TO BE HELD ON
TUESDAY 17 APRIL 2012 AT 1.00PM

CHAIR
CR MICHAEL POLAN

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PRESENT:

1. ACKNOWLEDGEMENT

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

2. APOLOGIES

3. DECLARATIONS OF CONFLICTS OF INTEREST

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 20 March 2012, as circulated, be adopted.

5. DEPUTATIONS AND PETITIONS

5.1 Stuart Reserve Renewal Works

A joint letter enclosing 376 submissions in relation to this issue has been submitted to council for consideration. The joint letter opposed the upgrade works however the enclosed submissions provide council with suggestions from the submitters on the type of upgrade works they would like to see.

RECOMMENDATION

That the joint letter and submissions relating to the Stuart Reserve Renewal Works be noted and received.

6. MANAGEMENT REPORTS

FROM THE CORPORATE SERVICES DEPARTMENT

6.1 Councillor Expense Report – March 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.

RECOMMENDATION

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

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

6.1 Councillor Expense Report – March 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

March 2012 Councillor Expense Report.

6. MANAGEMENT REPORTS

6.2 Financial Report – March 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 31 March 2012.

RECOMMENDATION

That the Council receive and note the financial report and position as at 31 March 2012.

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

6.2 Financial Report – March 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

March 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

6.3 Consideration of Banning Smoking in Outdoor Dining Areas Within the City of Greater Shepparton

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 was instigated by a resolution of Council on 21 February 2012 following a notice of motion presented by Councillor Houlihan:

“that a report be provided to Council which documents the positive and negative effects of banning smoking in outdoor dining areas in Greater Shepparton.

The report

- a) must address the relevant health, environmental, social, economic and governance matters and*
- b) be included on the agenda of the March or April 2012 Ordinary Council Meeting”*

RECOMMENDATION

That the Council:

1. receive and note the report titled “Consideration of banning smoking in Outdoor Dining Areas within the City of Greater Shepparton”
2. provide direction to Council officers on this matter.

Background

The report “*Consideration of banning smoking in Outdoor Dining Areas within the City of Greater Shepparton*” has been provided in response to the Council resolution of 21 February 2012. The report has relied on existing research and publications readily available to the public to address the identified criteria of considering health, environmental, social, economic and governance matters. A compilation of all reference material referred to has been made available to the Council.

Banning smoking in outdoor dining areas has now been implemented in Queensland, Northern Territory, Australian Capital Territory, Tasmania and parts of Western Australia, with New South Wales implementing a ban from 2015. Victoria and South Australian are the only Australian States not to have taken significant action, however a number of agencies are actively lobbying the Victorian Government to amend the Tobacco Act 1987 to enforce a similar ban in Victoria.

Some Victorian Councils are proactively adopting smoke free policies for outdoor dining areas and other public areas and many business owners are taking the initiative to implement their own bans.

The Greater Shepparton City Council has existing policies providing for smoke free playgrounds and swimming pools and restrictions around Council buildings. These policies were implemented in recognition of the harmful effects of smoking and consequential passive smoking for those enjoying public facilities.

6. MANAGEMENT REPORTS

6.3 Consideration of Banning Smoking in Outdoor Dining Areas Within the City of Greater Shepparton (Continued)

Risk Management

As the attached report is provided to Council for information only and has not identified specific actions, a risk assessment has not been completed. If changes are proposed to be made to policies or local laws, a risk assessment will need to be completed.

Policy Implications

The current *Outdoor Dining Policy, Permits and Development Guidelines* states in the section titled "Smoking"

- The Council will not approve the development of outdoor dining areas to primarily provide the business with a smoking area.
- If the permit holder allows smoking at the outdoor dining area, the area must comply with the Tobacco Act 1987.
- Ashtrays placed on tables need to be of a windproof design and of a weighted material to ensure they do not cause a litter problem.
- The appropriate disposal of waste management, including cigarette butts is the responsibility of the permit holder.

If the Council were to determine that smoking should be banned from outdoor dining areas, amendments to the policy will be required.

Best Value Implications

As the attached report is provided to Council for information only, there are no best value implications. If the Council determine to amend existing local laws, policies or permit conditions, all implications should be considered.

Financial Implications

There have been no financial implications as the attached report has been compiled using existing research and publications, with research provided by Council staff resources.

If the Council determine to amend existing local laws, policies or permit conditions, any implication should be reviewed. There will likely be financial implications relating to undertaking appropriate consultation and, if bans are implemented, with promotion, education, signage and enforcement.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

Under section 38 of the Act it is illegal for the Council to behave in a manner that contradicts any of the human rights embodied in the Act. The Act requires the Council to give proper consideration to these human rights before making any decision. Where a proposal being made would limit any human right embodied in the Act to any degree, the extent of that limitation and the justification for it must be included in the agenda report.

Community feedback received by other Council's and agencies noted that there is some public opinion that a smoking ban contradicts human rights. There was no evidence that this has been legally challenged. As other Australian States have enforced a ban, it could be determined that it does not breach the Charter.

Legal/Statutory Implications

The *Victorian Tobacco Act 1987* establishes the criteria for allowing smoking in outdoor

6. MANAGEMENT REPORTS

6.3 Consideration of Banning Smoking in Outdoor Dining Areas Within the City of Greater Shepparton (Continued)

dining areas. There are numerous lobby groups working to affect change to the Act to prohibit smoking in outdoor dining areas, however it is not currently illegal.

The Council has the ability to make and invoke local laws specific to the municipality. If the Council were to ban smoking in outdoor dining areas, it would need to enact a local law or amend an existing local law to enable this to be enforced.

Consultation

A survey was mailed to the 42 businesses that currently hold an outdoor dining permit to occupy Council owned or managed areas, requesting feedback on business owner's views. A small number were returned, with results included in the report.

Due to the short time period provided to prepare the report, there was not sufficient time to develop and undertake a range of appropriate methods of community engagement. This was further hampered by staff resources needed to assist with the community needs in dealing with the recent storm and flood events.

Officers believe that appropriate consultation has not occurred for the report to be considered sufficient to enable the Council to make a decision on this matter. If the Council were to consider implementing a ban, the following forms of community consultation are proposed

- Media Release
- Publish public notices inviting feedback
- Information forums
- Surveys
- Online submissions

Strategic Links

a) Council Plan

The Council Plan identifies an object "Develop and pursue strategies to improve community health and wellbeing", however there have not been any measures or targets specifically relating to smoking included.

b) Municipal Health Plan

The Greater Shepparton Public Health Plan 2009-2013 states that "*we will: support and promote the implementation of up to date smoke free policies at all public buildings.*"

c) Other Strategic Links

There are no other strategic links.

Attachment

Report - "Consideration of banning smoking in Outdoor Dining Areas within the City Of Greater Shepparton".

6. MANAGEMENT REPORTS

FROM THE SUSTAINABLE DEVELOPMENT DEPARTMENT

6.4 Planning Application 2011-405 Seeks Retrospective Planning Approval for a Promotion Pole Sign

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

The Kialla Golf Club Incorporated (the applicant) has made application for a sign at 6890 Goulburn Valley Highway, Arcadia (the land).

The land where the sign is displayed is currently used for agriculture and is located about five kilometres to the west of the golf club.

The sign has been erected on the land without planning permission.

The sign is characterised as a promotion pole sign, which is a prohibited sign in the Farming Zone (FZ). As the sign is prohibited, there is no discretion for planning officers or the Council to grant a permit for the sign, therefore the application must be refused.

Should the Council resolve to refuse the application, the Planning and Development Branches Investigation Officer (investigation officer) following the Council's decision (refusal) will commence enforcement proceedings to have the sign removed from the land.

A time frame of one month will be given to the applicant to remove the sign, should the sign not be removed, an application for enforcement order will be filed with the Victorian Civil and Administrative Tribunal (VCAT). Should it be necessary to seek an enforcement order from VCAT, an order for costs against the applicant will also be sought.

RECOMMENDATION

That in relation to Planning Application 2011-2014, on the basis of the information before the Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, the Council:

1. resolves to refuse to grant a permit for the sign as the application is prohibited under the Greater Shepparton Planning Scheme
2. instructs the Planning and Development Branch to undertake enforcement proceedings to remove the sign from the land and if necessary seek an enforcement order from the Victorian Civil and Administrative Tribunal to remove the sign from the land.

Applicant/Property Details

The planning application was made by the Kialla Golf Club Incorporated on 20 December 2011. The applicant's proposal was 'to erect a conspicuous directional sign for the Kialla Golf Club'.

6. MANAGEMENT REPORTS

6.4 Planning Application 2011-405 Seeks Retrospective Planning Approval for a Promotion Pole Sign (Continued)

The sign is setback 36 metres from the lands frontage to the Goulburn Valley Highway.

Proposal in Detail

The applicant informs the Council officers that the purpose of the sign is to inform highway users of the location of the Kialla Golf Club.

The sign is five metres in height and appears as a golf ball sitting on a tee. The signage is attached to the golf ball and the signage area is slightly more than three square metres.

The sign includes footings, although no building permit was obtained for the structure.

Background

Following the signs legality being brought to the attention of the Council's Planning and Development Branch at a Council briefing, the Council's investigations officer requested information from the applicant regarding the sign on 22 November 2011. Within this letter the applicant was informed that the sign was a prohibited sign in the FZ.

Subsequently a meeting was held between a member of the Golf Club and the investigations officer on 2 December 2011. The Golf Club raised concern that other similar signs were erected in the locality. The investigations officer again informed the Golf Club that the sign was prohibited and that other signs in the area were currently being investigated. The Golf Club informed they would take this matter up with the Mayor.

Following submission of the planning application for this sign, planning officers met the applicant (Golf Club members) on site on 12 January 2012. At the conclusion of this meeting, a letter was sent to the applicant informing the reasons that the sign was prohibited in the FZ. Within this letter two options were provided to the applicant being:

1. Withdraw the current application and have the application fee refunded. The Planning and Development Branch would then work with the applicant to find a site that the sign could be relocated to.
2. Proceed with the current application. The applicant was advised that if they proceeded with the application it would be referred to the Council for a decision with a recommendation that the application be refused as the sign is prohibited. Should the application be refused, the refusal could be appealed to VCAT.

Following this letter a meeting was held between planning officers and the Golf Club on 1 February 2012. The outcome of this meeting was as follows:

- The application would be placed on hold to allow the Golf Club to consider alternate locations for the sign
- The Planning and Development Branch provided a summary of all zones and their signage categories on the major approaches to Shepparton
- Based on the assessment of the zones, the Planning and Development Branch informed that the Special Use Zone 4 (Kialla Paceway) as the most appropriate zone for the sign, however the size of the sign would need to be reduced to not more than 2sqm.

6. MANAGEMENT REPORTS

6.4 Planning Application 2011-405 Seeks Retrospective Planning Approval for a Promotion Pole Sign (Continued)

The applicant informed the planning officer on 8 March 2012 that the Golf Club wished to proceed with the application that was submitted on 20 December 2011.

Assessment under the Planning and Environment Act

The proposed application seeks planning permission for the existing sign as shown below:



The land is within the Farming Zone, which at clause 35.07-7 includes the zone in category 4 signage.

Under clause 52.05-10 the purpose of category 4 signs is 'to provide for unobtrusive signs in areas requiring strong amenity control'.

6. MANAGEMENT REPORTS

6.4 Planning Application 2011-405 Seeks Retrospective Planning Approval for a Promotion Pole Sign (Continued)

Within category 4 the following signs are allowed without a permit:

Sign	Condition	Definition (clause 73)	Comment
Bed and breakfast sign	Only one to each premises	A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling	The sign is not associated with a bed and breakfast
Home occupation sign	The advertisement area must not exceed 0.2sqm	A sign at a dwelling that advertises a home occupation carried in the dwelling, or on the land around the dwelling	The sign is not associated with a home occupation
Direction sign	No condition	A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information	The sign exceeds 0.3sqm and contains commercial information

Signs that require a permit:

Sign	Condition	Definition (clause 73)	Comment
Business identification sign	The total advertisement area to each premises must not exceed 3 sqm	A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.	The sign exceeds 3sqm and does not identify a business on the land

6. MANAGEMENT REPORTS

6.4 Planning Application 2011-405 Seeks Retrospective Planning Approval for a Promotion Pole Sign (Continued)

Floodlit sign	No condition	A sign illuminated by external lighting provided for that purpose.	<p>The sign is not illuminated by flood lighting.</p> <p>Adding flood lighting to the sign would not allow the issue of a permit, as the sign would become a 'floodlit promotional pole sign', which is a prohibited sign in the Farming Zone.</p>
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Any sign that is not permissible under clause 52.05-10 is prohibited.

Clause 52.05-1 provides that if a sign can be interpreted in more than one way, the most restrictive requirement in clause 52.05 must be met.

This approach to characterising advertising signs is the method that VCAT has taken. For example, the decision in [ABC Pty Ltd v Port Phillip City Council \[2000\] VCAT 2162](#), where at [16] Member Komesaroff stated:

Signs are identified by type. To assess the type of sign which is proposed to be displayed, one needs to go to clause 73 "Outdoor Advertising Terms" to correctly characterise the type of sign proposed. For example, a floodlit sign is different from an internally illuminated sign which is different to a major promotion sign which is different to a business identification sign, which is different to a sky sign. Some of these types may have overlapping features. However a characteristic of the planning control is that, in the permit application, each different type of sign must be separately applied for, so that it is common to get a cumulative description of sign types in the application. An example of this would be a floodlit major promotion sky sign. That encompasses three different sign types under the Clause 73 definitions.

Based on this approach, the Planning and Development Branch has characterised the sign as follows.

A promotion sign is defined as:

A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.

6. MANAGEMENT REPORTS

6.4 Planning Application 2011-405 Seeks Retrospective Planning Approval for a Promotion Pole Sign (Continued)

A pole sign is defined as:

A sign:

- a) on a pole or pylon that is not part of a building or another structure;*
- b) that is no more than 7 metres above the ground (the sign is five metres in height);*
- c) with an advertisement area not exceeding 6 square metres (the advertisement area is about 3sqm) ; and*
- a) that has a clearance under it of at least 2.7 metres (the sign has a clearance of about three metres).*

It is our view that the sign is a 'promotion pole sign', which is a prohibited sign under clause 52.05-10.

Therefore, the Planning and Development Branch does not have discretion to issue a permit for the proposed sign. As the sign is prohibited by the Greater Shepparton Planning Scheme, the application must be refused.

Risk Management

Should the recommendation included in this report be adopted by the Council there is minimal risk to the Council.

Should the Council decide to grant a permit, it will be an invalid permit as the application is prohibited. If a permit is granted, it will be open for an interested person to seek that the permit be cancelled at VCAT. If VCAT cancels the permit it is likely the Council would be liable for costs and potentially compensation. Additionally it is possible that VCAT would criticise the Council for issuing an invalid permit.

Policy Implications

The sign is contrary to the Greater Shepparton Planning Scheme as the sign is prohibited under the Farming Zone.

The Council's local planning policy at clause 21.04-4 states that *the design, form, size and placement of advertising signs should be controlled so as to protect and enhance the appearance of rural and urban areas and to avoid signs that are excessive, confusing or incompatible with the character of the surrounding area.*

A strategy of clause 21.04-4 is to *ensure that the location, form and size of signs complements the dominant character of any urban or rural landscape, building, site or area on which they are erected. (22.05).*

Even if a permit could be issued for the sign, the Council's local planning policy would discourage a promotion pole sign in an agricultural area.

Financial Implications

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

6. MANAGEMENT REPORTS

6.4 Planning Application 2011-405 Seeks Retrospective Planning Approval for a Promotion Pole Sign (Continued)

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

In *Smith v Hobsons Bay* (Red Dot) 2010 (VCAT 668) consider 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 proposed planning application has been considered in accordance with the relevant parts of the Greater Shepparton Planning Scheme, the decision does not contravene the Charter.

Legal/Statutory Implications

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

A decision by the Council to grant a planning permit would be an invalid decision as the sign is prohibited under the Farming Zone.

Consultation

As the sign is prohibited under the Greater Shepparton Planning Scheme, public notice of the application was not undertaken.

As mentioned above, the Planning and Development Branch held discussions with the applicant regarding the location of the sign; however these discussions did not result in a consent position between the applicant and planning officers.

The Planning and Development Branch also discussed the sign with VicRoads, and the possibility of placing signage within VicRoads land. VicRoads informed Council officers that direction signage must be located on the nearest arterial road to the site, which in this case would be Shepparton Euroa Road, rather than the Goulburn Valley Highway.

Strategic Links

a) Greater Shepparton 2030 Strategy

No relevant strategies regarding advertising signage in the FZ.

b) Council Plan

Key strategic objective 2 – community life

(11) Ensure social issues are actively considered when making planning decisions.

c) Other strategic links

No other strategic links have been identified.

Attachment

BM Engineering Plan.

6. MANAGEMENT REPORTS

6.5 Amendment C136 (Part 2) – Consideration of Independent Planning Panel Report and Adoption of Amendment

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

Amendment C136 (Part 2) to the Greater Shepparton Planning Scheme proposes to rezone land at 425 Wisely Road, Zeerust, from the Farming Zone to the Public Use Zone. The land is owned by the Department of Human Services and is used for special accommodation services. This amendment is to recognise the public ownership of the land and to facilitate the ongoing use and development of the land for community and public services.

The amendment was exhibited and five submissions were received. Of these submissions, two objected to the amendment. As a result, the amendment was referred to an Independent Planning Panel, which was appointed by the Minister for Planning to consider the submissions. The Panel has made its determination following an 'on the papers' panel hearing. The decision to run the Panel 'on the papers' was made by Planning Panels Victoria as only one submitter requested to be heard at the panel hearing. As a result, the Panel relied on written submissions to prepare its report.

The recommendation of the Panel is that Amendment C136 (Part 2) be adopted as exhibited, subject to recommendations as outlined in the report.

RECOMMENDATION

That having considered the Independent Planning Panel Report for Amendment C136 (Part 2) to the Greater Shepparton Planning Scheme, in accordance with section 27(1) of the *Planning and Environment Act 1987*, the Council:

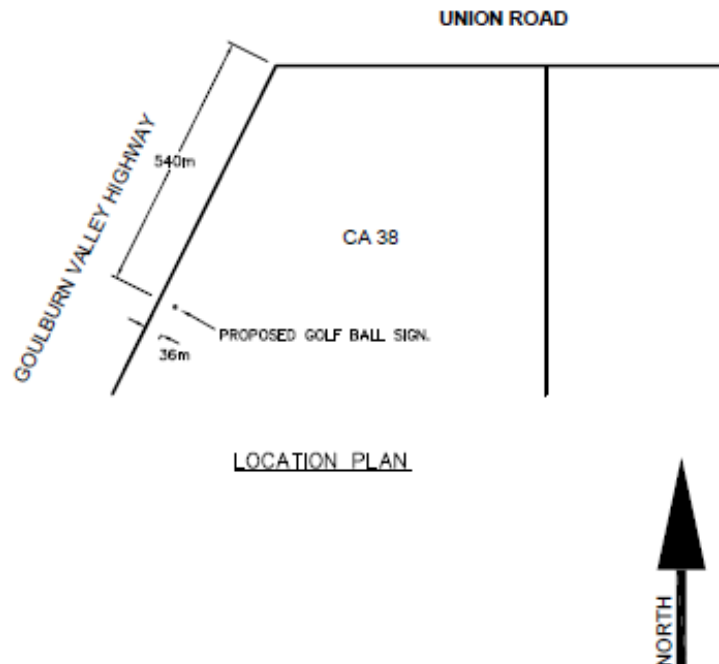
1. adopt the recommendation of the Independent Planning Panel
2. adopt Amendment C136 (Part 2), with the recommended modifications by the Panel
3. in accordance with section 31 of the *Planning and Environment Act 1987*, submit Amendment C136 (Part 2) to the Minister for approval.

Proposal

Amendment C136 (Part 2) relates to land known as 425 Wisely Road, Zeerust. The land has an area of 8,097m² and is located approximately 20km north of Shepparton. The land is 112m west of Zeerust Church Road and 1.4km east of the Shepparton-Barmah Road. The Greater Shepparton City Council, in consultation with the Office of Housing and the Department of Human Services, is the proponent of the amendment.

6. MANAGEMENT REPORTS

6.5 Amendment C136 (Part 2) – Consideration of Independent Planning Panel Report and Adoption of Amendment (Continued)



The land parcel was created in 1983 via a two-lot subdivision, and has been developed with a house and associated outbuildings. It has not been actively used for agricultural purposes for more than 20 years. The site has been owned by the

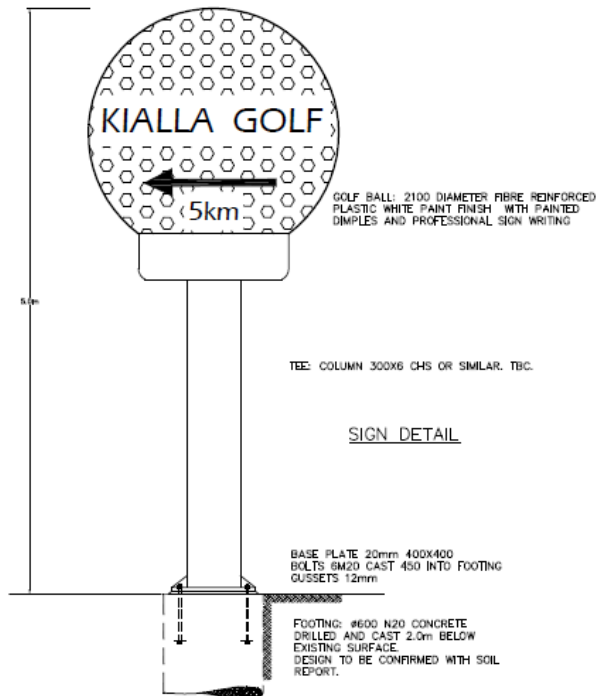
Department of Human Services since 2008 and the existing dwelling is currently used for special accommodation purposes. It has been recognised, through a review of community and public facilities in Greater Shepparton, that the land is inappropriately included within the Farming Zone (FZ).

In response, Amendment C136 (Part 2) proposes to:

- Rezone 425 Wisely Road, Zeerust from the FZ to the Public Use Zone 3 (PUZ3)– Health & Community (PUZ3), to facilitate the ongoing use and development of the land for community and public services
- Include 425 Wisely Road, Zeerust in a Development Plan Overlay (DPO18), to ensure development minimises environmental and social impacts
- Amend the Schedule to the Public Use Zone, (PUZ3) to specify conditions for the future use and development of 425 Wisely Road, Zeerust.

6. MANAGEMENT REPORTS

6.5 Amendment C136 (Part 2) – Consideration of Independent Planning Panel Report and Adoption of Amendment (Continued)



Submissions

The amendment was exhibited and five submissions were received. Three of the submissions were from the relevant public authorities, of whom none objected to the amendment. Two submissions were received objecting to the amendment. These were from two objectors who live in proximity to the land.

Objector one's submission concerned:

- Health and safety risks associated with the close proximity of the residence to working orchards
- Access to water
- Potential impacts on sewer and drainage systems
- Impacts on the amenity of nearby properties

Objector two's submission related to:

- Apparent inconsistencies with state and local policy - Clause 21.06 'Agriculture' and Clause 11.02-1 'Supply of Urban Land'
- Unsuitability of the land for urban development
- Dust from extra road traffic
- Access to water
- Potential impacts on the sewer system

Independent Planning Panel Report

As a result of these objections, the amendment was referred to an Independent Planning Panel, which was appointed by the Minister for Planning to consider the submissions. The Panel made its determination following a panel hearing that reviewed the submissions, and a written submission from the Council.

6. MANAGEMENT REPORTS

6.5 Amendment C136 (Part 2) – Consideration of Independent Planning Panel Report and Adoption of Amendment (Continued)

The Panel acknowledged that Council had proposed to include separation requirements for new buildings through the application of a Section 173 agreement. It recommended however, a more direct control through inclusion of the land in a Development Plan Overlay (DPO) regarding the siting of buildings and the preparation of landscape plans. The Panel considered that other potential health risks associated with the development of the land will be adequately addressed by health and safety legislation.

The Panel recognised objector two's concerns regarding inconsistencies with planning policy. It however, concluded that the proposal is in line with State and local policy, by appropriately limiting the extent of use on the site. The Panel advised that the scale of infrastructure requirements for the proposed use could be reasonably compared to a residential dwelling in a FZ. The Panel suggested the following controls and limitations to adequately address the compatibility issues:

- Ensuring that the potential uses are very tightly restricted
- Limiting the type of operator
- Controlling the form and configuration of buildings to minimise impacts on the surrounding agricultural land use (and vice versa).

Furthermore, any future development of the land will be appropriately managed through requirements for a land capability assessment, stormwater and wastewater management plans, and traffic and car parking plans.

After considering all submissions, the Panel concluded that the proposed amendment is appropriate, on the basis that appropriate limits are applied on the use and development. It was agreed that the controls proposed in the amendment are consistent with State and local policy. The Panel recommended adopting amendment C136 (Part 2) with the following modifications:

1. Delete the following sub dot point under clause 2.0 'Conditions and requirements for permits' in DPO Schedule 18:

A condition requiring a Section 173 agreement to be registered on the land to provide for an adequate separation of new dwellings from adjoining agricultural use.

2. Add the following new clause to DPO Schedule 18:

5.0 Specific requirements for 425 Wisely Road, Zeerust Residential buildings must be sited to minimise health and safety risks associated with the agricultural uses on the neighbouring land.

Landscape management plans should give consideration to minimising health and safety risks associated with the agricultural uses on the neighbouring land.

3. Amend the Schedule 3 to the Public Use Zone to include the following conditions on the use of the land:
 1. Must be provided by or on behalf of the State Government
 2. No more than five children or young people and two staff/supervisors may be accommodated at the facility at any time

6. MANAGEMENT REPORTS

6.5 Amendment C136 (Part 2) – Consideration of Independent Planning Panel Report and Adoption of Amendment (Continued)

3. Before any new use commences or any buildings or works are constructed a Development Plan prepared in accordance with DPO18 must be approved by the responsible authority.

Assessment under the Planning and Environment Act 1987

Under section 12(1)(a) and (b) of the *Planning and Environment Act 1987*, the Council, as the planning authority, must implement the objectives of planning in Victoria and provide sound, strategic and coordinated planning of the use and development of land in its area.

All Amendment C136 (Part 2) procedures comply with legislative requirements for amendment preparation, exhibition, submission consideration, panel stage and adoption under the *Planning and Environment Act 1987*.

Under section 27 of the Act, the planning authority must consider the Independent Planning Panel's Report before deciding whether or not to adopt the amendment.

A planning authority adopts an amendment under section 29 of the Act, with or without changes.

Risk management

In accordance with Section (27) of the *Planning and Environment Act 1987*, the Council is required to consider the Independent Planning Panel's report before deciding whether or not to adopt the amendment. The Council is not required to adopt the recommendations of the Panel under the Act. As the Panel is appointed by the Minister for Planning, and is required to make recommendations based on net community benefit in the interests of all Victorians, it is possible that not accepting the Panel's recommendations could result in the amendment not receiving approval from the Minister for Planning.

Policy Implications

There are no conflicts with existing Council policy.

Financial implications

The statutory fees for amendments are prescribed by the *Planning and Environment (Fees) Regulations 2000*. The Council is the proponent of this amendment and is responsible for all costs associated with the amendment process, including the costs of the Panel. It is expected that the social and community benefits will outweigh these minor financial implications.

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

All procedures associated with Amendment C136 (Part 2) comply with legislative requirements for amendment preparation, exhibition, submission consideration, panel stage and adoption under the *Planning and Environment Act 1987*. The amendment is:

6. MANAGEMENT REPORTS

6.5 Amendment C136 (Part 2) – Consideration of Independent Planning Panel Report and Adoption of Amendment (Continued)

- Consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act
- Complies with Minister's Direction No 11, *Strategic Assessment of Amendments* and accompanying practice note, *Strategic Assessment Guidelines – revised August 2004*.

Under the provisions of section 27 of the *Planning and Environment Act 1987*, the Council must consider the Independent Planning Panel's Report before deciding whether or not to adopt the amendment.

Consultation

The amendment was placed on exhibition from 4 April 2011 until 9 May 2011. Notices appeared in both the Government Gazette and the Shepparton News.

As required by the *Planning and Environment Act 1987*, formal notice of Amendment C136 was given to the prescribed Ministers, relevant referral and statutory authorities and affected landowners.

Strategic links

Greater Shepparton 2030 – Strategy Plan (Objectives and Strategies)

Direction 1 – Community Life

Direction: Enhance social connectedness, physical and mental health and well being, education and participatory opportunities in order to improve liveability with a greater range of public open spaces, and recreation and community services.

Objective: To provide an equitable and efficient distribution of community facilities and services.

Greater Shepparton Council Plan 2009 – 2013

Strategic Objective 1 – Settlement and Housing

Strategy 1: Encourage innovative, appropriate, sustainable and affordable housing solutions

Our population growth is the envy of most other regional and rural councils. Increases in population also lead to increases in demand for housing however and this can drive up prices and reduce the available options for those looking to rent or purchase a home.

In partnership with developers, housing organisations and providers, we will develop policies and strategies to promote universal housing and provide a mix of medium density, low density and rural living options across the municipality.

Strategic Objective 2 – Community Life

Strategy 15: Provide affordable and sustainable community services

The large number of services we deliver must be provided to a standard acceptable to the community. A review will be carried out to assess the types and levels of service provided to ensure that they meet the community's expectations.

We will engage the community in determining the levels of service provided, to ensure enough is being spent to meet the community's expectations, but money is not wasted on providing types or levels of service far greater than the community actually wants or needs.

Other strategic links

No other strategic links have been identified.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.6 Heritage Advisory Committee – Terms of Reference

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 authorised the formation of the Heritage Advisory Committee (the Committee) on the 17 January 2012. The primary purposes 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. As part of the resolution, the Council also approved the Terms of Reference (TOR) under which the Committee will function.

Amendments to the Terms of Reference have been requested:

1. The Committee requests a tenure length stipulation to be included in its Terms of Reference in relation to the recent nomination of three community applicants to the Committee. The term of appointment for community members appointed to the Committee needs to be defined in the (TOR)
2. The Committee has formed the view that the hosting of a Cultural Heritage Awards ceremony would help raise awareness of cultural heritage issues within the municipality, as well as recognising good conservation practice. In order to allow the Committee to be involved in the Awards ceremony, the Committee's (TOR) will also need to be amended.

The Committee is now seeking the adoption of the Heritage Advisory Committee's revised TOR by the Council.

RECOMMENDATION

That the Council adopt the amended Terms of Reference for the Heritage Advisory Committee.

Background

At the Ordinary Council Meeting held on the 17 January 2012, the Council authorised the formation of the Heritage Advisory Committee. The primary purposes of the Committee are 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 authorised the appointment of three community members unaffiliated with historical groups and societies within the municipality to the Committee following a public consultation period. Following a successful public nomination process, the Committee resolved to nominate three successful applicants who satisfied the Committee's nomination criteria. The Council appointed the three applicants for a term of one year at its ordinary Council meeting on 20 March 2012.

6. MANAGEMENT REPORTS

6.6 Heritage Advisory Committee – Terms of Reference (Continued)

In addition, at the Committee's February meeting, the Committee formed the view that the hosting of a Cultural Heritage Awards ceremony would help raise awareness of cultural heritage issues within the municipality, as well as recognising good conservation practice. The Awards are also seen as a critical way of promoting community participation in cultural heritage issues within the municipality. The Awards Ceremony would satisfy two of the primary purposes of the Committee:

- 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.

This is the subject of an additional Council Report at today's Ordinary Council Meeting.

The Committee has now resolved to amend its TOR. The main amendments to the TOR include:

- The insertion of bullet point 1(k) to cater for the possibility of an annual or biannual Cultural Heritage Awards ceremony hosted by Council in conjunction with the Heritage Advisory Committee.
- The revision of bullet point 2(a)(v) to reflect the public nomination process, to stipulate a fixed tenure length and the selection criteria used by the Committee to select candidates for the community positions.

The Committee is seeking the approval of the Council to authorise the amendment of the Heritage Advisory Committee's TOR, as proposed.

Risk Management

Approval of the revised TOR will allow for the efficient operation of the Heritage Advisory Committee with regard to the public nomination process undertaken for candidates for the community positions on the Committee, and to cater for the Committee's involvement in any Cultural Heritage Awards Ceremony.

Failure to approve the revised TOR 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. In addition, failure to approve the TOR may result in the inefficient operation of the Committee and subsequently place an additional burden on Council resources.

Policy Implications

There are no conflicts with any Council policies arising from the revised TOR for the Heritage Advisory Committee.

Best Value Implications

The Council's adoption of the revised TOR for the Committee will assist the Committee in achieving best value practices in relation to the promotion of community participation in and by raising awareness of cultural heritage issues within the municipality.

The adoption of the revised TOR will allow the Committee to operate within a clear and transparent structure, ultimately helping to both clarify the Committee's primary purposes and to allow for its efficient operation.

Financial Implications

There are no financial implications relating to the amendment of the Heritage Advisory

6. MANAGEMENT REPORTS

6.6 Heritage Advisory Committee – Terms of Reference (Continued)

Committee's TOR. The addition of a Cultural Heritage Awards programme within the TOR will be reported to the Council under a separate report.

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

Extensive local consultation has occurred in relation to the three community positions. This included advertisements in the Shepparton News and Tatura Guardian, as well as being available on the Council's website, over the course of January and February 2012. These advertisements called for nominations from members of the community to apply for one of the three community positions on the Heritage Advisory Committee.

Officers believe that appropriate consultation has occurred regarding the three community positions. Officers also believe that appropriate consultation will occur with the hosting of any Cultural Heritage Awards ceremony through the commencement of an extensive public nomination process.

Strategic Links

a) Greater Shepparton 2030 Strategy

The revised terms of Reference 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 2009-2013

The revised terms of Reference for the Heritage Advisory Committee is consistent with the following objectives outlined in the Council Plan 2009-2013:

- Strategic Objective 3 - Strategy 18: Identify and respect our significant cultural and environmental assets.
- Strategic Objective 6 - Strategy 31: Engage our community when making decisions.

c) Any other strategic links

The revised TOR for the Heritage Advisory Committee will also develop and implement the initiatives outlined in the Greater Shepparton Heritage Study Stage IIB.

Attachment

Heritage Advisory Committee – Revised Terms of Reference.

6. MANAGEMENT REPORTS

6.7 Goulburn River Valley Tourism – Memorandum of Understanding

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 cooperative approach to regional tourism between the municipalities of Murrindindi, Mitchell, Strathbogie and Greater Shepparton has been in existence since 2009. Originally auspiced by the Greater Shepparton City Council, this group is now a standalone incorporated body with board representative of industry and council interests.

The Board has recently reviewed their Memorandum of Understanding (MOU) and In-kind contribution arrangements and now seek Council support and acceptance of these documents.

RECOMMENDATION

That Council:

1. agree to the Goulburn River Valley Tourism – Memorandum of Understanding and commit \$90,000 per annum, adjusted by Consumer Price Index annually, as Council's contribution to this regional tourism initiative
2. authorise the Chief Executive Officer to sign the Memorandum of Understanding on behalf of Council.

Background

Greater Shepparton City Council resolved to support the creation of a Regional Tourism Board to represent the interests of the municipalities of Murrindindi, Mitchell, Strathbogie and Greater Shepparton in 2009. Many of the driving factors behind the creation arose when tourism operators, Tourism Greater Shepparton and Council participated in extensive consultation as part of Tourism Victoria's Regional Tourism Action Plan. This plan raised a number of issues with the current industry structures in regional Victoria, including:

- Many regional structures are under-resourced and lack adequate funding support.
- Regional structures rely heavily on volunteers who are struggling to cope with competing demands from their own businesses.
- The roles and responsibilities of some regional structures are unclear or duplicated.
- Many regions do not have adequate communications mechanisms in place to ensure that all stakeholders are informed and engaged in tourism development.
- Industry is unclear about how to work with and engage with Tourism Victoria on issues outside of marketing.
- Regional campaign committees have a remit to focus on marketing and are unable to address other critical issues impacting regional tourism growth such as product development, investment attraction, skills training and sustainability management.
- There is recognition that sustainable tourism development at the regional level requires a more strategic focus to create a strong foundation for industry growth.

6. MANAGEMENT REPORTS

6.7 Goulburn River Valley Tourism – Memorandum of Understanding (Continued)

Following on from the Regional Tourism Action Plan and recognising the opportunity to work together, each Council committed funds, matched by Tourism Victoria, to investigate and clearly define a coordinated approach to capitalising on the region's strengths

The results of this study were outlined in a report from Tourism Alliance Victoria *A United Approach to Tourism: For the municipalities of Mitchell, Murrindindi, Shepparton and Strathbogie*. The report highlights the strengths and weaknesses of tourism across the four shires and identifies a clear direction in moving forward. A key recommendation of the report was that "the shires of Strathbogie, Mitchell, Murrindindi and the City of Greater Shepparton form a regional tourism organisation (RTO)."

On 6 April 2009 the board of Tourism Greater Shepparton met with Greater Shepparton councillors to present the report and request funds to action the recommendation to establish a Regional Tourism Board to set the strategic direction for tourism throughout the region.

Subsequently, at the Ordinary Council Meeting on 5 May 2009, Council resolved to:

1. Support the establishment of a Regional Tourism Board.
2. Incorporate \$75,000 in the draft 2009/2010 budget to fund the establishment of the Board.

Since its creation the Goulburn Valley River Tourism initiative has made a number of significant achievements including:

- 2010 - 2012 Goulburn River Valley Tourism Strategic Plan
- 2011 - 2016 Goulburn River Valley Tourism Development Plan
- 2011 - 2016 Goulburn River Valley Tourism Marketing Strategy
- Newsletter E-Communications – tourism business database of over 300
- Goulburn River Valley Tourism Website – www.goulburnrivervalley.com.au
- Great Victorian Bike Ride event – generating \$1,527,500 economic benefit
- Emirates Melbourne Cup Tour event – PR value \$64,320
- Federal Tourism Quality Grant funding - \$385,000 for project delivery
- Public Relations generated for GRVT region - \$1,101,750.00 over 12 months
- Holiday Planner publication – secured 103 advertisers
- Tourism Industry Leadership Program – 19 graduates leading our industry
- Training and workshops – 64 participants
- Visitor Information Centre Summit – 120 participants
- 10 Networking evenings and two launches – attracting over 400 attendees
- Trade shows – Melbourne and Bendigo
- Australian Society of travel writers lunch – 48 travel media in attendance
- Established a regime of reporting to member councils with regards to visitation and expenditure statistics

On 6 December 2011, Following on from the Regional Tourism (GRVT) Action Plan and recognising the opportunity to work together, each council committed funds, matched by Tourism Victoria, to investigate and presented to Councillors outlining many of these achievements, the future direction and outlined the proposed changes to the MOU and In-kind Agreements.

GRVT, in accordance with its Strategic Plan, aims to deliver the following initiatives to member councils in forthcoming years:

6. MANAGEMENT REPORTS

6.7 Goulburn River Valley Tourism – Memorandum of Understanding (Continued)

- Regional Cycling Strategy that explores opportunities for development of events, rail trails and mountain biking
- Develop a food product trail throughout the region, drawing on the region's diversity of cool and warm climate produce and wine
- Promote destination dining in the region
- Suggest touring itineraries for car and motorcycle groups
- Prioritise infrastructure requirements in the region in terms of those which have the greatest net tourism benefit
- Work in partnership with the equine industry on mutually beneficial projects
- Continue to deliver industry training through the Tourism Industry Leadership Program, skills workshops, the VIC Summit and networking opportunities for industry
- Continue to attract key events in to the region
- Develop the capacity of local events to grow into events of regional significance
- Introduce Social Media to our communications capabilities with Facebook, Twitter, YouTube etc
- Introduce consumer focused Electronic Database Marketing
- Build the capabilities and visitation to www.goulburnrivervalley.com.au
- Look at Marketing Membership options to partner with operators
- Investigate the opportunity to deliver a second GRVT Holiday Planner
- Deliver media familiarisation tours to the region
- Continue to track and monitor visitation to the region

To support these initiatives the Board has requested an increase in financial support from member councils and also seeks to clarify in-kind arrangements to avoid any misunderstandings and to provide greater transparency to the board and wider industry.

GRVT requests \$90,000 per annum financial contribution from Greater Shepparton and in-kind support that includes office space, access to computers, participation in GRVT events and promotional support via Council's website and other communication channels. The detailed breakdown of these requirements are contained the attachments to this report.

Risk Management

The risks associated with continuing to support GRVT are considered minimal. Whilst there is a financial risk associated with the spending of Council funds by a third party, officers are confident given the governance structure of the GRVT Board and Strategic framework that the funds will be used effectively.

Additionally, there is a risk that one or more member councils may withdraw from their support from GRVT and lessen the credibility and impact of GRVT. Greater Shepparton should continue to advocate the benefits of this cooperative approach to all member Councils to minimise the risk of this occurring.

Failing to continue to support GRVT presents risks that were the primary driver behind its creation. These include the risk of not being adequately represented by the Tourism Victoria Jigsaw campaign, the failure to take a regional strategic approach to tourism development and promotion and the risk of losing a critical mass of product offering that is appealing to the tourism market.

6. MANAGEMENT REPORTS

6.7 Goulburn River Valley Tourism – Memorandum of Understanding (Continued)

Policy Implications

There are no conflicts with existing Council Policies, and the direction is in broad alignment with Council's Draft, and yet to be adopted, Tourism Policy.

Best Value Implications

The Council's support of the GRVT Board will assist with the capacity to achieve best value practices in relation to interaction and support for cooperative marketing ventures with the local tourism association, Tourism Greater Shepparton and achieve economies of scale that would otherwise be unachievable. The establishment of the Regional Tourism Board will allow for a clear structure that will see the marketing of the region maintained at a regional level.

Under this structure cooperative marketing ventures with Tourism Greater Shepparton will happen at a local level and be designed to encourage locals to visit local attractions, with funding available through GRVT to assist with implementation. This clear structure, with a defined role and responsibilities will give clarity to the local tourism association, who will be able to focus on developing the local industry development programs.

Financial Implications

Commitment to the 2012-2015 GRVT Memorandum of Understanding will incur a cost of \$90,000 per annum (indexed) for three years. For the term of the MOU this results in costs of \$270,000 (plus approximately \$5,500 in indexation costs, assuming 3% p.a.). The required \$90,000 has been included in the draft 2012 budget and adoption of the recommendations in this report will commit Council to this amount.

Victorian Charter of Human Rights and Responsibilities Act (2006) Implications

Officers have assessed that supporting GRVT is not incompatible with any human right and that proper consideration has been given to the human rights detailed in Part 2 of the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Legal/Statutory Implications

Legal and statutory implications of signing the GRVT Memorandum of Understanding are that it is the intention that this MOU be binding on the parties without the right of withdrawal from the arrangement except where there is fundamental breach of any term or condition of this MOU. Also outlined within the MOU is a clause that allows each party to maintain the right to exercise its individual powers as it sees fit.

Consultation

Extensive consultation with industry stakeholders formed the basis of the report *A United Approach to Tourism: For the municipalities of, Mitchell, Murrindindi Shepparton and Strathbogie*.

Tourism Greater Shepparton, have also been involved for the duration of this project, with representatives of the group involved with the consultative process of the report and the presentation of its findings.

Tourism Greater Shepparton fully support the direction of the Goulburn River Valley Tourism Board.

Council officers and Councillors have also be briefed with regard to GRVT and the draft MOU and In-kind Agreements.

6. MANAGEMENT REPORTS

6.7 Goulburn River Valley Tourism – Memorandum of Understanding (Continued)

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

Strategic Links

The ongoing support of the Goulburn River Valley Tourism initiative is in line with the following Council strategic links:

a) Greater Shepparton 2030 Strategy

Objective 11.1 To encourage tourism growth and in particular promote the tourism opportunities of the irrigated rural landscape and the food growing and processing industries.
Objective 11.2 To provide adequate tourist services which suitably meet the needs of visitors to the municipality.

The implementation of a regional tourism board links strategically with the future focus for tourism outlined in the Greater Shepparton 2030 Strategy that states 'aggressive and effective marketing of tourist destinations can be achieved with the cooperation of tourism operators, local businesses and the Greater Shepparton City Council'.

b) Council Plan

Objective 24 - Ensure a coordinated and effective approach to economic and tourism development is maintained at all times, including:

- Pursue the establishment of a regional tourism association,
- Review the effectiveness of joint marketing and development initiatives with industry and other stakeholders.

c) Other strategic links

No other strategic links have been identified.

Attachment

2012 – 2015 Goulburn River Valley Tourism – Memorandum of Understanding.

6. MANAGEMENT REPORTS

6.8 Sustainability and Environment Strategy

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

Greater Shepparton City Council has successfully gained \$30,000 in Victorian Sustainability Accord funding for the development of a Sustainability and Environment Strategy (the Strategy). Although the development of the Strategy has been progressing and Milestone One of the Department of Sustainability and Environment (DSE) Project Agreement has been completed, there have been several lengthy time delays in the development of the strategy due to a combination of changes to the strategy development plan (the development of a discussion paper and subsequent extra community engagement), and limited staff resources. Council has requested and been granted an extension to the Milestone Two and Three due dates by the DSE.

At the ordinary Council meeting held on 15 February 2011, Council authorised the formation of the Sustainability and Environment Stakeholder Reference Committee (the Committee) in accordance with the adopted Stakeholder Reference Committee Terms of Reference and resolved to appoint Cr Chris Hazelman as Chair of the Committee and Cr Michael Polan Deputy Chair. At the ordinary Council meeting held on 19 April 2011, Council appointed three community representatives to sit on the Committee.

The Stakeholder Reference Committee Terms of Reference state that the term of office for Stakeholder Reference Committee members will be one year, unless otherwise extended or revoked in writing by the Council. Four very productive Stakeholder Reference Committee meetings have occurred since the Committee's inception but due to the aforementioned delays, the Committee is still required.

RECOMMENDATION

That the Council re-appoint:

- Cr Chris Hazelman (Chair)
- Cr Michael POLAN (Deputy chair),
- Greg McKenzie (Manager, Sustainability and Environment)
- Travis Turner (Sustainability and Environment Officer)
- Royce DICKSON (Community representative)
- Danielle BEISCHER (Community representative)
- Susan HUNT (Community representative)
- Department of Sustainability and Environment representatives (DSE) (2)
- Goulburn-Broken Catchment Management Authority representative (GB CMA) (1)
- Parks Victoria representative (1)
- Resource GV representative (1)
- Goulburn Broken Greenhouse Alliance representative (GBGA) (1)
- Department of Primary Industries representative (DPI) (1)
- Goulburn Murray Landcare Network representative (GMLN) (1)
- Goulburn Valley Environment Group representative (GVEG) (1)
- Yorta Yorta Nation Aboriginal Corporation representative (YYNAC) (1)
- Goulburn Valley Water representative (GVW) (1)
- Goulburn-Murray Water representative (G-MW) (1)

to the Sustainability and Environment Stakeholder Reference Committee on an ongoing basis commencing 19 April 2012 and continuing until the completion of the development of the Sustainability and Environment Strategy.

6. MANAGEMENT REPORTS

6.8 Sustainability and Environment Strategy (Continued)

Background

The development of the Sustainability and Environment Strategy will enable Council to identify and prioritise sustainability and climate change activities with improved integration across Council strategies and plans. The strategy will also increase the capacity and understanding of environmental and sustainability issues across Council and the community.

Whilst sustainability projects may be mentioned in some lower order strategies or the Local Environmental Sustainability Priority Statement (LESPPS), the strategy will provide Council with a process that enables in-depth consideration of sustainability issues and prioritisations that will integrate sustainability into key Council plans and documents.

The Sustainability and Environment Strategy will address issues that have arisen through the development of Council's LESPPS, and strategic implementation actions identified in the Municipal Strategic Statement (MSS) namely:

- Prepare an Environmental Strategy incorporating Local Biodiversity Action Plans
- Prepare an integrated strategy to address all aspects of the environment and to cooperate in the development of regional environmental plans
- Proactively incorporate sustainability and environmental issues into Council projects and programs
- Communicate and promote Council's environmental and sustainability commitment and achievements, internally as well as to ratepayers and the wider community.

The project supports local capacity building through a strong engagement program both across Council business units and within the local community. A project Strategic

Community Engagement Plan and Communications Plan will be developed according to the guidelines and requirements of the Greater Shepparton Community Engagement Strategy and Community Engagement Toolkit.

In accordance with the Greater Shepparton Community Engagement Strategy the desired level of community participation will be Involve/Collaborate. "To work collaboratively with community groups, organisations and stakeholders to plan, develop and manage projects and programs".

Risk Management

The funding received from the Victorian Local Sustainability Accord must be returned if the Sustainability and Environment Strategy is not completed.

Future Victorian Local Sustainability Accord (DSE) funding opportunities will also be severely limited as funding is only available for Sustainability and Environment Strategy listed actions and projects.

Considerable community engagement has already occurred, so failure to complete the Sustainability and Environment Strategy would lead to community disappointment and dissatisfaction.

Failure to complete the Sustainability and Environment Strategy may also reduce Council's adaptation capabilities and responses to the impacts of climate change.

Policy Implications

There are no conflicts with any Council policies.

6. MANAGEMENT REPORTS

6.8 Sustainability and Environment Strategy (Continued)

Best Value Implications

The Best Value principles have been taken into account. There is no conflict with Best Value principles.

Financial Implications

Once the Sustainability and Environment Strategy is adopted there may be some future budgetary impacts. These will be sought through normal budgetary processes.

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 have been and will continue to be identified and actively engaged in the scoping and development of the strategy and in reviewing the draft. The draft Sustainability and Environment Strategy Discussion Paper (Discussion Paper) is currently being written and will be presented to Council for endorsement prior to public comment being sought. The Discussion Paper will then be open to community comment for a 3 - 4 week period. The Discussion Paper and feedback received will then guide the development of the draft Sustainability and Environment Strategy which will also be presented to Council for endorsement prior to public comment being sought. The draft Sustainability and Environment Strategy will also be open to community comment for 3 - 4 weeks.

Key Internal Stakeholders identified to date include:

- Council Executive and Councillors
- Sustainability and Development Working Group
- Community Engagement Access and Inclusion Working Group
- Community Engagement Officers
- Planning and Development Branch
- Economic Development Branch
- Community Strengthening Branch
- Aged and Children's Services Branch
- Recreation and Parks Branch
- Waste Branch
- Communications Branch
- River Connect Coordinator
- Transport Connections Team Leader
- Strategic Traffic Coordinator.

Key External Stakeholders identified to date include:

- Goulburn Broken Catchment Management Authority
- Goulburn Murray Landcare Network
- Goulburn Valley Environment Group
- Goulburn Broken Greenhouse Alliance
- Department of Sustainability and Environment
- Resource GV
- Parks Victoria
- Department of Primary Industries
- Goulburn-Murray Water
- Goulburn Valley Water
- Yorta Yorta Nation
- other sectors of the community.

6. MANAGEMENT REPORTS

6.8 Sustainability and Environment Strategy (Continued)

b) Council Plan

The proposed Sustainability and Environment Strategy is consistent with the environmental strategic objectives outlined in the *Council Plan 2009-2013*:

- Objective 17: Promote and demonstrate environmental sustainability.
- Objective 18: Identify and respect our significant cultural and environmental assets.
- Objective 19: Enhance the communities use and appreciation of the Goulburn and Broken rivers.

The strategy is also relevant to the following objectives under Strategy Objectives 6: Council Organisation and Management:

- Objective 31: Engage our community when making decisions.
- Objective 32: Develop strong partnerships with the state and federal governments.
- Objective 33: Pursue organisational development and improvement.
- Objective 34: Ensure our long term strategic vision for Greater Shepparton remains relevant and accurate.

c) Any other strategic links

The proposed Sustainability and Environment Strategy will also develop and implement the environment initiatives outlined in the:

- Greater Shepparton City Council – Community Engagement Policy
- Victorian Government - Hume Strategy for Sustainable Communities 2010 - 2020
- Goulburn Broken Catchment Management Authority - Regional Catchment Strategy
- Goulburn Broken Climate Change Impact Analysis Project (CCIAP)
- Victorian Government - Securing our Natural Future: A white paper for land and biodiversity at a time of climate change.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.9 Revised Dookie and District Community Plan 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 Dookie community was the first community group to develop a community plan in partnership with the Greater Shepparton City Council. The initial Dookie and District Community Plan was finalised in 2002. Many of the original planned projects are now complete or no longer relevant whilst some are still in the planning phase.

The first review session of the community plan was held in September 2009 and revised actions were developed.

In 2011/2012 the Dookie and District Development Forum Inc have independently conducted a thorough review of their plan and sought feedback from the community. The Dookie and District Development Forum Inc is requesting Greater Shepparton City Council's endorsement of their revised plan.

RECOMMENDATION

That the Council endorse the revised Dookie & District Community Plan 2012 as attached.

Background

Community groups in Dookie proposed a number of projects to the Council in 2001. In order to prove that these proposals were well planned and coordinated the first community planning event was held in Dookie in June 2002. Every member of the community was given an opportunity to have their say in respect to:

- What they knew and liked about Dookie and district
- What vision they had for the future of Dookie and district
- What specific projects they would like to see considered for the development of Dookie and district.

Following a range of implemented community plan projects and successes, a community workshop was conducted in September 2009. This was organised by the community with support from the Council and run by a facilitator. The aim of the workshop was to summarise what had been achieved and where to go next. Future prioritisation was decided into two categories:

- Larger scale priority projects requiring significant resource to achieve progress and
- Straightforward projects requiring little resources to achieve progress.

Following the 2009 community workshop the Dookie and District Development Forum Inc has kept working with the implementation of projects identified in the plan.

Dookie and District was the first community group to develop a community plan in partnership with the Greater Shepparton City Council. This community has over the last ten years demonstrated great ownership of their community plan and great passion to work to achieve their goals. Council officers recognise that the capacity and knowledge in the Dookie community to carry out community planning tasks is of very high standard.

6. MANAGEMENT REPORTS

6.9 Revised Dookie and District Community Plan 2012 (Continued)

Council officers have provided some support and guidance in the review process; however the community plan review 2011/2012 was initiated by and has been carried out by the members of the Dookie and District Development Forum Inc. in their own volunteer time.

Some community plan projects completed in Dookie are:

- Development of the Dookie Community Centre
- Dookie Rail Trail Stage 1
- Local shop/cafe selling locally produced products
- Dookie Lifestyle Town Branding
- Improved access to Mount Major
- Signage, bins and seats along Rail Trail
- Official launch of the Dookie Rail Trail
- Drainage review (in progress)

Vision 2012

Dookie and District - a Community Going Forward A Future for Everyone - A progressive Community working towards a sustainable environmental, social and economic future for all.

A Unique and Vibrant place - A district recognised as unique and vibrant by its distinctive natural features, a mix of community activities for all ages, progressive agricultural production, small business opportunities and a well Utilised University Campus.

The Dookie and District Revised Community Plan 2012 clearly identifies the following prioritised actions:

- Infrastructure and Planning for Sustainable Growth
- Town sewerage and drainage
- Zoning for town growth
- Roads, footpaths
- Maintenance
- Protecting, Enhancing and Displaying the Region's Cultural Heritage
- Museum & Men's Shed, Information Centre
- History and Landscape Tourist Trail
- Enhancing Walking and Bike Trails
- Rail Trail extensions
- Walking and Mountain Bike Trail Park connecting Dookie, Mt Major and Dookie
- College
- Skyline Hilltop Trail
- Enhancing Youth and Children's Services
- Skate Park
- Development of CWA Gardens
- Fencing of CWA Gardens
- Improvements to Dookie Recreation Reserve
- "Destination Dookie"
- Signage
- Website
- Promotions
- Improving visitor amenity

6. MANAGEMENT REPORTS

6.9 Revised Dookie and District Community Plan 2012 (Continued)

The Dookie and District Community acknowledges the importance of working in partnership with all stakeholders – all levels of Government (Local, State and Federal), Dookie College Campus of Melbourne University and key community, business and industry groups which have expertise and/or an interest in the content of this plan - in order to effectively achieve the key goals it identifies.

Risk Management

One of the main risks identified while developing a community plan is lack of community buy in. The Dookie community has over a period of ten years demonstrated their commitment and strong ownership of their plan. Hence, this risk is considered minimal in this instance.

Further, for the plan to be effective Council's ongoing commitment to support community planning practises is required. A lack of support from Council would be considered a risk to the continued success of the Dookie community planning group.

For implementation of actions resulting of the community plan, the Council's risk management assessment will be conducted on a project by project basis.

Policy Implications

Review of the community plan is consistent with Council's Policy of Community Plans 55.POL2 and Implementation of Community Plans Policy 55.POL1.

Best Value Implications

All community plans in Greater Shepparton is being developed considering sustainable outcomes and best practise methodology. The development of the revised Dookie Community Plan is based on Best Value principles being that of demonstrating community capacity and ownership of the process while working in partnership with the Council and other relevant stakeholders.

Financial Implications

Information in the community plan does not detail any financial implications. The adopted process and Policy for implementation of community plans actions ensures that detailed costing and evaluation of available funds is undertaken before any project is being considered.

According to the community plan process, funding proposals for an amount below \$50,000 of Council funds is being referred to the Executive Team while all funding decisions over \$50,000 are being referred to the Council for decision.

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

No conflicts have been identified with the *Local Government Act 1989* or other relevant legalisation identified.

6. MANAGEMENT REPORTS

6.9 Revised Dookie and District Community Plan 2012 (Continued)

Consultation

Demonstrating great ownership of their community plan, please note that this community plan review has been carried out by the members of the Dookie and District Development Forum Inc. in their own volunteer time.

The Dookie and District Community plan has had steady progress over a number of years and all clubs and organisations in Dookie have been involved at some stage.

A community workshop hosted by the Dookie and District Development Forum Inc to acknowledge achievements and discuss future directions was held in Dookie in 2009.

Dookie and District Revised Community Plan 2012

- Information contained at the 2009 community workshop was collated and reviewed.
- Existing clubs and community groups in Dookie were contacted by the chair of the Dookie and District Development Forum Inc to provide input.
- The revised community plan 2012 has been available for public comment and feedback at the Dookie General Store during a length of time in two stages;
 - for community input in late 2011 and,
 - draft plan for comment in early 2012.
- The revised plan has been advertised under the public consultation section of the Greater Shepparton City Council website in draft version for a period of three weeks.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The review of the Dookie and District Community Plan will inform any review of the 2030 strategy.

b) Council Plan

Strategic Objective 6 in the Greater Shepparton Council Plan and Strategic Resource Plan 2009 – 2013 refers to the commitment towards effectively engaging with the community when making decisions. “We will continue to develop small towns and other community plans across the municipality and foster a shared vision of the future” (p.26)

c) Any other strategic links

Planning and Development Branch Plan 2009 – 2013 Clause: 4.2.2 Implement endorsed community plans

Attachments

Dookie and District Community Plan 2002.

Dookie and District Community Plan revised version 2012.

Dookie and District Community Plan 2012 Priority projects list.

6. MANAGEMENT REPORTS

6.10 Draft Murray Darling Basin Plan Submission

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 Murray Darling Basin Authority made the *Draft Murray Darling Basin Plan* (the Plan) available for public comment on 28 November 2011, inviting submissions from the public over a 20 week period, closing on 16 April 2012.

Council believes that a healthy, working Basin is equally important for both the people and the environment of the Murray-Darling Basin and a plan is required in order to achieve a healthy working Basin now and into the future.

Council recognises that water is a vital resource for the Greater Shepparton municipality, underpinning all of the area's activities and economic production. Water is used for a range of major purposes including agriculture, commerce and industry, domestic usage, recreation and environment. Water security is paramount to maintain and grow these various activities and land uses.

Consequently, Council has undertaken its own community consultation to receive feedback from the community and key stakeholders about the proposals contained within the Plan and to inform its submission. Council also took the opportunity to educate the community and key stakeholders about the information contained in the Plan.

Council engaged RM Consulting Group to facilitate community and stakeholder sessions, educate participants, seek feedback and develop a submission on behalf of the Council and the community. RM Consulting Group provided dairy and horticultural specialists to assist with the facilitation of the stakeholder consultation to ensure that the resulting submission included as much technical detail as required. The attached submission is a result of information received through this process.

Council's submission can be summarised with the following key points:

- Council supports the formulation of a Basin Plan
- Council believes the Plan should be holistic and transparent and create a shared vision and certainty
- Northern Victoria could bear significant negative community impacts because of the "shared reduction"
- The importance of localism in implementing the Basin Plan
- Further information is required about environmental watering requirements
- The Plan should focus on outcomes, not simply a volume of water
- The Plan lacks pertinent information
- Unintended consequences – negative impacts on privately held environmental sites
- The Government needs to assist Communities with adjustment
- Alternatives to water buybacks need to be developed
- 'Willing seller' term needs to be discontinued

6. MANAGEMENT REPORTS

6.10 Draft Murray Darling Basin Plan Submission (Continued)

- Irrigators need greater awareness about how the Commonwealth Environmental Water Holder will affect the water market
- Further reform required to optimise sharing of water between the environment and other water users

RECOMMENDATION

That the Council:

1. adopt Greater Shepparton City Council's submission to the Draft Murray Darling Basin Plan
2. forward Council's adopted submission to the Murray Darling Basin Authority
3. endorse the joint submission prepared by the Murray River Group of Councils, Shire of Strathbogie and Greater Shepparton City Council.

Background

Greater Shepparton is the heart of the most significant irrigation district in Australia, often referred to as the 'Food Bowl of Australia', with a working population of 25,000, employing municipal residents and residents from neighbouring municipalities. Employment in the municipality is dominated by manufacturing (13.5 per cent) and agriculture (10 per cent) with irrigated agriculture supporting a major food processing sector that includes major Australian and multi-national brands such as SPC Ardmona, Campbell's Soups and Tatura Milk. These food processing industries jointly produce an annual gross value of \$3.3 billion, with a flow-on effect to other sectors of the regional economy having an annual value of approximately \$7.5 billion.

Council recognises the important role that water plays within our community and the responsibility that Council has to facilitate a response on behalf of the community to the Plan, and has therefore developed a submission on behalf of the Greater Shepparton community. Council has sought permission from the Murray Darling Basin Authority to forward Council's adopted submission on 17 April 2012 to enable Councillor consideration at the 17 April Council Meeting. This permission was subsequently granted.

Council has also partnered with the Murray River Group of Councils and Strathbogie Shire Council to develop a submission in response to shared concerns on the economic, social and environmental impacts of the proposed Draft Basin Plan on the region. This regional submission is presented to Councillors for consideration of endorsement.

Risk Management

In developing and forwarding both Council's submission and the joint submission to the Murray Darling Basin Authority, Council has identified the importance of a healthy working Basin to the community, and is attempting to mitigate the risks associated with less consumptive water allocations and ensure that communities are supported by other tiers of government with adaptation and transition measures.

6. MANAGEMENT REPORTS

6.10 Draft Murray Darling Basin Plan Submission (Continued)

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

RM Consulting Group were engaged to facilitate two community forums and one stakeholder forum (including the provision of dairy and horticultural experts) and to prepare a submission from Council to the Murray-Darling Basin Authority on the proposed Basin Plan at a cost of \$22,000 including GST.

Further incidental costs will be incurred as Council embarks on a lobbying and advocacy program with State and Federal Governments, to ensure that the submission is given due consideration and acted upon. These incidental costs will be covered by existing budget allocations.

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

This report recommending the adoption of Council's submission and the submission itself outlines options consistent with relevant legislation, including the *Commonwealth's Water Act 2007*.

Consultation

The Council, in order to inform its submission to the Murray Darling Basin Authority on the *Draft Murray Darling Basin Plan*, hosted two community sessions and one industry stakeholder session, encouraging members of the community to provide feedback on the Plan. The Council also called for feedback on the Plan via the Council website, via print media and in person at each of the community sessions. This consultation also informed the joint submission, together with the information sought from each of the partnering Councils.

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
Report No. 5 – Economic Development Theme

b) Council Plan

This report and submission is consistent with:

Strategic Objective 2 – Encourage sustainable municipal growth and development

Strategic Objective 17 – Promote and demonstrate environmental sustainability

Strategic Objective 18 – Identify and respect our significant cultural and environmental assets

Strategic Objective 19 – Enhance the community's use and appreciation of the Goulburn and Broken Rivers

Strategic Objective 22 – Develop and pursue strategies to protect and enhance our irrigation based agricultural economy

6. MANAGEMENT REPORTS

6.10 Draft Murray Darling Basin Plan Submission (Continued)

Strategic Objective 31 – Engage our community when making decisions

C) Any other strategic links

Economic Development Action Plan 2009-2012

7.1 – Providing leadership in Pursuing Economic Development

7.3 – Retaining/Growing Existing Businesses/Jobs and Encouraging Creation of New Businesses/jobs

7.4 – Diversifying the Economic Base

7.10 – Supporting the small towns

Attachments

Council's Submission to the Draft Murray Darling Basin Plan.

Northern Victorian Council Submission to the Draft Murray Darling Basin Plan.

6. MANAGEMENT REPORTS

6.11 Proposed Changes to Shepparton Show Me Instrument of Delegation and Guidelines

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 17 May 2011, Councillor Crawford successfully moved a Notice of Motion that:

“The Council’s Internal Audit Committee undertake a review of and make recommendations on the most appropriate arrangements for the administration and expenditure of the funds raised by the Shepparton Promotions Scheme”.

Pitcher Partners were consequently engaged, with support of the Audit and Risk Management Committee (ARMC), to undertake an independent audit report on the:

- Section 86 Committee requirements in relation to the *Local Government Act 1989*
- Administration of the Shepparton Show Me Committee
- Delegations undertaken by the Shepparton Show Me Committee.

The final report was presented to the ARMC at its meeting of 14 December 2011 and received its endorsement. The significance of the issues identified in the report resulted in the ARMC resolving to submit the report to Council along with strong recommendations to rectify the issues in a timely manner. These recommendations were considered and endorsed by Council at the Ordinary Council Meeting held on 17 January 2012, with the following resolution carried:

Moved by Cr Crawford

Seconded by Cr Hazelman

That the Council:

1. receive the resolution from the Greater Shepparton City Council Audit and Risk Management Committee as follows:

The Committee resolved to:

- Endorse the Shepparton Show Me Committee Internal Audit Report, dated October 2011
- Submit the strongest recommendations to the council to receive the Shepparton Show Me Committee Internal Audit Report and express to Council its serious concerns at the breaches and failures identified in that Report
- Recommend that the Council recognises that the report identifies significant issues, including:
 - Breaches of the Local Government Act 1989 Section 86 Instrument of Delegation
 - Failure to comply with the guidelines to the Delegation of Authority to the committee
 - Non compliance with required procurement procedures
- Recommend to the Council that due to the serious issues identified in the report and to ensure compliance and remediation by the Shepparton Show Me Committee of the identified breaches and failures, that the Council require the recommendations contained in the Report and listed 1 to 7 in the attached Schedule A be implemented by the Shepparton Show Me Committee by 30th April 2012 and in the event that the recommendations are not implemented by the Shepparton Show Me Committee by the 30th April 2012 that Council take the appropriate steps to revoke the delegation

6. MANAGEMENT REPORTS

6.11 Proposed Changes to Shepparton Show Me Instrument of Delegation and Guidelines (Continued)

and the power of the Shepparton Show Me Committee to act

- Recommend that council immediately take steps to address the issues in the Report that are the responsibility of Council set forth in Schedule B
2. direct the Shepparton Show Me Committee by 30 April 2012, to:
- immediately rectify the areas of its non compliance with the S86 Instrument of Delegation
 - undertake a review of the s86 Committee requirements to ensure such requirements are continually met
 - develop an annual budget process and ensure that a budget, satisfactory to the Council, be presented to Council before 30 April 2012. The budget includes anticipated funds carried forward as at 30 June 2012
 - Develop a comprehensive business plan each year and be presented to Council for approval, before 30 April each year
 - appoint a Committee member to the position of Treasurer. The Treasurer will have responsibility for recommending to Council, payment of accounts, development of the annual budget and the review of financial reports produced by Council staff. The Treasurer will have no direct access to or control of funds, such responsibility remaining with Council
 - appoint a Committee member to the position of Secretary. The Secretary will have responsibility for reviewing minutes of Committee meetings and assisting Council staff in the vetting of applications for funding
 - document any business/funding agreements between Shepparton Show Me Committee and any other parties, and ensure such documents are transparent, reviewed and maintained
3. Implement the following:
- carry out a review of the SSMC requirements in accordance with s86, *Local Government Act, 1989*, within 12 months of each general election
 - Amend the Shepparton Show Me Committee terms of reference to allow for the appointment of a General Manager, in place of the CEO, to the Shepparton Show Me Committee
 - review the Shepparton Show Me Committee Instrument of Delegation and Guidelines to ensure compliance with s86 and applicability to the Committee as it currently functions
 - distribute the updated Instrument of Delegation and guidelines to all Committee members to ensure all members are fully informed of the Committee's role and their roles and responsibility in accordance with the provisions of the Local Government Act and the requirements of Council
 - establish an operating manual outlining the roles, governance responsibilities, controls and procedures that must be in place for the Shepparton Show Me Committee and provide the operating manual to each member of the Committee, together with an appropriate induction program and training process

6. MANAGEMENT REPORTS

6.11 Proposed Changes to Shepparton Show Me Instrument of Delegation and Guidelines (Continued)

- ensure that a business plan and budget, satisfactory to council's requirements, is prepared each year by the SSMC, and presented to Council by 30 April each year, as per the Guidelines
- ensure that Council provides regular financial reports to the Committee in a consistent format and in a timely basis
- establish and maintain a register of all sponsorship submissions, including applications approved and applications declined by the Marketing Coordinator provide the register of sponsorship submissions to each meeting of the Shepparton Show Me Committee.

CARRIED

The Council resolution was discussed at the Shepparton Show Me Committee Meeting held on 18 January 2012, and following consideration the committee resolved:

Moved: Tristen Murray

Seconded: Bill Dowling

Letter to be forwarded to Council stating that the SSM committee acknowledges the Audit Committee's recommendations and is committed to implementing the recommendations outlined.

CARRIED

For councillors' information the ARMC recommendations have been actioned as follows:

- In an attempt to rectify areas of non compliance with the SSM s86 Instrument of Delegation, a review of the s86 Committee's requirements has been completed. This review has also been conducted to ensure applicability with current functions of the Committee
- An annual budget process has been developed including anticipated funds carried forward
- A draft Business Plan has been completed and will be considered by the SSM Committee for recommendation to Council at the next Ordinary SSM Committee meeting to be held on 18 April 2012
- A Treasurer has been appointed to the SSM Committee
- A Secretary has been appointed to the SSM Committee
- Business/funding agreements between SSM and any other parties have been documented
- A copy of an operating manual for SSM Committee members has been completed and an appropriate induction program and training process has been developed
- A register of all sponsorship submissions has been established

As outlined above, one of the first recommendations of the report from the ARMC was to:

- Review the Shepparton Show Me Committee Instrument of Delegation and Guidelines to ensure compliance with s86 and applicability to the Committee as it currently functions.

6. MANAGEMENT REPORTS

6.11 Proposed Changes to Shepparton Show Me Instrument of Delegation and Guidelines (Continued)

In accordance with the above mentioned audit recommendation, the SSM Committee has reviewed, approved and recommended changes to the current Instrument of Delegation and Guidelines as can be evidenced by the following two resolutions from the SSM Committee Meeting held on 22 February 2012:

Moved: Cr Geoff Dobson

Seconded: John Montagner

That the Shepparton Show Me Committee endorse the amended Instrument of Delegation and Guidelines including the recommendations from the Audit committee with the following exceptions:

The final paragraph of 9.3 Special Meetings will read –

The Chairperson shall arrange for reasonable notice of the meeting to be given to all Committee members. No other business shall be transacted at that meeting except that specified in the notice unless, all Committee members are present and unanimously agree to deal with any other matter.

8.1 Committee Membership will read -

The Committee shall comprise up to eight members representative of the Shepparton business community, two councillors and a member of The Executive, appointed by resolution of the Council.

CARRIED

Moved: Cr Geoff Dobson

Seconded: Shelley Sutton

That the Shepparton Show Me Committee submit a recommendation to Council to adopt the revised Instrument of Delegation and Guidelines.

CARRIED

For Councillors' information below is a guide to the major changes recommended by the Shepparton Show Me Committee, relating to the Instrument of Delegation and Guidelines.

Instrument of Delegation

- Item 6 (Powers and Functions) - altered terminology from 'Department' to 'Branch'
- Item 8 (Powers and Functions) – removed 'or convenient' from the phrase to ensure that performance of functions, duties or powers are undertaken, regardless of convenience
- Item 3 (Exceptions, Conditions and Limitations) – altered to include the words 'unless authorised by Council' which means that the SSM Committee may approve a contract other than to the lowest conforming tenderer if they can justify the reasons why, and receive authorisation from Council to do so.

6. MANAGEMENT REPORTS

6.11 Proposed Changes to Shepparton Show Me Instrument of Delegation and Guidelines (Continued)

Guidelines

- Item 3.6 (Policy, Rules and Procedures) – the inclusion of ‘within 12 months of each General Election the Committee must review its s86 requirements’ to ensure the SSM Committee is meeting its requirements in accordance with section 86 of the *Local Government Act 1989*.
- Item 6.1 (Reporting) – the inclusion of additional wording ‘by the end of September each year’ to ensure written report to Council, is presented to Council in a timely fashion, at the same time each year.
- Item 6.2 (Reporting) – the inclusion of ‘Develop a comprehensive business plan each year and present to Council for approval before 30 April each year’ to ensure in a timely and regular occurrence, the Council is presented with an informative SSM business plan.
- Item 6.3 (Reporting) – the inclusion of ‘Document any business/funding agreements between the SSM Committee and any other parties and ensure such documents are transparent, reviewed and maintained’ to ensure all important documents are managed appropriately.
- Item 6.4 (Reporting) – the inclusion of ‘Establish, maintain and present at each general meeting a register of all sponsorship submissions, including applications approved and application declined’ to ensure SSM Committee is consistently well informed with regard to sponsorships.
- Item 7.1 (Finance) – the inclusion of additional wording ‘The annual budget must include anticipated funds carried forward as at 30 June.’ to ensure anticipated funds carried forward are taken into account each year by the SSM Committee and Council.
- Item 7.2 (Finance) – the inclusion of ‘The Committee must consider financial reports developed by the Council in conjunction with the treasurer, detailing SSM’s financial position at each general meeting’ to ensure the SSM Committee’s expenditure is kept within allocated budget.
- Item 7.4 (Finance) – the inclusion of additional wording ‘and must conform with Council’s Procurement Policy’ to ensure SSM committee complies with policy.
- Item 7.6 (Finance) – the inclusion of additional wording ‘subject to the consent of Council’ to ensure that the Committee does not proceed with any business that does not have Council’s consent.
- Item 7.7 (Finance) – altered terminology from ‘relevant regulations’ to ‘Council policies’.
- Item 8.1 (Committee Membership) – altered from ‘Chief Executive Officer’ to ‘a member of The Executive’ to ensure the relevant Council officer is included in membership.
- Item 9.2.2 (General Meetings) – the word ‘reasonable’ removed as more accurate wording ‘seven clear days prior to the meeting’ is already included.
- Item 9.3 (Special Meetings) – the word ‘reasonable’ added to ensure SSM Committee members and public are provided with enough time to attend meeting. The inclusion of additional wording ‘unless, all Committee members are present and unanimously agree to deal with any other matter’ to ensure items not specified in agenda can be added to proceedings if all members are present.
- Item 10.3 (Meeting Procedures) – altered terminology from ‘number’ to ‘fellow members’.

6. MANAGEMENT REPORTS

6.11 Proposed Changes to Shepparton Show Me Instrument of Delegation and Guidelines (Continued)

- Item 10.7.9 (Meeting Procedures) – the inclusion of ‘A resolution to close the meeting to members of the public’ to ensure provision of a procedure to close meetings to the public.
- Item 10.11 (Meeting Procedures) – removed ‘The Chairperson shall be an ex- officio of all Sub-Committees’ to ensure that only SSM Committee members voted as part of a SSM Sub-Committee will be included in that Sub-Committee.
- Item 11.1.3 (Office Bearers) – the inclusion of additional wording ‘the secretary will have responsibility for reviewing minutes of committee meetings and assisting Council staff in the vetting of applications for funding’ to ensure the secretary role is clearly defined.
- Item 11.1.4 (Office Bearers) – the inclusion of additional wording ‘the Treasurer will have responsibility for recommending to Council payment of accounts, development of the annual budget and the review of financial reports produced by Council staff. The Treasurer will have no direct access to or control of funds, such responsibility remaining with Council.’ to ensure the treasurer role is clearly defined.
- Item 11.1.4 (Office Bearers) – the removal of ‘Any other office the Committee may wish to appoint’ to ensure officer roles are clearly defined and consistent.

Council management have also separately reviewed the Instrument of delegation and Guidelines as recommended by SSM and supports the recommended amendments and consider that further amendments will strengthen both documents. These amendments take into account feedback from Council's internal auditors, councillor briefings, committee members and Council Executive discussions. The aim of the amendments is to strengthen the governance and accountability of the committee and to provide greater guidance and clarity to those business representatives that serve on the committee.

The proposed further amendments are listed hereafter.

Instrument of Delegation

- Within the preamble of the Instrument of Delegation, the following words have been added ‘with the objective of stimulating economic activity for stakeholders’.
- Item 6 (Powers and Functions) – the inclusion of additional wording ‘and Tourism and Events Branches’ to ensure that the SSM Committee is maintaining an awareness of not only the Economic Development branch activities, but also the Tourism and Events branch activities, which are relevant to the SSM Committee.
- Item (Vision) – the inclusion of current Vision “Shepparton Show Me's vision is to support the continued development of Shepparton's retail and commercial precinct by creating a character and identity exclusive to Shepparton’.
- Item (Mission Statement) – the inclusion of current Mission Statement ‘The mission is to facilitate a connection between the Shepparton Show Me branding and the stakeholders through the support of events, festivals and other promotional activities directed towards attracting consumers of retail and business services to Shepparton.

The mission activities include:

1. Provide a coordinated marketing strategy utilising appropriate advertising media and services to support events and activities which primarily meet the committee's assessment criteria.

6. MANAGEMENT REPORTS

6.11 Proposed Changes to Shepparton Show Me Instrument of Delegation and Guidelines (Continued)

2. Foster the development of trader groups and associations with stakeholders in order to tailor and maximise the benefits of promotional programs.
3. Encourage all stakeholders to fulfil the expectations of visitors to Shepparton.
4. Ensure an effective line of communication is maintained with all stakeholders using newsletters, levy payer meetings, or any other appropriate method.

Guidelines

- Item 7.6 (Finance) – altered wording from ‘subject to the consent of Council’ to ‘subject to the consent of Council Officers’.
- Item 8.1 (Committee Membership) – additional requirement recommended ‘one of the two Councillors appointed by the Council will be appointed as a Chairperson of the Committee by the Council’. This clause is important to Management, to ensure that a Committee controlling substantial public funds is chaired in accordance with all Council governance, guidelines, policy and procedures in mind.
- Item 11.1 (Office Bearers) – removed the requirement for the Committee as its last item of business at an Annual General Meeting to elect the Chairperson (as indicated in Item 8.1, it is recommended that the Council appoint the Chairperson (Councillor)).

Attached to the agenda are the following documents to provide the council with how the proposed amendments affect the original document.

- A detailed matrix that provides for the current clause from the Instrument of Delegation and guidelines, the amendments as proposed by SSM and the additional proposed council management amendments; and a copy of the Instrument of delegations and guidelines with the amendments as proposed by SSM and the additional proposed council management amendments additional comments shown as tracked changes.

The SSM Committee and Council management have both had the opportunity to review the Instrument of Delegation and Guidelines and put forward recommendations in relation to amendments.

The SSM executive met with the Chief Executive Officer, General Manager Sustainable Development, Manager Economic Development and Team Leader Marketing & Promotions and were advised of the further amendments in addition to those proposed by SSM that were to be considered by Council at the April Ordinary Council meeting.

When these discussions took place (Thursday, 12 April 2012) the SSM executive expressed concerns relating to the proposal to have a Councillor as Chair of SSM. They expressed the view that having a Councillor as Chair was not the desirable outcome as it was not the original intent of the original Super Shepparton Marketing Group when it was established. They were also of the view that they could not see that having a Councillor as Chair would improve the operation of the Committee and that it was the role of the Council officers to implement and help guide the governance of SSM. They strongly urged Council to have a Chair elected from the SSM Committee members.

6. MANAGEMENT REPORTS

6.11 Proposed Changes to Shepparton Show Me Instrument of Delegation and Guidelines (Continued)

RECOMMENDATION

That the Council adopt the proposed Instrument of Delegation and Guidelines for the Shepparton Show Me Committee, as recommended by management.

Risk Management

A Risk Management Plan has been completed with the following risks being identified:

- Continuation of the current structure without amendments being made to the Instrument of Delegation and Guidelines places the Council in a position of high risk of legislative non-compliance.
- That the SSM committee do not accept the additional amendments as proposed causing some members to leave the committee.
- Council don't adopt the amended Instrument of Delegation and Guidelines as outlined by management, and determine another course of action.
- Council resolve to amend the Instrument of Delegation and Guidelines and the balance of power is perceived as being transferred towards the Council and away from stakeholder representation.

Policy Implications

There are no conflicts with Council policy with any of the options presented for consideration within this report.

Best Value Implications

The Best Value principles have been taken into account and the options presented within this proposal are consistent with them.

Financial Implications

There are no financial implications associated with the amendment of Instrument of Delegation and Guidelines as recommended by management.

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 options outlined within this report are consistent with the *Local Government Act 1989* other relevant legislation, and the review of delegations necessary to ensure compliance with the Act.

Consultation

The Audit and Risk Management Committee engaged Pitcher Partners to consult with all current Shepparton Show Me Committee members, a past Committee member, the Manager Economic Development, Team Leader Marketing and Promotions and Marketing and Promotions Officer to inform the report. Following the release of the final report, the Audit and Risk Management Committee reviewed the report and made recommendations to Council on appropriate measures that needed to be undertaken by 30 April 2012. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

6. MANAGEMENT REPORTS

6.11 Proposed Changes to Shepparton Show Me Instrument of Delegation and Guidelines (Continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

Report No. 5 – Economic Development Theme

b) Council Plan

Strategic Objective 3 – Revitalise and promote the Shepparton CBD as the region's premier retail and entertainment destination

Strategic Objective 35 – Provide best practice management and administrative systems and structures to support the delivery of Council services and programs.

c) Other strategic links

CBD Strategy – Key Priority 2 – consolidating the CBD as the principal retail centre in the region and creating an active, vibrant and safe CBD.

Attachments

- Appendix 1 - Instrument of Delegation and Guidelines – Proposed Changes Matrix
- Appendix 2 - Proposed amended Instrument of Delegation with Shepparton Show Me suggested amendments
- Appendix 3 - Proposed amended Guidelines with Shepparton Show Me suggested amendments
- Appendix 4 - Proposed amended Instrument of Delegation with management suggested amendments
- Appendix 5 - Proposed amended Guidelines with management suggested amendments

6. MANAGEMENT REPORTS

FROM THE ORGANISATIONAL PERFORMANCE BRANCH

6.12 Toolamba Recreation Reserve and Community Centre 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 20 April 2010, five members were appointed to the Toolamba Recreation Reserve and Community Centre 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 Toolamba Recreation Reserve and Community Centre Committee of Management was placed in the Shepparton News on Friday 2 March 2012 and Saturday 10 March 2012. A flyer was also placed at Wren's General Store. Letters were sent to the five committee members whose membership was due to expire, encouraging them to reapply.

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

RECOMMENDATION

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

Nicole POGUE
Walt HEALEY
Helen MORRITT
Keith BRYANT
Sally MOSELEY

Background

At the Ordinary Council Meeting held on 20 April 2010, five members were appointed to the Toolamba Recreation Reserve and Community Centre Committee of Management for a two year term. The appointment of these members are about to expire and it is now necessary to fill the five 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.

6. MANAGEMENT REPORTS

6.12 Toolamba Recreation Reserve and Community Centre Committee of Management (Continued)

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.

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

8. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

8.1 Report from Cr Jenny Houlihan – Disability Advisory Committee

Cr Houlihan has advised that she will present a report as Council's representative on the Disability Advisory Committee.

