

AGENDA

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

TO BE HELD ON
TUESDAY 20 NOVEMBER 2012
AT 5.30PM

IN THE COUNCIL BOARD ROOM
90 WELSFORD STREET

COUNCILLORS:

Cr Jenny Houlihan (Mayor)
Cr Les Oroszvary (Deputy Mayor)
Cr Milvan Muto
Cr Dennis Patterson
Cr Michael Polan
Cr Kevin Ryan
Cr Fern Summer

VISION

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

A G E N D A
FOR THE
ORDINARY COUNCIL MEETING
TO BE HELD ON
TUESDAY 20 NOVEMBER 2012 AT 5.30PM

CHAIR
CR JENNY HOULIHAN

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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

In accordance with Sections 77A, 77B 78 and 79 of the Local Government Act Councillors are required to disclose a “conflict of interest” in a decision if they would receive, or could be reasonably perceived as receiving a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

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

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 16 October 2012 and the Special Council Meeting held on 9 November 2012, as circulated, be adopted.

5. DEPUTATIONS AND PETITIONS

Nil received at time of publishing.

RISK LEVEL MATRIX LEGEND

Note: A number of reports in this agenda include a section on “risk management implications”. The following table shows the legend to the codes used in the reports.

Likelihood	Consequences				
	Negligible (5)	Minor (4)	Moderate (3)	Major (2)	Catastrophic (1)
Almost Certain (A) Event expected to occur several times per year (i.e. Weekly)	Low	Moderate	High	Extreme	Extreme
Likely (B) Will probably occur at some stage based on evidence of previous incidents (i.e. Monthly)	Low	Moderate	Moderate	High	Extreme
Possible (C) Not generally expected to occur but may under specific circumstances (i.e. Yearly)	Low	Low	Moderate	High	High
Unlikely (D) Conceivable but not likely to occur under normal operations (i.e. 5-10 year period)	Insignificant	Low	Moderate	Moderate	High
Rare (E) Only ever occurs under exceptional circumstances (i.e. +10 years)	Insignificant	Insignificant	Low	Moderate	High

Extreme CEO’s attention immediately required. Possibly avoid undertaking the activity OR implement new controls

High Director’s attention required. Consider suspending or ending activity OR implement additional controls

Moderate Manager’s attention required. Ensure that controls are in place and operating and management responsibility is agreed

Low Operational, manage through usual procedures and accountabilities

Insignificant Operational, add treatments where appropriate

6. MANAGEMENT REPORTS

FROM THE INFRASTRUCTURE DIRECTORATE

6.1 Contract 1379: Supply and Delivery of Pre-Mix Concrete Within the City of Greater Shepparton

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

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

Council Officers involved in producing this report

Author: Manager Works

Proof reader(s): Director Infrastructure

Approved by: Director Infrastructure

Other: Procurement Advisor

Purpose

The purpose of this report is to provide information to Councilors so they can make an informed decision to:

- a) support the recommendation, or
- b) reject the recommendation, or
- c) defer a decision pending provision of further information, or
- d) select a contractor of their own choice

Why it is being presented

- a) The value of the contract exceeds the amount which can approved by Council's Chief Executive Officer under delegated authority,
- b) The value of the contract exceeds the tender thresholds stated in *Section 186 of the Local Government Act 1989 (amended 2007)*

RECOMMENDATION

That the Council:

1. Awards the tender for Contract 1379: "Supply and Delivery of Pre-Mix Concrete within the City of Greater Shepparton Municipality", to Boral Construction Materials, and E. B. Mawson & Sons Pty Ltd for a contract amount up to \$500,000 split across the supplier base.
2. Note that these tenderers will form a panel of suppliers under a Standing Offer Agreement based on schedule of rates to supply pre-mix Concrete to various sites within the Greater Shepparton Municipality.
3. Notes that the contract period will be for 12 months from the date Council receives a signed formal instrument of agreement and that there is no extension period allowed as part of this contract.
4. Authorise the Chief Executive Officer to sign and seal the contract documents.

6. MANAGEMENT REPORTS

6.1 Contract 1379: Supply and Delivery of Pre-Mix Concrete Within the City of Greater Shepparton (continued)

Contract Details

This panel contract is for supply and delivery of Pre-Mix Concrete for a period of 12 months based on a schedule of rates. The estimated contract commitment is \$500,000. Products are used for capital and maintenance works, generally for kerb, channel and footpaths. This contract is not subject to price adjustment.

Tenderers will be allocated orders based on product availability, price, and location to job site. Tenderers do vary in supply rates for both product and transport costs. The distance of a supplier's plant/depot to a particular job site can sometimes see the most expensive supplier deliver at cheaper cost than a competitor. This is the benefit of a Panel of Suppliers under a Standing Offer.

Tenders

Tenders were received from:

Tenderers
Boral Construction Materials
Country Concrete Vic Pty Ltd
E. B. Mawson & Sons Pty Ltd

Recommended Tenders:

Tenderers
Boral Construction Materials
E. B. Mawson & Sons Pty Ltd

Tenders Not Recommended

Tenderers
Country Concrete Vic Pty Ltd

Country Concrete has the highest priced product across all quantity categories. Country Concrete also has exceptionally high prices for amounts less than 1 cubic Metre. In addition they charge a very high short load rate. Many of our orders do fall within quantities of less than 3 cubic metres which would always attract a higher delivery price from Country Concrete. The panel considered that there would always be a cheaper option to supply Pre-Mix Concrete among the other two tendering companies.

6. MANAGEMENT REPORTS

6.1 Contract 1379: Supply and Delivery of Pre-Mix Concrete Within the City of Greater Shepparton (continued)

Tender Evaluation

Tenders have been evaluated using the below criteria (Evaluation Criteria) to supply Best Value to Council.

Tenders were evaluated by:

Title	Branch
Manager Works	Works
Team Leader Finance	Finance
Coordinator Concrete	Works

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
The following criteria was applied to the tender; <ul style="list-style-type: none"> • Compliance with the Tender Specifications • Technical Compliance (IPRO Live Registered and pre-approved) • Price • Timely Delivery • Referees 	Yes/No – if no Tender is not accepted Yes/No – if no Tender is not accepted 80% 10% 10%

Council Plan/Key Strategic Activity

Council Plan and Strategic Resource Plan 2009-2013 Plan number 16.PLA1
 Infrastructure strategies

Item No. 28 - Provide affordable and Sustainable Community Infrastructure

Our community enjoys a high standard of infrastructure, which need to be maintained at a standard acceptable to the community

6. MANAGEMENT REPORTS

6.1 Contract 1379: Supply and Delivery of Pre-Mix Concrete Within the City of Greater Shepparton (continued)

Risk Management

A Risk assessment has been performed and risk levels are indicated below. Insignificant to low risks have been identified.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Completion of works with the ability to supply product.	E	3	Low	Since this is panel contract an alternate supplier can be selected.
Increase or decrease in price of the product.	C	5	Low	Panel contractors have supplied rates as part of selection process. Panel creates competition among the suppliers and provide choice to select.
Timely delivery of products.	C	5	Low	Panel of Suppliers means Council can select best performing supplier for Council's works
Quality of product delivered is not appropriate and according to specification.	C	5	Low	Product must meet required specifications as designated by VicRoads and Council IDM. Council is under no obligation to accept inferior product.
Supplier has all relevant Insurance & documentation to cover (Certificate of Currency) their staff and machinery	E	5	Insignificant	This contract requires suppliers to pre-register with IPRO Solutions

Policy Considerations

Procurement policy has been considered. There are no conflicts with current Council policies.

6. MANAGEMENT REPORTS

6.1 Contract 1379: Supply and Delivery of Pre-Mix Concrete Within the City of Greater Shepparton (continued)

Financial Implications

Supply under the contract will be funded Council's roads maintenance programme and the Roads to Recovery funding.

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$0	\$0	\$0	Supply under the contract will be funded through Council's footpath/shared path and drainage maintenance programme and the Roads to Recovery funding
Expense	\$500,000.00	\$500,000.00	\$0.00	
Net Result	\$0	\$0	\$0	

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

Positive Impacts

- The products supplied under this contract will be used for maintenance of Council's roads infrastructure network. Pre Mix Concrete supplied under this contract is generally used for kerb, channel and footpath works. The outcome results in sustainability of key infrastructure that is essential for the social and financial wellbeing of the Municipality.

Negative Impacts

- We note that production of this product has a high environmental impact. This is mitigated as much as possible through the use of modern batching plant technologies and methods and through sourcing product from as near to the job site as possible.

Strategic Links

a) Greater Shepparton 2030 Strategy

The proposal supports the principals of the Greater Shepparton 2030 Strategy. The required works are in accordance with the GS2030 Strategy under Infrastructure, Urban Rural Services, Objective 1 – To provide sustainable infrastructure to support the growth and development of the municipality.

b) Other strategic links

Nil

6. MANAGEMENT REPORTS

6.1 Contract 1379: Supply and Delivery of Pre-Mix Concrete Within the City of Greater Shepparton (continued)

Options for Consideration

1. Do Nothing

(Withdraw the tender)

Positives

- Available funds and resources can be utilised elsewhere

Negatives

- Existing assets would not be maintained to a standard that is acceptable to the public.
- Allowing significant footpath and kerb and channel infrastructure degradation increases future costs to Council
- Frequent complaints from members of the public may lead to damage of Council's reputation
- Increases the risk of vehicular and pedestrian accidents as well as public safety.
- Increases risk of water damage to assets or flooding
- A large portion of the funding for this project is from a Federal Government source and this may be withdrawn if not utilised for its intended purpose

2. Proceed with the contract

Positives

- Assets will be maintained to high standard resulting in community expectations being met and or exceeded
- Council secures the supply of materials for footpath and drainage infrastructure maintenance and upgrades into the future
- Footpaths, kerbs and channels would be maintained in a condition that ensures public safety and access.

Negatives

There will be some disruption to the public while works are being carried out.

Conclusion

This is panel contract. The recommendation is that E.B Mawson's and Sons Pty Ltd and Boral Construction Materials are appointed to the panel as both tenderers can supply products more cost effectively than the other in some circumstances. This is due to the location of the batching plants in relation to the specific work sites and availability of product and transport considerations at the time of order.

Attachments

Nil

6. MANAGEMENT REPORTS

6.2 Contract 1380: Supply and Deliver of Hill Gravel, Crushed Rock and Sealing Aggregate

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

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 Works

Proof reader(s): Director Infrastructure

Approved by: Director Infrastructure

Other: Procurement Advisor

Purpose

The purpose of this report is to provide information to Councilors so they can make an informed decision to:

- a) support the recommendation, or
- b) reject the recommendation, or
- c) defer a decision pending provision of further information, or
- d) select a contractor of their own choice

Why it is being presented

- a) The value of the contract exceeds the amount which can be approved by Council's Chief Executive Officer under delegated authority,
- b) The value of the contract exceeds the tender thresholds stated in *Section 186 of the Local Government Act 1989 (amended 2007)*

RECOMMENDATION

That the Council:

1. Awards the tender for Contracts 1380: "Supply and Delivery of Hill Gravel, Crushed Rock and Sealing Aggregate", to Boral Construction Materials, Norville Nominees T/A Redstone Crushing, and E. B. Mawson & Sons Pty Ltd for a contract amount up to \$3,000,000 split across the supplier base.
2. Note that these tenderers will form a panel of suppliers under a Standing Offer Agreement based on schedule of rates to supply hill gravel, crushed rock and sealing aggregate to various sites within the Greater Shepparton City Council Municipality.
3. The contract period will be for 12 months from the date Council receives a signed formal instrument of agreement and that there is no extension period allowed as part of this contract.
4. Authorise the Chief Executive Officer to sign and seal the contract documents.

6. MANAGEMENT REPORTS

6.2 Contract 1380: Supply and Deliver of Hill Gravel, Crushed Rock and Sealing Aggregate (continued)

Contract Details

This panel contract is for Supply and Delivery of Hill Gravel, Crushed Rock and Sealing Aggregate for a period of 12 months based on a schedule of rates. The estimated contract commitment is \$3,000,000. Products are used in delivering Council's capital and maintenance road works. Supplier prices are fixed for the contract period.

The successful tenderers will be allocated orders based on product availability, price, and location of their quarry to a particular job site. Tenders do vary in supply rates for both their product and transport costs. The distance of a suppliers quarry to a particular job site can sometimes see the most expensive supplier deliver at cheaper cost than a competitor. This is the benefit of a Panel of Suppliers under a Standing Offer.

Tenders

Tenders were received from:

Tenders Received
Boral Construction Materials
Lima South Quarry Pty Ltd
Norville Nominees T/A Redstone Crushing
Global Contracting Pty Ltd
E. B. Mawson & Sons Pty Ltd

Recommended Tenders

Recommended Tenders
Boral Construction Materials
Norville Nominees T/A Redstone Crushing
E. B. Mawson & Sons Pty Ltd

Tenders Not Recommended

Tenders Not Recommended
Lima South Quarry Pty Ltd
Global Contracting Pty Ltd

It is not recommended that Council enters a contract with Global Contracting Pty Ltd or Lima South Quarry Pty Ltd due the distance of their quarries from the municipality. While some of the product rates supplied from these two companies are competitive, it can be demonstrated that their transport costs to get product to the nearest possible work sites are more expensive than Boral, Mawsons or Norville. As such it is unlikely we would ever require them to supply product. Council should limit contracts to those companies we are sure we will utilise, who will be competitive, given relative distance to a road location that is being improved or maintained, within the Municipality, at a particular time.

6. MANAGEMENT REPORTS

6.2 Contract 1380: Supply and Deliver of Hill Gravel, Crushed Rock and Sealing Aggregate (continued)

Tender Evaluation

Tenders have been evaluated using the below criteria (Evaluation Criteria) to supply Best Value to Council.

Tenders were evaluated by:

Title	Department
Manager Works	Works
Team Leader Finance	Finance
Coordinator Sealed Roads	Works

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
The following criteria was applied to the tender;	Yes/No – if no Tender is not accepted
<ul style="list-style-type: none"> Compliance with the Tender Specifications 	Yes/No – if no Tender is not accepted
<ul style="list-style-type: none"> Technical Compliance (IPRO Live Registered and pre-approved) 	Yes/No – if no Tender is not accepted
<ul style="list-style-type: none"> Price 	80%
<ul style="list-style-type: none"> Timely Delivery 	10%
<ul style="list-style-type: none"> Referees 	10%

Council Plan/Key Strategic Activity

Council Plan and Strategic Resource Plan 2009-2013 Plan number 16.PLA1
 Infrastructure strategies

Item No. 28 - Provide affordable and Sustainable Community Infrastructure

Our community enjoys a high standard of infrastructure, which need to be maintained at a standard acceptable to the community.

6. MANAGEMENT REPORTS

6.2 Contract 1380: Supply and Deliver of Hill Gravel, Crushed Rock and Sealing Aggregate (continued)

Risk Management

A Risk assessment has been performed and risk levels are indicated below. Insignificant to Low risks have been identified.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Completion of road works with the ability to supply product.	E	3	Low	Since this is panel contract an alternate supplier can be selected.
Increase or decrease in price of the product.	C	5	Low	Panel contractors have supplied rates as part of selection process. Panel creates competition among the suppliers and provide choice to select.
Timely delivery of products.	C	5	Low	Panel of Suppliers means Council can select best performing supplier for Council's works
Quality of product delivered is not appropriate and according to specification.	C	5	Low	Product must meet required specifications as designated by VicRoads. Council is under no obligation to accept inferior product.
Supplier has all relevant Insurance & documentation to cover (Certificate of Currency) their staff and machinery	E	5	Insignificant	This contract requires suppliers to pre-register with IPRO Solutions

Policy Considerations

Procurement policy has been considered. There are no conflicts with current Council policies.

6. MANAGEMENT REPORTS

6.2 Contract 1380: Supply and Deliver of Hill Gravel, Crushed Rock and Sealing Aggregate (continued)

Financial Implications

Supply under the contract will be funded through allocations to Council's roads maintenance programme, the Roads to Recovery fund from Federal Government and Council fund.

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$0	\$0	\$0	The funding source is from the both the Roads to Recovery and Roads to Renewal
Expense	\$3,000,000	\$3,000,000	\$0	
Net Result	\$0	\$0	\$0	

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

Positive Impacts

- The products supplied under this contract will be used for maintenance of Council's roads network. Sustainability of infrastructure is essential for the social and financial wellbeing of the Municipality.

Negative Impacts

- We note that production of crushed rock has a high environmental impact. This is mitigated as much as possible through the use of modern quarrying technologies and methods and through sourcing products from as near to the job site as possible to reduce the environmental impacts of transportation.

Strategic Links

a) Greater Shepparton 2030 Strategy

The proposal supports the principals of the Greater Shepparton 2030 Strategy. The required works are in accordance with the GS2030 Strategy under Infrastructure, Urban Rural Services, Objective 1 – To provide sustainable infrastructure to support the growth and development of the municipality.

b) Other strategic links

Nil

6. MANAGEMENT REPORTS

6.2 Contract 1380: Supply and Deliver of Hill Gravel, Crushed Rock and Sealing Aggregate (continued)

Options for Considerations

1. Do Nothing – Withdraw the tender

Positives

- Council resources could be utilised elsewhere

Negatives

- The roads network will not be maintained to a standard that is acceptable to the public resulting in complaints and damage to Council's reputation
- Degradation of roads will result in increased safety risk for the general public
- In the medium to longer term, lack of maintenance would result in Council incurring additional expense through having to rebuild roads rather than carrying out scheduled maintenance works
- Risk loss of Federal Government funding supplied under dollar for dollar arrangements.

2. Proceed with the contract

Positives

- Council secures supply of materials for road maintenance and upgrades
- Roads will be maintained in line with Council's Road Management Plan
- The public have an expectation that roads will be kept in a usable and safe condition. Well maintained roads are an indication that Council is delivering on one of the core functional responsibilities.

Negatives

- There will be some disruption to road usage while works are being carried out.

Conclusion

This is a panel contract. The recommendation is that Mawson's, Boral and Norville Nominees T/A Redstone Crushing are appointed to a panel of suppliers as no one tenderer can supply all of the required products in a cost effective manner. This is due to location of the quarries in relation to the specific work sites and availability of product and transport considerations at the time of order.

Attachments

Nil

6. MANAGEMENT REPORTS

FROM THE BUSINESS DIRECTORATE

6.3 Rating Strategy Reference Group – Appointment of Members

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: Revenue and Rates Manager

Proof reader: Manager Finance and Rates

Approved by: Acting Director Business

Purpose

To approve the appointment of representatives to the Rating Strategy Reference Group and to amend the Terms of Reference to reflect changes to the membership numbers and term of appointment.

RECOMMENDATION

That the Council:

1. having considered the nominations received for appointment to the Rating Strategy Reference Group, appoint the following community members:
 - Bruce WILSON
 - Jamie COX
 - Mick BUCKWORTH
 - Glenda FARRINGTON
 - Paul UNIACKE
2. adopt the amended Rating Strategy Reference Group Terms of Reference

Background

At the Ordinary Council meeting held on 17 July 2012, Council approved a process to implement a review of the Council's Rating Strategy through the establishment of an "advisory committee" comprising of representation from 11 community members, representing a cross section of rate-paying stakeholders, and two Councillors.

Public Notices were placed in the Shepparton News, along with information being included in Council's "Our Greater Shepparton Update" Community Link page. Information was also included on Council's website, in media releases relating to the budget and reference was made to the Rating Strategy Reference Group on ONE FM Community Radio.

Following the release of the draft budget for public consultation, a total of 21 formal budget submissions were received and considered by Council prior to final adoption. The main areas of concern raised by submitters were in relation to the current level of rates being unsustainable, rate relief for commercial and industrial sectors and support for a review of the Rating Strategy. In addition to the formal submissions, community feedback was received specifically in relation to the level of commercial and industrial rates and

6. MANAGEMENT REPORTS

6.3 Rating Strategy Reference Group – Appointment of Members (continued)

business sustainability across Greater Shepparton. Council's responses to those who provided formal submissions and feedback included information regarding nominating for the Rating Strategy Reference Group.

Information Kits were also mailed to the following groups inviting them to nominate a representative for the Rating Strategy Reference Group:

- Shepparton Chamber of Commerce and Industry
- Make it Mooroopna (Mooroopna traders)
- Tatura traders
- Goulburn Valley Family Care Inc.
- Primary Care Connect
- The Salvation Army
- St Vincent De Paul Society
- Rumbalara Aboriginal Co-operative Ltd.
- Yorta Yorta Nation Aboriginal Corporation
- Tourism Greater Shepparton
- The Goulburn Valley Environment Group Inc.
- Goulburn Murray Landcare Network
- Victorian Farmers Federation (VFF)
 - Shepparton East Horticultural Branch
 - Fruit Growers Victoria

The closing date for nominations was originally 17 August 2012; however, as only five community nominations had been received up to that date, Council remained open to receiving late nominations for a further five weeks - up to 21 September 2012.

As at 21 September 2012, the number of nominations received from community members remained at five.

Council Plan/Key Strategic Activity

The proposal is consistent with the *Council Plan 2009-2013*. The key strategic objective, Council Organisation and Management, includes an objective to "Review the Council's financial model for long term sustainability." There is a direct link to this objective as it incorporates the review of the Council's Rating Strategy.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Unmet expectations.	C	2	Low	Adequate representation throughout the process. Clear communications regarding the objectives of the review.

6. MANAGEMENT REPORTS

6.3 Rating Strategy Reference Group – Appointment of Members (continued)

Policy Considerations

There are no conflicts with Council policy. The Rating Strategy is included in Council's Budget which resources the Council Plan to enable outcomes of the Council Plan to be achieved.

Financial Implications

Nil. The role of the Reference Group is to provide input into the development of a new Rating Strategy for Greater Shepparton. The group will not make recommendations regarding the total amount of rates and charges to be collected, but rather, will provide comment regarding how rates revenue should be shared between categories of ratepayers, and on what basis.

Legal/Statutory Implications

The options outlined in this report are consistent with the *Local Government Act 1989*.

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

Environmental/Sustainability Impacts

There are no environmental/sustainability impacts with this proposal.

