

AGENDA

FOR THE
GREATER SHEPPARTON CITY COUNCIL

SPECIAL COUNCIL MEETING

TO BE HELD ON
TUESDAY 19 JUNE 2012
AT 4.00PM

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
SPECIAL COUNCIL MEETING
TO BE HELD ON
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CHAIR
CR MICHAEL POLAN

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PRESENT:

1. APPOINTMENT OF ACTING MAYOR

The Chief Executive officer will facilitate the appointment of an Acting Mayor in accordance with section 73(3) of the *Local Government Act 1989*.

RECOMMENDATION

That the Council appoints a Councillor to the position of Acting Mayor for the duration of this meeting.

2. 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”.

3. APOLOGIES

4. MANAGEMENT REPORTS

FROM THE CORPORATE SERVICES DEPARTMENT

4.1 The Hearing of a submission on Discontinuance of Crown roads abutting Kialla West Cemetery

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

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

Summary

At the Ordinary Council Meeting held on 20 March 2012, Council resolved to give notice of its intent to discontinue three unmade Crown road reserves which abut the Kialla West Cemetery and consider any submissions. The public notice period closed on Friday 27 April 2012. Two submissions were received with one requesting to be heard by Council.

The submissions were by adjoining land owners who proposed that the roads may be required for public use in the future.

RECOMMENDATION

That standing orders be suspended to allow the submitter to be heard.

Presentation from the Principal of Kialla West Primary School

RECOMMENDATION

That standing orders be resumed.

RECOMMENDATION

That the Council, having publicly advertised its intent to discontinue three unmade Crown road reserves which abut the Kialla West Cemetery:

1. receive and note all written submissions
2. receive and note the presented submission
3. consider whether or not to proceed with the closure of any of the crown roads at the Ordinary Council Meeting to be held on Tuesday 21 August 2012.

Background

The Council received Ministerial consent to formally discontinue three crown roads abutting the Kialla West Cemetery. The Crown roads are unused roads and were not considered to be required for road use into the future. The proposed discontinuance was advertised in the Shepparton News on 30 March 2012 and two submissions were received.

Submissions

A submission was received from a farmer abutting the cemetery to the east. He advised

4. MANAGEMENT REPORTS

4.1 The Hearing of a submission on Discontinuance of Crown roads abutting Kialla West Cemetery (Continued)

that he required access to his land and he objected to the closure of the three roads. This has been further investigated and it has been ascertained that closure of the road on the eastern boundary of the cemetery will allow the farmer to retain his access to the south and north.

A second submission was received from the principal of the Kialla West Primary School who has objected mainly on the grounds of traffic congestion during funerals and school drop-offs, and lack of parking for parents. The submission states that if the three roads were constructed, then parents could travel on those roads in a loop to drop their children off at school, thus alleviating congestion.

Goulburn-Murray Water have a channel constructed on the western road reserve that is a major channel servicing a significant number of properties. Goulburn-Murray Water and NVIRP have advised that there are no short or medium terms plans to remove the channel and have indicated that the channel will more than likely still be there in 10-20 years. Construction of the roads would be expensive and benefits would be restricted by the presence of the channel and the additional travel distance imposed on parents

Kialla West Cemetery currently has on average 1 interment per year, with funeral times generally avoiding school drop off and pick up times, eliminating any associated congestion.

Risk Management

A risk assessment was undertaken prior to seeking Council's approval to advertise this proposal publicly. The assessment identified mostly positive outcomes and there was no unacceptable risk identified. One risk that was identified was the adjoining land owners opposing the loss of land for their use, although that use was not licensed. The objector on behalf of the school will be heard by Council, which will enable Council to consider the matter.

Policy Implications

The proposed discontinuance of the unused crown roads and consolidation with the Kialla West Cemetery does not conflict with any Council policies.

Best Value Implications

Not applicable.

Financial Implications

As the land would be retained by the crown there would be no transfer, stamp duty or purchase costs.

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

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

Legal/Statutory Implications

This road discontinuance procedure is being undertaken in compliance with the Local Government Act 1989. Section 206 Clause 3 of Schedule 10 provides the Council with the power to discontinue a road. The road belongs to the Crown and upon

4. MANAGEMENT REPORTS

4.1 The Hearing of a submission on Discontinuance of Crown roads abutting Kialla West Cemetery (Continued)

discontinuance will remain the property of the Crown and will be consolidated with the title to Kialla West Cemetery.

Consultation

The proposal was discussed with the Kialla West Cemetery Trust at its meeting on 12 September 2011 and the trust secretary was authorised to proceed with the proposal. Advertising and public consultation has been undertaken and objector's concerns considered. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

This proposal is consistent with this document. The strategic objective Embrace and Strengthen Cultural Harmony and diversity, supports the direction to "Ensure Council activities support and enhance its reputation for cultural harmony and inclusiveness". By supporting this proposal, the Council is ensuring the sufficient land will be available to consider the requests to accommodate the needs of different cultures in providing separate areas for burial.

c) Other strategic links

No other strategic links have been identified.