Project	Outcome/Progress
Kidstown	<ul style="list-style-type: none"> • KidsFest improvements • New asphalt laid prior to KidsFest which connects the main entrance to temporary car park in paddock • New line marking for designated accessible parking bays and improved kerbing to path
Con Palling Toilets	<ul style="list-style-type: none"> • Advised Council on installing accessible path from car park to toilets • Advised Council to install new Designated Accessible Parking Bays at Con Palling toilets and the Visitor Information Centre
Recharge Scheme	<ul style="list-style-type: none"> • Implemented roll out of Recharge Scheme • Initial set up of over 20 recharge point in the City of Greater Shepparton , including Tatura, Murchison, Mooropna and Shepparton • Designed and created Recharge point location map for community members • Website with locations readily available
Audit Walking Booklet Project	<ul style="list-style-type: none"> • Conducted informal audits on Council's walking booklet. • Incorporating local towns such as Merrigum, Toolamba, Mooropna, Murchison, Shepparton, and Dookie • Assess for accessibility and advise on how to improve access to tracks • Advise Council on information required in booklets to describe level of accessibility
Shepparton Art Museum (SAM)	<ul style="list-style-type: none"> • Conducted informal audit prior to SAM opening and made recommendations on improving access • Made recommendation to Council on fixtures and fittings for upgrade • Advise to Council on access concerns relating to entrance to SAM
Twilight Festival	<ul style="list-style-type: none"> • Advice to Council staff to improve access to the outdoor events such as providing a hearing loop

8. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

8.1 Report from Cr Jenny Houlihan – Disability Advisory Committee (Continued)

International Day of a Person with a Disability (IDPWD)	<ul style="list-style-type: none"> • Organised BBQ in the Queens gardens to celebrate day • About 300 people attended the event • Terrific media coverage including WIN news, Shepparton News and the Shepparton Advisor. • 98.5 One FM promotion as well
Public Transport Ombudsman (PTO) Visit	<ul style="list-style-type: none"> • The DAC hosted and organised the PTO to visit Shepparton • V/line representation was also present hearing concerns from the community • WIN news television coverage for the day
Silent Morning Tea	<ul style="list-style-type: none"> • Disability Awareness session held with the Mayor, Councillors and Executive Leadership Team • Focus was on complex communication needs • People were not permitted to use their speech to communicate only communication devices such as text to speech equipment, communication boards and text via mobile phones. • Plan is to implement this training across Council departments and raise awareness. • Plan is for Council to be part of the Communication Access Logo launch and set an example for other Councils in roll out
Proposed Benalla Road upgrade	<ul style="list-style-type: none"> • DAC advised Council on access improvements in relation to path access for the proposed Benalla Road upgrade.
Deakin Reserve seating	<ul style="list-style-type: none"> • DAC advised Council on a accessible seating in a new Grand Stand at Deakin Reserve • DAC also involved in planning continuous pass of travel from car park to Grand stand
Access along Golf Drive	<ul style="list-style-type: none"> • DAC received a concern from a resident about inaccessible path along Golf Drive, Shepparton • Informal audit conducted by DAC members • Feedback reported to relevant Council officer
Cycling Strategy	<ul style="list-style-type: none"> • DAC gave feedback regarding the Cycling Strategy
Kialla Landfill	<ul style="list-style-type: none"> • DAC included in proposals for project and advised on accessibility
Capital Delivery Officer's Monthly Meetings	<ul style="list-style-type: none"> • Louise Dwyer (Access and Inclusion Officer) attends monthly meetings and receives updated progress on Council Projects and feeds back to DAC • Relevant Council Officers are invited to meet with the DAC to discuss projects during this process

8. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

8.1 Report from Cr Jenny Houlihan – Disability Advisory Committee (Continued)

Disability Access Plan	<ul style="list-style-type: none"> • DAC have given feedback on all projects and continues to be part of the process of adopting the Plan.
Marungi Car Park	<ul style="list-style-type: none"> • DAC advised Council on how to promote designated accessible parking bays in the long-term car park • Council are currently looking into relocated bays to a more appropriate location – opposite pedestrian crossing • DAC also recommended improving current accessible parking bay located near Staff parking and improving line marking.
Accessible Childproof Latch (ACLatch)	<ul style="list-style-type: none"> • DAC advised Council to install the ACLatch. This latch enables people who use a wheelchair to access a child proof gate from a sitting position without compromising the safety of children • ACLatch is to be installed in selected playground and kindergartens. • The latch is operated by a Master Locksmith Accessible Key (MLAK) which is universal and only people with a disability can access this key via Council or their doctor • The MLAK key is used in many shire to access toilet facilities with Hoists, Liberty Swings etc.
Queens Gardens Exeloo Toilets	<ul style="list-style-type: none"> • DAC received complaints in relation to access to toilets. • DAC advised Council on how to improve access for all such as lengthening door opening times, using pictorials
CBD Accessible toilet with adult change table and hoist facilities	<ul style="list-style-type: none"> • DAC continue to push for accessible toilets in the CBD which has adult change table and hoist facilities. • Currently no such facility exists in the CBD
Isabel Pearce Kindergarten	<ul style="list-style-type: none"> • DAC submitted extensive feedback to proposed plans in relation to the kindergarten extensions. • Council have implemented recommendation to the plans which include a child's toilets with additional access such as hand rails. • DAC also advised on accessible fixtures and fittings
Rafferty Road proposal	<ul style="list-style-type: none"> • DAC submitted feedback regarding accessibility in relation to the proposed plans to Rafferty Road including cycling and footpath
All abilities Playground	<ul style="list-style-type: none"> • DAC advised Council on improved access connecting car park to existing sealed path around the lake • Council are planning to seal area which will connect path around lake to Aquamoves. • DAC suggested reline car park in order to comply with current standards. This work is planned for this financial year

8. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

8.1 Report from Cr Jenny Houlihan – Disability Advisory Committee (Continued)

10th Birthday celebration for Mooving Art	<ul style="list-style-type: none"> • DAC recommended provisions are made for people with a disability at these large events such as extra accessible parking and extra portable accessible toilets
Sailability	<ul style="list-style-type: none"> • DAC worked in conjunction with Council and Sailability to promote this event in Shepparton • Sailability encourages people of all abilities to enjoy sailing. Great program which was successfully run here in Shepparton at the Victoria park Lake
Stuart Reserve Proposal	<ul style="list-style-type: none"> • DAC submitted input to Council staff on how to improve access to this facility, such as the inclusion of play equipment which was accessible to all • Also the provision of accessible seating, water fountains etc
Vaughan Street Upgrade	<ul style="list-style-type: none"> • DAC submitted input to Council Officers in relation to the proposed plans for the development of the Vaughan Street proposal
Taxi Rank Submissions	<ul style="list-style-type: none"> • DAC assisted Council with a supporting letter in the submission for a Safer Taxi Grant. Council were successful with their grant application • This will assist with improved lighting, accessible kerbing at the taxi rank, accessible seating and shelter facilities.
Stewart Road Car park	<ul style="list-style-type: none"> • DAC consulted with Council staff on improved accessible parking bays in Stewart Street (Near Village Cinema)
Edward Street Car park	<ul style="list-style-type: none"> • DAC advised Council on improved access for parking for Edward Street car park (behind GMCU building)
Lister House Car Park	<ul style="list-style-type: none"> • DAC consulted with Council on the concerns raised in relation to accessible car parking • Council have drafted plans including advice received from the DAC
RiverConnect Walks	<ul style="list-style-type: none"> • DAC consulted with Council regarding River Connects project along Jordan's bend to improve access to this venue and attraction • Informal audit conducted and response given to Council
Parking Bay Stickers	<ul style="list-style-type: none"> • DAC correspond with Melbourne City Council and seek improvement with signage on meters which explain that parking with Shepparton with a valid accessible parking bay sticker is free

8. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

8.1 Report from Cr Jenny Houlihan – Disability Advisory Committee (Continued)

ANZ and VIC Hotel ramp	<ul style="list-style-type: none"> • DAC consult with Council and advice on non-compliance with footpath trading laws in relation to access barrier. • Lengthy discussions in relation to length of permits and change in standards.
Metal seating around CBD	<ul style="list-style-type: none"> • DAC member conducted informal audit with Council staff on seating around CBD after complaint received from a community member advising the seating was not accessible • Council more aware of access concerns raised and will consult with DAC with seating proposals in the future
Parking sub-committee	<ul style="list-style-type: none"> • DAC continues to work with Council and the parking sub-committee to discuss matters specifically related to parking in the City of Greater Shepparton
Greater Shepparton Community Connections	<ul style="list-style-type: none"> • DAC is represented on this committee and advises on issues and concern in relation to access

8. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

8.2 Report from Cr Jenny Houlihan – Heritage Advisory Committee

Cr Houlihan has advised that she will present a verbal report as Council's representative to the Heritage Advisory Committee.

9. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

10. NOTICES OF MOTION, AMENDMENT OR RESCISSION

11. DOCUMENTS FOR SIGNING AND SEALING

12. COUNCILLOR ACTIVITIES

12.1 Councillors' Community Interaction and Briefing Program

From 27 February 2012 to 25 March 2012, some or all of the Councillors have been involved in the following activities:

- Cr Dobson & Mayor Polan – met with Craig Knowles in Canberra
- Information session with Deputy Ombudsman John Taylor - presentation entitled 'Five Key areas of concern for the Victorian Public sector'
- Business and Industry MDBP Roundtable Forum
- Attorney General Visit during flood crisis
- GSCC and Rumbalara Aboriginal Cooperative Joint Working Party meeting
- Meet Your Councillors Murchison
- Talking Difference Launch at Shepparton Library
- Senate inquiry into Food processing
- International Women's Day 2012 - event to promote our local 'Women Leaders and Achievers'
- Opening of the 2012 State Fire Brigade Championships
- Organisational Scan with consultant from CT management 'Michael Courtney'
- Deakin Reserve Committee of Management - User group meeting
- Chat & BBQ Drop In - Greater Shepparton Flood Support - Katandra Recreation Reserve
- Showgrounds re-opening with Minister Powell
- Cr Dobson - Carbon Pricing & MWMG Organics Management Forum
- Summer Stroll Series Events & combined Flood support BBQ – Tallygaroopna
- GV Hockey Hub - official opening - McEwen Reserve Brauman Street Shepparton
- West African Cultural Exchange Inc (WACE Inc) event - 'A Taste of Harmony' 19 to 23 March 2012
- Mayor & Councillors gathering
- Cr Dobson & Cr Crawford - Shepparton Show Me Committee meeting
- Launch of Goulburn North East Football Association
- Launch of Greater Shepparton City Council Cultural Diversity Strategy

12. COUNCILLOR ACTIVITIES

12.1 Councillors' Community Interaction and Briefing Program (Continued)

Councillors were also briefed on the following matters:

- Mooroopna Cemetery - Minjarra development and Pony Club site visits
- Meet Your Councillors Murchison – Q & A prior to the event
- Cemetery Trust Meetings Pine Lodge and Kialla West
- Tallygaroopna Emergency Management situation
- Sustainability and Environment Strategy Update
- Francis Street, Tatura tree
- Councillor intro 2012/2013 budget
- Raftery Road
- Shepparton Australia Day Committee retiring
- Smart meter rollout program - Discussion at Councillor briefing session
- Heart Foundation presentation - Re: Smoke free areas
- Headspace
- Shared Pathway – Villani
- The Brothel
- Councillor 2012/2013 budget review session

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

RECOMMENDATION

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

Attachments

Assemblies of Councillors Records

- Older Persons Advisory Committee Meeting – 8 July 2011
- Older Persons Advisory Committee – 12 August 2011
- Older Persons Advisory Committee – 14 October 2011
- Older Persons Advisory Committee – 11 November 2011
- Older Persons Advisory Committee – 9 December 2011
- Short Discussion Session – 20 February 2012
- Shepparton Art Museum Advisory Committee – 22 February 2012
- Disability Advisory Committee – 24 February 2012
- Short Discussion – 6 March 2012
- Short Discussion – 13 March 2012
- Short Discussion – 28 March 2012

The minutes from the meetings of the Older Person's Advisory Committee held on 8 July 2011, 12 August 2011, 14 October 2011, 11 November 2011, 11 November 2011 and 9 December 2011 were inadvertently omitted from previous Council Meeting Agendas so are now included for the information of Councillors and the public.

13 URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

14. PUBLIC QUESTION TIME

15. CONFIDENTIAL MANAGEMENT REPORTS

15.1 Designation of Confidentiality of Information

RECOMMENDATION

That pursuant to section 89(2)(d) of the *Local Government Act 1989* the Council meeting be closed to members of the public for consideration of a confidential item.

15.2 Purchase of Property

15.3 Reopening of the Council Meeting to Members of the Public

RECOMMENDATION

That the Council meeting be re-opened to members of the public.



Partnering for a balanced Basin Plan

Group submission to the Murray Darling Basin Authority

Draft Murray-Darling Basin Plan

April 2012

Prepared by:

Gannawarra Shire Council
Swan Hill Rural City Council
Campaspe Shire Council
Moiras Shire Council
Mildura Rural City Council
Loddon Shire Council
Strathbogie Shire Council
Greater Shepparton City Council

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Terminology used in this submission:

<i>The Group; we; our</i>	The Murray River Group of Councils, Greater Shepparton City Council & the Shire of Strathbogie.
<i>The Draft Basin Plan; The Plan</i>	The Draft Murray Darling Basin Plan (2011)
<i>The Guide</i>	The Guide to the Murray Darling Basin Plan (2010)
<i>The Authority; the Basin Authority</i>	The Murray Darling Basin Authority
<i>The Basin</i>	The Murray Darling Basin

Executive Summary

The eight Councils of northern Victoria comprising this partnership seek a healthy Murray Darling Basin as the principal outcome of the major water reforms taking place across the Murray Darling Basin. Implicit in this is a sustained environment, a prosperous economy, and productive, vibrant communities. This Group recognises that the establishment of an overarching plan for the water resources of the Basin is crucial in order to achieve equitable and sustainable water management between the six jurisdictions with interest in the Murray Darling Basin.

However, the balance needed to bring about such an outcome is not presently evident in the Draft Murray Darling Basin Plan. The Plan deals disproportionate burden to the productive rural communities of this region, which along with the diverse economy of northern Victoria will likely experience significant decline over the coming decades should the Plan proceed in its current form. This Group of Councils will be seeking significant modification to the proposals put forward by the Draft Basin Plan before support can be given to further water reforms in the Murray Darling Basin.

Our eight partner Councils represent a diverse rural community. This region is significant in terms of its area, population and contribution to the Victorian and national economies. Agriculture - in particular irrigated agricultural production - drives the local economy through high-value production of food and fibre. This production supports a wide range of processing, manufacturing and servicing businesses in the towns across the region.

The major rivers of northern Victoria – the Murray, the Goulburn, the Campaspe, and the Loddon – flow through this region, providing a focus for recreation and tourism. These rivers along with the tributaries, wetlands and lakes of northern Victoria are fundamental to shaping local identity and sense of place. Maintaining the environmental health of the region's natural resources is recognised as an important issue.

The communities of this region have a vested interest in the outcomes of water reform in the Murray Darling Basin and seek sustained engagement on this issue.

Since the release of the Draft Basin Plan in November 2011 each Council has sought to actively engage with the communities, businesses and stakeholders of the eight municipalities in order to understand local views on the proposal. Discussions revealed deep concerns amongst the community that recommendations

arising from community consultation on the Guide to the Murray Darling Basin Plan in 2010 have not been given due consideration in the intervening period. The Plan continues to propose the diversion of significant volumes of productive irrigation water to the environment without a clear plan for how it will be recovered, how it will be used, and how the impacts to rural communities might be addressed. Key community concerns with the Draft Basin Plan include:

Community impacts – High level of impact on local communities due to economic dependency on irrigated farming, with limited availability of information on what the final impacts will be.

Water buybacks – Ongoing impacts on communities and businesses due to the permanently reduced capacity for agricultural production and cost burden on remaining system users.

Sustainable Diversion Limits (SDL's) – 2,750GL of water represents considerable cuts to irrigation entitlements with significant repercussions for the farming sector and local economy.

Infrastructure and efficiency – Recognition that investment in infrastructure will realise universally beneficial outcomes for the environment and irrigation communities.

971GL Southern Basin shared allocation reduction - To not apportion volumes to individual systems will fuel uncertainty. There is no clarity around how much water will be drawn from each region.

The management of environmental water, food security, and mitigation options for affected towns and communities also featured as common issues of concern.

The Group's assessment of the Plan has revealed similar issues to those identified above. Discussion around these issues has been conducted through five key themes, under which positions have been formed around the central proposals of the Draft Basin Plan. The Group holds that:

- The Plan lacks sufficient information to enable a proper assessment of its impacts, let alone to implement.
- The Plan lacks detail on how the water will be recovered, with the method of water recovery critical to influencing regional outcomes.
- The Plan lacks sufficient detail on how recovered water will be used.

- The Plan has the potential to bring about unacceptable impacts on local communities and the nation's capacity for food production.
- Ongoing water reform efforts must be collaborative and provide certainty for communities.

The element of uncertainty remains a critical issue with the Plan and acts to constrain business confidence and investment. This uncertainty is exacerbated through specific Basin Plan proposals such as the 'shared-reduction' and the 2015 review, the eventual outcomes of which could only be speculated at this point. Confidence must be enabled through ensuring sufficient information is available to facilitate long term business decisions.

This submission makes specific recommendations for change that will assist with positive water reform for all stakeholders. Key recommendations are set out below.

Recommendations

- 1. Complete all dependent work prior to Parliament's consideration of the Plan. This includes the preparation of:**
 - **An agreed water recovery strategy;**
 - **Impact assessments and mitigation options at the local community level.**
- 2. Require the preparation of a water recovery strategy that seeks to establish how, when and where environmental water is to be recovered. Such a strategy must be prepared with community, local government and key stakeholder involvement.**
- 3. Provide more certainty to shared-reduction outcomes by re-apportioning water recovery targets (at a minimum) along State boundaries.**
- 4. Seek commitment to investment in irrigation, on-farm and environmental infrastructure as the principal means of water recovery, with a delay in buybacks until all options for system efficiency are exhausted.**
- 5. The process for EWP preparation should be affirmed with the States utilising local networks such as Catchment Management Authorities.**

- 6. Complete impact assessments and mitigation options at the local community level where it is identified that water recovery will cause unreasonable impact. This should include a substantive and strategic consideration of potential responses supported by Commonwealth funding with seed money for implementation.**
- 7. Seek government commitment to investment in irrigation, on-farm and environmental infrastructure as the principal means of water recovery in order to retain water in productive use.**
- 8. Explore the option of an adaptive SDL framework accommodating of ongoing water efficiencies and new knowledge, built on an equation-based or alternative expression of SDL's that allows for progressive recognition of realised water savings.**
- 9. Continue to emphasise a collaborative process between the Basin States. Additionally, instil community confidence through a commitment to investment in works and measures across all Basin States in return for collective water gains.**

The social consequences across the Basin arising from the proposed cuts to irrigation water allocations are significant, including considerable impacts on Australia's capacity for food and fibre production. It must be recognised that these types of outcomes are avoidable. An opportunity is presented for positive water reform in the Murray Darling Basin that will realise benefits for all water users. Proactive and considered water policy that seeks tangible gains for the environment, communities and the national economy is the only option that ought to be pursued.

In this regard, works and measures that realise water efficiencies must be exhausted prior to discussions about removal of water from productive use. Doing so would realise long-term material gains to the environment while at the same time ensuring that Basin communities can maintain local economies centred on food and fibre production. At the same time, it is critical that substantive and strategic assessment of impacts to communities be undertaken prior to implementation of significant changes.

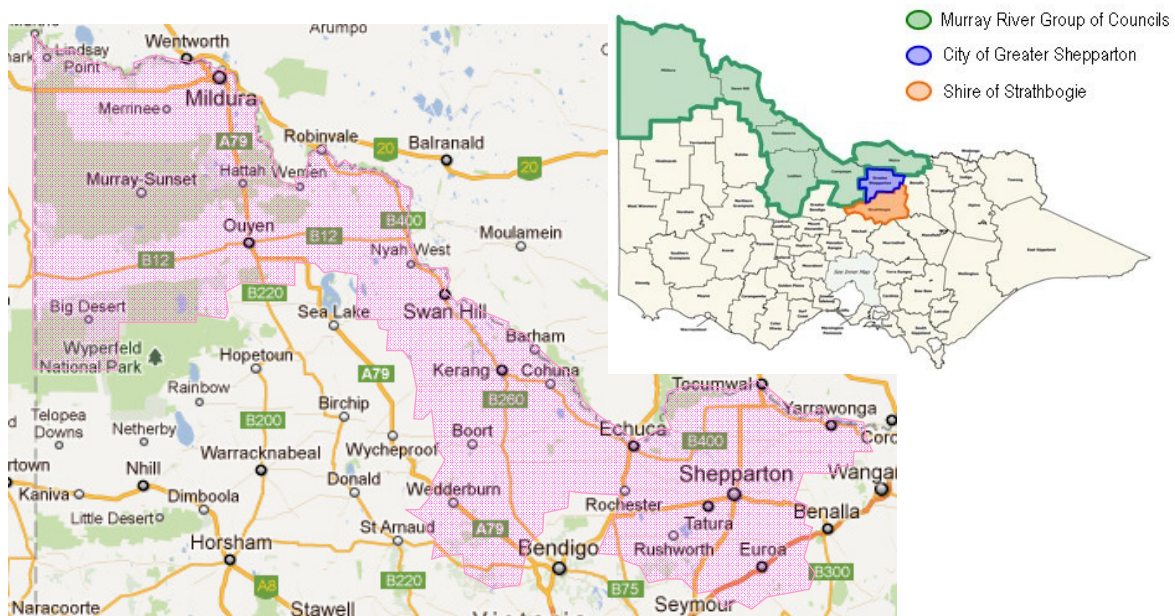
The eight partner Councils of northern Victoria and this region's communities remain engaged and eager to have input into water reform in the Murray Darling Basin, and seek a genuine commitment to meaningful and sustained dialogue on the issue. Further discussions with government and government departments, including the Murray Darling Basin Authority, will be sought as part of a collaborative process to find a positive future for the environment and communities of the Basin.

1. Background

1.1 Introduction

This is a submission to the Murray Darling Basin Authority on the Draft Murray Darling Basin Plan, presented by a partnership of eight rural Councils in northern Victoria. This significant partnership comprises the Murray River Group of Councils¹, Greater Shepparton City Council and Strathbogie Shire Council, and has been formed in response to shared concerns on the economic, social and environmental impacts of the proposed Draft Basin Plan on the region.

Our partnership comprises a significant footprint. From Mildura in the west to Moira in the east, our Councils front more than two-thirds of the Victorian Murray River and take in a number of the State's key river systems, including the Goulburn, the Campaspe, and the Loddon. Our regional footprint encompasses a total land area of approximately 53,000 square kilometres (one quarter of the state) with a population of approximately 234,000. This includes some of Victoria's largest regional centres with four cities having a population over 10,000 (Mildura, Shepparton-Mooroopna, Echuca and Swan Hill), with other significant service centres including Kyabram, Yarrowonga, Cobram, Kerang, Tatura and Euroa. Numerous small and medium towns interspersed across the region serve a predominantly agricultural economy, with the income derived from production sustaining local processing, transport and service-related businesses.



¹ The Murray River Group of Councils is comprised of Mildura Rural City Council, Swan Hill Rural City Council, Gannawarra Shire Council, Loddon Shire Council, Campaspe Shire Council and Moira Shire Council.

1.2 We are Victoria's Food Bowl

The contribution that this region makes to the nation's food and fibre production is significant. This region is commonly referred to as 'Victoria's Food Bowl', and has a strong association in the general mindset of being the heartland of the state's orchard, vegetable and dairy industries. Key agricultural industries across the region include pome fruits, stone fruits, and citrus production, primarily in the districts centred around Shepparton, Cobram, Mildura and Swan Hill. The north-west region is also the focus of Australia's table grape industry, with wine production a well established sector across all eight Council areas. Vegetable production occurs throughout the region following the irrigation system, with significant olive groves and tomato production other examples of the area's diversity.

Dairy farming is the region's principal animal-based industry, generally occupying an arc from Moira/Shepparton west through Campaspe, Gannawarra and Loddon Shires, with dairy processing facilities providing significant employment in many towns across the region including Rochester, Cobram, and Stanhope. Beef and sheep (meat and fibre) remain staple animal industries, with continued growth also seen in intensive animal industries. Cropping is a major sector, tending towards the less populated areas of the region where more expansive areas of land are in supply.

1.3 Water brings us together

Water is at the front and centre of the region's success as a producer of diverse foods and fibres. The region wholly contains the Goulburn Murray Irrigation District, which is the largest area of irrigated farming in Australia. This combines with irrigation areas in Mildura and Swan Hill and groundwater supplies across the region to form an expansive area of production, producing an array of commodities not always suited to other climates in Australia. Irrigation-based production supports a broad array of interrelated industries in the towns of our region, including refining, processing, servicing and transportation. Together, agricultural production and its associated processing and servicing industry remain the largest area of economic output and source of local jobs. Some key statistics include:

- Agriculture directly provides approximately 22% of all employment.
- A manufacturing sector principally associated with the processing of agricultural products and provision of agriculture-related services provides a further 12% of employment.

- Irrigated production in this region comprises 51% of the value of all agricultural production.²
- This region generates almost 60% of Victoria's irrigated production, valued at approximately \$1,886m out of a State total of \$3,253m.

The rivers of the region hold a special role in the formation of local identity, with almost all of the region's principal towns being located on a waterway. Recreation in the form of boating, fishing or swimming on the local rivers is an integral part of the region's lifestyle, with tourism - including ecotourism - being a key contributor to the local economy. For this reason there is a strong recognition amongst the communities of northern Victoria for the need for healthy rivers sustained by good water management, which sits alongside the desire for continued economic prosperity through irrigated production. In this light, the Murray Darling Basin Plan is of utmost interest and concern to the communities of our region.

1.4 We are constructive and valuable to talk to

The Group has established a reputation based on respectful and constructive dialogue. Throughout this 20-week process we have sought to engage with government, government agencies and key stakeholders in order to both learn and impart information on the Basin Plan and its implications for our region. We have also participated in a number of successful meetings with the Murray Darling Basin Authority including round-table discussions in Mildura, Swan Hill, Kerang, Echuca and Cobram, public meetings in Shepparton and Mildura and a productive working session in Canberra with key MDBA staff.

We represent the communities most directly affected by the Draft Basin Plan, and in this regard our eight partner Councils must be recognised as fundamental in shaping the future competitiveness of the northern Victorian economy.

1.5 We represent the communities of northern Victoria

Our Councils have united to represent the communities of our nationally important region with a commitment to seek balance in the Draft Murray Darling Basin Plan. In recognition of the role as representatives of the broader community, our partner Councils have each sought to actively engage with the people of the eight municipalities to understand the key areas of concern and interest on the Draft Basin Plan. Each Council has engaged with its community in a variety of ways, such as through targeted stakeholder discussions,

² ABS: 4610055008DO003_200001200910 Gross Value of Irrigated Agricultural Production, 2000-01 to 2009-10 – Commonwealth of Australia

open community consultation sessions and requests for written feedback and commentary. Our Councils' dialogue with local communities has revealed common threads and collective points of concern across the regional footprint in relation to the proposals being put forward by the Plan, which will be discussed through the course of this submission.

This submission will seek to bring forth a summary of the views of the people of this region alongside a broad analysis of the key features of the Basin Plan. The Councils comprising this partnership will also each lodge separate submissions to the Murray Darling Basin Authority to emphasise the particular characteristics and issues within each municipality and the challenges posed to their local communities. We recommend that the individual Council submissions be read alongside this broader submission in order to obtain a collective understanding of the issues being encountered in this region through water reform initiatives in the Murray Darling Basin.

2. Retrospective

The Group provided a submission to the Murray Darling Basin Authority on the Guide to the Murray Darling Basin Plan in November 2010. Reflection on the key points from that submission reveals notable similarity in the issues considered relevant to those raised by our communities on the present Draft Basin Plan.

The Group's submission in 2010 was broadly critical of the Guide, in the main due to its narrow focus on achieving environmental outcomes without due consideration to the resultant impacts on the communities of the Basin and their future livelihoods. The key concerns raised in the group submission can be categorised as:

- *Environmental issues being placed ahead of people;*
- *The 'Guide to the Murray-Darling Basin Plan' placing little consideration on the effects of proposed cuts to water allocations on communities;*
- *The social and economic impact assessments being based on large scale, unrealistic models, not on small rural communities;*
- *Water savings already achieved through improved infrastructure, innovation and sustainable farming practices not being adequately recognised;*
- *Little appreciation of the stress placed on communities already vulnerable from years of drought;*

In response, the Group put forward the following recommendations to the Murray Darling Basin Authority:

- *That the Authority acknowledge the impact the Plan will have on communities;*
- *That social and economic impacts on the community relating to the proposed Sustainable Diversion Limits (SDLs) be clearly identified and included in the proposed draft Murray Darling Basin Plan;*
- *That water savings already achieved through improved infrastructure, innovation and sustainable farming practices be recognised as contributing to improved environmental flows and included in the calculation of any sustainable diversion limits;*
- *That innovative infrastructure and practices be used to manage environmental assets and deliver environmental flows, aimed at achieving the required outcomes for the environment with the least amount of water necessary thus minimising the need for water recovery through buybacks;*

- *That the Authority recommend to Government that water buyback schemes be strategically planned and conducted so as not to disadvantage remaining farmers;*
- *That the Authority commit to establishing a consultation process that rebuilds community involvement and ownership of the outcomes through the process; and*
- *That a process affirming the science be established, to involve State Government departments and Catchment Management Authorities in particular.*

Reflecting on the above, we observe that the key criticisms of the Guide are very similar to those that will be presented through this current submission on the Draft Basin Plan. The Group is concerned that despite general opposition to the proposals put forward by the Guide, the intervening modifications have realised little if any material benefit for the communities of the region.

In observing the points above, the Group continues to remain concerned about the majority of the key issues raised in its submission to the Authority in 2010, including:

- The lack of recognition of economic impacts on regional towns and communities as a core issue. Impact assessments for communities undertaken at the local level have still not been performed; rather, broad impact assessments have been written in abstract terms due to the uncertainties around future water recovery.
- The relative lack of rigour applied to efficiencies around the use of environmental water as compared to water for food and fibre production.
- The continuing need for a course of action that rebuilds community participation in the process, coupled with a genuine commitment to social, economic and environmental gains.

We observe that the perception of similarity between the two documents has regrettably cultured a sentiment of scepticism amongst our communities regarding the genuineness of the Basin Authority's commitment to collaborative consultation, as so little of the feedback received on the Guide has been addressed.

The Group reiterates our request to the Murray Darling Basin Authority for deep and sustained reflection on the issues and concerns being voiced across Basin communities, with a commitment to a genuine 'triple bottom line' – economic, environmental and social outcomes – to achieve a greater balance than that evident in the current Draft Basin Plan.

3. Community Reaction

As the key representative of the communities of our region, our Councils sought to engage with the businesses, communities and key stakeholders of the eight municipalities to understand prevailing views on the proposals advanced by the Draft Basin Plan. This included open discussions through a series of community consultation sessions across the region, a range of written feedback, and dialogue with a range of key stakeholders.

The Group's conversations with the people of the region revealed great depth of consideration for the range of issues involved in water reform, with communities expressing a continued desire for balance in the distribution of water use in the Basin. Overwhelmingly, however, the response received towards the Plan was one of negativity and frustration, with many concerns identical or similar to those heard in reply to the propositions put forward by the Guide to the Murray Darling Basin Plan in 2010. What was notable was a high level of consistency on issues across our eight partner municipalities, with common themes and shared concerns around the proposals being put forward by the Draft Basin Plan.

That community views on the Plan have not been very different from the release of the Guide in 2010 is perhaps due to the fact that not a lot is perceived to have changed between the two documents. There is a strong sense of the current draft Plan being a *fait accompli*, exacerbated by an expressed keenness from government to have the Basin Plan put before Parliament in 2012 despite consistent messages from all sides that it is premature. This sentiment of despair has been manifest in the lower attendance at all community meetings on the issue as well as in the depth of media coverage. We observe that farming communities and local businesses are in the process of 'picking themselves up' after officially the longest and most severe drought known to modern Australia³, with little time or energy left to continue the endeavour for equal footing in the Basin Plan. It is vital that the Basin Authority does not misinterpret sentiments of community resignation and fatigue as tacit approval of the Plan.

The following table (Table 1) provides a broad summary of the main issues being discussed by our communities, as heard through the forums conducted across our region by our partner Councils as well as through written feedback.

³ Longest, hottest drought on record, says Bureau of Meteorology, The Australian, 11 October 2008

Table 1: Summary of key community feedback

Theme	Issues
Community impacts	<ul style="list-style-type: none"> ▪ High level of impact on local communities – most towns in region are economically dependent on irrigated farming to some degree. ▪ Limited availability of information on what final impacts will be.
Water buybacks	<ul style="list-style-type: none"> ▪ Buybacks should cease (or be a measure of 'last resort'). ▪ Buybacks damage communities due to permanent exit of water and burden on few remaining ('Swiss-cheese' effect) ▪ Claimed preference by MDBA for reduced buybacks however there are no guarantees that this will happen. ▪ Most sellers of water are not 'willing', but do so as a last resort.
Environmental water and Environmental Watering Plans (EWP's)	<ul style="list-style-type: none"> ▪ The way in which environmental water is to be used should be clarified up front – concern as to absence of EWP's. ▪ Supply before Demand – the Plan is determining the volume of water required for the environment without knowing its end use. ▪ Delivery constraints are not adequately clarified.
Sustainable Diversion Limits (SDL's)	<ul style="list-style-type: none"> ▪ Too much water being taken from irrigation – impacts on farming sector and local communities. ▪ SDL's are not dissimilar to those proposed under the <i>Guide</i>. ▪ Insufficient recognition of water savings achieved to date.
971GL Southern Basin shared allocation reduction	<ul style="list-style-type: none"> ▪ To not apportion volumes to individual systems will feed uncertainty – market impacts. ▪ Competition to retain water - State v State, catchment v catchment. ▪ No clear cap on how much can be drawn from each region.
Infrastructure and efficiency	<ul style="list-style-type: none"> ▪ Strong preference for water savings via infrastructure upgrades, on-farm efficiencies and environmental works and measures. ▪ Investment in infrastructure will realise 'win-win' for environment and irrigation communities. ▪ Use of environmental water must be as efficient and accountable as irrigation water.
Mitigation for affected communities	<ul style="list-style-type: none"> ▪ Limited discussion around what will happen to areas where irrigation is reduced or ceased – what will be the trade off? ▪ Towns must be assisted to transition with effective, strategic planning – long term commitment needed.
Food production and food security	<ul style="list-style-type: none"> ▪ Australia has international obligations to feed a growing population. The Plan will strongly impact upon ability to produce food. ▪ Future national security issue. ▪ Economic opportunities through trade will be lost.
2015 SDL review	<ul style="list-style-type: none"> ▪ The 2015 Review adds to general uncertainty about end outcomes. ▪ No security that SDL's will increase – they may decrease further.
Impact of other States	<ul style="list-style-type: none"> ▪ Entrenched water rules in each state will limit ability to achieve consistency across Basin. ▪ Plan is premised on appeasing South Australia's concerns about the lower lakes.
Timeframes for implementation	<ul style="list-style-type: none"> ▪ Communities will not be able to restructure to cope with less water by 2019 without significant government assistance. ▪ 2012 is too soon to commence Plan – too many questions unanswered, the Plan is being 'hurried through.'

3.1 Community and Business Survey

Most Councils in our regional partnership participated in a survey of community and local business in order to more firmly gauge common opinion on a range of issues around the Draft Basin Plan. The survey questions were standardised across the Councils to ensure consistency.

As identified earlier, the survey revealed considerable uniformity across our region on key issues relating to the Plan and to water reform options for the Murray Darling Basin. Some of the most indicative and compelling aspects of the findings include the following:

- The priority areas of concern are the volume of water proposed for recovery (the SDL's), the potential for more Commonwealth water buybacks and the lack of an Environmental Watering Plan.
- A strong view emerged that the Plan will create uncertainty, in particular through proposed mechanisms such as the shared-reduction in the Southern Basin and the 2015 review.
- There is significant opposition to further Commonwealth water buybacks, with a corresponding level of support for water recovery through infrastructure upgrades, on-farm and environmental efficiencies.
- There was some doubt over the additional environmental benefits to be achieved by the volumes of water proposed to be returned to the environment coupled with a strong level of disbelief that healthy communities are a natural by-product of having healthy rivers alone.
- The Plan is seen as discouraging of continued food production in the Basin and discouraging of business investment, in particular through the perceived level of uncertainty generated by the Plan.

Please refer to **Appendix 1** for a more detailed summary of the results of the survey.

It is important to note that a considerable proportion of respondents were farming businesses. Such negativity towards the plan is concerning from a business investment perspective. Notwithstanding how the Basin Authority chooses to reflect on the concerns raised about the Plan, it is critical that the Authority recognise that farming businesses are typically at the centre of the investment needed to drive the region's growth and productivity. As such, in its response to the key issues arising from the public consultation process the Authority must be cognisant of the need to re-establish the confidence of the business community in order that long term investment can proceed.

4. The Group's analysis of the Draft Basin Plan

The structure of the Draft Basin Plan and the omissions in crucial information place our group of Councils in a quandary in terms of how to adequately respond to the Plan on behalf of the region's communities.

The Group cannot view the Draft Basin Plan as a fully detailed plan in the usual sense of the word. Rather it is more akin to a framework, which hinges upon a considerable volume of as-yet uncommenced future work with unknown outcomes. In this context it is difficult for us to make an informed assessment of the Plan's effects, as the magnitude of the impact on communities is almost fully dependent upon the outcomes of further work.

We describe the predicament as follows:

- Key components of the Plan that are presently unknown include the methods by which the 2,750GL water will be recovered (infrastructure or 'buybacks') and the nature and extent of further environmental efficiency works that may influence the volume of water required.
- As a result of this, we find it difficult to accept the basis of the 2,750GL as the target volume of reductions, being aware that this will most likely vary as new information becomes available.
- Of this 2,750GL, 971GL in the Southern Basin is unallocated to any particular catchment. The amount of this that will be sourced from our region is unknown and uncapped.
- Through not having adequate information on where, how, and how much water is to be contributed from our region, our Group's capacity to ascertain impacts on our region's communities with certainty is particularly constrained.
- Not being able to adequately determine community impacts hinders our capacity to participate in discussions around mitigation strategies for communities with reduced irrigation water. We note the absence of any detailed discussion in the Basin Plan around risk avoidance and mitigation, presumably due to a lack of relevant information and high level of uncertainty as described above.

Stakeholders should be able to expect that a fully detailed plan seeking to redistribute water across the various users of the Basin would state in clear terms where the subject water was to be sourced and how it would be used, but this is not the case. This lack of information feeds the uncertainty amongst the farming and business community, meaning investment and business decisions cannot reasonably be made in the absence of supporting information. There is already evidence within our communities that investment is being stifled because of this uncertainty.

We wish to affirm the Group's support for a plan for the Murray Darling Basin. It is clear that with 6 separate jurisdictions⁴ seeking to draw on the water resources of the Basin there is an imperative for a long-term sustainable water management plan for the whole of the Basin. However, the plan that has been presented on this occasion is inadequate and likely to result in considerable economic and social consequences for many of the Basin's towns and communities.

Our assessment of each of the key issues arising from the Draft Basin Plan is outlined below. In broad terms this will cover:

- The gaps in the current information required for a complete Plan
- Proposals around water recovery
- Proposals around the use of environmental water
- Potential impacts on the community and local and national economies

The Group has formed positions around many of the key elements of the Draft Basin Plan and these will be highlighted and explained throughout the discussion. Section 5 of this report will provide an overview of the key issues as seen by the Group with recommendations for moving forward.

4.1 The Plan lacks sufficient information to enable a proper assessment of its impacts, let alone to implement.

4.1.1 The Group seeks a Plan with all dependent work completed prior to its consideration in Parliament.

The Group sees that the implementation of the Basin Plan in its current form would be leaving the most fundamental aspects in doubt. The Plan as presented constrains our ability to make a full and confident assessment of the impacts on the local economy and the communities of our regional footprint, as the fundamental information underpinning the Plan is absent. In this regard we regard the Plan as incomplete and necessitating considerable work before it can progress. In particular this relates to the source and method of water recovery, the future use and management of environmental water and risk mitigation for

⁴ Queensland, New South Wales, Victoria, South Australia, the Australian Capital Territory & the Commonwealth of Australia.

affected regions and communities. These aspects of the Plan will be elaborated through the discussion that follows.

The proposed timeframe for delivery of the Basin Plan by the end of 2012 is premature in light of the remaining work required to bring about a comprehensive proposal inclusive of all necessary information for its full consideration. Parliament's consideration of the Basin Plan should only take place after changes are made and there is a level of mutual agreement between stakeholders greater than that evident at present. Contrary to recent statements, dissatisfaction on all sides does not infer that balance has been struck.

4.2 The Plan lacks detail on how the water will be recovered, with the method of water recovery critical to influencing regional outcomes.

4.2.1 The Group can not support the volume of water proposed for recovery in the absence of a detailed water recovery strategy.

While the volume of water proposed for recovery has reduced from the initial 3,500GL of the Guide, the 2,750GL of the current Plan still represents a cut to irrigation equivalent to conditions experienced during the recent drought. This figure represents a further 20% cut to the Basin-wide Baseline Diversion Limit - it is clear that this level of reduction will have drastic implications for the composition and resilience of the local economy.

However, this stated figure is subject to a number of assumptions, with the Basin Plan relatively silent on the range of possible environmental works and measures that could be undertaken to maximise the efficiency of environmental watering. Investment in environmental watering (including improved river operations) would presumably lessen the 2,750GL of water proposed to be returned to the environment, as environmental benchmarks could be met with less water. Further modelling must be undertaken for a variety of scenarios inclusive of environmental works - including downwards of 2,400GL – before any credibility can be given to 2,750GL as the required volume of water.

Options for minimising the impacts of water recovery through such environmental works, infrastructure and other means must be clarified through a detailed strategy. A water recovery strategy has not been developed alongside the Basin Plan nor is it clearly specified that such a strategy is required. For all of the discussion regarding the Plan's bias towards infrastructure over water recovery through buybacks, the

Group does not see this bias evident in the Plan itself with the legislative instrument absent of any such references. In this regard, communities and businesses have little faith in 2,750GL as the 'right' volume of water, nor certainty around how, when and where water will be recovered. This issue will continue to frustrate investment and business decisions until such time as clear strategies are formulated.

4.2.2 *The Group can not support the concept of the shared-reduction in the absence of a detailed water recovery strategy.*

One of the key differences between the Guide and the current Draft Basin Plan is the way in which water allocation reductions have been apportioned between systems. Along with the large volume of water proposed to be diverted away from productive use, we find ourselves particularly concerned with the concept of the shared reduction, totalling 971GL in the Southern Basin. On a pro-rata basis⁵, this would translate approximately to an additional 353GL from the four major catchments influencing our region being the Goulburn, the Murray, the Loddon and the Campaspe. While this is a significant and concerning figure, more worrying is the likelihood that the northern Victorian region will be targeted for an even greater share, for reasons that will be discussed further below.

It is understood that the rationale for the Basin Plan leaving such a significant portion of water unallocated to particular systems is to allow the 'market' to determine from which system the water should derive. Considering that 971GL represents more than two thirds of the remaining water to be recovered in the Southern Basin, the Group expresses an alternative view - that the concept will generate market uncertainty and could lead to perverse outcomes on the ground.

A well-functioning market-based system is dependent on the availability of knowledge and information in order that reasoned business and investment decisions can be made. In this light, we see that leaving the bulk of water reductions unallocated will feed uncertainty in the market, leading to unintended consequences, such as:

- Interstate and inter-catchment competition: Each river catchment effectively has a different capacity to compete for water based on dominant agricultural sectors (eg. pasture-based versus horticulture). An unplanned free-market approach would likely see certain systems less able to compete for water. At a higher level this could also see particular States unfairly burdened.

⁵ Based on Baseline Diversion Limits (BDL's) specified by the Draft Murray Darling Basin Plan Schedule 3

- **Progressive system erosion** : A ‘Swiss cheese’ patchwork or wholesale routing of certain systems is a likely consequence, arising from panic, self-preserving or misconceived selling behaviour. This would leave prohibitive costs for residual irrigators and render certain systems potentially unviable.

Outcomes for northern Victoria with such an unplanned approach to water recovery would be overwhelmingly damaging. Water in our region would likely be attractive for buyback due to the relative availability of high-reliability water shares, the predominance of pasture-based agricultural industries and the area being downstream of key system delivery constraints.

This element of uncertainty leads back to our earlier comments that the Draft Basin Plan can not be considered a ‘plan’ when key considerations such as where the water will come have not been determined. Again we stress the need for a detailed water recovery strategy to provide more certainty as to how and where environmental water is to be sourced. In the absence of such a plan our capacity to undertake a full and proper assessment of outcomes for our local communities is significantly constrained.

Rather than a shared-reduction the Group would prefer to see assigned reductions, at a minimum apportioned between the States. In saying this, we would seek to ensure that the volumes would be fairly and equitably assigned between States or individual catchments with due regard given to the extent of water recovery already undertaken. The process should also provide State and Local Governments appropriate opportunity for review and input.

4.2.3 *The Group strongly opposes any further Commonwealth water buybacks except where:*

- ***consistent with an agreed water recovery strategy; and***
- ***all other opportunities for water recovery are expended.***

As has been previously discussed, many towns and communities of our region have developed around the irrigation system and as such a reduction or removal of water would likely have considerable economic and social implications at the local level. We regard the process of removing water through buyback as a short-term solution, which can have permanent and irreversible consequences for farming districts and small towns through removing the key economic driver. While dryland farming options might remain the value of return per area is significantly less, with opportunities for value-adding through processing or refinement also diminished.

Commonwealth buybacks to date have not been strategically based - rather the influx of government funds onto the open market has distorted the value of water and contributed to the fragmentation of the irrigation system through the indiscriminate de-watering of individual farms. This process has led to higher costs for residual users and can put at question the ongoing viability of some systems. While options to improve this process remain through a more 'targeted' approach, the overall impact on rural communities remains acute and the Basin's capacity for diversified and substantive food and fibre production is weakened. The Group would instead seek to have remaining water recovery fully achieved through a wide range of efficiency measures backed by long-term government commitments to funding.

We note the tendency for governments to make offers of compensation or commitments to post-water mitigation projects in an attempt to assist communities in which irrigation previously supported the local economy. While regional funding is welcomed, in many ways this process can be seen as ironic – the same money could have been used to modernise and shore up irrigation infrastructure in the first place, hence removing the need for unnecessary economic restructure and mitigating responses. We would like to see the priorities reset to focus on investment in works and measures.

It should also be noted that it is unrealistic for Councils to be asked to identify mitigation projects at short notice. Initiatives of this importance and scale are best developed through a substantive and strategic planning exercise in collaboration with local communities.

4.2.4 The Group will strongly support investment in irrigation and environmental infrastructure as the principal means of water recovery.

Much of the irrigation system in place today is a century old. In recognition for the need for significant modernisation of the system, large scale projects such as NVIRP have delivered environmental water through system efficiencies coupled with the maintenance of water for productive use. These are legacy projects, improving Australia's capacity to balance environmental and productive demands into the future. As discussed above, while cheaper short-term options such as buyback might appear attractive to governments the damage caused to rural communities and Australia's productive capacity is ultimately irrecoverable. The towns, businesses and farming communities of this region cannot become the casualties of a desire for expedient, low-cost solutions for water reform in the Basin.

Water recovery principally undertaken through investment in maximising efficiency will resolve much of the angst for our farming sector and small rural communities while continuing to deliver environmental benefits. On-farm efficiency programs, for example, have been typically oversubscribed due to popularity, delivering considerable water savings through efficiencies while modernising irrigation farming techniques. We observe that the Commonwealth has committed to a substantial package (\$4.6 billion over 12 years) to buy back permanent water rights from irrigators⁶. Diversion of this money to infrastructure, on-farm efficiency and environmental works and measures would have absolute benefits for the Murray Darling Basin by:

- achieving the water savings required for the environment;
- retaining equivalent volumes of water for productive use;
- maintaining rural economies and employment;
- providing long-term investment in food and fibre production; and
- boosting local economies and employment through the capital works program.

Efficiency measures must include environmental works and a review of river operations, with this area presenting enormous opportunities for water savings. Investment in works and measures for meeting environmental benchmarks more efficiently will have the additional benefit of avoiding risks to private land – through overbank flows, for example, which is observed as one of the more controversial proposals around environmental watering.

It is essential that water gains achieved through investment in works and measures are credited back to the relevant catchment(s), hence contributing towards achieving reduction targets. This will require a more flexible approach to SDL's, which will be discussed further in this submission. It is also important for the reestablishment of community confidence and unity across the Basin for all States to participate in such projects. This will require State and Federal co-operation for sustained funding for environmental water-saving initiatives.

⁶ http://www.mdba.gov.au/draft-basin-plan/supporting-documents/ewp/ewp_ch4

4.3 The Plan lacks sufficient detail on how recovered water will be used.

4.3.1 The Group expresses conditional support for preparation of EWP's by the States, subject to:

- a framework of strong co-ordination between the States; and**
- a framework committed to stakeholder and community input.**

The Group acknowledges that the lack of an Environmental Watering Plan is an issue of significant concern to its communities. It would be a common expectation that a plan seeking to redistribute the use of water amongst the competing needs of the Murray Darling Basin would be accompanied by a detailed plan explaining how, when and where the water recovered for the environment would be used and managed. In this regard we express disappointment that stakeholders in the Basin Plan are unable to respond to the Plan as a complete plan.

Having said that, the Group also acknowledges that the Commonwealth does not have a strong history of water management due to the States holding responsibility for natural resource management. In this regard, while we express some concern about the relative lack of information available at this stage around the use and application of environmental water, given an option the Group would prefer that long term EWP's be prepared at the State level with maximum opportunity for input of knowledge at the local level.

In this regard one of the Group's key issues is ensuring that the framework for implementation is robust and that stated commitments to localism ensue. While we are not in a position to undertake a full technical assessment of the operations of Chapters 7 and 8 of the legislative instrument, where possible we wish to see strengthening of language around provisions requiring the preparation of long term Environmental Watering Plans and determination of annual watering priorities in consultation with local communities. We also observe that the preparation of long-term watering plans at a State level must necessitate strong co-ordination between the Basin States. This concept of Basin-wide collaboration must be woven into the Basin Plan framework if successful outcomes for the use of environmental water are to be achieved.

4.4 The Plan has the potential to bring about unacceptable impacts on local communities and the nation's capacity for food production.

4.4.1 *The Group will only support proposals and actions that have had the impacts on communities quantified and offsets or mitigating responses agreed to by Local Government.*

The Plan's relative lack of details on community impact is of particular concern. A proposal of this scope should be seeking to achieve a triple bottom line of economic, social and environmental benefits, however the emphasis of the Plan on obtaining environmental outcomes with little regard to the other two components reveals deep flaws in the underlying motives of the Plan. We reiterate that our communities are encouraging of initiatives to reinvigorate the health of the river systems of the Basin, recognising the role of the region's rivers in the formation of local identity and contribution to the local economy through tourism and recreation. However, with the economy of our towns and wider region underwritten by irrigated agricultural production and its associated processing sector, the impact on local businesses and communities of transferring water away from productive use is of principal importance.

In particular, there is a noticeable lack of detailed assessment of micro-economic and social impacts at the local level, which has proven frustrating in seeking to determine the risk posed by the Basin Plan to local jobs and economic output in each municipality. Social impact assessments that have been undertaken are overly broad and vague and do not bring new information to light directly relevant to the proposals advanced by the Basin Plan. Broad assumptions around population movements from smaller towns and districts to regional centres, for example, mask the on-ground consequences of re-structuring the rural economy. There has been little discussion also around the hidden costs of future social welfare associated with loss of jobs and small-town decline, including mental health and family breakdown. This lack of research has put Councils, businesses and communities in a position of having to source their own information on what the Basin Plan might mean for their future.

As has been noted, our towns and businesses have developed on the premise of irrigation as the underlying economic driver – water is very much the *raison d'être* for many communities, which in reality would not likely exist were it not for the intentions of previous governments to develop this region as the food bowl of Victoria. We believe there is a clear duty of care owed to such communities that have developed through government-established irrigation schemes.

Hence, where proposals are likely to impact on local businesses and communities, detailed risk assessments must be undertaken to assist communities as well as local government to understand the consequences. Further, where maintenance of water is determined not to be an option, offset or mitigation responses must be clearly outlined with a long-term commitment to assisting the evolution towards a new economy. We note that the intricacies of local economies have taken many decades or longer to establish. The implementation of SDL's in 2019 must not be seen as the end point in community transition, but rather the beginning.

4.4.2 The Group favours proposals and actions that will maintain or increase the region's ongoing capacity for sustainable food and fibre production.

At a time of growing national and global population with predictions of sustained food shortfalls in the future, it is worrying to our group of Councils that a proposal would be conceived that openly works towards decreasing Australia's capacity for food production.

The key agricultural industries of our regional footprint – dairy, cropping, viticulture, fruit and vegetable production to name a few - are virtually fully dependent on irrigation water and would not exist were it not for the broad system of irrigation channels interlacing the region. Climactically, many of these agricultural sectors are not suited to other parts of Australia, such that continued removal of water from the Basin would cause retreat or the cessation of production for many of these food types. In the first instance this would compound the continued trend towards the importation of food into Australia and further weaken the capacity of Australian grown products to compete against larger foreign interests. Subsequent to this arises the question of Australia's future food security and the nation's capacity to feed its own population in uncertain times.

More broadly, in a world with a growing population we ask what genuine commitment Australia has to its global humanitarian obligations if a policy of decreased food and fibre production is being pursued. With a medium forecast global population of almost 9 billion by 2050⁷, the challenges presented over the coming decades are significant and must be considered as part of an holistic long-term plan for the use of water in

⁷ United Nations Department of Economic and Social Affairs/Population Division *World Population to 2300*

the Murray Darling Basin. Australia would do well to also treat this as an opportunity, with significant trade and economic benefit to the nation associated with increased global demand for food and fibre.

4.5 Ongoing water reform efforts must be collaborative and provide certainty for communities.

4.5.1 The Group opposes the 2015 review in preference for an adaptive SDL framework accommodating of ongoing water efficiencies and new knowledge.

The proposed 2015 review cannot be supported, as it continues to drive the uncertainty for outcomes in our region. The Group's concerns are discussed below in terms of the issues generated by the review while providing commentary on an adaptive SDL framework that would effectively negate the requirement for a review.

- i) The rigour of the existing science is put at question.**
 - The need for further review is questionable if there is adequate confidence in the science informing the SDL's as presently specified. We also observe that the matters at s.6.06 to be taken into account in 2015 would likely be relevant on an ongoing basis right through to 2019. In this regard, a method of expressing the SDL's in a more flexible way that can respond to the dynamic nature of the process would be preferable (discussed further below.)

- ii) The element of uncertainty surrounding final outcomes is perpetuated and exacerbated.**
 - The need for certainty to instil confidence in business and investment decision making has been discussed at length in this submission. A concern expressed by our communities during discussions on the Draft Basin Plan is that the continued uncertainty regarding end outcomes for SDL's is a considerable disincentive to farm and business investment. Coupled with the insecurity cultured by the shared reduction, the potential for the SDL's to shift again is a highly unattractive proposition.

iii) **The processes required for alteration of the SDL's lend doubt to successful outcomes.**

- The Murray Darling Basin Authority has expressed the notion that the 2015 review is an opportunity to lower the volume of water being reallocated away from productive use. We express some concern about the articulation of such sentiments, being aware that opposing interests are unlikely to readily accept such an outcome. The provisions of s.6.06 and 6.07 as the guiding provisions for the 2015 re-assessment of SDL's can work as equally in favour of a further decrease in SDL's as an increase in SDL's. In this regard we express concern in the Authority attempting to obtain community acquiescence on an unsubstantiated premise.
- It is also noted that there is no requirement specified for further community consultation on this key issue. Neither side of the debate is likely to accept changes to SDL's without an opportunity for input, considering that 'the volume' is one of the core Basin Plan issues. In their current state as volumetric expressions, changes to the SDL's would need to obtain Parliamentary assent. We express considerable doubt that this would be a straight-forward process in light of the high level of interest that this topic holds politically.

In line with the Plan's claimed preference for an adaptive management framework, the Group would like to see the Basin Authority explore alternative options for expression of the SDL's, which is expressly provided for in the Commonwealth Water Act⁸. We are attracted to alternatives such as an equation-based or other adaptive expression of SDL's that could continue to account for ongoing water savings through efficiencies gained via channel, on-farm and environmental works and measures. This method could also act as an incentive for governments and authorities to invest in measures that will reduce the impact on local communities while continuing to deliver water back to the environment.

4.5.2 The Group supports the ongoing reform of water management across Basin States where mutually beneficial outcomes are realised.

In recognising the Basin States as five separate jurisdictions, a particular concern raised by the communities across the region was the impact of water management in other Basin States and the influence this has on outcomes for Victorian water users. Key examples cited included the lower lakes of South Australia and the

⁸ Water Act 2007 section 23(2)

Coorong barrages, and a perception of imbalanced apportioning of water allocation reductions between the Northern and Southern Basin as part of the Draft Basin Plan.

The Group is not in a position to provide substantiated commentary on many of the scientific issues around water use in other parts of the Basin – however, we do observe that supplementary information provided by the Basin Authority has to some degree lessened concerns regarding the status of the lower lakes in South Australia. The Group would like to ensure the continuous review of water management in the lower lakes to ensure the most efficient use of water possible, supported by continued investment in environmental works and measures so as to minimise allocation reductions for upstream catchments.

We see that the continued review of rules around water trading and operations are additionally important to resolving many State-based issues around water management. A system of water management operating under a variety of State-based frameworks creates obstacles to achieving best-practice in the efficient use and delivery of water.

In seeking to establish consistency around rules and operations it is also crucial that environmental water be treated on similar terms to other water. This includes issues such as:

- Fair apportionment of costs between environmental water holders and irrigators in association with maintenance of the physical delivery system;
- Capacity within the system for temporary trade of environmental water, eg. for emergency watering in the agriculture sector for maintenance of plantings during periods of low allocations.

Issues such as rules around water trade, river operations and levels of consumption in each State can have significant impact on outcomes on the other Basin States. Universal recognition of the important links between the States and the nature of the Basin as a single system will assist in bringing about mutually beneficial outcomes for all Basin users.

5. A way forward

The eight Councils of our regional partnership seek balance in the Basin Plan. As a principle, this means aspiring to achieve across-the-board benefits for all stakeholders in the Murray Darling Basin – this translates to social, economic and environmental gains. The Plan in its current form does not achieve this, rather it is presently perceived to focus on achieving environmental benefits at a risk to the towns and communities of this and other regions dependent upon irrigation water.

Our region has strong binds to water. With the rivers of the region fundamental in the formation of local identity and sense of place, the communities of northern Victoria fully support the proposition of restoring the health of the waterways, but are equally concerned about the considerable economic implications of doing so. The irrigation systems upon which the towns and communities of northern Victoria have developed continue to drive the local economy through food and fibre production, and it remains improbable that there is an alternative source of employment and income of the scale to take its place. We observe that positive environmental outcomes and a sustainable economy and community do not have to be mutually exclusive – rather, that there are a host of options available that would realise benefits for all water resource stakeholders.

We note that many of the issues with the Plan have their genesis in overarching legislation and water management arrangements. This fact cannot constrain our capacity to comment holistically on the broader concerns about ongoing water reform in the Basin. Where issues are beyond the scope of the Murray Darling Basin Authority to remedy, it would be anticipated that the Authority would make recommendations to government to review the relevant constraints in the system as part of a commitment to continuous improvement.

Throughout this submission the Group has discussed its concerns with specific aspects of the Draft Basin Plan and has put forward recommendations. The following table (Table 2) will seek to consolidate the key issues, positions and recommendations for moving forward, with concluding commentary to follow.

Table 2: **Key themes, positions, and recommendations**

Theme	Group's position	Recommendations
Timeframes for implementation	<i>The Group seeks a Plan with all dependent work completed prior to its consideration in Parliament.</i>	Complete all dependent work prior to Parliament's consideration of the Plan This includes the preparation of: <ul style="list-style-type: none"> • An agreed water recovery strategy; • Impact assessments and mitigation options at the local community level.
Sustainable Diversion Limits (SDL's)	<i>The Group can not support the volume of water proposed for recovery in the absence of a detailed water recovery strategy.</i>	Require the preparation of a water recovery strategy that seeks to establish how, where and when water is to be recovered. Such a strategy must be prepared with community, local government and key stakeholder involvement.
971GL Southern Basin shared allocation reduction	<i>The Group can not support the concept of the shared-reduction in the absence of a detailed water recovery strategy.</i>	Provide more certainty to shared-reduction outcomes by re-apportioning water recovery targets (at a minimum) along State boundaries.
Water buybacks	<i>The Group strongly opposes any further Commonwealth water buybacks except where:</i> <ul style="list-style-type: none"> - <i>consistent with an agreed water recovery strategy; and</i> - <i>all other opportunities for water recovery are expended</i> 	Seek commitment to investment in irrigation, on-farm and environmental infrastructure as the principal means of water recovery, with a delay in buybacks until all options for system efficiency are exhausted.
Mitigation / infrastructure	<i>The Group will strongly support investment in irrigation and environmental infrastructure as</i>	

	<i>the principal means of water recovery.</i>	
Environmental Watering Plans (EWP's)	<i>The Group expresses conditional support for preparation of EWP's by the States, subject to: - a framework of strong co-ordination between the States; and - a framework committed to stakeholder and community input.</i>	The process for EWP preparation should be affirmed with the States utilising local networks such as Catchment Management Authorities.
Community impact	<i>The Group will only support proposals and actions that have had the impacts on communities quantified and offsets or mitigating responses agreed to by Local Government.</i>	Complete impact assessments and mitigation options at the local community level where it is identified that water recovery will cause unreasonable impact. This should include a substantive and strategic consideration of potential responses supported by Commonwealth funding with seed money for implementation.
Securing food and fibre production	<i>The Group favours proposals and actions that will maintain or increase the region's ongoing capacity for sustainable food and fibre production.</i>	Seek government commitment to investment in irrigation, on-farm and environmental infrastructure as the principal means of water recovery in order to retain water in productive use.
2015 SDL review	<i>The Group opposes the 2015 review in preference for an adaptive SDL framework accommodating of ongoing water efficiencies and new knowledge.</i>	Explore the option of an adaptive SDL framework accommodating of ongoing water efficiencies and new knowledge, built on an equation-based or alternative expression of SDL's that allows for progressive recognition of realised

		water savings.
Basin State relations	<i>The Group supports the ongoing reform of water management across Basin States where mutually beneficial outcomes are realised.</i>	Continue to emphasise a collaborative process between the Basin States. Additionally, instil community confidence through a commitment to investment in works and measures across all Basin States in return for collective water gains.

The eight Councils of this regional partnership are significant stakeholders in the outcomes of the Murray Darling Basin Plan. Our regional footprint occupies one quarter of Victoria, takes in the whole of the Goulburn Murray Irrigation District and produces almost 60% of the State's irrigated agricultural produce. Water is the defining feature of the region's way of life, be it through production, tourism, environment or identity. Our Group can proudly claim represent a broad and diverse community eager to achieve a balanced outcome on this important reform.

Australia has a proud history of nation building through infrastructure initiatives. In accordance with this notion, an opportunity is now available for positive water reform in the Murray Darling Basin that will realise benefits for all water users. Proactive and considered water policy that claims tangible gains for the environment, communities and the economy must be the way forward for the Basin. In this regard, works and measures that realise water efficiencies must be exhausted prior to discussions about removal of water from productive use. This also requires a re-examination of alternative, dynamic expressions of SDL's that can progressively incorporate realised water gains. Doing so would bring about long-term material gains to the environment while at the same time ensuring that Basin communities can maintain local economies centred on food and fibre production.

Consideration of the impacts of any further changes in water availability requires a full and genuine assessment of the social and economic impacts at the local level. This requires substantive and strategic assessment, such as through a multi-decade economic development strategy. Realistically, the capacity of irrigation communities to readily transition to a resilient and equally-prosperous new economy is limited.

However, discussions around mitigation options must only occur once all possible gains from works and measures are exhausted. A substantial commitment to Commonwealth funding for works and measures will be necessary, as will seed funding for economic development initiatives. Commonwealth funding presently set aside for water buybacks must be reassigned to initiatives that achieve tangible benefits for all water users.

Importantly, our Group believes this approach will re-establish the confidence required for Basin communities to move forward with a water reform process aspiring to productive, universally beneficial outcomes.

APPENDIX 1

Summary of Community & Business Survey

Total responses: 102

Status of respondents:

Individual	70
Business	31
No response	1
<i>TOTAL</i>	<i>102</i>

Usual occupation, business or interest:

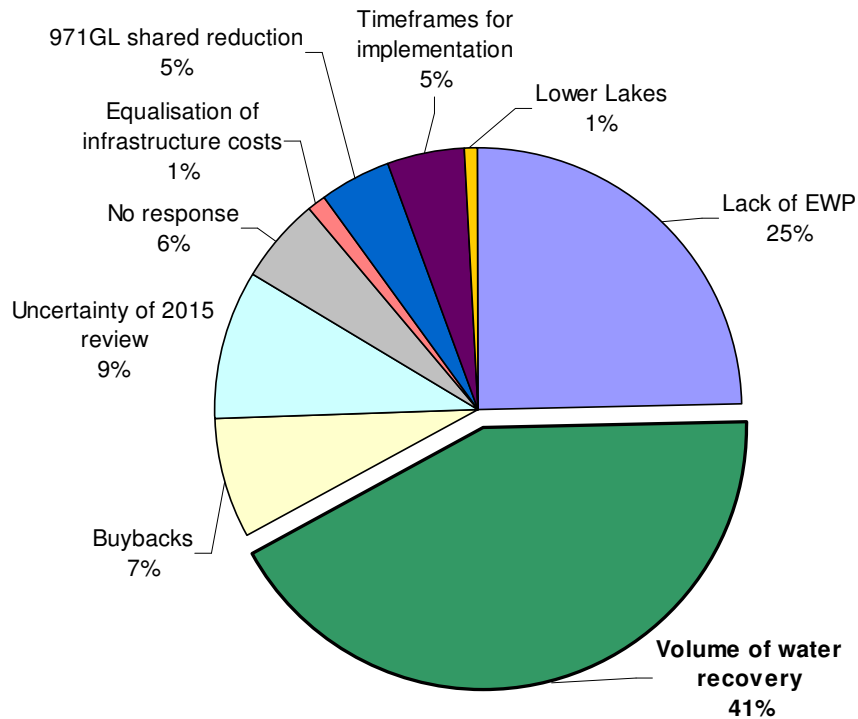
Agricultural production	50
Agriculture-related industry	11
Tourism and recreation	3
Community interests	9
Other	20
No response	9
<i>TOTAL</i>	<i>102</i>

Connection to irrigation water:

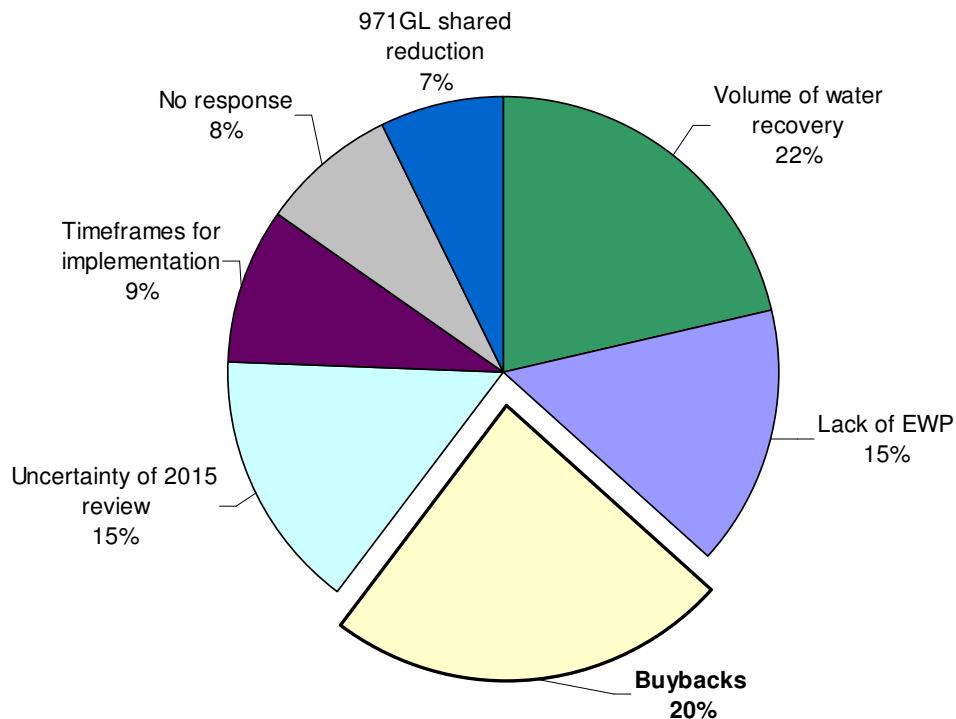
Directly dependent (user of irrigation water)	45
Indirectly dependent (clients/suppliers dependent on irrigation water)	15
Live in an irrigation-dependent community	31
Independent of irrigation water	5
No response	6
<i>TOTAL</i>	<i>102</i>

Priority issues:

Draft Basin Plan: Issue of highest priority



Draft Basin Plan: Issue of second highest priority



Perceptions of outcomes:

Statements posed to participants:

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Response
◆ The Plan will bring about positive water reform.	33%	29%	19%	6%	5%	8%
◆ The Plan will create certainty for business investment.	34%	28%	14%	11%	5%	8%
◆ The Plan will foster healthy communities through having healthy rivers.	31%	30%	23%	4%	5%	7%
◆ The Plan will encourage the continuation of food production in the Basin.	38%	28%	16%	8%	3%	7%
◆ The timeframe for implementation of the Sustainable Diversion Limits (2019) will be sufficient to be able to re-structure farms and local businesses.	30%	27%	19%	14%	2%	8%
◆ The volume of water proposed to be returned to the environment will improve river health.	23%	24%	29%	11%	5%	8%
◆ My business or sector will be able to manage with less water.	29%	28%	21%	11%	2%	9%
◆ The 'shared pool' of reductions will achieve the optimal outcome for local systems by letting market forces prevail	29%	30%	19%	8%	0%	14%

Solutions:

Statements posed to participants:

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	No Response
◆ Water should be saved primarily through infrastructure upgrades.	2%	3%	7%	34%	43%	11%
◆ There should be no more water buybacks by the Commonwealth.	4%	9%	18%	28%	33%	8%
◆ Opportunities for limited Commonwealth buybacks should remain.	13%	12%	25%	33%	8%	9%
◆ A detailed Environmental Watering Plan should be developed up front.	2%	0%	8%	33%	47%	10%
◆ Continue to leave the development of Environmental Watering Plans until later.	27%	24%	14%	19%	6%	10%
◆ Keep the proposed 'shared pool' of reductions and let the market determine outcomes.	16%	23%	30%	16%	3%	12%
◆ Replace the 'shared pool' of reductions with prescribed reductions for each system.	9%	23%	24%	21%	11%	12%
◆ Mitigating projects should be outlined for affected towns and regions.	0%	1%	7%	47%	35%	10%
◆ No action or further buybacks until the Sustainable Diversion Limits are reviewed in 2015.	3%	10%	15%	30%	32%	10%

Appendix 2 – Proposed amended Instrument of Delegation with Shepparton Show Me suggested amendments

Maddocks Delegations and Authorisations

C4. Instrument of Delegation (Special Committees)

**Greater Shepparton City Council
Instrument of Delegation
Shepparton Show Me Special Committee**

Greater Shepparton City Council (**Council**) delegates to the special committee established by resolution of Council passed on **##[#date#]** and known as the Shepparton Show Me Special Committee (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on **##[#date#]**;
2. the Delegation:
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 remains in force until Council resolves to vary or revoke it; and
 - 2.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee will have voting rights.

##[#Council seal#]

SCHEDULE

Powers and Functions

To exercise Council's functions and powers to perform Council's duties for the following purposes:

1. The power to determine and implement a Business Plan for the Show Me brand ensuring that:
 - all retail and non-retail business contributing to the differential promotion rate receive equitable treatment relative to their level of contribution;
 - provision is made for the most cost-effective use of resources for all stakeholders.
2. The power to incur expenditure not exceeding the amount collected from the differential rate, or from other legal funding sources, for implementation for the Show Me Business Plan.
3. The responsibility to refer to the Council any applications from special interest groups for assistance towards promotional programs, ensuring consistency with the goals and objectives of Show Me and the coordination of programs.
4. The power to seek additional funding sources or other forms of assistance, including by way of sponsorship, to be directed towards activities and programs that are consistent with, or complementary to, the Show Me Business Plan.
5. The function of monitoring and assessing the operation of the Show Me Business Plan.
6. The responsibility to maintain an awareness of the current activities of the Council's Economic Development [Department Branch](#) in respect of projects, campaigns, events and promotions in so far as they relate to Greater Shepparton.
7. The power to enter into contracts and to incur expenditure, within the limits noted below.
8. The power to do all things necessary ~~or convenient to be done for or in connection with the in order to~~ performance ~~these all~~ functions, duties and powers- outlined above.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

1. Enter into contracts, or incur expenditure, for an amount which is not included in the budget
2. Award a contract exceeding the value of \$100,000
3. Award a contract other than to the lowest conforming tenderer, unless authorized by Council-
4. Exercise the powers which, by force Section 86 of the Act, cannot be delegated

Appendix 1 - Instrument of Delegation and Guidelines - Proposed Changes Matrix

ITEM	CURRENT	PROPOSED (AS PER APPENDIX 2 & 3)	ADDITIONAL PROPOSED MANAGEMENT RECOMMENDATIONS (AS PER APPENDIX 4 & 5)
Preamble	the powers and functions set out in the Schedule, and declares that:	the powers and functions set out in the Schedule, and declares that:	the powers and functions set out in the Schedule with the objective of stimulating economic activity for stakeholders , and declares that:
Powers & Functions 6	The responsibility to maintain an awareness of the current activities of the Council's Economic Development Department in respect of projects, campaigns, events and promotions in so far as they relate to Greater Shepparton.	The responsibility to maintain an awareness of the current activities of the Council's Economic Development Branch in respect of projects, campaigns, events and promotions in so far as they relate to Greater Shepparton.	The responsibility to maintain an awareness of the current activities of the Council's Economic Development and Tourism and Events Branches in respect of projects, campaigns, events and promotions in so far as they relate to Greater Shepparton.
Powers & Functions 8	The power to do all things necessary or convenient to be done for in connection with the performance those functions, duties and powers.	The power to do all things necessary in order to perform all functions, duties and powers outlined above .	The power to do all things necessary in order to perform all functions, duties and powers outlined above .
Exceptions, Conditions and Limitations 3	Award a contract other than to the lowest conforming tenderer.	Award a contract other than to the lowest conforming tenderer, unless authorised by Council .	Award a contract other than to the lowest conforming tenderer, unless authorised by Council .
Vision	Vision exists, but currently not included in SSM Instrument of Delegation	Not proposed for inclusion	Shepparton Show Me's vision is to support the continued development of Shepparton's retail and commercial precinct by creating a character and identity exclusive to Shepparton.
Mission	Vision exists, but currently not included in SSM Instrument of Delegation	Not proposed for inclusion	The mission is to facilitate a connection between the Shepparton Show Me branding and the stakeholders through the support of events, festivals and other promotional activities directed towards attracting consumers of retail and business services to Shepparton and driving economic activity.

Guidelines

ITEM	CURRENT	PROPOSED (AS PER APPENDIX 2 & 3)	ADDITIONAL PROPOSED MANAGEMENT RECOMMENDATIONS (AS PER APPENDIX 4 & 5)
Policy, Rules and Procedures 3.6	N/A	Within 12 months of each General Election, carry out a review of the Shepparton Show Me Committee's requirements in accordance with section 86 of the Local Government Act 1989	Within 12 months of each General Election, carry out a review of the Shepparton Show Me Committee's requirements in accordance with section 86 of the Local Government Act 1989
Reporting 6.1	Provide a written report to the Council on its operation on an annual basis (which shall be deemed to be the annual report).	Provide a written report to the Council on its operation on an annual basis (which shall be deemed to be the annual report) by the end of September each year.	Provide a written report to the Council on its operation on an annual basis (which shall be deemed to be the annual report) by the end of September each year.
Reporting 6.2	N/A	Develop a comprehensive business plan each year and present to Council for approval before 30 April each year;	Develop a comprehensive business plan each year and present to Council for approval before 30 April each year;
Reporting 6.3	N/A	Document any business/funding agreements between the Shepparton Show Me Committee and any other parties and ensure such documents are transparent, reviewed and maintained;	Document any business/funding agreements between the Shepparton Show Me Committee and any other parties and ensure such documents are transparent, reviewed and maintained;
Reporting 6.4	N/A	Establish, maintain and present at each general meeting a register of all sponsorship submissions, including applications approved and applications declined;	Establish, maintain and present at each general meeting a register of all sponsorship submissions, including applications approved and applications declined;
Finance 7.1	The Committee must ensure the effective financial control of the program, including the submission of an annual budget to Council for consideration and approval by 30 April in each year (for each financial year beginning on 1 July and ending the following 30 June).	The Committee must ensure the effective financial control of the program, including the submission of an annual budget to Council for consideration and approval by 30 April in each year (for each financial year beginning on 1 July and ending the following 30 June). This annual budget must include anticipated funds carried forward as at 30 June.	The Committee must ensure the effective financial control of the program, including the submission of an annual budget to Council for consideration and approval by 30 April in each year (for each financial year beginning on 1 July and ending the following 30 June). This annual budget must include anticipated funds carried forward as at 30 June.
Finance 7.2	N/A	The Committee must consider financial reports developed by the Council in conjunction with the treasurer, detailing Shepparton Show Me's financial position at each general meeting.	The Committee must consider financial reports developed by the Council in conjunction with the treasurer, detailing Shepparton Show Me's financial position at each general meeting.
Finance 7.4	The Committee may enter into contracts, leases or rental agreements on behalf of the Council associated with the Committee's annual business plan with the consent of Council and subject to any requirements of the Act. Specific contracts shall not exceed \$100,000 on individual contracts without Council consent.	The Committee may enter into contracts, leases or rental agreements on behalf of the Council associated with the Committee's annual business plan with the consent of Council and subject to any requirements of the Act. Specific contracts shall not exceed \$100,000 on individual contracts without Council consent and must conform with Council's Procurement Policy.	The Committee may enter into contracts, leases or rental agreements on behalf of the Council associated with the Committee's annual business plan with the consent of Council and subject to any requirements of the Act. Specific contracts shall not exceed \$100,000 on individual contracts without Council consent and must conform with Council's Procurement Policy.
Finance 7.6	The Committee shall have the power to, on behalf of the Council, hold or sponsor functions, stalls and other fundraising means, within the constraints of the budget, to enhance the objectives of the Committee.	The Committee shall have the power to, on behalf of the Council, hold or sponsor functions, stalls and other fundraising means, within the constraints of the budget, to enhance the objectives of the Committee, subject to the consent of the Council.	The Committee shall have the power to, on behalf of the Council, hold or sponsor functions/ events , stalls and other or fundraising means, within the constraints of the budget, to enhance the objectives of the Committee, subject to the consent of Council Officers.
Finance 7.7	The Committee must ensure that all accounting functions of the Committee conform to the requirements of Australian Accounting Standards, the Local Government Act 1989 and relevant regulations.	The Committee must ensure that all accounting functions of the Committee conform to the requirements of Australian Accounting Standards, the Local Government Act 1989 and Council policies.	The Committee must ensure that all accounting functions of the Committee conform to the requirements of Australian Accounting Standards, the Local Government Act 1989 and Council policies.

Committee Membership 8.1	The Committee shall comprise up to eight members representative of the Shepparton business community, two councillors and the Chief Executive Officer, appointed by resolution of the Council.	The Committee shall comprise up to eight members representative of the Shepparton business community, two councillors and a member of The Executive, appointed by resolution of the Council.	The Committee shall comprise up to eight members representative of the Shepparton business community, two councillors and a member of The Executive, appointed by resolution of the Council. One of the two Councillors appointed by the Council will be appointed as Chairperson of the Committee by the Council.
General Meetings 9.2.2	The Secretary shall give reasonable notice of all meetings by distributing a notice of the meeting to all members at least seven clear days prior to the meeting.	The Secretary shall give reasonable notice of all meetings by distributing a notice of the meeting to all members at least seven clear days prior to the meeting.	The Secretary shall give reasonable notice of all meetings by distributing a notice of the meeting to all members at least seven clear days prior to the meeting.
Special Meetings 9.3	The Chairperson shall arrange for notice of the meeting to be given to all Committee members. No other business shall be transacted at that meeting except that specified in the notice.	The Chairperson shall arrange for reasonable notice of the meeting to be given to all Committee members. No other business shall be transacted at that meeting except that specified in the notice unless, all Committee members are present and unanimously agree to deal with any other matter.	The Chairperson shall arrange for reasonable notice of the meeting to be given to all Committee members. No other business shall be transacted at that meeting except that specified in the notice unless, all Committee members are present and unanimously agree to deal with any other matter.
Meeting Procedures 10.3	The Chairperson shall take the chair at all meetings at which he or she is present. In the Chairperson's absence, the Vice Chairperson will chair the meeting. In his or her absence, the members present may appoint one of their number to chair the meeting.	The Chairperson shall take the chair at all meetings at which he or she is present. In the Chairperson's absence, the Vice Chairperson will chair the meeting. In his or her absence, the members present may appoint one of their fellow members to chair the meeting.	The Chairperson shall take the chair at all meetings at which he or she is present. In the Chairperson's absence, the Vice Chairperson will chair the meeting. In his or her absence, the members present may appoint one of their fellow members to chair the meeting.
Meeting Procedures 10.7.9	N/A	A resolution to close the meeting to members of the public.	A resolution to close the meeting to members of the public.
Meeting Procedures 10.11	The Committee may form sub-committees from among its members for the purpose of recommending on matters, provided that no decision may be acted upon until adopted by the full Committee. The Chairperson shall be an ex officio member of all sub committee. Sub-committees shall only be established by resolution of the Committee and shall only carry out those functions stated in such resolution.	The Committee may form sub-committees from among its members for the purpose of recommending on matters, provided that no decision may be acted upon until adopted by the full Committee. The Chairperson shall be an ex officio member of all Sub-Committees. Sub-committees shall only be established by resolution of the Committee and shall only carry out those functions stated in such resolution.	The Committee may form sub-committees from among its members for the purpose of recommending on matters, provided that no decision may be acted upon until adopted by the full Committee. The Chairperson shall be an ex officio member of all Sub-Committees. Sub-committees shall only be established by resolution of the Committee and shall only carry out those functions stated in such resolution.
Office Bearers 11.1	As the last item of business at an Annual General Meeting, the Committee shall elect the following office bearers: 11.1.1 Chairperson 11.1.2 Vice Chairperson 11.1.3 Secretary 11.1.4 Treasurer The secretary will have responsibility for reviewing minutes of committee meetings and assisting Council staff in the vetting of applications for funding. The treasurer will have responsibility for recommending to Council payment of accounts, development of the annual budget and the review of financial reports produced by Council staff. The treasurer will have not direct access to or control of funds, such responsibility remaining with Council.	As the last item of business at an Annual General Meeting, the Committee shall elect the following office bearers: 11.1.1 Chairperson 11.1.2 Vice Chairperson 11.1.3 Secretary 11.1.4 Treasurer The secretary will have responsibility for reviewing minutes of committee meetings and assisting Council staff in the vetting of applications for funding. The treasurer will have responsibility for recommending to Council payment of accounts, development of the annual budget and the review of financial reports produced by Council staff. The treasurer will have not direct access to or control of funds, such responsibility remaining with Council.	As the last item of business at an Annual General Meeting, the Committee shall elect the following office bearers: 11.1.1 Chairperson 11.1.2 Vice Chairperson 11.1.3 Secretary 11.1.4 Treasurer The secretary will have responsibility for reviewing minutes of committee meetings and assisting Council staff in the vetting of applications for funding. The treasurer will have responsibility for recommending to Council payment of accounts, development of the annual budget and the review of financial reports produced by Council staff. The treasurer will have not direct access to or control of funds, such responsibility remaining with Council.
Office Bearers 11.1.3	Secretary	Secretary; The secretary will have responsibility for reviewing minutes of committee meetings and assisting Council staff in the vetting of applications for funding.	Secretary; The secretary will have responsibility for reviewing minutes of committee meetings and assisting Council staff in the vetting of applications for funding.

Office Bearers 11.1.4	Treasurer	Treasurer; The treasurer will have responsibility for recommending to Council payment of accounts, development of the annual budget and the review of financial reports produced by Council staff. The treasurer will have no direct access to or control of funds, such responsibility remaining with Council.	Treasurer; The treasurer will have responsibility for recommending to Council payment of accounts, development of the annual budget and the review of financial reports produced by Council staff. The treasurer will have no direct access to or control of funds, such responsibility remaining with Council.
Office Bearers 11.1.5	Any other office the Committee may wish to appoint.	Any other office the Committee may wish to appoint.	Any other office the Committee may wish to appoint.

FINANCIAL STATEMENTS

2011-2012 FINANCIAL YEAR TO DATE AT

31 March 2012

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Greater Shepparton City Council

Financial Narrative

31 March 2012

Summary

Due to the close timing of this report to the Mid Year Review undertaken in January there remains very few significant items to note, largely variances are relatively minor in dollar value at this early stage. Council will commence formal budget reviews at the end of each quarter of the financial year and as such will use the March forecast figures provided in this report as the preliminary base figures for review of the third quarter results.

As at 31 March 2012, Greater Shepparton City Council reports an operating surplus of \$19.7m, which is \$0.8m higher than expected. This surplus comprises revenue of \$89.9m and expenditure of \$70.2m. The end-of-year forecast estimates that the operating surplus will be \$7.76m, \$0.16m less than the Mid Year Budget.

Capital expenditure totalling \$20.2m has been recorded to 31 March 2012. This equates to a total of 58% of the total capital expenditure budget with 75% of the year passed. The end-of-year forecast for capital expenditure indicates that \$34.3m is required for works, which is \$0.5m less than the Mid Year Budget of \$34.8m. It should be noted however that the forecast budget of \$34.3m will contain a number of projects which will be incomplete at 30 June due to timing delays and therefore funds will be required to be carried forward into 2012/2013 in order to complete jobs. Indication of these projects will be available following the March quarter review currently underway.

Income Statement

Operating revenue of \$89.9m is \$0.2m ahead of budget, while operating expenses of \$70.2m are \$0.6m behind budget. The end-of-year forecast estimates that an additional \$0.5m of revenue is expected to be received, while expenditure is forecast to be an additional \$0.6m. These forecasts will be the basis for the third quarter review which is currently underway.

- 1 Operating grants and contributions report as \$0.3m ahead of budget. The variances relates to:
 - An unbudgeted amount of \$0.15m, being auspiced funds for Fairly Leadership Provincial Leaders Development Program
 - earlier than expected receipt of grant funds for the L.E.A.D. program (\$0.13m) and Community Transport Connections program (\$0.1m).
- 2 Statutory Fees reflect an under budget result of \$0.19m which is largely linked to animal registrations which are due at the beginning of April.
- 3 Materials and Consumables are \$0.6m behind budget. Primary variances are:
 - Kaiela Institute \$0.1m behind budget due to delays in expenditure associated with auspiced funds
 - Community Programs \$0.12m behind budget however are expected to finish on target.
 - COAG Healthy Communities \$0.07m behind budget but is not of concern as the program funding extends over three financial years.
 - Children's services program costs reflecting \$0.1m behind budget but comprise of a number of smaller variances.
- 4 External contracts are showing as \$0.2m ahead of budget. The notable variance is:
 - Aged Services reflecting an overspend of \$0.1m in the area of Personal care and maintenance associated with increases in demand of personal home support and household services.

Balance Sheet

- 5 Receivables show an increase by \$5.85m due to Rates and Charges being raised in July 2011 with one final instalment due in May 2012.
- 6 Investments remain strong showing an increase of \$2.96m and are at expected levels following receipt of grants commission funding and payments of municipal rates and charges in February.
- 7 Payables have decreased by \$3.92m largely due to payment of accrued expenses from 30 June 2011.
- 8 Total equity has increased by \$19.7m to \$661.6m for the financial year to 31 March 2012.

Investments

Investments remain stable and at expected levels of \$29.5m. The average interest rate on investments is 5.5%.

Capital

Capital revenue of \$6.5m is on budget, while capital expenditure of \$20.2m is \$1.1m behind 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 March 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	53,729,568	53,739,975	53,697,481	42,494	0.1%	
Operating Grants and Contributions	19,623,859	19,809,903	14,461,692	14,781,363	(319,671)	(2.2%)	1
Capital Grants and Contributions	8,729,894	8,835,019	6,187,006	6,233,424	(46,418)	(25.0%)	
Interest	1,646,930	1,651,930	1,236,243	1,239,882	(3,639)	(0.3%)	
User Charges	12,729,507	12,811,568	9,521,835	9,578,648	(56,813)	(3.8%)	
Statutory Fees	2,381,865	2,370,228	1,622,022	1,428,638	193,384	11.9%	2
Proceeds from Sale of Assets	1,539,000	1,539,000	245,452	231,788	13,664	5.6%	
Other	1,085,051	1,236,970	766,167	882,343	(116,176)	(15.2%)	
Parking Fees and Fines	1,914,600	1,899,600	1,371,012	1,269,999	101,013	7.4%	
Rent	688,218	701,610	573,733	583,172	(9,439)	(1.6%)	
Total Revenue	104,118,492	104,585,396	89,725,137	89,926,737	(201,600)	(0.2%)	
Expenses							
Employee Benefits	35,634,985	35,442,229	26,725,085	26,635,320	(89,765)	(0.3%)	
Materials and Consumables	27,841,635	28,209,784	20,177,897	19,590,030	(587,867)	(2.2%)	3
External Contracts	10,457,028	10,591,278	7,576,525	7,748,684	172,159	2.3%	4
Utilities	2,356,241	2,395,734	1,683,246	1,608,807	(74,439)	(4.4%)	
Borrowing Costs	1,075,134	1,075,134	570,132	566,313	(3,819)	(0.7%)	
Depreciation and Amortisation	18,650,763	18,928,554	13,988,079	13,988,070	(9)	(0.0%)	
Written Down Value of Assets Sold	183,800	183,800	105,153	105,153	0	0.0%	
Total Expenses	96,199,586	96,826,513	70,826,117	70,242,377	(583,740)	(0.8%)	
Surplus/(Deficit) for the period	7,918,906	7,758,883	18,899,020	19,684,360	(785,340)	(4.2%)	

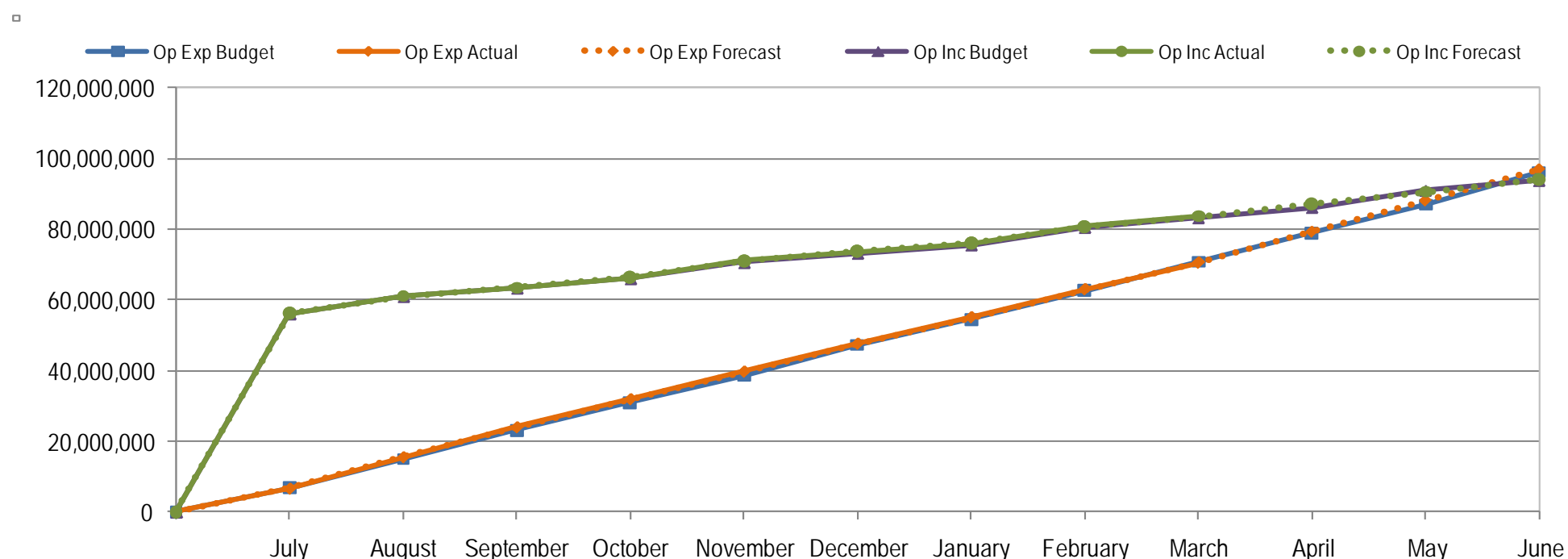
Greater Shepparton City Council
Balance Sheet
for period ending March 2012

	2011/2012 Mid Year Budget \$	June 2011 \$	March 2012 \$	Note
Current Assets				
Cash	3,000,000	2,017,104	1,626,490	
Receivables	6,000,000	6,129,104	11,974,445	5
Investments	19,251,360	26,554,082	29,515,007	6
Other	75,000	74,396	121,705	
Non Current Assets Held for Resale	-	0	0	
Total Current Assets	28,326,360	34,774,685	43,237,647	
Non Current Assets				
Receivables	-	0	0	
Infrastructure	672,236,248	637,096,890	644,920,377	
Other	2,400,000	1,371,049	1,371,049	
Total Non Current Assets	674,636,248	638,467,939	646,291,426	
Total Assets	702,962,608	673,242,625	689,529,073	
Current Liabilities				
Payables	9,286,728	7,744,926	3,821,670	7
Interest Bearing Liabilities	300,355	83,528	0	
Trust Funds	2,200,000	2,407,101	2,153,930	
Employee Benefits	7,000,000	7,290,255	7,278,165	
Other	-	0	996,541	
Total Current Liabilities	18,787,083	17,525,811	14,250,306	
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	12,702,110	
Total Non Current Liabilities	18,364,518	13,824,713	13,702,306	
Total Liabilities	37,151,601	31,350,524	27,952,612	
Net Assets	665,811,007	641,892,101	661,576,461	
Represented By				
Accumulated Surplus	291,190,101	283,271,194	302,955,554	
Reserves	374,620,906	358,620,906	358,620,906	
Total Equity	665,811,007	641,892,100	661,576,460	8

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

	2011/2012 Mid Year Budget \$	2011/12 Actual March 2012 \$
<i>Cash flows from operating activities</i>		
Receipts from customers	72,578,809	61,514,678
Payments to suppliers	(76,289,889)	(59,891,348)
Net cash inflow(outflow) from customers(suppliers)	(3,711,080)	1,623,329
Interest received	1,646,930	1,239,882
Government receipts	25,353,753	21,014,787
Other	(1,075,134)	583,172
Net cash inflow(outflow) from operating activities	22,214,469	24,461,169
<i>Cash flows from investing activities</i>		
Property, plant & equipment, infrastructure - receipts	1,539,000	231,788
Property, plant & equipment, infrastructure - payments	(34,790,121)	(21,916,710)
Other	-	
Net cash inflow(outflow) from investing activities	(33,251,121)	(21,684,922)
<i>Cash flows from financing activities</i>		
Proceeds from interest bearing loans and borrowings	5,000,000	0
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)	2,570,311
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	31,141,497

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



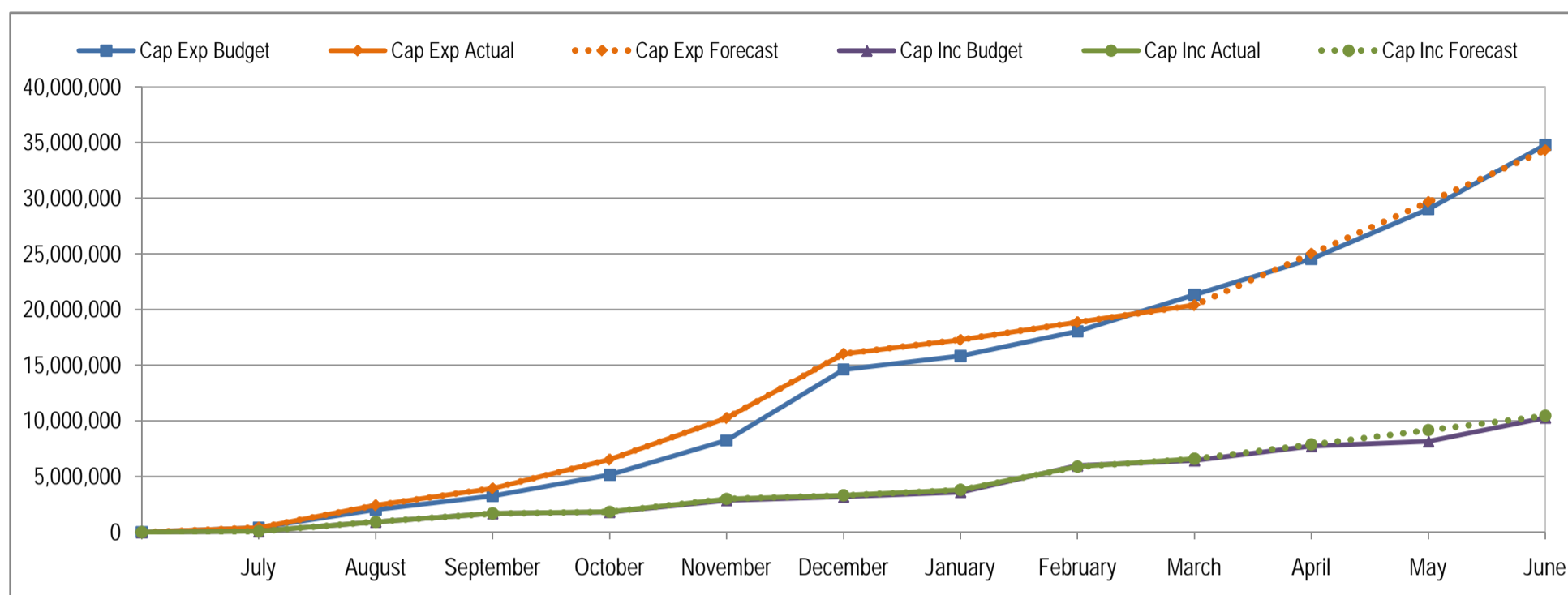
Expenditure

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	35,257,318	35,988,398	26,167,652	26,008,747	(158,905)	(0.6%)	1
Council Organisation and Management	13,969,495	13,830,096	10,448,662	10,516,187	67,525	0.6%	
Economic Development	6,440,538	6,452,965	4,748,757	4,685,782	(62,975)	(1.3%)	
Environment	11,542,808	11,613,171	8,362,134	8,223,275	(138,859)	(1.7%)	
Infrastructure	23,926,575	22,677,847	16,835,680	16,543,456	(292,224)	(1.7%)	2
Settlement and Housing	5,666,779	5,637,109	4,263,232	4,264,929	1,697	3.6%	
Grand Total	96,803,513	96,199,586	70,826,117	70,242,377	(583,740)	(0.6%)	

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	17,740,728	17,704,274	12,701,141	12,518,078	183,063	0.7%	
Council Organisation and Management	57,719,848	57,598,405	54,996,020	55,157,100	(161,080)	(0.3%)	
Economic Development	3,288,245	3,205,901	2,414,952	2,533,775	(118,823)	(5.1%)	3
Environment	11,248,408	11,248,408	10,272,204	10,493,447	(221,243)	(2.2%)	4
Infrastructure	2,385,173	2,401,810	1,620,678	1,444,852	175,826	7.9%	
Settlement and Housing	1,724,859	1,690,800	1,287,684	1,314,274	(26,590)	(3.9%)	
Grand Total	94,107,261	93,849,598	83,292,679	83,461,525	(168,846)	(0.4%)	

Greater Shepparton City Council
Capital Budget vs Actual
 2011/2012 Financial Year to period ending March 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	6,674,113	6,647,068	4,450,439	4,396,707	(53,732)	(1.2%)	
Council Organisation and Management	387,080	385,000	349,629	360,226	10,597	3.0%	
Economic Development	7,808,981	7,833,790	4,694,302	4,415,038	(279,264)	(5.9%)	
Environment	3,423,503	3,371,538	2,221,368	1,294,093	(927,275)	(41.7%)	5
Infrastructure	13,992,419	13,856,260	9,184,530	9,743,434	558,904	6.1%	6
Settlement and Housing	2,017,841	2,705,200	422,254	24,647	(397,607)	(94.2%)	7
Grand Total	34,303,937	34,798,856	21,322,522	20,234,144	(1,088,378)	(5.1%)	

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	1,093,192	940,076	749,276	694,075	55,201	7.4%	
Council Organisation and Management	0	0	0	0	0		
Economic Development	1,605,685	1,605,685	404,507	431,647	(27,140)	(6.7%)	
Environment	460,485	405,360	162,144	20,125	142,019	87.6%	
Infrastructure	4,266,773	4,288,773	3,576,794	3,791,626	(214,832)	(6.0%)	
Settlement and Housing	3,029,000	3,029,000	1,539,737	1,527,737	12,000	0.8%	
Grand Total	10,455,135	10,268,894	6,432,458	6,465,211	(32,753)	(0.5%)	

Greater Shepparton City Council
Budget vs Actual Notes
 31 March 2012

OPERATING

Expenditure

- 1 Community Life has an underspend of \$0.16m. The main drivers of this variance are:
 - Community Programs reports an underspend of \$0.2m of which \$0.1m relates to delays in payments to Kaiela Gallery associated with auspiced funds, \$0.04m relates to delays in delivery of the A&EC Employment Program and \$0.04m relates to staff vacancies.
 - Children's Services reports an underspend of \$0.2m , with the two significant variances being an underspend of \$0.09m in early years Best Start Program and \$0.04m delayed works in the children's building and garden maintenance. Both areas are anticipated to be on target at 30 June.
 - Aged and Disability services are reporting an overspend of \$0.1m largely due to increases in demand of personal home support and maintenance of elderly persons units.
 - As a result of the flood event in February/March 2012, the Emergency Management area is reporting an overspend of \$0.2m. Council will seek funding from State Government to cover these costs.
- 2 Infrastructure is reporting an underspend of \$0.3m with the notable driver being:
 - An underspend of \$0.2m relates to road and drainage works to be undertaken across the municipality in response to flood damage from 2010.

Income

- 3 Economic Development has received \$0.12m more operating income than anticipated at this point in the financial year. The significant variance relates to:
 - Receiving \$0.15m in auspiced funds for the Provincial Leaders Development Program.
- 4 Environment has received \$0.2m more operating income than anticipated with the main driver of this variance being:
 - Waste management recording an increase in user charges associated with the Cosgrove Landfill site of \$0.13m.

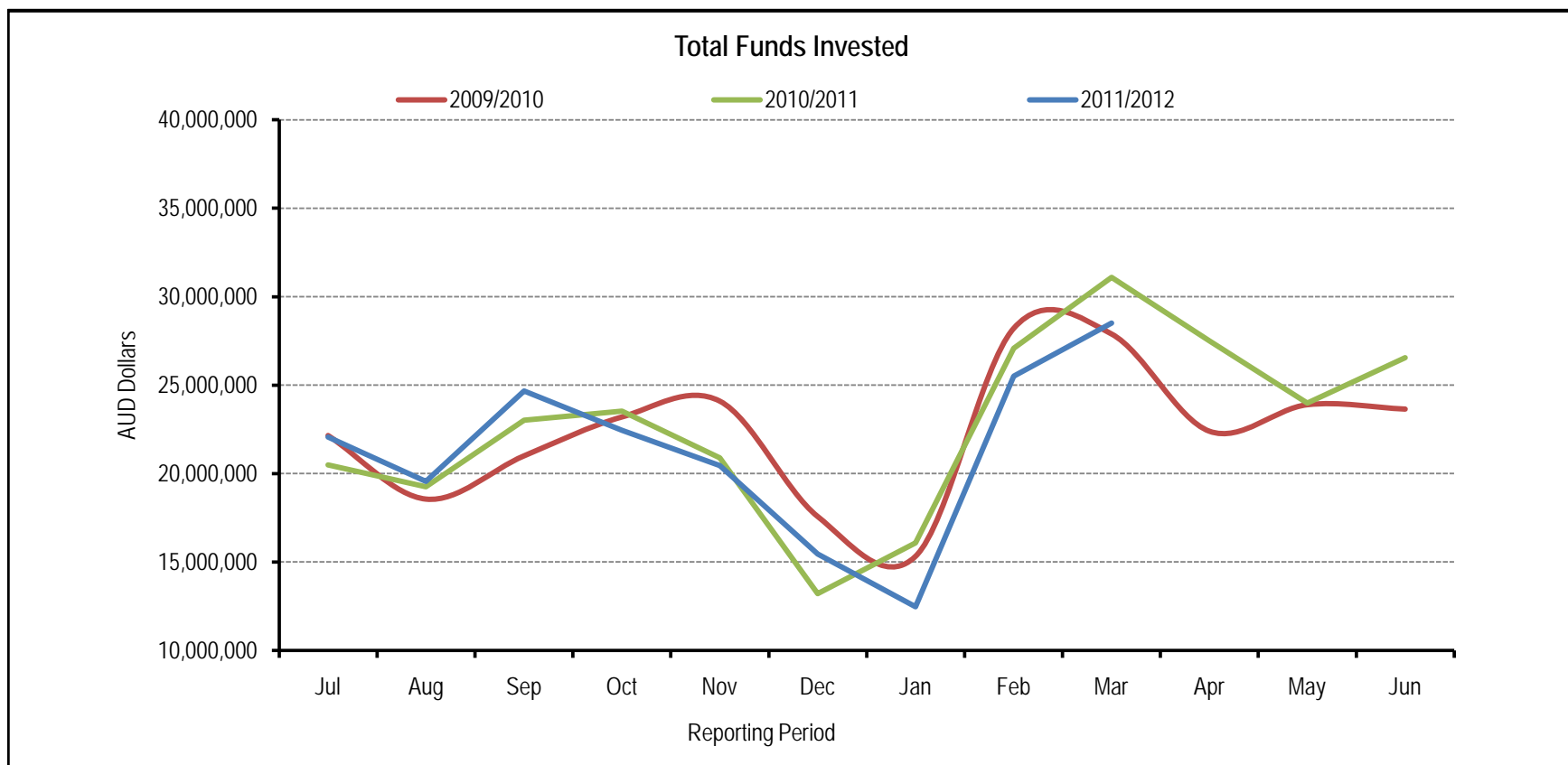
CAPITAL

Expenditure

- 5 Environment is reporting an underspend of \$0.9m against budget. Significant variances are:
 - Urban drainage replacement program behind budget \$0.3m. Works have now been successfully contracted and are expected to come back on target by end of financial year.
 - Tatura Flood Mitigation Works behind budget \$0.4m. Works have now been successfully contracted and are expected to come back on target by end of financial year.
 - Murchison Landfill rehabilitation works experiencing delays and showing \$0.1m behind budget. Tender has now closed and it is expected works will commence soon.
- 6 Infrastructure reports as \$0.5m ahead of budget. The main driver of this variance is:
 - Asset preservation rural reseals program ahead of budget \$0.35m due to favourable weather conditions which provided for works to be completed earlier than expected.
 - Kialla Lakes Bridge works report \$0.1m ahead of budget however will remain within budget provisions.
- 7 Settlement and Housing reports an underspend of \$0.4m against the budget with variance primarily relating to Community Plan Implementations not being as progressed as expected.

Investments Summary

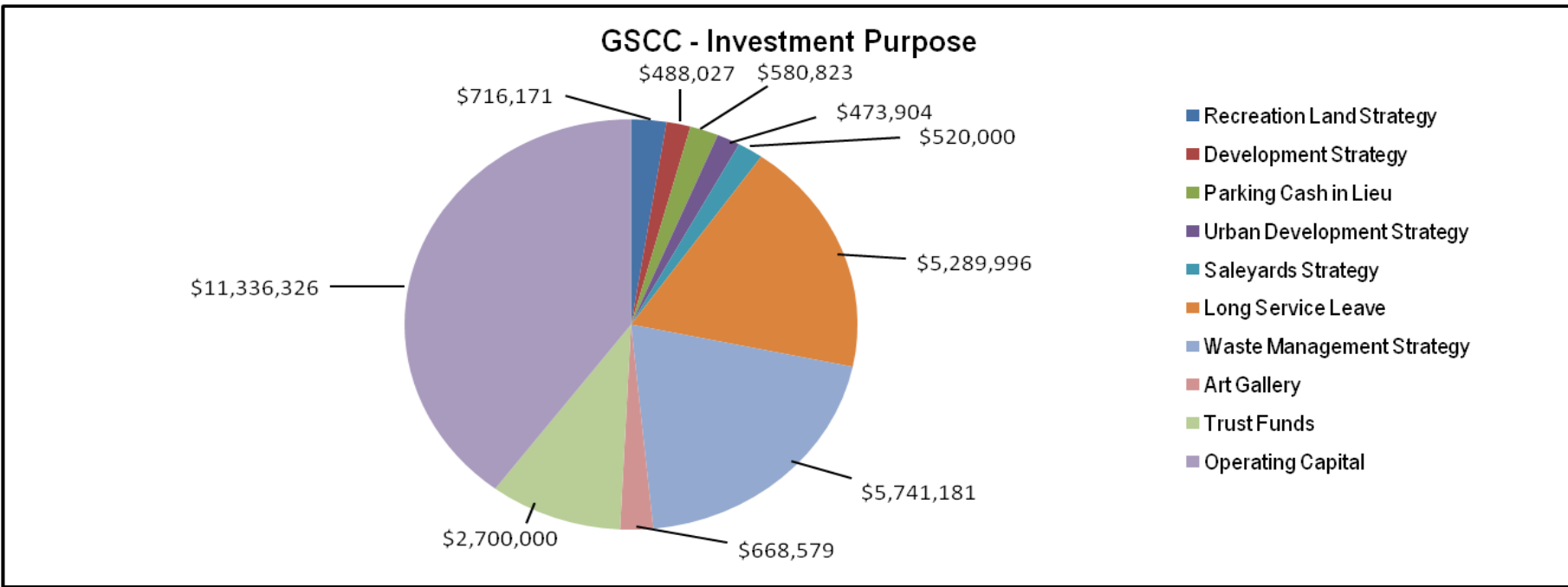
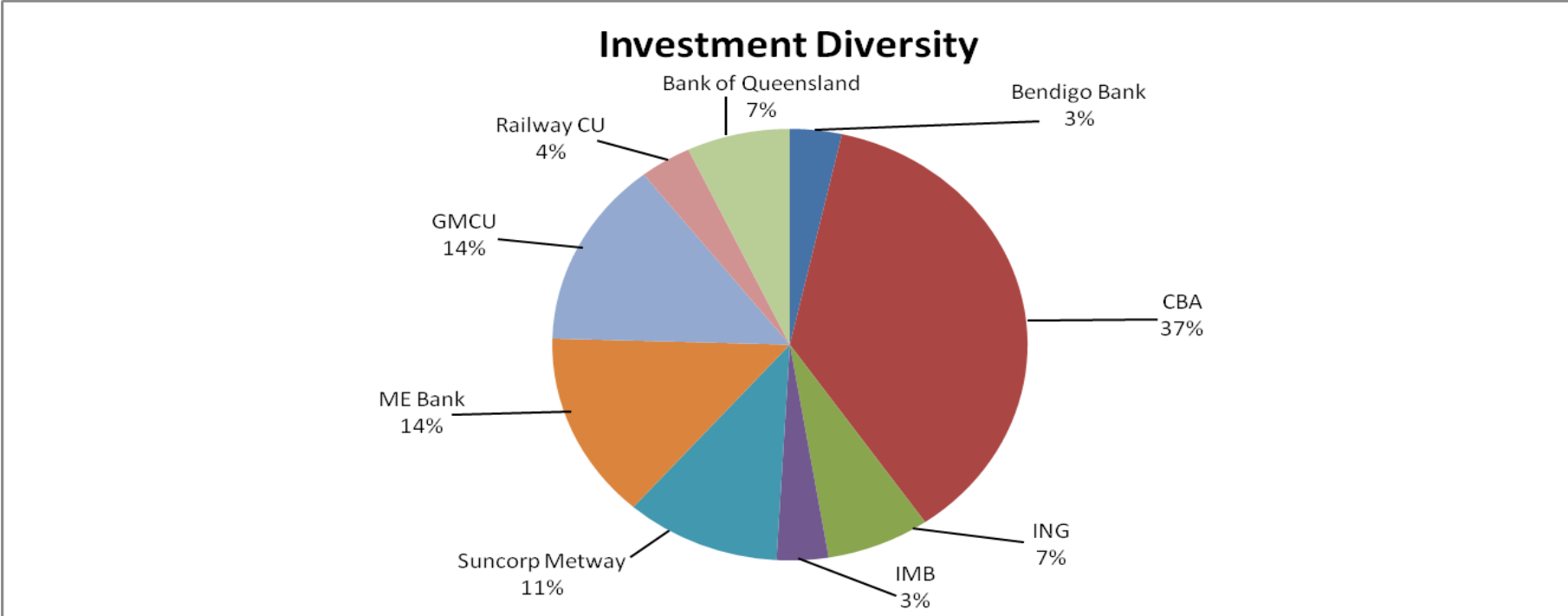
2011/2012 Financial Year to Date at 31 March 2012



GREATER SHEPPARTON CITY COUNCIL INVESTMENT REGISTER AT 31 MARCH 2012

Investment Body	Purpose of Investment	Rate	Maturity Date	Investment Amount
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	5.1000%	21/05/2012	36,432
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
ING	General Fund	5.9500%	4/06/2012	2,000,000
Suncorp Metway	General Fund	6.0000%	11/04/2012	1,000,000
Suncorp Metway	General Fund	6.0000%	13/04/2012	1,000,000
Suncorp Metway	General Fund	5.6200%	7/05/2012	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
ME Bank	General Fund	5.6500%	29/05/2012	1,000,000
GMCU	General Fund	5.7500%	15/05/2012	2,000,000
GMCU	General Fund	5.7500%	5/05/2012	2,000,000
ME Bank	General Fund	5.9000%	4/06/2012	1,000,000
Bank of Queensland	General Fund	5.4500%	8/05/2012	1,000,000
Bank of Queensland	General Fund	5.7000%	20/04/2012	1,000,000
Railway CU	General Fund	5.6500%	17/04/2012	1,000,000
TOTAL				29,515,007

Greater Shepparton City Council
Investments Summary
 2011/2012 Financial Year to Date at 31 March 2012



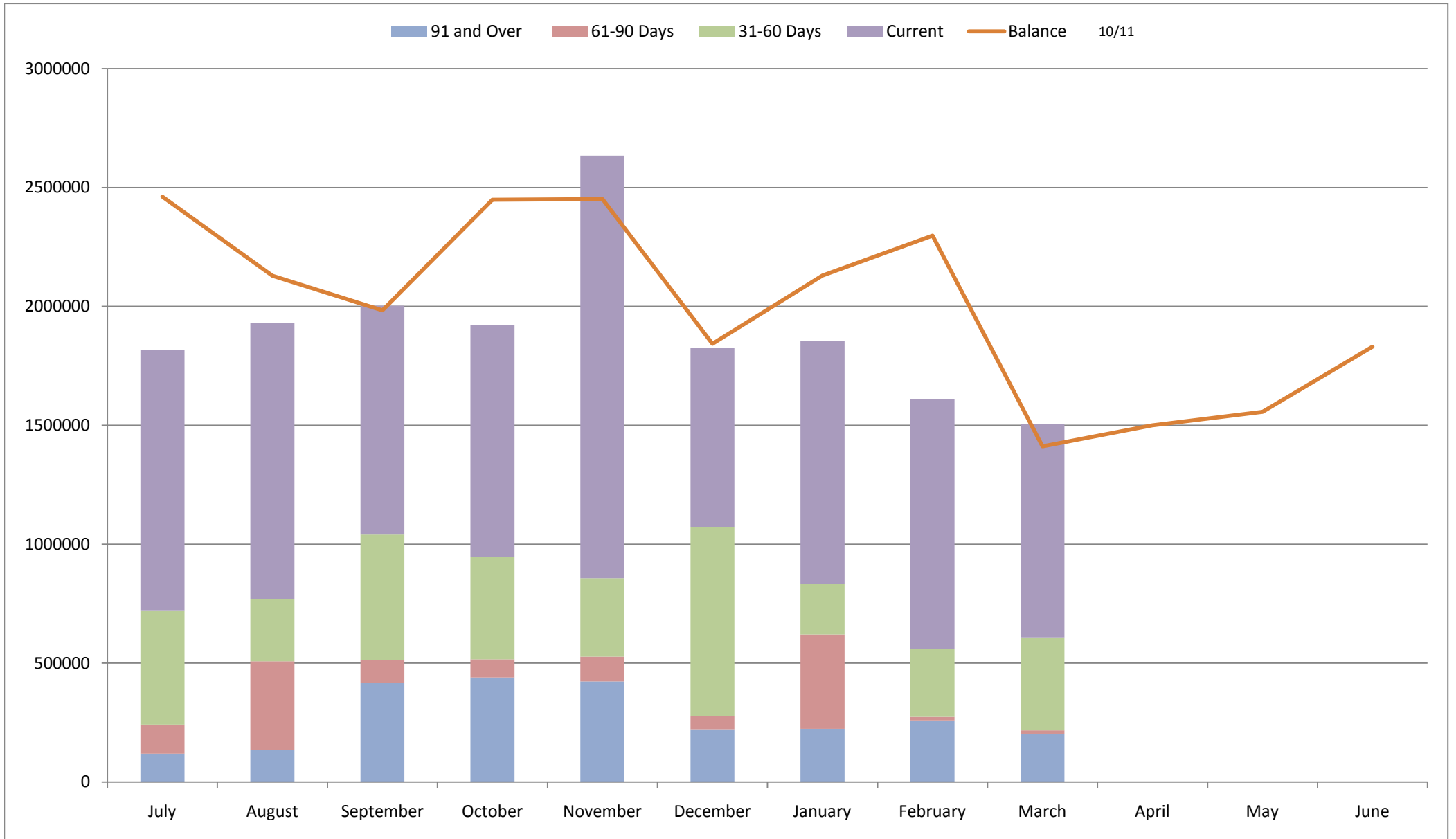
GSCC - INVESTMENT PURPOSE LISTING	
Purpose	Amount
Recreation Land Strategy	\$ 716,171
Development Strategy	\$ 488,027
Parking Cash in Lieu	\$ 580,823
Urban Development Strategy	\$ 473,904
Saleyards Strategy	\$ 520,000
Long Service Leave	\$ 5,289,996
Waste Management Strategy	\$ 5,741,181
Art Gallery	\$ 668,579
Trust Funds	\$ 2,700,000
Operating Capital	\$ 12,336,326
	29,515,007

Funds Held Notes:

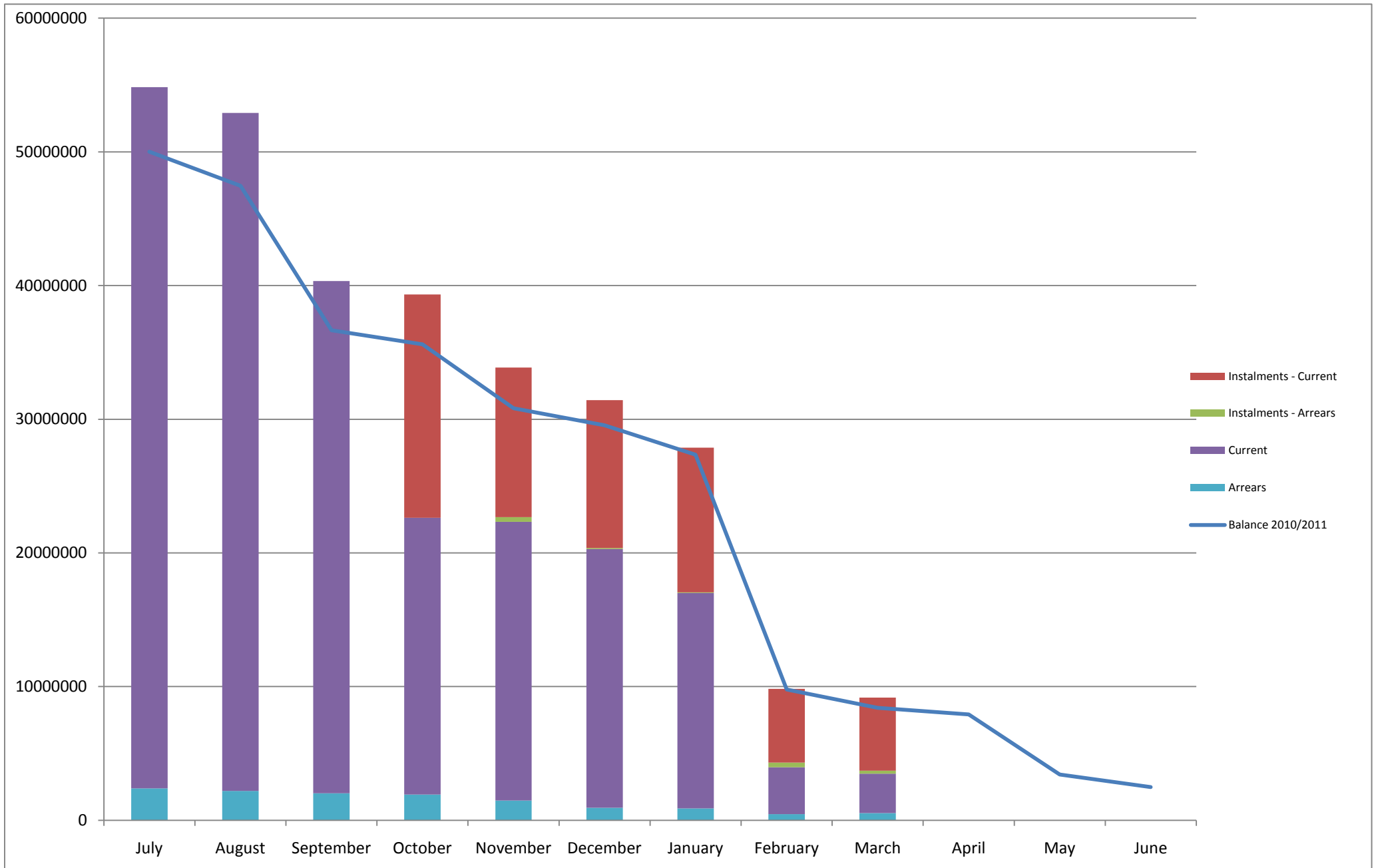
- ** Investments 1,2 and 3 relate to contributions received under planning permit conditions and are subject to use on
- ** Investments 4,5 and 6 relate to surplus operational funds maintained in accordance with council process to
- **Investment 7 is in accordance with regulations requiring Council to 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.

Council's Investment and Cash Management Policy has been complied with and there are no breaches to report.

Greater Shepparton City Council Comparative Sundry Debtors 31 March 2012



City Of Greater Shepparton Comparative Rates Debtors





GOLF BALL: 2100 DIAMETER FIBRE REINFORCED PLASTIC WHITE PAINT FINISH WITH PAINTED DIMPLES AND PROFESSIONAL SIGN WRITING

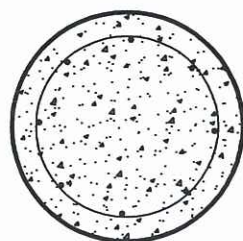
5.0m

TEE: COLUMN 300X6 CHS OR SIMILAR. TBC.

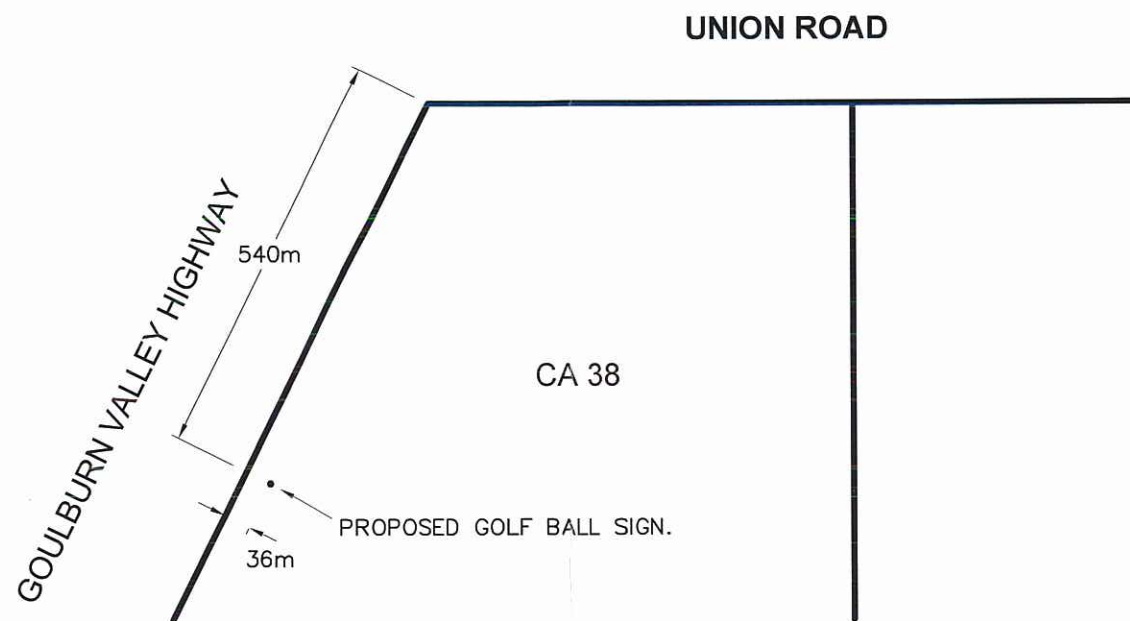
SIGN DETAIL

BASE PLATE 20mm 400X400
BOLTS 6M20 CAST 450 INTO FOOTING
GUSSETS 12mm

FOOTING: ø600 N20 CONCRETE
DRILLED AND CAST 2.0m BELOW
EXISTING SURFACE.
DESIGN TO BE CONFIRMED WITH SOIL
REPORT.



PIER FOOTING: 8N20
LONGITUDINAL BARS. R10
HELICAL BINDING PITCH
250mm.



LOCATION PLAN



Plans Submitted
with Application

PROJECT:	PROPOSED DIRECTION SIGNAGE
TITLE:	STRUCTURAL DETAILS
LOCATION:	6890 GOULBURN VALLEY HIGHWAY ARCADIA (SORRAGHANS).
CLIENT:	KIALLA GOLF CLUB. INC.

B·M
CONSULTING ENGINEERS
Ph.: (03) 5821 7393 ABN 36 473 826 551
Fax: (03) 5831 3042
CHECKED EC No. 1917

AMENDMENTS	
SCALE VARIES	DATE 19/12/11
DRAWING No. 29525	SHEET 1 of 1

DRAFT

REFUSAL TO GRANT A PERMIT

APPLICATION NO: 2011-405

PLANNING SCHEME: GREATER SHEPPARTON PLANNING SCHEME

RESPONSIBLE AUTHORITY: GREATER SHEPPARTON CITY COUNCIL

ADDRESS OF THE LAND: 6890 Goulburn Valley Highway ARCADIA VIC 3631

WHAT HAS BEEN REFUSED: Display of promotion pole sign

WHAT ARE THE REASONS FOR THE REFUSAL?

The sign is prohibited under clause 52.05-10 of the Greater Shepparton Planning Scheme for the following reasons:

- The sign is a 'promotion pole sign', which is a section 3, prohibited sign under clause 52.05-10

2012

CONSIDERATION OF BANNING SMOKING IN OUTDOOR DINING AREAS WITHIN THE CITY OF GREATER SHEPPARTON



Prepared by Business Support
Administration Assistant
Corporate Services Department
March 2012

EXECUTIVE SUMMARY

This report was instigated by a resolution of Council on 21 February 2012 following a notice of motion presented by Councillor Houlihan:

“that a report be provided to Council which documents the positive and negative effects of banning smoking in outdoor dining areas in Greater Shepparton.

The report

- a) must address the relevant health, environmental, social, economic and governance matters and*
- b) be included on the agenda of the March or April 2012 Ordinary Council Meeting”*

In consideration of the required time frame for delivery of the report, existing studies and publications were relied on to provide information on the identified criteria, with the exception of governance aspects which also refers to policy and local law impacts particular to Greater Shepparton.

Predominately, available information focused on the negative effects of smoking and the potential positive effects of banning smoking in outdoor dining and other public areas. This result may be reflective of the objectives of organisations driving the research and literature, such as the Heart Foundation and Quit Victoria. However, the intention of this report is to consider both positive and negative aspects, based on available information.

While the resolution of Council did not identify objectives to be analysed, the majority of evidence suggested that objectives which could be achieved by banning smoking in outdoor dining areas are:

- reduction of litter
- reduction of health impacts of passive smoking
- improved amenity of the outdoor dining areas within the municipality
- reduced opportunity for socially cued smoking
- contributing to promotion of the harmful effects of smoking

Resources

In gaining an understanding on the impact of the relevant health, environmental, social, economic and governance issues, a range of studies and reports were referred to. These have been referenced and listed at the end of this report.

A compilation of all reference material referred to has been made available to the Council.

A sub-committee with representatives from the following Council departments were included in compiling this report:

- Business Support
- Local Laws
- Environmental Health
- Culture & Community Strengthening

Community Engagement

Available publications provided information on surveys and community opinion polls; however no community engagement specific to Greater Shepparton has been undertaken, with the exception of a survey of business owners holding current outdoor dining permits. A disappointing number of responses were received, with a compilation of results attached. The opportunity for follow up with non-respondents or to develop and undertake other forms of consultation was restricted due to the short time frame for the report to be prepared.



Wide community consultation is essential for the Council to understand the community's views and should be undertaken in compliance with the *Greater Shepparton City Council Community Engagement Policy*. As an example, the Yarra City Council provided a consultation process spanning six months with a range of options. This is elaborated on in the Yarra City Council case study within this report.

Addressing Identified Criteria

For each of the criteria required by the Council resolution, a number of key points have been listed within the report. The source material has been referenced, to enable access to complete research and publications if desired.

As noted in the report, most Australian States(except Victoria and South Australia) have implemented or are planning to implement bans on smoking in outdoor dining areas. While a vast quantity of evidence supports the negative health effects of smoking, these bans have not been in place for a sufficient time to allow research to be developed to demonstrate any direct correlation with a reduction of disease from these bans.

It could be considered that such action contributes to the wider campaign of promoting the dangers of smoking and second hand smoke, de-normalising smoking and reducing the opportunity for socially cued smoking.

Consideration also should be given to non intended outcomes of imposing a ban. For instance, while if smoking was banned in all outdoor areas there may be a positive effect on the reduction of cigarette butt litter, if smoking is banned only in dining areas this may shift the issue of cigarette butts to nearby allowable areas without any suitable receptacles to contain the butts. So in effect, this may have a detrimental impact on the environment as the butts will end up in the river. Litter enforcement would also be difficult to enforce and address as a good deal of it may occur after hours.

HEALTH

- Second-hand smoke contains a large quantity of respiratory particles which can cause breathing difficulty for those with chronic respiratory disease or trigger an asthmatic attack¹
- Being exposed outdoors for an hour to several cigarettes at close range could result in an exposure comparable to being present in a smoky tavern for an hour. It would be possible to exceed the current EPA standard for daily exposure to particles if one were exposed within a few feet of multiple smokers during the day.²
- A recent before-and-after smoking ban study showed a decreased chance of myocardial infarction when a ban was in place, which suggests that there is an acute risk associated with second-hand smoke exposure for persons at increased risk of coronary heart disease or with known coronary artery disease.³
- There is substantial evidence linking exposure to second-hand smoke with a range of serious and life threatening health impacts including heart disease, cancer, asthma and other respiratory problems. Children exposed to second-hand smoke are at an increased risk of asthma, sudden infant death syndrome (SIDS), acute respiratory infections and ear problems. There is also evidence to suggest that smoking bans support smokers who are trying to quit as well as reduce their overall cigarette consumption 54% of smokers who had tried to quit found that seeing someone with a cigarette was a trigger to relapse, while 40% said that smelling a cigarette was a trigger to relapse, according to a 2006 study.⁴



- **Victorian Council Survey Report 2011**



This confirms – There is overwhelming scientific and medical evidence that exposure to second-hand smoke causes disease; even small amounts of exposure can lead to an increased risk of cardiovascular disease and acute respiratory events.

• **Hume Region Population Health Profile 2012 (TRIM2012/5254)**

The figures in red identify the top two causes of avoidable mortality in the Hume Region as:

Hume region

Ischemic heart disease	31.82
Lung Cancer	21.29

And this is also the case when broken into LGA areas reflecting Greater Shepparton's figures are well above the Victorian State average:

Greater Shepparton LGA

Ischemic heart disease	29.05
Lung Cancer	22.06

These figures also reflect the top two ambulatory care sensitive conditions, all which may be caused or increased if patient is smoking or exposed to second-hand smoke:

Hume region

Chronic Obstructive Pulmonary Disease	3.30
Diabetes Complications	11.16

And this is also the case when broken into LGA areas reflecting Greater Shepparton's figures are well above the Victorian State average:

Greater Shepparton LGA

Chronic Obstructive Pulmonary Disease	3.01
Diabetes Complications	12.97

HUME REGION POPULATION HEALTH PROFILE

2012

GOULBURN VALLEY PCP

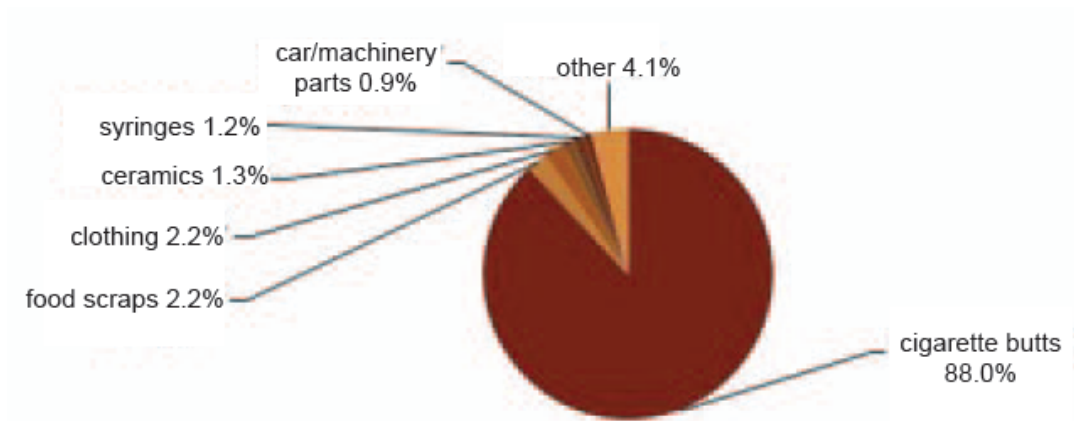
HEALTH STATUS	INDICATORS	VICTORIA		HUME REGION			SHEPPARTON			STRATHBOGIE			MOIRA		
		Number	Measure	Number	Measure	Rank among 8 Regions	Number	Measure	Rank among 79 Vic LGAs	Number	Measure	Rank among 79 Vic LGAs	Number	Measure	Rank among 79 Vic LGAs
		Life Expectancy	Female - years		84.4		84.1	4		83.8	40		82.8	69	
	Male - years		80.3		79.3	5		77.9	60		78.4	53		76.4	77
Health Conditions	Asthma - % persons reporting asthma		10.7%		10.8%	3		10.0%	49		7.9%	73		11.4%	33
	Chlamydia - rate/100,000	357		360.8		4									
	Diabetes - % persons reporting type 2 diabetes		4.8%		4.5%	7		4.2%	46		4.5%	40		3.7%	53
	Injury - unintentional injury rate/100,000		1,751.9		1,827.9			1,882.8			2,474.9			1,918.0	
	Melanoma rates female - incidence/100,000		25.1		31.0			30.7			23.5			47.5	
	Melanoma rates male - incidence/1,000		31.8		38.9			36.9			38.4			43.0	
	Mental health - persons who sought professional help for a mental health problem		11.4%		11.7%			13.8%			11.1%			10.6%	
	Self-assessed health status - persons reporting fair/poor health		18.3%		17.8%	6		16.6%	53		14.7%	68		17.0%	47
	Top 3 ambulatory care sensitive conditions marked in red - rate/1,000														
	Angina		1.52		1.79										
	Cellulitis		1.73		2.09									2.83	
	Chronic Obstructive Pulmonary Disease		2.51		3.3			3.01			3.5			3.44	
	Congestive cardiac failure		2.29		2.15										
	Dental		3.03		2.34										
	Diabetes complications		11.42		11.16			12.97			12.11			10.31	
	Pyelonephritis		2.55		2.39			2.54			3.13				
Avoidable Mortality	Top 3 causes of avoidable mortality marked in red - rate/100,000														
	Chronic Obstructive Pulmonary Disease		7.74		9.93										
	Colorectal cancer		12.29		11.82										
	Ischaemic heart disease		30.76		31.82			29.05			31.07			45.43	
	Lung cancer		21.12		21.29			22.06			21.99			24.19	
	Road traffic injury		6.9		13.86									19.01	
	Suicide		10.92		13.91			15.38			16.68				

ENVIRONMENTAL

- Cigarette Butts rated No 1 on the Top 10 Rubbish Items⁵
- Cigarette Butts were the most commonly found item for the fourteenth year in a row. They represented 27% of the top ten, and 15.7% of all rubbish.⁶
- While public education on responsible disposal may form part of a local strategy, NSW Department of Environment and Climate Change research has found that this alone will not reduce butt litter.⁷
- Litter from smoking (cigarette butts) are a major pollutant and are reported as a significant nuisance to residents and businesses. Bans on outdoor smoking may increase the amount of cigarette litter as smokers shift away from smoking around venues and public spaces with smoking bins/ashtrays.
- Through the consultation, businesses described taking responsibility for reducing litter from smoking in outdoor smoking areas associated with their venue including footpaths and if smokers were moved to unsupervised areas there would be increased butt litter in the streets.⁸



Major Sources of Rubbish MISCELLANEOUS

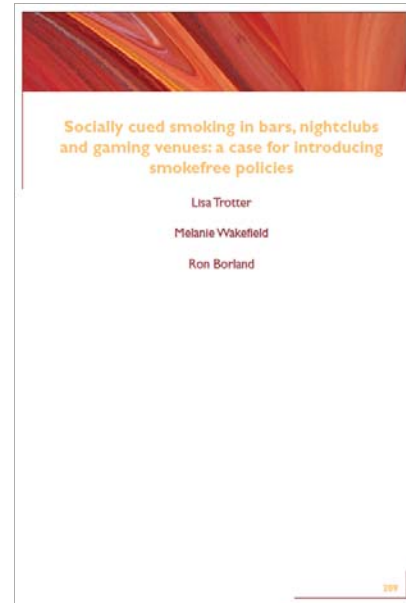


SOCIAL

There has been little study of the effects of smoking policies on smoking behaviour in social settings such as bars, nightclubs and gaming venues (social venues). However, Quit Victoria conducted a Research and Evaluation Study in 2000-2001 which outlines the following:

- *Socially cued smoking in bars, nightclubs and gaming venues: a case for introducing smoke free policies*

- **Objective of report** – to assess how smokers perceive the effects of smoking bans in bars, nightclubs and gaming venues on their smoking behaviour.
- **Results** – Of all adult smokers, 69% attended bars, nightclubs or gaming venues at least monthly. Of these smokers, 70% reported smoking more in these settings (socially cued smokers) and 25% indicated they would be likely to quit if smoking were banned in social venues.
- **Conclusions** – These findings suggest that bans on smoking in bars, nightclubs and gaming venues could reduce cigarette consumption and increase quitting among smokers who frequently patronise these settings.
- **Introduction** – Smoking restrictions in the workplace and at home have been found to contribute to reduced consumption, increased intentions to quit, relapse prevention and possibly increased cessation, as well as to send a message that smoking is socially unacceptable. If smoking were banned in social settings, smokers would be more inclined to quit.
- Restriction on smoking in social venues may remove the social pressure to smoke. Social situations exert a powerful influence on smoking relapse with around one quarter of relapse crisis occurring in such settings explained as being due to exposure to other smokers – involving both direct offers of cigarettes and indirect pressure through observation of other smokers, as well as the influence of alcohol weakening willpower to avoid smoking.
- A relatively new line of evidence has begun to suggest that bans in public places may reduce smoking among young people. Given that people who patronise social venues are mostly young, smoking bans in these settings might also serve to interrupt the process of progression from experimentation with smoking to long-term tobacco dependence. Although many of the factors that influence the uptake of smoking are present at a very young age, the period after leaving school has been identified as a critical time for transition to regular smoking. The role of situational influence may be greatest early on when smoking among young people is not so influenced by addiction.

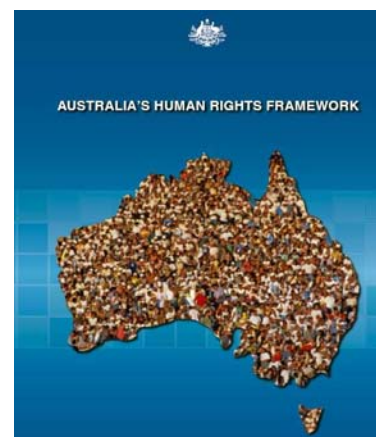


- The group of socially cued smokers identified are likely to be significant beneficiaries of smoke free policies in social venues. As a group, they are young and hold beliefs that low levels of smoking are not particularly harmful. As a result, it would seem that they think what they are doing is safe.
 - Removing the incentive to smoke in these situations appears to be sufficient for a significant minority of this group to seriously consider quitting altogether.
 - Further research to evaluate the effects of smoke free policies in these venues on smoking behaviour is required.⁹
- Data indicates that smoking rates are significantly higher for disadvantaged groups. A concern is that smokers from disadvantaged groups are likely to have more complex issues in their lives and have less capacity to quit. Bans may reduce this groups participation in community services and spaces, which may present a significant risk of isolating them from the support they need.

- **Human rights implications**

The right to enjoy a smoke free environment by banning smoking in public places could be seen as supporting as well as infringing several rights specified under the Charter of Human Rights and Responsibilities:

- Right to life – a protective right to good health: for non-smokers not to be placed at risk, and smokers not to be disadvantaged by virtue of their addiction;
 - Property rights – bans may impact on the ability of smokers or non-smokers to enjoy private property;
 - Taking part in public life – bans, or their absence, may impact on who is able to use public space and therefore access services and facilities;
 - Freedom of movement – bans, or their absence, may impact on who is able to use public space, including footpaths, parks and playgrounds;
 - Protection of families and children – smoking around playgrounds has a particular impact on children (possibly health, accepted behaviour); and
 - Cultural rights – smoking is an important social activity for some cultural groups and this may impact their use of public spaces and facilities.
- Through the consultation 'rights' were raised on both sides of supporting and opposing a ban on smoking; the right for a clean and healthy environment and the right to use a legal product in outdoor areas.¹⁰



ECONOMIC

- Research indicates that restaurant and café owners and managers are in favour of state-wide laws restricting smoking in outdoor dining areas...Of the minority that have concerns about the impact of outdoor smoking restrictions on business performance, most believe that their business would be less likely to suffer if all venues adopted the same restrictions
 - Seventy-one (71%) of smoke-free establishments and 57% of those that permit smoking in outdoor dining areas indicated that they support state laws banning smoking in outdoor and partially covered areas where food is served. ¹¹
- The Majority of establishments believed that a total ban on smoking would deliver:
 - A much nicer environment for patrons
 - A much nicer environment for staff
 - Greater peace of mind for staff about their health¹²
- 50% of establishments...indicated that it was unlikely or very unlikely that they would voluntarily adopt more extensive smoking restrictions in the future
- Less than half of establishments (45%) that permit smoking in outdoor dining areas agreed that if they voluntarily adopted more extensive smoking restrictions ...their business would suffer¹³
- Proposals to ban smoking in outdoor areas, particularly outdoor dining may impact on people's use of restaurants, cafes, hotels and bars. Smokers may choose not to go out as often or at all, whilst non-smokers may go out more often.
- A state-wide ban may be more preferable for Yarra than a local ban on smoking in outdoor dining areas as there is less likelihood of patrons shifting to businesses in other municipalities. The MAV is currently advocating to State Government to consider uniform bans in outdoor dining areas across the state to minimise local impacts.
- A clear message from local businesses indicated concern for a negative impact on local economy
- There was a mixed response from the general public about if they would be more or less likely to visit Yarra venues and precincts if they were smoke free.



GOVERNANCE

How others do it?

- Follow information provided in the Victorian Local Government resource kit (attached)
- Community Consultation via Surveys, Face to Face, Social Media
- Request assistance from various support groups ie Quit Victoria, VicHealth, Heart Foundation etc
- Some councils are waiting for State Government to implement state-wide ban proposal in conjunction with MAV
- Some Councils have introduced no-smoking zones rather than just in the seated outdoor dining area to eliminate smoking pedestrians passing by impacting on non-smoking diners.
- Baw Baw Shire implemented a 12 month trial and study period

Impact on current Outdoor Dining Policy

The Council has previously adopted the *Outdoor Dining Policy, Permits and Development Guidelines* which apply only to outdoor dining areas on public areas owned or controlled by the Council.

The policy provides for the following in relation to smoking:

- The Council will not approve the development of outdoor dining areas to primarily provide the business with a smoking area.
- If the permit holder allows smoking at the outdoor dining area, the area must comply with the Tobacco Act 1987.
- Ashtrays placed on tables need to be of a windproof design and of a weighted material to ensure they do not cause a litter problem.
- The appropriate disposal of waste management, including cigarette butts is the responsibility of the permit holder.

While changes to this policy could be adopted by the Council, it will have no impact on outdoor dining areas within private property, e.g. hotel beer gardens. The Council would also need to consider its ability to enforce any such changes to the policy.

Impact on Local Law

There is currently no provision within Council's Local Law No 1 that prevents or restricts smoking in outdoor dining areas. To impose a restriction will require a change to the local law to include capacity for enforcement. If a provision is included it is unlikely that with current resources we would be able to respond to breaches of the local law. It is likely however that regulation by other non-smoking patrons may self regulate this matter.

- If we are going to struggle enforcing the ban during business hours, how will it be enforced after hours (i.e. pubs and clubs at night)
- If introduced as a state-wide ban, enforcement authority would extend to Vic Police as well as Council Officers and other Authorities (similar to the Alcohol Consumption in Public Places law)
- As of 30 June 2011, 59% of all NSW Councils had adopted some form of smoke-free outdoor areas policy. Of the 152 councils in NSW, 89 now have a policy, compared to 76 in 2010, 58 in 2009 and 28 in 2008.¹⁴

- A study by CHERP in 2008 found that 75% of non-smokers and 42% of smokers in NSW favoured a ban on smoking in outdoor dining areas and there was a 144% increase in the number of councils introducing such bans between 2009 and 2010.¹⁵
- Possible future changes to tobacco laws, point 3 Banning smoking in outdoor areas where food or drink is served = 83% support.¹⁶
- Smoking in enclosed public places in NSW is regulated by the NSW Smoke-free Environment Act 2000. However these laws make no provision for controlling outdoor smoking in places where people congregate, such as alfresco dining areas, sporting fields and playgrounds.¹⁷
- Local Government in Victoria supports the development of a state-wide framework to govern smoking in outdoor public places. The intention of proposing the Framework is to continue to progress Victoria's track record as a leader in effective preventative health care. The Victorian Government has achieved great success in the last 20 years in reducing the incidence of smoking to 17% of the overall population. The Framework will enable the State Government to achieve its goals set out in the Victorian Health Priority Framework 2012-22 Metropolitan Health Plan (May 2011) which identifies the need to improve every Victorian's health status and health experience and recognise that lifestyle choices contribute to chronic health conditions which are avoidable, which in turn place a burdensome pressure on all health services. MAV on behalf of local government in Victoria recommend that the State Government:
 - Develop a state-wide framework to govern smoking in public outdoor places
 - Introduce state-wide laws for alfresco dining areas and children's playgrounds
 - ...¹⁸
- In July 2007, smoking was banned in licensed premises...this reform has also been embraced by the community, however from a compliance perspective it has proved complicated to enforce.
- As well as having the authority to make local laws under the Victorian Local Government Act 1989, Council's also have a function, defined in the Victorian Public Health and Wellbeing Act 2008 to protect, improve and promote public health and wellbeing within the municipal district.¹⁹

- Local Law –vs- state-wide ban²⁰

Type of Law	Benefits	Disadvantage	Ways to mitigate disadvantages
State-wide law	<ul style="list-style-type: none"> • Consistency across the state • Equity of treatment of affected businesses & organisations • Potential for consistency with other state laws • All Victorians given same options for smoke-free environments 	<ul style="list-style-type: none"> • One size does not always fit all situations • Difficult to adjust for unintended consequences • Compliance enforcement costs borne by state government 	<ul style="list-style-type: none"> • Develop principles to govern rationale for state laws being considered • Involve stakeholders in the development of laws to maximize avoidance of unintended or adverse consequences
Local Law	<ul style="list-style-type: none"> • Allows individual communities to decide what is best for them • Flexibility to tailor to local needs 	<ul style="list-style-type: none"> • Different treatment of similar spaces in different locations • Confusing for visitors and/or residence from neighbouring municipalities with different laws • Can lead to inequity of treatment for like businesses & organisations operating in different municipalities • Compliance enforcement costs borne by local ratepayers 	<ul style="list-style-type: none"> • Community consultation process can assist to develop local support • Ongoing monitoring can lead to individual adjustments over time • Councils work with neighbouring councils to develop similar laws

- The experience of many councils that have introduced local laws is that community support and self-regulatory activity mean that bans are largely self-enforced by community members pointing out signage to offenders. In respect of state laws, these can be enforced by officers authorised under the Tobacco Act 1987. Officers from a range of agencies including Department of Health,

Council officers, Victoria Police, WorkSafe Victoria and also Public Transport inspectors²¹

- The COAG National Partnership Agreement on Preventative Health (2008) has set benchmarks for reductions in tobacco use across the country, with all Australian and State Governments committed to striving to meet them.²²
- **Legal Implications** – Section 24 of the Public Health and Wellbeing Act (2008) sets out the role of local government as:
 - (a) *“...to seek to protect, improve and promote public health and wellbeing within the municipal district”* including through *“creating and environment which supports the health of members of the local community and strengthens the capacity of the community and individuals to achieve better health.”*
 - Local governments are able to establish local laws to enforce bans on smoking in specified outdoor areas not covered by state legislation as supported by the Local Government Act 1989. For example, Council’s Local Law prohibits public alcohol consumption.

Version No. 012

Public Health and Wellbeing Act 2008

No. 46 of 2008

Version incorporating amendments as at
1 January 2012

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Division 3—Councils

24 Function of Councils

The function of a Council under this Act is to seek to protect, improve and promote public health and wellbeing within the municipal district by—

(a) creating an environment which supports the health of members of the local community and strengthens the capacity of the community and individuals to achieve better health;

i

COMMUNITY ENGAGEMENT

The Council has an obligation to consult with the community and stakeholders in its decision making processes.

The Greater Shepparton City Council Community Engagement Policy Objective

The objective of this Policy is to ensure that stakeholders are appropriately engaged in the Council decision making process. The Council will achieve this objective by:

- *Using the most appropriate engagement strategies for the matter to be determined.*
- *Ensuring that stakeholders have reasonable time to respond to an invitation to indicate their preferences.*
- *Ensuring that sufficient balanced information is available to allow stakeholders to assess the merits of an issue.*
- *Giving stakeholders choices from which to determine their preferences.*
- *Defining and communicating the limits of discretion available to stakeholders and thus the extent of their opportunity to influence the final decision.*
- *Ensuring that those conducting the engagement and/or hearing submissions approach the process with an open mind, and the authority to compromise.*
- *Ensuring that the final decision on an issue is within the scope of the options made available to the community and reflects the merits of the matters canvassed by the members of the community who took part in the engagement.*

Wide community consultation is essential for the Council to understand the community's opinion on this matter and should be undertaken in compliance with the *Greater Shepparton City Council Community Engagement Policy*.

The financial implications and resource needs should be given suitable consideration to ensure that meaningful consultation is able to be undertaken. As an example, the Yarra City Council case study revealed that the cost of the consultation project was \$24,626 for a project officer, facilitation of a business workshop, and to moderate online discussion forum. An additional \$480 was spent installing advisory signage in 17 locations.

A survey was undertaken of the 42 current outdoor dining permit holders within the Greater Shepparton municipality, with nine responses received. These permit holders relate only to outdoor dining areas on public land that the Council controls, and does not include businesses providing on site outdoor dining areas. Survey questions and results are attached hereto.

Existing smoke free policies in Council

Currently, the Greater Shepparton City Council has smoke free policies for Swimming Pools, Playgrounds and within entrances to Council owned buildings. A survey of existing policies adopted by other Victorian Councils, as at 31 May 2011, is available in the Attachment "*Smoke-free policies in outdoor areas. A 2011 Victorian council survey report*"

CASE STUDY - Yarra Council Report

- **Key Issues**

- 19.9% of Yarra's population (aged 18+) smoke, slightly higher than the Victorian average of 19.1%.
- Smoking rates are also higher in vulnerable groups such as people with a mental illness or from low-socio economic backgrounds
- Yarra Council's Health Plan 2009 – 2013 (GSCC plan still in draft) identifies reducing the harms from alcohol, tobacco and other drugs as a major priority. Other Council policies and strategies also emphasise social justice, inclusion and support to disadvantaged groups as major priorities.
- There is little research available that investigates harms associated with second-hand smoke in outdoor areas
- A considered community consultation project was conducted from April to October 2011 to seek community feedback and engage on local solutions.

- **Community Consultation**

The consultation process ran for a period of six months from 17 April to 10 October 2011. A range of consultation activities were conducted including:

Method	Value
Background Paper – Reference document outlining the impacts of smoking in Yarra and key issues around reducing smoking including responsibilities, current action and future options. Research on evidence and data continued throughout the consultation	Set a context for the discussion for informed feedback and build on research and consultation outcomes for informed decision making
Online Discussion Forum – Independently moderated forum 'Bang the Table', for six months (open for feedback during the consultation period, and for reference whilst reporting to Council). The site was promoted through Yarra News, Council's website and emails to Yarra Matters Household Panel Members	Community share different views and engage in a public discussion
Public workshop – Independent facilitator for two workshops (community / business / health professionals). A business survey was also distributed to Liquor Licence Forum members. Due to low registrations to the health workshop, a survey was distributed and additional face to face meetings organised. A third workshop was planned for health professionals, but was replaced with an online survey and face to face meetings due to low registrations	Opportunity for in-depth discussion with specific groups
Engagement of target groups - Officer to respond to calls/emails, met with community groups, attend local forums and network meetings and present to relevant groups	Ensure all community and interested stakeholders able to participate

- Of the 212 responses received through online discussion forums and public submissions:
 - (a) 36% were supportive of the ban (10 responses to Outdoor dining)
 - (b) 25% were NOT supportive of the ban (11 responses to Outdoor dining)
 - (c) 39% did not support NOR oppose the ban but provided comments on other issues or offered alternate solutions for Council.
- There was some support for incentives where businesses could decide on implementing their own smoke free outdoor areas and be rewarded through promotion or reduced fees
- Face to face meetings and presentations to specific groups was an effective way to discuss key issues



- Key messages from North Yarra Community Health (NYCH)
 - Support a smoking ban around children and prevention of children taking up smoking;
 - Localised advertising and social marketing of available programs to quit, particularly in disadvantaged areas;
 - Encourage participation in activities that build sense of community to reduce risk taking behaviour
- Key messages from Heart Foundation, Quit Victoria and VicHealth
 - Enact a local law prohibiting smoking in specified outdoor areas.
 - Implement tobacco control policies along with broader social justice policies that address underlying causes of disadvantage.
- Outdoor dining was most contested with equal support and opposition for bans.

- **Financial Implications**

The cost of the consultation project was \$24,626 for a project officer, facilitation of a business workshop, and to moderate online discussion forum. An additional \$480 was spent installing advisory signage in 17 locations.²³ Further actions to reduce the harms of smoking in Yarra would require additional resources, however some activities such as advocacy can be implemented through the Health Plan.

- **Other Issues**

- Evident harms from passive smoking in outdoor areas are not conclusive.
 - In considering reducing the harm from smoking in the municipality, there are key principles which should direct future activity;
 - (a) Reduce the harm of smoking from a health perspective, not public nuisance perspective;
 - (b) Support clean, healthy living and access to clean, healthy spaces particularly for children and families;
 - (c) Decrease impacts on local economies and increase support to local small businesses;
 - (d) Minimise further marginalisation of vulnerable people who smoke and use public spaces for social connection; however don't ignore their health needs because of this;
 - (e) Encourage considerate behaviour by current smokers and support programs that help quitting; and
 - (f) Increase access to healthy behaviour programs especially for people in low-social economic circumstances, the Aboriginal community and people with mental illness (who have higher numbers of smokers than the rest of the populations)²⁴
-

Attachments

- **Smoke-Free Policies in Outdoor Areas – A resource kit for Victorian local governments**
 - Fact Sheet 1: Frequently asked questions
 - Fact Sheet 2: Case Studies – How local governments are leading the way for smoke-free outdoor areas
 - Fact Sheet 3: Why are outdoor smoke-free areas important to your council?
 - Fact Sheet 4: Victorian sample council report and policy
 - *“Smoke-free policies in outdoor areas. A 2011 Victorian council survey report”*
- **Greater Shepparton City Council - Outdoor Dining Smoke-free Policy Survey Results Analysis**
- **Hume Region Population Health Profile 2012**

Reference Material

- ¹ Measurements of Outdoor Air Pollution From Second-hand Smoke on the UMBC Campus; James Repace, MSc. Repace Associates, Inc. June 2005
- ² Klepeis N.E., Ott W.R., and Switzer P. (2007) "Real-Time Measurement of Outdoor Tobacco Smoke Particles," *Journal of the Air and Waste Management Association*
- ³ "Real-Time Measurement of Outdoor Tobacco Smoke Particles," page 14
- ⁴ Smoke-Free Outdoor Areas – A Resource Kit For Local Government; page 1
- ⁵ Clean Up Australia Day – Rubbish Report 2009 page 6;
- ⁶ Clean Up Australia Day – Rubbish Report 2009 page 6;
- ⁷ Smoke-free Outdoor Areas – A Resource Kit for Local Government page 1
- ⁸ Reducing harms from Smoking in Yarra: Council Report
- ⁹ Quit Victoria Research and Evaluation Studies No 11: 2000-2001 *Chapter 13: Socially Cued Smoking in Bars, Nightclubs and Gaming Venues* Page 209-222
- ¹⁰ Reducing harms from Smoking in Yarra: Council Report
- ¹¹ Ipsos-Eureka Social Research Institute "Smoking Bans in Alfresco Dining Areas – Attitudes of Café and Restaurant Owners/Managers" November 2010; page 1
- ¹² Ipsos-Eureka Social Research Institute "Smoking Bans in Alfresco Dining Areas – Attitudes of Café and Restaurant Owners/Managers" November 2010; page 2
- ¹³ Ipsos-Eureka Social Research Institute "Smoking Bans in Alfresco Dining Areas – Attitudes of Café and Restaurant Owners/Managers" November 2010; page 2
- ¹⁴ Heart Foundation "Smoke-free policy in outdoor areas – A 2011 survey of NSW councils". Page 2
- ¹⁵ Ipsos-Eureka Social Research Institute "Smoking Bans in Alfresco Dining Areas – Attitudes of Café and Restaurant Owners/Managers" November 2010; page 5
- ¹⁶ Heart Foundation "Smoke-free policy in outdoor areas – A 2011 survey of NSW councils" Page 14
- ¹⁷ Smoke-free Outdoor Areas – A Resource Kit for Local Government page 1
- ¹⁸ *Municipal Association of Victoria – Local Government Recommendations for a Victorian Outdoor Smoking Framework* page 1
- ¹⁹ *Municipal Association of Victoria – Local Government Recommendations for a Victorian Outdoor Smoking Framework* page 7
- ²⁰ 4.1 Local Law vs State-wide ban *Municipal Association of Victoria – Local Government Recommendations for a Victorian Outdoor Smoking Framework* page 8
- ²¹ 4.3 Cost of compliance and enforcement *Municipal Association of Victoria – Local Government Recommendations for a Victorian Outdoor Smoking Framework* page 9
- ²² 4.4 Meeting national and state public health goals *Municipal Association of Victoria – Local Government Recommendations for a Victorian Outdoor Smoking Framework* page 10
- ²³ Reducing harms from Smoking in Yarra: Council Report
- ²⁴ Reducing harms from Smoking in Yarra: Council Report

COUNCILLORS' EXPENSE REPORT FOR MARCH 2012

	February	March	Total
Geoff Dobson			
Telephone Rent		\$40.86	\$195.63
Internet Connection			\$0.00
SMS		\$8.23	\$35.10
Calls		\$64.56	\$606.99
Travel		\$1,966.49	\$1,988.49
Other	\$118.18		\$1,434.28
Allowance		\$5,923.63	\$46,579.68
Vehicle			\$7,535.00
	\$118.18	\$8,003.77	\$58,375.17
Kevin Ryan			
Telephone Rent		\$40.86	\$194.52
Internet Connection	\$34.50	\$34.50	\$310.50
SMS		\$49.04	\$75.67
Calls	\$139.69	\$78.95	\$633.43
Travel			\$0.00
Other			\$24.33
Allowance		\$5,923.63	\$23,565.98
	\$174.19	\$6,126.98	\$24,804.43
Jenny Houlihan			
Telephone Rent		\$9.09	\$67.44
Internet Connection	\$50.00	\$50.00	\$450.00
SMS		\$3.28	\$21.64
Calls		\$69.58	\$432.13
Travel			\$0.00
Other	\$31.82		\$686.37
Allowance		\$5,960.63	\$24,046.24
	\$81.82	\$6,092.58	\$25,703.82
Milvan Muto			
Telephone Rent		\$40.86	\$195.63
Internet Connection		\$80.00	\$552.73
SMS		\$17.65	\$119.26
Calls		\$92.60	\$744.50
Travel			\$0.00
Other			\$12.72
Allowance	\$3.64	\$5,923.63	\$23,569.62
	\$3.64	\$6,154.74	\$25,194.46
Michael Polan			
Telephone Rent		\$40.86	\$195.63
Internet Connection			\$0.00
SMS		\$15.97	\$42.56
Calls		\$99.52	\$255.91
Travel		\$856.09	\$856.09
Other	\$10.00	\$0.00	\$8,369.09
Allowance		\$18,989.87	\$50,993.98
Vehicle	\$1,507.00	\$1,507.00	\$6,028.00
	\$1,517.00	\$20,002.31	\$66,741.26
Cherie Crawford			
Telephone Rent		\$40.86	\$195.63
Internet Connection	\$50.00	\$50.00	\$450.00
SMS		\$0.12	\$0.12
Calls		\$15.94	\$173.71
Travel			\$1,290.86
Other			\$0.00
Allowance		\$6,169.90	\$23,812.25
	\$50.00	\$6,276.82	\$25,922.57
Chris Hazelman			
Telephone Rent		\$36.31	\$176.36
Internet Connection	\$49.99	\$49.99	\$449.91
SMS		\$5.09	\$22.40
Calls		\$38.06	\$649.75
Travel			\$0.00
Other			\$2,167.50
Allowance		\$7,614.75	\$25,257.10
	\$49.99	\$7,744.20	\$28,723.02
Catering	\$1,133.90	\$972.72	\$15,387.99
Total	\$3,128.72	\$61,374.12	\$270,852.72

Councillors Hazelman and Crawford have been incorrectly overpaid their Councillor allowance. This will be corrected in April 2012.

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.

MEMORANDUM OF UNDERSTANDING

Between: GOULBURN RIVER VALLEY TOURISM INC

And:

**MITCHELL SHIRE COUNCIL
MURRINDINDI SHIRE COUNCIL
STRATHBOGIE SHIRE COUNCIL
GREATER SHEPPARTON CITY COUNCIL**

For the period: 1 July 2012 – 30 June 2015

Parties to the Agreement

.....

The parties to this Memorandum of Understanding (MOU) are:

GOULBURN RIVER VALLEY TOURISM, ACN 148973095 a Company Limited by Guarantee registered under the Corporations Act 2001 and member Councils established under the Local Government Act 1989;

MITCHELL SHIRE COUNCIL

MURRINDINDI SHIRE COUNCIL

STRATHBOGIE SHIRE COUNCIL

GREATER SHEPPARTON CITY COUNCIL

Preamble

.....

1. Upon the expiry of the initial establishment memorandum of understanding (MOU) this MOU has been drafted to secure funding over a three year period for the ongoing development of tourism throughout the Goulburn River Valley region.
2. This MOU may be renewed or renegotiated by further agreement between the parties to this MOU.
3. The Parties to this MOU have recorded their understandings and obligations and as signatories to this document agree to the following:-

Goulburn River Valley Tourism

.....

Objectives of Goulburn River Valley Tourism

4. Goulburn River Valley Tourism will promote tourism in the municipalities served by Greater Shepparton City Council, Mitchell Shire Council, Murrindindi Shire Council and Strathbogies Shire Council
5. During the life of this MOU Goulburn River Valley Tourism will deliver specific strategic functions including:
 - Regional marketing
 - Industry development
 - Product development
 - Skills development
 - Leadership and mentoring
 - Effective communication
 - Networking
 - Identifying investment opportunities to grow the economic return from tourism within the region

Responsibility and Autonomy

6. Member Councils recognise the independent role, structure and mission of the Goulburn River Valley Tourism and understand the function also includes being an independent voice and advocate for the regional tourism industry.

Goulburn River Valley Tourism Responsibility

7. The role and responsibility of the Goulburn River Valley Tourism for the duration of this three year MOU will be:
 - oversee the delivery of the 2011 – 2016 Tourism Development Plan
 - oversee the delivery of the 2011 – 2016 Marketing Strategy
 - be responsible for the financial sustainability of the Company
 - engage appropriate resources to oversee the successful implementation of the program objectives
 - ensure regular and formal communication with its key stakeholders including Member Councils, Tourism Victoria, Regional Tourism Associations and the wider industry
 - coordinate industry structures and tourism policy to ensure a consistent approach and application to tourism across the region
 - source, wherever possible, additional funding through industry and funding bodies to support the costs of delivery of projects
 - coordinate industry training and tourism policy formulation to provide a consistent approach and application to tourism across the region

Member Council Responsibility

8. The role and responsibility of Councils members for the duration of this three year MOU will be:
 - nominate one representative Director, who must in accordance with the Goulburn River Valley Tourism Constitution hold the office as a councillor, or be employed as Chief Executive Officer or other senior employee of the relevant member
 - support, where relevant, the involvement of their tourism, economic development, events and Visitor Information Centre personnel in appropriate Goulburn River Valley Tourism activities
 - provide assistance to further develop and coordinate local tourism - whilst recognising Goulburn River Valley Tourism will be the primary body promoting the region on behalf of the industry as represented by the local tourism associations and the Councils
 - deliver local (Council wide) tourism functions including managing local signage applications and issues
 - support local and community events as required

- work with local entities including (but not limited to) local tourism associations, Chambers of Commerce, industry associations and special interest groups to promote and feed local information up to Goulburn River Valley Tourism
- continue staffing and management of Visitor Information Centres (where relevant)

Accountability and Communication between Parties

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9. The Goulburn River Valley Tourism recognises the importance of accountability and communication with Council, Local Tourism Associations, Regional Tourism Organisations and industry and will ensure effective communication through:
 - Providing Council and Local Tourism Associations with quarterly statistical reports relating to tourism performance in the region.
 - Goulburn River Valley Tourism will upon request, attend Council meeting or briefing to discuss or present on tourism related issues.
 - Goulburn River Valley Tourism will, in addition to holding board meetings, communicate monthly with Councils, relevant staff and local associations via a monthly newsletter.
 - Circulate in a timely manner draft minutes of GRVT meetings to Representative Directors
 - The Councils will encourage and maintain a program of communication with members through local associations that ensure members are fully informed of the Goulburn River Valley Tourism activities.
 - Goulburn River Valley Tourism will remain well informed of the activities and marketing opportunities available through Regional Tourism Boards including the Murray, Daylesford and Macedon Ranges and Victoria's High Country Campaign Committees.

Visitor Information Centres

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The staffing, management and operations of the local visitor information centres will be the responsibility of the Councils, nominated bodies of Councils or local tourism associations.

10. Visitor Information Centre managers/staff from the Goulburn River Valley region will meet on a regular basis to co-ordinate training, management and centre operations and to distribute relevant marketing materials.
11. Councils within the Goulburn River Valley region will investigate the greater co-ordination of visitor information centre facilities (e.g. booking services, brochure display policies and member services) across all of the Goulburn River Valley region's visitor information centres.

Resourcing

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12. The agreed level of funding from Member Councils is contained in Schedule A. Payments in years two and three will be subject to CPI increases. By signing this MOU, Member Councils acknowledge that they are committing to expenditure in future budgets, for the life of the MOU.

13. Annual payments are to be made following the receipt of an invoice from Goulburn River Valley Tourism. Payments from Councils will be made no later than 30 August each year.
14. The receipt of all funds successfully acquired by Goulburn River Valley Tourism through grants and other sources will be managed by Goulburn River Valley Tourism.
15. An agreement detailing the in-kind support contributions towards Goulburn River Valley Tourism during the life of this MOU should be read in conjunction with this document.

Membership

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16. During the life of this MOU Goulburn River Valley Tourism will review and identify appropriate options for industry membership, with the objective of encouraging a two way partnership in the promotion and operation of Goulburn River Valley Tourism (industry, local government)
17. Options will be presented to Member Councils for consideration, prior to the adoption of a preferred industry membership model.
18. Goulburn River Valley Tourism will not expand its membership base to include new municipal members unless agreed to by the Board and all existing Member Councils.

Dispute Resolution

.....

19. If any dispute arises between the parties carrying out the principles of this memorandum of understanding, the parties will seek bona fide to resolve that difference or dispute between them.
20. Any disputes arising from this MOU will be first referred to a joint meeting of the Chairperson of the Board, one representative from each Member Council and a representative of Tourism Victoria. Tourism Victoria will convene and manage this process unless they are deemed to be a party to the dispute. If Tourism Victoria is a party to the dispute, an external independent mediator will oversee the process.
21. Final dispute resolution, if required, will be referred to a Committee consisting of one representative from – Member Councils, the Board, Tourism Victoria and an independent industry representative. Tourism Victoria will convene the meeting and chair the Dispute Resolution Committee. If Tourism Victoria is a party to the dispute, an external independent mediator will convene and chair the Committee.
22. The independent industry representative will be appointed by a group consisting of a representative from – one representative from each Member Council, the Board and Tourism Victoria.
23. An external independent mediator will be appointed by the Mediator President of the Law Society of Victoria or his or her representative if it is deemed Tourism Victoria is a party to a dispute. The independent mediator must be a person acceptable to all parties to the dispute.

Parties Agree to be Bound

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- 24. It is the intention that this MOU be binding on the parties without the right of withdrawal from the arrangement except where there is fundamental breach of any term or condition of this MOU.
- 25. All parties agree that they will not withdraw from this MOU until such time as the prescribed dispute resolution process has been employed and it has been established that a fundamental breach has occurred and that this fundamental breach cannot be remedied to the satisfaction of the parties in dispute.

Terms of MOU

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- 26. Negotiations to renew or renegotiate the MOU must be completed by 31 December 2014.
- 27. If Goulburn River Valley Tourism is wound up all funds held will be transferred in line with the Winding Up clause in the Constitution.
- 28. Each party maintains the right to exercise its individual powers as it sees fit.
- 29. This Memorandum of Understanding lapses on 30 June 2015.

The parties below agree to be bound by the Memorandum of Understanding with Goulburn River Valley Tourism

BETWEEN:

Signature: _____
Bernard Morris
Chairman
Goulburn River Valley Tourism

Witness: _____

And

Signature: _____
Gavin Cator
Chief Executive Officer
Greater Shepparton City Council

Witness: _____

And

Signature: _____
June Dugina
Acting Chief Executive Officer
Mitchell Shire Council

Witness: _____

And

Signature: _____
Margaret Abbey
Chief Executive Officer
Murrindindi Shire Council

Witness: _____

And

Signature: _____
Steve Crawcour
Chief Executive Officer
Strathbogie Shire Council

Witness: _____

SCHEDULE A – Council Funding

.....

It is agreed that the following annual financial contributions toward the Goulburn River Valley Tourism from 1 July 2012 to 30 June 2015, with a full review of the funding model following the 2014/2015 financial year:

	Annual Cash Contribution
Strathbogie Shire Council	\$36,000
Mitchell Shire Council	\$60,000
Murrindindi Shire Council	\$36,000
Greater Shepparton City Council	\$90,000

**NOTE: Years two and three are subject to CPI adjustment.
Above figures exclude GST.**

SCHEDULE B – IN KIND AGREEMENT

.....

In addition to the financial and staff support Councils agree to contribute to Goulburn River Valley Tourism (GRVT) under the 2012 – 2015 Memorandum of Understanding, this in-kind agreement gives structure to the non-financial assistance to be provided to Goulburn River Valley Tourism.

This in-kind agreement specifically relates to:

- resources including staffing
- the use of office space
- conference and meeting space
- assistance with bookings
- equipment usage
- distribution of information (internally within Council & externally)

It should be noted the terms of this in-kind contribution should be considered in addition to the cash contribution outlined in the Memorandum of Understanding (MOU).

Staffing

To ensure Goulburn River Valley Tourism has adequate resources available to deliver outcomes throughout the region it requires the assistance and support of Councils. During the life of this Memorandum of Understanding and supportive In-kind agreement it is expected Councils commit staff (or Councillor where appropriate) support and time toward the following areas:

- Directorship on the Goulburn River Valley Tourism board
- Participation on sub-committees established to steer projects
- VIC network meetings and coordination/assistance with VIC Summit/training
- Delivery of marketing activity (be it participation at trade shows, distribution of operator buy-in opportunities, coordination of local information etc)
- Delivery of training programs (be it encouraging local operator engagement in Tourism Leadership Program, training opportunities etc)
- Participation and support for the delivery of significant one-off regional events (Great Victorian Bike Ride, Emirates Melbourne Cup Tour etc)
- Support for priority projects as outlined in the annual Action Plan

It should be noted this resource does not form a part of the cash contribution and cannot be deducted from the cash contribution as outlined in the Memorandum of Understanding.

If a Council does not have the resources or capability to provide in-kind assistance to Goulburn River Valley Tourism for the delivery of projects at a local level it will impact on Goulburn River Valley Tourism's ability to deliver projects regionally.

If a member Council is unable to provide resource assistance to Goulburn River Valley Tourism an additional cash contribution of \$50,000 per annum will be required ensure the Company has adequate resources to deliver projects throughout the region.

The requirement for an additional cash contribution will be reviewed annually based upon support provided in accordance with this in-kind agreement. Councils will be contacted by Goulburn River Valley Tourism at the time of Council budget setting if it is deemed a municipal member is not providing resource assistance as outlined in this agreement and a resolution will be recorded.

Individual Council Contributions

Shepparton:

- Office space for Executive Officer (full time) Tourism Officer (part time)
- Use of Council meeting space as available and required – including foyer meeting room, after hours meeting room, Alex Rigg Room, Welsford Room and Council Boardroom
- Full use of two computers (one laptop computer, one desktop computer)
- Use of two landline phones including full cost of usage
- Assistance with manning regional tourism stands at trade shows and expos
- Distribution of relevant GRVT information through Council publication and newsletters
- Promotion of GRVT on Council websites and through Council communication channels

Strathbogie:

- Use of Nagambie Regatta Centre as available and required for events, functions and meetings
- Assistance with booking catering as required
- Assistance with manning regional tourism stands at trade shows and expos
- Distribution of relevant GRVT information through Council publication and newsletters
- Promotion of GRVT on Council websites and through Council communication channels

Mitchell:

- Office space for Executive Officer 2 day per month – as available and required
- Assistance with manning regional tourism stands at trade shows and expos
- Assistance with booking catering as required
- Distribution of relevant GRVT information through Council publication and newsletters
- Promotion of GRVT on Council websites and through Council communication channels

Murrindindi:

- Office space for Executive Officer 2 days per month – as available and required
- Assistance with manning regional tourism stands at trade shows and expos
- Use of Council owned spaces as available and required for events, functions and meetings
- Distribution of relevant GRVT information through Council publication and newsletters
- Assistance with booking catering as required
- Promotion of GRVT on Council websites and through Council communication channels

This in-kind agreement will be reviewed annually in line with Board Annual Review.

DOOKIE AND DISTRICT COMMUNITY PLAN



January 2012

In June 2002 a Community Planning Event was held at which every member of the community was invited to have their say in respect to:

1. What they knew and liked about Dookie and district
2. What vision they had for the future of Dookie and district
3. What specific projects they would like to see considered for the development of Dookie and district.

From this event the initial Dookie and District Community Plan was created.

Many of the original planned projects are now complete or no longer relevant whilst some are still in the planning phase. During the period 2009 – 2011, further community planning and extensive consultation was held and this new Dookie and District Community Plan reflects the current aspirations of the Dookie Community.

2. OUR VISION

Dookie and District - a Community Going Forward

A Future for Everyone - *A progressive Community working towards a sustainable environmental, social and economic future for all*

Key Features

- *A connected, cooperative, happy and safe community*
- *A community supporting local businesses and open to new ideas*
- *A model of best possible land management*

A Unique and Vibrant place - *A district recognised as unique and vibrant by its distinctive natural features, a mix of community activities for all ages, progressive agricultural production, small business opportunities and a well utilised University Campus.*

Key Features

- *Integrated campus and town community*
- *Hills, red soil and the colours of the seasons*
- *Variety of enterprises and community activities*

3. OUR PLAN

Four areas of interest that logically group the input and ideas community members contributed at the 2002 Community Planning Event continue to be used in this revised plan.

For each area of interest, what community members identified as valued existing features have been acknowledged under the title **what we have**. The visions and specific projects community members identified for Dookie and district have been developed into **key goals**. To monitor our successes in meeting these goals, **measures of progress** have been developed.

3.1 HERITAGE AND ENVIRONMENT

WHAT WE HAVE

- Distinctive red soils
- Unique hill formations
- Ancient landforms
- Gemstone fossicking
- Creek, box iron bark forest
- Unique plants / remnant vegetation
- Diverse wildlife
- Classified recharge area
- Dookie Land Management Group
- Dookie Biolinks group
- Rich history of small outlying settlements
- Historic buildings
- Historical collection
- Published history
- Underutilised railway
- Original concrete silo
- Dookie College Museum and Precinct
- Family History collection

KEY GOALS

- Greater awareness of what we have
- Achieve greater access to Mt Major
- Extend and promote the rail trail
- Develop local walking/riding tracks which encourage passive recreation opportunities in the area
- Protect Dookie and district's local natural assets
- Develop a local historical trail
- Secure a place where the Dookie District heritage assets can be housed and viewed
- Have a bank of stories of local and historical significance

MEASURES OF PROGRESS

- Re-opening and public use of Mt Major
- Continued development of the Rail Trail
- Establishment of an integrated network of walking /riding tracks in Dookie and district which are environmentally friendly and incorporate development of wildlife corridors
- Document local natural assets (audit) and develop usage plan
- Document local historic buildings and develop historical trail
- Heritage Assets of Dookie district housed and displayed in secure and accessible location
- Investigate commencing a family history group to document local life stories
- Undertake ongoing promotion of the district's environmental and heritage assets

3.2 BUSINESS AND INDUSTRY

WHAT WE HAVE

- Proximity to Benalla & Shepparton
- Small town services, trades and enterprises including post office, shop, hotel, bank, café, Primary schools (2) and school bus run, specialist and general engineering, painting, plumbing, electrician, building, glazing, transport contracting, emporium, motor garage, infant and maternal welfare centre, childcare facility.
- Major district recieval point for Graincorp
- University of Melbourne-Dookie campus
- Diverse rural enterprises (dairy, piggery, livestock, quarrying, vineyards)
- Many informal day visitors and potential to provide services to these visitors
- Access to daily freight services

KEY GOALS

- Support and maintain vibrant local businesses
- Encourage new and niche enterprises that are complementary to and/or enhance the character of the area
- Continued presence of the University of Melbourne Dookie Campus, and investigate the possibility of developing strategic partnerships between the University of Melbourne and the local community
- Develop a Management Plan that supports existing and new uses of the Dookie freight and railway system to ensures its viability
- Encourage more intensive agricultural enterprises in the area
- Promote and provide facilities and events that attract visitors to the area that will support local industry and town vitality
- Support access to advances in communications and other technology to groups and individuals in the area

MEASURES OF PROGRESS

- An audit and directory of local businesses
- An increase in the number of local business including agricultural enterprises, smaller cottage industries and tourism that promotes Dookie as an attractive place for locals and visitors.
- Ongoing commitment to grain handling operations in Dookie
- Increased activity at the Dookie College Campus incorporating the local community
- Utilisation of the Dookie railway line for both agricultural and tourism purposes
- Achievement of stock and domestic water supply pipeline for the Cosgrove Dookie district

3.3 COMMUNITY AND RECREATION

WHAT WE HAVE

- A relatively large number of activity, community and sporting groups
- A cross section of people with specialist expertise, knowledge and professional training willing to contribute to the community
- Caring church communities
- Extensive facilities at Dookie College
- Safe and healthy environment
- Peaceful small town
- A networking community that welcomes new people
- Cycling circuit venue, and rail trail
- A local publication , “Major Saddleback News”
- Community precinct at the recreation reserve
- Wide range of sporting facilities including golf, football, cricket, netball, tennis, bowls
- CWA Gardens, BBQ’s and playground
- Full time Police presence

KEY GOALS

- Develop an arrangement whereby the recreation and sporting facilities of Dookie College are accessible to the broader community
- Develop a network of walking trails and bike tracks
- Continue to build local pride in the Dookie District community
- Encourage the use and continuous improvement of community facilities
- Maintain the range of community and viability of sporting opportunities available locally
- Improve availability of health and wellness service requirements in the district
- Retain and build a critical mass in the town and district required to attract and retain key services
- The continued growth of the Major Saddleback News
- Support of a local Town Beautification Committee
- Keeping the website promoting the district up to date.
- Development of facilities for youth, including a skate park, improved park facilities and fencing to ensure a safe play area.

MEASURES OF PROGRESS

- Active and welcome use of the Dookie College facilities by the community
- A network of walking and riding trails that can be used and enjoyed by visitors and locals including direct access between Dookie College and Dookie township based on the Dookie Walking Trail and Mountain Bike Park Master Plan
- Recognition of the positive community attributes of Dookie and district that are valued
- Support the strategies of community groups
- Publish an annual list of community groups and current contacts, encourage contributions to the Major Saddleback News, the Lifestyle Dookie calendar and ongoing web site reviews
- The delivery of some of the local Beautification Committee goals including the upgrade of the town entrance signs
- Continued development of the community centre and recreation reserve including lighting, landscape and oval improvements.

3.4 INFRASTRUCTURE AND DEVELOPMENT

WHAT WE HAVE

- Dookie township and Dookie College communities
- A surrounding area which contains a number of small settlements and historical areas, for which Dookie is a social and service centre
- Extensive local road network which serves a vital link within and to and from the area
- Proximity to larger centres which provide hospital, secondary and further education and service industries
- Two primary schools
- School bus service to Shepparton
- Town water supply
- Rail infrastructure
- Mount Major transmission installations
- Public areas

KEY GOALS

- Maintain a Dookie and District Community Plan that informs Council's planning processes to ensure ordered and complementary growth of the township and district
- Identify the development constraints for the Dookie Township which can be used to inform future development planning
- Development of a sustainable water management plan that addresses grey, black and storm water in the Dookie township
- Ensure the local roads and roadside vegetation are maintained to a standard that adequately protects the safety of users and enables specific local utilisation related to agricultural enterprises to occur.
- Improve footpaths and street lighting in the township
- Development of aged persons housing in Dookie
- Inform the community on how to address COGS infrastructure issues

MEASURES OF PROGRESS

- Periodical review of a Dookie and District Community Plan that is endorsed by Council
- Alignment of local Council plans and zoning with local community needs
- Availability and distribution of Information Package about Town Development
- Waste water treatment and reuse system for Dookie township
- Publish GSCC contact details relating to individual issues such as road maintenance
- Development of a plan and implementation strategy for aged persons housing in Dookie

4. IMPLEMENTATION OF THIS COMMUNITY PLAN

Working in Partnership

The Dookie and District Community acknowledges the importance of working in partnership with all stakeholders – all levels of Government (Local, State and Federal), Dookie College Campus of Melbourne University and key community, business and industry groups who have expertise and/or an interest in the content of this plan - in order to effectively achieve the key goals it identifies.

The community is committed to working co-operatively and collaboratively and taking an inclusive and whole of community view to how it approaches the initiatives and projects it pursues. No idea is too small or too large for our Plan.

Throughout the development of this Plan there is recognition that:

- The Plan needs to complement and have a strong link with existing community groups.
- The Plan contains a considerable number of key goals, some of which are short term and have commenced and others that are new and/or can only be achieved over a longer timeframe.
- This plan must be regularly reviewed to ensure it reflects changes, achievements and new priorities as they occur.
- The Dookie and District Development Forum will be entrusted with providing leadership and facilitating further action with GSCC
- Appropriate amendments and updates to the Community Plan will be made to ensure that it remains current and reflects any significant changes in the community.

Contacts for more information

Chair Steve Bowmaker. 0419 332 949
Secretary Jennifer Shields
Web site www.lifestyledookie.com.au

Related Reference Documents

1. Dookie and District Community Plan 2002
2. Report of Dookie Community Planning Event September 2009
3. Mt Major Mountain Bike Park and Walking Trails Master Plan 2011
4. Dookie Community group and individual submissions to the Draft 2012 Dookie Community Plan (approx 40)

Dookie and District Development Forum Inc.

Steve Bowmaker – Chairperson

Jenny Shields – Secretary

Helen Ellis – Treasurer

Sue Bennett – Communications



Dookie & District Community Plan 2012 Priority Projects

- Infrastructure and Planning for Sustainable Growth
 - Town sewerage and drainage
 - Zoning for town growth
 - Roads, footpaths
 - Maintenance
- Protecting, Enhancing and Displaying the Region's Cultural Heritage
 - Museum & Mens Shed, Information Centre
 - History and Landscape Tourist Trail
- Enhancing Walking and Bike Trails
 - Rail Trail extensions
 - Walking and Mountain Bike Trail Park connecting Dookie, Mt Major and Dookie College
 - Skyline Hilltop Trail
- Enhancing Youth and Children's Services
 - Skate Park
 - Development of CWA Gardens
 - Fencing of CWA Gardens
 - Improvements to Dookie Recreation Reserve
- "Destination Dookie"
 - Signage
 - Website
 - Promotions
 - Improving visitor amenity

HUME REGION POPULATION HEALTH PROFILE

2012

GOULBURN VALLEY PCP

HEALTH DETERMINANTS

HEALTH STATUS

INDICATORS	VICTORIA		HUME REGION			SHEPPARTON			STRATHBOGIE			MOIRA			
	Number	Measure	Number	Measure	Rank among 8 Regions	Number	Measure	Rank among 79 Vic LGAs	Number	Measure	Rank among 79 Vic LGAs	Number	Measure	Rank among 79 Vic LGAs	
Population (2006)	0-17	1,181,338	23%	66,263	25.4%	15,738	26.6%		1,988	20.7%		6,887	24.6%		
	18-34	1,243,656	24.3%	49,294	18.9%	12,496	21.1%		1,295	13.5%		4,629	16.6%		
	35-64	2,019,262	39.4%	106,301	40.8%	22,998	38.8%		4,246	44.2%		11,067	39.6%		
	65-84	600,865	11.7%	34,053	13.1%	7,028	11.9%		1,790	18.6%		4,754	17.0%		
	85+	83,189	1.6%	4,494	1.7%	942	1.6%		296	3.1%		609	2.2%		
	Dependency ratio *adjusted		36.3%		40.2%		40.1%			42.4%			43.8%		
	Aboriginal & Torres Strait Islander Born Overseas		0.65%		1.58%	2	3.46%	2		0.89%	24		1.21%	12	
Total Population	5,128,310		260,405			59,202		41	9,615		57	27,946		55	
Projected Population (2016)	0-17	1,279,961	21.5%	66,603	22.7%	↓	15,956	24.1%	↓	1,780	17.7%	↓	6,341	20.7%	↓
	18-34	1,425,589	24%	55,031	18.8%	↓	14,680	22.1%	↑	1,295	12.9%	↓	5,062	16.5%	↓
	35-64	2,291,441	38.6%	115,226	39.3%	↓	24,295	36.7%	↓	4,114	40.9%	↓	11,956	39.0%	↓
	65-84	809,644	13.6%	48,740	16.6%	↑	9,764	14.7%	↑	2,452	24.4%	↑	6,410	20.9%	↑
	85+	136,277	2.3%	7,432	2.5%	↑	1,586	2.4%	↑	427	4.2%	↑	919	3.0%	↑
	Dependency ratio *adjusted		37.4%		41.8%		41.2%			46.3%			44.6%		
	Total Population	5,942,912		293,032			66,281			10,068			30,688		
Education	% students attending govt. school		63.7%		70.4%	2	72.1%	26		77.2%	13		64.3%	52	
	Completed higher education		43.2%		27.6%	7	29.7%	37		27.1%	52		21.8%	77	
	Did not complete year 12		51.3%		66.5%	2	67.1%	26		68.9%	20		72.8%	6	
	Disengaged school leavers		15.4%		19.8%		24.6%			19.6%			20.2%		
	Full time equivalent students	853,111		46,497			11,749			1,011			4,839		
Employment Socio-economics	Unemployment rate		5.5%		6.1%	3	7.9%	8		4.7%	48		6.0%	25	
	Household income - less than \$650 per week		30.6%		36.5%	4	35.3%	42		44.4%	11		41.8%	18	
	Index of Relative Socio-Economic Disadvantage						967.8	19		967.9	20		970.6	22	
	Food security - % pop. who ran out of food in last 12 months and couldn't afford to buy more		5.6%		6.9%		8.1%			4.5%			7.0%		
Family Housing	% families headed by one parent		15.4%		14.9%	7	16.5%	17		12.9%	53		12.7%	54	
	Households where housing cost over 40% of income		9.0%		7.6%	4	8.4%	25		5.6%	65		7.1%	47	
Engagement	Social housing as % total dwellings		4.3%		5.6%	2	7.1%	10		2.3%	63		4.1%	34	
	Feeling part of the community		70.7%		76.4%		77.0%			76.1%			78.9%		
	Percentage of community who help as a volunteer		19.7%		26.7%		23.1%			31.4%			27.8%		
Safety/crime	Social support - % community who can get help from friends, neighbours when needed		91.7%		91.8%		88.6%			92.2%			90.9%		
	Drug usage/possession offences - rate/1,000		1.9		2.2	2	2	25		1.4	45		1.9	28	
	Family incidents - rate/1,000		6.6		8	4	8.9	18		4.9	55		2.5	78	
	Feeling safe or very safe - when walking alone in local area during day		96%		97.5%		96.0%			97.7%			98.6%		
Access	Households with internet access		61%		53.5%	6	51.9%	53		46.6%	72		47.9%	70	
	Transport - households with no vehicle		9.3%		6.5%	8	7.6%	35		6.3%	50		6.2%	52	
	Transport - % near public transport		72.6%		32.7%	8	37.3%	45		20.7%	63		18.7%	65	
Health Behaviors (risk factors)	Alcohol - persons at risk of short-term harm from alcohol consumption		10.2%		13.6%	2	12.1%	29		18.1%	2		17.2%	4	
	Dietary guidelines - % who do not meet fruit/vegetable dietary guidelines		48.2%		50.2%	3*	53.9%	12		50.7%	30		55.0%	7	
	Overweight/obese - % persons overweight/obese		48.6%		55.4%	2*	53.3%	35		57.5%	13		59.2%	3	
	Physical activity - % persons who do not meet physical activity guidelines		27.4%		25.4%	7	24.4%	52		21.7%	62		25.1%	49	
	Psychological distress - % persons reporting a high/very high degree of psychological distress		11.4%		11.2%	5	14.8%	10		8.1%	74		9.8%	59	
	Safe sex - young people (10-17) practising safe sex by using a condom		58.1%		58.9%										
	Smoking - % 18+ who are current smokers		19.1%		21%	2	25.4%	5		19.8%	39		27.1%	3	
Life Expectancy	Female - years		84.4		84.1	4	83.8	40		82.8	69		84.1	34	
	Male - years		80.3		79.3	5	77.9	60		78.4	53		76.4	77	
Health Conditions	Asthma - % persons reporting asthma		10.7%		10.8%	3	10.0%	49		7.9%	73		11.4%	33	
	Chlamydia - rate/100,000	357		360.8		4									
	Diabetes - % persons reporting type 2 diabetes		4.8%		4.5%	7	4.2%	46		4.5%	40		3.7%	53	
	Injury - unintentional injury rate/100,000	1,751.9		1,827.9			1,882.8			2,474.9		1,918.0			
	Melanoma rates female - incidence/100,000		25.1		31.0		30.7			23.5		47.5			
	Melanoma rates male - incidence/1,000		31.8		38.9		36.9			38.4		43.0			
	Mental health - persons who sought professional help for a mental health problem		11.4%		11.7%		13.8%			11.1%		10.6%			
	Self-assessed health status - persons reporting fair/poor health		18.3%		17.8%	6	16.6%	53		14.7%	68		17.0%	47	
	Top 3 ambulatory care sensitive conditions marked in red - rate/1,000														
	Angina		1.52		1.79										
	Cellulitis		1.73		2.09								2.83		
	Chronic Obstructive Pulmonary Disease		2.61		3.3		3.01			3.5		3.44			
	Congestive cardiac failure		2.29		2.15										
	Dental		3.03		2.34										
Diabetes complications		11.42		11.16		12.97			12.11		10.31				
Pyelonephritis		2.55		2.39		2.54			3.13						
Avoidable Mortality	Top 3 causes of avoidable mortality marked in red - rate/100,000														
	Chronic Obstructive Pulmonary Disease		7.74		9.93										
	Colorectal cancer		12.29		11.82										
	Ischaemic heart disease		30.76		31.82		29.05			31.07		45.43			
	Lung cancer		21.12		21.29		22.06			21.99		24.19			
	Road traffic injury		6.9		13.86							19.01			
Suicide		10.92		13.91		15.38			16.88						



GREATER
SHEPPARTON

Submission on the proposed
Murray Darling Basin Plan

Executive Summary

The Murray-Darling Basin Authority has called for submissions on its proposed Basin Plan. This submission has been prepared by the Greater Shepparton City Council with input from our local community, key stakeholders in the agricultural and food processing sectors based in and around Shepparton, and expert advice.

Council agrees that we do need a Murray-Darling Basin Plan that engages all the people who make decisions about, and are affected by, the shared economic resources and environmental values of the Basin. This Plan should be holistic and transparent. The process of developing the Plan needs to provide communities with as much certainty as possible, so that people can make long-term plans. The Plan needs to be complemented with a positive vision for the future of Basin communities.

The Basin Plan could have significant negative impacts on northern Victorian communities, if it leads to significantly more non-strategic buyback of water entitlements. Around 15% of Victoria's water entitlements have already been sold to the environment, and this could increase to around 30% to 40%. It is important that the Basin Plan be implemented as much as possible using alternatives to buyback – including works and measures, irrigation modernisation and on-farm efficiency, and strategic buyback led by irrigation authorities.

Council agrees with the MDBA that 'localism' is indeed vitally important for implementing the Basin Plan. However, MDBA is only one of the organisations that has a role in implementing the Basin Plan. All parts of government need to wholly and genuinely embrace the localism concept to implement this reform with local communities.

The Basin Plan should be focused on environmental outcomes, not simply a volume of water. It is also vital that communities understand what is being proposed for the Murray Mouth and Lower Lakes, and why. Within Victoria, communities need to understand how much environmental benefit the Basin Plan will deliver on top of the Victorian Government's environmental arrangements.

At the same time, much more information is needed about environmental watering requirements, so that we can understand how our communities may be affected, and so we can be confident that the best possible environmental outcomes will be achieved. Irrigators need greater awareness about how the Commonwealth Environmental Water Holder will affect the water market, and further reform is needed to optimise sharing of water between the environment and other users.

Communities have grown up around certain water policies and those policies now have changed, because it has been judged to be in the best interests of the Australian community as a whole to reallocate water to the environment. When this is implemented through buyback, it means irrigation farmers reduce production, and communities feel most of the impact in reduced need for farm labour, processing of farm product, etc. Negative impacts on communities from the Basin Plan are a result of changed government policy, not natural events. Accordingly, Governments should help communities adjust to this significant change.

Shepparton is a regional city of approximately 60,000 people. Greater Shepparton is at the heart of the most significant irrigation district in Australia, often referred to as the 'Food Bowl of Australia'. Agriculture and manufacturing combined are the major employers and sources of economic activity for our community, which has major food processing in and around the city. As such, the Murray-Darling Basin Plan is extremely important for our community's

future. Council has sought to make a submission that is balanced and constructive. We commend our submission to the MDBA.



1.1 We do need a Basin Plan

A 'healthy, working Basin' is equally important for the people and the environment of the Murray-Darling Basin. We do need a plan to achieve a healthy working Basin now and into the future.

The main reason we need a Basin Plan is because we need holistic planning that engages all the people who make decisions about, and are affected by, the shared economic resources and environmental values of the Basin.

The Commonwealth's *Water Act 2007* was passed into law in order to give the Commonwealth the central planning role for the Basin – a role that formerly, under the Australian Constitution, sat with the States. A key reason behind the Commonwealth Government passing its *Water Act* was that the States were seen as focusing on their own narrow interests, to the detriment of the Basin as a whole. The *Water Act* was intended to lead to a Murray-Darling Basin Plan that would rise above the narrow interests and powers of the States to take on the 'bigger picture', in the interests of the entire country.

This simplistic view fails to acknowledge that – in the last few decades - the State governments and agencies and the Murray-Darling Basin Commission overall did a good job of managing the Basin, often under very difficult circumstances including the millennium drought. Unfortunately, the "Commonwealth good, States bad" view of Basin management has also become an obstacle to the participative and localised planning and management that is really needed.

1.2 The Plan should be holistic

As the Basin Plan has been developed over the past few years, it has increasingly appeared to many people as though it offers a choice between protecting the environment, or protecting communities. This has been exacerbated by the focus on a volume of water – moving from a possible SDL of 4,000 GL/year reduction from current diversions (which was one scenario in the ill-fated 2010 *Guide to the proposed Basin Plan*) to 2,750 GL in the proposed Basin Plan.

Many of the submissions already published on the MDBA's website show that people feel they have to choose – a lot of city people (and some country people) have made submissions choosing the environment, and asking for 4,000 GL or more. The divide between Australia's city and country people has been exacerbated by the Basin Plan process. This divide is made worse by some people arguing that irrigation communities will not be negatively impacted by the Basin Plan.

It did not need to be like this, and the final Basin Plan can start to undo this division. Australia needs **both** a healthy environment **and** healthy, vibrant, productive irrigation communities.

The Basin Plan is not just an environmental reform; given the sheer scale of water that is involved, it is also a social and economic reform, so it needs to include an holistic response to environmental, social and economic issues. The need for both a healthy environment and healthy Basin communities could be addressed if the final Basin Plan were accompanied by:

- Information from the States, the Commonwealth Environmental Water Holder, and the Commonwealth water department (SEWPAC¹) about how they will undertake their roles in implementing the Basin Plan, and how they will all work with each other, MDBA and local communities;
- Effective engagement with catchment management authorities, who are a rich source of experience and wisdom about environmental watering and balancing environmental and community needs. Victoria's CMAs also have good links to their local communities; the government could work with them to help to mend the divide between people concerned about the environment and people concerned about communities;
- A government response to the negative social and human impacts that are an inevitable consequence of such a major reform. The MDBA has previously acknowledged that the Basin Plan will impact things like mental health, community services and the social fabric of irrigation communities – now we need to see how the government will respond to those changes and protect confidence; and
- A plan to help irrigation communities adapt and diversify their economies, as irrigated production reduces.

To do all this will require breaking down the silos between Commonwealth agencies and departments, and the State agencies and departments. It will require genuine cooperation across all tiers of government. Otherwise the Commonwealth government risks falling into an inappropriately narrow focus for planning – which is the same sort of error that the States were accused of when the Commonwealth took on this role.

1.3 The Plan should be transparent

It is important that the Basin Plan, and the reasoning behind it, be genuinely transparent to all interested people. The MDBA has made a good start in this direction, publishing much of its advice and analysis.²

However, there are three key aspects in which the MDBA is not adequately transparent at present:

- What the environmental outcomes are that it is aiming to achieve, and how they meet the requirements of the *Water Act*;
- How the additional environmental water requirements have been calculated; and
- How engineering works and measures, and system constraints, have been accounted for (together with the potential to make changes, and the implications for the volumes needed and the impacts on communities and the environment).

These are three key building blocks to developing the proposed Sustainable Diversion Limits (SDLs). Until people understand clearly how the SDLs have been developed, it is difficult to support them.

¹ The Commonwealth water department is the Department of Sustainability, Environment, Water, Population and Communities (SEWPAC)

² Recent reports published by the MDBA and reviewed for this submission include one on hydrological modeling and one on the environmentally sustainable level of take.

1.4 Communities need certainty

A key problem that has arisen from the Basin Plan process is that it has created uncertainty.

It is difficult for people to make long-term decisions, like investment decisions, when they are unsure how much water will come out of irrigation production in different communities. The 2015 review has created further uncertainty, compounding the uncertainty generated by the *Guide* and then the Proposed Basin Plan.

This is not an argument for certainty about the *end point* of the Plan process. It is better to have a 2015 review, than to not have one and just proceed immediately with buyback as the main mechanism for implementing the Plan. Rather, what is needed is more certainty about the *process* of reviewing the Basin Plan in 2015, and the *means* by which the Plan will be implemented.

1.5 Australia needs a positive vision for the future of Basin communities

After World War I, the Australian community and government developed a shared vision of the Murray-Darling Basin as Australia's food bowl. This began sustained government investment in encouraging returned servicemen to take up land for farming as irrigation schemes were developed.

Since then, we have collectively learnt about the strengths and the limitations of irrigation farming in the Basin and have progressively returned water to the environment and sought to farm more and more sustainably. The Basin's farmers have a legacy of feeding and clothing Australia, and caring for the Basin's environment; they are rightly proud of that legacy.

However, Australia no longer has a shared vision for a positive and proud future for the irrigation communities of the Basin. Their contribution is not fully valued or even properly understood by people who live in other communities and the coastal cities.

We need a vision for the future for Basin communities, and we need that vision to be shared by a majority of Australians. Governments can play an important role in this vision, similar to the role they played in the past – demonstrating their confidence in our communities' futures, and helping people to understand that irrigation communities are also stewards of the environment.

2 Impacts on communities

2.1 Northern Victoria could bear significant negative community impacts because of the “shared reduction.”

The Basin Plan will involve a considerable change in the way the Murray Darling Basin functions, by changing the balance between water being used for environmental purposes and for consumptive use (mainly irrigated agriculture). As a result there will be a much less irrigation water in the regions.

The Shepparton community is an irrigation-based community within Victoria’s Goulburn-Murray Irrigation District (GMID). The GMID’s communities extend from Swan Hill in the west, take in dairy communities such as Kerang, Cohuna and Rochester, and extend to the west and south of Shepparton. Irrigated dairying is important across the GMID with a number of milk factories that are the principal employer in small towns. Shepparton is a diverse regional city surrounded by horticulture whose social catchment extends across northern Victoria into southern NSW.

The GMID is part of the southern Murray-Darling Basin, which also includes the valleys of the Murrumbidgee, NSW Murray, Sunraysia and the South Australian Riverland. These valleys are hydrologically interconnected and are served by an interconnected water market. Water entitlements, and water allocations (i.e., ‘temporary’ water) are traded between these valleys such that they act in many ways like a single region.

The three major commodities grown within the southern Basin are dairy and horticulture, and in southern NSW, rice. These sectors have different ability to pay for water (horticulture has the greatest ability to pay, followed by dairy, rice and mixed farming – though this is a generalisation that is subject to impact from commodity prices). They also have different responses to wet and dry years; in dry years, mixed and rice farmers often tend to sell any allocations they may have from their lower reliability entitlements to dairy and horticulture farmers, who need to care for plantings and herds and, in very dry years, keep them alive.

The net result of these different responses and needs is that across the southern interconnected Basin as a whole, in the long run, a dynamic approximate equilibrium has been reached between sectors that is subject to climate, commodity prices and the dynamics of the water market.

The Basin Plan will alter the dynamics of the water market (its size, water prices, and availability of water in dry years) and therefore will shock the system so that, in the long run, a different approximate equilibrium will be reached compared to that seen in the past.

The Proposed Basin Plan sets out Sustainable Diversion Limits (SDLs) that would entail a 2,750 GL reduction in consumptive water use, almost entirely from irrigation. The Proposed Basin Plan sets out an SDL for each valley, plus a 971 GL “shared reduction” to be sourced across the southern Basin as a whole.

The Proposed Basin Plan also noted that significant water recovery has already occurred in some valleys. The Basin Plan has been being implemented since 2007, when the *Water Act 2007* (Cth) came into effect and the *Water for the Future* modernisation and buyback programs commenced. For Victoria’s valleys, buyback to date, combined with the very significant water savings from NVIRP (stages 1 and 2), mean that the within-valley targets

for Victoria's Goulburn and Murray valleys have already been exceeded (Figure 1). However, the 971 GL "shared reduction" largely has not yet been met.

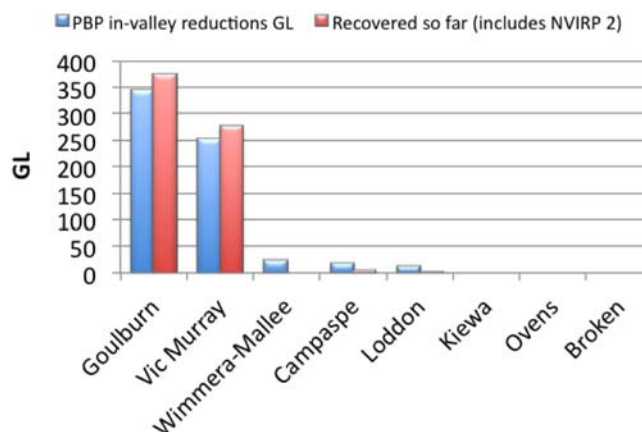


Figure 1. Proposed Basin Plan in-valley reductions and recovery to date (Victoria).³

The Plan has a number of mechanisms for achieving this new balance (discussed in more detail in section 4.2), including buyback.

Over the past few years, drought, the high Australian dollar and downturns in dairy and, particularly, wine grapes have eroded the resilience of farmers, businesses and communities. Production impacts of buybacks over that period have not yet become clear because drought allocations were so low, and allocations since the drought have been so high; impacts will emerge slowly over the coming years. By constraining water supply, the effect of these buybacks will be to reduce total agricultural production. This impact will be greater in some areas than others. Regardless of what further actions arise from implementing the Basin Plan, there will be some affected communities.

Since 2007, northern Victoria has already seen a combination of buyback, NVIRP (a major irrigation infrastructure project) and farm modernisation funding which has occurred at the same time as drought and periods of low commodity prices. This has led to some significant farm business restructuring.

Under the Basin Plan, the period from now to 2015 (when the Basin Plan will be reviewed) will be characterised by minimal buyback of water entitlements by the Commonwealth, as communities and governments work to identify as many opportunities as possible to recover water and meet environmental objectives in ways that do not reduce the irrigation consumptive pool. At the same time, irrigation modernisation in the GMID will deliver significant economic stimulus.

Between 2015 and 2019, buyback will complete any remaining 'gap' in environmental water needs as set out in the Basin Plan.

The additional impact of the Basin Plan from now onwards will depend upon whether or not the 2015 review concludes that significant further buyback is required (remembering that the

³ This figure, and the analysis set out in this section, are based on RMCG, 2012, *Predicting socioeconomic impacts of the proposed Basin Plan on Victoria*. Report for Hume, Loddon Mallee and Grampians Regional Development Australia Committees, February. http://www.rdv.vic.gov.au/data/assets/pdf_file/0007/79531/Victorian-Impacts-of-the-proposed-Basin-Plan-RMCG-20120220.pdf accessed 23 March 2012.

mechanisms already in place have had, and will continue to have, an impact on some communities), and whether or not that buyback is designed to rationalise irrigation systems (please see section 4.2). This 'bookend' framework is summarised in Figure 1.

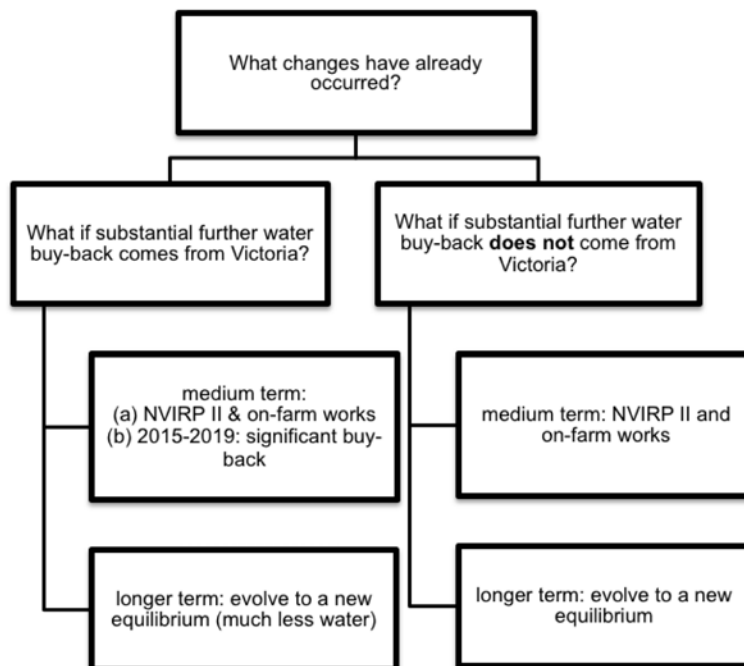


Figure 1. Framework for understanding Basin Plan impacts on Victoria.

The decision in 2015 about buyback is an extremely important issue for Victoria. Around 15% of Victoria's water entitlements have already been sold to the environment. In the 'worst case' scenario on the left side of the framework in Figure 1, this could increase to around 30% of this state's entitlements if Victoria's share of the 'shared contribution' is *pro rata* compared to NSW and SA, or over 40% if high reliability entitlements are targeted.

As has been demonstrated in several studies for the Murray-Darling Basin Authority, such a significant reduction in the consumptive pool could devastate irrigation farming in northern Victoria. The 'worst case' would prevent dairy from recovering (from drought) to the levels needed for a prosperous industry; would largely remove mixed farming; and would make it very difficult for horticulture to buy temporary water in very dry years to keep plantings alive.

By contrast, the 'best case' would see dairy largely recover from drought; horticulture continue largely unaffected by the Basin Plan; and ongoing restructuring to more viable dairy farms in the GMID, with adjustment into a small number of viable farms and reduced populations in the eastern GMID, and processing continuing to be focused around Shepparton. The 'best case' scenario would still see some impacts on communities from the reduction in available water from the buyback to date.

2.2 What will 'localism' mean?

The MDBA has talked a lot about its commitment to using 'localism' to implement the Basin Plan. It says:⁴

Localism in water management is about governments partnering with local and regional communities and organisations to manage water and other natural resources in an integrated way. Localism should help governments and communities share and improve their respective capacities to better deliver water reforms.

Localism is indeed vitally important for implementing the Basin Plan. However, MDBA is only one of the organisations that has a role in implementing the Basin Plan. All parts of government need to wholly and genuinely embrace the localism concept to implement this reform with local communities.

In addition, localism could be much more effective if Commonwealth agencies like the CEWH and water department had a significant presence within the Basin regions they serve.

2.3 More information is needed about environmental watering requirements

The proposed Basin Plan sets out Sustainable Diversion Limits for each valley, but does not give detailed information about environmental watering so that people can understand things like:

- What types of water entitlement will the environment be seeking from different valleys and from the southern Basin as a whole for the shared contribution? How much will be high security entitlement?
- How will the Commonwealth Environmental Water Holder (CEWH) use its water?
- What will be the roles of other agencies like catchment management authorities, water authorities, and the Victorian Environmental Water Holder?
- Who will be responsible and accountable for the use of environmental water?
- How will flooding risk be managed?
- How will environmental water be delivered – and what are the constraints that the Proposed Basin Plan refers to, and the costs and benefits of addressing them?
- Could the 2015 review of the Basin Plan result in more water being allocated to the environment?
- How will the "shared reduction" of 971 GL, to come across all valleys in the southern connected Murray-Darling Basin, be sourced?

This means continued uncertainty about how the Basin Plan will affect people. This uncertainty could continue until 2019 when the Basin Plan is fully implemented and States have developed their Basin Plan-compliant water resource plans. This uncertainty affects everyone involved in the Basin Plan process:

- It means that the States and their agencies are finding it difficult to plan for their future roles;

⁴ MDBA, 2011, *Position paper on localism*.

- It is impossible to know where the impacts on communities will fall between the 'best case' and 'worst case' described in section 2.1 – which makes it hard for everyone, from the people affected right through to councils and governments, to plan;
- It is very difficult to know how the water market will change because of the Basin Plan and the CEWH; and
- There is a risk that the Commonwealth will acquire a sub-optimal water portfolio, and then need to adjust its holdings later – by which time, some of the damage to communities will already have been done.

3 Impacts on the environment

3.1 The Plan should focus on outcomes, not simply a volume of water

The proposed Murray-Darling Basin Plan states that its objective is to achieve a healthy, working Basin. It then lists, by valley, reductions in total average diversions of water from consumptive use (mainly irrigation), to be reallocated to the environment – “Sustainable Diversion Limits”.

There are a number of different ways that the outcome of a healthy, working Basin could be achieved. Reallocation of water is one way. Other ways include improving irrigation efficiency and thereby recovering water that otherwise would be lost to evaporation, leakage or seepage – which can also boost production. Still another method is investing in works and measures to assist environmental watering, and improving river operations so that environmental managers have better control over where and when environmental watering occurs.

The Commonwealth’s *Water Act* recognised this when it gave the MDBA maximum flexibility about how it would express the new Sustainable Diversion Limits (SDLs). The Act states:⁵

A long-term average sustainable diversion limit for the Basin water resources, for the water resources of a particular water resource plan area or for a particular part of those water resources may be specified:

(a) as a particular quantity of water per year; or

(b) as a formula or other method that may be used to calculate a quantity of water per year; or

(c) in any other way that the Authority determines to be appropriate.

By choosing to express the SDLs as a particular quantity of water per year,⁶ and by doing so within the statutory instrument of the Basin Plan itself, the MDBA may need to resubmit the Plan to Parliament if work over the next few years reveals that the SDLs can be reduced because of other works that can achieve the same (or better) environmental outcomes intended by the Plan.

This sends the message to the Commonwealth water department that the primary focus of its water policy should continue to be buyback. It also creates uncertainty for people working to find other ways to protect the Basin environment; will their efforts fail to lead to a reduction in buyback, when the negative community impact of buyback is a major motivation for finding other options?

The Basin Plan must not lock in a particular method of achieving the outcome of a healthy working Basin. It must explicitly allow for that outcome to be achieved in a range of ways, and for that to occur without the protracted uncertainty and expense of resubmitting the Plan to Parliament.

⁵ s23(2), *Water Act 2007* (Cth)

⁶ i.e., as a reduction from baseline diversions

3.2 Communities need to understand what is proposed for the Murray Mouth and Lower Lakes, and why

There is very widespread confusion about the historical ecological condition of the Lower Lakes, Murray Mouth and Coorong, and about what the MDBA is aiming to achieve for these environments – and why.

Rightly or wrongly, many people across the Basin see the Basin Plan as being primarily about South Australia's need for water from upstream states. This has been heightened by the inclusion in the proposed Basin Plan of the shared reduction of 971 GL from all the valleys of the southern connected Basin.

However, there has not been a concerted and effective effort by MDBA to help communities understand its environmental objectives for South Australia.

It is really important that Basin communities, on the whole, support the Basin Plan and 'own' its objectives for South Australia. Failure to build this support is undermining the Plan and perpetuating and exacerbating existing tensions between 'downstream' and 'upstream' users of the shared water resource.

In addition, the MDBA needs to be transparent about what volumes of water are needed for the lower reaches of the Murray. The MDBA's hydrologic modelling report⁷ makes it clear that the lower reaches need more than the 971 GL "shared reduction". This means that there are limits to how much the volumes of water required under the Plan can be reduced by works and measures and river operations changes within upstream valleys. Before people start to work on these options, they need to understand what those limits are.

3.3 How much environmental benefit will the Basin Plan deliver on top of the Victorian Government's environmental arrangements?

For several years up to the end of 2009, northern Victorian people worked with the Victorian government to develop the *Northern Region Sustainable Water Strategy*. This was the long-term plan to balance irrigation and environmental water needs for all northern Victoria, which is the Victorian part of the Murray-Darling Basin.

Although that process naturally included some conflict, on the whole the community ended up owning and accepting the *Northern Region Sustainable Water Strategy*.

It was therefore surprising that, within twelve months, the MDBA published its Guide and then, twelve months later, its proposed Basin Plan without a proper explanation of how they related to the *Northern Region Sustainable Water Strategy*.

Will the Basin Plan deliver greater environmental outcomes than the *Northern Region Sustainable Water Strategy*? If so, what was wrong with the Strategy? If not, then does the Basin Plan claim to provide environmental improvements for Victoria? The recent hydrological modelling report by the MDBA (published halfway through the consultation process⁸) could be taken to infer that actually, the Basin Plan may not provide additional

⁷ Murray-Darling Basin Authority 2012, *Hydrologic modelling to inform the proposed Basin Plan - methods and results*, MDBA publication no: 17/12, Murray-Darling Basin Authority, Canberra.

⁸ See footnote 7

environmental watering for Victorian valleys, but that instead, any additional water recovered from now on would be for South Australia⁹ – is this correct?

The MDBA also has not explained how the Basin Plan will affect the roles of the Victorian Environmental Water Holder and Victorian catchment management authorities and water authorities.

Given the significant time that northern Victorians contributed to the *Northern Region Sustainable Water Strategy*, it would be appropriate for MDBA to explain what it has done with that work.

3.4 Unintended consequences: we may lose environmental sites for the sake of those nominated in the Plan

Whenever governments develop new policies they need to be alert to the risk of ‘unintended consequences’ – that is, the risk that the policy could trigger impacts that are not wanted.

Quite apart from the community impacts discussed elsewhere in this submission, there is a risk that the Basin Plan could cause unintended damage to the environment. That is because farmers throughout the Basin overwhelmingly see themselves as caring for the environment; they manage weeds and feral animals, and many use some of their irrigation water and their time and money to care for precious waterways and wetlands on their farm.

The Basin Plan will see many farmers sell their water, so they will have less capacity to water environmental sites on-farm. Inevitably it will see some land less well-cared for, with increased risk of weeds and feral animals and increased cost for their neighbours in managing those risks and associated fire risk.

While the Basin Plan may improve protection for the very important environmental sites for which the Commonwealth Government has a responsibility under international agreements like the Ramsar agreement, it may also trigger degradation and loss within the mosaic of habitats on private land that link those important sites and provide refugia and wildlife corridors for native plants and animals.

These risks, and measures to manage these risks, need to be taken into account in the final Basin Plan.

⁹ It appears that the Basin Plan has adopted the Strategy’s targeted diversion reductions for the Kiewa, Ovens and Loddon Valleys, but water could come from the Victorian Murray and Goulburn for the shared contribution, on top of the water already recovered through irrigation modernisation, efficiency and buyback which has already met their in-valley objectives (and separately to the 971 GL shared reduction). The NRSWS recovery target for the Goulburn was 250 GL compared to the Basin Plan in-valley target of 344 GL. Section 5.10.3 in Murray-Darling Basin Authority 2012, *Hydrologic modelling to inform the proposed Basin Plan - methods and results*, MDBA publication no: 17/12, Murray-Darling Basin Authority, Canberra.

4 How the Plan is implemented

4.1 The Government should help communities adjust

The Commonwealth's *Water Act* is based upon the National Water Initiative, an agreement between State and Territory governments and the Commonwealth, which states:¹⁰

*The Parties agree to address significant adjustment issues affecting water access entitlement holders **and communities** that may arise from reductions in water availability as a result of implementing the reforms proposed in this Agreement.*
[emphasis added]

Communities have grown up around certain water policies and those policies now have changed, because it has been judged to be in the best interests of the Australian community as a whole to reallocate water to the environment. A key tool for achieving this reallocation is the buyback of entitlements from irrigators.

When irrigation farmers reduce irrigated production, it is communities that feel most of the impact in reduced need for farm labour, processing of farm product, etc.¹¹

Negative impacts on communities from the Basin Plan are a result of changed government policy, not natural events. That is why the National Water Initiative acknowledges that governments should help communities adjust to this change. However, up until now, government investment to address the adjustment issues has been focused on irrigation farmers and irrigation systems and has not extended to communities.

Some commentators have argued that by paying for buyback, government has already done enough to address community adjustment. In the case of buyback, however, even putting aside the debate about leakage of that money from the region, there are real problems of 'winners' and 'losers'. The people that benefit from the spending of buyback revenue often are not the same people who lose out when irrigated production is reduced.

To meet its commitments under the *Water Act* and the National Water Initiative to address significant adjustment issues affecting communities, government should invest to help affected parts of the community to adjust so that they, too, can have a bright future.

4.2 A concerted effort is needed to develop alternatives to buyback

Buyback generates revenue for the irrigators who sell entitlement, and some of that trickles through into the community as it is spent. However, on the whole, buyback reduces irrigated production and therefore reduces the need for farm inputs, employment, processing and so on – reducing economic activity and jobs in irrigation-based towns. Furthermore, the people who may benefit from the spending of buyback revenue generally are not the people who lose jobs and money because of a contraction of irrigation farming.

¹⁰ Clause 97, Intergovernmental agreement on a National Water Initiative, and section 21(4) of the *Water Act*. The *Water Act*, however, only specifically addresses risks to water access entitlement holders, and does not specifically address risks to communities (Subdivision A, *Water Act 2007* (Cth)).

¹¹ Even though some farmers sell entitlement in order to rely more on the temporary water market or in order to invest in their farm in other ways, buyback still reduces the size of the consumptive pool of water and results in reduced production overall, compared to what would happen otherwise. Dryland farming contributes substantially less to a region's economy for a given area of land than does irrigation farming.

It is not the Basin Plan itself that causes such serious concern in irrigation communities; it is the way the Plan is implemented, if that means more non-strategic buyback.

There are other ways the Basin Plan can be implemented:

- **Irrigation system modernisation** can recover water from leakage, seepage and evaporation and reallocate that to the environment – so that the volumes of water for irrigation are not actually reduced. There is an additional very important bonus from modernisation – it completely changes irrigation systems so that they can support higher-value farming, with more responsive water delivery. This is vitally important for Australia to adapt to climate change and increasing global competition. There is limited scope left for modernisation water savings in Victoria, so savings in the rest of the southern connected Basin will be important.
- **On-farm water use efficiency** can achieve better farming outcomes with less water, and some of this water is then reallocated to the environment as part of the funding arrangements with the government which help to pay for the programs. Already, substantial water savings have been gained through farm water programs in northern Victoria and there are significantly more savings that could be made. This also lifts farmers to a new level of productivity and helps regions get the most from irrigation modernisation. It is worrying, therefore, that the Commonwealth water department is indicating there will be no more money allocated to this program, despite the Basin Plan process.
- **Strategic buyback** means working with irrigation modernisation to rationalise the footprint of irrigation systems – carefully unwinding the consequences of historic over-allocation of water from the environment, and helping farmers exit less-viable areas while preventing the ‘Swiss cheese’ effect. Around Shepparton, farmers are worried that non-strategic buyback could undermine the viability of the irrigation system while pushing up its cost to irrigators. It is vitally important that strategic buyback be delivered through local agencies, rather than centralised groups like – at present – the Commonwealth water department.
- **Other water-holding options** like buying allocations instead of entitlements, and leasing entitlements, could improve the CEWH’s flexibility and reduce its costs whilst also allowing for it to learn its new role and minimise impacts on other water holders. It seems that the Commonwealth is insisting on actually buying entitlement because it fears that if it relies on holding money, rather than water, future governments will take away that money and make it hard to achieve the Basin Plan objectives. There are ways around that risk – like creating a fund at arms’ length from government and/or involving the States – that should be explored.
- **Works and measures, and smarter river operations** can achieve a given environmental outcome with less water – possibly a great deal less water. These options can improve environmental outcomes from watering, quite apart from their potential to reduce the need to take water from irrigation.

Sometimes these options, particularly the first two, cost more per megalitre of water saved than straight buyback. A narrow approach, focused purely on the Commonwealth’s budget, would see buyback as the more cost-effective option – and this is a strongly-held view in Canberra. However, governments should consider these options from the perspective of the community as a whole rather than using narrow financial criteria.

The Basin Plan should be implemented using a combination of these alternative options, and non-strategic buyback should be avoided – entirely, if possible.

Furthermore, it is absolutely vital that the statutory instrument of the Basin Plan allows for the total SDL to take into account these alternative options – otherwise there will be no incentive to pursue them (see section 3.1).

4.3 Governments should stop using the term “willing sellers”

When politicians and public servants talk about buyback, they often wish to make the point that the Commonwealth Government has categorically ruled out compulsory acquisition of water entitlements, but is instead buying entitlement from people who choose to sell.

However, to do so, the term ‘willing seller’ is often used.

To describe people who choose to sell their entitlement as ‘willing’ overlooks the fact that often – particularly during and in the aftermath of the drought – people have sold their water to the government because they have felt as though they have no other choice. Such sellers have been deeply reluctant, unwilling sellers who have felt that their hands have been forced by financial circumstances arising from drought, commodity prices etc. and their banks.

It is also true that some sellers are genuinely willing. However, the term ‘willing seller’ has become divisive, and it should no longer be used.

5 How the Plan will affect the water market

5.1 Irrigators need greater awareness about how the Commonwealth Environmental Water Holder will affect the water market

The water market is still relatively young; since water trading first began in the late 1980s, there have been several waves of reform that have made trading increasingly flexible, including such reforms as the ‘unbundling’ of water entitlements from land titles. It has taken time for irrigators and other people involved in the water market to really understand how the water market can best be used to suit their needs. During the drought years, the importance of understanding the market increased considerably as irrigators sought to manage their risks and keep their farms viable.

Irrigators now have, on the whole, a good understanding of the water market. This is evidenced by the trend among some irrigators to sell their permanent water entitlements and rely instead on buying ‘temporary’ water – the allocations that other farmers choose to sell each year, rather than using them on their own farms. Selling entitlement can free up capital for other things. Still other farmers keep entitlements but have built up a level of reliance on the temporary market to ‘top up’ their needs – for example, for perennial plantings in drier years when allocations are below 100%.

The underlying assumptions irrigators are making about the water market are based on their experience of its past behaviour. However, with the advent of the Commonwealth Environmental Water Holder (CEWH), the past is no longer a good guide to the future. The recent discussion paper released by the CEWH about how it will trade water indicates that during dry years, the CEWH is unlikely to sell allocations.¹² That is when farmers rely the most on the temporary market, to keep animals and perennial plants healthy.

The CEWH already is the biggest single entitlement holder in the entire market, and it will not behave like an irrigator. The CEWH will fundamentally change the water market. Other ways it will change the market may relate to how it uses its water – for example, the CEWH may want to carry water over for several consecutive years, which could reduce the scope for carryover¹³ for all users as dam capacity is taken up; conversely, if it uses water in early Spring, it could increase dam airspace.

The CEWH and implementation of the Basin Plan could also affect the viability of irrigation systems, like those operated by Goulburn-Murray Water around Shepparton – and raise costs for those users who remain. This risk needs to be well-understood, and managed.

People need to have access to good information in order to make good decisions. It is incumbent upon the government in general, and the CEWH and MDBA in particular, to ensure that irrigators understand how the Basin Plan may change the water market.

¹² As an aside, the CEWH’s important discussion paper has been out for consultation for almost the identical period as the Basin Plan. As a result, many people whom it will affect are unaware of it and even for those that are aware, many will not have the time to make a submission on it as well as on the Basin Plan. That is poor timing. Commonwealth Environmental Water Holder, 2011, *Commonwealth Environmental Water – Trading Arrangements: Discussion Paper*. 7 November.

¹³ ‘Carryover’ is an arrangement that allows the holder of a water access entitlement to not use some of their water allocation in one water accounting period (i.e., to store it in a reservoir in the irrigation system), and then use or trade it in the next water accounting period. Carryover helps irrigators to manage the risk or opportunity that the next year may be dry.

5.2 Further reform is needed to optimise sharing of water between the environment and other users

As noted above, the CEWH is the biggest entitlement holder in the southern connected Basin, and full implementation of the Basin Plan will only see those holdings grow. The CEWH will use water in very different ways than irrigators, although it's not yet fully clear how it will behave. Possibilities include increasing flows in spring and decreasing flows in summer (which reflects more natural flow patterns) and carrying water over for multiple years.

Buyback already has influenced the prices of water entitlement in the market. The very different priorities of the CEWH (and the sheer size of its holdings) will put new pressures on the market and the regulatory and institutional arrangements in the southern Basin states. That will almost certainly necessitate further reform. For example:

- Carryover rules need to be consistent between states and need to take into account the potential for third party impacts and equity between users.
 - At present, the CEWH has over 700 GL in storage¹⁴ – it has already carried over about 300 GL from last year, and may carry its allocations over for several years until a drier season. Carryover rules, and rules around access to storage space in dams, were not designed with this scenario in mind, but assume less carryover for shorter periods of time.
 - The Victorian carryover arrangements are much more flexible than the other states', even though NSW implemented carryover first. This is inequitable. It provides an incentive for gaming by some water holders, and can distort the availability of water for users in different states.¹⁵
- Currently, management of 'headworks' (e.g. dams) is coordinated to meet the relatively homogenous needs of multiple irrigation entitlement holders. That reduces potential conflict between users and allows coordination and economies of scale in system operation. The CEWH will place very different sorts of demands on the headworks operators. Water will be sought at different times of year, between seasons, in different patterns and with different ordering times. There is the potential for this use to conflict with the established use of the irrigation sector.
- When dams spill, the spilt water goes to the environment (although this is not always in the environment's best interests). That applies whether the spilt water is held by the CEWH or by irrigators. This means that users of dam storage space from now on could have very different priorities, which could have implications for the way that storage space is shared.
- In addition to the 2,750 GL reduction in consumptive water use in the proposed Basin Plan, just under 14,000 GL already goes to the environment and losses.¹⁶ This water makes a very important contribution to environmental health. It is managed by a range of

¹⁴ RMCG analysis

¹⁵ For example, the Victorian Water Minister recently suspended some of Victoria's allocation trade, including much interstate trade, to protect next season's allocations to Victorian water entitlement holders - because the spill rules in the Murray system favour NSW, the high volumes in storage are increasing the risk of spill, and allocation trade can lead directly to greater volumes in storage for carryover. Minister for Water, 2012. *Victoria suspends some water allocation trade*. Media release, 20 March, <http://www.premier.vic.gov.au/media-centre/media-releases/3455-victoria-suspends-some-water-allocation-trade.html> accessed 23 March 2012.

¹⁶ Page 127, Murray-Darling Basin Authority, 2011, *Proposed Basin Plan*. In addition, the MDBA identifies around 5,000 GL/year in outflows.

river operators and water authorities in the three states. Even though this water comprises much of the water that would go to the environment when the Basin Plan is implemented, it is largely ignored in the proposed Basin Plan. Arrangements should be put in place to allow the CEWH to coordinate its environmental watering with the flow of this 'other' water, to maximise environmental outcomes (e.g. 'piggybacking' on peak flows) potentially with less water.

- The rules around the release of water for generation of hydroelectricity were designed to balance the sometimes conflicting needs of the hydroelectricity generators and irrigators. Now that there is another major water entitlement holder with different priorities, the best balance has probably shifted and better outcomes may be possible for irrigators, the environment, and the generators. This is because demand for water by the environment and irrigators is, to a large extent, counter-cyclical across the seasons.

It would be better for the CEWH and for irrigators if these issues were addressed before they cause serious problems, rather than after. This should be a priority for the Commonwealth and also for the NSW, Victorian and South Australian governments.



GUIDELINES APPLYING TO THE DELEGATION OF AUTHORITY TO THE SHEPPARTON SHOW ME SPECIAL COMMITTEE OF MANAGEMENT

Appendix 3 – Proposed amended Guidelines with Shepparton Show Me suggested amendments

INTRODUCTION

1 APPLICATION OF GUIDELINES AND DATE EFFECTIVE

The delegation to the **Shepparton Show Me** Committee of Management must be exercised in accordance with these Guidelines. These Guidelines were authorised by resolution of the Council on **dd/mm/yy** and have effect from **dd/mm/yy**.

2 DEFINITIONS:

In these Guidelines, the following terms have the meanings indicated:

- 2.1 “Act” means the Local Government Act 1989;
- 2.2 “Committee” means the Shepparton Show Me Committee of Management established by the Council under section 86 of the Act;
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- 2.4 “Program” means the authorised activities undertaken by Shepparton Show Me Committee.

COMMITTEE STRUCTURE

3 POLICY, RULES AND PROCEDURES

In furtherance of its power and functions, the Committee must:

- 3.1 make procedures and rules;
- 3.2 in making any procedures, rules and conditions of use, act consistently with the objectives of the Committee stated in the Instrument of Delegation, these Guidelines and any policies of the Council;
- 3.3 report any breaches of rules, conditions of use and local laws, which cannot appropriately be dealt with by the Committee, to the Council;
- 3.4 require all users of the program to abide by any conditions of use or rules made by the Committee which are applicable to the program;

3.5 require all users of the program to abide by any conditions of use, rules or local law made by the Council which are applicable to the program.

~~3-53.6~~ Within 12 months of each General Election, carry out a review of the Shepparton Show Me Committee's requirements in accordance with section 86 of the Local Government Act 1989.

4. CAPITAL WORKS

The Committee must:

- 4.1 not carry out or authorise any capital works, extensions or additions which materially alter any buildings or surrounds associated with the program without prior approval from the Council; and
- 4.2 make recommendations to the Council on the development of future capital works and the provision of future facilities and amenities to the program.

5. GOVERNANCE AND GOOD MANAGEMENT PRACTICE

The Committee has the authority to seek advice, assistance and expertise as is necessary for the proper and efficient management of the Committee within the constraints of its budget and delegation, including the ability to invite persons to the meetings of the Committee as observers or advisers.

6. REPORTING

The Committee must:

- 6.1 provide a written report to the Council on its operation on an annual basis (which shall be deemed to be the annual report) by the end of September each year;
- 6.2 develop a comprehensive business plan each year and present to Council for approval before 30 April each year;
- 6.3 document any business/funding agreements between the Shepparton Show Me Committee and any other parties and ensure such documents are transparent, reviewed and maintained;
- ~~6-16.4~~ Establish, maintain and present at each general meeting a register of all sponsorship submissions, including applications approved and applications declined;
- ~~6-26.5~~ convene or cause to be convened such meetings, forums, seminars or other activities as may be deemed of value by the Committee to meet or assist in meeting its objectives;
- ~~6-36.6~~ ensure compliance with all Acts, regulations and other legal requirements;
- ~~6-46.7~~ not commit, or permit to be committed, any act which will render the operation of any of the Council's insurance policies invalid;
- ~~6-56.8~~ publicise, promote and communicate its initiatives and the evaluation of such initiatives to the community of Greater Shepparton.

7. FINANCE

- 7.1 The Committee must ensure the effective financial control of the program, including the submission of an annual budget to Council for consideration and approval by 30 April ~~in~~ each year (for each financial year beginning on 1 July and ending the following 30 June). This annual budget must include anticipated funds carried forward as at 30 June.
- 7.47.2 The Committee must consider financial reports developed by the Council in conjunction with the treasurer, detailing Shepparton Show Me's financial position at each general meeting.
- 7.27.3 The Secretary/Treasurer of the Committee must present an operating statement and statements of financial position at the conclusion of each financial year for presentation to the annual general meeting of the Committee.
- 7.37.4 The Committee may enter into contracts, leases or rental agreements on behalf of the Council associated with the Committee's annual business plan with the consent of Council and subject to any requirements of the Act. Specific contracts shall not exceed \$100,000 on individual contracts without Council consent and must conform with Council's Procurement Policy.
- 7.47.5 The Committee shall have the power to, on behalf of the Council, raise funds, solicit and receive donations and secure government grants, in accordance with the objectives of the Committee, policies of Council and the budget, subject to the consent of the Council.
- 7.57.6 The Committee shall have the power to, on behalf of the Council, hold or sponsor functions, stalls and other fundraising means, within the constraints of the budget, to enhance the objectives of the Committee, subject to the consent of the Council.
- 7.67.7 The Committee must ensure that all accounting functions of the Committee conform to the requirements of Australian Accounting Standards, the Local Government Act 1989 and ~~relevant regulations~~ Council policies.
- 7.77.8 The Committee must ensure that all revenue and expenditure is accounted for using the Council's financial management system.

8. COMMITTEE MEMBERSHIP

- 8.1 The Committee shall comprise up to eight members representative of the Shepparton business community, two councillors and ~~the Chief Executive Officer, General Manager Sustainable Development~~ a member of the executive, appointed by resolution of the Council.
- 8.2 Members will be appointed for a period of two years (but may be removed by the Council at any time). Nominations will take place each year, with 50 per cent of the Committee positions eligible for nomination every twelve months. A member of the Committee shall be eligible for re-appointment at the expiration of his or her period of office.

Comment [g1]: Whilst we have contemplated increasing this in the past, we recommend the status quo.

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- 8.3 The Committee may co-opt as many additional members as it sees fit, but:
- 8.3.1 no such co-option will take effect until the Council has passed a resolution appointing the co-opted person as a member of the Committee; and
 - 8.3.2 no such co-opted members shall have any voting rights at Committee meetings.
- 8.4 The Council will call for registrations of interest from the community by way of a notice in the public notice section of a local newspaper before appointing business community representatives to the Committee.
- 8.5 Notwithstanding anything else contained herein, a Committee member who is absent from three consecutive committee meetings without notification and approval by the Committee shall cease to be a member of the Committee.

9. MEETINGS

9.1 Annual General Meeting

- 9.1.1 -The Committee shall hold an annual general meeting in the first quarter of the financial year on a date fixed by the Chairperson. The business of the Annual General Meeting shall be:
- (a) to receive the annual report;
 - (b) to receive a report on the programme of activities proposed for the following year;
 - (c) to receive and adopt the annual financial statement; and
 - (d) to elect office bearers to the positions of Chairperson, Secretary, Treasurer and other positions determined by the Committee as being necessary for the efficient functioning of the Committee.
- 9.1.2 The Secretary shall give notice of the annual general meeting by way of a notice in the public notice section of the local newspaper circulating in the area.

9.2 General Meetings

- 9.2.1 The Committee shall hold at least ten general meetings during the year on such dates as the Chairperson designates.
- 9.2.2 The Secretary shall give ~~reasonable~~ notice of all meetings by distributing a notice of the meeting to all members at least seven clear days prior to the meeting.

9.3 Special Meetings

The Chairperson may call a special meeting on his or her own initiative and must call a special meeting forthwith upon receiving from any three members of the Committee a written request that such a meeting be so called. The notice of the meeting by the Chairperson and the request by the three Committee members shall contain a statement of the purpose of the meeting.

The meeting must be held on such date and at such time as fixed by the Chairperson, provided that, in cases where the Chairperson calls a meeting in response to a request, the meeting shall be held within 21 days of the Chairperson receiving such request.

The Chairperson shall arrange for reasonable notice of the meeting to be given to all Committee members. No other business shall be transacted at that meeting except that specified in the notice unless, all Committee members are present and unanimously agree to deal with any other matter.

9.4 Notice to the public

The Chairperson of the Committee must provide reasonable notice to the general public of meetings of the Committee.

10. MEETING PROCEDURES

- 10.1 The quorum at any Committee meeting shall be a majority of members of the Committee.
- 10.2 A motion before a meeting of the Committee is to be determined as follows:
 - 10.2.1 each member of the Committee who is entitled to vote is entitled to one vote;
 - 10.2.2 unless otherwise prohibited by the Act, each member of the Committee present must vote;
 - 10.2.3 unless the procedures of the Committee otherwise provide, voting must be by show of hands;
 - 10.2.4 the motion is determined by a majority of the vote; and
 - 10.2.5 if there is an equality of votes, the Chairperson has a second vote.
- 10.3 The Chairperson shall take the chair at all meetings at which he or she is present. In the Chairperson's absence, the Vice Chairperson will chair the meeting. In his or her absence, the members present may appoint one of their number—fellow members to chair the meeting.
- 10.4 Minutes shall be kept of the proceedings at all meetings. After confirmation of the minutes, they must be signed and certified by the chairperson of the meeting at which they are confirmed. Copies of minutes must be forwarded to Council within fourteen days of a meeting.

- 10.5 Each member of the Committee must comply with the Act with respect to any pecuniary interest of the member.
- 10.6 Any meeting or special meeting of the Committee must be open to members of the public, subject to clause 10.7.
- 10.7 The Committee may resolve that a meeting be closed to members of the public if the meeting is discussing any of the following:
 - 10.7.1 personnel matters;
 - 10.7.2 the personal hardship of any resident or ratepayer;
 - 10.7.3 industrial matters;
 - 10.7.4 contractual matters;
 - 10.7.5 proposed developments;
 - 10.7.6 legal advice;
 - 10.7.7 matters affecting the security of Council property;
 - 10.7.8 any other matters which the Committee considers would prejudice the Council or any person; or

10.7.9 a resolution to close the meeting to members of the public.

- 10.8 If the Committee resolves to close a meeting to the public, the reason must be recorded in the minutes of the meeting.
- 10.9 Any decision of the Committee which the Committee does not have delegated power to implement, cannot be implemented until approved by the Council.
- 10.10 In the event of any unresolved dispute arising, the matter shall be submitted to the Council in writing and any decision made thereon by the Council shall be final.
- 10.11 The Committee may form sub-committees from among its members for the purpose of recommending on matters, provided that no decision may be acted upon until adopted by the full Committee.

~~The Chairperson shall be an ex-officio member of all sub-committees.~~

Sub-committees shall only be established by resolution of the Committee and shall only carry out those functions stated in such resolution.

Comment [g2]: Given that SSM sub-committees do not have voting rights, but make recommendations back to the full committee, the position of ex-officio is not required.

11. OFFICE BEARERS

- 11.1 As the last item of business at an annual general meeting, the Committee shall elect the following office bearers:

- 11.1.1 Chairperson;
- 11.1.2 Vice Chairperson;
- 11.1.3 Secretary;
- 11.1.4 Treasurer; ~~and~~

The secretary will have responsibility for reviewing minutes of committee meetings and assisting Council staff in the vetting of applications for funding.

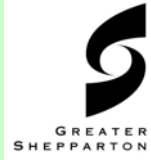
The treasurer will have responsibility for recommending to Council payment of accounts, development of the annual budget and the review of financial reports produced by Council staff. The treasurer will have no direct access to or control of funds, such responsibility remaining with Council.

~~11.1.5 — any other office the Committee may wish to appoint.~~

- 11.2 Office bearers shall hold office until -
 - 11.2.1 the next annual general meeting;
 - 11.2.2 they resign their office; or
 - 11.2.3 they cease to be a member of the Committee - whichever first occurs.

12. TERMS OF REVIEW

At the end of the first twelve months of its appointment, the Committee will have the opportunity to review its Instrument of Delegation and these Guidelines and discuss any potential amendments.



GUIDELINES APPLYING TO THE DELEGATION OF AUTHORITY TO THE SHEPPARTON SHOW ME SPECIAL COMMITTEE OF MANAGEMENT

Appendix 5 – Proposed amended Guidelines with management suggested amendments

INTRODUCTION

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- 3.3 report any breaches of rules, conditions of use and local laws, which cannot appropriately be dealt with by the Committee, to the Council;
- 3.4 require all users of the program to abide by any conditions of use or rules made by the Committee which are applicable to the program;

3.5 require all users of the program to abide by any conditions of use, rules or local law made by the Council which are applicable to the program.

~~3-53.6~~ Within 12 months of each General Election, carry out a review of the Shepparton Show Me Committee's requirements in accordance with section 86 of the Local Government Act 1989.

4. CAPITAL WORKS

The Committee must:

- 4.1 not carry out or authorise any capital works, extensions or additions which materially alter any buildings or surrounds associated with the program without prior approval from the Council; and
- 4.2 make recommendations to the Council on the development of future capital works and the provision of future facilities and amenities to the program.

5. GOVERNANCE AND GOOD MANAGEMENT PRACTICE

The Committee has the authority to seek advice, assistance and expertise as is necessary for the proper and efficient management of the Committee within the constraints of its budget and delegation, including the ability to invite persons to the meetings of the Committee as observers or advisers.

6. REPORTING

The Committee must:

- 6.1 provide a written report to the Council on its operation on an annual basis (which shall be deemed to be the annual report) by the end of September each year;
- 6.2 develop a comprehensive business plan each year and present to Council for approval before 30 April each year;
- 6.3 document any business/funding agreements between the Shepparton Show Me Committee and any other parties and ensure such documents are transparent, reviewed and maintained;
- ~~6-16.4~~ Establish, maintain and present at each general meeting a register of all sponsorship submissions, including applications approved and applications declined;
- ~~6-26.5~~ convene or cause to be convened such meetings, forums, seminars or other activities as may be deemed of value by the Committee to meet or assist in meeting its objectives;
- ~~6-36.6~~ ensure compliance with all Acts, regulations and other legal requirements;
- ~~6-46.7~~ not commit, or permit to be committed, any act which will render the operation of any of the Council's insurance policies invalid;
- ~~6-56.8~~ publicise, promote and communicate its initiatives and the evaluation of such initiatives to the community of Greater Shepparton.

7. FINANCE

- 7.1 The Committee must ensure the effective financial control of the program, including the submission of an annual budget to Council for consideration and approval by 30 April ~~in~~ each year (for each financial year beginning on 1 July and ending the following 30 June). This annual budget must include anticipated funds carried forward as at 30 June.
- 7.47.2 The Committee must consider financial reports developed by the Council in conjunction with the treasurer, detailing Shepparton Show Me's financial position at each general meeting.
- 7.27.3 The Secretary/Treasurer of the Committee must present an operating statement and statements of financial position at the conclusion of each financial year for presentation to the annual general meeting of the Committee.
- 7.37.4 The Committee may enter into contracts, leases or rental agreements on behalf of the Council associated with the Committee's annual business plan with the consent of Council and subject to any requirements of the Act. Specific contracts shall not exceed \$100,000 on individual contracts without Council consent and must conform with Council's Procurement Policy.
- 7.47.5 The Committee shall have the power to, on behalf of the Council, raise funds, solicit and receive donations and secure government grants, in accordance with the objectives of the Committee, policies of Council and the budget, subject to the consent of the Council.
- 7.57.6 The Committee shall have the power to, on behalf of the Council, hold or sponsor functions events, stalls ~~and other or~~ fundraising means, within the constraints of the budget, to enhance the objectives of the Committee, subject to the consent of the Council Officers.
- 7.67.7 The Committee must ensure that all accounting functions of the Committee conform to the requirements of Australian Accounting Standards, the Local Government Act 1989 and relevant regulations Council policies.
- 7.77.8 The Committee must ensure that all revenue and expenditure is accounted for using the Council's financial management system.

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8. COMMITTEE MEMBERSHIP

- 8.1 The Committee shall comprise up to eight members representative of the Shepparton business community, two councillors and ~~the Chief Executive Officer General Manager Sustainable Development~~ a member of the executive, appointed by resolution of the Council. One of the two Councillors appointed by the Council will be appointed as Chairperson of the Committee by the Council.
- 8.2 Members will be appointed for a period of two years (but may be removed by the Council at any time). Nominations will take place each year, with 50 per cent of the Committee positions eligible for nomination every twelve months. A member of the Committee shall

Comment [g1]: Whilst we have contemplated increasing this in the past, we recommend the status quo.

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be eligible for re-appointment at the expiration of his or her period of office.

- 8.3 The Committee may co-opt as many additional members as it sees fit, but:
- 8.3.1 no such co-option will take effect until the Council has passed a resolution appointing the co-opted person as a member of the Committee; and
 - 8.3.2 no such co-opted members shall have any voting rights at Committee meetings.
- 8.4 The Council will call for registrations of interest from the community by way of a notice in the public notice section of a local newspaper before appointing business community representatives to the Committee.
- 8.5 Notwithstanding anything else contained herein, a Committee member who is absent from three consecutive committee meetings without notification and approval by the Committee shall cease to be a member of the Committee.

9. MEETINGS

9.1 Annual General Meeting

- 9.1.1 -The Committee shall hold an annual general meeting in the first quarter of the financial year on a date fixed by the Chairperson. The business of the Annual General Meeting shall be:
- (a) to receive the annual report;
 - (b) to receive a report on the programme of activities proposed for the following year;
 - (c) to receive and adopt the annual financial statement; and
 - (d) to elect office bearers to the positions of Chairperson, Secretary, Treasurer and other positions determined by the Committee as being necessary for the efficient functioning of the Committee.
- 9.1.2 The Secretary shall give notice of the annual general meeting by way of a notice in the public notice section of the local newspaper circulating in the area.

9.2 General Meetings

- 9.2.1 The Committee shall hold at least ten general meetings during the year on such dates as the Chairperson designates.
- 9.2.2 The Secretary shall give ~~reasonable~~ notice of all meetings by distributing a notice of the meeting to all members at

least seven clear days prior to the meeting.

9.3 Special Meetings

The Chairperson may call a special meeting on his or her own initiative and must call a special meeting forthwith upon receiving from any three members of the Committee a written request that such a meeting be so called. The notice of the meeting by the Chairperson and the request by the three Committee members shall contain a statement of the purpose of the meeting.

The meeting must be held on such date and at such time as fixed by the Chairperson, provided that, in cases where the Chairperson calls a meeting in response to a request, the meeting shall be held within 21 days of the Chairperson receiving such request.

The Chairperson shall arrange for reasonable notice of the meeting to be given to all Committee members. No other business shall be transacted at that meeting except that specified in the notice unless, all Committee members are present and unanimously agree to deal with any other matter.

9.4 Notice to the public

The Chairperson of the Committee must provide reasonable notice to the general public of meetings of the Committee.

10. MEETING PROCEDURES

- 10.1 The quorum at any Committee meeting shall be a majority of members of the Committee.
- 10.2 A motion before a meeting of the Committee is to be determined as follows:
 - 10.2.1 each member of the Committee who is entitled to vote is entitled to one vote;
 - 10.2.2 unless otherwise prohibited by the Act, each member of the Committee present must vote;
 - 10.2.3 unless the procedures of the Committee otherwise provide, voting must be by show of hands;
 - 10.2.4 the motion is determined by a majority of the vote; and
 - 10.2.5 if there is an equality of votes, the Chairperson has a second vote.
- 10.3 The Chairperson shall take the chair at all meetings at which he or she is present. In the Chairperson's absence, the Vice Chairperson will chair the meeting. In his or her absence, the members present may appoint one of their number-fellow members to chair the meeting.
- 10.4 Minutes shall be kept of the proceedings at all meetings. After confirmation of the minutes, they must be signed and certified by the chairperson of the meeting at which they are confirmed. Copies of

minutes must be forwarded to Council within fourteen days of a meeting.

10.5 Each member of the Committee must comply with the Act with respect to any pecuniary interest of the member.

10.6 Any meeting or special meeting of the Committee must be open to members of the public, subject to clause 10.7.

10.7 The Committee may resolve that a meeting be closed to members of the public if the meeting is discussing any of the following:

10.7.1 personnel matters;

10.7.2 the personal hardship of any resident or ratepayer;

10.7.3 industrial matters;

10.7.4 contractual matters;

10.7.5 proposed developments;

10.7.6 legal advice;

10.7.7 matters affecting the security of Council property;

10.7.8 any other matters which the Committee considers would prejudice the Council or any person; or

10.7.9 a resolution to close the meeting to members of the public.

10.8 If the Committee resolves to close a meeting to the public, the reason must be recorded in the minutes of the meeting.

10.9 Any decision of the Committee which the Committee does not have delegated power to implement, cannot be implemented until approved by the Council.

10.10 In the event of any unresolved dispute arising, the matter shall be submitted to the Council in writing and any decision made thereon by the Council shall be final.

10.11 The Committee may form sub-committees from among its members for the purpose of recommending on matters, provided that no decision may be acted upon until adopted by the full Committee.

~~The Chairperson shall be an ex-officio member of all sub-committees.~~

Sub-committees shall only be established by resolution of the Committee and shall only carry out those functions stated in such resolution.

Comment [g2]: Given that SSM sub-committees do not have voting rights, but make recommendations back to the full committee, the position of ex-officio is not required.

11. OFFICE BEARERS

11.1 As the last item of business at an annual general meeting, the Committee shall elect the following office bearers:

~~11.1.1 Chairperson;~~

11.1.21 Vice Chairperson;

11.1.32 Secretary;

11.1.43 Treasurer; ~~and~~

The secretary will have responsibility for reviewing minutes of committee meetings and assisting Council staff in the vetting of applications for funding.

The treasurer will have responsibility for recommending to Council payment of accounts, development of the annual budget and the review of financial reports produced by Council staff. The treasurer will have no direct access to or control of funds, such responsibility remaining with Council.

~~11.1.5 any other office the Committee may wish to appoint.~~

11.2 Office bearers shall hold office until -

11.2.1 the next annual general meeting;

11.2.2 they resign their office; or

11.2.3 they cease to be a member of the Committee - whichever first occurs.

12. TERMS OF REVIEW

At the end of the first twelve months of its appointment, the Committee will have the opportunity to review its Instrument of Delegation and these Guidelines and discuss any potential amendments.

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