Social Implications

Outcomes from the review may have potential to alter the share of rates between different groupings which can have social implications.

Council will have a Rating Strategy which has been reviewed through community involvement and input.

Economic Impacts

Council's Rating Strategy is developed to ensure the equitable imposition of rates and charges and supports Council's key goals.

Consultation

Communication has occurred with regard to the establishment of the reference group. Whilst the originally proposed 11 nominations were not received from members of the community, a number of well suited applications have been received.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The Rating Strategy is included in Council's Budget which is linked to the *Greater Shepparton 2030 Strategy* via the Council Plan.

b) Council Plan

The Rating Strategy review is linked to the governance principle of Strategic Objective 6 of the *Council Plan 2009-2013* "Council Organisation and Management" and is consistent with the objective to "Review the Council's financial model for long term sustainability".

c) Other strategic links

No other strategic links have been identified.

6. MANAGEMENT REPORTS

6.3 Rating Strategy Reference Group – Appointment of Members (continued)

Options for Consideration

Option 1 – Do nothing – **not recommended** – as the process has now been advertised, community expectation would be that the process should continue as defined.

Option 2 – Appoint all applicants and adopt the amended Terms of Reference - **recommended**

Conclusion

The process to date has produced a range of community members representing a cross section of ratepayer categories. It is recommended that the applicants received be appointed to the working group and that the Terms of Reference be amended to reflect changes to the membership numbers and term of appointment

Attachments

1. Rating Strategy Reference Group Terms of Reference – Trim: M12/59053

6. MANAGEMENT REPORTS

6.4 Financial Report – October

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

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest..

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: Director Business
Proof reader(s): Management Accountant
Approved by: Director Business

Purpose

This report provides interim details of Council's financial position at 31 October 2012.

RECOMMENDATION

That the Council receive and note the financial report and position as at 31 October 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 \$108M Operating Budget and a \$32M Capital Works Program for 2012/2013. 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.

Council Plan/Key Strategic Activity

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

Risk Management

No risk has been identified in providing this financial report.

6. MANAGEMENT REPORTS

6.4 Financial Report – October (continued)

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

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.

Environmental/Sustainability Impacts

No Environmental or Sustainability impacts have been identified.

Social Implications

No Social implications have been identified.

Economic Impacts

No Economic impacts have been identified.

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.

Options for Consideration

This report is for information purposes only and does not present any options for consideration.

Conclusion

This report provides interim details of Council's financial position at 31 October 2012.

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.

Attachment

October Financial Report

6. MANAGEMENT REPORTS

FROM THE SUSTAINABLE DEVELOPMENT DIRECTORATE

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue

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: Senior Statutory Planner and Principal Statutory Planner.

Proof reader(s): Team Leader Statutory Planning and Manager of Planning.

Approved by: Director Sustainable Development

Other: Nil.

Purpose

The purpose of this report is for the Council as the responsible authority to:

1. Establish a Council position regarding the applications that can be argued by the Planning Department at the Victorian Civil and Administrative Tribunal (VCAT), in relation to the two VCAT proceedings
2. Endorse the Council's statement of grounds in relation to the declaration application before VCAT
3. Endorse a set of draft permit conditions that can be provided to VCAT

To assist the Council in reaching its decision, the Planning Department has undertaken an assessment of the application against the relevant planning scheme provisions.

RECOMMENDATION

That in relation to Planning Application 2012-130, on the basis of the information before the Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, that the Council:

- resolves to advise VCAT that if it had the power to decide on the application that it would have refused to grant a permit on the basis that the use goes beyond the existing use rights and would therefore be prohibited under the provisions of the Farming Zone.
- endorses the proposed grounds of refusal generally in accordance with the recommended grounds of refusal.
- endorses the statement of grounds generally in accordance with the recommended statement of grounds in relation to the declaration application under Section 149 of the *Planning and Environment Act, 1987*.
- endorses the draft conditions
- instructs the Planning Department to commence formal enforcement proceedings against the operator.
- write to VCAT and request that this matter be expedited.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

Property Details

Land/Address	25 Prentice Road, Orrvale
Zones and Overlays	Farming Zone Land Subject to Inundation Overlay
Why is a permit required	Buildings and works in the Farming Zone under clause 35.07-4 Buildings works in the Land Subject to Inundation under clause 44.04-4

Proposal in Detail

The proposed application raises a number of separate yet related issues being:

1. How to characterise the use of the land?
2. The acceptability of heavy vehicle movements associated with the current operator?
The subject lands currently have permits to use the lands for large scale dry/ cool storage and warehouse facilities. The current operation has intensified the use of the lands and increased truck (especially B-Double movements).
3. The acceptability of the access from the land to Central Avenue?
4. The acceptability of the proposed buildings and works in the Farming Zone acceptable?

Summary of Key Issues

The Councils Planning Department received a planning application for the development of two dock loading facilities at an existing dry storage/ cool storage facility and associated works including a new access onto Central Avenue and associated hardstand area to the north of the existing building on site. The proposed development would include:

- Development for two new loading docks associated with the existing use of the land for dry/ cool storage;
- One loading dock is proposed to the north of the building and one is proposed to the south of the building;
- Minor floor area extensions to accommodate the dock loaders;
- The application also includes the creation of a new access to the site onto Central Avenue;
- A retrospective permission for works in the Farming Zone, which created a hard standing area to the north of the existing building.

In addition to the Planning Permit Application there has been considerable local concern with the use of the site. The major issues which have emerged are set out below:

- Nature of the use of the site, residents are concerned that the use of the site has changed from its original use to a logistics centre;
- Intensification of the use of the site, residents have voiced concerns regarding the amount of trucks which are now using the site;
- Road safety issues relating to the use of B-Double trucks on local roads i.e. Prentice Road, Central Avenue and Orrvale Road;
- Noise levels and hours of operation, residents are concerned about the level of noise emanating from the site. It is also stated that the site is in use from 3AM.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

Having regard to the above, the Planning Department has undertaken an analysis of previous permits and considers that the extent of existing use rights established:

Planning Permit No.96-447, which was issued on 25 September 1996 and allowed for "The land to be developed and used for extensions of existing rural service industry for freezing and cool storage works in accordance with the endorsed plans forming part of this permit.

Planning Permit No. 00-436 which was issued on 27 October 2000 which allows for the use and development of the land for alterations and additions to the existing building (construction of a warehouse and canopy at the rear of the existing shop) in accordance with the plans endorsed as part of the permit.

Planning Permit No.2002-357 which was issued on 29 October 2002 and allowed for the land to be developed for a domestic storage shed and staff room and amenities for orchard workers in accordance with the endorsed plans forming part of the permit.

The Council's Planning Department informed the owners of the site by letter dated 16 January 2009 that the land enjoyed existing use rights for dry/ cool storage.

Further to the above the Planning Department has obtained legal advises from Russell Kennedy Solicitors. Russell Kennedy state (by letter dated 25 June 2012)

"As indicated previously above, the Council advised in 2009, that the subject land enjoyed existing use rights for; a large scale packing, dry storage and cool store complex. This use is an innominate Section 3 use in the FZ.

It is a broader use (the current land use) than Freezing and cool storage as it includes elements of the use of the subject land for the purpose of a Store, in circumstances where it would ordinarily be prohibited in the FZ.

Accordingly, it is our view that the existing use rights may be reasonably characterised as described by the Council in its letter of 16 January 2009.

There may be an argument to the effect that the existing use rights only apply to the large shed building itself and the immediate surrounds. However, given the fact that there is no clear boundary that delineates between the store use and the orchard use, it is considered that it is reasonable to consider the whole of the subject land to be the one planning unit and therefore the existing use rights apply to the whole of the subject land"

Having regard to the above it is considered that the use of the land for dry storage and cool storage has been established.

It is further noted that an intensification of use does not mean that a use has changed. In this regard the Councils Planning Department have received legal advises from Russell Kennedy pertaining to a similar coolstore operation which stated:

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

“In general terms, a change in the intensity of an existing use alone, in the absence of any controls to the contrary, does not equate to a change of the existing use”

However, whilst the site enjoys some existing use rights for the activity and potentially many truck movements it is the issue of degree of use, some of the uses appear to go beyond the existing use rights. There is some concern reading the hard standing area to the north of the existing building. The concern of the Planning Department relates to the standing of trucks which are not delivering or picking up produce from the site.

The use of the hard standing area for storage of trucks appears to be associated with a logistics warehouse, a use which would be prohibited in the Farming Zone.

Background

- 25 Prentice Road has an existing large fruit packing shed with associated cool rooms.
- A Planning Permit application was received by the Council's Planning Department on 4 May 2012.
- The initial application was for the construction of 2 no. dock loaders. The dock loaders would be located on the northern and southern side of the existing packing shed on site.
- Following site inspections it was noted that the applicants had completed ground works for a truck parking area to the north of the existing packing shed. A Planning Permit is required for works in the Farming Zone. It was further considered that a planning permit would be required for works associated with the proposed access onto Central Avenue. The applicant was advised that the application would now need to include the following description:

“Buildings and works for two dock loaders, one to the north and one to the south of the existing buildings, works for a hard standing area to the north of the existing building and works for a new vehicle access/ egress onto Central Avenue”

- The Planning Department has requested further information from the applicant on two occasions:

First Further Information Request.

- A further information request was sent to the applicant on 21 May 2012. The nature of the further information letter was as follows:
- The applicant is requested to provide a Traffic Impact Assessment. The Traffic Impact Assessment should demonstrate the safest location for access/ egress from the site.
- The applicant responded to the further information request on 18 June 2012. However it was considered that the information provided did not adequately respond to the request.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

Second Further Information Request.

- A second further information request was sent to the applicants on 27 June 2012.
- The nature of the second further information request was as follows:
- The Traffic Impact Assessment was required to demonstrate the safest location for access/ egress from the site. It is noted that the submitted Traffic Impact Assessment only considered the proposed access/ egress to Central Avenue and did not consider the existing access/ egress on Prentice Road or any alternate location on Central Avenue.
- Further to the above we require clarification on the following points:
 - Provide a justification for the requirement for access to Central Avenue;
 - What is the proposed use of the hard standing area to the north of the building;
 - Please clarify the number of movements per day associated with the building;
 - Please provide amended plans showing truck turning circles;
 - What is the purpose of the track which is indicated to the south of the loading bay to the rear of the building?
- The applicants responded to the second further information request on 16 July 2012.
- The Council's Planning Department engaged Trafficworks to do a peer review of the applicants Traffic Impact Assessment. The Trafficworks report concludes that the most appropriate access and egress to the site would be the proposed Central Avenue access/egress. Please see the traffic issues section of the report set out below.
- The application was notified to the public and 64 objections have been received to date.
- The majority of the objections relate to the volume of truck movements associated with the use, the increase in use of the site from the previous owners and that the site is now in effect a logistics warehouse and not as a store/ packing shed as used previously.
- Having regard to the use of the site it is noted that the subject lands do have existing use rights for large scale dry/ cold storage.
- The subject lands benefit from the following permits:

Planning Permit 96-447, which was issued on 25 September 1996 and allowed for "The land to be developed and used for extensions of existing rural service industry for freezing and cool storage works in accordance with the endorsed plans forming part of this permit.

Planning Permit 00-436 which was issued on 27 October 2000 which allows for the use and development of the land for alterations and additions to the existing building (construction of a warehouse and canopy at the rear of the existing shop) in accordance with the plans endorsed as part of the permit.

Planning Permit 2002-357 which was issued on 29 October 2002 and allowed for the land to be developed for a domestic storage shed and staff room and amenities for orchard workers in accordance with the endorsed plans forming part of the permit.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

- Notwithstanding the above, the Planning Department informed the applicants that there are some concerns that the applicants maybe operating outside of the existing use rights.
- In this regard the Council's Planning Department requested that the applicants seek a declaration from VCAT which would provide a measure of comfort as to the limits of existing use rights.
- This approach was considered to be the most appropriate and expedient manner to get a resolution to this critical element of the use of the subject lands.
- On September 18 2012 the Council's Planning Department received notice from VCAT that the applicants had made an application for a declaration.
- Further to this, the Council's Planning Department have also received a notice from VCAT that the applicants have made an application for review pursuant to Section 79 of the *Planning and Environment Act 1987* (Failure to Determine the application within the prescribed 60 day period).
- The Council's Planning Department has engaged Russell Kennedy to prepare a statement of grounds with regard to the Declaration application.

Assessment under the Planning and Environment Act.

The Planning Department having undertaken an initial assessment of the current activities undertaken on the land. Whilst it is noted that the critical issue for this application is the existing use rights, the application before the Council's Planning Department is for buildings and works for dock loaders, access onto Central Avenue and works for a hard standing area, which must also be considered.

Existing use rights

The Council's Planning Department has some concerns that the use goes beyond the established existing use rights of the land.

In this regard it is noted that, there is also some uncertainty about the tipping point between the use of the land in line with existing use rights (*'large scale packing, dry storage and cool store complex'*) and the use of the site for what could be defined as a transport terminal/logistics centre.

Consideration must be given to the fact that, regardless of the current and proposed level of activity on the site, improved loading facilities could be argued to be reasonably required for the existing use rights that apply to the land.

Without a certain decision on the extent of existing use rights and whether or not the current level of activity is within the confines of these existing use rights, the issue will remain unresolved for the residents, the business operator and the Council.

The Planning Department has informed the applicant that without a declaration that the proposed level of activity and current use is in accordance with existing use rights, it is likely that the Council's Planning Department will recommend that the Council refuse to grant a planning permit.

Traffic Issues

The Council's Planning Department engaged Trafficworks to undertake a peer review of the Traffic Impact Assessment prepared by Paffrath Consulting Pty Ltd in support of the proposed development.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

The Trafficworks report reviews the applicants Traffic Impact Assessment under the following headings:

1. Reviewing the current and proposed access driveway locations;
2. Determination of traffic volumes generated by the cool store operation;
3. Making recommendations for any appropriate mitigating works.

Review of Driveways

The Paffrath report (applicants report) undertakes an analysis of estimated entering truck traffic volumes at the various access points to the site and concludes that “the existing configuration of Prentice Road will continue to accommodate the generated traffic volumes from and to the cool store”.

The Trafficworks review does not support this conclusion, as current left turns by trucks from Prentice Road into the site require vehicles to swing wide, across the opposing traffic lane and onto the right shoulder, to successfully execute their entry movements. If the current means of access is retained, considerable improvements are required to comply with Austroads standards at the present site entry driveway.

The Paffrath report also concludes that right turn requirements at the proposed new driveway onto Central Avenue are not applicable and that “placement of the proposed exit driveway will be able to be accommodated along the existing configuration of Central Avenue”.

Again this conclusion is not supported, with Section 5.2.2 of the Paffrath report indicating that the Austroads *Guide* requires installation of a Type BAR right turn passing lane opposite the new access.

Traffic Volumes

Although current traffic volumes in the nearby road network have been comprehensively established in the Paffrath report (albeit with some discrepancies with the Council count data) it is considered necessary to clarify the scope of the works. The Paffrath report includes continued references to an expansion of the cool store operation. Discussion by Trafficworks with Jeftomson management has indicated that the Planning Application is confined to upgrading of docking facilities, truck parking and site access.

They state that there is no intension to expand the storage capacity of the cool store under the proposals placed before Council and hence total truck movements are not expected to change. The purpose of the infrastructure upgrades is to improve efficiency (hence reduce out-of-hours activity at the site) and to provide a more appropriate access route to the site.

Mitigating Works

The Paffrath report incorrectly references VicRoads Drawing 2065 as the design standard for the new driveway connection to Central Avenue. This design is not suitable for use by semi-trailers or B-Doubles. The report concludes that no mitigating works are necessary to accommodate the traffic generated by the proposed extensions.

Having regard to the above, the Trafficworks report states the following:

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

It is concluded that the proposed construction of additional loading docks will have no impact on the surrounding road network but will result in the majority of loading and unloading activity at the site being conducted within normal working hours. There are seen to be no traffic reasons why this component of the Jeftomson proposal should not proceed.

It is further concluded that the proposal to redirect all truck access for the site to Central Avenue will have multiple benefits for the surrounding road network in:

- Removing this truck traffic from the narrow sealed Prentice Road that is currently not suitable to cater for these vehicles;
- Removing turn movements from the various intersections currently negotiated by these trucks but not adequately designed to safely cater for the turn movements;
- Removing these truck trips from roads that have become progressively more residential in nature; and
- Relocating these commercial vehicle trips onto the most direct, efficient and appropriate route from the cool store site to the arterial road network.

It is noted that the applicant's traffic report and subsequent peer review by Trafficworks did not consider the impact of the proposal on the Isobel Pearse Kindergarten or the Recreation Reserve (Shepparton East Football Club Oval).

However the Council's Planning Department has engaged Trafficworks to assess the impact of the B-Double trucks associated with the use of the site on sensitive uses in the area

Farming Zone

The following applies to the site:

The former orchard use of the land was a Section 1 use under the Farming Zone.

The use of the subject land for *Freezing and cool storage* is a Section 2 use under the provisions of the Farming Zone.

The use of the subject land for the purpose of the dry storage (ie not freezing or cool storage) of processed food products is a Section 3 use in the provisions of the Farming Zone and relies upon existing use rights.

As indicated previously above, the Council advised in 2009, that the subject land enjoyed existing use rights for; *a large scale packing, dry storage and cool store complex*. This use is an innominate Section 3 use in the Farming Zone.

The current use is a broader use than *Freezing and cool storage* as it includes elements of the use of the subject land for the purpose of a *Store*, in circumstances where it would ordinarily be prohibited in the Farming Zone.

Therefore establishing the extent of existing use rights in relation to the current use is critical to the operations on the site.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

Building Works

The proposed building works would comprise of:

- Two dock loaders, 1 at each end of the existing shed on site. The dock loaders would allow for the simultaneous unloading of 4 b-double trucks;
- The retrospective use of a hardstand area to the north of the existing building, which would be used for truck parking and manoeuvring;
- The development of a new access onto Central Avenue, including associated internal road to the new access.

It is considered that the building works which are proposed would be acceptable if the use of the site was confirmed as appropriate by VCAT for the following reasons:

- The proposed dock loaders would lead to more efficient loading and unloading of trucks at the site;
- The proposed access onto Central Avenue would be a safer traffic outcome according to our traffic engineers;
- The hardstand area would lead to a safe area for trucks to manoeuvre within the site.

However on balance, the Council's Planning Department is of the view that the proposed application should be refused for the following grounds:

- The works sought are associated with the use of the land for the purpose of a transport terminal for which no use permission exists.
- The use of the land for the purpose of a transport terminal is prohibited and for such a use to be legitimate it would require the establishment of an existing use right, which to date has not been established, and in the responsible authorities view, is not likely to be established.

B-Double Access

The issue of b-double access is a key concern for the residents/ objectors to the proposed development.

In this regard it is noted that b-doubles require a permit to use roads. The permits are issued by VicRoads, but consent must be given by Council's Asset Maintenance Department.

The Council's Asset Maintenance Department has given consent to both Jeffthomson and Bobbins Transport to access the road network around the subject site.

Consent for B-Double truck use on roads surrounding the subject lands was given on 10 November 2011 and 3 May 2012.

It is noted that no consent has been given for the use of the following:

- Channel Road between Prentice Road and Central Ave for B Double trucks. (Refer attachment 4 - Draft Locality Plan with B Double Routes)

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

VCAT Applications

The applicants have applied to VCAT for the following:

- A review under Section 70 of the *Planning and Environment Act 1987*, which constitutes a failure to determine within the prescribed 60 days. In this regard it is noted that State Government regulations stipulate that the Council must make a decision on a planning permit application within 60 days of receipt of the application otherwise the applicant can refer the matter to VCAT. This is known as a Failure to Determine.
- Application to the Planning and Environment List pursuant to Section 149A of the *Planning and Environment Act 1987*. This is an application for a declaration. The use of declaration proceedings at VCAT has long been seen by many as a solution to sorting out disputes in relation to interpretation of planning legislation, planning schemes, existing use rights and the force and/or effect of planning permits

Having regard to the above the Council's Planning Department has engaged Russell Kennedy to prepare a Statement of Grounds relating to the Declaration application.

The Statement of Grounds are outlined below:

- The declaration sought is unclear with regard to the exact association between the large scale packing, freezing and cool storage, storage use for which existing use rights are sought and the access and transport operation. The responsible authority's position is that the property known as 25 Prentice Road, Orrvale, has existing use rights for the purpose of a large scale packing, dry storage and coolstore complex. This includes transport operations that are necessarily associated with such a storage use, but does not include transport operations to the extent that such operations become a separate use of the land or are not subservient to the a large scale packing, dry storage and coolstore complex use.
- The applicant for the declaration has not provided any facts which support the declaration sought.

The Planning Department has outlined to concerned parties that there is also some uncertainty about the tipping point between the use of the land in line with existing use rights (*'large scale packing, dry storage and cool store complex'*) and the use of the site for what could be defined as a transport terminal/logistics centre. This was expressed to the applicant and objectors by letter dated 26 July 2012.

The Planning Department has informed the applicant that without a declaration that the proposed level of activity and current use is in accordance with existing use rights, it is likely that the Council's Planning Department will recommend that the Council refuse to grant a planning permit.

It is considered that the VCAT declaration would provide a level of certainty as to what the site has rights for.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

With regard to the failure to determine application (Section 79 of the Planning and Environment Act), it is considered that the Council's Planning Department were not in a position to make a decision within the 60 day period due to the following:

- The Council's Planning Department have not received a resolution from Council;
- It is considered that the applicants did not provide adequate information for the Council's Planning Department to make a decision.

Enforcement

The Council's Planning Department have instructed the operators to cease the use of the hard standing area to the north of the existing building as it is considered that this area is beyond the existing use of the site and does not have a Planning Permit for works in the Farming Zone.

This has been formalised by a letter from Russell Kennedy Solicitors on behalf of the Council to Riordan Legal on behalf of the applicants. Within this letter, Russell Kennedy has required the use to cease by the date of the Council meeting (20 November 2012).

If the use is not ceased by this date formal enforcement proceedings should be commenced and if necessary an enforcement order application be filed by the Council at VCAT.

Council Plan/Key Strategic Activity

Council Plan

Strategy 11 - Ensure social issues are actively considered when making planning decisions

Strategy 23 – Pursue opportunities to increase the range of businesses and industries in the region, to further strengthen our economy.

Helping current businesses grow and encouraging new businesses and industries to start up or move to our region makes the local economy stronger and provides improved job opportunities for the community. The Council encourages this growth through investment attraction programs, by providing training and development for existing and new businesses and by helping businesses find people with the skills they need to be successful.

We will plan for future expansion of industrial businesses across the municipality through an industrial land strategy, which will look to protect and grow the significant industrial activities in Shepparton, Mooroopna and Tatura.

The application has been advertised to provide an opportunity for interested persons to be involved in the planning process.

The proposed development would comply with strategy 23 of the Council Plan as the proposed development would allow a current business to grow.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

Risk Management

The application has been considered in accordance with the provisions of the Act, which includes public notice of the proposal, which reduces possible risk to the Council.

The applicant or an objector is review the Council's decision, however it is unlikely that VCAT would award costs against the Council, given the Council has followed the correct planning processes.

The proposed recommendation within this report to refuse to grant an amended permit, is consistent with the Council's legal advice, which further reduces potential risk to the Council.

If the Council decided to grant the amended permit to delete the condition an objector could review this decision to VCAT.

If this were to occur it is likely that VCAT would find the Council did not have the ability to amend the permit which would result in VCAT cancelling the permit. If the permit was cancelled there is right to compensation under section 94 of the Act, which may be significant in relation to a commercial enterprise. It is also likely costs would be awarded against the Council.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Road safety with vehicles exiting the land to Central Avenue	A	5	Low	The Council's Traffic Engineer has informed that trucks exiting the site to Central Avenue is the preferred access point.
Third party notice and objections to the application	A	5	Low	The application has been properly advertised which allowed objections to be lodged with the Council. These objectors will be informed of the Council's decision and made party to any future VCAT reviews.
Recommendation to refuse to grant the amended permit	B	5	Low	The Planning Department's recommendation to refuse to grant a permit is a legitimate decision that would be normally open to Council.
Enforcement Proceedings	A	5	Low	Enforcement would hold the operator to account and taking active step to ensure compliance with the Planning Scheme.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

Insignificant to Low risks have been identified and will be addressed at the operational level, through the enforcement of the revised planning permit conditions.

Policy Implications

There are no conflicts with the Council's planning policies.

Financial Implications

In the event of an application for review by Victorian Civil and Administrative Tribunal (VCAT), each respective party will be required to bear its own costs.

Given the legal nature of this dispute the Council would have to retain our planning lawyers to represent the Council at VCAT. The cost associated with this representation would be funded out of the Planning Departments legal budget.

Legal/Statutory Implications

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

Aboriginal Heritage Act, 2006

The *Aboriginal Heritage Act 2006* provides protection for all Aboriginal places, objects and human remains in Victoria, regardless of their inclusion on the Victorian Aboriginal Heritage Register or land tenure.

The *Aboriginal Heritage Act 2006* introduces a requirement to prepare a Cultural Heritage Management Plan (CHMP) if all or part of the activity is a listed high impact activity, resulting in significant ground disturbance, and all or part of the activity area is an area of cultural heritage sensitivity, which has not been subject to significant ground disturbance.

The 'Area of Cultural Heritage Sensitivity in Victoria' does not include the land within an area of cultural heritage sensitivity; therefore the proposed use does not trigger the need for a CHMP.

Environmental/Sustainability Impacts

Clause 18.04-2 of the Greater Shepparton Planning Scheme deals with management of the road system.

The objective of this clause is *to manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.*

The Clause encourages the Planning and regulation of the design of transport routes and nearby areas to achieve visual standards appropriate to the importance of the route with particular reference to landscaping, the control of outdoor advertising and, where appropriate, the provision of buffer zones and resting places.

Uses such as Jeffthomson should be planned in areas where the transport network can deal with the associated transport requirements.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

Social Implications

Section 60(1A)(a) of the Act states the following:

Before deciding on an application, the responsible authority, if the circumstances appear to so require, may consider—

- *any significant social and economic effects of the use or development for which the application is made*

Minawood Pty Ltd V Bayside (Red Dot) VCAT 440 March 2009 considered the nature of significant social effects within the meaning of section 60(1A) (a) of the Act.

Deputy President Gibson was the presiding member and made the following comments:

We do not agree with the proposition that the number of objections alone creates a significant social effect or that the number of objections alone should be given any weight.

In our view, the conclusion which can be drawn from the approach to considering significant social effects in the context of the Planning and Environment Act 1987, is that to be relevant, the proposed use or development must give rise to demonstrable social impacts on the community (as distinct from individuals) of an identifiable scale or extent.

This application does not raise any significant social issues that influence the planning officer's view for the following reason:

- The objections to the application relate predominately to amenity grounds rather than social grounds

Economic Impacts

The proposed recommendation may result in the need for the business to relocate from the current site, which will cause hardship to the business operator.

To assist in this relocation, it is recommended that the Council instruct the Planning Department to commence an investigation into appropriate locations of the use to relocate to.

Referrals/Public Notice

The planning application was advertised by written notice to adjoining land owners and a sign on site and notice in the Shepparton News.

In response to this public notice 64 objections were lodged with the Council.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

Each of the objectors received acknowledgement of their receipt by the Planning Department.

Summary of objections	Officers response
Change of use to logistics centre	The majority of objectors are concerned that the use of the site has changed to a logistics centre. The Planning Department is concerned that this is the case and informed the applicants to seek a declaration at VCAT. Additionally it is the Planning Departments view that given the uncertainty of the use no permit should issue.
Intensity of use	The Council's legal advice outlines that an increase in the intensity of the use does not change the use of the site.
Traffic Safety	The Council's independent traffic consultant has stated that the safest transport route for traffic exiting the site is via the proposed access onto Central Avenue and proceeding along Central Avenue to the Midland Highway.
Interface with sensitive uses	The adjoining dwellings are within the Farming Zone, which is not a residential zone; therefore these dwellings should not expect the same level of amenity that would be afforded a dwelling in a residential zone. It should be noted that this is a buildings and works application and as such amenity issues cannot be dealt with by condition.
Community Facilities	There are potential conflicts between the b-double use of the site and adjacent community uses including schools, kindergartens and the Shepparton East Football Club. It should be noted that semi trailers are an as of right vehicle on the road network and outside planning controls. However the use of b-double trucks on the road network does require a permit from VicRoads, with consent from the Council's Engineering Department.

Strategic Links

a) Greater Shepparton 2030 Strategy Economic Development

The 2030 strategy notes that Greater Shepparton is recognised as one of Victoria's strongest regional economies, with a multi skilled workforce and close proximity to primary production.

It is also noted that there are prime investment and development opportunities for new and expanded retail, industrial, manufacturing and commercial enterprises within the municipality.

6. MANAGEMENT REPORTS

6.5 Planning Application 2012-130 for Buildings and Works in the Farming Zone for Dock Loaders and Creation of Access to Central Avenue (continued)

Further to this it is noted that the Municipality produces more than 25 per cent of Victoria's food, the agricultural sector of the municipality is a vital component of the local, state and national economy. Notable commodities include fruit, milk and cropping products.

The use of the site would comply with the importance of the agricultural sector to the municipality, however this must be balanced with the fact that Council need to be satisfied that the applicants are not exceeding the sites existing use rights.

Conclusion

Based on the assessment of the Planning Department on the proposed applications, the key conclusions are as follows:

- 149 Application
Adopt the statement of grounds generally in accordance with those prepared by Russell Kennedy as set out in attachment 1
- 79 Application
If the Council had the ability to do so, the Council would have refused to grant a permit generally in accordance with the grounds set out in attachment 2.
- Conditions
That the Council endorses the draft conditions generally in accordance with those set out in attachment 3.
- Enforcement
That the Council commences enforcement proceedings against the operators.

Attachments

1. Statement of grounds
2. Draft grounds of refusal
3. Draft Permit Conditions
4. Draft Locality Plan with B Double Routes

6. MANAGEMENT REPORTS

FROM THE ORGANISATION DIRECTORATE

6.6 Councillor Representation on Committees

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

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest..

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: Acting Committees Officer

Proof reader(s): Team Leader Governance, Manager Corporate Performance

Approved by: Director Organisation

Purpose

As part of the Council's community consultation, communication and advocacy role, the Mayor, Councillors and officers are represented on various community organisations and government agency groups, as well as purpose groups appointed by the Council. The purposes of this report is to appoint Councillors to these various committees.

RECOMMENDATION

That the Council confirm the appointment of delegates and representatives for committees shown in the following table:

Committee	Councillor Representative/s
Arts Coordinating Group	Councillor
Best Start Municipal Early Years Partnership Committee	Councillor
Bourchier Memorial Working Group	Councillor
Deakin Reserve Advisory Committee	Councillor
Disability Advisory Committee	Councillor
Goulburn Broken Greenhouse Alliance	Councillor

6. MANAGEMENT REPORTS

6.6 Councillor Representation on Committees (continued)

Goulburn Valley Regional Library Corporation Board	Councillor
Goulburn Valley Regional Waste Management Group	Councillor
Greater Shepparton Aerodrome Advisory Committee	Councillor
Greater Shepparton Audit and Risk Management Committee	Councillor (in addition to the Mayor)
Greater Shepparton Women's Charter Alliance Advisory Committee	Councillor
Heritage Advisory Committee	Councillor
Kialla Landfill Site Special Committee	Councillor
Municipal Association of Victoria	Councillor
Rating Strategy Reference Group	Councillor (Chair) Councillor
Regional Aboriginal Justice Advisory Committee	Councillor
Positive Ageing Advisory Committee	Councillor
Rumbalara Aboriginal Cooperative Working Party	Councillor (in addition to the Mayor)
Shepparton Art Gallery Advisory Committee	Councillor
Shepparton Liquor Licensing Accord	Councillor
Shepparton Regional Saleyards Advisory Committee	Councillor
Shepparton Show Me Committee	Councillor (Chair) Councillor
Tatura Park Advisory Board	Councillor
Sustainability and Environment Steering Group	Councillor (Chair)
Victorian Local Governance Association	Councillor

6. MANAGEMENT REPORTS

6.6 Councillor Representation on Committees (continued)

Background

As part of the Council's community consultation, communication and advocacy role, the Mayor, Councillors and officers are represented on various community organisations and government agency groups, as well as purpose groups appointed by the Council.

It has now been determined that Councillor representation on committees will be reviewed annually.

In some cases, the Council is represented by the Mayor, and therefore, a separate appointment is not required. Mayoral appointments are:

- Municipal Emergency Management Planning Committee (MEMP)
- Neighbourhood Renewal Parkside Estate Steering Committee
- RiverConnect Steering Committee
- Rumbalara Aboriginal Co-operative Working Party
- Kaiela Planning Council – Council of Australian Governments Partnership
- Melbourne University Rural Clinical School Advisory Board and Department of Rural Health Management Advisory Committee

The purpose of each of the committees, groups or organisations is provided below for information.

Arts Coordinating Group – helps implement the Encouraging Arts in the Community Policy, develops guidelines for allocation and approval of grants and the distribution of the Arts in the Community Fund. The group considers funding applications, makes recommendations to Council, identifies arts opportunities for the community and consults with arts and community groups.

Best Start Municipal Early Years Partnership Committee – the committee comprises a wide range of participants from the field of early childhood development who collectively provide expert direction to coordinate activities and provide advice to Council on how best to ensure a best start in life for children in Greater Shepparton. The committee is responsible for the creation and implementation of the Greater Shepparton Municipal Early Years Plan.

Bourchier Memorial Working Group – Sir Murray William James Bourchier was a renowned local pastoralist, soldier and statesman. Bourchier's family held considerable land selections in the Tocumwal and Strathmerton districts and he was a distinguished Light Horseman during the First World War. This working group, consisting of representatives from the Returned and Services League, Council and community members was established in 2010 to explore the possibility of establishing a suitable memorial for Sir Murray Bourchier.

Deakin Reserve Advisory Committee – makes recommendations to Council on the procedures, rules, conditions of use and proposed capital works necessary for the proper management of the facility, and if requested gives advice on specific issues.

6. MANAGEMENT REPORTS

6.6 Councillor Representation on Committees (continued)

Disability Advisory Committee – to improve the accessibility and inclusiveness of Council services and facilities and assist in the strategic and detailed planning of all new activities. As part of a capacity building opportunity, a rotating chairperson position is filled by members of the Disability Advisory Committee with the Councillor playing a key role in connecting the Disability Advisory Committee and its objectives with the Council.

Goulburn Broken Greenhouse Alliance – The Goulburn Broken Greenhouse Alliance is a program that will work with councils and groups in our region to reduce greenhouse emissions and adapt to climate change.

Goulburn Valley Regional Library Corporation Board – enables member councils (Greater Shepparton, Moira and Strathbogie municipalities) to provide, through economy of scale and structure, a standard level of library service for their communities and the regional community which they would be unable to provide individually for the same level of annual expenditure.

Goulburn Valley Regional Waste Management Group – responsible for planning the management of municipal solid waste in Victoria. Also plays a key role in educating the community about waste and environmental issues.

Greater Shepparton Aerodrome Advisory Committee – advises Council on the management and operation of the Shepparton Aerodrome.

Greater Shepparton Audit and Risk Management Committee - The Audit and Risk Management Committee is appointed to provide the Council with additional assurance that the financial and internal procedures and systems of the organisations are in order, risks are identified and managed, and the organisation is complying with all laws and regulations affecting it.

Greater Shepparton Women's Charter Alliance Advisory Committee – Provides advice to promote women in leadership and decision making roles.

Heritage Advisory Committee – The Heritage Advisory Committee advises Council on the future development of cultural heritage matters across Greater Shepparton and promotes community participation in and awareness of cultural heritage issues within the Municipality.

Kaiela Planning Council – Council of Australian Governments Partnership – manages the Council of Australian Governments' Aboriginal Project in Greater Shepparton.

Kialla Landfill Site Special Committee -

The function of the Kialla Landfill Site Special Committee is to manage the former Kialla Landfill Site and to work closely with Council to prepare a development and management plan for the site, maximise the sustainable use of the facilities and encourage public interest and involvement in the development and use of the facility.

6. MANAGEMENT REPORTS

6.6 Councillor Representation on Committees (continued)

Health Management Advisory Committee – to build collaborative and strategic relationships for the Rural Clinical School and facilitate local ongoing partnership arrangements wherever possible to ensure that existing and planned resources provide maximum benefits to both students and the local community.

Municipal Association of Victoria – the Municipal Association of Victoria is the peak representative and advocacy body for Victoria's 79 councils. A council which is a financial member of the Association must appoint a representative and a substitute representative of the Council to the Association.

Positive Ageing Advisory Committee – works in partnership with the community and Council to ensure there are consultation and participation mechanisms in place for seniors, their families, carers, advocates and service providers to enable meaningful input into Council's service planning and policy development. The committee also informs and educates Council and the community about issues for seniors, their families, carers and others, informs and educates federal and state government through local government and provides advice and assistance to Council to ensure all capital works and services are accessible and inclusive of seniors.

Rating Strategy Reference Group - will advise the Council with regards to reviewing the Council's current Rating Strategy and offer suggestions for improvement..

Regional Aboriginal Justice Advisory Committee – focuses on issues involving indigenous people (mainly youth) in the Hume Region. The committee identifies issues and initiatives that attempt to divert young people from the justice system.

Rumbalara Aboriginal Co-operative Working Party – consists of a joint working party formed between Rumbalara Aboriginal Cooperative and the Council to foster a cohesive working relationship between the Indigenous community and the Council.

Shepparton Art Gallery Advisory Committee – to formulate recommendations to the Council in respect of policies of relevance to the Art Gallery and to provide contract performance evaluation advice to the Council.

Shepparton Liquor Licensing Accord – involves interested parties within a local community meeting to address liquor-related problems affecting their area and working collaboratively to find mutually satisfactory solutions.

Shepparton Regional Saleyards Advisory Committee – to provide advice in relation to the annual budget, fees and charges and the strategic direction of the saleyards.

Shepparton Show Me Committee – promote the retail and commercial sector of Shepparton, and to help ensure its long-term viability and economic sustainability.

Sustainability and Environment Steering Group – The Greater Shepparton City Council Sustainability and Environment Strategy Stakeholder Reference Committee was established in February 2011 to inform the development of Council's Sustainability and Environmental Strategy. The development of the Sustainability and Environment Strategy will enable Council to identify and prioritise sustainability and climate change activities

6. MANAGEMENT REPORTS

6.6 Councillor Representation on Committees (continued)

with improved integration across Council strategies and plans. The strategy will also increase the capacity and understanding of environmental and sustainability issues across Council and the community.

Tatura Park Advisory Board – provides feedback to Council from user groups and discusses and puts forward ideas for the future development of the facility.

Victorian Local Governance Association – The Victorian Local Governance Association was formed in 1994 to provide advice and support to member Councils, including advocating on behalf of member Councils to Victorian and Australian governments. As a member Council, it is appropriate that a delegate Councillor be appointed to receive correspondence from the VLGA and exercise the Council's voting rights.

Council Plan/Key Strategic Activity

The review of representation on committees is consistent with objective 31 – engage our community when making decisions.

Risk Management

The review of councillor representation on committees ensures that representation is reviewed within statutory requirements. No risks associated with these appointments have been identified.

Policy Considerations

There are no conflicts with existing council policies.

Financial Implications

The only financial implications associated with this proposal are the expenses associated with the councillors' attendance at meetings and functions. All such expenses have budgetary provision.

Legal/Statutory Implications

This proposal conforms with all relevant legislation.

Environmental/Sustainability Impacts

There are no environmental or sustainability impacts arising from this proposal.

Social Implications

There are no social implications arising from this proposal.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

As part of the Council's community consultation, communication and advocacy role, the Mayor, councillors and officers are represented on various community groups and committees.

6. MANAGEMENT REPORTS

6.6 Councillor Representation on Committees (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Collaborate	Feedback and advice received from the Committee will be incorporated into decisions the maximum level possible.	Councillor appointees to the committees enables ongoing collaboration between the committee and 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

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

b) Other strategic links

No other strategic links have been identified.

Options for Consideration

Councillors could choose not to appoint any Councillors to some or all of the listed committees. However this would reduce the Council's communication and advocacy capacity.

Conclusion

It is recommended that Councillors be appointed to these committees.

Attachments

Nil.

6. MANAGEMENT REPORTS

6.7 Committees of Management – Appointment of Members

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: Acting Committees Officer

Proof reader(s): Team Leader Governance, Manager Corporate Performance

Approved by: Director Organisation

Purpose

The term of appointment for the seven members of the Arcadia Community Centre Committee of Management expired on 19 October 2012 and the term of appointment for the six members of the Ballantyne Centre Committee of Management expired on 16 November 2012. This report recommends the appointment of new committees to manage these two facilities for a term of two years.

RECOMMENDATION

That the Council:

1. having considered the nominations received for appointment to the Arcadia Community Centre Committee of Management appoint the following six members for a two year term:

Barry CRIMMINS
Chris FERGUSON
Bernadette KENNEDY
Bernard KENNEDY
John KENNEDY
Lisa MENHENNET

2. having considered the nominations received for appointment to the Ballantyne Centre Committee of Management appoint the following six members for a term:

Barbara TWITE
Graeme DONALDSON
Daryl EATON
Les LANGLEY
Sue MORETON
Graham PAYTEN

3. resolve that all members (who are not Councillors or nominated Officers) of the Arcadia Community Centre and Ballantyne Centre committees of management be exempt from the requirement to complete Interest Returns in exercise of power granted to Council under Section 81 (2A) of the *Local Government Act 1989*.

6. MANAGEMENT REPORTS

6.7 Committees of Management – Appointment of Members (continued)

Background

Arcadia Community Centre Committee of Management

At the Ordinary Council Meeting held on 19 October 2010 seven members were appointed to the Arcadia Community Centre Committee of Management. The term of appointment for these members has now expired and it is necessary to appoint a new committee to manage the facility. An advertisement calling for applications to fill between 5 and 11 places on the committee was placed in the Shepparton News and letters were sent to the outgoing committee members encouraging them to reapply. Six applications have been received and these are listed below:

Barry CRIMMINS
Chris FERGUSON
Bernadette KENNEDY
Bernard KENNEDY
John KENNEDY
Lisa MENHENNET.

It is recommended that all six applicants be appointed to the Arcadia Community Centre Committee of Management for a term of two years.

Ballantyne Centre Committee of Management

At the Ordinary Council Meeting held on 16 November 2010 six members were appointed to the Ballantyne Centre Committee of Management. The term of appointment for these members has now expired and it is necessary to appoint a new committee to manage the facility. An advertisement calling for applications to fill between 5 and 11 places on the committee was placed in the Shepparton News and letters were sent to the outgoing committee members encouraging them to reapply. Six applications have been received and these are listed below:

Barbara TWITE
Graeme DONALDSON
Daryl EATON
Les LANGLEY
Sue MORETON
Graham PAYTEN.

It is recommended that all six applicants be appointed to the Ballantyne Centre Committee of Management for a term of two years.

Council Plan/Key Strategic Activity

This proposal supports the key strategic activity no. 6 of the Council Plan 2009-2013: "Council Organisation and Management" it that it helps council to "*deliver best practice management, governance administrative and financial systems that support the delivery of Council programs to the community of Greater Shepparton*".

6. MANAGEMENT REPORTS

6.7 Committees of Management – Appointment of Members (continued)

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Governance risk associated with the delegation of council powers to a committee	Possible	Major	High	The appointment of members by 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.

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

Both committees have been established under section 86 of the *Local Government Act 1989* and have been issued with an Instrument of Delegation and Guidelines outlining their responsibilities.

The appointment of members of special committees by formal resolution of the Council ensures that the powers, functions and duties delegated to these committees are able to be exercised legally.

Environmental/Sustainability Impacts

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

Social Implications

The appointment of community members to committees helps to build a sense of community by increasing stakeholder participation and giving community members a greater sense of pride and involvement in their local community.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

Letters were sent to outgoing members of both committees inviting them to apply for another term on the committee. They were also encouraged to talk to other members of their community who may be interested in joining the committee.

Advertisements calling for applications from community members interested in joining the committees were placed in the Shepparton News on Friday 14 September and 21 September 2012.

6. MANAGEMENT REPORTS

6.7 Committees of Management – Appointment of Members (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	<ul style="list-style-type: none"> • Newspaper advertisements • Website announcement • Letters to outgoing committee members
Consult	Informed, listen, acknowledge	Council will consult with its committees prior to making decisions that relate to the relevant facilities.
Involve	Work together. Feedback is an input into decision-making	Committees provide an important source of feedback for Council to manage their facilities.
Collaborate	Feedback will be incorporated into decisions to the maximum level possible	Council collaborates with its committees when making decisions about facility upgrades and maintenance.
Empower	We will implement what the public decide.	Committees of Management have delegated powers to make decisions in relation to the day to day management of the facilities that they are responsible for.

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) Other strategic links

There are no other strategic links applicable to this proposal.

Options for Consideration

Councillors could choose not to appoint all or some of the applicants to the two committees of management.

Conclusion

It is recommended that Council appoint all of the listed applicants to the two committees as it helps to increase the involvement of the local community in the ongoing management of important facilities and reduces the amount of responsibility on the other committee members and reduces the need for Council to directly manage these facilities.

Attachments

Nil.

6. MANAGEMENT REPORTS

FROM THE COMMUNITY DIRECTORATE

6.8 Implementation of Universal Access to Early Childhood Education - 15 hours of kindergarten (UAECE15)

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

Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest..

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: Acting Manager Children's & Services

Proof reader(s): Acting Team Leader Children's Services, Acting Early Childhood Services Coordinator

Approved by: Acting Director Community

Purpose

The purpose of this report is to seek direction from Council on whether or not to implement the UAECE15 in Council operated Kindergartens and, should the increase to a 15 hour Kindergarten program be approved, confirm to what extent Kindergarten fees will be increased and the timing of these increases to offset the additional operating costs of the extended program hours.

RECOMMENDATION

That the Council:

1. contributes up to a maximum of \$116,000 in total over the next three calendar years to the cost of implementing 15 hours of kindergarten in Greater Shepparton City Council operated centres, in addition to the current allocated budget;
2. continue to lobby the Department of Education and Early Childhood Development seeking an increase in State Government funding to offset the additional cost of implementing this program in Greater Shepparton;
3. implement a staged fee increase over a three year period, raising annual kindergarten fees to the value of:
2013 - \$970
2014 - \$1110
2015 - \$1250
4. develop and implement a second tier of fee subsidies for families at risk of disengagement from kindergarten services.

6. MANAGEMENT REPORTS

6.8 Implementation of Universal Access to Early Childhood Education - 15 hours of kindergarten (UAECE15) (continued)

Definitions

Eligibility. Children are eligible to attend kindergarten if they turn four before April 30 in the year of attendance

Fees. Greater Shepparton City Council has maintained lower than average kindergarten fees in recognition that approximately 30 per cent of the families accessing services struggle on an income marginally above eligible levels for the Kindergarten Fee Subsidy (KFS).

Funding. Kindergarten is partially (65 per cent) funded by state government. The remainder of the operational costs (including salaries) are covered by fees, fundraising and other funding – in the case of Council centres this includes Council funds.

Fungroup (Three year old kindergarten). An educational program for children in the year before they access kindergarten. This program receives no state government funding.

Kindergarten Fee Subsidy (KFS). Children are eligible for free kindergarten if they or their parents hold a eligible concession card (Health Care Card, Pensioner concession card, Refugee/Special Humanitarian entrant visa holder, Asylum Seeker Bridging Visa). Approximately 50 per cent of children attending kindergarten in Council centres are eligible for free kindergarten under the funding guidelines for the State government kindergarten fee subsidy. (Compared to approximately 30 per cent in non-council centres)

Kindergarten. In Victoria kindergarten is the one year educational program for children in the year before they attend primary school. Traditionally this has been a 10 hour per week program. The program is developed and facilitated by a four year bachelor qualified early childhood teacher. In 2010 programs were extended to 11 hours per week to cover additional requirements implemented in the Local Government Early Childhood Education Employees Award 2009. Kindergarten is a voluntary level of education.

Kindergarten Management. Council currently manages approximately half the kindergarten places with the municipality. The remaining places are offered through the Goulburn Region Preschool Association, private providers, community providers and primary schools.

Participation rates. The state wide participation rate in kindergarten is 97 per cent. Greater Shepparton's participation rate is 95 per cent. Greater Shepparton is one of two Enhanced Best Start sites in Victoria funded with \$100,000 per year for three years to increase kindergarten participation.

Registered Child Care Rebate is a flat rate rebate (currently 65 cents per hour) available to families accessing early childhood services which are not eligible for Approved Child Care Rebate. Eligibility for this rebate is dependent on criteria such as working, studying or volunteering practices of the child's parents.

Universal Access to 15 hours of Early Childhood Education (UAECE15) The Council of Australian Government's (COAG) initiative that from 2013 every eligible child in Victoria is to have access to 15 hours of kindergarten in an early childhood education program

6. MANAGEMENT REPORTS

6.8 Implementation of Universal Access to Early Childhood Education - 15 hours of kindergarten (UAECE15) (continued)

facilitated by a bachelor qualified early years teacher in the year before they attend primary school.

Background

In November 2008 the COAG signed an agreement to offer UAECE15 to all Australian children. The initiative was to be fully implemented from January 1 2013. Three of the significant aims of this policy are

- To provide an equal service for children across Australia
- To increase participation in kindergartens
- To increase participation without presenting a barrier based on cost.

In June 2011 Council proposed a kindergarten fee increase of 65 per cent. (From \$460 per annum to \$700 per annum.) Approximately 90 objections to this increase were received prior to adoption of the 2011/2012 Council Budget. An alteration to the fees and charges schedule implemented fee increases of \$20 each in five separate six monthly increases, bringing the annual fees to \$820 in January 2013.

Council operated kindergartens currently costs families approximately \$1.85 per hour for 11 hours per week. The required fee for 15 hours of kindergarten per week is approximately \$2.10 per hour. By all measures this is extremely good value for money. The concern for our families is not the cost per hour, but the total increase in one year – from \$820 to \$1250.

The Department of Education and Early Childhood Development (DEECD) conducted:

1. A pilot project of UAECE15 including two Greater Shepparton City Council centres. Arthur Dickmann Child Care Centre (AD) and Katandra West Early Childhood Centre (KW). The implementation was well accepted by families and staff at KW. At AD families accepted the program well although it required some minor adjustments to the staffing model. At both centres the user fees remained the same as our other services. As contributors to the research involved in the pilot it was believed that families should not be expected to bear additional costs. Families, centre staff and management staff participated in written, forum and individual interview evaluations of the pilot. The feedback was positive although consistently repeating that significant cost increases would have a negative impact on families' ability to access 15 hour programs. The DEECD commissioned Successworks Australia to provide the evaluation of the pilot project. The evaluation report has not been released.
2. A review into kindergarten operation costs. Council provided detailed information regarding two Council centres – Colliver Road Children's Centre and Gowrie Park Preschool. In addition we provided generalised information regarding costs specific to rural and regional kindergartens. This review was conducted by Deloitte Australia. The resulting report is expected to be released in November 2012.

On 29 March 2012 the DEECD released the per capita funding rates for 15 hour programs in 2013. This funding will require a fee to families of \$1250, a significant increase on the previously anticipated \$820 per annum. It is anticipated that the DEECD will mandate the implementation of the initiative in 2014 as a requirement for kindergarten funding. The supported, staged fee increase will give our families the best opportunity to afford this requirement

6. MANAGEMENT REPORTS

6.8 Implementation of Universal Access to Early Childhood Education - 15 hours of kindergarten (UAECE15) (continued)

A stakeholder meeting was held on Monday 30 April. The message from parents of children attending Council kindergartens was that this increase was unaffordable. This view was reinforced at kindergarten committee meetings at all Council kindergartens over the following two months.

Discussions have been held with Dawn Davis, Assistant Regional Manager DEECD, and Jan Barrett, Early Years Consultant MAV. Both have offered their in kind support to help Greater Shepparton City Council manage this change but no additional funding at the time of writing.

Also on 29 March 2012 the DEECD acknowledged that all kindergartens may not be able to implement 15 hours of kindergarten and the department would continue to work with services to allow implementation in the future.

At its 15 May 2012 Council meeting, council resolved as follows:

That Council:

- 1. delay the implementation of Universal Access to 15 hours of Early Childhood Education (kindergarten) at Council operated Kindergartens until an appropriate funding model is available that would minimise or eliminate cost increases to families or the Council*
- 2. advocate to the State and Federal Government for an appropriate funding model that fully supports the implementation of 15 hours of Early Childhood Education without a cost barrier*
- 3. advocate to MAV to represent the sector to support the implementation of 15 hours of Early Childhood Education without a cost barrier*
- 4. receive a further report examining Council's role to ensure social equity and access of early childhood services.*

Following from this meeting the Council has undertaken the following activities:

- Met a number of times with senior staff from the Department of Education and Early Childhood Development to explore all funding options.
- Discussed both Council's and the State Government positions with Minister Lovell.
- Explored alternative options with the assistance of the Municipal Association of Victoria.
- Reviewed the impact of not providing a 15 hour per week kindergarten program in Greater Shepparton, particularly in relation to the potential disadvantage children in Council programs may experience.
- Reviewed capacity to deliver a 15 hour program in terms of physical infrastructure and staff availability.

Therefore this report has been prepared in the knowledge that council has exhausted all current avenues for further funding over and above the 65 per cent currently contributed towards kindergarten funding by the State Government.

As such, we believe that Council has a number of options as listed in the report (below) but we have recommended to council that it:

- Implement a 15 hour kindergarten program in Council operated centres in 2013. This will ensure children in Greater Shepparton receive the same developmental opportunities via kindergarten as other children across Victoria.

6. MANAGEMENT REPORTS

6.8 Implementation of Universal Access to Early Childhood Education - 15 hours of kindergarten (UAECE15) (continued)

- Increase fees in a staged manner to meet the increase costs of providing a 15 hour kindergarten program. Council's kindergarten fees have traditionally been extremely low when compared to other programs across the state and this will bring us in line with a benchmarked set of fees. The staged approach will ensure that families currently utilising the service do not experience a dramatic fee increase in the space of one year, with Council absorbing a significant amount of the cost increase in the first year, decreasing annually for three years.
- Continue to lobby for increased State Government funding to offset these costs to both Council and/or families. This is particularly relevant given Council was not party to the agreement to increase kindergarten hours but is now being obliged to increase them in line with State and Commonwealth government policy.
- Develop a second tier of fee subsidy for those families who may be at risk of disengaging with kindergarten due to costs. This tier would focus on families who are not eligible for health care cards or other categories enabling them to access Kindergarten Fee Subsidies, but who may still be struggling financially and may not enrol their child/children in Kindergarten due to costs.

Council Plan/Key Strategic Activity

Council Plan 2009-2013

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

The *Best Start Early Years Plan 2011-2014* refers to the Council Plan on page 27 under the heading 'Council's Role'. It states that the policy context for Council is outlined in its Council Plan and that this is summarised in Greater Shepparton's vision statement and further articulated in its strategic objectives, specifically the theme of Community Life.

Risk Management

Council is currently a preferred partner in State / Federal Government partnerships; Enhanced Best Start Funding, Capital Funding for the Isabel Pearce Kindergarten extension, State Government Strategic Planning Partnership membership. This relationship may be impacted by resistance to the implementation to UAECE15.

In 2016 a further Council of Australian Governments initiative will be implemented requiring a decrease in the staff:child ratio in kindergartens from 1:15 to 1:11. At this stage additional funding for this change has not been disclosed by any level of government.

Policy Considerations

This proposal conflicts with Council's intent to dis-allow cost shifting from State and Federal Governments. The adoption of this recommendation will see the increased costs being borne between users and council, phased towards user pays over three years.

6. MANAGEMENT REPORTS

6.8 Implementation of Universal Access to Early Childhood Education - 15 hours of kindergarten (UAECE15) (continued)

Financial Implications

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Total approved budget for children's services	\$1,453,676	\$1,517,576	\$63,900	This variance is applicable to the 2012/13 budget, not taking into account any further increase in fees.

* Amount shown in this column may equal one line item in budget or maybe a component of one budget line item.

Legal/Statutory Implications

This recommendation is consistent with the Local Government Act 1989 and the Education and Care National Law and Regulations 2009. Potentially the implementation of the initiative will be a funding requirement for kindergartens from 2014.

Environmental/Sustainability Impacts

There are no environmental or sustainability impacts arising from this proposal.

Social Implications

Well documented national and international research and evaluation supports the increase in attendance in early childhood education settings for our community's children. The increased literacy, numeracy and social skill developments are commensurate with higher levels of spending in programs for older children and young adults.

Economic Impacts

Dependant on the structure of each kindergarten's program, a move to 15 hours of week may provide more capacity for parents to engage further in the workforce, which current kindergarten hours often make difficult without access to additional formal or informal child care.

Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform		<ul style="list-style-type: none"> Newsletters to stakeholders One on one discussions
Consult		<ul style="list-style-type: none"> Stakeholders Meeting 30/4/212 Individual Kindergarten Committee meetings 23/4/2012 to 26/6/2012 Email and hard copy correspondence with individual parents. Discussions with Jan Barrett Early Years Consultant MAV Discussions with Dawn Davis Assistant Regional Director DEECD

6. MANAGEMENT REPORTS

6.8 Implementation of Universal Access to Early Childhood Education - 15 hours of kindergarten (UAECE15) (continued)

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

Strategic Links

a) Greater Shepparton 2030 Strategy

b) Council Plan 2009-2013

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

c) Municipal Public Health Plan 2009-2013

Links to the importance of the early years; Best Start Early Years Plan

d) Community Development Framework

Links to the importance of early childhood, families and communities in building a strong community

Options for Consideration redraft following discussions with DD

- Do nothing.
- Continue to reject implementation of Universal Access to 15 hours of Early Childhood Education (kindergarten) until additional funding is available. This would include continuing to lobby federal and state governments.
- Implement a staged fee increase, sharing the increased cost of kindergarten between families and Council.
- Pass on the complete fee increase to families
- Pass on the complete fee increase to families beginning in 2013 and offer a second stage of kindergarten funding offered through Council
- Absorb the complete increase in fees and continue the current bi-annual fee increase of \$20 per half year. (This increase covers CPI)
- Introduce both 11 hour and 15 hour kindergarten programs on a fee for service basis. This option is least preferred due to the opportunity to create second class kindergarten programming based on a family's ability to pay.

Conclusion

Most families in the City of Greater Shepparton wish to utilise Universal Access to 15 hours of Early Childhood Education (kindergarten). Based on consultation, it is estimate that approximately 30 per cent of families with children eligible to attend kindergarten would struggle to afford or be unable to afford an increase in fees of up to 65 per cent to access 15 hours of kindergarten in 2013. This proposal allows all families to enjoy the benefits of 15 hours of kindergarten per week for their child while minimising the cost increase. The full impact of the total cost increase to families will be minimised by being phased in over three and by providing a specific additional fee subsidy for those families who may be prevented from accessing kindergarten due to the costs.

Attachment

Calculations for UAECE15 May 2012 (preferred options)

7. TABLED MOTIONS

Nil received at the time of publishing.

8. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

Nil received at the time of publishing.

9. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

Nil received at the time of publishing.

10. NOTICES OF MOTION, AMENDMENT OR RESCISSION

10.1 Notice of Motion 6/2012 – Cr Michael Polan

Cr Polan has given notice that he will move:

That a Public Toilet report be tabled at the Ordinary Meeting of Council to be held in February 2013 to include the following:

1. An inventory of council-managed toilets in the municipality to include comments regarding suitable location, physical condition, safety aspects, accessibility, perceived usage, frequency of cleaning, aesthetics and estimated adequacy into the future.
2. An assessment of areas, with emphasis on the three main CBDs and highway entrances, where there may be a significant need for additional toilet facilities
3. A “draft Public Toilet Policy for Greater Shepparton” to be presented for public exhibition and comment to be adopted after submissions prior to 30th June 2013.

10.2 Notice of Motion 7/2012 – Cr Fern Summer

That:the Council allow transition permit applications to be received and issued under delegation by the Manager of Sustainability and Environment for food traders and other itinerant traders within appropriate conditions. If a transaction permit is issued, the permit remains in force until permits are issued under the expression of interest process as contained within the procedure.

11. DOCUMENTS FOR SIGNING AND SEALING

Nil received at the time of publishing.

12. COUNCILLOR ACTIVITIES

Councillors' Community Interaction and Briefing Program

From 8 September to 7 October some, or all, of the Councillors have been involved in the following activities:

- Deakin Reserve Meeting
- RCV Meeting [Melbourne]
- Mooroopna Secondary College - VCAL Celebration Luncheon
- SSM Confidential Meeting
- Older Person's Advisory Committee Meeting
- 136th Annual Shepparton Show | Official Opening
- Murchison Retirement Village [Wybalena Village] | Open Day
- Tatura Children's Centre – AGM
- Greater Shepparton Health and Wellbeing Advisory Committee
- Shepparton Art Museum Advisory Committee Meeting
- SSM Ordinary Committee Meeting
- Regional Client Forum - Benalla
- Mooroopna Combined Service Club's Dinner
- Resource GV Board Meeting
- Relay for Life
- 20 Years of Humanitarian Action - RedR Australia
- Council Induction - Councillor Presentation to new inductees
- Best Start - Municipal Early Years Plan
- Toolamba Primary School | Official Opening

Councillors were also briefed on the following matters:

- SheppARTon Festival & Emerge Festival
- International Dairy Week - MOU Negotiations
- Mactier Park & Lake Bartlett endorsement of Master Plan
- Pine Lodge Advisory Committee
- Sevens Creek Neighbourhood Plan
- Council Briefing | SSM Assessment Report
- Council Plan Data Collection – Findings

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

RECOMMENDATION

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

Attachments

Assemblies of Councillors Records:

- Older Persons Advisory Committee – 10 August 2012
- Disability Advisory Committee – 24 August 2012
- Older Persons Advisory Committee – 14 September 2012
- Disability Advisory Committee – 28 September 2012
- Shepparton Art Museum Advisory Committee Meeting – 17 October 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:

- Contract 1379: Supply and Delivery of Pre-Mix Concrete Within the City of Greater Shepparton
- Contract 1380: Supply and Deliver of Hill Gravel, Crushed Rock and Sealing Aggregate

RATING STRATEGY REFERENCE GROUP

TERMS OF REFERENCE

SCHEDULE

1. Definitions

In this Schedule, unless contrary intention appears:

Rating Strategy Reference Group (Reference Group) will advise the Council with regards to reviewing the Council's current Rating Strategy and offer suggestions for improvement.

Reference Group means the persons who are appointed to the Special Reference Group in the manner hereafter provided.

2. Objectives of the Reference Group

The objectives of the **Rating Strategy Reference Group** shall be to act as an advisory group for the development of a new Rating Strategy, and in particular to:

- 2.1 Identify and recommend to the Council the principles that the Council should consider when striking general rates, particularly with regard to the creation and maintenance of any differential rates.
- 2.2 Make recommendations to the Council regarding the equitable sharing of the rates burden between various categories of ratepayers – e.g. Residential, Rural, Commercial and Industrial.
- 2.3 Recommend to the Council any changes to the structure of current charges and their relationship to general rates, e.g. Waste service charges and Municipal Charges.
- 2.4 Identify any other special rates, charges or levies it believes the Council should consider.

3. Items outside the scope of this review

Issues the Rating Strategy Reference Group **will not** be asked to consider or comment upon:

- 3.1 The amount of total rates and charges revenue to be collected;
- 3.2 Strategies and policies of the Council in general, except to the extent they relate directly to rating strategies;
- 3.3 Cost effectiveness and efficiency of providing Council services;
- 3.4 The merit or otherwise of the range of services and facilities provided by the Council;
and
- 3.5 The Council's Capital Works Program.

4. Council's responsibility to the Reference Group

4.1 The Council will provide the Reference Group with the necessary expert advice to enable it to reach its recommendations. This may include;

- MAV publications: -
 - *"Developing a Rating Strategy – A Guide for Councils"*
 - *"A Rating Strategy – An example"*
 - Reference to relevant legislation – mainly the *Local Government Act 1989*
 - Rating models and information from other Regional Councils (and other municipalities as requested)
 - Financial modelling generated by Council staff

The Council will support participation of officers as required to inform the meeting, support meeting processes and other meeting requirements.

4.2 The Council may use the information provided from the Reference Group and consult further with the wider Greater Shepparton community.

4.3 The Council will use information that has been obtained from the Reference Group and the wider Greater Shepparton community as part of its decision making process.

4.4 The Council may amend the recommendations of the Reference Group based on information obtained during any subsequent consultations.

4.5 The Chief Executive Officer of Greater Shepparton City Council shall be an ex-officio, non-voting member of the Reference Group. The Chief Executive Officer may delegate this membership to other officers.

5. Composition and proceedings of the Reference Group

5.1 The Reference Group shall comprise of between seven and nine members appointed by resolution of the Council as follows:

- Two Councillors
- Between five and seven community members representing a cross section of ratepayer categories including: Residential, Farm/rural, Commercial and Industrial, along with groups such as the Shepparton Chamber of Commerce and Industry, not-for-profit organisations, tourism association and environmental groups.

- Council staff will also attend to provide technical input and administrative support. The Chief Executive Officer will determine the staff required to support the group which may vary from time to time.

5.2 All persons nominated to serve on the Reference Group shall be subject to the initial and continued approval of the Council for the term set out in clause 5.3.

5.3 Subject to clause 5.4, all Reference Group members remain in office until the completion of the review, or 31 March 2013, whichever is the earlier.

5.4 On the resignation of, or in the case of a representative being incapable of acting as a representative body, the Council may, on the advice of the Reference Group, advertise for a replacement Reference Group person. The term of office of persons appointed to fill such a vacancy shall expire on the date at which the previous member would have gone out of office. Council may also consider leaving such position vacant if it deems the remaining tenure of the Reference Group insufficient to warrant a replacement being appointed.

5.5 The Council is empowered to declare a Reference Group member's office vacant if he/she fails to attend two consecutive meetings without leave of the Reference Group by resolution duly passed or on the recommendation of the Reference Group.

5.6 A Councillor shall be appointed as Chairperson.

5.7 If a member of the Reference Group has a conflict of interest in any matter in which the Reference Group is concerned, the member must disclose the nature of that interest at the meeting at which the matter is discussed.

Members with a conflict of interest must abstain from the proceedings, including removing themselves from the meeting while the item is under discussion.

5.8 For the purpose of clause 5.7, it is accepted that all members of the Reference Group are likely to be ratepayers and may potentially benefit from any changes recommended by the group. It is also accepted that such potential benefit, or disbenefit, may vary disproportionately in its financial effect between members of the Reference Group. This is in itself would not be deemed to be a conflict of interest.

6. Meetings of the Reference Group

6.1 Meetings of the Reference Group shall be held as determined by the Reference Group.

- 6.2 Meetings of the Reference Group must be held at a time and place determined by the Reference Group.
- 6.3 A motion before a meeting of the Reference Group is to be determined by consensus on the following basis:
- a) Each member of the Reference Group who is entitled to vote is entitled to one vote;
 - b) Unless the procedures of the Reference Group otherwise provide, voting must be by a show of hands;
 - c) If there is an equality of votes, the motion is lost.
- 6.4 The Reference Group shall keep a record of each of its meetings and the Chairperson shall ensure that the minutes of the meeting are submitted to the next meeting for confirmation.
- 6.5 When the minutes are confirmed the Chairperson at the meeting must sign the minutes and certify that they have been confirmed.
- 6.6 The quorum at any meeting of the Reference Group shall be a majority of members appointed to the Reference Group. Motions cannot be adopted if a quorum does not exist.
- 6.7 The Reference Group may form Sub-Reference Groups from amongst its members for the purpose of recommending on matters pertaining to the provisions of this instrument, provided that no decision may be acted upon until adopted by the full Reference Group.
- 6.8 The Chairperson shall be an ex-officio member of all Sub-Reference Groups.
- 6.9 Such Sub-Reference Groups shall only be established by resolution of the Reference Group and shall only carry out those functions stated in such resolution, as determined by the Reference Group.

7. Indemnity

- 7.1 The Council will indemnify members of the Reference Group against any action liability claim or demand on account of any matter or thing done by them on behalf of the Reference Group when they are acting in accordance with this Terms of Reference by that member of the Reference Group in the honest and reasonable belief or under a mistake of law that the member was properly exercising any function or power of the Reference Group.

7.2 All materials, information and references provided in the course of Reference Group meetings will be deemed confidential unless approved by the Council as not being confidential.

8. Term of Appointment

8.1 This Reference Group shall cease on 31 March 2013, unless otherwise extended in writing by the Council.

9. Revocation

9.1 These terms of reference may be revoked at any time by the Council, if in the view of the Council, the Reference Group is not functioning in the best interest of the community and the Council. The Council shall not exercise this power of revocation unless all reasonable attempts at negotiation have been exhausted between the Council and the Reference Group.

10. Reference Group Representation

10.1 It will be the responsibility of the Reference Group to notify the Council of the resignation and/or appointment of members from the Reference Group.

GREATER SHEPPARTON CITY COUNCIL

Addendum to Financial Report

Finance Manager's Overview

The October 2012 Financial Report provides a comprehensive summary of the budget compared to actual financial position. From an operating perspective Council is tracking within an acceptable margin of the budget for the fourth month of the financial year. Revenue is currently behind budget by \$1.09m and expenditure are behind budget by \$0.82m, resulting in a lower than expected operating year-to-date budget position of \$0.27m.

The forecast position for end of year reflects an increase in income of \$0.94m and an increase in expenditure of \$1.23m resulting in an overall unfavourable forecast which is \$0.30m against budget.

Capital revenue is tracking behind budget by \$2.54m, and a forecasted increase of \$0.19m in capital revenue when compared to the September Quarter budget. Capital expenditure is tracking \$4.48m under budget, with works to the value of \$4.02m out of a total budget of \$31.60m having been completed in the first third of 2012/2013. Traditionally, capital works projects are within their planning stages in the first quarter of the new financial year, this explains the small percentage of the capital works budget spent.

Investments are tracking as expected, with a total of \$27.59m invested. The average interest rate is 4.65%, which is above the 90 day bank bill cash rate of 3.50%. Council has a diverse investment portfolio, which includes local banking institutions. Council actively manages investments to maximise returns within Council's Investment Policy guidelines. Council expects the continued reductions in the official cash note is and will continue to produce a reduction in the interest earned by council investments. This combined with early payments of the defined benefits superannuation liability will require budgeted investment income to be reduced at midyear review.

Sundry Debtors are reporting lower when compared for the same period in 2011/2012 due to a large number of current invoices being paid on time. Sundry Debtors are within acceptable limits and are being actively managed. The two most significant debtor invoices are for \$239k which is payable by the Department of Human Services for the Municipal Rate Concessions and Council Administration fee and \$220k which is payable by the Department of Justice for the Public Safety Infrastructure Fund Safe City Camera Project.

Further details and explanations are contained in the financial report.

FINANCIAL STATEMENTS

2012-2013 FINANCIAL YEAR TO DATE AS AT

31 October 2012

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Greater Shepparton City Council
Income Statement
for period ending October 2012

	Sept Qtr 2012/2013 \$	2012/2013 Forecast \$	2012/2013 YTD Budget \$	2012/2013 YTD Actual \$	2012/2013 YTD Variance (Fav)/Unfav \$	2012/2013 YTD Variance (Fav)/Unfav %	Note
Revenue							
Rates and Charges	56,410,956	56,427,113	56,410,956	56,814,099	(403,143)	(0.7%)	
Operating Grants and Contributions	15,908,695	16,593,129	4,765,026	5,630,651	(865,625)	(18.2%)	1
Capital Grants and Contributions	8,473,700	8,636,352	3,150,364	614,998	2,535,366	80.5%	2
Interest	1,648,059	1,348,059	411,352	348,750	62,602	15.2%	3
User Charges	14,297,803	14,290,544	4,906,096	4,920,986	(14,890)	(0.3%)	
Statutory Fees	2,444,736	2,415,283	550,972	607,977	(57,005)	(10.3%)	
Proceeds from Sale of Assets	346,000	374,222	120,000	107,712	12,288	10.2%	
Other	533,207	805,255	191,387	411,236	(219,849)	(114.9%)	4
Parking Fees and Fines	1,983,695	1,983,695	661,052	561,822	99,230	15.0%	
Rent	591,451	700,063	306,861	364,764	(57,903)	(18.9%)	
Total Revenue	102,638,302	103,573,715	71,474,066	70,382,996	1,091,070	1.5%	
Expenses							
Employee Benefits	38,179,587	38,434,443	13,293,092	13,151,801	(141,291)	(1.1%)	5
Materials and Consumables	27,329,187	28,220,840	9,868,836	9,208,215	(660,621)	(6.7%)	6
External Contracts	10,060,458	10,074,017	3,541,059	3,504,405	(36,654)	(1.0%)	
Utilities	2,706,526	2,782,180	828,176	937,144	108,968	13.2%	7
Borrowing Costs	1,330,247	1,330,247	9,475	30,971	21,496	226.9%	
Depreciation and Amortisation	17,649,000	17,646,000	5,892,968	5,882,988	(9,980)	(0.2%)	
Written Down Value of Assets Sold	294,000	294,000	97,960	0	(97,960)	(100.0%)	8
Total Expenses	97,549,005	98,781,727	33,531,566	32,715,524	(816,042)	(2.4%)	
Surplus/(Deficit) for the period	5,089,297	4,791,989	37,942,500	37,667,472	275,028	0.7%	

Financial Narrative

31 October 2012

Summary

As at 31 October 2012, Greater Shepparton City Council reports an operating surplus of \$37.67m, which is \$0.27m less than expected for this time of the year. This surplus comprises of \$70.38m in income and expenditure of \$38.05m. The forecasts for end-of-year estimate the operating surplus will be \$4.79m, \$0.30m less than the September quarterly review.

Capital expenditure totalling \$4.02m has been recorded to 31 October 2012. This equates to a total of 13% of the total capital expenditure budget with a third of the year passed. The end-of-year forecast for capital expenditure indicates that \$31.79m is required for works, which is \$0.19m greater than the September quarterly review budget of \$31.60m. As part of the mid year review process the Council will be reviewing the 2012/2013 program against works completed to date to ensure scheduled works are on track for completion or any variations made.

Income Statement

Operating revenue of \$70.38m is \$1.09m behind budget, while operating expenses of \$38.05m are \$4.52m ahead of budget. The end-of-year forecast estimates a increase of \$0.94m in revenue expected to be received, while expenditure is forecast to be over budget by \$1.23m.

- 1 Operating grants and contributions are reporting to be ahead of budget by \$0.87m. Larger variances include:
 - \$0.66m of the additional income received relates to unbudgeted grants received for the flood events in early 2012, including \$0.5m to offset unbudgeted costs incurred during 2011/2012 for the February flood event.
 - \$0.09m has reported as additional income received from Communities for Children for the Best Start program
 - \$0.09m relates to Community Connection funding which has been received earlier in the year than expected.
- 2 Capital grants and contributions are reporting to be behind budget by \$2.54m. These variances relate to developer contributions which are difficult to predict in timing as they rely on developers works. Other variances are primarily timing variances and are expected to fall in line throughout the year.
- 3 Interest revenue is currently tracking \$0.06m behind budget. This is due to a lower than expected interest rate received on investments and with annual investment interest to be revised down at the mid year review.
- 4 Other revenue is tracking \$0.22m ahead of budget. This variance comprises of several smaller variances, including the following:
 - \$0.08m of the variance is as a result of internal adjustments required as part of correcting prior financial year accruals.
 - \$0.05m relates to income received from United Approach to Tourism for services rendered, and are offset by correlating expenditure.
- 5 Employee Benefits reports a \$0.14m favourable variance. This variance relates to a number of staff vacancies, and is in addition partly offset by an increase in staff salary oncosts.
- 6 Materials and consumables are currently reporting a \$0.66m favourable variance. Fleet maintenance is reporting a \$0.17m underspend. There are also a number of other variances which are not material.
- 7 Utilities are currently over budget by \$0.11m. This is being further investigated to determine if this will be an ongoing trend.
- 8 Written down value of assets sold is reporting to be \$0.10m behind budget. This variance is a timing differences with sales still expected to occur later in the year.

Greater Shepparton City Council
Balance Sheet as at
for period ending October 2012

	Sept Qtr 2012/2013 \$	June 2012 \$	October 2012 \$	Note
Current Assets				
Cash	1,000,000	2,685,120	1,739,705	
Receivables	6,000,000	4,803,422	44,991,251	1
Investments	21,674,239	34,163,064	27,591,486	2
Other	500,000	78,968	123,407	
Non Current Assets Held for Resale	-	-	-	
Total Current Assets	29,174,239	41,730,573	74,445,849	
Non Current Assets				
Receivables	0	0	0	
Infrastructure	667,893,245	649,795,745	647,937,303	
Other	1,371,049	1,157,661	1,157,661	
Total Non Current Assets	669,264,294	650,953,406	649,094,964	
Total Assets	698,438,533	692,683,980	723,540,813	
Current Liabilities				
Payables	8,236,305	5,312,639	4,287,791	
Interest Bearing Liabilities	100,000	389,095	389,095	
Trust Funds	2,000,000	2,123,054	2,147,606	
Employee Benefits	7,900,000	13,771,581	8,265,298	3
Other	220,000	242,851	2,996	
Total Current Liabilities	18,456,305	21,839,220	15,092,787	
Non Current Liabilities				
Payables	200,000	166,602	166,602	
Employee Benefits	800,000	907,758	907,758	
Interest Bearing Liabilities	15,238,000	15,224,794	15,160,589	
Total Non Current Liabilities	16,238,000	16,299,154	16,234,949	
Total Liabilities	34,694,305	38,138,374	31,327,736	
Net Assets	663,744,228	654,545,605	692,213,077	
Represented By				
Accumulated Surplus	303,623,322	294,569,818	332,237,290	
Reserves	360,120,906	359,975,787	359,975,787	
Total Equity	663,744,228	654,545,605	692,213,077	

Greater Shepparton City Council
Financial Narrative
31 October 2012

Balance Sheet

- 1 Majority of the Receivables variance relates to Rates revenue which has been raised, but not yet received.
- 2 Investments have decreased due to the payment of Greater Shepparton City Council's unfunded defined benefits superannuation call of \$5.34m early to take advantage of the discount offered.
- 3 As part of the 2011/2012 Annual accounts Council recognised the liability of \$5.6m relating to unfunded defined benefits superannuation. The Council released the payment of \$5.34m relating to the Greater Shepparton City Council unfunded defined benefits superannuation in September 2012 to take advantage of the discount. Council will, as part of the Mid Year budget process in December, give consideration to determining the appropriate funding approach to replenish reserves.

Investments

Investments have decreased by \$6.57m since 30 June 2012, from \$34.16m to \$27.59m. This is primarily due to the payment of Greater Shepparton City Council's unfunded defined benefits superannuation call. The average interest rate on investments is 4.65%. While the average rate is still showing a reasonable level, recent investments are not attracting this level of return and as such Council will see a lower investment return this year.

Capital

Capital revenue of \$0.72m is behind budget by \$2.54m, while capital expenditure of \$4.02m is \$4.48m behind budget. There are a number of individual items which explain these variances with further details provided on page 8 of this report.

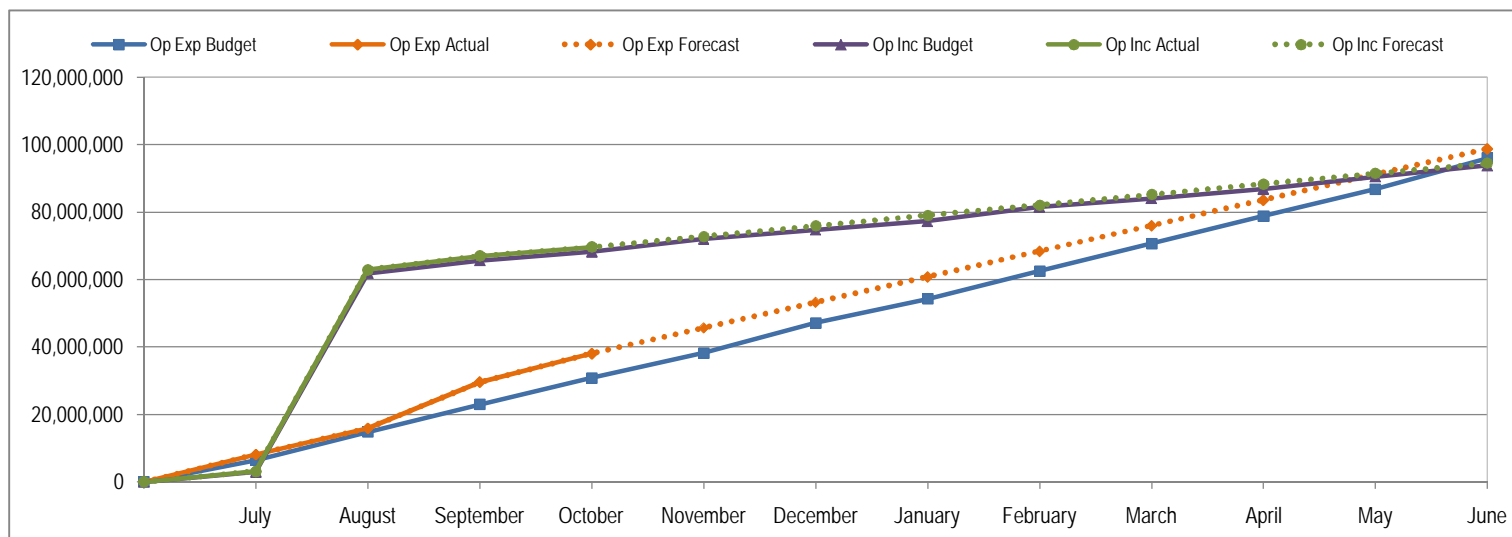
Cash Flow Statement

for period ending October 2012

	Sept Qtr 2012/2013 \$	2012/13 Actual October 2012 \$
<i>Cash flows from operating activities</i>		
Receipts from customers	71,070,602	23,223,888
Payments to suppliers	(78,212,205)	(33,719,006)
Net cash inflow(outflow) from customers(suppliers)	(7,141,603)	(10,495,118)
Interest received	1,598,755	348,750
Government receipts	26,625,000	6,245,649
Other	(1,330,000)	364,764
Net cash inflow(outflow) from operating activities	19,752,152	(3,535,954)
<i>Cash flows from investing activities</i>		
Property, plant & equipment, infrastructure - receipts	345,000	107,712
Property, plant & equipment, infrastructure - payments	(31,372,472)	(4,024,546)
Other	-	-
Net cash inflow(outflow) from investing activities	(31,027,472)	(3,916,834)
<i>Cash flows from financing activities</i>		
Proceeds from interest bearing loans and borrowings	0	0
Repayment of interest-bearing loans and borrowings	(362,000)	(64,205)
Other	0	0
Net cash inflow(outflow) from financing activities	(362,000)	(64,205)
Net increase(decrease) in cash and equivalents	(11,868,093)	(7,516,993)
Cash and equivalents at the beginning of the year	34,542,448	36,848,184
Cash and equivalents at the end of the year	22,674,355	29,331,191

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Greater Shepparton City Council
Operating Budget vs Actual
 2012/2013 Financial Year to period ending October 2012



Expenditure

Strategic Objective	2012/2013 E.O.Y. Forecast	Sept Qtr 2012/2013	2012/2013 YTD Budget	2012/2013 YTD Actuals	2012/2013 YTD Variance (Fav./)Unfav.		
					Variance \$	Variance %	Note
Community Life	35,664,799	35,850,698	12,149,550	11,364,628	(784,922)	(6.5%)	1
Council Organisation and Management	15,829,211	15,116,662	5,872,861	6,719,381	846,520	14.4%	2
Economic Development	6,672,497	6,524,430	2,081,023	1,818,660	(262,363)	(12.6%)	3
Environment	12,073,933	12,180,775	4,102,748	3,631,672	(471,076)	(11.5%)	4
Infrastructure	22,379,188	22,336,974	7,466,892	7,268,300	(198,592)	(2.7%)	
Settlement and Housing	6,162,099	5,947,399	1,858,492	1,912,883	54,391	2.9%	
Grand Total	98,781,727	97,956,938	33,531,566	32,715,524	(816,042)	(2.4%)	

Income

Strategic Objective	2012/2013 E.O.Y. Forecast	Sept Qtr 2012/2013	2012/2013 YTD Budget	2012/2013 YTD Actuals	2012/2013 YTD Variance (Fav./)Unfav.		
					Variance \$	Variance %	Note
Community Life	18,110,802	17,335,750	5,522,374	6,519,630	(997,256)	(18.1%)	5
Council Organisation and Management	56,792,756	57,222,456	51,645,542	52,070,846	(425,304)	(0.8%)	
Economic Development	2,961,499	2,806,323	1,118,719	1,085,618	33,101	3.0%	
Environment	12,376,633	12,333,676	8,776,347	8,594,436	181,911	2.1%	
Infrastructure	2,532,691	2,407,637	703,686	687,103	16,583	2.4%	
Settlement and Housing	1,788,760	1,712,760	437,034	702,653	(265,619)	(60.8%)	6
Grand Total	94,563,141	93,818,602	68,203,702	69,660,286	(1,456,584)	(2.1%)	

Greater Shepparton City Council
Budget vs. Actual Notes
31 October 2012

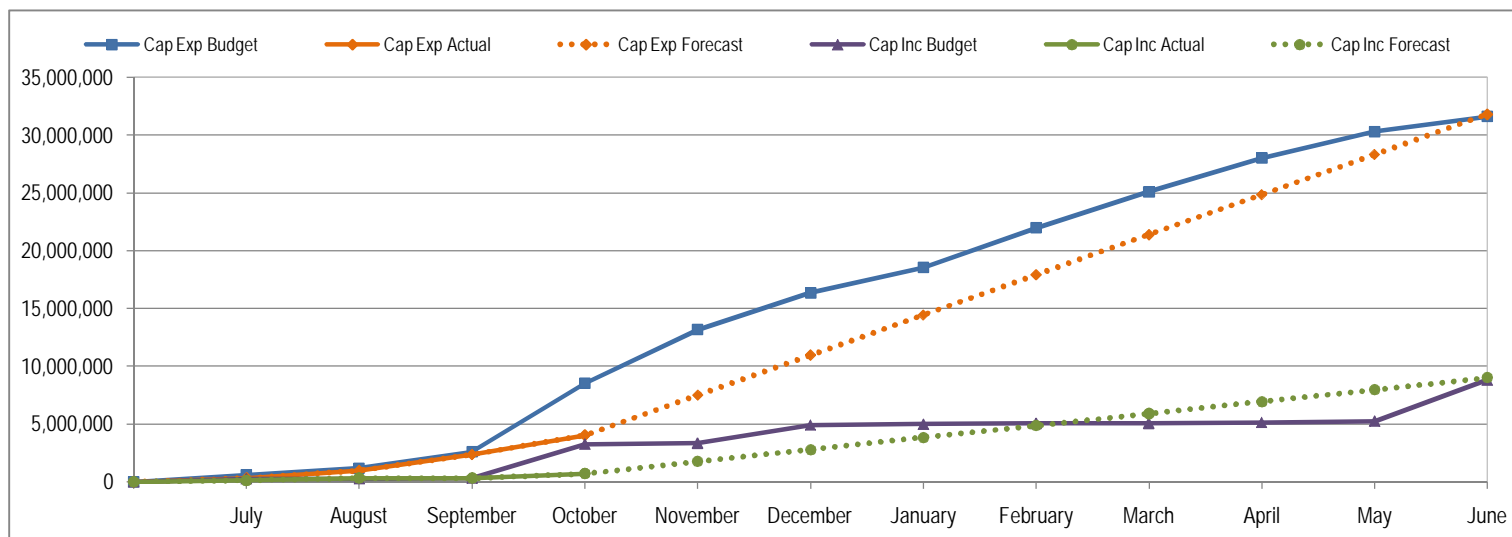
OPERATING**Expenditure**

- 1 Community Life reports an operating underspend of \$0.78m. This current underspend is made up of a number of smaller variances include:
 - Aged Household contract payments reports an underspend of \$0.13m, which is a timing issue and is expected to be back on track next month.
 - Various salary accounts including Parks Maintenance and Recreation and Parks are showing underspends due to current staff vacancies \$0.33m.
- 2 Council Organisation and Management is reporting a \$0.85m overspend. \$0.36m related to work undertaken by contractors at part of the Organisational Restructure. In addition an unbudgeted council overhead expense is reporting an overspend of \$0.33m
- 3 Economic Development is reporting a \$0.26m underspend. As well as a number of smaller variances, larger variances include:
 - A \$0.03m reduction in Shepparton Show Me advertising.
 - Due to staff vacancies there is also a \$0.12m underspend in the Economic Development area.
- 4 Environment reports a underspend of \$0.47m. Variances include:
 - \$0.11m underspend is currently showing against Weed Control, which is expected to go ahead during the warmer months.
 - A \$0.07m underspend in Flood Mitigation Studies as the project has started but in its early stages.
 - A number of other variances which do not materially effect the overall financial position of the Council.

Income

- 5 Community Life reports a \$1.0m favourable variance. Major variances include:
 - \$0.67m of the additional income received relates to unbudgeted grants received for the flood events in early 2012, including \$0.5m to offset unbudgeted costs incurred during 2011/2012 for the February flood event.
 - An additional grant of \$0.99m has been received from Communities for Children's Mother Goose program.
 - \$0.08m relates to Community Connection funding which has been received earlier in the year than expected.
 - \$0.08m has reported as additional income received from Communities for Children for the Best Start program.
- 6 Settlement and Housing are currently reporting a \$0.27m favourable variance. Variances include:
 - \$0.15m of Building and Planning fees, for permits issued outside of the municipality which had not been budgeted for.
 - \$0.07m of contributions where received which had not been budgeted for.

Greater Shepparton City Council
Capital Budget vs Actual
 2012/2013 Financial Year to period ending October 2012



Expenditure

Strategic Objective	2012/2013 E.O.Y. Forecast	Sept Qtr 2012/2013	2012/2013 YTD Budget	2012/2013 YTD Actuals	2012/2013 YTD Variance (Fav./Unfav.)		
					Variance \$	Variance %	Note
Community Life	5,048,953	4,743,990	1,355,486	795,443	(560,043)	(41.3%)	1
Council Organisation and Management	801,937	792,850	63,000	97,933	34,933	55.4%	
Economic Development	2,603,400	2,628,960	829,800	159,338	(670,462)	(80.8%)	2
Environment	3,562,000	3,839,000	561,620	269,453	(292,167)	(52.0%)	3
Infrastructure	17,647,296	17,469,779	5,396,311	2,693,802	(2,702,509)	(50.1%)	4
Settlement and Housing	2,129,643	2,128,666	300,500	8,577	(291,923)	(97.1%)	5
Grand Total	31,793,229	31,603,245	8,506,717	4,024,546	(4,482,171)	(52.7%)	

Income

Strategic Objective	2012/2013 E.O.Y. Forecast	Sept Qtr 2012/2013	2012/2013 YTD Budget	2012/2013 YTD Actuals	2012/2013 YTD Variance (Fav./Unfav.)		
					Variance \$	Variance %	Note
Community Life	196,600	171,600	171,600	26,500	145,100	84.6%	6
Council Organisation and Management	0	0	0	0	0	0.0%	
Economic Development	483,336	224,100	130,764	259,523	(128,759)	(98.5%)	7
Environment	52,000	52,000	52,000	44,629	7,371	14.2%	
Infrastructure	3,168,438	3,261,800	2,805,800	392,058	2,413,742	86.0%	8
Settlement and Housing	5,110,200	5,110,200	110,200	0	110,200	100.0%	9
Grand Total	9,010,574	8,819,700	3,270,364	722,710	2,547,654	77.9%	

Greater Shepparton City Council
Budget vs Actual Notes
31 October 2012

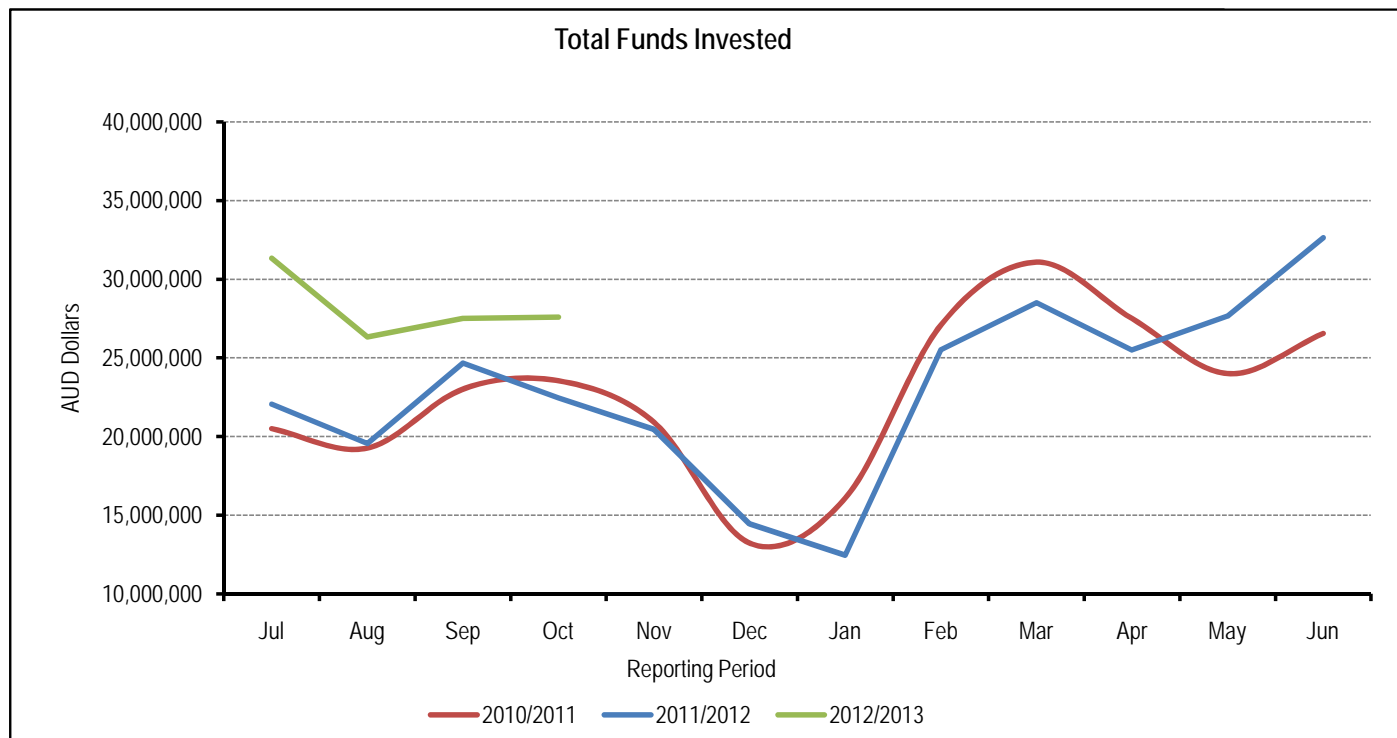
CAPITAL**Expenditure**

- 1 Community Life is reporting a favourable variance for October of \$0.56m. Majority of this variance relates to programs which have not yet started including the Sporting Futures Program, the Senior Citizens upgrade and the Vibert Reserve upgrade which together total \$0.48m.
- 2 Economic Development is currently reporting an underspend of \$0.67m. The major variance of \$0.31m relates to land purchased which have not yet been completed. Other smaller variances exist for projects which have not began.
- 3 Environment is reporting a \$0.29m underspend in capital expenditure. \$0.26m is a direct result of the Urban Drainage replacement project which has not yet began, however will be completed by year end.
- 4 Infrastructure reports an underspend of \$2.70m. Again this relates to projects which have not yet began, however are still planned to go ahead. Major variances include:
 - Roads for Renewal \$0.66m.
 - Shepparton Netball Courts renewal \$0.37m
 - Safer Cities CCTV \$0.25m.Mooroopna West Flood Mitigation works have been delayed due to slow than expected progress in the finalisation of construction drawings this variance is \$0.42m.
- 5 Settlement and Housing is also reporting an underspend of \$0.29m. This variance relates to the Mooroopna West Midland Highway lights project, which is dependent on developers reaching certain milestones.

Income

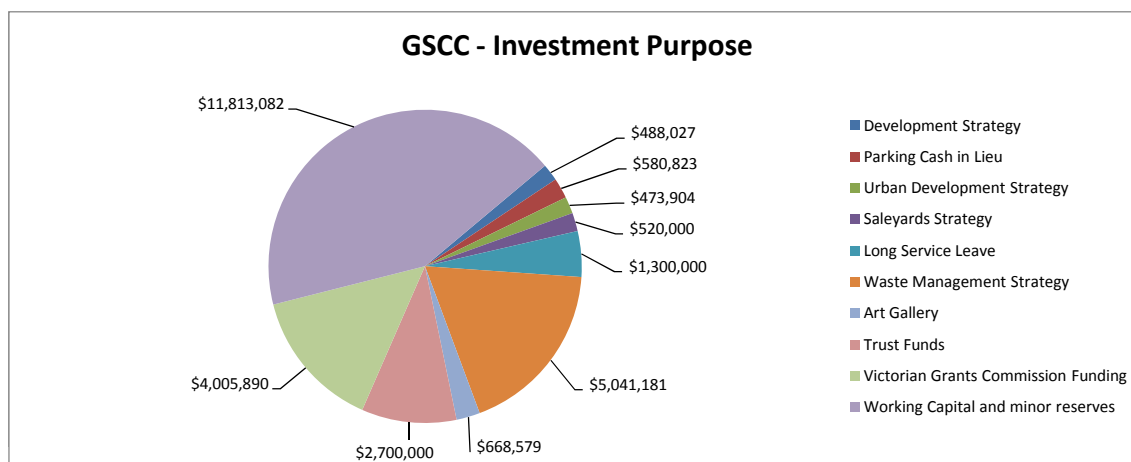
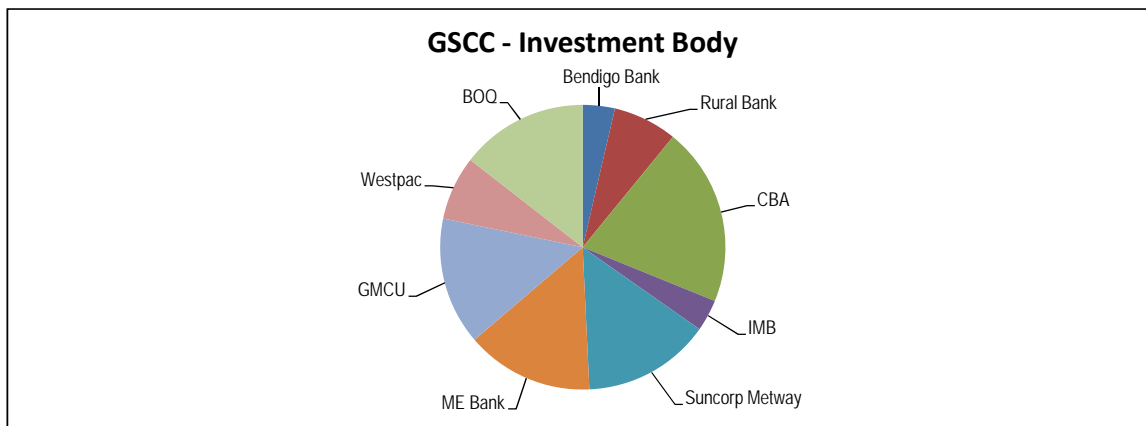
- 6 Community Life currently report an unfavourable variance of \$0.15m. Variances include:
 - \$0.12m of Developer Contributions which are unlikely to be received this financial year due to delays in construction plans.
 - \$0.03m of revenue not yet received due to Art Work sales occurring later than expected.
- 7 Economic Development is currently showing favourable income of \$0.13m. This variance relates to unbudgeted revenue received from road developments. Expenditure will be incurred to match this revenue.
- 8 At the end of October Infrastructure is showing an unfavourable variance of \$2.41m. This partly due to Roads to Recovery projects which are seasonal and have not yet began \$1.45m, and partly due to developer contributions which are now unlikely to be received due to construction plan delays \$0.62m.
- 9 Settlement and Housing is reporting to be behind budget by \$0.10m. This variance in its entirety relates to Developer Contributions which are yet to be received. It is also reported that \$0.07m of this amount is unlikely to be received this financial year due to delays in construction plans.

Greater Shepparton City Council
Investments Summary
 2012/2013 Financial Year to Date at 31 October 2012



GREATER SHEPPARTON CITY COUNCIL INVESTMENT REGISTER AT 31 OCTOBER 2012			
Investment Body	Rate	Maturity Date	Investment Amount
Bendigo Bank	4.6000%	7/01/2013	1,000,000
Rural Bank	5.3500%	27/11/2012	2,000,000
CBA	3.4000%	AT CALL	4,000,000
CBA	4.3500%	9/11/2012	524,723
CBA	4.3500%	9/11/2012	34,357
CBA	4.1000%	22/01/2013	32,406
CBA	3.4000%	AT CALL	500,000
CBA	4.5000%	15/11/2012	500,000
GMCU	5.5000%	15/11/2012	2,000,000
GMCU	5.2500%	5/12/2012	2,000,000
IMB	4.4500%	3/12/2012	1,000,000
ME Bank	4.8600%	2/01/2013	1,000,000
ME Bank	4.9100%	31/01/2013	3,000,000
BOQ	5.2100%	14/01/2013	2,000,000
BOQ	5.1100%	8/11/2012	2,000,000
Westpac	4.4100%	28/02/2013	2,000,000
Suncorp Metway	5.6000%	14/11/2012	2,000,000
Suncorp Metway	4.4000%	30/11/2012	2,000,000
TOTAL			27,591,486

Greater Shepparton City Council
Investments Summary
 2012/2013 Financial Year to Date at 31 October 2012



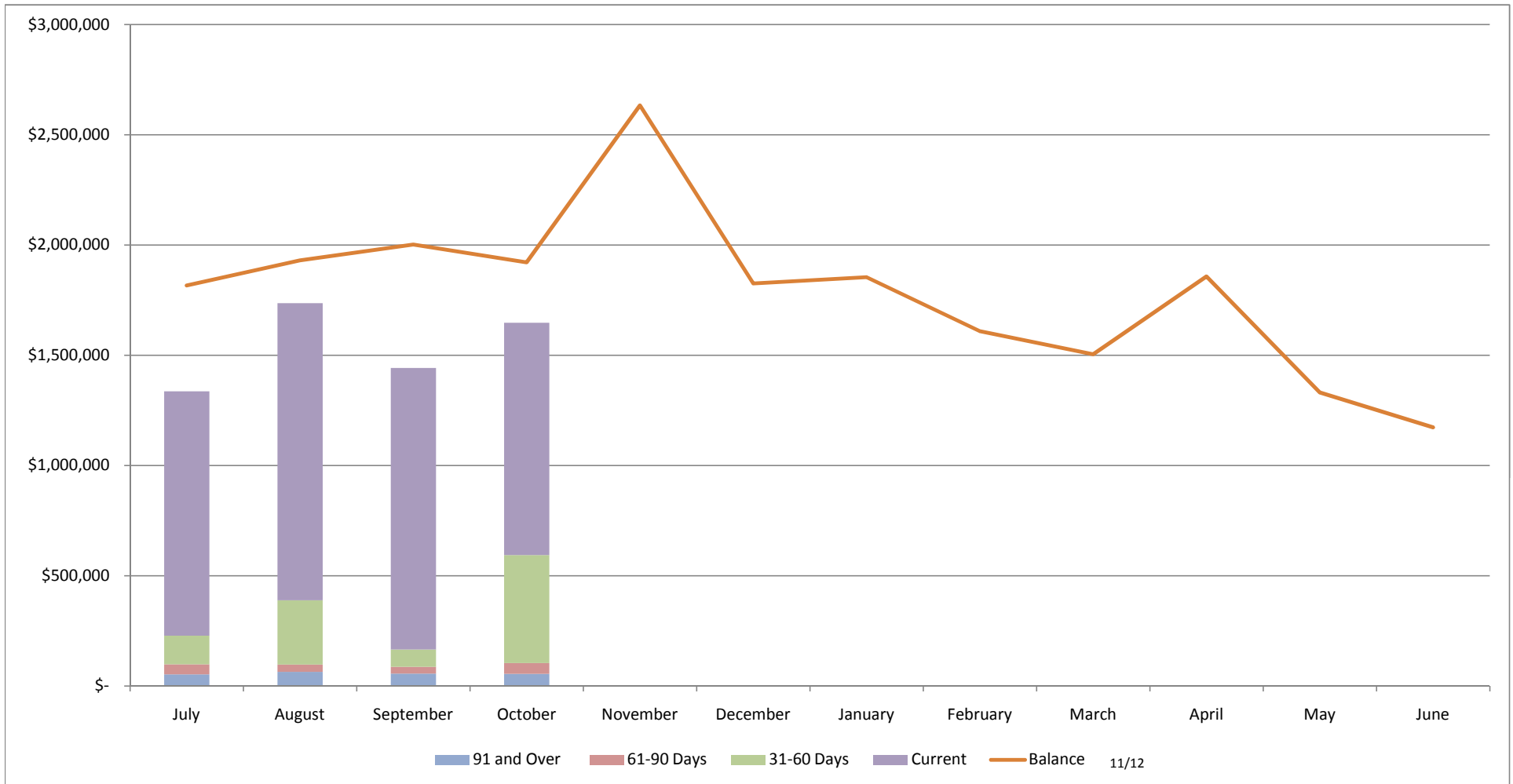
PURPOSE LISTING		
	Purpose	Amount
1	Development Strategy	\$ 488,027
2	Parking Cash in Lieu	\$ 580,823
4	Urban Development Strategy	\$ 473,904
5	Saleyards Strategy	\$ 520,000
6	Long Service Leave	\$ 1,300,000
7	Waste Management Strategy	\$ 5,041,181
8	Art Gallery	\$ 668,579
9	Trust Funds	\$ 2,700,000
10	Victorian Grants Commission Funding	\$ 4,005,890
11	Working Capital and minor reserves	\$ 11,813,082
		27,591,486

Funds Held Notes:

- ** Investments 1 and 2 relate to contributions received under planning permit conditions and are subject to use on specific developments which com relevant regulations.
- ** Investment 3 is funds held for future developments across the municipality. Funds have been temporally used in September to pay for the defined payment and will be replenished after consideration of the mid year review.
- ** Investments 4,5 and 6 relate to surplus operational funds maintained in accordance with council process to redirect to capital investments specific business areas.
- ** Investment 7 is in accordance with regulations requiring Council to hold funds relating to employee entitlements.
- ** Investment 8 relates to Art Work sale proceeds and are held for future collection acquisitions.
- ** Investment 9 is funds identified and held by council in trust and therefore unavailable for use by Council.
- ** Investment 10 is funds from the Victorian Grants Commission paid in 2011/2012 to be used to fund operations in 2012/2013.
- ** Investment 11 is funds held to cover operating and capital expenditure for the remainder of the financial year, and includes minor reserve amount June 2012.

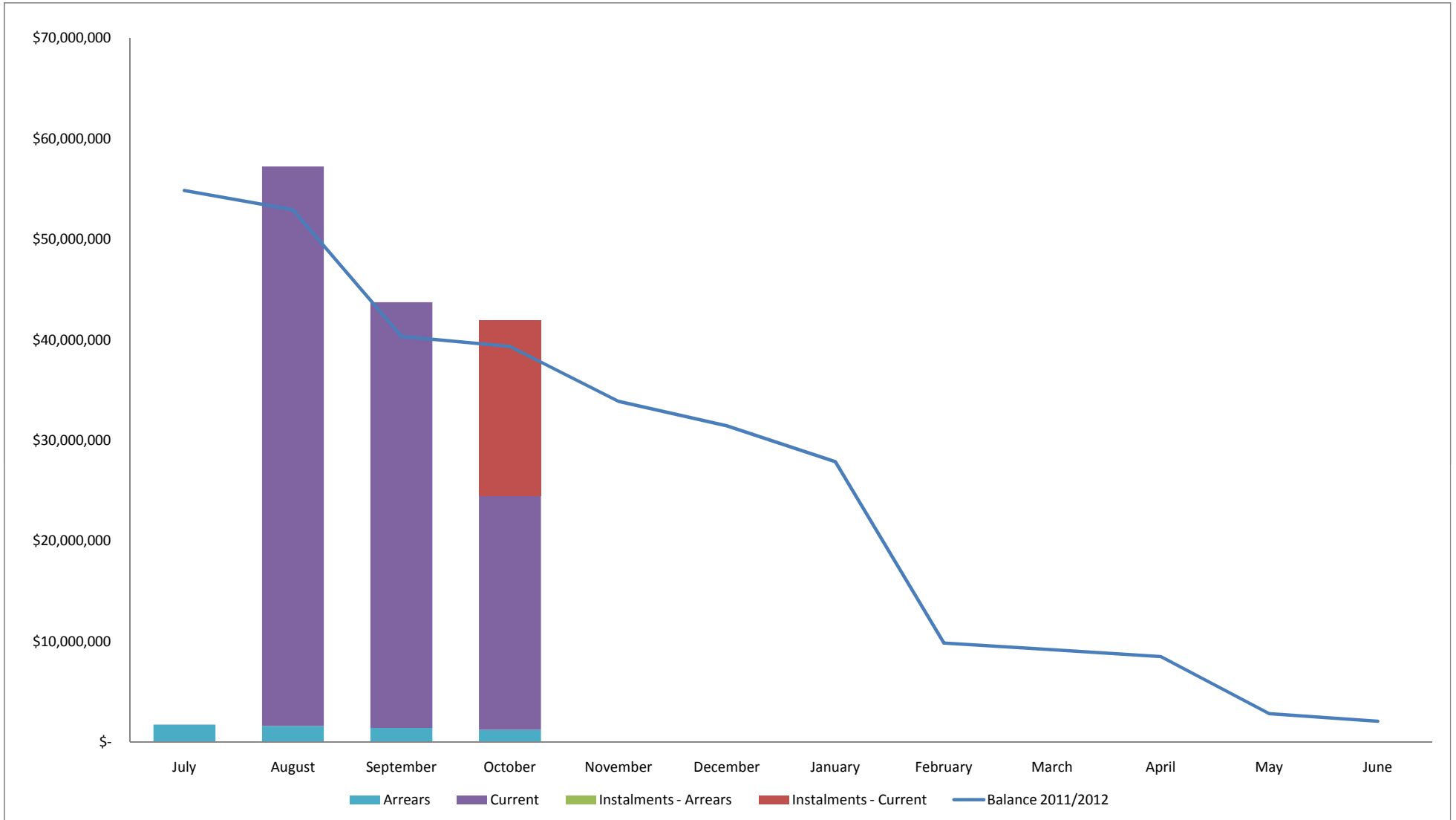
Council's Investment and Cash Management Policy has been complied with and there are no breaches to report.

City Of Greater Shepparton Comparative Sundry Debtors 2012/2013 Financial Year to Date at 31 October 2012



Comparative Rates Debtors

2012/2013 Financial Year to Date at 31 October 2012



	September	October	Total
Geoff Dobson			
Telephone Rent	\$40.86	\$40.86	\$245.16
Internet Connection			\$0.00
SMS	\$11.57	\$11.61	\$53.24
Calls	\$114.05	\$104.85	\$513.63
Travel	\$405.91	\$32.31	\$438.22
Other		136.36	\$2,367.69
Allowance		\$1,757.56	\$7,746.78
Vehicle			\$0.00
	\$572.39	\$2,083.55	\$11,364.72
Kevin Ryan			
Telephone Rent	\$40.86	\$40.86	\$245.16
Internet Connection		\$31.36	\$94.08
SMS			\$0.00
Calls	\$46.83	\$89.32	\$325.66
Travel	\$30.00		\$30.00
Other			\$0.00
Allowance		\$1,757.56	\$7,746.28
	\$117.69	\$1,919.10	\$8,441.18
Jenny Houlihan			
Telephone Rent	\$9.09	\$9.09	\$54.54
Internet Connection		\$45.45	\$136.35
SMS	\$4.61	\$3.07	\$30.21
Calls	\$73.98	\$54.15	\$303.23
Travel			\$0.00
Other		\$103.18	\$103.18
Allowance		\$1,757.56	\$7,746.28
	\$87.68	\$1,972.50	\$8,373.79
Milvan Muto			
Telephone Rent	\$31.77		\$195.21
Internet Connection			\$160.00
SMS	\$6.99		\$84.94
Calls	\$67.72		\$422.21
Travel			\$0.00
Other	\$10.00		\$25.00
Allowance		\$1,757.56	\$7,746.28
	\$116.48	\$1,757.56	\$8,633.64
Michael Polan			
Telephone Rent	\$40.86	\$40.86	\$245.16
Internet Connection			\$0.00
SMS	\$8.70	\$10.02	\$105.28
Calls	\$73.55	\$96.75	\$729.81
Travel		\$860.67	\$860.67
Other		\$136.36	\$136.36
Allowance		\$5,438.37	\$23,969.11
Vehicle	\$1,733.00	\$1,733.00	\$6,932.00
	\$1,856.11	\$8,316.03	\$32,978.39
Cherie Crawford			
Telephone Rent	\$40.86	\$40.86	\$245.16
Internet Connection		\$45.45	\$136.35
SMS	\$0.12		\$0.85
Calls	\$34.11	\$34.47	\$185.90
Travel	\$2,262.56		\$2,262.56
Other		\$68.18	\$68.18
Allowance		\$1,757.56	\$7,746.28
	\$2,337.65	\$1,946.52	\$10,645.28
Chris Hazelman			
Telephone Rent	\$36.31	\$37.37	\$218.92
Internet Connection		\$45.45	\$136.35
SMS	\$30.23	\$5.91	\$59.14
Calls	\$50.88	\$63.25	\$319.56
Travel			\$0.00
Other			\$654.57
Allowance		\$1,757.56	\$6,055.16
	\$117.42	\$1,909.54	\$7,443.70
Catering	\$441.00	\$355.96	\$2,254.96
Total	\$5,646.42	\$20,260.76	\$90,135.66

- Account reconciled fully and adjustments from throughout the year highlighted separately.

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

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

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

- Monthly telephone charges relate predominately to prior month.

Attachment 1

Statement of Grounds

- The declaration sought is unclear with regard to the exact association between the large scale packing, freezing and cool storage, storage use for which existing use rights are sought and the access and transport operation. The responsible authority's position is that the property known as 25 Prentice Road, Orrvale, has existing use rights for the purpose of a large scale packing, dry storage and coolstore complex. This includes transport operations that are necessarily associated with such a storage use, but does not include transport operations to the extent that such operations become a separate use of the land or are not subservient to the a large scale packing, dry storage and coolstore complex use.
- The applicant for the declaration has not provided any facts which support the declaration sought.

Attachment 2

Draft Grounds of Refusal

- The works sought are associated with the use of the land for the purpose of a transport terminal for which no use permission exists.
- The use of the land for the purpose of a transport terminal is prohibited and for such as use to be legitimate it would require the establishment of an existing use right, which to date has not been established, and in the responsible authorities view, is not likely to be established.

DRAFT PLANNING PERMIT

DRAFT DATE: 4 October 2012

PERMIT NO: 2012-130

ADDRESS OF THE LAND: 25 Prentice Road ORRVALE VIC 3631

THE PERMIT ALLOWS: Buildings and works for two dock loaders, one to the north and one to the south of the existing building, works for a hard standing area to the north of the existing building and works for a new vehicle access/egress onto Central Avenue in the Farming Zone and Land Subject to Inundation Overlay in accordance with the endorsed Plans forming part of this Permit.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Amended Plans Required

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

- a) A new crossing of the irrigation supply channel to Goulburn Murray Water specifications.
- b) A sealed driveway bell-mouth designed in accordance with VicRoads SD 2065, the location of this driveway should be to the south of the existing power pole along the west side of Central Avenue in order to provide adequate clearance to the Channel Road intersection;
- c) Provision of a Type BAR passing lane treatment along the east side of Central Avenue, opposite the new entrance, the treatment should include guard fence shielding of the eastern head wall or extension of the channel crossing immediately south of Channel Road;
- d) Plan showing extent of the concrete pavement in Central Avenue
- e) A treatment 523, 525 and 535 Central Avenue, to minimise headlight glare from exiting trucks into their residence opposite the new driveway.
- f) Erection of signage to prohibit trucks accessing the land from Prentice Road

2. Layout Not Altered

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

3. Hours of Operation

The use must operate only between the hours of 7.00AM to 10.00PM Monday to Sunday to the satisfaction of the responsible authority.

4. Acoustic Requirements

Before the use commences of the Central Avenue access, the applicant must provide the following noise attenuation measures:

- a) Dock loaders must be fully enclosed;
- b) Install noise barriers at appropriate locations as determined by a suitably qualified professional;
- c) Install broadband reversing beepers for all trucks and forklifts.

To the satisfaction of the responsible authority.

Within 1 year of the completion of the development permitted by this permit, the applicant shall submit to the responsible authority a noise assessment which demonstrates that measures implemented to comply with this condition of this permit to achieve compliance with State Environment Protection Policy Noise from Industry in Regional Victoria (NIRV).

In the event of complaints of noise from a nearby property, within two months of a request by the responsible authority, an acoustic report must be submitted to the responsible authority giving details of noise measurements to achieve compliance with the NIRV or later replacement policies, and if necessary, to recommend additional measures (physical construction and/or operation modifications) required to ensure compliance. Such measures must then be implemented as soon as practical to the satisfaction of the responsible authority.

Security Alarms

Before the building is occupied, any security alarm installed on the premises must be fitted with a cut off device limiting any sounding of the alarm to a maximum duration of 10 minutes, with no repeat sounding until manually reset and or silently wired to a security firm or the Victoria Police.

5. Drainage Discharge Plan

Before the development starts, a drainage plan with computations prepared by a suitably qualified person to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of two copies must be provided. The plans must be in accordance with council's Infrastructure Design Manual and include:

- a) how the land will be drained;
- b) drains conveying stormwater to the legal point of discharge;
- c) the expected discharge quality emanating from the development output from Model for Urban Stormwater Improvement Conceptualisation (MUSIC).
- d) an electronic copy of treatment modelling (MUSIC or equivalent) to demonstrate proposed treatment results.

- e) a maximum discharge rate from the site of 1.2 l/sec/ha;
- f) documentation demonstrating approval from the relevant authority for the legal point of discharge

Before the use of the Central Avenue commences, drainage works required by the drainage plan must be completed to the satisfaction of the responsible authority

6. Detailed Construction Plan

Before any works associated with the development, detailed construction plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must include:

- a) Upgrading works of intersections and the road network as required by the Traffic Works report
- b) Replacement of existing Central Avenue pavement with concrete (or as otherwise approved) for the extent of truck manoeuvring as shown in Appendix E of the Paffrath Consulting Report Version 2 dated 16 July 2012
- c) Design of the Goulburn Murray Water channel crossing

Before the commencement of use of the Central Avenue access, all road works must be constructed in accordance with the endorsed plans to the satisfaction of the responsible authority.

7. Erection of Signage

Before the use commences for the Central Avenue access, signage must be erected to prohibit trucks entering or exiting the land from Prentice Road.

8.

Section 173 Agreement

Before the use of the Central Avenue access, the owner must enter into an agreement with the responsible authority, pursuant to Section 173 of the *Planning and Environment Act 1987*. This agreement must be registered on the title to the land pursuant to Section 181 of the *Planning and Environment Act 1987*. The owner must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement. The agreement must provide that:

Acknowledgment of Private Roads to Remain Private and not Public

The Owner and responsible authority acknowledge that the crossing of the Goulburn Murray Water asset is at all times to remain private and that

- a) It is not to be or become dedicated for public use; and
- b) It is not to be or become vested in the Greater Shepparton City Council (the "Council") or under the care and management of the Council.

The Owner must at its cost –

- a) care for and maintain the crossing of the Goulburn Murray Water asset and keep them in good and proper repair,

The said agreement is to be prepared by the Council. The Council will undertake to have the agreement prepared upon written notification from the applicant. All costs associated with the preparation and registration of the agreement shall be borne by the applicant. All fees associated with the documentation must be fully paid prior to execution and registration of the document by the Council.

9. Hardstanding Area

The hardstanding area to the north of the existing building must be used for truck parking and manoeuvring only. No loading and unloading of trucks is permitted in this area to the satisfaction of the responsible authority.

10. Road Upgrades

Before the commencement of any works on the land, detailed construction plans of road upgrades as outlined by Traffic Works must be submitted to and approved by the responsible authority.

Before works on the access to Central Avenue commences road safety measures as set out by Traffic Works must be completed to the satisfaction of the Responsible Authority.

11. General Amenity

The development of the land must not adversely affect the amenity of the area, by way of:

- a) processes carried on the land;
- b) the transportation of materials, goods or commodities to or from the land;
- c) manoeuvring and operation of heavy vehicles
- d) the appearance of any buildings, works or materials;
- e) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil

to the satisfaction of the responsible authority.

12. Time for Starting and Completion

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

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

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three (3) months afterwards.

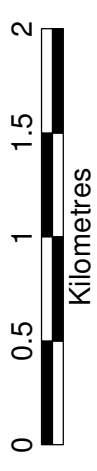
DRAFT

SHEPPARTON MOORoopNA B DOUBLE ROUTES

Legend

- Arterial Road
- Local Road B Double Gazetted
- Local Road B Double Permit
- Local Road
- Rail
- River
- GSCC Boundary

□ Jeftomson Cool Store



GREATER
SHEPPARTON

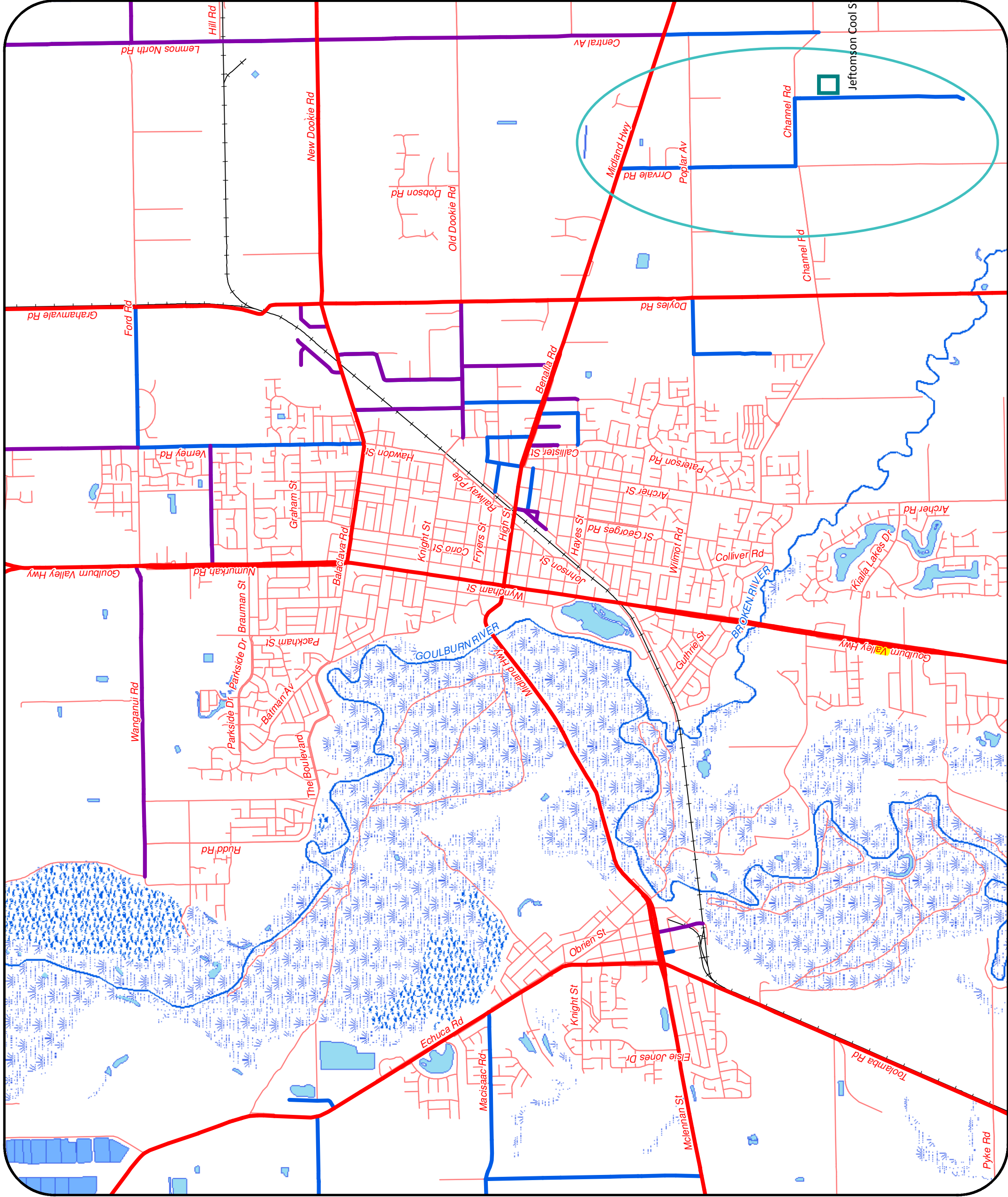
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Nick Buzza - GIS Section - September 2012

M12/67159



Greater Shepparton Older Persons' Advisory Committee Minutes

Friday 10 August 2012

Goulburn Room (upstairs adjacent Boardroom)

12 noon until 2pm (light lunch provided)

Invitees: Cr. Cherie Crawford, Lyn Bailey, Mr. Eric Farrow, Mr. Hugh Hutchison, Mr. Albert Kellock, Angie Seca, Terri Wyatt, Lisa McIlfratrick (Wintringham) Teri Bennet-Meyer (Senior Council Officer), Louise Dwyer (Access and Inclusion Officer), Amanda Tingay (Council Officer)

Chairperson this meeting: Cr Cherie Crawford

Apologies: Lyn Bailey, Albert Kellock, Teri Bennett-Meyer. Terri Wyatt, Lisa McIlfratrick

Item	Description	Outcomes
1.	<p>a) Welcome / Apologies b) Declaration: Any conflict of Interest in any matters on this agenda to be declared here.</p>	<p>a) Cr Crawford welcomed guest speaker Jason Watts b) Cr Crawford did not declare any conflict of interest</p>
2	Previous Minutes 13 July 2012	Previous Minutes to be ratified at September meeting due to quorum not being reached.
3.	<p>Guest Speakers: Jason Watts (Acting Team Leader Aged Services)</p> <ul style="list-style-type: none"> • Discussion about the proposed plans for Senior's Week in October 	<ul style="list-style-type: none"> • Jason spoke about the proposed plans Council has for Senior's Week in October 2012. Council has several programs planned throughout the municipality • Jason also spoke of a 'Senior's Expo' which is planned for Thursday 4 October at Eastbank. A great opportunity for OPAC members to promote the OPAC and network with other service providers and the community. • Louise to talk to both Lyn Bailey and Albert (upon his return) to confirm details for the Expo. • Louise will distribute the calendar of events when they have been confirmed. • Louise to check with Council's governance team for details on promoting OPAC as Council will be in 'caretaker' period due to Council elections.

Item	Description	Outcomes
4.	Outstanding Items a) Terms of Reference (TOR)	<ul style="list-style-type: none"> • Proposed changes to the TOR were presented to the OPAC. A few more minor changes were applied and agreed upon by all members present. Louise and Teri Bennet-Meyer will present to the next Executive meeting and table for the September Council Meeting for adoption. • Cr Crawford encouraged OPAC members to approach members in the community who may be good candidates for the OPAC. • Cr Crawford strongly encouraged members to start talking to their networks who may be appropriate for the OPAC • Encourage representation from other towns and to also increase diversity within group
5.	Correspondence OUT IN a) COTA Victoria August-Sept Issue b) Statistics of Greater Shepparton's Ageing Population	a) Distributed to members present b) Distributed to members present
6.	Industry Updates <ul style="list-style-type: none"> • Age Friendly Cities 	<ul style="list-style-type: none"> • Louise discussed the required changes for the letter of support to Council. • Further clarification is required to explain Council's commitment to the Ageing Friendly Cities Status.
7.	Education Opportunities Past opportunities: Future opportunities: Training for the Chair	<u>Future opportunities</u> <ul style="list-style-type: none"> • Training for OPAC members on how to run an effective meeting. Louise will liaise with Council staff and organise training in the near future. • Positive Ageing in Victoria Forum – November 2012. Commitment required from the OPAC members. Louise will complete the expression of interest form on behalf of all OPAC members and confirm numbers closer to forum.
8.	Funding Opportunities <ul style="list-style-type: none"> • Possibility of future Community Matching Grants Scheme 	<ul style="list-style-type: none"> • Louise briefly spoke about the possibility of future round of Community matching grants scheme later in this year. OPAC members encouraged to communicate with their local organisations and start to think of possible projects which may be eligible for this type of funding.

Item	Description	Outcomes
9.	Feedback (from each committee member)	<p>Angie Seca</p> <ul style="list-style-type: none"> • Nil <p>Lyn Bailey</p> <ul style="list-style-type: none"> • not present <p>Terri Wyatt</p> <ul style="list-style-type: none"> • not present <p>Eric Farrow</p> <ul style="list-style-type: none"> • Eric spoke of his concerns with pedestrian safety. • Louise suggested Eric represent the OPAC on the Greater Shepparton Safe Communities Advisory Committee. • Eric was pleased to sit on this committee and discuss safety concerns for the older person. <p>Hugh Hutchinson</p> <ul style="list-style-type: none"> • Nil
10.	Marketing, promotion and media a) Current negative Council media	a) Cr Crawford acknowledges there is currently negative media in relation to Council. Cr Crawford recognised this may have deflected normal 'routine' day-to-day tasks which Council performs. Cr Crawford acknowledged the wonderful work the Council officers do each day and this does not go unnoticed even with the current negative media.
11.	Community Engagement Opportunities a) Seniors Week Expo	<p>a) Louise will liaise with Lyn Bailey and Albert Kellock and discuss possible opportunity to promote OPAC at expo during Senior's Week.</p> <p>b) A 'kit' needs to be developed to give to OPAC members when communicating with the community when promoting the role of the OPAC.</p>
12.	Local Developments and Projects	NIL
13.	Older Person's Advisory Committee Projects a) Community Services Directory	<ul style="list-style-type: none"> • Louise presented a DRAFT of community Services Directory • Members present decided the list needed to be condensed even further • Louise will continue to work on this directory and present amendment at next OPAC meeting for further feedback

Item	Description	Outcomes
14.	Other Advisory Group Updates a) Community Safety Group b) Shepparton Botanic Gardens Group	a) Eric will represent the OPAC at the next meeting b) Cr Jenny Houlihan has been invited to present an update to the OPAC in relation to progress at the Shepparton Botanical Gardens
15.	Positive Ageing Strategy	c) Deferred – Teri to provide revised summary with addition of recommended timelines and responsibilities for members
16.	General Business a)	a)
17.	Next Meeting: Friday 14 September 2012 12pm – to 2pm Goulburn Room	

DRAFT

Greater Shepparton Disability Advisory Committee Minutes 1.00pm Friday 24 August 2012

Chairperson: Tony Bell **Note Taker:** Louise Dwyer

In attendance: Tony Bell, Cr Jenny Houlihan, Tiny Harrison, Bryan Oehm, Barry Kruse, Louise Dwyer (Access & Inclusion Officer), Pam Marshall (Rural Access Project Officer) Teri Bennet-Meyer (Acting Team Leader Aged Services)

Apologies: Camuran Albanoi, Sharon Sellick, Leah Ross, David Harcoan

<i>Item No.</i>	<i>Description</i>	<i>Action</i>
1.	Welcome, introduction apologies.	
2.	Adoption of previous minutes – 22 June 2012 Moved: Tiny Harrison Seconded Tony Bell All in favour. Carried	
3.	Assemblies of Councillors <ul style="list-style-type: none"> ○ Disclosures of conflict of interest <p>Reminder: Local Government rules state if there is a Councillor present at a meeting, the Councillor must disclose a conflict of interest with any items on the Agenda</p>	Louise to enter minutes on Assembly of Registry
4	Guest Speakers	
4.1	<p>1.30 – 2.00pm: Anna Janson, Jeremy Addison, (Council's Principal Strategic Planners to discuss the Mooroopna West, and North East Shepparton Growth Corridors)</p> <ul style="list-style-type: none"> • Anna and Jeremy presented a very informative slideshow on proposed future developments in the City of Greater Shepparton – (this can be viewed by request by contacting Louise) • Discussion on the Housing Strategy: <ul style="list-style-type: none"> ○ Planning for growth ○ Respecting housing for Greater Shepparton ○ Climate Change considerations ○ Housing affordability ○ Special Housing types ○ Universal Housing • Residential growth has increased in this area • Approximately 5500 people will be accommodated by the implementation of the North East Growth Corridor • Proposal of all housing to be at least 400mt of walking distance from parks and bus stops • \$5.4 million of Commonwealth funding awarded to Greater Shepparton City Council for the Mooroopna 	

<p>(4.1 cont.)</p>	<p>West Development</p> <ul style="list-style-type: none"> • Council currently looking into partnership opportunities with developers in relation to affordable housing • Anna and Jeremy keen to continue working with the DAC on future projects to ensure accessibility is considered for all planning projects 	
<p>4.2</p>	<p>Guest Speaker – Dean Rochfort</p> <p>2.00 – 2.30pm: Dean Rochfort (Council’s Director of Sustainable Development) to discuss the proposal of an accessible toilet with and adult change table and hoist facility</p> <ul style="list-style-type: none"> • Dean was invited to the DAC to address the recent budget submission to Council in relation to the need for an accessible toilet which includes an adult change table with a hoist • Dean presented an informative slideshow on the proposed development of the Vaughan Street • Dean reported that concerns have been raised to Council that currently the area is ‘not attractive’ and there are concerns relating to parking which cause congestion • Council is currently working with developers who have recently purchased the property • Dean explained there will be three stages of this proposal <ul style="list-style-type: none"> ○ Vaughan Street development ○ Maude St Bus interchange proposal ○ Redevelopment of the Shepparton Train Station • Cleaning has commenced in the Vaughan St area. • This project is in the CBD Strategy and is listed as high Profile and a priority. • Dean mentioned that there are proposed plans to install an accessible toilet with adult change table and hoist facility in this project near the bus interchange. • Dean encouraged DAC members to consider other locations within the CBD where this type of facility may be appropriate. • Dean encouraged Louise to continue speaking with staff on all projects whilst raising the possibility of the inclusion of this type of facility in their future projects • DAC to outline the advantages and disadvantages of the facility and possibilities of locations • Cr Houlihan suggested to discuss this at further length at the next DAC meeting 	<p>Louise to agenda item at next DAC meeting</p>

<p>5</p> <p>5.1</p> <p>5.2</p> <p>5.3</p>	<p>Correspondence:</p> <p>Outgoing : NIL</p> <p>Incoming:</p> <ul style="list-style-type: none"> • Invite for Key Word Signing Course • National Disability Insurance Scheme update • DVD – Dealing with door-to-door sales • Letter from Dwight Graham (Acting Director Business)– City Of Greater Shepparton – response from budget submission <p>Reports:</p> <p>Parking sub-committee (PSC) report</p> <p><u>Parking Sub-Committee (PSC) report</u></p> <ul style="list-style-type: none"> • Tiny reported that Darren presented the Designated Accessible Parking Bay Program (DAPB) • Works are about to commence on the DAPB in the Marungi St car park and behind the Council Office in the next couple of weeks. • Louise to liaise with Kelli Halden re when works are proposed at the Western Lake Project. This will determine the works at the DAPB at All abilities Playground. • Concept plan has been completed for the DAPB proposed at the Ballantyne Centre in Tatura • Parking Map – to be distributed widely to various groups and services, including OPAC members, once finalised <p>Safer Community Steering Committee</p> <ul style="list-style-type: none"> • Written report given to Louise from Sharon Sellick who sits on this committee representing the DAC • Committee was successful in receiving funding for the CCTV cameras to be installed in the CBD • Plans are underway for the appointment of a specialist who handles this type of technology • Plans and policies are being developed with the plan to launch the CCTV cameras in September 2013. • Sharon would like feedback on priorities that needs addressing. Please contact Sharon if you would like to feedback any suggestions • DAC’s feedback on this would be appreciated. 	<p>Louise to agenda DVD to be viewed at next DAC meeting</p>
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<p>6</p> <p>6.1</p> <p>6.2</p> <p>6.3</p> <p>6.4</p>	<p>Deferred Items</p> <p><u>SAM entrance – update at front entrance</u></p> <ul style="list-style-type: none"> • Works to the front entrance have been completed with the installation of handrails and safety glass. This is to improve safety and access to the current front entrance to SAM <p><u>NRS Training for Council Staff</u></p> <ul style="list-style-type: none"> • 23 Council staff underwent National Relay Service Training in August to assist community members who are deaf or hearing impaired. • A great reflection on how Council staff is willing to improve their communication with the Deaf community. <p><u>Site visit at Riverside Plaza re toilets update</u></p> <ul style="list-style-type: none"> • Louise met with Rob Frame who drafted up plans for the installation of proposed accessible toilet with adult change table and hoist facility • Louise has met with Deborah Adams (Peter Copulos Group) who reported that a builder is currently quoting on the project <p><u>DAC Terms of Reference</u></p> <ul style="list-style-type: none"> • Louise presented the DAC the updated TOR which were presented to Council's executive Team and also presented to a Council Briefing Meeting. • TOR are schedule for the September Council meeting for adoption 	
<p>7.</p> <p>7.1</p> <p>7.2</p>	<p>General Business</p> <p><u>Sailability Launch</u></p> <ul style="list-style-type: none"> • Louise reported that Council have committed to supporting the launch of the Sailability program • Launch planned for Friday 19 October 2012 at The Connection. • Council are looking into sponsoring a Sailability boat • Great opportunity for people of all abilities to sail right here in Greater Shepparton • Will cater for many groups such as; <ul style="list-style-type: none"> ○ Social Connections groups ○ school children ○ people with disabilities ○ seniors <p><u>Disability Awareness Flags</u></p> <ul style="list-style-type: none"> • Louise reported Council will purchase 34 x flags to be placed at the entrance to Shepparton, Mooroopna and Tatura. The purpose of the flags is to raise awareness of people living with a disability. • These flags may be erected during certain events such as International Day of People With Disability (IDPWD) • To be discussed at next DAC meeting to discuss in further detail 	<p>Louise to agenda item for next DAC meeting</p>

7.3	<p><u>IDPWD</u></p> <ul style="list-style-type: none"> • Louise spoke briefly of celebrating IDPWD locally in Greater Shepparton • Louise reported that Pam is involved with program in Benalla called 'Flash Mob' • This will involve people with disabilities performing in a public place such as mall or shopping centre, accompanied by music • Pam will talk further at the next DAC meeting 	<p>Louise to agenda item at next DAC meeting</p>
8.	<p>Feedback from around the table</p> <ul style="list-style-type: none"> • Nil feedback from members present 	
9.	<p>Next Meeting – Friday 28 September 2012</p> <p>Chair – Tony Bell</p>	

MINUTES

Greater Shepparton Older Persons' Advisory Committee

Friday 14 September 2012

Boardroom

12 noon until 2pm (light lunch provided)

Invitees: Cr. Cherie Crawford, Lyn Bailey, Mr. Eric Farrow, Mr. Hugh Hutchison, Mr. Albert Kellock, Angie Seca, Terri Wyatt, Lisa McIlpatrick (Wintringham), Teri Bennet-Meyer (Senior Council Officer), Louise Dwyer (Access and Inclusion Officer),

Chairperson this meeting: Cr Cherie Crawford

Apologies: Lyn Bailey, Albert Kellock,

Item	Description	Outcomes
1.	<p>a) Welcome / Apologies Declaration: Any conflict of Interest in any matters on this agenda to be declared here.</p>	<p>a) NIL conflict of interest declared by Cr Crawford</p>
2	<p>Previous Minutes July and August 2012</p>	<p>Previous Minutes of July and August read and confirmed Moved: Eric Farrow Seconded Terri Wyatt Carried.</p>
3.	<p>Guest Speakers: Cr Jenny Houlihan</p>	<p>Cr Jenny Houlihan presented on the Australian Botanical Gardens – Shepparton</p> <ul style="list-style-type: none"> • A very informative slideshow presentation which explained the history and development of the Botanical Gardens. • The gardens are run by a Section 86 Committee, which is a delegated Council committee which has an annual budget assigned for the project. • Cr Houlihan distributed brochures which has a brief explanation of the project including maps of the area. • The future plan is to incorporate a collection of plants and the variety includes indigenous plants. • Land consists of 55 acres which was previously on four titles. • The committee comprises of five members plus guests. • The committee adhere to their mission statement and guiding principles. • The Botanical gardens has the potential for being a great tourism point for the Greater Shepparton region. • Cr Cherie Crawford thanks Cr Houlihan for taking the time to present this project to the OPAC members.

Item	Description	Outcomes
3 cont	<p>Sharlene Still – Council’s Governance Officer</p> <p>Heather East – Mooroopna Education and Activity Centre (MEAC)</p>	<p>Sharlene Still – spoke regarding the upcoming Caretaker period</p> <ul style="list-style-type: none"> • Sharlene works in Governance and explained the Caretaker period to OPAC members • The caretaker period applies from 12.00am September 25 2012 and ceases at 6.00pm October 27 2012. • During this period or 32 days, Council is restricted as to what publications can be handed out both internally and externally. • The purpose of this is that all candidates have the same advantage prior to the upcoming Council election. • This is a ruling in the Local Government Act • During the senior’s Expo, OPAC members are not permitted to hand out any brochures or information to the community. • OPAC members can verbalise information only during this time • Any documentation must be certified by the C.E.O. prior to distribution. • There will be a substantial personal fine of \$7400 if this is breached. <p>Heather East – MEAC</p> <ul style="list-style-type: none"> • Heather spoke of her current resignation from MEAC and Liz Maloury commenced as the new manager in August. • Heather spoke of the Ripple Program which commenced in 2011. • Neighbourhood houses need to meet the needs of the community and this program is designed to meet this requirement • Leanne Button (MEAC) set up a project which has funding that supports ‘train the trainer’ program • This program, through the neighbourhood house, has now been rolled out in Tatura • Senior have the opportunity to learn computer skills such as uploading photos, Skype, email etc. • Four lessons (1 hour duration) will cost \$20 – affordable • Lisa McIlpatrick enquired as to whether the tutors can work offsite, such as Wintringham. • Heather will look into this request, as they currently have 13 tutors available and it may be a possibility.
4.	<p>Outstanding Items</p> <p>a) Terms of Reference (TOR) update</p>	<ul style="list-style-type: none"> • Louise explained to members that the Draft OPAC TOR was presented to Council’s Executive, and then presented to the Councillors. • Recommendation from the Councillors was to change the name from ‘Older Persons Advisory Committee’ to ‘Positive Ageing Advisory Committee’ • The name change was recommended as the OPAC

Item	Description	Outcomes
4 cont		<p>was derived from the Positive Ageing Strategy and the name should link closely to this document</p> <ul style="list-style-type: none"> • Another reason for the name change was it sounds a much more positive approach to ageing • Finally, the name change will represent future membership which will include not only community members who are ageing, but also people who may be carers of the aged and staff who work in the ageing industry • Eric made mention that he was proud to be called an Older Person and liked the current name of the Committee. • Louise explained that COTA refers to Council Of The Ageing – Council could also reflect this terminology throughout this committee • Cr Crawford explained this will go the Council meeting on Tuesday 18 September for adoption.
5.	Correspondence OUT IN a)	OUT IN a) COTA Victoria newsletter
6.	Industry Updates Greater Shepparton City Council considering joining Age Friendly Cities Network	<ul style="list-style-type: none"> • Teri explained this is still currently being investigated. • There has been a recent push for Greater Shepparton to be recognised as an Ageing Friendly City, and also a Child Friendly City. • Teri has recently met with Youth and Children's Services manager to discuss this possibility • Teri will update the OPAC on this progress
7.	Education Opportunities a) Meeting training for OPAC members	a) Louise has been liaising with Bionda Pettigrew (Council's Learning Officer) in regard to training OPAC members on how to chair/run an effective meeting b) Louise explained that as the OPAC are about to increase their membership, it may be best to wait until early in the new year when positions have been filled c) Louise also spoke of the possibility to combine training with Disability Advisory DAC members d) Louise will keep OPAC updated on progress
8.	Funding Opportunities	<ul style="list-style-type: none"> • Andrew Holloway (Council's Funding Officer) has been invited to talk at the next OPAC meeting
9.	Feedback (from each committee member)	<ul style="list-style-type: none"> • Deferred due to time constraints this meeting
10.	Marketing, promotion and media	<ul style="list-style-type: none"> • On hold due to possibility of name change
11.	Community Engagement Opportunities	<ul style="list-style-type: none"> • Senior Expo 4 October 2012. • Louise will contact OPAC members and organise a meeting for Friday 21 September 10.00am at Council Offices

Item	Description	Outcomes
		<ul style="list-style-type: none"> • Louise will confirm detail with Lyn and Albert
12.	Local Developments and Projects	NIL
13.	Older Person's Advisory Committee Projects Community Services Directory	<ul style="list-style-type: none"> • Louise distributed condensed list of directory to OPAC members. • Consensus the list is still too large. • Members were asked to edit the list and bring to meeting next Friday 21 September (Seniors Expo meeting)
14.	Other Advisory Group Updates 1. Community Safety Group 2. Australian Botanical Gardens - Shepparton	<ol style="list-style-type: none"> 1. Eric is the new representative from the OPAC committee. Eric requested this be an regular agenda item for the OPAC meeting to discuss projects and issues 2. Cr Houlihan made presentation earlier in the meeting
15.	General Business a) Positive Ageing Strategy b) Sailability c) Seniors Festival d) Victoria Legal Aid – Do not knock DVD	<ol style="list-style-type: none"> a) Teri proposed the OPAC meet in October to discuss actions in the Positive Ageing Strategy and update as required b) Louise spoke of the upcoming Sailability Program which is scheduled later in the year for the City Of Greater Shepparton. This program allows people of all abilities the opportunity to sail right here is the Shepparton Area. Council have committed to purchasing a boat for this program. c) Teri spoke about the interest in the Seniors Festival and that some days/events are booked out and there is a waiting list in place. Teri explained that this list will be reviewed and priority will be give to City Of Greater Shepparton residents and encouraged all to put names down on the waiting list. d) Deferred until next meeting. <p>Meeting closed 2.00 pm.</p>
16.	Next Meeting: Friday 12 October 2012 12pm – to 2pm Goulburn Room	

Greater Shepparton Disability Advisory Committee Minutes

1.00pm Friday 28 September 2012

Chairperson: Tony Bell **Note Taker:** Louise Dwyer

In attendance: Bryan Oehm, Tony Bell, Barry Kruse, Sharon Sellick, Cr Jenny Houlihan, Tiny Harrison, Camuran Albanio, Amanda Tingay (Acting Manager Neighbourhoods) Louise Dwyer (Access & Inclusion Officer)

Apologies: Leah Ross, David Harcoan, Pam Marshall

Item No.	Description	Action
1.	Welcome, introduction apologies	
2.	Adoption of previous minutes – 24 August 2012 Moved Tiny Harrison, Seconded Barry Kruse. Carried	Louise to enter on Assemblies of Council Register
3.	Assemblies of Councillors <ul style="list-style-type: none"> • Disclosures of conflict of interest Reminder: Local Government rules state if there is a Councillor present at a meeting, the Councillor must disclose a conflict of interest with any items on the Agenda	
4. 4.1	Guest Speakers 1.00pm – Graeme Long (Council’s Manager Waste Services) <ul style="list-style-type: none"> • Graeme spoke briefly about Council’s three transfer Stations. Shepparton, Ardmona and Murchison • Graeme presented the proposed upgrade to the Shepparton Transfer Station on a PowerPoint presentation • Reasons for upgrade include; <ul style="list-style-type: none"> ○ current difficulties in recovering recyclable material ○ Exposed to the weather ○ Wind blowing rubbish ○ Facility looking run down ○ Requires weighing facility for removal of bins ○ Currently tipping loads from a dangerous height ○ Project has an estimated cost of \$1.8m • Shepparton Transfer Station has on average 130 visitors daily • Graeme requested feedback from the DAC regarding access • Suggestion of a pedestrian accessway to separate vehicles from pedestrians, including appropriate line marking for safety • Signage at main office with information about 	Louise will report recommendations from DAC to Graeme in an email.

4.1 cont...	<p>disability access and assistance offered by staff</p> <ul style="list-style-type: none"> • Directional signage to toilets • Suggestion to increase gradient on ramp to 1:21 which will eliminate the need for TGSI's and handrails. Also make it more accessible 	
4.2.	<p>2.00pm – Sharlene Still (Council’s Team Leader Governance)</p> <ul style="list-style-type: none"> • Sharlene explained to the DAC that Council in currently in ‘Caretaker’ period. • Sharlene explained the importance of having all documents certified by the C.E.O. during this time • All documents must be certified during the Caretaker period or the person distributing the documentation may be personally responsible for the \$7400 penalty which applies • The Caretaker period applies from 25 September 2012 – 27 October 2012. 	<p>Louise will limit correspondence to DAC until caretaker period is over</p>
4.3.	<p>2.30pm – Peter Copolus Group (Louise spoke on behalf of Deborah Adams)</p> <ul style="list-style-type: none"> • Louise reported previous conversation with Deborah in relation to progress about the proposed modification of the accessible toilet with the addition of an adult change table and hoist facility • Deborah raised concerns about monitoring of the equipment as the facility will be opened to the public till midnight each night • Approximate costs for proposed modifications is \$8000 and Copolus group concerned about vandalism and theft • Louise suggested MLAK key however staff at nearby business will need to be responsible for this • Deborah would like toilets accessible at all times without the need for the MLAK system • Suggestion that Louise look into how other centres/facilities operate 	<p>Louise will investigate other options and report to Deborah and DAC for further feedback</p>
5	<p>Correspondence:</p>	
5.1	<p>Outgoing : Letter of support for Council to accompany a funding application for a pontoon on the Victoria Park Lake</p>	
5.2	<p>Incoming:</p> <ul style="list-style-type: none"> • Mental Illness Fellowship • Vision Australia Training • Letter from Gavin Cator (C.E.O.) re Post Box <ul style="list-style-type: none"> ○ Louise to liaise with Pam and communicate with Australia Post about possibility of reinstalling Post Box but to a more appropriate location 	

5.3	Reports: Parking sub-committee (PSC) verbal report given by Barry Kruse <ul style="list-style-type: none"> • Barry reported on the Designated Accessible Parking Bay (DAPB) program • Waiting on signage to the Marungi St parking • Splitter island improved on Sobraon/Purcell St to allow for wheelchair access 	Louise to chase up with Kelli re All Abilities Parking Progress
5.4	Safer Communities Committee – verbal report given by Sharon Sellick <ul style="list-style-type: none"> • Sharon reported on the possible introduction of programs/services to make COGS a safer community • Sharon will liaise with Belinda Collins (Council's Community Safety Officer) for further information • Amanda reported Council's priority of the installation CCTV cameras – proposed launch September 2013 • Discussions continuing with partners such as police and Telecommunication/Electricity Companies. • Amanda spoke of proposed sites for cameras and possible monitoring of footage • Amanda suggested Belinda speak to the DAC and present 'Footprint' of camera locations 	Louise to invite Belinda Collins to next DAC meeting to present on CCTV cameras
6	Deferred Items <ul style="list-style-type: none"> • DAC Terms Of Reference update – Scheduled to be adopted during the October Council Meeting • Sailability Program – Launch in October, invitation to follow (once certified) • Physical Disability Forum Scheduled for 23 November – invitation to follow at a later date • International Day of Person With a Disability (IDPWD) <ul style="list-style-type: none"> ○ Consensus was that we organised an event similar to last year's event in the Queens Gardens ○ Suggestions include children's choir (Gowrie St) ○ Include activities such as wheelchair races/ three legged races with DAC members ○ Invite Politicians ○ Invite Service providers to demonstrate equipment – state of the art etc • Entrance Flags; <ul style="list-style-type: none"> ○ To be generic. Option of putting up flags at various times of the year such as IDPWD, Mental Health Week, Autism awareness etc... ○ Lower cost by including generic COGS flags 	
7.	General Business Summary of Council Projects <ul style="list-style-type: none"> • Louise distributed a summary of recent and current 	

Assemblies of Councillors

Briefings or meetings involving one or more Council officers and four or more councillors and meetings of advisory committees of which at least one councillor is a member are assemblies of councillors, as defined in the Local Government Act 1989 and must be properly recorded. An electronic copy of that record saved in the TRIM folder "Assemblies of Councillors" (folder 37/208/0011) and recorded on the Register M09/3170.

Name of Meeting Art Gallery Advisory Committee

Date of Briefing: 17 October 2012

Attendees (including those who may have only attended for part of the briefing):

Councillors:

Michael Polan

Cr Polan

Officers:

Julian Bowron – Acting Director

Sheron Stevens – Administration Officer

Disclosures of Conflicts of interest: NIL

Councillors:

Officers/Contractors:

Matters Considered:

Acquisitions – Untitled Portrait of a Lady – attributed to John Longstaff

Friends of Shepparton Report

Directors Report - Staff

- Sidney Myer Awards – Opening, Blog & Culture Victoria Project

- Planning Program for 2013

-

Additional Matters Raised (if any):

Outcomes:

