

AGENDA

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

TO BE HELD ON
TUESDAY 19 June 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
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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 15 May 2012, as circulated, be adopted.

5. DEPUTATIONS AND PETITIONS

6. MANAGEMENT REPORTS

FROM THE ASSET DEVELOPMENT DEPARTMENT

6.1 Contract No: 1368 – Vibert Reserve Pavilion Stage 2

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 contract is for alterations and additions to existing change rooms and club facilities at Vibert Reserve Shepparton comprising two change rooms and associated toilets/showers, umpire change room and associated toilets/showers, disabled toilet and storage areas.

The works form stage two of a three stage development of sporting facilities at Vibert Reserve. First stages works were completed in 2009 and the increased use of the reserve and adjoining McGuire College facilities since time has meant expansion of facilities to meet demand is required.

The pavilion is used by a large number of groups including the Karamomous Cricket Club, Kialla United Football Club, Shepparton Football Netball Club Shepparton United Football Netball Club, St Mels Primary School and the Football Federation Victoria Regional Academy. All these groups will benefit from the works.

RECOMMENDATION

That the Council:

1. accept the tender submitted by Moretto Building Pty Ltd for the Lump Sum Price of \$493,285.10 (including GST)
2. authorise the Chief Executive Officer to sign and seal the contract documents.

Contract Details

This is a lump sum contract.

Tenders Received

Six tenders were received at the closing time of 4pm on the Wednesday 16 May 2012. All tenderers are required to be pre-registered with the Council's I-Pro Live tender management system and just one of the tenders received met this mandatory condition.

Compliant tenders were received from:

Tenderer
Moretto Building Pty Ltd

Non- conforming tenders were received from

Tenderer
Landmark Construction Group Pty Ltd
CB & PS Pty Ltd
Contract Control Services Pty Ltd

6. MANAGEMENT REPORTS

6.1 Contract No: 1368 – Vibert Reserve Pavilion Stage 2 (Continued)

Big G Trading Pty Ltd
Parnall Pty Ltd

Compliant and non-conforming tender prices were in the range \$493,285.10 to \$649,478.50

Tender Evaluation

Tenders were evaluated by:

Title	Branch or Organisation
Manager Recreation and Parks	Recreation and Parks
Recreation and Parks Officer	Recreation and Parks
Senior Partner	Brandrick Architects
Senior Construction Engineer	Engineering Projects

Tender Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	70%
Previous Relevant Experience	15%
Project Program	10%
Referees	5%

Due to the circumstances in which only one compliant tender was received and as a measure of testing the merits of this tender, all compliant and non-compliant tenders were evaluated against the criteria. Furthermore, interviews were held with the compliant tenderer (Morretto Building Pty Ltd) and the highest scoring non-compliant tenderer (Landmark Construction Group Pty Ltd). Referee consultation for both tenderers was also undertaken.

The interview panel consisted of members of the tender evaluation panel, Council's Procurement Officer and Council's Occupational Health and Safety Officer. The following questions were put to the companies:

- Can you please outline your company's previous experience in the delivery of building construction projects of this type
- Can you please provide details of your company's OH & S Management System and give two examples of where this has been used effectively
- Can you please describe any significant work place safety issues your company has experienced over the past twelve months and how these issues were resolved
- Can you please detail you critical work plan and explain how you will go about delivering this project with the required timelines. Your response should include reference and consideration of other projects your company is involved in that may conflict with the delivery of this project

6. MANAGEMENT REPORTS

6.1 Contract No: 1368 – Vibert Reserve Pavilion Stage 2 (Continued)

- Can you please confirm and document that your company has the necessary financial capacity to undertake and complete this project.

Responses from both tenderers were considered to be satisfactory and the interview panel were of the opinion that both companies have the necessary capacity and experience to complete works as required. External referees also confirmed the suitability of both companies. In relation to financial risk, the contract provides several forms of security including bank guarantees, payment retention and payment arrangements that are based on satisfactory completion of defined stages of work.

Through the evaluation process it has been determined that even if Moretto Building Pty Ltd were not the only compliant tenderer, their tender would still rank highest in terms of overall value by comparison to all other six non-compliant tenders and provided the lowest lump sum price.

Moretto Building Pty Ltd has previously undertaken works for the Council. This includes extensions to the Shepparton Art Museum, Doyles Road Complex offices and the new western shelter at Deakin Reserve.

In conclusion, the tender evaluation panel is satisfied that Morretto Building Pty Ltd.'s tender provides value to Council and is recommended for acceptance at a lump sum price of \$493,285.10 (including GST).

Risk Management

A risk assessment has been carried out. There are no extreme or high risks associated with this tender.

Policy Implications

There are no policy implications with this tender.

Best Value Implications

The tender has been developed in accordance with Best Value principles.

Financial Implications

The initial estimated total budget of \$715,000 (inclusive of GST) for this project is allocated over two financial years, with a 2011/12 allocation of \$330,000 (inclusive of GST) and proposed allocation of \$385,000 (inclusive of GST) in the 2012/13 budget. Based on acceptance of the recommended tender price, project management and design costs, fees and making allowance for contingency, the total estimate for the project has been revised down to \$654,000 (inclusive of GST). Note that in adopting the recommendation Council commits to the 2012/13 budgeted amount currently in the draft budget.

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

Tender process has been carried out so that it meets the requirements of *Section 186* of the *Local Government Act 1989*.

6. MANAGEMENT REPORTS

6.1 Contract No: 1368 – Vibert Reserve Pavilion Stage 2 (Continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

The required works are in accordance with the *Greater Shepparton 2030 Strategy*

b) Council Plan

The purchase is consistent with the Council Plan under “Infrastructure strategies”.

c) Other strategic links

The Purchase is consistent with the Council’s Asset Management Strategy.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.2 Our Sporting Future Funding Program, Round Two 2011/2012 – Major, Round Three 2011/2012 - Minor and Sports Aid

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

Three applications have been received for the second round of funding for the 2011/2012 Our Sporting Future Funding Program - Major Facilities;

One application has been received for the third round of funding for the 2011/2012 Our Sporting Future Funding Program - Minor Facilities and Sports Aid Categories.

All applications have been considered by a Council assessment team and recommendations are made in relation to funding allocations.

RECOMMENDATION

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

Our Sporting Future – Major Facilities Category

Club	Project	Allocation
Central Park Recreation Reserve	Oval Lighting	\$30,000
Shepparton Football Club	Air Conditioning System	\$22,550
Shepparton Junior Soccer Association	Shelter at Murray Slee Pavilion	\$20,000
	TOTAL	\$72,550

Our Sporting Future – Minor Facilities Category

Club	Project	Allocation
Lemnos Tennis Club	Tennis Facility Upgrade	\$14,000
Shepparton Rowing Club	Boat Shed	\$15,000
	TOTAL	\$29,000

Background

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

6. MANAGEMENT REPORTS

6.2 Our Sporting Future Funding Program, Round Two 2011/2012 – Major, Round Three 2011/2012 - Minor and Sports Aid (Continued)

The funding program provides three categories for funding:

- Major facility development
- Minor facility development
- Sports Aid.

The Major applications are assessed in two rounds, with the second round closing on Friday 24 February, 2012. The Minor and Sports Aid applications are assessed in three rounds, with the third round closing on Friday 24 February, 2012.

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

- Team Leader Recreation
- Team Leader Events and Promotions
- Strategic Planner Community
- Recreation and Parks Officer
- Grants Officer
- Leisure Facilities Officer

Our Sporting Future (Major) accommodates projects on a \$1 to \$1 basis requesting assistance from Council of up to, but not exceeding \$30,000. The program is for the implementation of medium sized facility development projects on Council managed property.

The following applications were received for the **Major** category:

Shepparton Football Club

Funding Category	Major		
Project	Air Conditioning System		
Project Details	Installation of new air-conditioning/heating system		
Senior Membership (playing and social)	305	Junior Membership (playing and social)	70
Total Project Cost	\$45,100	Organisation Cash	\$22,550
Requested Council Contribution	\$22,550	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing Pavilion Upgrades. The project is recommended for funding with an allocation of \$22,500.		

6. MANAGEMENT REPORTS

6.2 Our Sporting Future Funding Program, Round Two 2011/2012 – Major, Round Three 2011/2012 - Minor and Sports Aid (Continued)

Central Park Recreation Reserve COM

Funding Category	Major		
Project	Oval Lighting		
Project Details	Installation of four light towers to the Central Park Recreation Reserve oval		
Senior Membership (playing and social)		Junior Membership (playing and social)	
Total Project Cost	\$130,000	Organisation Cash and external funding	\$100,000
Requested Council Contribution	\$30,000	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing Facilities Upgrade. The project is recommended for funding with an allocation of \$30,000. This project is supported by a grant from the Country Football Netball Program.		

Shepparton Junior Soccer Association

Funding Category	Major		
Project	Shelter at Murray Slee Pavilion		
Project Details	Installation of shelter to provide cover from weather elements.		
Senior Membership (playing and social)		Junior Membership (playing and social)	1,200
Total Project Cost	\$40,000	Organisation Cash	\$20,000
Requested Council Contribution	\$20,000	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing Facilities Upgrade. The project is recommended for funding with an allocation of \$20,000.		

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

6. MANAGEMENT REPORTS

6.2 Our Sporting Future Funding Program, Round Two 2011/2012 – Major, Round Three 2011/2012 - Minor and Sports Aid (Continued)

The following applications were received for the **Minor** Category:

Lemnos Tennis Club

Funding Category	Minor		
Project	Tennis Facility Upgrade		
Project Details	Upgrade tennis courts, fencing and install seating		
Senior Membership (playing and social)	30	Junior Membership (playing and social)	17
Total Project Cost	\$28,000	Organisation Cash	\$14,000
Requested Council Contribution	\$14,000	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing Facilities Upgrade. The project is recommended for funding with an allocation of \$14,000.		

Shepparton Rowing Club

Funding Category	Minor		
Project	Relocatable Boat Shed.		
Project Details	Installation of a relocatable boat storage shed.		
Senior Membership (playing and social)		Junior Membership (playing and social)	
Total Project Cost	\$30,000	Organisation Cash	\$7500
Requested Council Contribution	\$15,000	Organisation In-kind	\$7500
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing Facilities Upgrade. The project is recommended for funding with an allocation of \$15,000.		

Risk Management

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

Policy Implications

There are no conflicts with existing Council policy.

Best Value Implications

The funds allocated by the Council are considered to offer value in terms of facilitating improvements to the quality and condition of local leisure facilities and supporting clubs

6. MANAGEMENT REPORTS

6.2 Our Sporting Future Funding Program, Round Two 2011/2012 – Major, Round Three 2011/2012 - Minor and Sports Aid (Continued)

to increase participation in physical activity in our community.

Financial Implications

Total budget for the 2011/2012 Our Sporting Future Funding Program - Major is \$120,000, with \$72,550 recommended for allocation in this round with a remaining balance of \$47,450.

Total budget for the 2011/2012 Our Sporting Future Funding Program - Minor and Sports Aid is \$109,200, with \$29,000 recommended for allocation in this round with a remaining balance of \$19,979.

Charter of Human Rights and Responsibilities Implications

These proposals do not limit any Human Rights provided for under the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

Legal/Statutory Implications

All project applicants must comply with planning, building and health legislative and statutory requirements prior to commencement of projects and/or release of the Council's funds.

Consultation

Parks and Recreation Branch staff have discussed the projects with the applicants and assisted in the application process. All applicants have been reminded that projects will not be funded retrospectively. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

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

c) Other strategic links

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

Attachments

Nil.

6. MANAGEMENT REPORTS

FROM THE COMMUNITY DEVELOPMENT DEPARTMENT

6.3 Draft Youth Strategy and Action Plan 2012 – 2015

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 recognises the significant contribution that young people make to our local community through their vibrancy, passion, innovation and enthusiasm. The development of the draft *Youth Strategy and Action Plan 2012–2015* demonstrates Council's commitment to young people and informs the role of Council in supporting our young people and the youth sector. The draft *Youth Strategy and Action Plan 2012–2015* is the first of its kind for Greater Shepparton City Council. The draft Strategy builds on the work previously undertaken and will strengthen partnerships between Council, young people and the youth sector.

Five strategic directions have been created from consultations to frame the proposed directions Council will undertake to support young people and the youth sector in the future.

1. Sector Coordination, Support, Advocacy and Facilitation
2. Engagement and Partnerships
3. Celebrate Youth Culture
4. Building Capacity
5. Safer Places and Spaces

The draft Action Plan has defined priorities for the achievement, the review and evaluation of these actions and will inform the development of new priorities in the following years.

RECOMMENDATION

That the Council:

1. Support the directions contained within the draft *Youth Strategy and Action Plan 2012-2015*
2. Place the draft *Youth Strategy and Action Plan 2012-2015* on public exhibition for one month and invite submissions from the community and key stakeholders.

Background

It is essential that Council highlight our commitment to young people by developing a Youth Strategy and Action Plan. Council has maintained a strong ongoing commitment to young people in the municipality as evidenced through a provision of a range of opportunities for young people and funded partnerships with the sector.

In 2010 Council created funding for a Community Youth Development Officer to ensure that Council maintained a strong presence in the youth space. This role was designated as a strategic leadership and planning position as opposed to a direct service delivery function. Council undertook a range of activities to engage young people and the youth

6. MANAGEMENT REPORTS

6.3 Draft Youth Strategy and Action Plan 2012 – 2015 (Continued)

sector regarding the development of the strategy by conducting consultations with young people, the youth sector and Council staff. This included one on one meetings, electronic surveys, forums and focus group discussions.

Young people spoke about how they would like to be recognised within the community, while the youth sector identified how Council could integrate and add value to the sector for the benefit of young people. Council staff also contributed ideas to how we could strengthen our support to young people and the sector.

The development of the draft strategy was informed by an evidences based approach which considered research and contemporary best practice, government policy directions, demographic profiling and extensive consultation/engagement to provide context to the draft *Youth Strategy and Action Plan 2012–2015*.

Risk Management

Consideration has been given to risk management issues during the development of draft *Youth Strategy and Action Plan 2012-2015*. Any risks identified have been addressed through the action planning process.

Policy Implications

The recommendations contained in this report are consistent with Council policy.

Best Value Implications

The draft *Youth Strategy and Action Plan 2012-2015* is consistent with Best Value principles.

Financial Implications

The draft *Youth Strategy and Action Plan 2012–2015* is set within the Council context of existing financial constraints and staff capacity. Any actions requiring additional funding will be considered through the annual budget processes.

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 draft *Youth Strategy and Action Plan 2012–2015* is consistent with the *Local Government Act 1989*

Consultation

The draft *Youth Strategy and Action Plan 2012-2015* has been developed through extensive consultation with young people, the sector and internal Council departments.

Council in partnership with Word and Mouth undertook consultations with young people to ensure that the views and opinions of young people were reflected in the strategy. Over 50 young people were consulted at a local youth leadership day in August 2011 and over 180 young people also contributed through focus group sessions regarding safety in the CBD.

6. MANAGEMENT REPORTS

6.3 Draft Youth Strategy and Action Plan 2012 – 2015 (Continued)

An extensive youth sector engagement project was undertaken to connect with over 36 key service providers and education settings. Consultations included one on one interviews, electronic surveys and two forums.

A range of Council staff from across 8 Council branches were consulted to gain an understanding of Council's current work with young people and to identify opportunities for future growth and development. This draft report has been presented and distributed to relevant internal staff members.

The draft report was presented to the Executive Leadership Team on 7 May 2012 and to the Councillors on 22 May 2012 for feedback.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration. It is proposed that the draft *Youth Strategy and Action Plan 2012–2015* is released for further community consultation prior to Council adoption.

Strategic Links

a) Greater Shepparton 2030 Strategy

Direction 2 – Community Life

Direction 5 – Infrastructure

b) Council Plan 2009 – 2013

Community Life - Greater Shepparton City Council will enhance social connectedness, physical and mental health and well being, education and participatory opportunities in order to improve liveability and a greater range of community services.

Economic Development – Greater Shepparton City Council will promote economic growth, business development and diversification with a focus on strengthening the agricultural industry

c) Other strategic links

Greater Shepparton City Council - Community Development Framework

Greater Shepparton City Council – Community Engagement Strategy

Greater Shepparton City Council – Public Health Plan

Greater Shepparton City Council – CBD Strategy 2008

Greater Shepparton City Council - Safer City Strategy 2011–2014

Greater Shepparton City Council - Victoria Local Government Women's Charter

Greater Shepparton City Council - Cultural Diversity and Inclusion Strategy 201 -2015

Youth Safety Consultation Report 2011

Attachments

Draft Youth Strategy and Action Plan 2012–2015

Budget Implications for Youth Strategy and Action Plan

Youth Strategy Consultation Plan

6. MANAGEMENT REPORTS

FROM THE CORPORATE SERVICES DEPARTMENT

6.4 Financial Report – May 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 May 2012.

RECOMMENDATION

That the Council receive and note the financial report and position as at 31 May 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
- Councillor Expense Report.

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

6.4 Financial Report – May 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

May 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
9. Councillor Expense Report.

6. MANAGEMENT REPORTS

6.5 Community Use of Council Land in Huggard Drive, Mooroopna

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

Vacant Council owned land in Huggard Drive, Mooroopna has been identified as suitable for the development of Min-Jarra, a Men's wellbeing centre. The Mooroopna Cemetery Trustee's have also expressed a desire to secure the site for long term planning for cemetery expansion.

While the involved parties negotiated an excellent solution which will satisfy all needs, the logistics to enact it required further work. This briefing provides an outline of the issues to be overcome and proposes a recommendation to progress the formal process required to achieve desired outcomes.

RECOMMENDATION

That the Council:

1. In accordance with Sections 190 and 223 of the *Local Government Act 1989* ("the Act"), public notice be given in the *Shepparton News* of the intention to enter into a lease of the Council owned land at 22 Huggard Drive, Mooroopna being certificate of title volume 9753 folio 140 with the Shepparton Family Relationship Centre for a period of 21 years for the purpose of developing Min-Jarra, a men's wellbeing centre
2. The public notice stipulate that persons may make a submission on the leasing of the land in accordance with Section 223 of the Act and that written submissions must be received on a date that is at least 28 days after the publication of the notice
3. The Chief Executive Officer be authorised to undertake the administrative procedures necessary to enable the council to carry out its functions under section 223 of the Act in relation to this matter

That if submissions are received under section 223 of the Act:

- a) a special meeting of the council be convened to hear from any person or persons who request to be heard in support of a section 223 written submission and, if required, the special council meeting be held at a time and date to be determined in the Council Offices, 90 Welsford Street, Shepparton, and
- b) report on any section 223 submissions received by the council, along with a summary of any hearings held, be provided to the ordinary council meeting of 21 August 2012; and
4. If no submissions are received within the prescribed period, the council resolves to enter into a lease and authorise the signing and sealing of the lease of Council owned land at 22 Huggard Drive, Mooroopna being certificate of title volume 9753 folio 140 with the Shepparton Family Relationship Centre for a period of 21 years

6. MANAGEMENT REPORTS

6.5 Community Use of Council Land in Huggard Drive, Mooroopna (Continued)

5. for the purpose of developing Min-Jarra, a men's wellbeing centre without further resolution of the council.
6. That, on the condition that the lease is executed
 - a. transfer part of the land at 22 Huggard Drive, Mooroopna being certificate of title volume 9753 folio 140 to the Crown, in accordance with section 191 of the Act, to be reserved for cemetery purposes with the land encumbered with the lease, if approved by the Minister
 - b. If Ministerial approval is not received, provide the Mooroopna Cemetery Trustee's with an undertaking by way of a legally binding agreement that that the Council will relinquish the land to the Crown to be reserved for cemetery purposes at the expiration of the lease.

Background

The Council was asked to provide, by way of a community lease, a Greenfield site for the Shepparton Family Relationship Centre to establish Min-Jarra. The required specifications were that the site be close to river and bush environments, in addition to satisfying planning zone requirements. The pocket of Industrial Zoned land in Huggard Drive, Mooroopna was identified as ideal.

The Mooroopna Cemetery Trustees identified the same parcel as being required to plan for the future expansion of the cemetery. Although the site will not be needed for development for the next 25 to 35 years, the Trustees desire a commitment from the Council that the land will be secured for future use. This would require the site to be transferred to the Crown, to be reserved for cemetery purposes.

The proposed solution was that the Council relinquish ownership of the site to the Crown on the basis that the Crown provides a 21 year community lease to the Shepparton Family Relationship Centre. A lease of this type would require Ministerial consent on land reserved for cemetery purposes. The Cemetery Trustees requested that Department of Health (DHS) seek Ministerial consent to assure the Council and the Family Relationship Centre that it would be approved, however DHS advise is that it would not seek Ministerial consent until the land is handed over.

The Shepparton Family Relationship Centre propose to develop a Min-Jarra on the site which is a centre for men's health and wellbeing which seeks to foster empowerment, encouragement and dignity back to men through personal growth and development. The centre will bring men from indigenous, cultural and linguistic diverse backgrounds together to share experiences in a culturally safe environment.

It was then proposed to DHS that the Council enter into the lease and then pass the land to the Crown encumbered with the lease. While this seems likely to be acceptable, it would be many months before they could confirm approval. Such a delay would seriously jeopardise the success of the Min-Jarra funding and development.

6. MANAGEMENT REPORTS

6.5 Community Use of Council Land in Huggard Drive, Mooroopna (Continued)

Therefore, in consultation with both interested parties the following staff advice is proposed to be presented to a Council meeting. This will be subject to compliance with the *Local Government Act 1989* of providing public notice and inviting submissions

Risk Management

Risks to be considered by the Council are noted here.

- Is there community support for Council committing the land for long term lease and transfer to the Crown? Public consultation will assist in assessment of this
- Are we potentially committing the Council to a legally enforceable requirement to relinquish the land in 21 years for cemetery purposes when future alternative unforeseen demands for the land arise? Council would need to determine acceptance of this risk
- Will development and use of the land by the proposed tenant meet expectations? – this will be managed by the terms of the lease, planning processes and ongoing supportive relationship by Council officers
- Will there be Ministerial approval of cemetery land being leased for other purposes? – The recommendation provides alternatives to overcome this eventuation

Policy Implications

The lease and possible transfer of land to the Crown does not conflict with any policy. The intent of the *Asset Management Policy* is to support the Council's commitment to maximising its resources to achieve the best outcome for the community.

Best Value Implications

The Local Government Act 1989, Best Value Principles section 208B,

(b) ... all services provided by a Council must be responsive to the needs of its community and

(c) each service provided by a Council must be accessible to those members of the community for whom the service is intended.

Financial Implications

There would only be nominal administrative costs incurred by the Council in implementing the recommendation of this report, which will be covered by existing budget. However in the event that land is relinquished to the Crown, the Council will be forgoing the capital value of the land. The land however will continue to be used for public purposes.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

This proposal does not limit any human rights provided under the act.

Legal/Statutory Implications

Implementation of the recommendations will need to consider the requirements of the *Local Government Act 1989*. Section 190 provides that the Council may lease land providing it gives public notice at least 4 weeks prior to entering into a lease and receives and considers submissions in accordance with section 223.

Both parties expressing an interest in the use of the land will have their own statutory requirements to abide by, including acquiring planning permits for the development of the site.

6. MANAGEMENT REPORTS

6.5 Community Use of Council land in Huggard Drive, Mooroopna (Continued)

Consultation

The Shepparton Family Relationship Centre and the Mooroopna Cemetery Trustees have been involved in discussions to ensure support of the recommendations. The Department of Human Services have also been consulted and its advice considered.

The recommendation provides for public consultation by way of giving public notice in accordance with section 223 of the *Local Government Act 1989*

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

Strategic Links

Council Plan

The Council Plan identifies that *“integrated planning is a process that aims to achieve a whole-of-community approach and sustainable community outcomes. This is achieved by ensuring that the environmental spheres of influence (built/physical, social, economic and natural) are holistically taken into account through a combination of linkages and partnerships in planning, decision-making, implementation and performance”*. The ongoing partnerships which will be established between the Cemetery Trust and the Family Relationship Centre through the joint interest in the land and their collective desires to provide community services reflects this integrated planning approach.

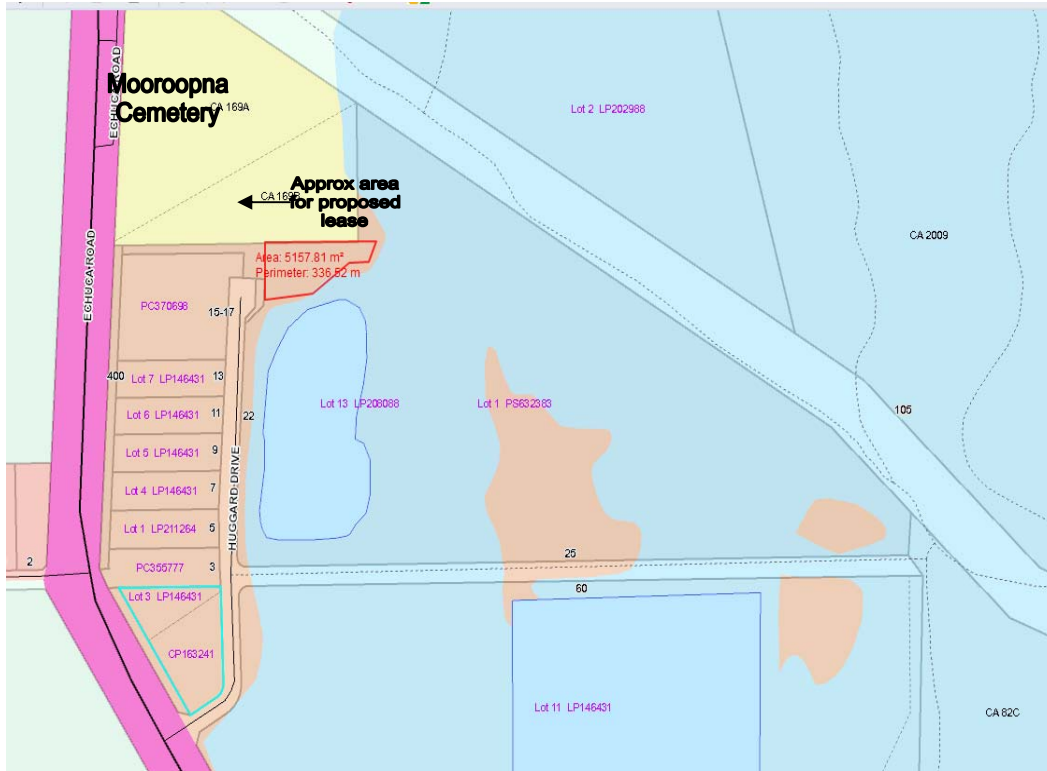
Supporting the Min-Jarra development with the provision of land meets every aspect of the Strategic Objective *‘Community Life’* which states that “Greater Shepparton City Council will enhance social connectedness, physical and mental health and well being, education and participatory opportunities in order to improve liveability and a greater range of community services.”

The Strategic Objective *‘Infrastructure’* identifies an objective to “provide affordable and sustainable community infrastructure” which would be achieved by providing the land for Min-jarra in the short term and cemetery development in the longer term.

6. MANAGEMENT REPORTS

6.5 Community Use of Council land in Huggard Drive, Mooroopna (Continued)

Site Plans of Huggard Drive, Mooroopna



6. MANAGEMENT REPORTS

6.6 Contract No. 1377- Provision of Bill Payment Services

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.

Council Officers involved in producing this report

Author: Manager Customer Service and Rates

Approved by: General Manager Corporate Services

Purpose

The purpose of this report is for the Council to approve the proposal to enter into a new agreement for the supply of a bill payment services for a three year period following the conduct of a group tender by the Municipal Association of Victoria (MAV).

RECOMMENDATION

That the Council:

1. appoint Australia Post as the supplier for the provision of Bill Payment Services for a three (3) year term with the option of a further one (1) year period at an estimated annual expenditure of \$77,000 (including GST) based on the Schedule of Rates tendered.
2. note that the competitive tender process was undertaken by the Municipal Association of Victoria (MAV) as part of an agency agreement.
3. authorise the Chief Executive Officer to sign and seal the agreement documents.
4. authorise the Chief Executive Officer or his delegate to approve the option of a further one (1) year period subject to satisfactory performance.

Contract Details

The Council currently has a professional and convenient method for making payments for rates, sundry debtors, animal registrations, parking and local laws infringements and childcare fees. This service includes an existing agreement between the Council and Australia Post which expires on 31 May 2012. Australia Post has agreed to extend the Council's current arrangement until 30 June 2012.

The MAV conducted a tender process for the Provision of Bill Payment Services on behalf of 63 councils, including Greater Shepparton City Council.

The tender specification was designed to provide customers with the choice of paying the Council's accounts at convenient locations over the counter, via the internet or by telephone. The specification also required the ability to transfer funds collected into the Council's bank account and the relevant information into the Council's databases on a daily basis.

Tenders

Australia Post was the only company to submit a tender. The schedule of rates tendered reflected a small increase from the previous agreement for over the counter transactions in order to cover CPI adjustments. Prices for internet and telephone payments were significantly reduced.

6. MANAGEMENT REPORTS

6.6 Contract No. 1377- Provision of Bill Payment Services (Continued)

Tender Assessment

The MAV, acting as the Council's agent, conducted the tender evaluation process based on the following criteria:

- Corporate responsibility
- Experience
- Services offered
- Contract management
- Price

Council Plan/Key Strategic Activity

Council Plan

The appointment of Australia Post will ensure that the Council's bill payment services conform with the requirement of strategic objective 6 of the *Council Plan 2009-2013 – Council Organisation and Management*, "to deliver best practice management, governance, administrative and financial systems that support the delivery of Council programs to the community of Greater Shepparton.

Risk Management

The table below shows the outcome of an analysis of the risks associated with the recommended course of action, along with proposed responses.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Australia Post is unable to provide the services as agreed	D	3	Medium	Investigate other payment methods

Likelihood rating of D = "Unlikely – Conceivable but not likely to occur under normal operations (i.e. 5-10 year period)"

Consequence rating of 3 = "Moderate – Manager's attention required. Ensure that controls are in place and operating and management responsibility is agreed"

Policy Considerations

There are no policy conflicts associated with the appointment of Australia Post as the supplier of bill payment services.

Financial Implications

The annual costs to the Council for the 2011/2012 period, 1 July 2011 to 30 June 2012, is an estimated amount of \$70,357, excluding GST.

	2012/2013 Draft Budget \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	
Expense	75,000	70,000	5,000	Estimated annual expenditure (excl. GST)
Net Result	(75,000)	(70,000)	5,000	

Expenditure in future years will be in accordance with approved budget allocations.

6. MANAGEMENT REPORTS

6.6 Contract No. 1377- Provision of Bill Payment Services (Continued)

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

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

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The appointment of Australia Post to provide bill payment services does not conflict with the strategies contained in the *Greater Shepparton 2030 Strategy*.

b) Other strategic links

No other strategic links have been identified.

Other Options for Consideration

a) Do not renew the agreement

If the above were to occur, the choice of payment options currently available to the Council's customers for a wide-range of Council accounts would be limited.

b) Renew the agreement

Renewing the agreement will allow the Council's customers to continue to use the current professional and convenient payment options provided by Australia Post for payment of a range of Council accounts.

Conclusion

This agreement offers the best value for money available via the MAV Umbrella Agreement with Australia Post which includes a variety of payment methods that customers of Greater Shepparton City Council make over the counter, via the internet or by telephone.

Attachments

Nil.

6. MANAGEMENT REPORTS

FROM THE SUSTAINABLE DEVELOPMENT DEPARTMENT

6.7 Contract No 1370 - Shepparton/Mooroopna Flood Mapping and Flood Intelligence Project

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

In 2002, a comprehensive floodplain management plan was completed. Subsequently, the Shepparton Mooroopna Flood Warning and Emergency Management Plan was implemented in 2006. Since then, a flood of significance (2010) has been observed and data captured giving rise to the opportunity to complete additional flood modelling. The purpose of this project is to;

- Review the hydrology and flood modelling and prepare new flood mapping for emergency and land use planning purposes;
- Create new flood intelligence data (stage versus consequence)
- Augment floor level database through additional survey;
- Automation of interactive information for community (for specific residential and commercial/industrial buildings) including future residential, commercial development;
- Provide information and prepare community information awareness and education brochures in line with the FloodSafe initiative; and
- Augmentation of telephone alert system including opt-out system;

RECOMMENDATION

That the Council:

1. Accept the tender submitted by Water Technology Pty Ltd for Contract No. 1370 Shepparton Mooroopna Flood Mapping and Flood Intelligence Project for the Lump Sum price of \$329,230.00 (including GST)
2. Authorise the Chief Executive Officer to sign and seal the contract documents.
3. Nominate a Councillor to Chair the Technical Steering Committee to oversee the project.

Background

The contract is for the delivery of objectives as described in the summary. The study area is located on the confluence of the Goulburn and Broken Rivers and Seven Creeks. In general terms, the study area is bounded by Lord Road/Tonkin Road to the north, Union West Road to the south, Turnbull Road/Ross Road to the west and Pine Lodge South Road to the east including upstream of the Broken River to beyond the East Goulburn Main Channel.

The Project Brief and subsequent proposals were generally broken down as follows:

Hydrology

- Review all available reports, obtain relevant flood hydrology data and carry out a hydrologic investigation

6. MANAGEMENT REPORTS

6.7 Contract No 1370 - Shepparton/Mooroopna Flood Mapping and Flood Intelligence Project (Continued)

- Produce design flood hydrographs for flood events between the 2-year and 500-year Average Recurrence Interval (inclusive of the 100-year hydrograph)
- Carry out a first order assessment of the probable maximum flood; and
- Prepare a report on the hydrologic investigation;

Survey Information

- Collect floor level data of all buildings within the 100-year flood in the study area
- Collect data on hydraulic structures that is considered important to the flood behaviour in the study area
- Topographic features as required

Hydraulics

- Setup, calibrate and validate a suitable unsteady, two-dimensional hydraulic model for the study area;
- Incorporate the Council stormwater drainage system and other drainage infrastructure that may affect the flood behaviour
- Use the model to:
 - Generate flood levels for flood events generally between the 2-year and 500-year ARI events;
 - Determine the flood characteristics for the critical combinations of flows from the Broken and Goulburn Rivers and Seven Creeks
- Prepare a report on the hydraulic model

Assessment of Risk

- Prepare flood inundation maps for:
 - Minor and moderate flood class level of 9.5m and 10.7m respectively
 - Around the 10.0 to 10.2 m height
 - For every 200mm increment from 10.7 m to 12.5 m
- The maps will show:
 - Extent/depth/vectors for flooding;
 - Which properties are inundated including delineation of above/below floor level flooding;
 - The location of emergency services facilities (i.e. hospitals/police stations etc)
- A flood damage assessment to determine the cost of flooding including direct/indirect costs
- Prepare Risk x Consequence Matrices

Treating Flood Risk

- To be achieved through flood warning and emergency management
- Document flood intelligence (i.e. when roads will need to be closed, how long they will be closed for etc)
- Inform the community about flood risks and how it relates to the individual
- Provide guidance on how to reduce flood damage
- Develop an interactive flood information management system to allow the community to be informed of flood related issues and be evergreen in nature
- Telephone alerting arrangements
- Reviewing and updating the Flood Sub-plan of the Municipality Emergency Management Plan
- Engaging the community in development the revised Flood Sub-plan;
- Updating the Urban Flood Zones, Flood Overlay and Land Subject to Inundation Overlay mapping

Reporting and Deliverables

- Defining the reports, digital files required to deliver the required outcomes

6. MANAGEMENT REPORTS

6.7 Contract No 1370 - Shepparton/Mooroopna Flood Mapping and Flood Intelligence Project (Continued)

A Technical Steering Committee will be formed to oversee the project, which is expected to take eighteen months to complete. A Councillor will be the chairperson of the Committee with others including a representative of GBCMA, DSE (Floodplain Management Unit), VicSES, Victoria Police, Council officers including the recently appointed Emergency Management Coordinator, the project manager and one other and a representative from the successful tenderer.

Evaluation Report

The tender evaluation report was compiled by four members from Greater Shepparton City Council, Goulburn Broken Catchment Authority and the Department of Sustainability and Environment which ensures a mix of technical expertise, understanding of project objectives and independence to the project. The Evaluation Report is attached to this document.

Tenders Received

Tenderers
Water Technology Pty Ltd
Cardno Lawson Treloar Pty Ltd
BMT WBM Pty Ltd

Tenders received range in price from \$306,553.50 to \$329,230.00 inclusive of GST.

Tender Evaluation Team

Title	Organisation
Manager Sustainability and Environment	Greater Shepparton City Council
Statutory Planning and Floodplain Manager	Goulburn Broken Catchment Management Authority
Development Engineer	Greater Shepparton City Council
Manager – Program Delivery	Department of Sustainability and Environment – Floodplain Management Unit

Tender Evaluation Criteria

Evaluation Criteria	Weighting
Pricing	30%
Methodology	25%
Technical Skills	20%
Project Management and Time Performance	15%
Relevant Experience and Referees	10%

6. MANAGEMENT REPORTS

6.7 Contract No 1370 - Shepparton/Mooroopna Flood Mapping and Flood Intelligence Project (Continued)

All tenderers demonstrated an ability to complete the project. However, the understanding of the project objectives, methodologies, price, and project structures varied between proposals. Water Technology had the highest price of all submitted conforming tenders but scored well in the non-price related provisions of the tender assessment; in particular, Water Technology demonstrated:

- A very high understanding of project objectives
- Proposed a very high degree of hydraulic rigour above that required by the brief
- Scored very high in the Treatment of Flood Risk and Assessment of Risk categories
- Had significant degree of internal/external review integrated throughout the project resulting in a very high score of People, systems and specific abilities

The above resulted in Water Technology achieving the highest overall score by a significant margin.

It is also recognised that the Department of Sustainability and Environment are currently preparing a program named FloodZoom which may be similar to the Flood Information Management System (FIMS) contained within each proposal and so the FIMS should become a provisional amount within the contract. This will have to be secured via negotiation with the successful tenderer.

Risk Management

A risk assessment has been undertaken and identified three positive risks and one negative risk in the high category as a result of this project. These are;

Positive Risks

- Reduce the incidence of inappropriate development
- Increase effectiveness and efficiency of emergency services response during flood events
- Greater community resilience by providing community with easy to obtain information about consequences of flooding to individuals

Negative Risks

- Other funding bodies remove funding assistance

These risks have been treated to reduce the Councils risk exposure.

Policy Implications

The project does not conflict with any current Council Policies.

Best Value Implications

Best value principles have been followed

Financial Implications

The value of the contract is \$329,230.00 (including GST). Successful funding was received through the Office of Emergency Services Commission which represented 2/3rds of the cost of the project. The Council will be required to contribute \$113,333 to this project.

6. MANAGEMENT REPORTS

6.7 Contract No 1370 - Shepparton/Mooroopna Flood Mapping and Flood Intelligence Project (Continued)

	2012/2013 Budget \$*	This Proposal \$*	Variance to Approved Budget \$*	Comments
Revenue	226,666	226,666		\$113,333 was received in the 2011/12 financial year. \$113,333 will be received during the 2012/13 financial year.
Expense	290,000	299,300	9,300	The bulk of the funds will be expended during the 2012/13 financial year.
Net Result (negative)	63,334	72,634	9,300	The approved budget amount includes an amount of \$113,333 carried forward from 2011/12. It is anticipated that the project will take 18 months to finalise and the balance of the funds required will be provided for in the 2013/14 financial year budget.

*The figures shown in the above table are ex GST

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

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Directly relates to the Greater Shepparton 2030 Strategy

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

Objective: 1. To recognise the constraints of the floodplain on the use and development of land and minimise the future economic impacts of flooding

Action: 1.1, 1.3, 1.4, 1.5

b) Council Plan

Directly relates to the council plan through:

17. Promote and demonstrate environmental sustainability

c) Other strategic links

No other strategic links have been identified.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.8 Appointment of Shepparton Show Me Committee Member

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 guidelines applying to the Shepparton Show Me Committee outlines that the committee shall comprise up to eight members representative of the business community and will be appointed to the committee for a period of two years with 50 per cent of the committee positions being eligible for nomination every 12 months. In June 2011, five new committee members were appointed to compliment the existing two members with a one year term remaining. This left a vacancy for one committee member.

Expressions of Interest for the one available committee position was placed in the public notices section of the Shepparton News on Wednesday 22 June and Saturday 25 June 2011.

No expressions of interest were received; therefore the Shepparton Show Me Committee members approached members of the business community to ascertain interest, which resulted in two applications being submitted. These are listed below:

Rick Orr – Pack and Send, Shepparton

Jamie Cox – Choice Corporate Pty Ltd, Shepparton

These applications were assessed by a sub-committee of the Shepparton Show Me Committee, and the preferred applicant for appointment for a two year term was Jamie Cox.

The report to Council recommending Jamie Cox's appointment was deferred, pending the review of the Instrument of Delegation and Guidelines, which were considered and adopted at the April 2012 Ordinary Council Meeting.

RECOMMENDATION

That the Council, having considered the nominations received for appointment to the Shepparton Show Me Committee, appoint Jamie Cox to represent Shepparton Show Me for a term of two years, commencing Wednesday 18 July 2012.

Background

As stated in the guidelines applying to the delegation of authority to the Shepparton Show Me committee of management, section 8 outlines committee membership stating that;

8.1 The Committee shall comprise up to eight members, representative of the Greater 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.

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

6. MANAGEMENT REPORTS

6.8 Appointment of Shepparton Show Me Committee Member (Continued)

Committee shall be eligible for re-appointment at the expiration of his or her period of office.

8.3 The Council will call for registrations of interest from the community by way of a notice in the public notices section of a local newspaper before appointing business community representatives to the Committee.

As per the guidelines, nominations to join the Shepparton Show Me Committee were advertised in the Public Notices section.

Expressions of Interest were received and evaluated according to certain criteria which included:

- Established networks with a range of Shepparton businesses
- An innovative and creative approach to problem solving
- A willingness to work in a team environment
- An understanding of advertising and promotion
- Business planning and financial management skills
- An understanding of business issues across a broad range of industry sectors
- Ability to regularly attend monthly meetings

The panel reviewed the applications, assessing them against the selection criteria and putting forward a recommendation for appointment.

Risk Management

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

The review panel assessed the applicants based on their responses to the selection criteria and have ensured their recommendations for committee members are representative of the broader business community.

Policy Implications

There are no conflicts with Council Policy.

Best Value Implications

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

Financial Implications

There are no financial implications associated with this proposal.

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*. The proposal embraces section 18 of the Act, allowing each person the opportunity to take part in public affairs.

Legal/Statutory Implications

The proposal conforms to legislation set out in section 86(2) of the *Local Government Act 1989* – a Council may appoint members to a special committee and may at any time remove a member of a special committee.

6. MANAGEMENT REPORTS

6.8 Appointment of Shepparton Show Me Committee Member (Continued)

Consultation

The current Shepparton Show Me committee were advised of the process for recruiting new committee members at the monthly meetings prior to the closing date. Positions were publicly advertised and following the closing date for submissions, committee members personally approached members of the business community to ascertain their interest in becoming a member of the Shepparton Show Me committee.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The Shepparton Show Me Committee is an important component of the development and delivery of the Council's objectives for the enhancement of the Shepparton business community. The committee supports the retail strategies outlined in the Greater Shepparton 2030 plan.

b) Council Plan

This proposal is consistent with the Council Plan 2009-2013:

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

Strategic Objective 24 – Ensure a coordinated and effective approach to economic and tourism development is maintained at all times

Strategic Objective 31 – Engage our community when making decisions

c) Other strategic links

As per the revised Economic Development Action Plan, Shepparton Show Me supports its objective of supporting the role and viability of the Shepparton CBD as the premier centre serving the region. Shepparton Show Me also supports promoting the area as a destination to live, work and invest, which also is a key objective found in the strategy.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.9 'A Future with Less Water' Final Draft Report for Endorsement

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 received funding from the Commonwealth Department of Sustainability, Environment, Water, Population and Communities to investigate how the community can respond to the risks and opportunities associated with reduced water availability for farming from climate change and the Murray-Darling Basin Plan.

On 11 October 2011, Councillors were briefed on the "A Future with Less Water" project by RMCG. Councillors were asked to identify any issues that needed to be taken into account, and to consider stakeholder engagement and communications given the approaching publication of the proposed Murray-Darling Basin Plan.

Since then, the project has progressed to the point that the final draft report, 'Adaptation Toolkit for a Future with less Water', has been prepared and has been reviewed by the Project Board and relevant Council staff. This report was presented to a council briefing on 22 May 2012, and is now considered to be ready for council endorsement.

RECOMMENDATION

That the Council endorses the draft final report 'Adaptation Toolkit for a Future with Less Water' and releases it for broader community consultation and comment for a minimum of three weeks.

Background

Project purpose: The purpose of the 'Greater Shepparton – A Future with Less Water' project was to undertake a review of the likely social and economic impacts of future reductions in water availability on the Greater Shepparton community, and to develop a range of potential strategies and policies that the Council (and other organisations) can adopt to reduce or better manage the identified impacts.

Funding: Greater Shepparton City Council was successful in obtaining \$190,000 in funding from the Commonwealth Department of Sustainability, Environment, Water, Population and Communities, as part of the Strengthening Basin Communities program. This program is to develop strategies to respond to the challenges of climate change, and the forthcoming Murray-Darling Basin Plan.

Murray-Darling Basin Plan: The Guide to the proposed Murray-Darling Basin Plan was published in October 2010. The Proposed Murray-Darling Basin Plan was released to the public in November 2011. The Plan proposes reductions in water consumption across the Basin by 2,750 GL/yr GL.

Deliverables: The key output from the project is a 'toolkit' of measures that can be implemented by the Council and other stakeholders (including farmers, the processing sector, and community) to manage risks and respond to opportunities to capitalise on Shepparton's competitive advantages. Deliverables also include a project report that addresses impacts of climate change and the Basin Plan.

6. MANAGEMENT REPORTS

6.9 'A Future with Less Water' Final Draft Report for Endorsement (Continued)

Stakeholder engagement: Please see 'Consultation' section below.

Relationship to other Council projects: This project builds on the previous project, 'Integrated Planning for a Sustainable Shepparton Community', which undertook a risk and gap analysis across infrastructure, the local economy and community. This project did not revisit issues being addressed in other projects including the Regional Rural Land Use Strategy, the Industrial Land Review or the Housing Strategy.

Finalisation of project: Following the Council's endorsement of the 'Adaptation toolkit for a future with less Water' draft report, it is proposed that it will be made available for public review and comment for a minimum of 28 days. The Strategic and Community Planning Team will produce a consultation plan to ensure valuable feedback is received on the draft report by the rural and wider community of Greater Shepparton. The report will then be reviewed in response to any submissions. This will include production of a detailed priority action plan. The final report and action plan will then be reviewed by the Stakeholder Reference Group, before being presented to the Council for adoption. It is then proposed that implementation of the report will be achieved through incorporation of priority Council actions into the Council Plan and relevant Branch Plans, and dissemination of other actions to relevant external organisations.

Risk Management

The Project Board identified a number of project risks, as follows:

1. The publication of the Proposed Murray-Darling Basin Plan in mid-November 2011 had the potential to compromise the project workshops, originally also proposed for November. The workshops were rescheduled to February / March to assist in managing this risk
2. Stakeholders could have confused this project with the Basin Plan process itself. Several communication methods were employed to address this risk
3. The project produces a report that 'just sits on a shelf' rather than providing genuinely useful 'toolkit' options. This risk has been managed in several ways, including ensuring a good Project Board and Stakeholder Reference Group, using workshops to develop practical options to manage risks and exploit opportunities, drawing on experience elsewhere of implementing actions similar to this project's, and ensuring processes are in place within the Council to adopt relevant 'toolkit' measures.

An additional risk which has been identified by the Council is that following endorsement of the report, funding may not be accessed to implement any of the actions or works.

Policy Implications

The project presents no conflicts with Council policy.

Best Value Implications

This project is consistent with the Council's Best Value principles.

Financial Implications

The project itself is fully funded by the Commonwealth Government. Future financial implications for the Council will be evaluated on the completion of the project. Further funding opportunities from the Commonwealth and State governments are being actively explored by Council staff to further develop specific projects and actions identified in the toolkit options report.

6. MANAGEMENT REPORTS

6.9 'A Future with Less Water' Final Draft Report for Endorsement (Continued)

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

The project does not limit any human rights provided for under the Act.

Legal/Statutory Implications

The project does not raise any issues of non-conformity with the *Local Government Act (1989)* or any other relevant legislation.

Consultation

The project has been managed by the Strategic and Community Planning team, with a Project Board that includes Council officers, Goulburn-Murray Water, the Goulburn Broken Catchment Management Authority, the Department of Primary Industries, and D&G Consulting from Tatura. Extensive consultation has occurred with this group, and other stakeholders throughout the life of the project, and it is considered that the draft report is now ready for endorsement.

Consultation and engagement was integral to the project, and included:

- A press release in August 2011.
- A stakeholder reference group that included representatives from the farming and processing sectors, and public and private sector key groups. This group met twice to discuss the issues, provide feedback and progress the project and were included in relevant email correspondence relating to project-related matters.
- A series of impact and adaptation workshops that were conducted in February and March 2012 and which included members of the farming and processing sectors, and the broader community.
- It is proposed that the 'Adaptation toolkit for a future with less Water' draft final report will be available for further consultation and review following endorsement by the Council in June 2012. A consultation/engagement plan has been developed by council staff to expedite this process, which is attached.

Strategic Links

a) Greater Shepparton 2030 Strategy

Prepared by the Greater Shepparton City Council and the Department of Sustainability and environment to provide a blueprint for building sustainable economic activity and maximising the quality of life in the municipality over the next thirty years.

b) Council Plan

02 – Encourage Sustainable municipal growth and development

As one of Australia's fastest growing inland regional cities, it is important to manage growth in a structured and sustainable manner (p.7)

17 – Promote and demonstrate environmental sustainability

We will become a leader in environmental sustainability, by applying and promoting initiatives to reduce our environmental footprint and actively participating in climate protection programs.

Develop policy to ensure that development applications include sustainable environment management plans and incorporate sustainable building design concepts (p.17)

c) Any other strategic links

Planning for a Sustainable Shepparton Community Strategy:

An integrated regional response to the challenges of climate change and reduced water availability, this strategy adopted by the Council on 17 May 2011 provides a strategic basis for the 'A future with less water' project.

6. MANAGEMENT REPORTS

6.9 'A Future with Less Water' Final Draft Report for Endorsement (Continued)

Campaspe, Greater Shepparton and Moira Regional Rural Land Use Strategy (RRLUS):

The objective of the RRLUS is to secure and promote the future of agriculture across the region through modifications to the Greater Shepparton, Campaspe and Moira Planning Schemes.

Northern Region Sustainable Water Strategy:

Prepared by the Department of Sustainability and Environment to provide a blueprint to secure the water future for urban, industrial, agricultural and environmental water users for the next fifty years.

Irrigation Futures of the Goulburn Broken Catchment:

Developed by the Department of Primary Industries, using scenario planning with extensive stakeholder engagement to develop a vision and strategies for the future of irrigated agriculture in the Goulburn Broken catchment.

Changing land use in the GMID 2006-2010:

Prepared for the Department of Primary Industry and the Northern Victoria Irrigation Renewal Project, this report documents changes in irrigation land use between 2006 and 2010.

Attachments

'Adaptation toolkit for a future with less Water' draft report for Council endorsement
AFWLW Operational Engagement Plan – June 2012

6. MANAGEMENT REPORTS

6.10 Submission to the Review of the *Aboriginal Heritage Act 2006*

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

Under Section 193 of the *Aboriginal Heritage Act 2006* (the Act), a review of the operation of the Act to determine its efficacy and efficiency must commence within five years of the introduction of the Act. As part of this process, a discussion paper, 'Review of the Aboriginal Heritage Act 2006', was published in September 2011 outlining the tasks and scope of the review. It listed issues with the operation of the Act, as identified by Aboriginal Affairs Victoria (AAV). The discussion paper asked submitters to consider and comment on these and any other issues identified through their practical experience of the Act. The Council made a submission to this part of the review process in November 2011.

In April 2012, a 'Summary of Submissions and Consultation' report and an 'Issues and Options Paper' were published by AAV. AAV are currently inviting submissions on the 'Issues and Options' paper from stakeholders who have a practical experience of the Act. A Discussion Session to discuss the options outlined in this paper was hosted by AAV in May 2012 and attended by two Council officers.

A submission has been prepared (Attachment 1 – Submission to the Review of the Aboriginal Heritage Act 2006) and focuses on the accessibility of mapping that has been prepared for those areas of cultural heritage sensitivity, the Cultural Heritage Management Plan (CHMP) process and the definitions used within the Act and the *Aboriginal Heritage Regulations, 2007* (the Regulations). The submission identifies areas where the current system is not operating effectively and suggests changes to the Act and the Regulations that would more effectively protect and conserve Aboriginal cultural heritage.

The submission is part of the Council's ongoing commitment to the protection of Aboriginal cultural heritage encapsulated within the Municipal Strategic Statement of the Greater Shepparton Planning Scheme.

RECOMMENDATION

That having considered the submission, the Council resolves to endorse and submit the submission 'Submission to the Review of the Aboriginal Heritage Act 2006' to the review of the *Aboriginal Heritage Act 2006*.

Background

The *Aboriginal Heritage Act 2006* (the Act) came into effect on 28 May 2007. Prior to this, Aboriginal cultural heritage was managed under the *Victorian Archaeological and Aboriginal Relics Preservation Act 1972*. The main institutions and processes established by the 2006 Act were:

- Registered Aboriginal Parties (RAP) responsible for managing cultural heritage within a particular area. There are two approved RAPs within Greater Shepparton's municipal boundaries - the Taungurung Clans Aboriginal Corporation and the Yorta Yorta Nation Aboriginal Corporation. The vast majority of the Municipality lies within the jurisdiction of the Yorta Yorta Nation Aboriginal Corporation.

6. MANAGEMENT REPORTS

6.10 Submission to the Review of the *Aboriginal Heritage Act 2006 (Continued)*

- The Victorian Aboriginal Council comprising of Aboriginal people with specific knowledge and experience in cultural heritage.
- Cultural Heritage Management Plans, Cultural Heritage Permits and Agreements for managing cultural heritage. This replaced the previous consent system.
- The establishment of the Victorian Aboriginal Heritage Register, which holds records of all known places of Aboriginal cultural heritage significance.
- Strengthened enforcement and high penalties for harming Aboriginal cultural heritage.

The Acts also seeks to identify a central role for Aboriginal people in identifying, managing and protecting their cultural heritage.

Section 193 of the Act requires the Act to be reviewed by 28 May 2012. The review is being managed by Aboriginal Affairs Victoria (AAV), on behalf of the Minister for Aboriginal Affairs (the Honourable Jeanette Powell MP). Preliminary findings of the review were released in February 2012 and the recommendations responding to the review of the Act and the Parliamentary Inquiry of the review will be published later this year.

The primary focus of the review is the Act, however issues raised in relation to the Regulations will also be considered. The Council's submission relates to the provisions of both the Act and the Regulations.

Submission in Detail

The main issues that have been addressed within the submission relate to the following main concerns:

1. Awareness of Areas of Cultural Heritage Sensitivity

The majority of proponents are only aware of the fact that their lands are included within an area of 'cultural heritage sensitivity' when they meet with planning officers at a pre-planning meeting or subsequent to lodging a planning permit application. The submission suggests that one such way to integrate the designated areas of 'cultural heritage sensitivity' with the mapping used in the Planning Scheme would be to include them as an overlay within the Victorian Planning Provisions (VPPs). This would have the added benefit of appearing on the Planning Report mechanism and Planning Certificates available on DPCD's website, which are accessible to members of the public.

2. Mapping Areas of Cultural Heritage Sensitivity

The submission outlines that areas of 'cultural heritage sensitivity' is outdated, is not available at a property level and does not take account of developments that have taken place since the mapping was first prepared or urban areas where significant ground disturbance has previously occurred. The submission recommends that the mapping should be updated and that this should be undertaken as a priority to guarantee that only those areas of genuine cultural heritage sensitivity are included. The submission also addresses views that local government councils should undertake a process of updating the mapping for their municipalities and states that they have not been given the necessary resources to make such decisions or a mechanism outlining how approval for such mapping changes would operate in practice.

3. Significant Ground Disturbance

The submission highlights that the definition of 'significant ground disturbance' in the Regulations is vague and subjective. It suggests that any future revision should consider including clear depth measurements that would constitute as 'significant'.

6. MANAGEMENT REPORTS

6.10 Submission to the Review of the *Aboriginal Heritage Act 2006* (Continued)

4. *Three-Lot Subdivisions*

The submission also outlines a current anomaly in the Regulations whereby proponents may undertake a number of separate, but essentially integrated, subdivisions each of which are under the required threshold of 3 no. lots to avoid triggering a CHMP. The submission recommends a number of ways in which this threshold could be revised to rectify this anomaly.

5. *Discovery of an Aboriginal Object*

The submission outlines the significant time and cost implications associated with the discovery of an isolated Aboriginal object where the works were outside of an 'area of cultural heritage sensitivity' and did not trigger the need for a Cultural Heritage Management Plan. The submission highlights the procedures required following such a discovery and the implications of the options open to a sponsor to recommence works in the vicinity of the area where the Aboriginal object was discovered. The submission outlines potential options that may allow for greater certainty following such a discovery.

6. *Amending CHMPs*

The submission recommends that there should be a mechanism to allow a CHMP to be amended in instances where a development proposal has been redesigned during the statutory planning permit process. The submission also outlines that any review to the Act and Regulations should allow for the preparation of one CHMP that considers the cumulative impact of all proposed activities proposed on a site. These amendments to the provisions of the Act and Regulations would save significant costs and report duplication.

7. *Right to Appeal*

The submission highlights that there is no recourse for a traditional knowledge holder who disagrees with the decision of a Registered Aboriginal Party (RAP) in their assessment of a CHMP to appeal such decisions. However, it is possible for the proponent to eventually appeal decisions to VCAT who can then overturn the decision of the RAP. The submission also outlines a concern regarding the appropriateness of VCAT making decisions about Aboriginal cultural heritage above and beyond that of a RAP.

8. *Centralised Agency*

The submission finally outlines support for a suggestion that AAV tabled at May's Discussion Session relating to the future establishment of a centralised agency that would have the remit of protecting and conserving Aboriginal cultural heritage. The Agency would act in a similar manner to the Environmental Protection Agency (EPA). A number of the functions currently performed by AAV and other organisations could be transferred to this agency. It is felt that the formation of such a body would remove the instances of misinterpretation that a number of organisations may have with respect to the interpretation of the Act and the Regulations, and provide for uniformity in the assessment of development proposals.

Risk Management

There are no significant risks associated with the Council's decision to make a submission to AAV regarding the review of the Aboriginal Heritage Act. However, by not highlighting issues with the operation of the Act and Regulations at conserving Aboriginal cultural heritage in an efficient and effective manner risks these concerns not being addressed during the review process.

Policy Implications

No conflicts with the Council's existing planning policies have been identified.

6. MANAGEMENT REPORTS

6.10 Submission to the Review of the *Aboriginal Heritage Act 2006* (Continued)

Best Value Implications

This proposal is consistent with the Council's Best Value principles. Council officers believe that any changes to the Act, in accordance with the Council's submission, will assist the Council in achieving best value practices in relation to the continued conservation of Aboriginal cultural heritage by raising awareness of cultural heritage issues earlier in the development process. Council officers also believe that the adoption of the changes outlined in the submission will allow the Act to operate with greater transparency, ultimately aiding in the continued conservation of Aboriginal cultural heritage.

Financial Implications

Any changes to the Act, in accordance with the Council's submission, would result in positive resource implications for the Council, particularly for the Sustainable Development Department. However, it is anticipated that any changes to the Act may take a number of years to implement.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

This submission is considered to accord with the *Victorian Charter of Human Rights and Responsibilities Act, 2006*. This submission does not limit any of the human rights provided for under this Act.

Legal/Statutory Implications

The Council have been invited to make a submission to the review of the Act by AAV. The contents of the submission to the review of the Aboriginal Heritage Act do not have any legal or statutory implications for the Council.

Consultation

As part of the review process, AAV has directly and indirectly consulted with all stakeholders involved in the conservation and protection of Aboriginal cultural heritage, and development industry alike. It has afforded opportunities for all stakeholders to have a say on the Act's operation.

AAV is specifically seeking a submission from Councils to outline local government issues with the operation of the Aboriginal Heritage Act. In the preparation of this submission, the Strategic Planning Team has consulted with the Engineering and Statutory Planning Teams to coordinate the shared experiences that all three teams hold in the operation of the Act. The Council officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy Plan

Strategic Directions

Direction 3: Environment

Conservation and enhancement of significant natural environments and cultural heritage.

b) Greater Shepparton Council Plan (2009 – 2013)

Strategic Objective 4 – Environment

Objective 18: Identify and respect our significant cultural and environmental assets.

Our heritage is important and as we plan for the future, it is vital not to lose our past. We will work with community groups, government departments and other authorities to identify and protect significant built and natural environments across the municipality.

6. MANAGEMENT REPORTS

6.10 Submission to the Review of the *Aboriginal Heritage Act 2006* (Continued)

In the next four years:

- Engage and work cooperatively with the Aboriginal community to identify and preserve their culture
- Review and implement roadside management plans
- Complete and implement Heritage Study IIB.

c) Any other strategic links

The changes outlined in the submission to the review of the Aboriginal Heritage Act 2006 will aid in the Act's efficiency and efficacy at conserving and protecting places of Aboriginal cultural heritage. This is supported by Clause 21.05-4 of the Municipal Strategic Statement (MSS), which aims to identify, conserve and protect sites of cultural heritage significance.

Attachment

Submission to the Review of the *Aboriginal Heritage Act 2006*.

6. MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of 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 C121 to the Greater Shepparton Planning Scheme proposes to implement the recommendations of the *Regional Rural Land Use Strategy October 2008* (RRLUS), which was a joint project between the Greater Shepparton City Council, the Moira Shire and the Shire of Campaspe. All three Councils have undertaken concurrent amendments to their planning schemes in order to implement the Strategy. The RRLUS was adopted by the Council at the Ordinary Council Meeting on 16 November 2010.

The amendment was placed on exhibition from 12 February 2011 until 14 April 2011. Notices appeared in the Government Gazette, Shepparton News and Tatura Guardian. Notice was posted to individual land owners, as well as to relevant referral authorities and Prescribed Ministers during the exhibition of the amendment. During the exhibition period, Community Information Sessions were held at three locations across the municipality to give landowners an opportunity to discuss the amendment with Council Officers. Seventy submissions were received. Nine of these submissions supported the amendment and sixty-one submissions objected to or sought changes to the amendment.

Following exhibition, the Council resolved, at the July 2011 Ordinary Council Meeting, to refer all submissions to an Independent Planning Panel. At this time, the Council also resolved to present a modified position on minimum lot sizes for 'as of right' dwellings and subdivisions. This included removing the delineation between irrigated and dry land and lowering the minimum lot sizes for subdivision and 'as of right' dwellings down to 40ha (the default for the Farming Zone in the Victorian Planning Provisions).

Following the Panel Hearing, the Panel Report recommended that the Council adopt Amendment C121 with changes. The recommended changes aim to reinforce the Council's strategic intent to provide long term rural land use directions throughout the municipality.

The current Schedule to the Farming Zone includes interim provisions relating to minimum lot sizes for 'as of right' dwellings and subdivisions. These were to exist while the draft RRLUS was placed on public exhibition and the associated planning scheme amendment was being finalised. These provisions will expire on 26 June 2012, which will be prior to the completion of Amendment C121 to the Greater Shepparton Planning Scheme. It is important to ensure that the expiry date for the interim controls be extended in order to guarantee that the original intent of the RRLUS is not compromised. It is required that the Council seek extension of the interim controls relating to minimum lot sizes for 'as of right' dwellings and subdivisions in the Farming Zone from the Minister for Planning.

6. MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

RECOMMENDATION

That, having considered the Independent Planning Panel Report for Amendment C121 to the Greater Shepparton Planning Scheme, in accordance with Section 27(1) of the *Planning and Environment Act 1987*, the Council:

- 1) Adopt the recommendations of the Independent Planning Panel including the amended Local Planning Policy Provisions with some changes
- 2) Adopt Amendment C121, with changes as recommended by the Panel, in regard to the minimum lot sizes where the delineation of irrigated and dry land cannot be determined, being:
 - i. FZ1 – 60ha subdivision, 80ha as of right dwelling and
 - ii. FZ2 – 40ha subdivision, 40ha as of right dwelling
- 3) Not adopt the recommendation that further work is required to be undertaken, with the exception of a review of the area around Trewin's Road, Tallygaroopna as potential FZ2 due to the fragmentation of the land in that area
- 4) Not adopt the recommendation that lot sizes for subdivision or 'as of right' dwellings be linked to permanent water entitlements as a basis for decision making
- 5) For the purpose of the *Planning and Environment Regulations 2005*, section 10(e)(ii), provide the following reasons to the Minister for not adopting all of the recommendations of the Panel:
 - i. The ability to delineate between irrigated land and dry land is limited as the irrigation footprint for the region is constantly changing.
 - ii. This view is supported by G-MW, whose letter dated 16 May 2012 advises that such a delineation is not a practical or feasible option.
 - iii. Significant strategic work for Amendment C121 has already been undertaken through the preparation of the RRLUS and this Amendment. Any future Planning Scheme Amendment associated with rural land in the municipality will be subject to further strategic work at the time of preparation of that amendment.
- 6) Seek extension of the interim controls relating to minimum lot sizes for 'as of right' dwellings and subdivisions in the Farming Zone until the new provisions are approved by the Minister for Planning
- 7) In accordance with Section 31 of the *Planning and Environment Act 1987*, submit Amendment C121 to the Minister for approval.

Background

Amendment C121 to the Greater Shepparton Planning Scheme proposes to implement the RRLUS. The Strategy and associated amendment have been prepared in conjunction with the Moira Shire Council (Amendment C51) and the Shire of Campaspe (Amendment C69).

6. MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

A total of seventy submissions were received to Amendment C121. Sixty-one of these objected or sought changes to the exhibited amendment. As a result, all the submissions were referred to an Independent Planning Panel. The Panel supported the intent of the RRLUS and Amendment C121, recommending that the amendment be adopted subject to changes.

Amendment C121 generally proposes to implement the findings of the *Regional Rural Land Use Strategy October 2008* (RRLUS). Specifically, Amendment C121 proposes the following changes to the Greater Shepparton Planning Scheme:

- Amends the Schedule to the Farming Zone (at Clause 35.07) to introduce new categories for Farming Zone and prescribe minimum lot sizes for subdivisions and dwellings within each category
- Amends the Municipal Strategic Statement (MSS) at Clauses 21.01, 21.02, 21.04, 21.05, 21.06, 21.08 and 21.09 to make reference to the RRLUS
- Introduces the Rural Conservation Zone (RCZ) provisions and associated Schedule from the Victorian planning Provisions at Clause 35.06
- Amends the Planning Scheme maps to rezone land from the Farming Zone to the new Farming Zones, or to the Rural Conservation Zone.

Amendment C121 seeks to secure and promote the future of agriculture across the region through modifications to the Greater Shepparton Planning Scheme. At the same time, Moira Shire Council is progressing Amendment C51 and the Shire of Campaspe is progressing C69 to their respective Planning Schemes in order to achieve the desired outcomes across the wider region – an important outcome of the Strategy.

Independent Planning Panel Report

Following exhibition of Amendment C121, all submissions received by the Council were referred to an Independent Planning Panel in accordance with Section 23 of the *Planning and Environment Act 1987*. The Panel Report was received by the Council on 27 March 2012. The Panel Report supports the intent of the RRLUS and Amendment C121, recommending that the amendment be adopted subject to the outlined changes.

The key conclusions and recommendations from the Panel Report relevant to Greater Shepparton City Council are summarised in *Attachment 1 – Tables of Recommendations*, and outlined below:

Immediate Panel Recommendations to be adopted by the Council –

1. Delete the reference '*Planning Controls for Earthworks on the Goulburn Broken Catchment-Operation and technical Guidelines*) M.A.S.N.V. November 1997' and replace with '*Earthworks Controls in the Shepparton Irrigation Region – Discussion and Options Paper (August 2010)*' in the Campaspe, Moira and Greater Shepparton Municipal Strategic Statements.
2. Revise the relevant clauses of the Municipal Strategic Statements and the schedule to the proposed Environmental Significance Overlays as suggested by Goulburn Murray Water.
3. Subject to subsequent recommendations, edit the exhibited Amendment documentation to reduce repetition and enhance policy guidance as illustrated in revisions circulated by the Councils after the Hearing.
4. Delete the distinction between Farming Zone 1, Farming Zone 2 and Farming Zone 3 in excision provisions.

6. MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

5. Avoid the creation of opportunities for additional dwellings in the Farming Zone as a result of excision by including policy to the following effect:
'Excisions of house lots should not create any additional entitlement(s) for a dwelling or dwellings without a planning permit.
and
The approval of excisions of house lots is contingent on a Section 173 agreement under the Planning and Environment Act 1987 being entered into prohibiting a house and further subdivision on:
- *A residual lot created as a result of a house lot excision*
 - *A new lot that incorporates the residual lot after a house lot excision unless a house was as-of right before consolidation with the residual land.'*

Pending the implementation of subsequent Panel recommendations relating to alternative Farming Zone provisions set out in Recommendation 16 below, the Panel recommends for adoption:

6. Consolidate the exhibited Farming Zones 1 and 2 and rename these areas Farming Zone 1 Growth and Consolidation and consolidate Local Planning Policy Framework content relating to the exhibited Farming Zones 1 and 2 under a renamed FZ1 Growth and Consolidation.
7. Maintain the delineation of dryland and irrigated areas that apply in the current interim controls (with consolidation of the irrigated areas in Greater Shepparton and Moira).
8. In the renamed Farming Zone 1 Growth and Consolidation adopt minimum subdivision and dwelling lots sizes as shown in *Attachment 1 – Tables of Recommendations*.
The Panel, however, suggests in the Report that alternative provisions should be adopted if it does not prove possible to delineate irrigated and dryland areas. In this situation, the minimum subdivision and dwelling lots sizes in the renamed Farming Zone 1 Growth and Consolidation would be the alternatives shown in *Attachment 1 – Tables of Recommendations*.
9. Renumber the Farming Zone Niche from FZ3 to FZ2.
10. Revise policy guidance in the Local Planning Policy Frameworks of the three planning schemes relating to the development of dwellings in the Farming Zone to the effect illustrated in the annotated example of the Campaspe C22.01 policy in Appendix C.
11. Rezone land at 137 Riverview Drive Shepparton to accord with the zoning of the adjoining land where analysis associated with Amendment C23 does not justify the application of the Urban Flood Zone (UFZ).
12. Delete the exhibited proposed Rural Conservation Zone from the land at Dookie, to the west of Murchison and around Rushworth.
13. Amend the Greater Shepparton Planning Scheme to the following effect:
In Clause 21.05-1 add 'The RRLUS identifies land of high conservation value south and west of Murchison and the Dookie Hills and recommends the application of the Rural Conservation Zone to the land. This will be addressed through further strategic work to determine the appropriate Zone or Overlay to achieve the conservation outcomes envisioned in the strategy' (as proposed by Council).
14. Amend the exhibited Schedule to the Environmental Significance Overlay to be numbered (ESO1) and shown on planning scheme maps in the Campaspe Planning Scheme.

6. MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

Long-term Panel Recommendations requiring further investigation –

15. In the Greater Shepparton Planning Scheme include under Further Strategic Work: Undertake further strategic work to determine the appropriate Zone or Overlay to achieve the conservation and landscape outcomes envisioned in the RRLUS to the south and west of Murchison and in the Dookie Hills area.
 16. The Panel recommends that alternative provisions for the Farming Zone be formulated as a matter of priority, as shown in *Attachment 1 – Tables of Recommendations*, along with the following recommendations:

Delineate irrigated areas on the basis of:

 - The Declared Irrigation Areas, with updating to reflect changes in the footprint as a result of NVIRP; plus
 - Areas where irrigated agriculture occurs utilising established permanent rights to irrigate using groundwater or direct pumping from waterways and water bodies (on the advice of relevant authorities).

Obtain expert advice, with review by farmers in the Region who are experienced in farming irrigated land, to determine:

 1. The horticultural and other irrigated areas.
 2. Minimum lot sizes for subdivision in irrigated areas.
 3. The level of irrigation water required:
 - On a permanent basis to sustain horticulture / dairying in the Region; and
 - As a minimum during exceptional circumstances (e.g. drought conditions).
 4. The following land size at which a permit is required for a Dwelling in the Farming Zone irrigated areas that are suggested by the Panel:
 - 25 ha in irrigated ‘horticulture’ areas (a new FZ3) where it is demonstrated that there is a permanent water entitlement that supports horticulture.
 - 70 ha in other irrigated areas (a new FZ2) where it is demonstrated that there is a permanent water entitlement that supports dairying.
 - 120 ha where it is not demonstrated that there is a permanent water entitlement that would support irrigated forms of agriculture.
 - Where land within an irrigated area does not have permanent water at a level that would sustain irrigated agriculture, exercise discretion in the permit process to apply the minimum subdivision lot size applicable to dryland farming (e.g. 100ha).

The same alternative provisions suggested by the Panel should be adopted if it does not prove possible to delineate irrigated and dryland areas, as discussed in Recommendation 8. In this situation, the minimum subdivision and dwelling lots sizes in the renamed Farming Zone 1 Growth and Consolidation would be the alternatives shown in *Attachment 1 – Tables of Recommendations*.
17. Consider increasing setbacks from side and rear boundaries for as of right dwellings in the Farming Zone.
 18. Consider whether tenement provisions would provide a useful mechanism to minimise the development of dispersed dwellings in the Farming Zone.
 19. Consider whether an alternative zoning is appropriate for highly fragmented areas with extensive levels of housing development as part of the proposed evaluation of rural living opportunities in Campaspe and Moira; or through proponent initiated area based rezoning proposals which are supported by those who are directly affected in Greater Shepparton.
 20. The Councils consider establishing a farming advisory group to provide a resource to officers, contribute to ongoing staff development, and have a role in the periodic

6. MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

review of application assessment and decisions relating to dwellings in the FZ (and other relevant matters).

Officers' Recommendations

Following consideration of the Panel Report, the Council is required to make a determination on the adoption of Amendment C121. It is important to note that the Independent Planning Panel is an impartial body, required to make recommendations based on planning for net community benefit in the interests of all Victorians. This Panel is appointed by the Minister for Planning, who makes the final decision on whether or not an amendment will be approved.

The Minister for Planning is currently reviewing a proposal from the Department of Planning and Community Development to revise the current package of Rural Zones available as part of the Victorian Planning Provisions. Although this proposal has not yet been finalised, it is possible that Amendment C121 may be impacted by any new/ revised Rural Zone provisions as a result.

Under Section 29 of the *Planning and Environment Act 1987*, the Council must consider the recommendations of the Panel and determine how the amendment is to be adopted – with or without changes. The Council is not required to adopt the recommendations of the Panel under the Act. The Council are currently faced with four options for progression of the amendment, each of which is outlined below.

It is important to emphasize that dwellings can still be constructed on lots that are below the minimum lot size threshold specified in the Schedule to the Farming Zone, but will require a planning permit. Minimum lot sizes, below which a permit for a dwelling is triggered, should be conservatively large allowing for the proposal to be considered against the relevant zone purposes, decisions guidelines and applicable policy.

The amendment does not significantly change the policy direction or decision making guidelines from those currently in the Planning Scheme in relation to applications for dwellings on small lots in the Farming Zone. Where a permit is triggered, it will not automatically result in a refusal, it simply means that in such cases it is possible for the proposal to be appropriately assessed having regard to the relevant planning considerations.

Please note, that it is the recommendation of the Council officers that Option 2 be adopted by the Council. This option effectively provides a consistent, acceptable control with regard to minimum lot sizes and removes the ambiguity associated with irrigated and dry land delineation. It also provides a reasonable compromise between the smaller lot sizes requested by land owners and the larger lot sizes initially exhibited. These lot sizes are close to the adopted Council position at Panel and are significantly less than the current interim controls. This option does not undermine the intent of the RRLUS, and provides certainty for agricultural land across the region.

Attached is a table (*Attachment 3 – lot size and dwellings analysis*) outlining the existing and potential outcomes as a result of adopting Option 2, as outlined below. The table shows that under the Council's previously preferred scenario (Scenario 1), a total of 1,111 new dwellings could potentially be constructed 'as of right' on existing 40ha+ lots in the proposed Farming Zone 1. These are dwellings that could be built without being assessed against the relevant planning guidelines and considerations. Under the

6. MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

Independent Planning Panel's recommended non-delineated scenario (Scenario 2), just 285 dwellings could potentially be constructed 'as of right' on existing 80ha+ lots in the proposed Farming Zone 1. This means that a difference of 826 dwellings may be required to be assessed against the relevant planning guidelines and considerations before a permit will be granted, it does not mean that a dwelling cannot be constructed.

The table also shows that under the Council's previously preferred scenario (Scenario 1), it would be possible for a further 850 lots to be created in the proposed Farming Zone 1 through subdivision of existing lots greater than 80ha. Under the Independent Planning Panel's recommended non-delineated scenario (Scenario 2), just 255 new lots could be created through subdivision of existing 120ha+ lots in the proposed Farming Zone 1. This scenario would dramatically decrease the potential for further subdivision of productive agricultural land in the proposed Farming Zone 1 – a key objective of the RRLUS.

Option 1 – Adopt the amendment, with all changes outlined in the Panel Report, including delineations between dry and irrigated land:

The changes outlined in the Panel Report, in their entirety, are extensive. These recommendations require both immediate changes to the Greater Shepparton Planning Scheme through the current amendment, as well as further investigations in order to respond to the longer term pressures affecting agricultural land in the wider region. In adopting the amendment with all recommendations outlined in the Panel Report, the following lot sizes would apply in the short term:

	Minimum lot size for subdivisions	Minimum lot size for 'as of right' dwellings
FZ1 – Growth & Dryland	100ha	120ha
Consolidation Irrigated	50ha	70ha
FZ2 – Niche Dryland & Irrigated	None specified (40ha default)	None specified (40ha default)

It is recommended in the Panel Report that in the long term, further investigations be undertaken to divide agricultural land into four Farming Zones as outlined in the table below:

	Minimum lot size for subdivision	Minimum lot size for 'as of right' dwellings
FZ1 Dryland	100ha	120ha
FZ2 Horticulture	<i>subject to further investigations</i>	25ha
FZ3 Other irrigated	50ha	70ha
FZ4 Fragmented	None specified (40ha default)	None specified (40ha default)

These minimum lot sizes delineate between dry and irrigated land – an approach that is not supported by Council officers. The declared irrigation district is no longer an accurate representation of the irrigation footprint for the region. This is due to the fact that water

MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

entitlements are not attached to land titles; water rights can be sold from properties within the declared irrigation district, effectively rendering them 'dryland'.

On the other hand, land outside the declared irrigation district can be irrigated through groundwater systems and other means, enabling them to support more intensive agriculture below the recommended lot sizes in the above tables for 'dryland'. It is recommended by Council officers that delineation of dry and irrigated land should not be supported by the Council. This position is supported by Goulburn-Murray Water as outlined in the attached letter (see *Attachment 2 – Copy of G-MW letter*).

The remaining recommendations regarding other aspects of the RRLUS to be incorporated into the Planning Scheme, including text changes in the Local Planning Policy, are supported (see *Attachment 4 – Draft revised MSS documentation and Schedule to the Farming Zone*).

Option 2 – Adopt the amendment, with some changes outlined in the Panel Report, without delineations between dry and irrigated land:

The amendment can alternatively be adopted with some of the changes outlined in the Panel Report, but not all. The Council have a vast knowledge of relevant issues affecting agricultural land in the region. As such, it is reasonable that the Council may consider some of the recommendations outlined in the Panel Report to be inappropriate for the region and may choose to adopt just those recommendations deemed relevant

In this case, Council officers suggest that the recommendations regarding minimum lot sizes for subdivision and as of right dwellings be adopted as follows:

	Minimum lot size for subdivision	Minimum lot size for 'as of right' dwellings
FZ1 – Growth & Consolidation	60ha	80ha
FZ2 – Niche	None specified (40ha default)	None specified (40ha default)

These minimum lot sizes do not delineate between dry and irrigated land as in Option 1. Due to the current uncertainty associated with irrigation in the region, it is difficult to clearly distinguish and map the actual irrigation footprint for the region as it is not static: water rights can be purchased and sold annually and land outside the declared irrigation district can be irrigated using groundwater and other means.

In the assessment of planning permit applications for subdivision and construction of dwellings in the Farming Zones, the onus would fall on individual Council officers to determine whether land is considered to be dry or irrigated. Removing the delineation between dry and irrigated land, as indicated in the above table, would eliminate the uncertainty for both Council officers and land owners. Please see attached (*Attachment 2 – Copy of G-MW letter*) a letter from Goulburn-Murray Water supporting this recommendation.

The lot sizes outlined in this option provide a reasonable compromise between the other lot sizes considered throughout the preparation of the Strategy and this amendment. The

MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

current (interim) minimum lot sizes are 100ha (Intensive) and 250ha (Broadacre) for both subdivisions and 'as of right' dwellings. Minimum lot sized exhibited for this amendment ranged from 40ha to 100ha (Irrigated) and 40ha to 250ha (Dryland). Following exhibition, the minimum lot sizes for both 'as of right' dwellings and subdivision in all zones was reduced to 40ha as the result of Council resolution.

The Panel Report (page 41) noted a lack of strategic justification for the 40ha minimum lot sizes in the both RRLUS and associated documentation, and not support this change. It was also noted in the Panel Report (page 41) that the 40ha minimum was inconsistent with the position of both Moira Shire and the Shire of Campaspe. This outcome contradicts the intent of the Strategy to provide a consistent approach across the wider region. The lot sizes outlined in the above table are close to the adopted Council position at Panel and are significantly less than the current interim controls. This effectively provides a compromise without undermining the intent of the RRLUS, and provides certainty for agricultural land across the region.

A significant amount of strategic work has been undertaken to ensure that the RRLUS is comprehensive and complete. Council officers do not agree with the recommendation of the Panel that more strategic work is required as part of the amendment and this recommendation should not be supported by the Council.

The Panel Report (page 112) also recommends linking minimum lot sizes for subdivisions and 'as of right' dwellings to permanent water entitlements as a basis for decision making. This recommendation cannot be implemented as water entitlements can be held unassociated with land, as outlined in the letter received from G-MW (see *Attachment 2 – Copy of G-MW letter*).

The remaining recommendations regarding other aspects of the RRLUS to be incorporated into the Planning Scheme, including text changes in the Local Planning Policy, are supported (see *Attachment 4 – Draft revised MSS documentation and Schedule to the Farming Zone*).

Option 3 – Adopt the amendment, without changes to minimum lot sizes outlined in the Panel Report:

In some instances, the Council may disagree with the changes outlined in the Panel Report and decide to adopt the amendment without changes. In this case, the amendment would be adopted with the provisions regarding minimum lot sizes for subdivisions and 'as of right' dwellings agreed upon following the Council resolution prior to the Panel hearing in July 2011. In this case, Council officers suggest that the recommendations regarding minimum lot sizes for subdivisions and 'as of right' dwellings are adopted as follows:

	Minimum lot size for subdivision	Minimum lot size for 'as of right' dwellings
FZ1 Growth	40ha	40ha
FZ2 Consolidation	40ha	40ha
FZ3 Niche	40ha	40ha

MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

These minimum lot sizes do not delineate between dry and irrigated land, which is an appropriate approach, however are not supported by Council officers as there is little strategic justification to support these sizes. The Independent Planning Panel stated in the Panel Report that a 40ha minimum lot size across all three proposed Farming Zones lacked strategic justification. In the Panel Report (page 41), it was recommended that a consistent regional approach be taken with regard to minimum lot sizes as was an original intent of the Strategy, the 40ha minimum lot sizes contradict this approach. The Panel Report (page 95) expressed no support for these 40ha minimum lot sizes and it is therefore unlikely that the Minister for Planning would approve these provisions.

A significant amount of strategic work has been undertaken to ensure that the RRLUS is comprehensive and complete. Council officers do not agree with the recommendations of the Panel that more strategic work is required as part of the amendment, and this recommendation should not be supported by the Council.

The Panel Report (page 112) also recommends linking minimum lot sizes for subdivisions and 'as of right' dwellings to permanent water entitlements as a basis for decision making. This recommendation cannot be implemented as water entitlements can be held unassociated with land, as outlined in the letter received from G-MW (see *Attachment 2 – Copy of G-MW letter*).

The remaining recommendations regarding other aspects of the RRLUS to be incorporated into the Planning Scheme, including text changes in the Local Planning Policy, are supported (see *Attachment 4 – Draft revised MSS documentation and Schedule to the Farming Zone*).

Option 4 – Abandon the amendment:

Although it is possible to abandon the amendment, such an approach is not recommended by Council officers. This course of action would not only result in poor planning outcomes and an insecure future for agricultural land in the region, but may be deemed to be a significant waste of Council finances and resources. The assessment of the proposed amendment has taken a significant length of time. The RRLUS was adopted by the Council in November 2010 and Amendment C121 proposes to implement the findings of this Strategy. Abandoning this amendment following the consideration of the recommendations in the Panel Report may be publically perceived as being unduly influenced by local political pressures.

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 region.

All Amendment C121 procedures comply with legislative requirements for amendment preparation, exhibition, submission consideration, panel stage and adoption in accordance with the *Planning and Environment Act 1987*.

Under Section 29 of the *Act*, the planning authority must consider the Independent Planning Panel's Report before deciding whether to adopt the amendment with or without changes.

MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

A planning authority adopts or abandons an amendment under Sections 28 and 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, resulting in significant financial and resource costs for the Council.

Policy Implications

There are no conflicts with existing Council policy.

Financial implications

In association with Campaspe and Moira Shire Councils, the Greater Shepparton City Council has financed the preparation and exhibition of the RRLUS and the associated

amendment, including the costs associated with the Independent Planning Panel. These costs have been shared between the three Councils involved.

The *Planning and Environment (Fees) Regulations 2000* sets the statutory fees for the preparation, exhibition and adoption of planning scheme amendments.

The total costs of the Panel process amount to approximately \$118,000 – this amount was shared between the three Councils implementing the Strategy. Although the upfront costs of the Strategy and associated amendment are considerable, Amendment C121 seeks to secure and promote the future of agriculture across the region, resulting in positive financial directions for the municipality.

It is relevant to note that no budget has been requested for the implementation of the RRLUS for the 2012/13 financial year. Costs are unknown at this stage and will be established at a later date. The long term recommendations outlined in the Panel Report will result in significant financial and resource costs to the Council. No budget has been allocated to undertake this additional work resulting from the Panel recommendations.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

This Planning Scheme Amendment has been assessed in accordance with the requirements of the *Planning and Environment Act 1987* and the Greater Shepparton Planning Scheme. The assessment is considered to accord with the *Victorian Charter of Human Rights and Responsibilities Act 2006*. No human rights were negatively impacted upon through the amendment process, including during the exhibition, consideration of submissions and panel hearing stages. The rights of all individuals and groups with regard to Freedom of Expression, Right to be Heard, Entitlement to Participate in Public Life and Property Rights were upheld.

Legal Statutory Implications

MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

All procedures associated with Amendment C121 comply with legislative requirements for amendment preparation, exhibition, submission consideration, panel stage and adoption under the *Planning and Environment Act 1987*. The amendment is:

- 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

Extensive community consultation and exhibition has been undertaken for both the RRLUS and Amendment C121. The amendment was placed on exhibition from 12

February 2011 until 14 April 2011. Notices appeared in the Government Gazette, Shepparton News and Tatura Guardian.

Notice was posted to individual land owners as well as to relevant referral authorities and Prescribed Ministers during the exhibition of the amendment. Community Information Sessions were held at three locations – Katandra, Shepparton & Tatura – to give landowners an opportunity to discuss the amendment with Council Officers. The Panel Report notes that the statutory requirements associated with the Amendment exhibition process were satisfied and exceeded.

Strategic links

a) Greater Shepparton 2030 – Strategy Plan:

Direction 4: Economic Development – *“Promote economic growth, business development and diversification, with a focus on strengthening the agricultural industry.”*

b) Council Plan:

Strategic Objective 4 – Economic Development

“Objective 20: Develop and pursue strategies to protect and enhance our irrigation based agricultural economy.”

A significant decrease in the availability and security of water and a decrease in the number of younger people taking over the family orchard or farm are driving change in our region's agricultural landscape. Despite these pressures, strategies must be developed to ensure that the Goulburn Valley retains its position as a significant dairying, fruit growing and food processing region.

Such strategies are important to our community, as our economy and liveability are integrated with and dependent upon the continuation of efficient irrigated agriculture. Water reform offers the potential for new areas to be opened up for intensive production and provides an opportunity for expansion in the region's level of agricultural production. For this reason, we support the modernisation of the region's irrigation infrastructure, in order to increase water security and encourage new investment and the expansion of existing industries.

MANAGEMENT REPORTS

6.11 Amendment C121 – Consideration of Panel Report and Adoption of Amendment (Continued)

To increase opportunities, promote security of investment, provide greater flexibility and reduce impediments to investment and potential conflicts, we have been working with the shires of Campaspe and Moira to develop and adopt a more uniform strategy for rural and regional land use across the three municipalities. Once adopted, this strategy will provide greater certainty to existing landholders and new investors.

In the next four years:

- *Finalise and adopt a Regional and Rural Land Use Strategy*
- *Work with ‘Foodbowl Unlimited’ to promote further agricultural development, growth & investment*
- *Work with the Irrigation Technologies*
- *Cluster and industry to promote on-farm efficiencies through irrigation technologies*
- *Continue to engage the other levels of government in relation to water reform, to ensure that the long term interests of the Goulburn Valley are protected and enhanced”*

c) Other strategic links

No other strategic links have been identified.

Attachments

Tables of Recommendations

Copy of G-MW letter

Lot size and dwelling analysis

Draft revised MSS documentation and Schedule to the Farming Zone

MANAGEMENT REPORTS

6.12 Community Matching Grants 2011/12

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

The following Council officers and contractors have provided advice in relation to this report and have disclosed a conflict of interest regarding the matter under consideration:

- **Officers:** Council's Grants Officer, is a Board member of Uniting Care Cutting Edge and did not participate in any discussion relating to or the decision regarding allocation of funding to the application made by Strings of Harmony, which is a project in partnership with UnitingCare Cutting Edge.

Summary

The Community Matching Grants Scheme is an initiative funded through the Community Plan Implementation budget. The total amount of funding made available in the 2011/12 financial year was \$50,000. 32 applications were received to the scheme, and 16 projects were recommended for funding by a review panel. Council is asked to review and approve these recommendations for funding.

RECOMMENDATION

That the Council approve the recommendations made by the Grant Review Panel regarding funding from the 2011/12 Community Matching Grants Budget.

Background

The Community Matching Grant scheme is designed to support projects originating from the Greater Shepparton Community which:

- Build new social connections and partnerships within communities, or reinforce those that already exist
- Allow participation in a community activity, at all stages of the project from planning to completion
- Enable community members to acquire or develop a new skill
- Create, renew or revitalise places and spaces within the community

Each project is required to provide part of the total project cost, either through a cash or in-kind contribution. The scheme wishes to be as flexible as possible regarding matching funding so there are no concrete rules about the size of the matching contribution. As a guide, however it is anticipated that the group applying will contribute around half of the total project cost, with no more than half of the applicant's contribution being in-kind. The ability to provide financial and in-kind support to a project by the applicants is taken into account during the review process to ensure a fair distribution of grant funds. The application form, which contains more information on the scheme is attached.

Applications in the present round opened on March 26, and closed on April 23. 32 applications were received and considered at a meeting of the Grant Review Panel on May 10th. A cross department interim assessment team has been developed to improve the assessment of applications.

The panel recommended 17 applications should receive funding. These were reviewed at the May 21 Meeting of the Council Executive team. The recommendation of the panel was overruled for one project, where a greater amount of funding had been allocated to

MANAGEMENT REPORTS

6.12 Community Matching Grants 2011/12 (Continued)

the project from a different Council area. As such, 16 applications were endorsed by the Executive for approval of funding by the Council.

The following applications are recommended for funding under this round of the Community Matching Grants:

Organisation	Project	Allocation
Murchison Pre-school Incorporated	Secret Garden Project	\$2,500
Goulburn Valley Jumping Club	Tatura Indoor Show Jumping Classic Project	\$2,500
Goulburn Valley Congolese Association	Congolese Independence Day Celebration	\$800
Goulburn Valley South Sudanese Community Association Inc	Celebration of Independence Day	\$800
Congupna/Tallygaroopna LandCare Group	Repairing Pony Paddock Project	\$1,770
Congupna Social Tennis Club Group	Tennis Court Upgrade	\$2,500
Tallygaroopna Golf Club	Clubhouse Repairs	\$2,500
Mooroopna Education & Activity Centre	Labyrinth Project	\$970
Shepparton Camera Club	Art Program	\$2,500
Lions Club of Dookie (Auspice)	Rail Trail Picnic Shelter	\$2,500
Murchison Neighbourhood House	Safety Glass for playgroup	\$805
Gowrie Street Primary School	Upgrade to courts and signage	\$2,500
Strings of Harmony	Puppet Show	\$2,500
Caniambo CWA & Sheep Pen Creek LandCare	Celebration Dinner 'Year of the Farmer'	\$1,210
Lions Club of Dookie	Playground Equipment	\$2,500
Shepp Sounds	Shepp Sounds 2012	\$2,500

Risk Management

Potential exists for the unexpected to occur when projects are being carried out by community groups, such as projects taking longer to complete than anticipated, or costing more than budgeted for. All grantees will be required to consult fully with Council representatives prior to, and during their projects to identify any potential adverse consequences, and to devise a strategy to minimise any risks. Applicants have been asked to confirm that they have necessary public liability insurances for projects where activities are being undertaken by the Grantees themselves. This will be confirmed prior to release of any funds

MANAGEMENT REPORTS

6.12 Community Matching Grants 2011/12 (Continued)

Policy Implications

The Matching Grants scheme is consistent with Council's Policy on Community Plans, Policy on Community Engagement, and policy on Community Plan Implementation and is informed by Council's Community Engagement Strategy and Toolkit and the Greater Shepparton Community Development Framework.

Best Value Implications

Best value principles have been taken into account.

Financial Implications

Expenditure on this project comes from the Community Plan Implementation Budget, and is fully funded in the 2011/12 financial year. Total expenditure is \$31,355.

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 or other relevant legislation identified

Consultation

The scheme was advertised in the media leading up to its opening date, and two information sessions were held in Mooroopna, and one session in Congupna in May 2012, prior to the application closing date. Many organisations chose to discuss their proposal over the telephone, or by meeting with the Grants Officer in person, prior to submitting their application.

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

Strategic Links

a) Draft Greater Shepparton 2030 Strategy

No strategic links were identified

b) Council Plan

31 – Engage our community when making decisions

Adequately support and resource community engagement activities

C) Other strategic links

Community Development Framework 2010

Strategic Focus area 1: People

Establish a Matching Grants program to support community and neighbourhood initiatives

Attachment

Matching Grants Application Form

6. MANAGEMENT REPORTS

FROM THE ORGANISATIONAL PERFORMANCE BRANCH

6.13 2011/2012 Budget Key Strategic Activities

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 *Local Government Act 1989* (the Act) requires the Council to separately identify in its budget the Key Strategic Activities (KSA) to be undertaken during the financial year, along with performance targets and measures in relation to each KSA.

This report provides information for councillors and ratepayers on the status of each of these KSAs.

RECOMMENDATION

That the Council note the status of the Key Strategic Activities which were included in the 2011/2012 Council budget.

Background

The 2011/2012 Council budget separately identified eleven KSA across the six strategic objectives outlined in the Council Plan 2009-2013. These KSA, the targets and measures set for them and their status as the Council approaches the end of the 2011/2012 financial year are contained in the attached table.

Council has successfully achieved the majority of its KSA targets, with the following exceptions:

1. Implement recommendations from the Housing Strategy (awaiting Ministerial approval)
2. Adopt an Environment and Sustainability Strategy (changed scope and resourcing issues)
3. Complete detailed design for Stage 2 of GV Link (contractual issues)

All KSAs which were not able to be completed in the 2011/2012 financial year will continue to be progressed in 2012/2013.

Risk Management

No risks were identified in relation to this report. While the Council does not have a statutory obligation to report performance against KSA to a Council meeting, it is considered best practice to do so.

Policy Implications

There are no known conflicts with any Council policy.

Best Value Implications

There are no Best Value implication to this report.

Financial Implications

The KSAs included in the 2011/2012 Council budget were all funded within that budget.

6. MANAGEMENT REPORTS

6.13 2011/2012 Budget Key Strategic Activities (Continued)

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

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

Legal/Statutory Implications

There are no known legislative implications.

Consultation

The 2011/2012 Council budget, which includes the KSAs was subject to extensive public consultation prior to its adoption on June 2011. Council Officers responsible for each of the identified KSA were consulted in the preparation of this report.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

No strategic links were identified

b) Council Plan

The KSAs link directly to the following strategies in the Council Plan:

Strategic Objective: Settlement and Housing

Objective 1 and Objective 3

Strategic Objective: Community Life

Objective 6 and Objective 7

Strategic Objective: Environment

Objective 17 and Objective 19

Strategic Objective: Economic Development

Objective 21

Strategic Objective: Infrastructure

Objective 27

Strategic Objective: Council Organisation and Management

Objective 30

c) Other strategic links

No other strategic links have been identified.

Attachment

2011/2012 Budget Key Strategic Activities

6. MANAGEMENT REPORTS

6.14 Congupna Recreation Reserve & 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 15 June 2010, thirteen members were appointed to the Congupna Recreation Reserve & 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 Congupna Recreation Reserve & Community Centre Committee of Management was placed in the Shepparton News on Friday 30 March 2012 and Thursday 5 April 2012. Letters were sent to the thirteen committee members whose membership was due to expire, encouraging them to reapply.

Seven nomination forms were received to form the Congupna Recreation Reserve & Community Centre Committee of Management.

RECOMMENDATION

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

Carolyn ALLEN
Stephen ALLEN
Chris DRUM
Heath DRUM
Helen JACKSON
Geoff JACOBSON
Karyn WOODS.

Background

At the Ordinary Council Meeting held on 15 June 2010, thirteen members were appointed to the Congupna Recreation Reserve & 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 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

6.14 Congupna Recreation Reserve & 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.

6. MANAGEMENT REPORTS

6.15 Caniambo Hall Committee of Management

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

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

Summary

At the Ordinary Council Meeting held on 15 June 2010, ten members were appointed to Caniambo Hall 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 Caniambo Hall was placed in the Shepparton News on Friday 30 March 2012 and Thursday 5 April 2012. Letters were sent to the ten committee members whose membership was due to expire, encouraging them to reapply.

Ten nomination forms were received to form the Caniambo Hall Committee of Management.

RECOMMENDATION

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

Lionel GIBBS
Wesley GIBBS
Shirley KEAT
Ronald KEAT
Douglas MASON
Colin MASON
Raelene MASON
Jeff WALL
Ivan FREDERICK
Richard WALL

Background

At the Ordinary Council Meeting held on 15 June 2010, ten members were appointed to the Caniambo Hall for a two year term. The appointment of these members are about to expire and it is now necessary to fill 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

6.15 Caniambo Hall 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.

6. MANAGEMENT REPORTS

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

Summary

At the Ordinary Council Meeting held on 15 June 2010, seven members were appointed to the Murchison Community Centre Committee of Management for a two year term. The appointment of these members has expired and it is necessary to appoint a new committee.

An advertisement calling for applications for membership of the Murchison Community Centre Committee of Management, comprising between five and 11 members was placed in the Shepparton News on Friday 30 March and Thursday 5 April 2012. Letters were sent to the seven committee members whose membership is due to expire, encouraging them to reapply.

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

Bruce BRISBANE
Tino CATANIA
Ian MACULAY
Martyn MORRIS
Fiona NEWTON.

Background

At the Ordinary Council Meeting held on 15 June 2010, seven members were appointed to the Murchison Community Centre Committee of Management for a two year term. The appointment of these seven members has to expired and it is necessary to appoint a new 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 Council Policy.

Best Value Implications

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

Financial Implications

There are no financial implications associated with this proposal.

6. MANAGEMENT REPORTS

6.16 Murchison Community Centre Committee of Management (Continued)

Charter of Human Rights and Responsibilities 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. Public notices were placed in the Shepparton News on Friday 30 March and Thursday 5 April 2012 calling for applications from interested community members. Flyers were also placed at the local general store.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

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

c) Other strategic links

No other strategic links have been identified.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.17 Dhurringile 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 18 May 2010, eight members were appointed to the Dhurringile 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 Dhurringile Recreation Reserve and Community Centre Committee of Management was placed in the Shepparton News on Friday 30 March 2012 and Thursday 5 April 2012. Letters were sent to the eight committee members whose membership was due to expire, encouraging them to reapply.

Eight nomination forms were received to form the Dhurringile Recreation Reserve and Community Centre Committee of Management.

RECOMMENDATION

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

Tony McCARTHY
Keith SMITH
Evelyn SMITH
Martin BAUMBER
Jennifer BANNISTER
Mark BRISBANE
Frank NIGLIA
Stephen CHESSELLS

Background

At the Ordinary Council Meeting held on 18 May 2010, eight members were appointed to the Dhurringile 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.

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

6.17 Dhurringile Recreation Reserve and Community Centre Committee of Management (Continued)

Best Value Implications

There are no best value implications associated with this proposal.

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. Public notices were placed in the Shepparton News on Friday 30 March and Thursday 5 April 2012 calling for applications from interested community members.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

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

c) Other strategic links

No other strategic links have been identified.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.18 2012 Auspoll Community Satisfaction Measurement Survey Results

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

In April 2012 Greater Shepparton City Council conducted its third Auspoll Survey since 2009. The report benchmarks key result areas against local government across Victoria and against Councils 2010 results. 360 residents choose to participate in the survey which represents a 95% confidence in the statistical validity of the results. Councils overall performance has declined by 6.6% since 2010 in the view of the community.

RECOMMENDATION

That the Council receive and note the report.

Background

The Auspoll Community Satisfaction Measurement Survey offers Council a powerful means of monitoring its performance. This year this has been particularly important as the DCPD Community Satisfaction Survey has been revamped and delayed in its implementation.

Overall the City of Greater Shepparton community's satisfaction with our services has declined from a 61 point satisfaction rating to 57 since 2010ⁱ. This is a decline of 6.6%.

Of specific concern is the significant decline in corporate image (declining by 10 points). The overall corporate service score has declined since 2010, shifting from 61 to 55 meaning it remains lower than the rural Victorian average score of 63ⁱⁱ.

The service areas where council is performing strongly in terms of achieving high satisfaction levels included:

- Cultural and Community Services
- Waste Management
- Home Care Services
- Sporting Services

The service areas that presented particularly low satisfaction levels and require the most urgent attention included:

- Engineering Services
- Traffic Services
- Planning and Building
- Economic Development
- Information Services

6. MANAGEMENT REPORTS

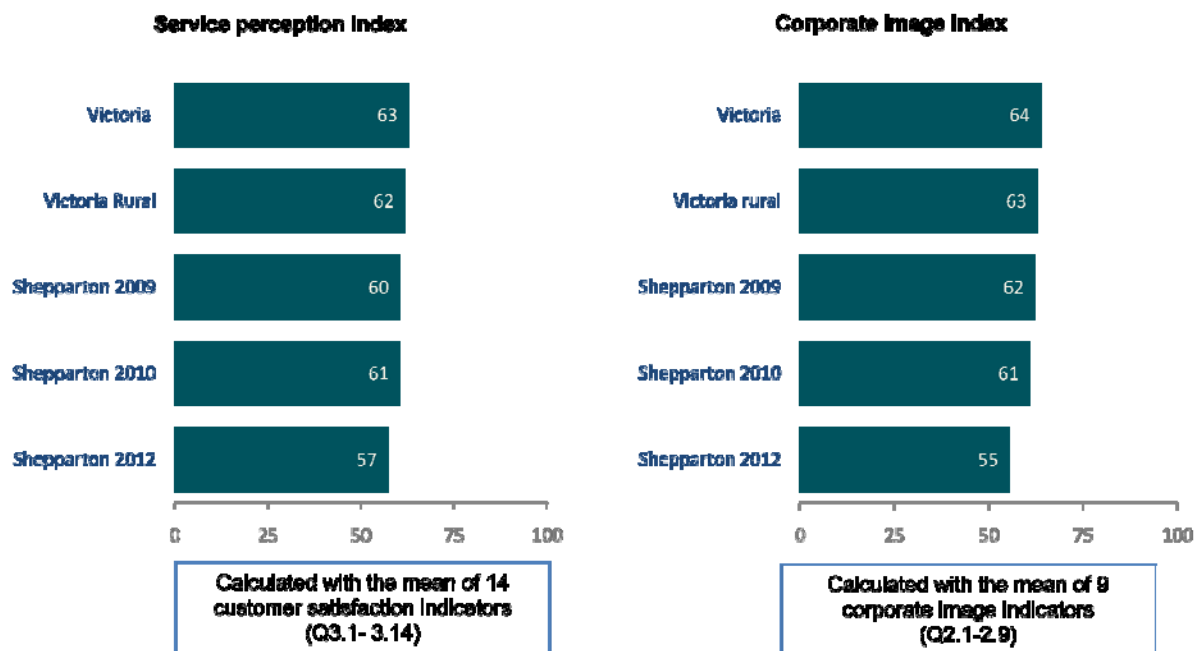
6.18 2012 Auspoll Community Satisfaction Measurement Survey Results (Continued)

Table A

Auspoll Survey Results 2009 – 2012

	2009	2010	2012	Change
Overall Performance	61	61	57	-6.6%
Information Services	55	54	49	-9.3%
Home care	71	69	66	-4.3%
Cultural Services	73	74	73	-1.4%
	2009	2010	2012	Change
Children and Family	65	62	56	-9.7%
Public Health	61	57	59	3.5%
Sporting Services	64	68	65	-4.4%
Public open spaces	57	61	62	1.6%
	2009	2010	2012	Change
Traffic Services	56	58	52	-10.3%
Waste Management	66	69	66	-4.3%
Amenity	63	61	59	-3.3%
Economic Development	61	60	51	-15.0%
Building and planning	53	55	52	-5.5%
Engineering services	48	43	37	-14.0%
Conservation	53	57	56	-1.8%

Table B



6. MANAGEMENT REPORTS

6.18 2012 Auspoll Community Satisfaction Measurement Survey Results (Continued)

Risk Management

This report would not be a risk in itself. Benchmarking and measuring the satisfaction levels of the community ensures that areas for improvement are identified and addressed early, prior to becoming a risk.

Policy Implications

Policy may be impacted and informed by the perception and views expressed by the Community. The survey provides us with a measurement of how our performance is perceived and offers Council the opportunity to affect change.

Best Value Implications

The best value principles in the Local Government Act 1989 will need to be considered when plans to address areas of concern are being developed.

Financial Implications

The Auspoll Community Satisfaction Research Survey was budgeted for in the 2011/12 financial year at a cost of \$26,000.

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

2600 residents were randomly invited to participate in the survey, with 360 providing a response and opting to participate. The demographic spread was balanced between age, gender and locality.

Strategic Links

a) Greater Shepparton 2030 Strategy

Whilst there are no direct linkage to the 2030 Strategy, understanding Councils current performance allows for adjustments to be made to ensure that we are striving towards the strategy's defined in the 2030 document.

b) Council Plan

Greater Shepparton Council Plan and Strategic Resource Plan 2009-2013. 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.

Understanding our community's perception of Councils performance links directly to the Council plan, in particular to item 31 and 33. Both of which are centred on understanding and engaging with the community.

c) Other strategic links

The facilitation of the Auspoll Community Satisfaction Survey is an action that defined in the People Culture and Development branch plan.

Attachment

Community Satisfaction Survey Auspoll 2012

7. TABLED MOTIONS

8. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

9. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

10. NOTICES OF MOTION, AMENDMENT OR RESCISSION

11. DOCUMENTS FOR SIGNING AND SEALING

Documents for Signing and Sealing

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

Council awarded the contract for the installation of a culvert under the Toolamba – Echuca Railway at a Special Council meeting on 03 May 2011. The sum in the recommendation was shown as \$526,511 including GST. This amount is incorrect. The correct amount is \$526,511 plus 10 per cent GST, or \$579,162.10 including GST.

This report requires that the contract award sum be amended, to correct this administrative error, to \$579,162.10 including GST.

RECOMMENDATION

That the Council authorise the Chief Executive Officer to:

1. Accept the tender submitted by Coleman Rail P/L of Port Melbourne Victoria 3207 for Contract No. 1328 Construction of Culvert under Rail Line at Tatura for the Lump Sum price of \$579,162.10 (including GST.)
2. Sign and seal the contract documents.

12. COUNCILLOR ACTIVITIES

12.1 Councillors' Community Interaction and Briefing Program

From 23 March to 29 May, some or all of the Councillors have been involved in the following activities:

- RiverConnect Festival - Victoria Park Lake – Riverside
- Goulburn Valley Tree Group Annual Dinner
- Community Floods BBQ - Katandra West
- Councillor Briefing and SDS – Tuesday 1 May
- Community consultation session - North Shepparton entrance works
- Women's Wonderland Pampering Day
- Sam Jinks Exhibition Media Preview
- Goulburn Valley North Eastern Region Strategic Issues - Mansfield
- Community Floods BBQ - Tallygaroopna

12. COUNCILLOR ACTIVITIES

12.1 Councillors' Community Interaction and Briefing Program (Continued)

- Sam Jinks Opening of Exhibition
- Dinner with Fairley Foundation
- Shepparton Brass Band
- Meeting regarding Sister City/Staff Exchange program with Toyake City
- Meeting - Volunteer Awards
- CEO Summit | Philanthropy
- Legacy - Annual Luncheon – Shepparton RSL
- Councillor Briefing and SDS – Tuesday 8 May
- Modules 1&2 - Company Directors Course - Australian Institute of Company Directors, Melbourne
- Interview with Ash Gardner - Weeknights - Regional Living Expo follow up
- Meeting with Shepparton Chamber of Commerce
- Yorta Yorta Nation Aboriginal Corporation - MOU Meeting
- Mothers Day event Meeting
- Older Person's Advisory Committee meeting
- Heritage Advisory Committee meeting
- Disability Advisory Committee meeting
- Councillor Briefing and SDS – Tuesday 15 May
- Ordinary Council meeting – Tuesday 15 May
- Mayor & Councillors gathering
- Tatura Park Advisory Group Meeting
- Volunteer Awards Day and presentation
- Shepparton Art Museum Advisory Committee Meeting
- Shepparton Show Me Committee Meeting
- 2012 Water Technology Cluster Irrigation Expo – Shepparton Showgrounds
- 3SR FM – Radio Interview
- Murray Slee Pavilion
- Launch of the 'Kathleen McBain' Oncology Room
- Municipal Emergency Management Plan (MEMP) Committee Meetings
- GV PCP Finance Committee
- Victorian Catchment Management Council Interview
- Regional Arts Victoria launch – Ted Baillieu
- Opening of Western Shelter & Grand Stand Meeting Room – Deakin Reserve
- Annual Shepparton Orchid Show
- Kaiela Institute - Board Meeting
- Councillor Briefing and SDS – Tuesday 22 May
- 2012/2013 Draft Budget - Community Information Session – Shepparton
- 2012/2013 Draft Budget - Community Information Session – Tatura
- Word and Mouth and Council Partnership discussions
- Shepparton Access Foundation
- Pest versus the Rest - Environmental Field Day
- ABC Statewide interview
- Worksafe - Board & Senior Managers Dinner
- RiverConnect Implementation Advisory Committee Meeting
- Mooroopna Cenotaph
- 'Polish' program – Mooroopna Secondary College
- Practising Sovereignty Seminar
- Minister Wendy Lovell visit

12. COUNCILLOR ACTIVITIES

12.1 Councillors' Community Interaction and Briefing Program (Continued)

- La Trobe University - Tertiary Enabling Program
- Goulburn Valley Interleague Football luncheon
- RiverConnect Presenting at Fairley Leadership Day
- Sorry Day Ceremony

Councillors were also briefed on the following matters:

- Onsite Meeting & Tour of Shepparton Showgrounds
- GV Hockey Association
- Discussion of 2012-2013 draft budget documents
- Tatura Milk Industries - C151 Report
- 2 Hour Car Parking Review
- Huggard Drive Mooroopna
- Draft 2012-2013 Budget Questions
- CT Management - Organisation Scan
- LEAD Training for Councillors
- Rumbalara Health Service - Official Opening
- Budget - 2012/2013 Draft Budget - Community Information Session
- A Future with Less Water project
- Draft Youth Strategy and Action Plan 2012-2015
- Community Safety Update
- Temporary Car Park

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, briefing program and attached records of assemblies be received.

Attachments

Assemblies of Councillors Records:

- Disability Advisory Committee – 23 March 2012
- Older Persons Advisory Committee – 13 April 2012
- RiverConnect Implementation Advisory Committee Meeting – 18 April 2012
- Shepparton Art Museum - Advisory Committee Meeting – 18 April 2012
- Short Discussion Session – 23 April 2012
- Short Discussion Session – 1 May 2012
- Short Discussion Session – 8 May 2012
- Short Discussion Session – 15 May 2012
- Shepparton Art Museum - Advisory Committee Meeting – 16 May 2012
- Greater Shepparton Safe Communities Advisory Committee – 17 May 2012
- Women's Charter Alliance Advisory Committee Meeting – 21 May 2012
- Councillor Briefing – 22 May 2012
- Councillor Briefing – 29 May 2012

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 – Report Attachments

RECOMMENDATION

In accordance with section 77(2)(b) of the *Local Government Act 1989* (the Act) the Council designates as confidential all documents used to prepare the following agenda items and designated by the Chief Executive Officer or his delegate in writing as confidential under section 77(2)(c) of the Act. These documents relate to contractual matters, which is a relevant ground applying under section 89(2)(d) of the Act:

- 6.1 Contract No. 1368 – Vibert Reserve Pavilion Stage 2
- 6.8 Contract No. 1370 – Shepparton/Mooroopna Flood Mapping and Flood Intelligence Project

15.2 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.

15.3 Purchase of Property

15.4 Reopening of the Council Meeting to Members of the Public