4. MANAGEMENT REPORTS

4.2 2012/2013 Draft Budget – Hearing of section 223 Submissions

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 Tuesday 15 May 2012, the Council resolved to adopt and advertise its proposed budget and to call for submissions under Section 223 of the *Local Government Act 1989*. The public notice period closed at 5.00pm Wednesday 13 June 2012. A total of twenty two submissions were received in the period of public display with seven of those requesting to be heard by Council.

Submissions ranged in content however generally contained the following themes:

- Council should focus on cutting costs before increasing rates
- Current level of rates are unsustainable, with support for Council to provide further rate relief to the commercial and industrial sectors in the 2012/2013 year
- Further attention be directed towards farm zone and residential properties impacted by planning changes
- Support for residential rates to be decreased
- Support for review of rating strategy in 2012/0213
- Support for Shepparton Show Me Levy to be removed
- Support for accessible change facilities in the CBD
- Increased signage at Victoria Park Lake
- Further lighting at Victoria Park Lake along the south west side
- Reduced parking fees in CDB to promote revitalisation of CBD
- Further attention given to smaller towns across the municipality
- Cleaning to be improved around the town

RECOMMENDATION

That standing orders be suspended to allow submitters to be heard.

Council to hear presentations from seven submitters.

RECOMMENDATION

That standing orders be resumed.

RECOMMENDATION

That Council resolve to:

1. receive and note the submissions in response to the public advertisement of the 2012/2013 draft budget.
2. hear those who wish to be heard in support of their written submission
3. formally consider all received submissions and the adoption of the 2012/2013 Budget at a Special Council meeting to be held on Tuesday 26 June at 1.00pm.

4. MANAGEMENT REPORTS

4.2 2012/2013 Draft Budget – Hearing of section 223 Submissions (Continued)

Background

In accordance with the requirements of the Local Government Act, Council is required to give "public notice" that it intends to adopt a budget. The draft budget document must be made available for inspection at its offices and on its website for a period of 28 days and submissions invited from members of the public.

Council at its ordinary meeting held on Tuesday 15 May 2012 resolved to advertise its proposed budget and to call for submissions under Section 223 of the *Local Government Act 1989*. The public notice period closed at 5.00pm Wednesday 13 June 2012.

Risk Management

A well planned budget will reduce the risk that Council will not be able to provide the services expected and required by the community. Council is required under section 130 of the *Local Government Act 1989*, to adopt a budget each year.

Policy Implications

There are no conflicts with Council policy. The budget resources the Council Plan to enable the outcomes in the Council Plan to be achieved, including Council policies.

Best Value Implications

The budget is prepared and presented using the model budget developed by The Institute of Chartered Accountants in Australia in conjunction with the Municipal Association of Victoria, Local Government Financial Professionals and Local Government Professionals. Most Victorian Councils use this model budget and this provides readers of the budget with the ability to compare with other Councils.

Financial Implications

As part of the section 223 consultation process, those submitting to the 2012/2013 draft budget can elect to be heard by the Council. All received submissions will be considered by the Council formally at a Special Council Meeting to be held Tuesday 26 June at 1.00pm. Financial implications as a result of the Council considering submissions are unknown at this point.

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 2012/2013 draft budget is consistent with and conforms with all requirements of the Local Government Act 1989 or any other relevant legislation.

Consultation

The 2012/2013 draft budget has been prepared using the current Council Plan and associated priorities and the long term strategic financial plan as the basis for Council decision making during the budget setting process.

The Council on Wednesday 16 May 2012, placed the statutory public notices in local newspapers advising the documents are available for inspection and that written submission are being sought in accordance with Section 223 of the *Local Government Act 1989*.

4. MANAGEMENT REPORTS

4.2 2012/2013 Draft Budget – Hearing of section 223 Submissions (Continued)

In addition to this statutory consultation a number of budget community forums were held as detailed below:

Shepparton RSL – 7pm to 9pm Tuesday 22 May 2012

Tatura Ballantyne Centre – 7pm to 9pm Wednesday 23 May 2012

Dookie Recreation Reserve – 7pm to 9pm Tuesday 29 May 2012

Murchison Community Centre – 7pm to 9pm Wednesday 30 May 2012

Merrigum Hall – 7pm to 9pm Tuesday 5 June 2012

Tallygaroopna Recreation Reserve – 7pm to 9pm Wednesday 6 June 2012

Mooroopna Hub – 7pm to 9pm Thursday 7 June 2012

It should also be noted that the 2012/2013 Draft Budget provides funding allocation and support for the nominated projects to proceed in both operational and capital works budgets, and where appropriate further community consultation will occur throughout the year specific to each project.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The 2012/2013 draft budget is linked to the *Greater Shepparton 2030 Strategy* via the Council Plan.

b) Council Plan

The 2012/2013 draft budget is linked to the council Plan by the funding of the Strategic Objectives contained in the Council Plan.

c) Other strategic links

No other strategic links have been identified.

Attachments

Nil.

5. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA