

MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

HELD ON
TUESDAY 18 JUNE, 2013
AT 5.30

IN THE COUNCIL BOARD ROOM

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

**MINUTES
FOR THE
ORDINARY COUNCIL MEETING
HELD ON
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**CHAIR
CR JENNY HOULIHAN**

INDEX

1.	ACKNOWLEDGEMENT	1
2.	APOLOGIES	1
3.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	1
3.1	Confirmation of Minutes of Previous Meeting.....	1
4.	DEPUTATIONS AND PETITIONS	2
4.1	Removal and Replacement of Nature Strip Trees in Joe Ford and Trevaskis Drives, Tatura.....	2
5.	MANAGEMENT REPORTS FROM THE OFFICE OF THE CHIEF EXECUTIVE OFFICER	3
5.1	Advisory Committees - Appointment of Members	3
5.2	Sir Murray Bouchier Memorial Advisory Committee.....	8
5.3	Council Plan 2013 to 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23.....	13
6.	MANAGEMENT REPORTS FROM THE INFRASTRUCTURE DIRECTORATE.....	20
6.1	Our Sporting Future Funding Program, Round Two 2012/13 - Major and Round Three 2012/13 - Minor and Sports Aid.....	20
7.	MANAGEMENT REPORTS FROM THE COMMUNITY DIRECTORATE	25
7.1	Greater Shepparton Health and Wellbeing Advisory Committee	25
7.2	Universal Access and Inclusion Plan 2013-2017	30
8.	MANAGEMENT REPORTS FROM THE BUSINESS DIRECTORATE	34
8.1	Procurement Policy Implementation Status.....	34
8.2	May 2013 Monthly Financial Report	42
8.3	Contracts Awarded Under Delegated Authority.....	45
8.4	Proposed Discontinuance of Part of Elizabeth Street Between Ross and Park Streets, Tatura	49
8.5	Draft Domestic Animal Management Plan 2013-2017	58
9.	MANAGEMENT REPORTS FROM THE SUSTAINABLE DEVELOPMENT DIRECTORATE	63
9.1	Heritage Amendment C110.....	63
9.2	Dookie Wastewater Disposal Options	77
9.3	Festive Decorations Advisory Committee 2013.....	82
10.	TABLED MOTIONS	86
10.1	Integrated Fire Management Project - Draft Municipal Fire Management Plan - Lifting Report from the Table	86
10.2	Integrated Fire Management Project - Draft Municipal Fire Management Plan... 87	
11.	REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES	91
12.	REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES.....	91

13. NOTICE OF MOTION, AMENDMENT OR RESCISSION.....	91
14. DOCUMENTS FOR SIGNING AND SEALING.....	91
15. COUNCILLORS ACTIVITIES	92
15.1 Councillors Community Interaction and Briefing Program.....	92
16. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA	95
17. PUBLIC QUESTION TIME.....	95

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

PRESENT: Councillors Jenny Houlihan, Les Oroszvary, Dennis Patterson, Michael Polan, Kevin Ryan and Fern Summer.

OFFICERS: Gavin Cator – Chief Executive Officer
Steve Bowmaker – Director Infrastructure
Geraldine Christou – Acting Director Sustainable Development
Justin Finlayson – Director Business
Kaye Thompson – Director Community
Rebecca Bertone – Official Minute Taker
Lyn Martin – Deputy Minute Taker

1. ACKNOWLEDGEMENT

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

2. APOLOGIES

Nil

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved by Cr Oroszvary
Seconded by Cr Patterson

That the Minutes of the Ordinary Council Meeting held 21 May 2013, as circulated, be adopted.

CARRIED.

4. DEPUTATIONS AND PETITIONS

4.1 Removal and Replacement of Nature Strip Trees in Joe Ford and Trevaskis Drives, Tatura

Summary

A petition containing 53 signatures has been received by Council. The petition requests the removal of trees located between 40 Joe Ford Drive and the start of Trevaskis Drive and their replacement with ornamental pears in line with others that have been planted in other parts of the street.

**Moved by Cr Polan
Seconded by Cr Oroszvary**

That the Council receive the petition relating to Removal and Replacement of Nature Strip Trees in Joe Ford and Trevaskis Drives, Tatura.

CARRIED.

Attachments

Nil

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Advisory Committees - Appointment of Members

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: Committees Liaison Officer and Team Leader Risk Management
Proof reader(s): Manager Corporate Performance
Approved by: Chief Executive Officer

Purpose

The term of appointment for three members of the Greater Shepparton Aerodrome Advisory Committee (the committee) expired on 17 May 2013. The purpose of this report is to appoint people to fill these three positions to the committee.

The term of appointment for Peter Johnson on the Greater Shepparton Audit and Risk Management Committee is due to expire on 19 July 2013. As Peter Johnson has expressed his interest in continuing to serve on the committee it is proposed to appoint him for an additional three year term.

Moved by Cr Patterson
Seconded by Cr Summer

That the Council:

1. having considered the nominations received for appointment to the Greater Shepparton Aerodrome Advisory Committee, appoint the following members for a term of two years:

Allan COLE – representative of Gawne Aviation
Geoff HAMILTON – representative of the Goulburn Valley Aero Club
Barrie HALLIDAY – community representative

2. appoint Mr Peter Johnson as an external independent member and Community Representative to the Greater Shepparton Audit and Risk Management Committee for a three year term commencing on 20 July 2013.

CARRIED.

Background

1. Greater Shepparton Aerodrome Advisory Committee

The Greater Shepparton Aerodrome Advisory Committee currently consists of up to eight members including two representatives from commercial aero operators, one representative from the Goulburn Valley Aero Club, four community representatives and one Councillor – currently Cr Patterson. The GV Aero Club position, one of the commercial aero operator positions and a community representative position expired on 17 May 2013 and it is necessary to appoint members to fill these three positions.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Advisory Committees - Appointment of Members (continued)

Letters were sent to the outgoing members encouraging them to reapply for another term on the committee. Letters were also sent to all commercial aero operators that use the facility as well as the GV Aero Club encouraging them to nominate a representative to join the committee. An advertisement calling for applications from community members interested in joining the committee was advertised in the *Shepparton News* on Friday 3 May and Friday 10 May 2013.

An application for the community representative position has been received from Barrie Halliday and it is recommended that he be appointed to the committee.

The GV Aero Club have nominated Geoffrey Hamilton to serve as their representative and it is recommended that he be appointed to the committee as the club's representative.

Gawne Aviation have nominated Allan Cole to serve as their representative and it is recommended that he be appointed to the vacant aero operator position on the committee.

2. Greater Shepparton Audit and Risk Management Committee

The Charter for the Greater Shepparton Audit and Risk Management Committee states that four independent community representatives will be appointed to serve on the committee. In accordance with the Charter, appointments are for a three year term. At the Ordinary Council Meeting held on 20 July 2010 Mr Peter Johnson was appointed to the committee and his term of office is due to expire on 19 July 2013.

Peter Johnson has expressed his interest in continuing to serve on the committee and it is therefore recommended that he be appointed for another three year term to commence on 20 July 2013.

Council Plan/Key Strategic Activity

This proposal supports strategic objective 6 of the *Council Plan 2009-2013: Council Organisation and Management*, in particular objective 35 which is "*to provide best practice management and administrative systems and structures to support delivery of Council services and programs.*"

Risk Management

By ensuring that committees are established and members appointed in accordance with the *Local Government Act 1989*, Council considerably reduces the governance risks associated with the operation of committees.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Advisory Committees - Appointment of Members (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Lack of communication between the committee and Council	Possible	Minor	Low	A Councillor is an appointed member of the Greater Shepparton Aerodrome Advisory Committee to provide a communication channel and directions. The Greater Shepparton Audit and Risk Committee has two councillors appointed to the committee.
Advisory Committee Members not covered under Council's Insurance Policy	Possible	Minor	Low	Any recommendations made by the committees are referred to Council for final decision.
Non compliance with Assemblies of Councillors requirements under the <i>Local Government Act 1989</i> .	Possible	Minor	Low	Minutes of all meetings of the Greater Shepparton Aerodrome Advisory Committee are submitted to Council in accordance with the Act. The Greater Shepparton Audit and Risk Committee is not required to comply with this requirement.

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

The proposal is consistent with the *Local Government Act 1989* and it is necessary to ensure compliance with this Act. As meetings of the Greater Shepparton Aerodrome Advisory Committee will fit the definition of an Assembly of Councillors for any meeting at which there is at least one Councillor in attendance, an Assembly of Councillors record will be completed for each qualifying meeting and submitted to the next practicable Ordinary Council meeting for noting.

This proposal is consistent with all legislative requirements.

Environmental/Sustainability Impacts

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

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Advisory Committees - Appointment of Members (continued)

Social Implications

Appointing community members to the committee will help to build a sense of community as it increases stakeholder participation and pride in their local community.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

Letters were sent to the outgoing members of the Greater Shepparton Aerodrome Advisory Committee encouraging them to reapply for another term on the committee. Letters were also sent to all commercial aero operators that use the facility as well as the GV Aero Club encouraging them to nominate a representative to join the committee. An advertisement calling for applications from community members interested in joining the committee was advertised in the *Shepparton News* on Friday 3 May and Friday 10 May 2013.

Consultation has taken place between Council officers and Mr Peter Johnston to determine his interest in remaining on the committee.

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 • Consultation with committee members
Involve	Work together. Feedback is an input into decision-making.	<ul style="list-style-type: none"> • Council to consult with the Greater Shepparton Aerodrome Advisory Committee in relation to management of the facility.
Collaborate	Feedback and advice received from the Committee will be incorporated into decisions the maximum level possible.	<ul style="list-style-type: none"> • Community members to be appointed to advisory committees. • Councillor appointee/s to advisory committees enables ongoing collaboration between the committees 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

No strategic links to the *Greater Shepparton 2030 Strategy* have been identified.

b) Other strategic links

No other strategic links have been identified.

Options for Consideration

Council could decide not to appoint either some or all of the recommended applicants but this would reduce the opportunity for the community to be involved in the management of the facility. If Peter Johnson is not appointed to the Greater Shepparton Audit and Risk

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Advisory Committees - Appointment of Members (continued)

Management Committee then Council would lose a considerable amount of knowledge and experience and no longer be compliant with charter requirements.

Conclusion

It is recommended that all three applicants be appointed to the Greater Shepparton Aerodrome Advisory Committee and that Mr Peter Johnson be appointed for another three year term on the Greater Shepparton Audit and Risk Management Committee.

Attachments

Nil.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Sir Murray Bouchier Memorial Advisory Committee

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: Committees Liaison Officer

Proof reader(s): Manager Corporate Performance

Approved by: Chief Executive Officer

Purpose

The purpose of this report is to establish the Sir Murray Bouchier Memorial Advisory Committee as an advisory committee of Council and to appoint community members to the committee.

RECOMMENDATION

That the Council:

1. adopt the Terms of Reference for the Sir Murray Bouchier Memorial Advisory Committee with committee membership consisting of the following:
 - 3 members from the Shepparton RSL
 - up to six community representatives
 - a member of the Bouchier family
 - a Councillor to act as the Chair
2. appoint the following people as community representatives to the committee:
 - Darren LINTON
 - Russell PARKER
 - Marshall RICHARDS
3. nominate a Councillor to the committee to perform the role of Chairperson.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Sir Murray Bouchier Memorial Advisory Committee (continued)

Moved by Cr Patterson
Seconded by Cr Oroszvary

That the Council:

1. adopt the Terms of Reference for the Sir Murray Bouchier Memorial Advisory Committee with committee membership consisting of the following:
 - 3 members from the Shepparton RSL
 - up to six community representatives
 - a member of the Bouchier family
 - a Councillor to act as the Chair
2. appoint the following people as community representatives to the committee:
 - Darren LINTON
 - Russell PARKER
 - Marshall RICHARDS
3. appoint Cr Ryan to the committee to perform the role of Chairperson.

CARRIED.

Background

Sir Murray Bouchier was a renowned local pastoralist, soldier and statesman. Bouchier's family held considerable land selections in the Tocumwal and Strathmerton districts and he was a distinguished Light Horseman during the First World War. After the War, Bouchier became a member of the Victorian Legislative Assembly, holding ministerial appointments and the deputy premiership during the 1920's and 1930's. Bouchier was appointed as Victoria's Agent General in London in 1936 and died there the following year. He is buried along with his wife in the Shepparton Cemetery.

A working group consisting of representatives from the Returned and Services League (RSL), Council and community members was established in 2010 to explore the possibility of establishing a suitable memorial for Sir Murray Bouchier. On 1 December 2010, the working group wrote to the Council, seeking endorsement of the Queen's Gardens as an appropriate site for the erection of a proposed memorial and this was approved by Council resolution at the Ordinary Council Meeting held on 19 April 2011.

Since its inception, the existing working group has been coordinated by the Shepparton RSL with representatives from Council, community and the Bouchier Family also serving on the committee. At the meeting of the working group held on 15 February 2013 the group resolved:

"that we seek through our members, clarification of the status of our committee, and confirmation that the council will be the design and construction authority of the project".

On 19 March 2013 Council's Chief Executive Officer, wrote to the working group confirming that Council would be the design and construction authority to the proposed

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Sir Murray Bouchier Memorial Advisory Committee (continued)

Sir Murray Bouchier Memorial Structure. In light of the fact that Council will be the design and construction authority to the project it is appropriate that the status of the committee be changed to that of being an advisory committee to Council.

In accordance with the proposed Terms of Reference, the Sir Murray Bouchier Memorial Advisory Committee will advise Council on the future design and location for the establishment of a memorial to Sir Murray Bouchier. It has no executive authority and will operate in accordance with the Terms of Reference adopted by Council. The role of the committee is to:

1. act as an advisory committee of Council in relation to the design and location for the establishment of a memorial to Sir Murray Bouchier
2. assist the Council in identifying and pursuing external funding opportunities to assist with the establishment of the memorial.

Council Plan/Key Strategic Activity

This proposal supports the following objectives from the *Council Plan 2009-2013*:

- Objective 16 – Value Arts and Culture as an integral part of a dynamic community.
- Objective 18 – Identify and respect our significant cultural and environmental assets.
- Objective 35 – To provide best practice management and administrative systems and structures to support delivery of Council services and programs.

Risk Management

By ensuring that committees are established and members appointed in accordance with the *Local Government Act 1989*, Council considerably reduces the governance risks associated with the operation of committees.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Lack of communication between the committee and the Council	Possible	Minor	Low	Appointing a Council as a member of the committee will provide a communications channel and directions.
Advisory committee members not covered under Council's Insurance Policy.	Possible	Minor	Low	Any recommendations made by the committee are referred to Council for final decision.
Non-compliance with Assemblies of Councillors requirements under the <i>Local Government Act 1989</i> .	Possible	Minor	Low	Minutes of all meetings of the committee are submitted to Council in accordance with the Act.

Policy Considerations

There are no conflicts with Council policy.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Sir Murray Bouchier Memorial Advisory Committee (continued)

Financial Implications

There are no financial implications arising from this proposal. The Victorian Government has committed \$50,000 to the project and Council may be approached to assist with the funding and/or erection of the proposed memorial once its form has been determined. A funding proposal will be considered as part of the Council's budgetary process at the time that any such request is received.

Legal/Statutory Implications

The proposal is consistent with the *Local Government Act 1989* and it is necessary to ensure compliance with this Act. As meetings of the Sir Murray Bouchier Memorial Advisory Group will meet the definition of an Assembly of Councillors for any meeting at which there is at least one Councillor in attendance, an Assembly of Councillors record will be completed for each qualifying meeting and submitted to the next practicable Ordinary Council meeting for noting.

The proposal conforms with all relevant legislation.

Environmental/Sustainability Impacts

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

Social Implications

Appointing community members to the committee will help to build a sense of community as it increases stakeholder participation and pride in their local community.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

The Committees Liaison Officer and the Team Leader Governance attended a meeting of the Sir Murray Bouchier Memorial Working Group held on 22 April 2013 to discuss the proposed Terms of Reference. In consultation with the working group it was agreed that the Terms of Reference should allow up to 6 community appointments to allow for additional community members to join the committee should they wish to do so.

An public notice was placed in the Shepparton News on 3 May 2013 and Friday 10 May 2013 calling for any members of the public who were interested in joining the committee. No applications were received so it is proposed to only appoint the three community representatives who are already serving on the working group.

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 Consultation with members of the existing working group
Involve	Work together. Feedback is an input into decision-making.	<ul style="list-style-type: none"> Council to consult with the committee in relation to the erection of a memorial.
Collaborate	Feedback and advice received from the Committee will be incorporated into decisions to the maximum level possible.	<ul style="list-style-type: none"> Community members to be appointed to the advisory committee Representatives from the Shepparton RSL and the Bouchier Family will also be

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Sir Murray Bouchier Memorial Advisory Committee (continued)

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

Strategic Links

a) Greater Shepparton 2030 Strategy

No strategic links have been identified.

b) Other strategic links

No other strategic links have been identified.

Options for Consideration

The Council could decide not to support the request received from the Sir Murray Bouchier Memorial Working Group and not support the formation of the committee as an advisory committee of Council.

Conclusion

It is recommended that the Council formally establish the Sir Murray Bouchier Memorial Advisory Committee as an advisory committee of Council, adopt the Terms of Reference and appoint the three community members as recommended in this report.

Attachments

Draft Terms of Reference - Sir Murray Bouchier Memorial Advisory Committee

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Council Plan 2013 to 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23

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: Manager Corporate Performance

Proof reader(s): Team Leader Governance, Director Business, Manager Finance and Rates.

Approved by: Chief Executive Officer

Purpose

Section 125 of the Local Government Act 1989 (the Act) requires the Council to prepare and approve a Council Plan by 30 June 2013.

The Council Plan must include:

- the strategic objectives of the Council
- strategies for achieving the objectives for at least the next four years
- strategic indicators (measures) for monitoring the achievement of the objectives
- a Strategic Resource Plan prepared in accordance with section 126 of the Act, outlining the resources required to achieve the strategic objectives.

The development of the Council Plan 2013 – 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23 (Council Plan) is the result of input from the community, particularly during July and August 2012 when some 10,000 persons were directly involved in workshops conducted across Greater Shepparton, on priorities for Plan and received more than 2400 completed surveys. These community workshops and surveys helped inform the development of the draft Plan. Since its adoption as a draft on 30 April 2013 the Plan has been in the public arena seeking formal submissions. A total of 10 submissions were received by the due closing date of 31 May.

A committee of Council heard from one submitter on Tuesday 05 June 2013. The submitter spoke to her submission relating to moving forward with the formation of the Shepparton Art Museum Foundation.

Other submissions made up to the closing date covered topics as follows:

- Support for establishment of Shepparton Art Museum
- Review of service provision
- Continuance of Councils successful approach to gaining external funding
- Improvement and maintenance of infrastructure and facilities
- Improve communications between Council and Community
- Need continued strong economic growth
- Availability of disabled parking
- Provision of more seating on walking paths and at bus stops
- Improved signage and shelters for public transport
- Ongoing support of CALD communities
- The ability to fund new infrastructure.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Council Plan 2013 to 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23 (continued)

Following consideration of all submissions in addition to feedback received from staff the draft plan has been amended and is now presented to Council for adoption.

Where appropriate, amendments have been made to accommodate the submissions however, where the submissions reflect operational rather than strategic directions, those submissions will be considered for inclusion in the Business / Operational Plans that will be developed to support the delivery of the strategic direction articulated within the Council Plan.

**Moved by Cr Oroszvary
Seconded by Cr Patterson**

That the Council adopt the prepared Council Plan 2013 – 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23.

CARRIED.

Background

In February 2013 the Council commenced development of its vision and objectives for the future involving Councillors, senior management, council staff and members of the community.

This work capitalised on the work undertaken in July/August 2012 where a significant consultation process was conducted across Greater Shepparton to seek input from the community and staff in relation to development of the new plan following Council elections which were conducted in October 2012.

Councillors participated in a series of community events, strategic planning workshops and briefing sessions, to ensure they have a shared and comprehensive understanding of current and future issues facing the community of Greater Shepparton.

In addition, the Council's community engagement strategy resulted in the involvement of over 10,000 members of the community and over 2400 surveys completed. These surveys provided valuable feedback on the community's views on the direction of Council providing proposed priorities and suggested additional matters for consideration.

The attached Council Plan 2013 – 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23 is the result of this major review. It is an important component of the Council's long-term strategic planning, which guides the organisation's budget-setting and reporting processes and draws on the issues identified in the development of the Council's Greater Shepparton 2030 Strategy. A Strategic Planning and Accountability Framework, highlighting the Council Plan's relationship to this and other key strategic documents is included in the plan.

Council Plan 2013 – 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23. has been prepared to guide the Council's activities during the term of the current Council. It will be reviewed annually to ensure that it remains current.

The Council Plan will be available on the Council's website and copies can be obtained from the Council office in Welsford Street. Reporting on achievement of the Council Plan

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Council Plan 2013 to 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23 (continued)

will be ongoing with quarterly report on progress made to Council and be publically available.

Council Plan/Key Strategic Activity

This report details the development of the Council Plan in accordance with the Local Government Act.

Risk Management

The primary risk is that the Council Plan will be seen as a Council document, rather than a community plan. To reduce this risk, the Council undertook an extensive community engagement program in July/ August 2012 and again in March 2013 accessing approximately 10,000 members of the community and receiving 2,400 completed surveys from the community. Further opportunity was provided through a formal submission period from 03 May until 31 May prior to consideration of submissions amendment and its final adoption.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to communicate with the community	E	2	Moderate	Undertake broad community consultation
Failure to comply with the Local Government Act	E	1	High	Undertake full requirements of the Act

Policy Considerations

There are no policy considerations associated with this report. The review and adoption of the Council Plan 2013 – 2017 incorporating the Strategic Resource Plan 2013/14 – 2022/23 does not conflict with any Council policy.

Financial Implications

The financial implications associated with the Plan are addressed in the Strategic Resource Plan, which forms part of the Plan. Specific financial allocations against the achievement of identified objectives will be determined in the annual budgets developed by the Council during the life of the Plan.

Legal/Statutory Implications

Section 125 of the Act requires the Council to develop and adopt a Council Plan by 30 June of the year following the conduct of a general election.

Section 126 of the Act specifies that the Strategic Resource Plan is a resource plan of the resources required to achieve the strategic objectives. The Strategic Resource Plan must include in respect of at least the next 4 financial years:

- the standard statements describing the required financial resources in
- the form and containing the information required by the regulations;
- statements describing the required non-financial resources, including human resources.

Any person has the right to make a submission on the draft Council Plan under section 223 of the Act. Section 223 of the Act requires public notice to be given to allow for any person to make a submission on the matter. The section 223 process under the Act also

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Council Plan 2013 to 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23 (continued)

allows the person making a submission to appear in person to be heard in support of their submission. Public notice gave a minimum of 28 days under this section of the Act.

A Council must review the Strategic Resource Plan during the preparation of the Council Plan and adopt the Strategic Resource Plan not later than 30 June each year.

Environmental/Sustainability Impacts

The impacts are detailed broadly through the Environmental goal as detailed in the plan which states that “We will conserve and enhance significant natural, environmental and cultural heritage.” More specifically through the various strategies and directions outlined within the plan.

Social Implications

The impacts are detailed broadly through the Social goal as detailed in the plan which states that “We will enhance social connectedness, physical and mental health and wellbeing, education and participatory opportunities in order to improve liveability and a greater range of community services.” More specifically through the various strategies and directions outlined within the plan.

Economic Impacts

The impacts are detailed broadly through the Economic goal as detailed in the plan which states that “We will promote economic growth, business development and diversification, with a focus on strengthening the agricultural industry”. More specifically through the various strategies and directions outlined within the plan.

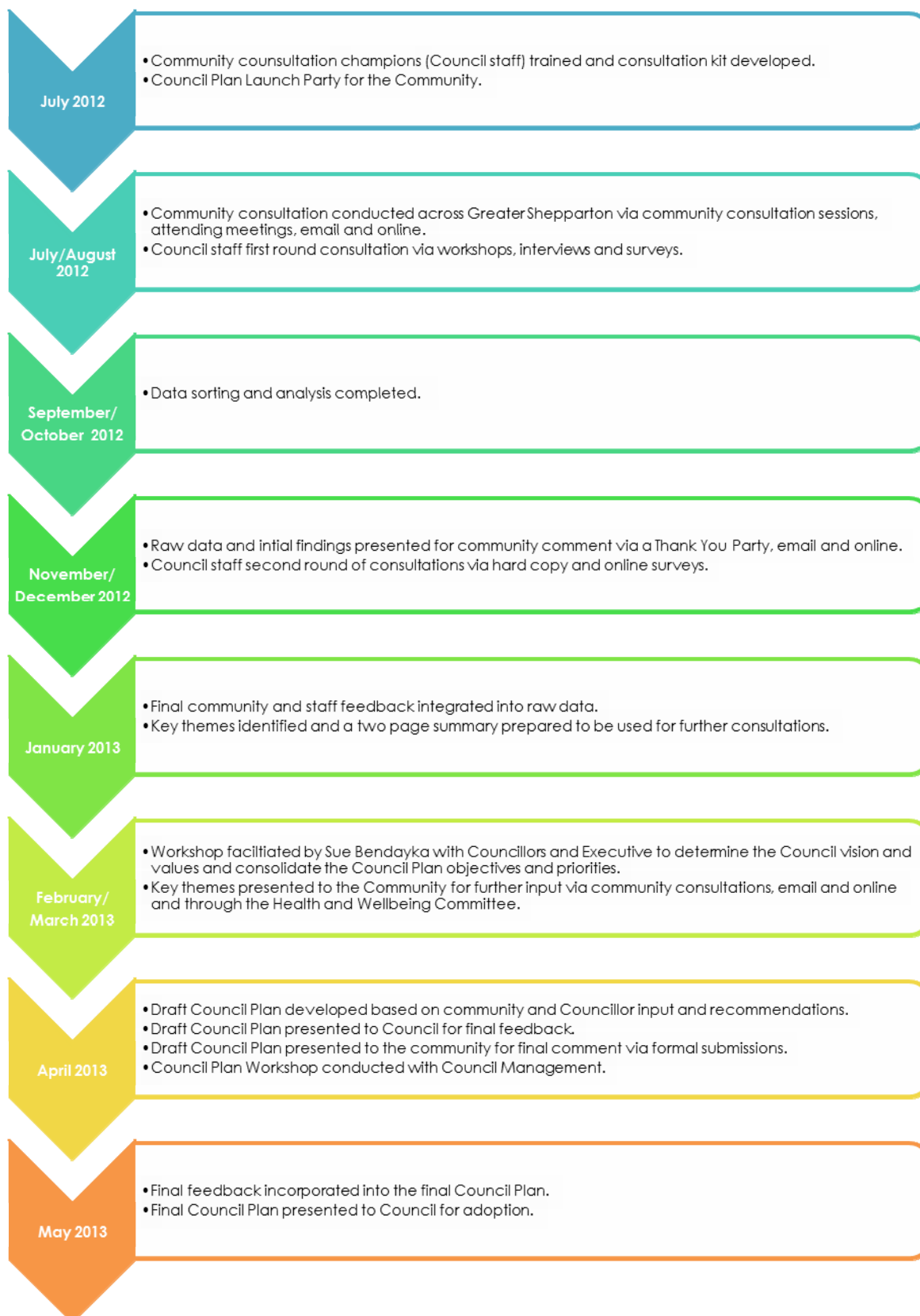
Consultation

The Council undertook a wide ranging community engagement program to encourage community input into the development of the Council Plan 2013 – 2017 incorporating the Strategic Resource Plan 2013/14 – 2022/23. This included visits to rural communities, online, print and radio advertising, random sampling and a community feedback barbecue in the Maude Street Mall. Community members have been given a further four weeks to provide additional feedback and formal submissions to Council prior to the final adoption of the plan.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Council Plan 2013 to 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23 (continued)

In developing the Council Plan, the following planning process was undertaken:



5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Council Plan 2013 to 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23 (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Consider their contribution	Engagement and documentation of contribution for further consideration with Council
Consult	Consider their contribution	Listened and documented contributions for further consideration by Council
Involve	Consider their contribution	Conduct of workshops across Greater Shepparton involving 10,000 persons

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The Council Plan 2013 – 2017 incorporating the Strategic Resource Plan draws heavily upon the strategies contained in the Greater Shepparton 2030 Strategy.

b) Other strategic links

The strategic links between the Council Plan 2013 – 2017 incorporating the Strategic Resource Plan 2013/14 – 2022/23 and other key Council documents are detailed in the Strategic Planning and Accountability Framework contained in the plan.

Options for Consideration

1. Adopt the plan to meet the statutory obligations to adopt the plan by 30 June (recommended).
2. Defer adoption of the draft plan which will delay community consultation and adoption of the final plan jeopardising the ability to meet the compliance requirements for adoption of the plan.

Conclusion

The Council undertook a wide ranging community engagement program to encourage community input into the development of the Council Plan 2013 – 2017. This included visits to rural communities, online, print and radio advertising, random sampling and a community feedback barbecue in the Maude Street Mall. Community members have a further four weeks to provide additional feedback to the Council prior to the final adoption.

Following consideration of all submissions, in addition to feedback received from staff, the draft plan has been amended and is now presented to Council for adoption.

Where appropriate, amendments have been made to accommodate the submissions however where the submissions reflect operational rather than strategic directions, those submissions will be considered for inclusion in the Business / Operational Plans that will be developed to support the delivery of the strategic direction articulated within the Council Plan.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Council Plan 2013 to 2017 Incorporating the Strategic Resource Plan 2013/14 to 2022/23 (continued)

The Council Plan 2013 – 2017 incorporating the Strategic Resource Plan has been prepared to guide the Council's activities during the term of the current Council. It will be reviewed annually to ensure that it remains current.

Attachments

Draft Council Plan 2013-2017 Incorporating the Strategic Resource Plan 2013/14 - 2022/23

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Program, Round Two 2012/13 - Major and Round Three 2012/13 - Minor and Sports Aid

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..

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

Officer: Stacey Cole

Stacey Cole has declared an indirect interest by way of close association in relation to this matter, as she is President of the Shepparton Triathlon. Stacey stepped aside from the evaluation of the application from the Shepparton Triathlon Club and was substituted by an independent staff member.

Council Officers involved in producing this report

Author: Systems Services Coordinator

Proof reader(s): Manager Recreation and Parks

Approved by: Director Infrastructure

Purpose

One application has been received for the third round of funding for the 2012/2013 Our Sporting Future Funding Program – Minor Facilities Category and one application has been received for the second round of funding for the 2012/2013 Our Sporting Future Funding Program – Major Facilities Category.

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

Moved by Cr Polan

Seconded by Cr Oroszvary

That the Council approves funding for these projects.

Our Sporting Future – Minor Facilities Category

Club	Project	Allocation
Shepparton RC Car Club	Upgrade Drivers Stands, Storage & Lighting	\$12,644

Our Sporting Future – Major Facilities Category

Club	Project	Allocation
Shepparton Triathlon Club	Relocatable Storage Shed	\$23,884

CARRIED.

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Program, Round Two 2012/13 - Major and Round Three 2012/13 - Minor and Sports Aid (continued)

Background

The Our Sporting Future Funding Program has been established to assist community organisations with the implementation of small to medium sized facility development projects. The types of projects that may be funded include:

- Sports surface development
- OHS and public safety improvements
- Lighting upgrades
- Pavilion upgrades
- Shade for participants
- Disability Access

The program also assists with development programs for new and developing sporting organisations throughout Greater Shepparton.

The funding program provides three categories for funding:

- Major facility development – for projects on a \$1 for \$1 basis but not exceeding \$30,000
- Minor facility development – for projects on a \$1 for \$1 basis but not exceeding \$15,000
- Sports Aid - funding between \$500 and \$5,000 (without matching contributions) for special sports projects that provide support to new and developing sporting organisations, or for special access and participation projects.

The Minor and Sports Aid applications are assessed in three rounds, with the third round closing on Friday 22 February 2013. The Major applications are assessed in two rounds, with the second round closing on Friday 22 February 2013.

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

- Systems Services Coordinator
- Team Leader Festivals and Events
- Team Leader Community Strengthening
- Grants, Statistics and Economic Research Officer
- Leisure Facilities Officer

One application was received in the Minor category for Round 2 that did not meet the mandatory requirements. This was Kialla Golf Club. Recreation and Parks Officers are now working with this group to complete the mandatory requirements so that the application can be resubmitted to the funding program.

There were three applications received this financial year that did not fit with the criteria of the funding program. These were received from the Shepparton Cycling Club, Shepparton Sailability and Goulburn Valley Squash Club. Recreation and Parks Officers continue to work with these Clubs to find funding opportunities available to them.

The Our Sporting Future Funding Program is available for all sporting/recreational groups within the municipality. The program is promoted on Council's external website, advertised in SportsConnect, a Council newsletter and by word of mouth. Valleysport the Goulburn Valley's regional sports assembly also advertise the funding program and refer

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Program, Round Two 2012/13 - Major and Round Three 2012/13 - Minor and Sports Aid (continued)

groups to council.

The Our Sporting Future Funding Program is being reviewed as part of a Council wide review of all external grants and donations programs for 2013/14.

The following applications were received in the third round of the **Minor Facilities** Category:

Shepparton RC Car Club

Funding Category	Minor		
Project	Upgrade to the Remote Control Club facilities at Shepparton Sports Precinct		
Project Details	Includes improvement to drivers stands, increased storage capacity and lighting upgrades.		
Senior Membership	29	Junior Membership	20
Total Project Cost	\$25,288	Organisation Cash	\$6,322
Council Contribution	\$12,644	Organisation In-kind	\$6,322
Recommendation	The project is consistent with the funding criteria in providing facility upgrades. The project is recommended for funding with an allocation of \$12,644		

The Shepparton RC Car Club has an agreement for tenure of a parcel of land behind the Shepparton Sports Stadium. A Community Lease is to be setup in the near future.

The following applications were received in the second round of the **Major Facilities** Category:

Shepparton Triathlon Club

Funding Category	Major		
Project	Relocatable Storage Shed – Victoria Park lake		
Project Details	Building of new relocatable storage shed to replace existing shed. Will be located between old Canoe Club Shed and new relocatable rowing club sheds. Planning permit requires all relocatable sheds to be removed by June 2017.		
Senior Membership	100	Junior Membership	30
Total Project Cost	\$47,768	Organisation Cash	\$23,884
Council Contribution	\$23,884	Organisation In-kind	\$0
Recommendation	The project is consistent with the funding criteria in providing facility development. The project is recommended for funding with an allocation of \$23,884		

The Shepparton Triathlon club have a Community Lease for their existing small storage shed at Victoria Park Lake.

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Program, Round Two 2012/13 - Major and Round Three 2012/13 - Minor and Sports Aid (continued)

Council Plan/Key Strategic Activity

The works are supported by the Council's Sport 2050 Strategic Plan.

Risk Management

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

Policy Considerations

There are no conflicts with existing Council policy.

Financial Implications

Minor and Sports Aid Category

Current Budget	Funds Previously Committed	Funds Requested this Round	Total Funds Committed (If Request Approved)	Total Funds Uncommitted (If Request Approved)
\$49,200	\$36,556	\$12,644	\$49,200	\$0

Major Category

Current Budget	Funds Previously Committed	Funds Requested this Round	Total Funds Committed (If Request Approved)	Total Funds Uncommitted (If Request Approved)
\$90,000	\$30,000	\$23,884	\$53,884	\$36,116

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

There are no environmental/sustainability impacts arising from these projects.

Social Implications

These projects will support community participation in sporting activity.

Economic Impacts

There is expected to be a minor regional economic stimulus arising from the construction works.

Consultation

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

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Program, Round Two 2012/13 - Major and Round Three 2012/13 - Minor and Sports Aid (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

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

Options for Consideration

1. Not fund the projects
Not recommended as projects will ensure that community assets are renewed and facilities are modernised.
2. Fund the projects
Agree to fund the projects - **Recommended**

Conclusion

It is recommended that Council approves funding for these projects.

Attachments

1. Shepparton Radio Control Car Club Map
2. Shepparton Triathlon Club Map

7. COMMUNITY DIRECTORATE

7.1 Greater Shepparton Health and Wellbeing Advisory Committee

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: Health and Wellbeing Project Officer

Proof reader(s): Acting Team Leader Community Strengthening, Manager Neighbourhoods.

Approved by: Director Community.

Purpose

For Council to endorse the Greater Shepparton Health and Wellbeing Advisory Committee (HWBAC) Terms of Reference which includes membership representation of key stakeholders and appoint a Councillor representative to the committee.

The HWBAC will guide the strategic direction of the Municipal Public Health Plan (MPHP) for Greater Shepparton in partnership, support the delivery of initiatives to encourage health prevention strategies and identify emerging health and wellbeing issues to maximise local health outcomes.

The draft Council Plan 2013-2017 reflects the integration of health and wellbeing matters at a strategic level and will be supported by a local Action Plan. The Action Plan will detail initiatives that are both measurable and achievable while considering local evidence, health gaps and future needs to maximise health outcomes.

**Moved by Cr Summer
Seconded by Cr Oroszvary**

That Council:

1. Endorse the Terms of Reference for the Greater Shepparton Health and Wellbeing Advisory Committee;
2. Appoint Cr Fern Summer to the Greater Shepparton Health and Wellbeing Advisory Committee, to perform the role of Chair.

CARRIED.

Background

The Greater Shepparton Health and Wellbeing Advisory Committee was established in September 2011 and consists of representation from key local health service professionals and supporting agencies. The purpose of the group is to:

- provide guidance on the strategic direction of the Municipal Public Health Plan (MPHP) for Greater Shepparton in partnership, integrating public health matters into the Council Plan;
- support the establishment of a local Action Plan to deliver initiatives that encourage health prevention strategies and maximise local health outcomes;
- consider local demographics and identify emerging health and wellbeing issues.

7. COMMUNITY DIRECTORATE

7.1 Greater Shepparton Health and Wellbeing Advisory Committee (continued)

Members support a social determinants of health focus utilising the environments for health in Municipal Public health planning. The collaborative effort of stakeholders will continue to consider health equity for all and maximise health outcomes.

A well planned consultation process involving cross sector engagement will result with key stakeholder participation to contribute to the health and wellbeing of individual's in our community.

The Terms of Reference for the Greater Shepparton Health and Wellbeing Advisory Committee (Appendix one) were endorsed by existing committee members on 20 February 2012.

A further amendment was made on 18 July 2012 to incorporate the social model of health focus into the name of the group. Including health and wellbeing encompasses the dimensions of health, health service provisions and considers general wellbeing, associated with social inclusion and social exclusion.

A call for expressions of interest for representatives at the end of each four year term, will remain consistent with the term of each MPHP.

The appointment of a Councillor to the Greater Shepparton HWBAC, incorporating the role of Chairperson, will provide leadership and Council commitment to support the delivery of health and wellbeing strategic objectives and ensure compliancy of our statutory obligations.

Council Plan/Key Strategic Activity

All areas of the current Council Plan; Settlement and Housing, Community Life, Environment, Economic Development considers the environmental aspects to improve individual's health and wellbeing outcomes within our local community.

The strategic objectives of the current Municipal Public Health Plan (MPHP) encourage Council to create safe, healthy and sustainable environments that generally encourage community health and wellbeing behaviour changes that have a positive influence to improve lifestyle choices and social connection opportunities for individuals and community. The development, monitoring and evaluation of each Municipal Public Health Plan for Greater Shepparton requires consideration of engaging the community to capture the needs and aspirations and set realistic health and wellbeing strategic objectives for the future.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Lack of communication between Committee and Council	C	4	Low	One Councillor is an appointed member of the Committee to provide leadership, a communication channel and direction.
Strong partnerships to provide opportunity for Council advocacy and support for health service provision, access and evaluation.	C	3	Medium	Conservative estimates made. No reliance on unrealised revenue.

7. COMMUNITY DIRECTORATE

7.1 Greater Shepparton Health and Wellbeing Advisory Committee (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Capability to cope with emerging health and wellbeing epidemics.	C	3	High	No reliance made on unrealised supplementaries.

Policy Considerations

This recommendation is consistent with all relevant Council policies.

Financial Implications

There are minimal financial implications for Council and it is anticipated that the majority of actions identified in the Greater Shepparton HWBAC will be met within existing budget allocations. Any initiatives endorsed by the group which require additional Council funding will be referred to Council for consideration as part of the annual budget process.

An officer from the Neighborhood's department will continue to co-ordinate the meetings and prepare necessary reports for the monitoring of health and wellbeing achievements, new initiatives and funding opportunities throughout the term of each MPHP. With the establishment of an annual Action Plan monitoring of achievements will capture progress to maximize effort.

Meetings are held bi-monthly with catering as the only expense in three terms of the four year period. The final year will include facilitated sessions or a presentation with extra meetings for members to participate in the development of each MPHP or integration with the Council Plan.

Legal/Statutory Implications

This proposal is consistent with the *Local Government Act 1989*, and supports the Council's obligations of involving local community in the development and progress of a MPHP under the *Public Health and Wellbeing Act (2008)* (the Act). Council is primarily concerned with obligations under section 24 of the Act:

... ' to seek, protect, improve and promote public health and wellbeing within the municipal district by – (a) creating an environment which supports the health of members of the local community and strengthens the capacity of the community and individuals to achieve better health; '

Environmental/Sustainability Impacts

Existing members have formed a close bond to discuss topical and relevant health and wellbeing issues to form useful partnership approaches for resolution or work toward meeting local demands. There have been no negative environmental/sustainable impacts identified for this recommendation.

Social Implications

The high level strategic approach of member representatives provide professional, resilient and meaningful social connection within the key health service providers within the Greater Shepparton Area.

- Sense of community – activities in partnership, cultural respectfulness, agreement to support other stakeholders in partnership, recognition of local diversity, appreciation and willingness to protect our local culture and heritage

7. COMMUNITY DIRECTORATE

7.1 Greater Shepparton Health and Wellbeing Advisory Committee (continued)

- community services – key providers of local health services with professional understanding of changing demands and relevance to local demographics, concern of equality to access services or cost of services
- community health and wellbeing – sharing of local recreation facilities, health services and facilities to support health prevention initiatives, events and health promotion opportunities
- education and skills development – willingness to share quality and understanding of health and education to benefit the local community, desire to increase individual's health literacy skills
- transport – keenness to improve individual's healthy lifestyle choices in safe environments and universally accessible, encourage walking and cycling or transportation limitations particularly for appointments

Economic Impacts

Key economic considerations raised by this committee and that may impact on our local community include:

- transport infrastructure – access to medical appointments
- services provision – improved access to services, awareness of increased use of particular services, consideration of local demographics and future demand, concern of cost of services;
- commercial and industrial investment – investment directly related to health and wellbeing service provision or future demands on services and facilities ie aged care
- local employment – creation or increased need for types and ability to attract future health professionals to the area.

Consultation

Advertisements calling for nominations for membership to the group were called in 2011. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

Outlines the importance of Council maintaining a financial and socially acceptable environment, while meeting the expectations and future needs of our local community.

b) Other strategic links

Greater Shepparton Council Plan and Strategic resource Plan 2009-2013

- Settlement and Housing
 - Committed to growth and sustainable development
- Community Life
 - Enhancing social connection opportunities, improve liveability
- Environment
 - Conserving our significant natural environments, cultural aspects, heritage and environmental assets
- Economic Development
 - Promote economic growth, business development, sustainable tourist attractions, festivals and events to strengthen our local economy
- Infrastructure
 - Undertake beautification works for the main streets and entrances, parks, roads, shared pathways, signage
- Council organisation and Management

7. COMMUNITY DIRECTORATE

7.1 Greater Shepparton Health and Wellbeing Advisory Committee (continued)

- Engage our community when making decisions and ensure our long term focus by working cross-sector partnerships.

Greater Shepparton Public Health Plan 2009/2013

- Local Council holds the prime position to create, advocate and influence community change and protect the health and wellbeing of all residents.

Options for Consideration

1. Do Nothing – For Council to do nothing, there is a risk that they will not be well informed and connected with key local health and wellbeing professionals that provide services, identify future health needs, work to resolve local issues and build sustainable approaches in partnership to maximize health outcomes for individuals and the local community;
2. Adopt the Terms of Reference for the Greater Shepparton Health and Wellbeing Advisory Committee to support the ongoing partnerships and functions identified;
3. Appoint a Councillor to the Greater Shepparton Health and Wellbeing Advisory Committee, to undertake the role of Chair and provide leadership;
4. Endorse the Greater Shepparton Health and Wellbeing Advisory Committee members to continue their term until expiry of the current Municipal Public Health Plan (MPHP) including representatives from the following community, business and partner organisations;
5. Agree to call for expressions of interest at the end of each term consistent with the term of each MPHP to secure member representation from key local health and wellbeing professionals.

Conclusion

The member representatives enable Council to have current networking opportunities with key professional health service providers and supporting agencies for their valuable guidance, support and unbiased judgment as to health and wellbeing approaches to address the local needs and demands of the Greater Shepparton area.

The HWBAC will form a pivotal role in the establishment of the Health and Wellbeing Action Plan to support the delivery of Council Plan objectives containing public health matters. The committee will provide support to evaluate the effectiveness of annual achievements or guide alternative action to maximise health outcomes and capture progress made.

Attachments

Terms of Reference - Greater Shepparton Health and Wellbeing Advisory Committee

7. COMMUNITY DIRECTORATE

7.2 Universal Access and Inclusion Plan 2013-2017

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: Access and Inclusion Officer

Proof reader(s): Manager Neighbourhoods and Director Community

Approved by: Director Community

Other: Team Leader Positive Ageing and Rural Access and Inclusion Officer

Purpose

The overall objective of the Greater Shepparton City Council's *draft Universal Access and Inclusion Plan 2013-2017* (UAIP) is to contribute to the development of a community which is accessible and inclusive of all. Through the initial consultation the UAIP identified access and inclusion barriers to participation in Council activities and facilities throughout the community. The Plan outlines the Council's objectives to ensure that information, services and facilities are accessible to all people living in or visiting the municipality by the elimination of barriers.

Moved by Cr Summer

Seconded by Cr Patterson

That the Council approve the *draft Universal Access and Inclusion Plan 2013-2017* for public display and comment for a period of 28 days, prior to the final revision being presented for adoption at the Ordinary Council Meeting to be held on Tuesday 20 August 2013.

CARRIED.

Background

Greater Shepparton has a diverse community of more than 60,000 residents. Many sectors of the community experience barriers to their daily life, including people with disabilities, families, the aged and people from non-English speaking backgrounds. It is important; therefore that Council is proactive and responsive to the special needs of all people within the community.

The Universal Access and Inclusion Plan 2013-2017 includes a range of strategies' and actions targeted at barriers that people encounter when accessing services, information, support and using Council infrastructure. Implementation of the Plan will be staged over the next four years. Importantly the Plan will be monitored through the implementation period by relevant community advisory committees to ensure its effectiveness.

Council Plan/Key Strategic Activity

The strategies developed within this plan will assist the Council in removing barriers and providing equity of access to Council services, facilities and employment for all people. This Plan is intrinsically linked to the Council Plan 2009-2013 Key Direction 2 – Community Life:

- Develop and pursue strategies to improve community health and wellbeing.

7. COMMUNITY DIRECTORATE

7.2 Universal Access and Inclusion Plan 2013-2017 (continued)

- Develop a new Universal Access and Inclusion Plan and implement the identified outcomes and objectives

Risk Management

Consideration has been given to risk management issues during the development of *draft Universal Access and Inclusion Plan 2013-2017*. Any risks identified have been addressed through the action planning process. Adopting this strategy will actively reduce Council's risk of litigation by providing clear guidance and direction on priorities for action.

Risks	Likelihood	Consequence	Rating	Mitigation Action
By not having a Disability Action Plan or Strategy, Council fails to comply with the Disability Discrimination Act (DDA) 1992 which makes it a legal requirement for local Government to provide equal access to employment, public buildings, goods, services and facilities.	A	3	high	Universal Access and Inclusion Plan (UAIP) 2013-2017 is a whole of organisation approach to providing equitable access to all Council goods, services, infrastructure and events for all community members.

Policy Considerations

This recommendation is consistent with all relevant Council policy and is a continuation of Council's original Disability Policy and Action Plan 2004 – 2009 (Endorsed Council May 2004).

Financial Implications

The *draft Universal Access and Inclusion Plan 2013-2017* is set within the Council context of existing financial constraints and staff capacity. Any actions requiring additional funding will be considered through the annual budget processes and indicative amounts are being sourced.

Legal/Statutory Implications

Victorian Charter of Human Rights and Responsibilities Act 2006 Implications

This proposal is consistent with the Charter of Human Rights principles and it supports the needs of our population which includes some individuals who may be viewed as disadvantaged. Adoption of the Plan will ensure Council is either compliant with or actively supporting the following legislative arrangements:

International Legislation

- *United Nations Convention on the Rights of Persons with Disabilities*

Federal Legislation

- *Disability Discrimination Act (1992)*
- *National Disability Strategy 2010-2020*
- *National Disability Agreement 2012*

7. COMMUNITY DIRECTORATE

7.2 Universal Access and Inclusion Plan 2013-2017 (continued)

State Legislation

- *Victorian Disability Act (2006)*
- *The Charter of Human Rights and Responsibilities Act (2006)*
- *The Local Government Act (1989)*

State Policy

- *A Fairer Victoria 2010*
- *Victorian State Disability Plan 2013-2016*
- *Growing Victoria Together to 2010 and beyond*

Environmental/Sustainability Impacts

There have been no negative environmental/sustainable impacts identified for this recommendation.

Social Implications

The implementation of the *draft Universal Access and Inclusion Plan 2013-2017* will provide many social benefits for all community members including:

- Improved health and wellbeing of people with disabilities due to greater community access at Council owned and operated facilities, events and festivals, parks and open spaces
- Improved feeling of social connectedness for people with disabilities of all ages
- Improved service delivery by all departments of Council to people with disabilities
- Reduced attitudinal barriers experienced by people with disabilities
- People with disabilities participate in their community as citizens and experience same rights as everyone.

Economic Impacts

Through the implementation of the *draft Universal Access and Inclusion Plan 2013-2017*, the City of Greater Shepparton can demonstrate and promote itself as an inclusive and accessible destination which will attract a larger segment of the tourist market, which will also have a positive flow-on effect for local business.

Consultation

The *draft Universal Access and Inclusion Plan 2013-2017* has been developed with extensive consultation both internally with Greater Shepparton City Council Staff and externally with relevant Disability Service Providers and other key stakeholders (eg: Homelessness Outreach Service, Aboriginal Service Providers and representation from the Culturally and Linguistically Diverse Communities).

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	<ul style="list-style-type: none"> • Newspaper articles
Consult	Informed, listen, acknowledge	<ul style="list-style-type: none"> • Surveys placed at community service organisations, doctor waiting rooms, senior citizen clubs • Forum - Disability Service Provider (and other relevant Service Providers) • Forum – for people with a disability
Involve	Work together. Feedback is an input into decision-making	<ul style="list-style-type: none"> • World Café at Forum

7. COMMUNITY DIRECTORATE

7.2 Universal Access and Inclusion Plan 2013-2017 (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Collaborate	Feedback will be incorporated into decisions to the maximum level possible	<ul style="list-style-type: none"> Ongoing input into the development of the plan through the Disability Advisory Committee and internal staff consultation. The Disability Advisory Committee will monitor the implementation of the plan

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

Strategic Links

a) Greater Shepparton 2030 Strategy

No strategic links have been identified.

b) Other strategic links

- Municipal Public Health Plan 2009-2013
- Housing Strategy
- Asset Management Policy
- Community Engagement Strategy
- Positive Ageing Strategy 2009-2014
- Customer First Charter
- Communication Style Guide

Options for Consideration

Option 1: Do nothing

This option would not be preferable given Greater Shepparton City Council is required by legislation to prepare, adopt and implement a Universal Access and Inclusion.

Option 2: Support the recommendation

Approve the *draft Universal Access and Inclusion Plan 2013-2017* for public display for one month.

Conclusion

The development of the *draft Universal Access and Inclusion Plan 2013-2017* aims to enhance access to Council's planning processes, services, communications and employment systems within the broader community. The Plan has a broad scope designed to identify and address the barriers that all sectors of the community encounter in their day-to-day life and also outlines the key ways in which Council intends to improve access to all citizens. The implementation and related actions of the Plan will be monitored by the Disability Advisory Committee (DAC) and other relevant advisory bodies. The DAC along with these bodies will assist in the annual review of the action plan to ensure its relevance to those who experience barriers in the community.

Attachments

Draft Universal Access and Inclusion Plan 2013 - 2017

8. BUSINESS DIRECTORATE

8.1 Procurement Policy Implementation Status

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 Regulatory Services

Proof reader(s): Procurement Officer

Approved by: Director Business

Purpose

The report presents an update on the implementation of Council's revised Procurement Policy which was adopted by the Council in February 2013, and is to come into effect on 1 July 2013.

Following the adoption of the revised Procurement Policy:

- the Greater Shepparton Local Economic Impact Statement has been prepared
- supporting procurement guidelines and templates have been prepared to reflect the revised Policy
- training for relevant staff is being undertaken to ensure compliance with the Policy when it comes into effect on 1 July 2013.

For each tender that may exceed \$250,000, tenderers will be informed of the requirement to submit a Greater Shepparton Local Economic Impact Statement.

Moved by Cr Polan

Seconded by Cr Summer

That the Council receive and note the procurement policy implementation status report, including the Greater Shepparton Local Economic Impact Statement.

CARRIED.

Background

The Council adopted a Procurement Policy in 2009, in compliance with Section 186A of the *Local Government Act 1989* (the Act). The Council last considered its Procurement Policy in August 2012 without amendment.

Each year Victorian Council's collectively spend in excess of \$3 billion procuring goods and services in a wide variety of areas. Greater Shepparton City Council spends on average \$74 million each year on procuring goods, services and works. Across the local government sector there has been a growing awareness and focus on improving procurement practices, as councils strive towards achieving best practice outcomes for their community. A wide variety of initiatives have been introduced including the *Victorian Local Government Best Practice Procurement Guidelines 2013* released by the Department of Planning and Community Development.

8. BUSINESS DIRECTORATE

8.1 Procurement Policy Implementation Status (continued)

The Chief Executive Officer on commencing with the Greater Shepparton City Council on the 16 January 2012 started a review of the processes, systems and human and physical resources of the organisation. It became apparent that considerable effort was required to focus the organisation and make the organisation accountable for its actions and undertakings. An organisational scan was undertaken with the purpose of identifying where the organisation can improve its performance and long term sustainability through:

- increased ownership and alignment to the Council Plan
- increased operating efficiency in service delivery
- informing the proposed service planning that will be undertaken
- enabling deployment and ownership of the human and physical assets of the organisation

The resulting “Greater Shepparton City Council Organisations Scan – “Good to Great” included a transitional management plan. With respect to procurement the transitional plan identified the following:

- Council has no policy for local content in its purchasing
- A review of procurement delegations and the development of policy and directives was required
- A major review of procurement processes and contract performance management was required
- A review and establishment of preferred provider panels would provide efficiency in purchasing

A major review of existing procurement and contracting practises was undertaken which found that:

- A procurement reference group had been established
- There is no procurement strategy guiding and aligning the strategic approach to Council’s procurement
- The previous Procurement Policy was very brief and inadequate
- There is no contract management system in place
- The existing prequalification system requires review for relevance
- There was no monitoring of procurement spend to determine vendor compliance
- There are numerous examples where the aggregated spend of multiple purchases from a single supplier is significantly over the public tender threshold for single contracts
- There are no procurement management reports being produced
- There are standard contract documents that are based on VicRoads standards
- There were four lengthy contract and procurement manuals owned by separate areas of Council resulting in lengthy and confusing guidance
- A sample review of contract documents revealed staff making decisions outside their delegation when the contract should have gone to Council for a decision, contract documents not complete with dates missing, signatures missing and Council reports incomplete when it comes to clearly assessing the tenders against the evaluation criteria
- The financial delegations limits the CEO delegation to \$750,000

8. BUSINESS DIRECTORATE

8.1 Procurement Policy Implementation Status (continued)

- Risk management was not integrated into procurement practices
- Project management practices are being developed with some good examples of process
- Occupational health and safety awareness and focus needs to be increased and integrated strongly into procurement practices

To assist the Council implementing a procurement framework the Procurement Review Report recommended:

- Set the context and establish a procurement vision for Council including clearly articulating the key drivers for change
- Key documentation needs to be developed commencing with a Procurement Strategy flowing from the Procurement Policy that is aligned to the Council direction and sets clear outcomes for the organisation to improve
- Briefing information sessions to be prepared for key stakeholder groups to engage them in the process and to take them on the same improvement journey
- Undertake immediate training via an external specialist around the legislative framework associated with procurement in the local government sector and delegations
- A project control group needs to be established and charged with the responsibility to implement the recommendations
- Utilise the Business Excellence approach and apply it to the project of implementing a strategic procurement framework
- Establish a centre led service delivery model made up of a small team of procurement professionals combined with nominated business unit representatives for procurement
- Introduce a category management framework to ensure leverage and visibility of day to day strategic expenditure
- Collaborate with other councils and where appropriate use Procurement Australia and MAV contracts
- Undertake a review of systems options as a whole focusing on purchasing a contract management system
- Implement contract management processes to provide a structured assessment of supplier performance on major contracts
- Integrate risk management into procurement practices
- Integrate project management practices as a priority requiring every project to have a project plan
- Regular management reporting needs to be developed and should include contractor performance against contract key performance indicators, vendor compliance against contract spend and supplier spend against the public tender thresholds
- Prepare a communications strategy/plan to clearly articulate the context for change
- Develop a tailored training program for all relevant staff

8. BUSINESS DIRECTORATE

8.1 Procurement Policy Implementation Status (continued)

The Procurement Review Report was considered by the Audit and Risk Management Committee at its meeting in December 2012. Regular progress reports on the implementation of recommendations of the Procurement Review Report have been presented to inform the Committee of any risks and non-compliance identified and the steps officers are taking to minimise risk and move toward compliance.

In addition the following progress has been made implementing transitional plan recommendations:

- The revised Procurement Policy specifies how local content in procurement will be considered, incorporates the Council's existing Sustainable Purchasing Policy and reflects the financial delegations as adopted by Council in December 2012.
- A cross functional team has been established to improve Council's procurement practices including the review of procurement processes and contract management.
- Additional schedule of rates supplier panels are in the process of being established to leverage aggregated expenditure, rather than treating each discrete arrangement as a separate procurement exercise.

The intent of Council's Procurement Policy is to achieve best value outcomes and ensure high standards of probity and accountability in Council's procurement of goods, services and works. The purpose of this Policy is to ensure that Council's procurement principles, policies, processes and procedures, achieve the following objectives:

1. Value for money, innovation and continuous improvement in the provision of services for the community
2. A strategic approach to procurement planning, implementation and evaluation.
3. Enabling sustainable outcomes including economic, environmental and social sustainability.
4. Efficient and effective use of Council resources;
5. Utilising collaboration and partnership opportunities;
6. High standards of probity, transparency, accountability and risk management; and
7. Compliance with legislation, Council objectives, Council policies and industry standards.

The revised Procurement Policy provides an improved procurement framework for service delivery at the Greater Shepparton City Council.

The Council at its Ordinary Meeting held on 19 February 2013 resolved to:

1. adopt the revised Procurement Policy, which will come into effect on 1 July 2013.
2. inform its suppliers of changes to the Procurement Policy, including the requirement for all tenders greater than \$250,000 including GST to include a Local Economic Impact Statement.

Following the adoption of the revised Procurement Policy:

- the Greater Shepparton Local Economic Impact Statement has been prepared
- supporting procurement guidelines and templates have been prepared to reflect the revised Policy
- training for relevant staff is being undertaken to ensure compliance with the Policy when it comes into effect on 1 July 2013.
- A centre led service delivery model is in the process of being established within existing resources made up of a small team of procurement professionals

8. BUSINESS DIRECTORATE

8.1 Procurement Policy Implementation Status (continued)

- A preliminary review of contract management systems options is in progress

For each tender that may exceed \$250,000, tenderers will be informed of the requirement to submit a Greater Shepparton Local Economic Impact Statement.

Council Plan/Key Strategic Activity

This proposal is consistent with the strategic objective “Provide best practice management and administrative systems and structures to support the delivery of Council services and programs”. The Procurement Policy provides guiding principles for the procurement of goods, services and works.

Risk Management

The revised Procurement Policy better reflects the Council's procurement principles, processes and procedures which are to be applied to all purchases of goods, services and works.

Risks	Likelihood	Consequence	Rating	Mitigation Action
That the policy does not continue to meet the organisations needs or legislative requirements	Possible	Major	High	The Local Government Act 1989 requires that the Council review its Procurement Policy annually.

Policy Considerations

The revised Procurement Policy takes into consideration the Victorian Local Government Procurement Best Practice Guidelines 2013. The suite of guidelines and templates relevant to the procurement functions of the Council have been reviewed in their entirety to reflect the revised Procurement Policy.

Financial Implications

Council paid \$74 million on procuring goods, services and works during the 2011/12 financial year. The Procurement Policy specifies that procurement activities will be carried out on the basis of obtaining value for money.

The Policy will provide an improved framework for procurement activities, which may initially incur additional costs in establishing contracts and a contract management system that will be offset by improved efficiencies and value for money by leveraging aggregated spends.

Legal/Statutory Implications

Section 186(1) of the Act requires that before Council enters into a contract for the purchase of goods or services to the value of \$150,000 or more, or for the carrying out of works to the value of \$200,000 or more, it must give public notice of the purpose of the contract and invite tenders or expressions of interest from any person wishing to undertake the contract.

Section 186 does not require Council to accept the lowest tender or to accept any tender.

Section 186 does not apply if the:

1. Council resolves that the contract must be entered into because of an emergency; or

8. BUSINESS DIRECTORATE

8.1 Procurement Policy Implementation Status (continued)

2. contract is entered into with a Council acting as the agent for a group of Councils and the Council has otherwise complied with this Act; or
3. contract is entered into in accordance with arrangements approved by the Minister

Section 186(6) requires that whenever practicable, a Council must give effective and substantial preference to contracts for the purchase of goods, machinery or material manufactured or produced in Australia or New Zealand.

Section 186A of the Act requires Council to prepare, approve and comply with a Procurement Policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council. The Council must review the Procurement Policy at least once in each financial year and make it available for public inspection at Council office and website.

Environmental/Sustainability Impacts

Sustainable procurement was governed by Council's adopted Sustainable Purchasing Policy, which provided that a 10 per cent weighting will be applied to recognise recycled and environmentally preferable products, to encourage the purchase of such products of comparable standard to non-environmentally preferred products. This provision was incorporated into the revised policy.

Social Implications

To encourage a focus on local industry, including creating local employment and improving local businesses the revised Procurement Policy proposes requirements that:

- Council officers must seek at least one quotation from a local supplier, if available.
- In addition, for all tenders greater than \$250,000 including GST, a Local Economic Impact Statement will be submitted by tenderer's that will detail the level of local content including labour, materials, plant and supervision.
- Where tenders are within 5% of the weighted tender evaluation of the highest ranked tender, the tender evaluation will take into consideration the merit of Local Economic Impact Statements when assessing the preferred tender.

Economic Impacts

Council's procurement activities will be carried out on the basis of obtaining value for money. This means minimising the total cost of ownership over the lifetime of the requirement, consistent with acceptable quality, reliability and delivery considerations. Lowest price is not the sole determinate of value for money.

A public tender process must be undertaken when purchases of goods or services may exceed \$150,000 including GST, or purchases for the carrying out of works may exceed \$200,000 including GST.

Where significant sums are spent which aggregate to greater than \$150,000 for goods and services or \$200,000 for works with one supplier or on one service, it is necessary to structure procurement proposals as requests for tenders or quotations to achieve greatest value and supplier performance by leveraging this aggregate spend, rather than treating each discrete arrangement as a separate procurement exercise.

8. BUSINESS DIRECTORATE

8.1 Procurement Policy Implementation Status (continued)

There is no specific time limit applying to the length of a contract which is subject to the tender threshold. Rather the optimum period of a contract should be first determined on the basis of value for money and the efficiency and effectiveness of the procurement.

Additional schedule of rates supplier panels will be established to leverage aggregate spend and increase efficiency in purchasing.

Consultation

Both the Organisational Scan and Procurement Review involved interviews with many Council staff, with feedback contributing to the findings and recommendations of the Procurement Review Report which has been taken into consideration when proposing changes to the Policy.

A cross functional team established to improve Council's procurement practices has contributed to the review of the Procurement Policy.

For each tender that may exceed \$250,000, tenderers will be informed of the requirement to submit a Greater Shepparton Local Economic Impact Statement. The Procurement Policy and also the Greater Shepparton Local Economic Impact Statement will be made available on Council's website.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Information on Policy changes to be made available to the public and suppliers	Website e-newsletter e-tendering tender documents

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Nil

b) Other strategic links

The Procurement Policy takes into account and should be read in conjunction with the following:

- Code of Conduct Policy
- Conflict of Interest in Local Government Feb 2009
- Exercise of Delegations
- Gifts and Benefits Policy
- Risk Management Policy
- Sustainable Purchasing Policy

Options for Consideration

The procurement policy implementation status report, including the Greater Shepparton Local Economic Impact Statement is for information only

8. BUSINESS DIRECTORATE

8.1 Procurement Policy Implementation Status (continued)

Conclusion

The effective commencement of the revised Procurement Policy on 1 July 2013 will enhance the Council's ability to demonstrate best value outcomes and ensure high standards of probity and accountability in the procurement of goods, services and works.

Attachments

1. Procurement Policy
2. Greater Shepparton Local Economic Impact Statement

8. BUSINESS DIRECTORATE

8.2 May 2013 Monthly Financial Report

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: Team Leader Corporate Accounting

Proof reader(s): Manager Finance and Rates

Approved by: Director Business

Purpose

The report presents Council's actual financial performance compared to budget for the ten months ending 30 April 2013.

RECOMMENDATION

That the Council receive and note the April 2013 Monthly Financial Report.

Moved by Cr Ryan

Seconded by Cr Oroszvary

That the Council receive and note the May 2013 Monthly Financial Report.

CARRIED.

Background

The Council adopted its 2012/2013 Budget at its Ordinary Meeting on 17 July 2012, which included total operating revenue of \$103 million, an operating surplus of \$5.8 million and a capital works budget of \$31.4 million. Since this time the September Quarter Budget Review, the Mid-Year Budget Review and the March Quarter Budget Review have been completed and approved by Council.

As a result of the quarterly budget reviews the forecast year end operating surplus has increased by \$1.238 million to \$7.048 million. The term surplus is often perceived to be cash however the operating surplus includes both non-cash items such as contributed assets of \$3 million and also capital grants of \$4.552 million which are used to fund capital works.

The forecast capital works program reduced by \$6.271 million to \$25.10 million following the quarterly budget reviews. The majority of this decrease relates to projects that are still proceeding however will not be as far progressed as previously expected by 30 June 2013 and will be reconsidered as part of the 2013/14 Budget.

The March Quarter Budget Review forecast that due to identified budget savings there will be an underlying cash surplus of \$1.38 million at the end of the financial year. The underlying cash surplus will be confirmed as part of the finalisation of the year end result

8. BUSINESS DIRECTORATE

8.2 May 2013 Monthly Financial Report (continued)

and is proposed to be used to replenish cash reserves that were used to fund repayment of Council's defined benefit superannuation liability.

The actual operating result for the first eleven months of the 2012/2013 financial year was an operating surplus of \$11.64 million which is \$2.05 million or 21.3 per cent more than the year to date budget.

This variance is mainly due to the timing of materials and consumables expenditure which is forecast to be expended by year end and includes:

- Plant, Fleet and Leased Vehicles \$371,000
- Community Plan Implementation \$274,000
- Arboricultural Services \$219,000
- Provincial Leaders Program \$125,000
- Shepparton Show Me advertising \$93,000

The end of year forecast operating surplus is \$6.746 million, \$301,000 less than the March Quarter Budget Review.

Capital works to the value of \$18.36 million have been completed in the first eleven months of the financial year. This is \$4.63 million or 20 per cent less than budget. The end of year forecast capital expenditure has been revised down by \$342,000 or 1 per cent to \$24.76 million from the March Quarter Budget Review.

Investments of \$33.9 million were held at the end of May at a weighted average interest rate of 4.21%.

Total rate debtors outstanding at the end of May are similar to the prior year while total sundry debtors are higher. This is due to a large number of current invoices (less than 30 days) being outstanding. These are within acceptable limits and are being actively managed.

The May 2013 Financial Report incorporates the following sections which are presented for Council's consideration:

- Overview
- Income Statement
- Balance Sheet
- Cash Flow Statement
- Strategic Objective Reports (both Operating and Capital)
- Investment Summary
- Sundry Debtors Report
- Rates Debtors Report
- Councillor Expense 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 risks have been identified in providing this financial report.

Policy Considerations

There are no conflicts with existing Council policies.

8. BUSINESS DIRECTORATE

8.2 May 2013 Monthly Financial Report (continued)

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

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. In addition Section 138 requires that at least every 3 months a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is 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 Budget have been consulted in preparing this report.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

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

c) Other strategic links

No other strategic links have been identified.

Options for Consideration

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

Conclusion

The report provides details of Council's actual financial performance compared to budget for the ten months ended 31 May 2013.

Attachments

May 2013 Financial Report

8. BUSINESS DIRECTORATE

8.3 Contracts Awarded Under Delegated Authority

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: Contracts Officer

Proof reader(s): Acting Manager Regulatory Services

Approved by: Director Business

Purpose

To inform the Council of publicly advertised contracts awarded by Officers under delegated authority of the Council during the period 25 April to 24 May 2013. The report also provides details of the status of requests for tenders that have not yet been awarded.

Moved by Cr Polan
Seconded by Cr Patterson

That the Council note the publicly advertised contracts awarded by the Chief Executive Officer and Directors under delegated authority.

CARRIED.

Tendered Contracts Awarded under Delegated Authority by the CEO

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
1408	Supply and Delivery of Water Cart	Tender advertised by Procurement Australia on behalf of Council	\$338,154	CMV Hino

Tendered Contracts Awarded under Delegated Authority by a Director

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
1407	Reconstruction of Stormwater Drainage – Mason Court Shepparton East	Excavation, supply, laying of 220 metres stormwater pipe, culverts, reinstatement of driveways etc.	\$109,010	Graeme Williams Constructions

8. BUSINESS DIRECTORATE
8.3 Contracts Awarded Under Delegated Authority (continued)
Requests for Tenders advertised but not yet awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1409	Essential Services – Fire Extinguishers, Fire Hose Reels and Fire Blankets	Audit information contained in Council's Asset Management System, record inspection results, testing of essential safety measures, carry out approved repair works	Tenders received by 24 April 2013 are being evaluated.
1410	Essential Services - Fire Hydrants	Audit information contained in Council's Asset Management System, record inspection results, testing of essential safety measures, carry out approved repair works	Tenders received by 24 April 2013 are being evaluated.
1411	Essential Services – Emergency Lighting and Exit Lights	Audit information contained in Council's Asset Management System, record inspection results, testing of essential safety measures, carry out approved repair works	Tenders received by 24 April 2013 are being evaluated.
1412	Essential Services – Mechanical Services	Audit information contained in Council's Asset Management System, record inspection results, testing	Tenders received by 24 April 2013 are being evaluated.
1413	Essential Services – Automatic Fire Detection and Alarm Systems	Audit information contained in Council's Asset Management System, record inspection results, testing	Tenders received by 24 April 2013 are being evaluated.
1415	Construction of Stormwater Drainage and Concrete Footpath in Ferguson Road, Tatura (Stage 1)	Lump sum contract for supply and installation of stormwater pipes, concrete paths and associated works in Tatura.	Tenders received by 15 May 2013 are being evaluated.
1417	Shepparton Showgrounds Outdoor Multi-Use Event Area - Electrical Works - Stage 1	Lump sum contract for the manufacture, supply, installation, testing and commissioning of electrical works for the multi-use event area at the Shepparton Showgrounds.	Tenders received by 15 May 2013 are being evaluated.
1430	Management of Victoria Park Lake Caravan Park	Lump sum contract for the management of the Victoria Park Lake Caravan Park	Tenders received by 15 May 2013 are being evaluated.
1432	Relocation of GVW Waterline - Vaughan Street Shepparton	Lump sum contract for the relocation of the GVW Waterline in Vaughan Street	Advertised tender closes 5 June 2013.

8. BUSINESS DIRECTORATE

8.3 Contracts Awarded Under Delegated Authority (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1433	Civil and Registered Electrical Contractor Works for relocation of Powerlines - Vaughan Street Shepparton	Lump sum contract for relocation of powerlines in Vaughan Street	Advertised tender closes 5 June 2013.
1434	Vaughan Street Redevelopment between Corio Street to Maude Street, Shepparton	Lump sum contract for civil road construction and associated works in the redevelopment of Vaughan Street	Advertised tender closes 19 June 2013.
1437	Fryers St Streetscape - North Side, East of Maude Street	Lump sum contract for the construction of streetscape works in Fryers Street	Advertised tender closes 29 May 2013.
1441	Popular Avenue - Off-Street Car Park	Lump sum contract for the construction of streetscape works in Poplar Avenue	Advertised tender closes 5 June 2013.
1443	Provision of Home & Community Care Services	Provide a range of Home Care Services, including General Home Care, Personal Home Care, Respite Care and Home Maintenance	Advertised tender closes 29 June 2013.
1444	Provision of Food Services 2013	The provision of meals for Councils Meals on Wheels service and bulk meals to Community Centres.	Advertised tender closes 29 June 2013.

Policy Considerations

Through the *Instrument of Delegation to the Chief Executive Officer* the Council has delegated authority to the Chief Executive Officer to award a contract up to the value of \$750,000 including GST.

The Council through the *Exercise of Delegations* Policy has delegated authority to the Directors to approve a contract up to the value of \$150,000 for goods and services and \$200,000 for works.

Legal/Statutory Implications

Section 186 of the *Local Government Act 1989* (the Act) establishes the requirements for tendering and entering into contracts.

Section 186(1) of the Act requires that before Council enters into a contract for the purchase of goods or services to the value of \$150,000 or more, or for the carrying out of works to the value of \$200,000 or more, it must give public notice of the purpose of the contract and invite tenders or expressions of interest from any person wishing to undertake the contract.

8. BUSINESS DIRECTORATE

8.3 Contracts Awarded Under Delegated Authority (continued)

Conclusion

It is important that decisions and actions taken under delegation be properly documented and transparent in nature. The report details the publicly advertised contracts awarded by the Chief Executive Officer and Directors under delegated authority of the Council during the period 25 April to 24 May 2013.

Attachments

Nil

8. BUSINESS DIRECTORATE

8.4 Proposed Discontinuance of Part of Elizabeth Street Between Ross and Park Streets, Tatura

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: Property Officer

Proof reader(s): Acting Manager Regulatory Services

Approved by: Director Business

Purpose

The report presents for consideration the proposed discontinuance of part of the unmade road reserve known as Elizabeth Street, Tatura for the purpose of consolidating the land with Cussen Park.

Two public submissions were received in opposition to the part discontinuance of the road reserve and one submission was received in support. The issues raise in submissions are not considered sufficient to prevent the proposed discontinuance of the road reserve.

The Section 173 Agreement registered over adjoining property referred to during the hearing of submissions does not impose any obligation on Council to open, or keep open, Elizabeth Street, as there is alternate access to both adjoining properties. Accordingly there is no legal impediment to Council proceeding to discontinue the Elizabeth Street road reserve, between Ross Street and Park Street.

RECOMMENDATION

That the Council in accordance with Clause 3 of Schedule 10 and Sections 206 and 223 of the *Local Government Act 1989*, discontinue part of the unmade road reserve, being an approximate area of 5,625m², known as Elizabeth Street, Tatura located between Ross and Park Streets, Tatura for the purpose of consolidating the land with the abutting Cussen Park property, being certificate of title volume 9363 folio 250.

Cr Polan moved that the debate be adjourned indefinitely.

CARRIED.

Background

At its Ordinary Meeting held on 19 February 2013, Council resolved in accordance with Clause 3 of Schedule 10 and Sections 206 and 223 of the *Local Government Act 1989* ("the Act"), public notice be given in the *Shepparton News* and the *Tatura Guardian* of the Council's intention to discontinue part of the unmade road reserve, being an approximate area of 5,625m², known as Elizabeth Street, Tatura located between Ross and Park Streets, Tatura for the purpose of consolidating the land with the abutting

8. BUSINESS DIRECTORATE

8.4 Proposed Discontinuance of Part of Elizabeth Street Between Ross and Park Streets, Tatura (continued)

Cussen Park property, being certificate of title volume 9363 folio 250, and invite submissions from any person affected by the proposed closure.

Elizabeth Street, Tatura is an unmade road reserve abutting Cussen Park. The road reserve is well vegetated and appears to be part of the parkland. Cussen Park is freehold land owned and maintained by the Council and supported by the Cussen Park Advisory Committee. Council's consideration of this road discontinuance was initiated by a request from Cussen Park Advisory Committee members seeking to protect the existing and well established vegetation and maintain the amenity of the parkland. Discontinuing the road would enable the land to be consolidated with Cussen Park.

While sections of the road reserve may be required to be constructed as public road in the future, the section between Ross and Park Street, being an approximate area of 5,625m² is being considered for formal closure. The two privately owned parcels of land adjoining it are Industrial zoned and have existing road access.

At the closing date for submissions on Friday 2 April 2013, three submissions were received. Of the submissions received, two opposed the part discontinuance of the road reserve and one submission was in support.

The Council at a special meeting held on 30 April 2013 heard persons speaking in support of each of the three written submissions and resolved to:

1. receive and note the submissions in response to the public advertisement of the discontinuance of part of Elizabeth Street between Ross and Park Streets Tatura; and
2. consider the discontinuance of part of Elizabeth Street between Ross and Park Streets Tatura and the public submissions received at its Ordinary Meeting to be held on Tuesday 18 June 2013.

Concerns raised by two submissions opposing the proposed discontinuance of the road reserve included:

- Fire Hazard
 - The existing road reserve provides an effective separation and fire break between the Cussen Park and adjoining property
 - Any vegetation within the road reserve exposes adjoining property to increased fire hazard
 - Vegetation compromises future BCA perimeter access requirements of adjoining property
- Future Access
 - Development proposals of adjoining land owners are dependent upon reopening the road to facilitate access.
 - Planning permit in process for the development of a warehouse. It is vital that emergency services have alternative access to rear of the site, as per pending development of block.
 - There is an existing section 173 Agreement that requires the road to remain open so that vehicular access be maintained
- Vermin
 - Proliferation of vegetation within the road reserve increases the likelihood of adjoining property being exposed to snakes and other vermin
 - Food and other products in storage on adjoining property and would be a major concern if storage further developed.

8. BUSINESS DIRECTORATE

8.4 Proposed Discontinuance of Part of Elizabeth Street Between Ross and Park Streets, Tatura (continued)

- Scarcity of industrial land
 - Closure of the road reserve will limit development options for this land
- Security
 - Encroachment of parklands vegetation compromises the security of adjoining property, effectively providing a screen for potential break-ins, by thieves and vandals wishing to access the property out of public view
 - Preservation of the road reserve without trees will improve surveillance opportunities
- Unauthorised tree planting
 - Why was Cussen Park Committee allowed to plant trees along a Council street?
 - Tree plantings activities within the road reserve have continued without consultation with abutting land use.
 - Tree planting amounts to a change of land use and should have only taken place after securing necessary planning approval
- Zoning
 - Map 7 of the Greater Shepparton Planning Scheme describes the boundary of the INZ1 and PPRZ land passes along the centre of the road reserve.
- Land use buffer
 - Road reserve provides an excellent transition buffer at present, providing clear spatial separation of two very different land uses
 - Closure of the road reserve effectively leaves only the fence to separate two land uses
 - Road reserve is a far more effective land use buffer than a fence
- Adverse commercial outcome
 - Removal of the road reserve will result in a less favourable commercial outcome and ultimately negative impact upon property values of adjoining property
 - Reduced access and egress options, reduced separation buffer, reduced security, increased fire hazard and vermin exposure
- Compensation
 - If road closure was to occur, adjoining property owners would be entitled to compensation as Elizabeth Street is a current Council street
 - This matter will be pursued aggressively to seek full and complete compensation should the proposal proceed further

A representative of the Cussen Park Advisory Committee was heard in support of the proposed discontinuance of the road reserve. Details of their submission included:

- Cussen Park
 - The road reserve forms one border of the Council owned park, which is a highly valued and functional environmental reserve developed from the input of many thousands of hours of community time and resources
 - We hope that Council gives due regard for ecological values and the enormous amount of work done by the Cussen Park Committee and local community who, as volunteers, have spent more than 50,000 hours over the last 20 years in successfully rehabilitating the abutting Council owned wasteland
- Native trees
 - This section of the road reserve contains several large old native trees, community plantings and shared use paths. The vegetation provides vital habitat for a range of native fauna. The biodiversity value of the large old trees is

8. BUSINESS DIRECTORATE

8.4 Proposed Discontinuance of Part of Elizabeth Street Between Ross and Park Streets, Tatura (continued)

considerable and they are also essential landscape links as there are only a few similar aged trees in the vicinity. Discontinuing the road will protect these assets.

- Access
 - The ongoing need for the road reserve is superfluous given there is good existing access to the adjacent private land from Ross, William and Park Streets

Discussion

Additional information relating to some of the points raised in submissions is detailed below:

- Fire Hazard
 - The Building Code of Australia (BCA) states that if a building is in excess of 5,000 sqm then it must have an 18m clearance around it on 4 sides. If there is a road abutting the boundary then that covers that requirement. If there is no road, the 18m clearance must be provided within the property.
- Future Access
 - Development proposals are currently being considered for 5 William Street, which proposes no access from Elizabeth Street. Planning permit conditions require that emergency access to 5 William Street be via Park Street.
 - As detailed in the legal/statutory implications section below the existing section 173 Agreement is not a legal impediment to the proposed discontinuance of the unmade road reserve.
- Unauthorised tree planting
 - The planting of trees does not require a planning permit and therefore is not something that would be discussed with an abutting land owner.
- Zoning
 - All zone boundaries are located in the middle of the street that abuts that zone. Elizabeth Street is zoned as half Industrial 1 Zone and half Public Park and Recreation Zone. If the road closure proceeds, then the half of the road zoned as Industrial 1 Zone will be rezoned in the future to Public Park and Recreation Zone.

Council Plan/Key Strategic Activity

This proposal is consistent with the Council plan. The strategic objective Environment, identifies "Work with others to achieve positive environmental outcomes for our communities".

8. BUSINESS DIRECTORATE

8.4 Proposed Discontinuance of Part of Elizabeth Street Between Ross and Park Streets, Tatura (continued)

Risk Management

Risks identified and responses are as follows:

Risks	Likelihood	Consequence	Rating	Mitigation Action
The road may be required to support the future development of adjoining properties	Possible	Moderate	Moderate	The Planning and Development Department has advised that both properties have existing access to 2 adjoining roads.
Members of the public may not support the formal closure of the road reserve	Likely	Moderate	Moderate	Public notice and submission process has enabled support or opposition to be gauged
Adjoining property owners may seek compensation if road is discontinued	Possible	Moderate	Moderate	It is unclear under what legal basis compensation would be sought

Policy Implications

The proposed discontinuance of the unused road and consolidation with Cussen Park does not conflict with any of Council policies.

Financial Implications

The land contained in the road reserve is currently maintained as parkland by the Council. Discontinuance of the road reserve will not require additional maintenance by the Council.

	2012/2013 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue				
Expense	Less than \$2,000	\$2,000		Costs for public notice and creation of a plan of subdivision of road reserve
Net Result	Less than \$2,000	\$2,000		

It is difficult to estimate the costs to remove native vegetation within the Elizabeth Street road reserve between Ross and Park Streets. Whilst a calculation has not been undertaken at this time, it is likely that the offsetting would require the planting of hundreds of trees at \$44 each.

In addition the indicative cost estimate to construct Elizabeth Street, Tatura between Ross and Park Streets is \$307,500, including kerb and channel along both sides, drainage and bitumen/road base.

8. BUSINESS DIRECTORATE

8.4 Proposed Discontinuance of Part of Elizabeth Street Between Ross and Park Streets, Tatura (continued)

Legal/Statutory Implications

Section 206 and Clause 3 of schedule 10 of the *Local Government Act 1989* (the Act) provides the Council with the power to discontinue a road reserve or part of a road, by a notice published in the Government Gazette.

The submission process has been undertaken in accordance with Section 223 of the Act. As required by Section 223 each person who has made a submission will be notified in writing of the Council's decision and the reasons for that decision.

Legal advice has been obtained that the Section 173 Agreement registered over Lots 1 and 2 on Plan of Subdivision PS41692513 was entered into as a requirement of VicRoads, a referral authority, to ensure that the subdivision or development proposed by the then owner of the land, Goulburn Murray Water, did not result in any additional vehicular access to the Tatura Undera Road (Ross Street) which might conflict with through traffic using that road.

The Agreement specifically allows Lot 1 only one direct vehicular access point from the Tatura-Undera Road (Ross Street) between Williams Street and Elizabeth Street.

Whilst the Agreement does state that "all other vehicular access from the Tatura-Undera Road will be via William Street and/or Elizabeth Street", that does not impose any obligation on Council to open, or keep open, Elizabeth Street, as there is alternate access to both properties from William Street, and in the case of Lot 2, from Park Street. Accordingly there is no legal impediment to Council proceeding to discontinue the Elizabeth Street road reserve, between Ross Street and Park Street.

Environmental/Sustainability Impacts

Discontinuance of the road reserve would protect native vegetation within the unmade road reserve. If a road was to be constructed native vegetation offsets would be required to make reparation for the loss.

It understood that the planted trees within the Elizabeth Street road reserve have been planted with funding from Government agencies including the Council. Therefore under section 52.17 of the Scheme, a planning permit would be required to remove these planted trees. The Native Vegetation Framework is a three-fold consideration with highest importance being placed on avoidance and minimisation of native vegetation loss. For trees that cannot be avoided or minimised, the third phase is offset. Should it be deemed necessary to remove trees, it is likely that the offset would consist of a combination of protecting like trees (large grey box) and additional plantings including understory.

Social Implications

This area has always appeared to be part of Cussen Park and has been incorporated into community use of the parkland.

Economic Impacts

There would be no additional financial impacts on the Council as this portion of Elizabeth Street has always been maintained as part of Cussen Park.

Adjoining Industrial land owners consider that the road reserve may be needed in the future to develop and service their lots, and consider the road discontinuance to have a

8. BUSINESS DIRECTORATE

8.4 Proposed Discontinuance of Part of Elizabeth Street Between Ross and Park Streets, Tatura (continued)

negative economic impact. However the two adjoining properties have alternative road access.

Consultation

A number of relevant Council departments have been consulted, including Planning and Development, Operations and Asset staff. Relevant authorities, being Telstra, APA Group (gas), DSE and Vic Roads have been approached with no objections to the proposal subject to Telstra assets not being affected. As no additional works are planned as part of this proposal, if Telstra assets are present they would not be affected.

Community members participating in the Cussen Park Advisory Committee are supportive of the proposed road closure.

Public notice in accordance with the *Local Government Act 1989* section 223 was sent to all abutting landowners and advertised in the Shepparton News on 1 March 2013 and the Tatura Guardian on 26 February 2013, inviting submissions from any person who may be affected by the proposed discontinuance.

Three submissions were received and heard by the Council. Of the submissions received, two opposed the part discontinuance of the road reserve and one submission was in support.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	Public notice has been given to advise of the proposal. Adjoining land holders were contacted directly
Consult	Informed, listen, acknowledge	Public notice has been given and submissions received and heard

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

Strategic Links

a) Greater Shepparton 2030 Strategy

This proposal is consistent with the Greater Shepparton 2030 Strategy as one of the supporting principals identified within the Environment section is “Conservation and enhancement of significant natural environments.”

Options for Consideration

Option 1 – Discontinue part of the unmade road reserve known as Elizabeth Street, Tatura located between Ross and Park Streets, Tatura for the purpose of consolidating the land with the abutting Cussen Park property. **Recommended.**

This option formalises the existing use of the unmade road reserve as part of Cussen Park which is managed by Council.

Option 2 – Maintain the unmade road reserve in its existing condition.

Not recommended.

8. BUSINESS DIRECTORATE

8.4 Proposed Discontinuance of Part of Elizabeth Street Between Ross and Park Streets, Tatura (continued)

The unmade road reserve would continue to be managed by Council and would continue to appear as if it was part of Cussen Park.

Option 3 – Maintain the unmade road reserve and remove native vegetation.
Not recommended.

The removal of native vegetation from the road reserve would provide an additional separation, increased security, decreased vermin exposure and a fire break between the adjoining property and Cussen Park. However this option is not recommended due to cost of native vegetation offsets.

Option 4 – Construct the unmade road. **Not recommended.**

The construction of the road would provide additional access and egress options to adjoining properties including emergency services. However it is not recommended that road be constructed as there are existing access options to both adjoining properties.

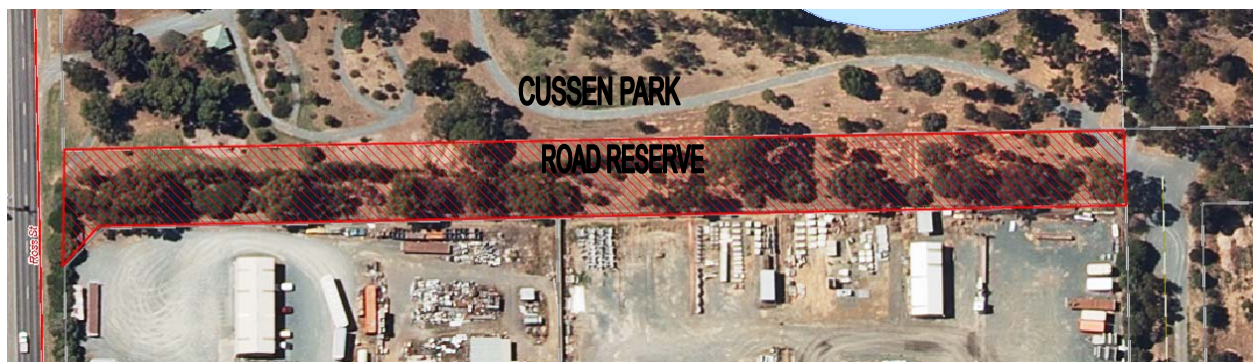
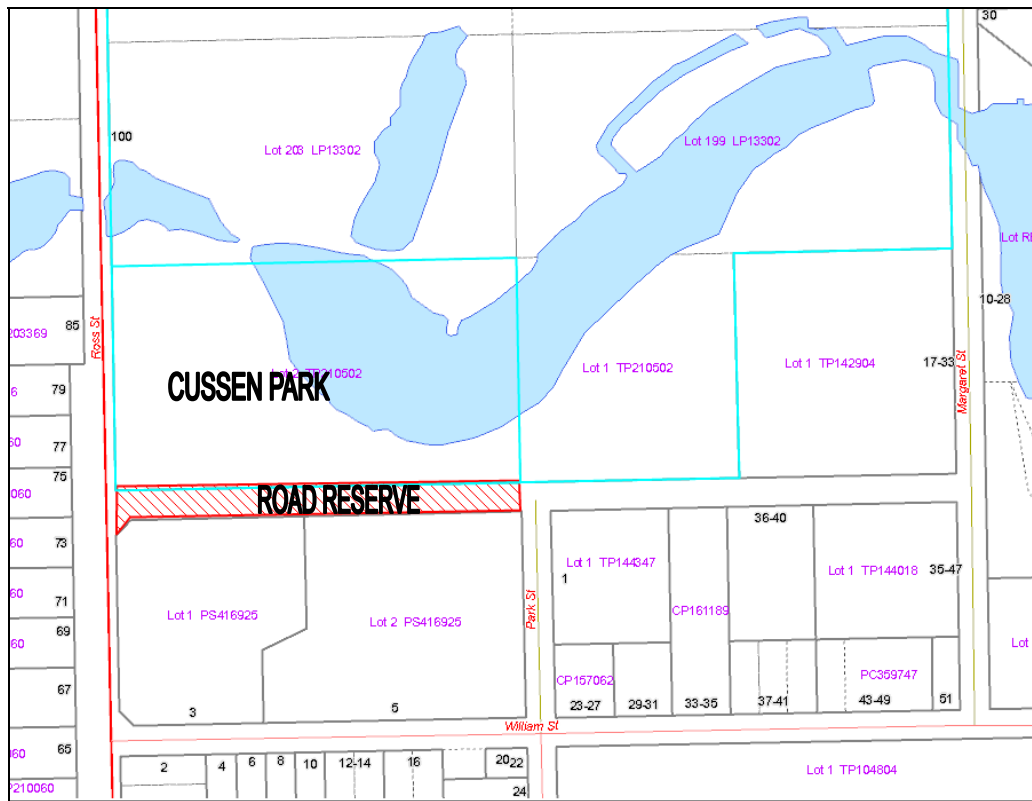
Conclusion

It is proposed that the Council discontinue part of the unmade road reserve known as Elizabeth Street, Tatura to formalise the existing use of the land and consolidate the land with Cussen Park.

8. BUSINESS DIRECTORATE

8.4 Proposed Discontinuance of Part of Elizabeth Street Between Ross and Park Streets, Tatura (continued)

Site Map and Aerial Photo



Attachments

Nil

8. BUSINESS DIRECTORATE

8.5 Draft Domestic Animal Management Plan 2013-2017

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: Team Leader Animal Management

Proof reader(s): Acting Manager Regulatory Services

Approved by: Director Business

Purpose

The report presents the Draft Domestic Animal Management Plan 2013-2017 for adoption.

The Domestic Animals Act 1994 requires councils to prepare domestic animal management plans at 4 year intervals. The plan must set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of the Act including the responsible ownership of dogs and cats.

It is proposed that the Council seek public comment regarding the Draft Domestic Animal Management Plan 2013-2017.

Moved by Cr Summer
Seconded by Cr Oroszvary

That the Council:

1. receive the Draft Domestic Animal Management Plan 2013-2017;
2. authorise the Chief Executive Officer to publish a public notice inviting submissions regarding the Draft Domestic Animal Management Plan 2013-2017 which are to be received by 5.00pm Friday 19 July 2013;
3. consider all written submissions on the Draft Domestic Animal Management Plan 2013-2017;
4. consider a recommendation to adopt the Domestic Animal Management Plan 2013-2017 at the Ordinary Council Meeting to be held at 5.30pm on Tuesday 20 August 2013.

CARRIED.

Background

The Council's previous Domestic Animal Management Plan was first developed in with the assistance of a focus group which included:

- Councillor representative and Chair
- Bureau of Animal Welfare representative
- A local veterinarian

8. BUSINESS DIRECTORATE

8.5 Draft Domestic Animal Management Plan 2013-2017 (continued)

- RSPCA representative
- Victoria Police representative
- Community member
- Two Council officers

The Council's previous Domestic Animal Management Plan was adopted by the Council in October 2008, after consideration of four submissions which resulted in minor changes to the Plan. The 2008 Plan provided for a number of initiatives including:

1. Micro-chipping of all domestic animals
2. Free registration for animals under 3 months of age
3. Compulsory registration of domestic animals at 3 months of age
4. Compulsory micro chipping of dogs and cats for registration
5. Compulsory desexing of cats for registration (exemptions are available for cats registered with approved organisations)
6. Introduction of a 24 hour cat curfew
7. Investigate the development of off leash areas for dogs

Subsequently a community survey was conducted in early 2010 that ascertained a high level of interest in the community for a dog park. The Council has been briefed a number of times regarding the community desire and feasibility of a dog park. Unfortunately due to a substantial list of capital projects, the off-leash dog park was not included in Council's 2012/13 Budget.

At its meeting on 16 April 2013 the Council resolved that officers prepare a report on the ability of Council to provide an area within Shepparton that could be used as an off leash dog park, examining the operation, capital costs, issues that have arisen or may arise within such a park and what may be done to mitigate any associated risks.

Further investigations are being undertaken to identify areas suitable as fenced or unfenced off-leash areas.

The Domestic Animal Management Plan 2013-2017 assesses the following matters:

- Training of Authorised Officers
- Minimise potential for animals to create nuisance
- Identification and registration of animals
- Compliance and enforcement
- Audit of domestic animal businesses
- Identification of dangerous, menacing and restricted breed dogs
- Prevention of dog attacks
- Overpopulation and euthanasia of animals
- Adequacy of local laws
- Planning for pets in emergencies
- Community education
- Annual review of plan

New initiatives included in the Domestic Animal Management Plan 2013-2017 include:

- Trialling an unfenced off leash area for dogs
- Investigating the feasibility of animal registration at veterinary clinics to make it easier for owners to register their animal
- Investigating the cost benefit of lifetime animal registration tags so that registration tags do not have to be replaced every year

8. BUSINESS DIRECTORATE

8.5 Draft Domestic Animal Management Plan 2013-2017 (continued)

- Working with animal welfare organisations to promote the rehousing of impounded animals rehouse animals

Council Plan/Key Strategic Activity

The report is consistent with the Council Plan 2009-2013 community life strategic objective, which aims to enhance social connectedness, physical and mental health and wellbeing, education and participatory opportunities in order to improve liveability and a greater range of community services.

Risk Management

Risk associated with new initiatives will be further assessed before they are implemented.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Breach of the Act	Possible	Moderate	Moderate	Evaluating whether Council's animal control services are adequate to give effect to the requirements of the Act
Staff involved in animal management, including administration functions, don't have the knowledge and skills necessary to undertake their work	Possible	Moderate	Moderate	Outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of the Act
Dogs and cats to create a nuisance	Almost Certain	Moderate	High	Promote and encourage the responsible pet ownership
Attacks by dogs on people and animals	Likely	Moderate	Moderate	Investigate complaints received in relation to dog attacks
Over-population and high euthanasia rates for dogs and cats	Likely	Moderate	Moderate	Registration and identification of dogs and cats
Dangerous, Menacing and Restricted Breeds	Almost Certain	Moderate	High	Effectively identify all dangerous dogs, menacing dogs and restricted breed dogs and to ensure that those dogs are kept in compliance with the Act
Domestic Animal Businesses not compliant with the Code of Practice	Possible	Moderate	Moderate	Each business inspected as part of the annual renewal of registration

8. BUSINESS DIRECTORATE

8.5 Draft Domestic Animal Management Plan 2013-2017 (continued)

Policy Considerations

There are no identified conflicts with Council Policies.

Financial Implications

Many of the actions contained within the plan will be carried out within existing operational budgets. Actions that require additional resources will be considered as part of the normal budget processes. It has been previously estimated that the cost of constructing a fenced off leash dog park would be equal to \$50,000.

The adopted operational budget for local laws/animal control for the 2012/13 financial year is as follows.

	2012/2013 Approved Budget for this proposal\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	(754,000)	(754,000)	0	
Expense	996,000	996,000	0	
Net Result	242,000	242,000	0	

Legal/Statutory Implications

Section 68A of the Domestic Animals Act 1994, requires councils to prepare domestic animal management plans at 4 year intervals, which aims to promote animal welfare, responsible ownership of dogs and cats and to protect the environment. In adopting such a plan, the Council has an opportunity to identify opportunities and issues relevant to its community and in response to any compliance matters that may impact on the health, safety and amenity of the community and environment.

Environmental/Sustainability Impacts

A benefit of promoting and encouraging responsible pet ownership is minimising the harmful effect of domestic pets on the population of native birds, mammals and reptiles.

Social Implications

The objectives of the Plan is to promote and encourage responsible pet ownership, high standards of animal welfare and a municipality that is pet friendly.

Economic Impacts

Registered domestic animal businesses are supported by a registration scheme which promotes the maintenance of standards.

Consultation

Consultation has occurred with Council officers and the matter is now ready for Council consideration. External consultation has not yet occurred regarding the Draft Domestic Animal Management Plan 2013–2017. It is proposed that submissions be invited before the Plan is finalised.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	Public notice Accessible on-line
Consult	Listen, acknowledge, consider	Public submissions invited

8. BUSINESS DIRECTORATE

8.5 Draft Domestic Animal Management Plan 2013-2017 (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

Nil

b) Other strategic links

The report is consistent with the Council Plan 2009-2013 community life strategic objective, which aims to enhance social connectedness, physical and mental health and wellbeing, education and participatory opportunities in order to improve liveability and a greater range of community services.

Options for Consideration

1. That the Council adopt the Domestic Animal Management Plan 2013–2017, without community input. **Not recommended.**
2. That the Council consider adoption of the Domestic Animal Management Plan 2013–2017 after public comment has been sought. **Recommended.**
3. That the Council not adopt the Domestic Animal Management Plan 2013–2017. **Not recommended.**

Conclusion

It is proposed that the Draft Domestic Animal Management Plan 2013–2017 be released for public comment.

Attachments

Draft Domestic Animal Management Plan 2013-2017

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110

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: Principal Strategic Planner

Proof reader(s): Team Leader Strategic Planning and Manager Planning Approved

by: Director Sustainable Development

Purpose

Amendment C110 to the Greater Shepparton Planning Scheme seeks to implement the findings and recommendations of the *Greater Shepparton Heritage Study Stage IIB* (HSIIB) adopted by the Council in September 2010.

Amendment C110 recommends that 51 'Individually Significant' places and three additional precincts, affecting 118 places, be included within the Planning Scheme's Heritage Overlay. The amendment will also introduce the *Greater Shepparton Heritage Incorporated Plan*, which will provide exemptions from the need to seek a planning permit for a variety of minor works and development for residential properties within the Heritage Overlay under certain circumstances (see Attachment 1 for additional background material on HSIIB and Amendment C110).

The amendment has been through exhibition, consideration of submissions and panel processes in accordance with the requirements of the *Planning and Environment Act 1987* (the Act). The Council is now required to consider the recommendations of the Independent Planning Panel dated 26 April 2013 and must make a determination on the amendment.

The Panel's Report (see Attachment 2) recommends that Amendment C110 should be adopted subject to a number of changes. A number of the Panel's recommendations have necessitated significant changes to the exhibited amendment. The main revisions relate to:

1. Double Listing of properties.
2. The proposed Tatura Township Precinct (HO156).
3. Maude Street Precinct (HO152).
4. Revised *Greater Shepparton Heritage Study Stage IIB* May 2013.
5. The former Tatura Courthouse (HO113).
6. The Wilson Memorial Drinking Fountain (HO118).

These matters are discussed in greater detail within the report.

Council officers and the Council's Heritage Advisor have reviewed each of the recommendations and agree with the Panel's recommendations. The amendment documentation has been revised in accordance with the Panel's recommendations.

Council officers and the Council's Heritage Advisor are also requesting one additional consideration as part of this amendment:

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

- The application of interim heritage controls for the Nixon Street Group (HO174) until the Minister for Planning approves the amendment later in the year. This will continue to conserve these properties from adverse development proposals that could potentially impact upon their cultural heritage significance.

Moved by Cr Ryan

Seconded by Cr Oroszvary

That, having considered the Independent Planning Panel Report for Amendment C110 to the Greater Shepparton Planning Scheme, in accordance with Section 27 of the Planning and Environment Act 1987 (the Act), the Council:

1. Adopt the recommendations of the Independent Planning Panel for Amendment C110 as outlined in their Panel Report dated 26 April 2013;
2. Adopt the revised Greater Shepparton Heritage Study Stage IIB May 2013;
3. In accordance with Section 29 of the Act, adopt Amendment C110 with the changes recommended by the Panel;
4. Request that the Minister for Planning prepare an amendment to the Greater Shepparton Planning Scheme to apply interim heritage controls over the proposed Nixon Street Group (HO174) comprising 132, 134, 138-140, 142, 144, 150 and 156 Nixon Street, Shepparton and to exempt himself under Section 20(4) of the Act from the requirements of Sections 17, 18 and 19 and the regulations, in respect of the amendment; and
5. In accordance with Section 31 of the Act, submit Amendment C110 to the Minister for Planning for approval.

CARRIED.

Property Details

Amendment C110 to the Greater Shepparton Planning Scheme affects over five hundred landowners throughout the municipality. It applies to:

- lands identified in the *Greater Shepparton Heritage Study Stage IIB*.
- lands which are currently subject to interim heritage controls.
- lands which are currently in the Heritage Overlay.

Proposal in Detail

Amendment C110 seeks to implement the findings and recommendations of the *Greater Shepparton Heritage Study Stage IIB* (HSIIB). The amendment has been through exhibition, consideration of submissions and panel processes in accordance with the requirements of the *Planning and Environment Act 1987* (the Act). The Council is now required to consider the recommendations of the Independent Planning Panel and must make a determination on the amendment.

Summary of Key Issues

As a result of a number of unresolved submissions received during the amendment's exhibition period in April and May 2012, the amendment and each of the submissions were referred to an Independent Planning Panel for consideration in accordance with Section 23 of the Act.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

The main concerns raised in the submissions included:

- Oppose the inclusion of properties within the Heritage Overlay as it will prevent future redevelopment proposals from being realised;
- Oppose the removal of properties from the Heritage Overlay;
- Support the inclusion of properties within the Heritage Overlay;
- Section 24 of the National Transmission Network Sale Act, 1998 includes a number of immunities from State and Territory regulatory laws. This forbids the inclusion of a site owned and operated by a broadcasting facility within the Heritage Overlay;
- Concerns regarding the extent of the Heritage Overlay associated with places of cultural heritage significance;
- Suggestions of additional lots adjacent to places of cultural heritage significance be included within the Heritage Overlay;
- Requests for address details to be corrected; and
- The inclusion of property within the Heritage Overlay will lead to a potential loss of income and property value.

The Panel reviewed the exhibited amendment documentation and the submissions received on the amendment. The Panel Report has now been received by the Council and must be considered before a determination is made on the amendment.

The Panel's Report supports the intent of the amendment, recommending that Amendment C110 be adopted subject to changes. Council officers and the Council's Heritage Advisor have reviewed each of these recommendations and have revised the amendment documentation in accordance with the Panel's recommendations.

A number of the Panel's recommendations have necessitated significant changes to the exhibited amendment. The main revisions relate to:

1. Double Listing.
2. The proposed Tatura Township Precinct (HO156).
3. Maude Street Precinct (HO152).
4. Revised *Greater Shepparton Heritage Study Stage IIB* May 2013.
5. The former Tatura Courthouse (HO113).
6. The Wilson Memorial Drinking Fountain (HO118).
7. Additional Issues.

These matters are discussed in greater detail below.

Double Listing

During the Panel Hearing the issue of mapping places that have both individual cultural heritage significance but also contribute to the values of a precinct was discussed. This applied to places within the proposed Central Business Area Precinct (HO160) and the proposed Tatura Township Precinct (HO156).

Ordinarily, a place of individual cultural heritage significance is included in its own Heritage Overlay. If it also contributes to the values of a precinct, it should also be included within the map for that precinct. To correctly reflect this shared or dual significance, two Heritage Overlays should be applied to the place. This approach is supported in the Advisory Committee *Report on the Review of Heritage Provisions in Planning Schemes* in 2007. Council officers outlined their desire for double listing for these places; however, there is strong resistance from the Department of Planning and Community Development (DPCD) to the application of two Heritage Overlays on a place

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

of cultural heritage significance. This is a State-wide issue and one that DPCD has not given planning authorities any guidance on.

The Panel's Report states:

'Before proceeding further with the Amendment, the Council enter into urgent discussions with DPCD to determine the Mapping approach to be applied where individually significant places also contribute to precinct values.'

'The Council urge DPCD to review their policies relating to the Planning Scheme mapping of heritage places which are both individually significant and also contribute to precinct values.'

The Panel's Report outlines a number of comments on this issue which are designed to help guide discussions. Discussions with representatives from DPCD took place in early May 2013. It was agreed to avoid any attempt at double listing given the lack of support from the Department and instead to include all 'Individually Significant' places as 'Contributory' places within their respective precincts. This approach had been discussed with the Panel on a number of occasions throughout the Panel Hearing.

The Council's Heritage Advisor supports this approach. One listing with all places of cultural heritage significance identified as being 'Contributory' will remove any confusion for users of the Planning Scheme that double-listing may give rise to.

As a result of this approach, the deletion of a number of 'Individually Significant' overlays within the proposed Central Business Area Precinct (HO160) and the proposed Tatura Township Precinct (HO156) are now required. These places will be subsumed into the relevant precinct overlays and identified as 'Contributory' places within these precincts.

The Proposed Tatura Township Precinct (HO156)

The Panel's recommendations in relation to the proposed precinct include:

- the proposed precinct should be re-delineated to delete the area of the precinct east of the railway crossing in Hogan Street;
 - the significant building elements at 187-193 Hogan Street are to be accurately mapped;
 - the removal of 225-227 Hogan Street, 53 Ross Street as 'Contributory' places from the proposed Tatura Township Precinct (HO156);
- consideration should be given to identifying the residential component of the precinct [west of the railway crossing] converging on Ross and Casey Streets to a separate precinct;
- tree controls need to specifically mention which trees are significant for the following places:
 - 252-254 Hogan Street;
 - Robert Mactier VC Memorial Gardens, part of 202-218 Hogan Street, Tatura.

Eastern portion of the Tatura Township Precinct

After a complete review of the proposed precinct to the east of the railway line and the Panel's recommendations, the following is recommended by Council officers and the Council's Heritage Advisor. These proposals are in line with the Panel's recommendations:

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

- A group listing is recommended for the two commercial buildings of 179 and 183-185 Hogan Street as these two buildings have similar values – both historic and aesthetic.
- The inclusion of a number of ‘Individually Significant’ residential places was seen as being the most appropriate method of applying a control for the management of their cultural heritage significance. This was due to the fact that there was no clear and cogent rationale for a group listing. Each residential place shared broad historic values but their individual aesthetic values were identified as being distinct and better managed by being included individually within the Heritage Overlay. The only exception to this is 252-254 Hogan Street, which shared these broad historic values but also possesses local historic significance.

It is proposed that the following formerly ‘Contributory’ places be included within the Heritage Overlay as ‘Individually Significant’ places:

- HO214 – The Railway Reserve, 163-167 and part of 202-218 Hogan Street, Tatura
- HO215 – Robert Mactier Park VC Memorial Gardens, part of 202-218 Hogan Street, Tatura
- HO216 – 179 and 183-185 Hogan Street, Tatura (two commercial properties)
- HO217 – 187-193 Hogan Street, Tatura
- HO218 – 201 Hogan Street, Tatura
- HO219 – 205-207 Hogan Street, Tatura
- HO220 – 209 Hogan Street, Tatura
- HO221 – 229 Hogan Street, Tatura
- HO222 – 237 Hogan Street, Tatura
- HO223 – 249 Hogan Street, Tatura
- HO224 – 253 Hogan Street, Tatura
- HO225 – 257 Hogan Street, Tatura
- HO226 – 259 Hogan Street, Tatura
- HO227 – 252-254 Hogan Street, Tatura

As part of this review, the following places did not meet the threshold for individual local significance:

- 215-221 Hogan Street, Tatura
- The former Tatura Police Station at 222 Hogan Street, Tatura (as per the Panel’s recommendation)
- 223-225 Hogan Street Tatura (as per the Panel’s recommendation)
- 227 Hogan Street, Tatura (as per the Panel’s recommendation)
- 1/251 Hogan Street, Tatura (as per the Panel’s recommendation)
- 261 Hogan Street, Tatura

The rationale for the assessment of significance – specifically, what places have individual significance and what places do not – was determined by the Council’s Heritage Advisor. The revised mapping for the eastern section of the precinct is attached as Attachment 3. The methodology used is outlined in a memo dated 08 May 2013 and attached as Attachment 4.

The Tatura Residential Precinct West

Council officers and the Council’s Heritage Advisor agreed with the Panel’s recommendation to identify the western residential component of the proposed Tatura Township Precinct (HO156) converging on Ross and Casey Streets as a separate precinct.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

A new residential precinct is now proposed for this area: the Tatura Residential Precinct West (HO211). This new precinct will include all of the 'Contributory' and 'Individually Significant' residential places from the former Tatura Township Precinct (HO156) along Ross and Casey Streets with the exception of:

- 53 Ross Street, Tatura. The Panel deemed 53 Ross Street to be a 'Non-Contributory' place and it will be identified as such.
- 25, 27, 29 and 31 Casey Street, Tatura. It is proposed to include 25, 27, 29 31 Casey Street as a group within the Heritage Overlay (HO213) as they are geographically isolated from the proposed Tatura Residential Precinct West. Moreover, these four vernacular cottages are a cohesive group with similar historic and aesthetic values.
- 22-24 Casey Street, Tatura. It is proposed to include 22-24 Casey Street (HO212) as an 'Individually Significant' place. It does not demonstrate the same heritage values as those residences in Ross and Casey Streets. It does contribute to the historic significance but its aesthetic significance as an unusual proponent of regional modernism sets it apart from the other vernacular houses that are included in the Tatura Residential Precinct West.

Tree controls

- 252-254 Hogan Street Tatura. The tree controls applying to this place relate only to the Palm Tree located in the front garden of this house. The proposed Schedule to the Heritage Overlay at Clause 43.01 of the Planning Scheme will specifically mention only this tree.
- Robert Mactier VC Memorial Gardens, part of 202-218 Hogan Street, Tatura. Eight trees have been identified as contributing to the cultural heritage significance of the Robert Mactier VC Memorial Gardens. These trees have been identified, photographed and mapped. The proposed Schedule to the Heritage Overlay at Clause 43.01 of the Planning Scheme will specifically mention only these trees.

They include:

- Cypresses – these two cypress trees flank the entry to the War Memorial and appear to date from the post-World War II period.
- Lemon scented gums these are symmetrically placed and on either side of the memorial and clearly part of an early design for these gardens.
- Liquid Amber – a large specimen that appears to date from the post-World War II period.
- A large Lemon scented gum located to the rear of the gardens. It appears to date from the post-World War II period.
- A large palm tree that appears to date from post-World War I.

The remaining amendment documentation will be revised to include the Panel's recommendations only. No changes are being sought to the exhibited amendment documentation, outside of those which did not have the support of the Independent Planning Panel.

Maude Street Precinct (HO152)

At the Council's Ordinary Council Meeting on 21 September 2010, the Council resolved to:

1. *Adopt the Greater Shepparton Heritage Study Stage IIB;*
2. *Under section 8A(3) of the Planning and Environment Act 1987, and in accordance with the direction under authorisation no. A01511, prepare Amendment C110 to the*

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

Greater Shepparton Planning Scheme to implement the recommendations of the Greater Shepparton Heritage Study Stage IIB;

3. *Revise the authorisation request for Amendment C110 to exclude the properties at 3, 5, 7, 9 and 11 Corio Avenue, Shepparton; 305, 307, 309 and 311 Maude Street, Shepparton; 73, 75, 77 and 79-81 Wyndham Street, Shepparton and 248 Hogan Street, Tatura.*

In accordance with this Council resolution, Amendment C110 was amended to include the removal of the interim heritage controls on these places. It sought to remove the Maude Street Precinct (HO152), the Wyndham Street Group (HO153), 248 Hogan Street (HO154) and the Corio Avenue Precinct (HO155) from the Heritage Overlay.

The Panel has agreed with the removal of the Wyndham Street Group (HO153), 248 Hogan Street (HO154) and the Corio Avenue Precinct (HO155) from the Heritage Overlay. However, the Panel has deemed the Maude Street Precinct (HO152) to be of cultural heritage significance and has recommended that permanent heritage controls be applied to the precinct to continue to conserve its heritage significance from a cultural perspective.

Revised *Greater Shepparton Heritage Study Stage IIB* May 2013

The Council originally adopted HSIIB in September 2010. In March 2012, HSIIB was updated to include:

- revised heritage objectives and strategies contained within the State Planning Policy Framework (Clause 15.03-1) in Volume I;
- the redesignation of 50 Ferguson Street, Tatura from a 'Contributory' place to an 'Individually Significant' place to reflect the fact that it is not within the Tatura Township Precinct in Volume I;
- the correction of formatting and grammatical errors in Volume II; and
- additional information relating to the names and addresses of a number of the identified places in Volume III.

Following the receipt of the Panel Report, the Panel has recommended that a number of formatting and grammatical errors in Volume III be corrected.

As a result, the Council should re-adopt the study to be known as the *Greater Shepparton Heritage Study Stage IIB* May 2013.

The former Tatura Courthouse (HO113)

Tatura Milk Industries (TMI) objected to the extent of the overlay applying to the former Tatura Courthouse (HO113) as part of their May 2012 submission. The Panel recommended removing the southern portion of the overlay greater than 18m from the southern elevation of the courthouse.

Maps have been requested from the Department to correct this anomaly and it has been appended to this report as Attachment 3.

The Wilson Memorial Drinking Fountain (HO118)

During the Panel Hearing process, it became apparent that a mapping anomaly exists in relation to the Wilson Memorial Drinking Fountain (HO118). The fountain was included within the Heritage Overlay as HO118 in 2008. The Wilson Memorial Drinking Fountain was relocated from the Tatura Bowling Club's grounds to its current position adjacent to

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

the former Tatura Courthouse. As a result, the original overlay within the Tatura Bowling Club's grounds should be deleted and a new overlay applied to the land it is currently situated on to continue to give statutory protection to the fountain.

Maps have been requested from the Department to correct this anomaly and it has been appended to this report as Attachment 3.

Additional Issues

1. Wanganui Homestead, 260 Wanganui Road, Shepparton (HO93).

Council officers became aware of an anomaly in relation to the mapping of an existing property within the Heritage Overlay: Wanganui Homestead, 260 Wanganui Road, Shepparton (HO93). Council officers outlined this anomaly to the Panel and stated that it was their intention to correct it as part of this amendment, subject to landowner's approval. The Panel agreed with this approach and included a recommendation in their Panel Report to correct this mapping anomaly as part of Amendment C110. Maps have been requested from the Department to correct this anomaly and have been appended to this report as Attachment 5. The landowner has given their consent to the revised mapping.

2. Interim Heritage Controls: Nixon Street Group (HO174)

Amendment C110 proposes to include the Nixon Street Group (HO174) within the Heritage Overlay. The group comprises 132, 134, 138-140, 142, 144, 150 and 156 Nixon Street, Shepparton.

One of these properties has been the subject of a number of planning permit applications for works, which the Council's Heritage Advisor deems to detract from the place's cultural heritage significance.

As such, Council officers are recommending that the Council resolve to apply interim heritage controls over the proposed Nixon Street Group (HO174) comprising 132, 134, 138-140, 142, 144, 150 and 156 Nixon Street, Shepparton. Interim heritage controls will continue to conserve these properties from adverse development proposals until the Minister for Planning finally approves the amendment. Final approval by the Minister may take a number of months following the adoption of the amendment by the Council.

Background

HSIIB was prepared during the period 2009-2010 by the Council's Heritage Advisor, Deborah Kemp. It identified gaps in previous heritage studies and recommended a list of additional places of cultural heritage significance for inclusion within the Planning Scheme's Heritage Overlay as part of a future amendment. These include:

- Individually significant places in both Shepparton and Tatura; and
- The study also proposes three new precincts:
 - Fryers Street Precinct;
 - Macintosh Street Precinct; and
 - Tatura Township Precinct.

HSIIB was adopted by the Council at the Ordinary Council Meeting on 21 September 2010 and the Council also resolved to prepare Amendment C110 to the Greater Shepparton Planning Scheme to implement the recommendations of the study.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

Amendment C110 proposes to introduce 51 'Individually Significant' places and three additional precincts within Heritage Overlay, affecting 118 places. The Fryers Street Precinct was extended along Wyndham Street to create the Central Business Area Precinct (HO160). The proposed amendment incorporates a number of changes to existing interim and approved heritage controls. It amends the Municipal Strategic Statement of the planning scheme to update local policy in relation to cultural heritage. It also introduces an Incorporated Document which sets out a number of exemptions from the need for planning permits under the Heritage Overlay.

The amendment was exhibited from 12 April to 25 May 2012. Nineteen submissions were received during the exhibition period. In addition, one late submission was accepted. Of these, ten requested changes to the amendment. The remainder were from statutory agencies and raised no objection, while two were from property owners in support of the amendment.

On 17 July 2012, the Council considered these submissions in accordance with Section 22 of the Act and resolved to refer all submissions to an Independent Planning Panel in accordance with Section 23 of the Act.

A Directions Hearing was held on 21 August 2012 and five Panel Hearing days were subsequently held on 10-11 October and 15 November 2012 in Shepparton, and 28 February and 01 March 2013 in Melbourne. The Panel reviewed the exhibited amendment documentation and the submissions received on the amendment.

The Panel's Report was received by the Council on 26 April 2013. With the exception of Panel's recommendations in relation to the proposed Tatura Township Precinct (HO156) and the retention of the Maude Street Precinct (HO152) in the Heritage Overlay, the Panel's recommendations largely align with those post-exhibition changes requested and circulated by Council officers to the Panel over the course of October 2012 to March 2013. The Panel's Report supports the intent of the amendment, recommending that Amendment C110 be adopted subject to some changes.

Assessment under the Planning and Environment Act 1987

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

Additionally under Section 12(3)(b), the Council must do all things necessary to encourage and promote the orderly and proper use, development and protection of land in the area for which it is a planning authority.

All Amendment C110 procedures comply with legislative requirements for amendment preparation, exhibition, submission consideration, panel stage and adoption under the Act.

Under Section 27 of the Act, the planning authority must consider recommendations of the Independent Planning Panel before deciding whether or not to adopt the amendment. A planning authority adopts an amendment under Section 29 of the Act, with or without changes.

Council Plan/Key Strategic Activity

"Strategic Objective 3 – Environment

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

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

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

In the next four years:

- *Complete and implement Heritage Study IIB"*

Risk Management

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

Risks	Likelihood	Consequence	Rating	Mitigation Action
The Minister for Planning refuses to approve of the amendment.	D	4	Low	Adopt the amendment subject to the Independent Planning Panel's recommendations.

Policy Considerations

The proposed amendment is consistent with existing Council policy.

Financial Implications

The *Planning and Environment (Fees) Interim Regulations 2013* sets the statutory fees for the preparation, exhibition and adoption of planning scheme amendments. The Greater Shepparton City Council is the proponent of this amendment and is responsible for all costs associated with the amendment process, including the costs of the Independent Planning Panel. If the Council resolves to adopt this amendment and requests the Minister for Planning to approve the amendment, the fee is \$798.

	2012/2013 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	-	-	-	-
Expense	39,660	798	0.97	This is the standard fee requested by the Department to approve an amendment and to give notice of the approval of an amendment.
Net Result	39,660	798	-	-

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

As part of the referral of submissions to the independent Planning Panel, the Council incurred the statutory panel costs. These amounted to \$50,220.96. In addition, legal expenses from the Council's lawyers, Russell Kennedy Pty Ltd, associated with the cross-examination of objectors at the Panel Hearing amounted to \$48,253.40. The Council also incurred expenses associated with the attendance of the Council's expert witness from Heritage Concepts Pty Ltd, as well as the costs associated with the preparation of expert witness statements throughout the panel process. These costs amounted to \$26,791.60 up to 01 March 2013.

The amendment proposes to increase the number of properties included within the Heritage Overlay. As a result, an increase in the number of Planning Permit applications would ordinarily arise. However, the proposed amendment also includes the *Greater Shepparton Heritage Incorporated Plan*, which removes a significant number of planning permit requirements for minor works within the Heritage Overlay. This will negate any significant increase in the number of planning permit applications that would require additional Council resources to process. The Council is also in receipt of Heritage Victoria's Heritage Advisory Grant Funding on an annual basis.

It is not expected that this planning scheme amendment will impose any unreasonable costs on the Council.

Legal/Statutory Implications

Procedures associated with Amendment C110 comply with legislative requirements for amendment preparation, exhibition, submission consideration, panel stage and adoption under the *Planning and Environment Act 1987*. The amendment is:

- Consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act;
- Compliant with Ministerial Direction No 11, Strategic Assessment of Amendments and accompanying practice note, Strategic Assessment Guidelines – revised August 2004.

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

This Planning Scheme Amendment has been assessed in accordance with the requirements of the *Planning and Environment Act 1987* and the Greater Shepparton Planning Scheme. The assessment is considered to be in accordance with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

The proposal has been considered in accordance with the relevant parts of the *Planning and Environment Act 1987*, and it is not expected that adoption and approval of this amendment will contravene the Charter in any way.

Cultural Heritage

Amendment C110 proposes to introduce 51 'Individually Significant' places and a number of additional precincts within Heritage Overlay, affecting 118 places. The proposed amendment incorporates a number of changes to existing interim and approved heritage controls. It also amends the Municipal Strategic Statement of the planning scheme to update local policy in relation to cultural heritage.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

By adopting the amendment, including the Panel's recommended changes, and resolving to issue the amendment to the Minister for Planning for approval, the Council will aid in the conservation of these places of cultural heritage significance.

Environmental/Sustainability Impacts

It is not expected that the adoption of the amendment will have any adverse sustainability/environmental impacts. It is considered that the inclusion of these places of cultural heritage significance within the Heritage Overlay, where their cultural heritage significance can be considered as part of any future planning permit application, is considered to be a beneficial outcome.

Social Implications

It is not expected that the adoption of the amendment will have any adverse social implications. This amendment has positive social impacts as it serves to protect and enhance places of cultural heritage significance within Greater Shepparton for future generations. The protection of these places and precincts is important not only for tracing the development of the municipality but also to provide an opportunity to appreciate the cultural identity of the area.

Economic Impacts

It is not expected that the adoption of the amendment will have any adverse economic impacts. However, some additional costs may be borne by property owners/tenants through the need to obtain a planning permit for buildings and works that may previously been permit exempt, or to design any new buildings or additions to existing buildings to respect and not detract from the significance of the place.

The inclusion of the *Greater Shepparton Heritage Incorporated Plan* will provide an exemption from the need for a planning permit for buildings and works that do not impact upon the cultural heritage significance of a number of residential places. This will provide an economic benefit to landowners as it will reduce the instances where a planning permit is required.

Public Consultation

Following the preparation of Amendment C110, public notice of the amendment, in accordance with Sections 17, 18 and 19 of the *Planning and Environment Act 1987*, was given from 12 April to 25 May 2012. The exhibition period was extended beyond the required statutory period of one month due to the number of properties affected by the proposed amendment.

Notices also appeared in the Shepparton News on 10 April 2012, the Tatura Guardian on 11 April 2012 and Government Gazette on 19 April 2012. A copy of HSIIB and the proposed amendment were placed in the Council's foyer and Tatura Library from Monday, 09 April 2012.

Nineteen submissions were received during the exhibition period. In addition, one late submission was accepted.

Strategic Links

a) Greater Shepparton 2030 Strategy Plan

Direction 3: Environment

"Conservation and enhancement of significant natural environments and cultural heritage."

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

Theme: Cultural Heritage (post settlement)

Objective 1 – *“To identify, protect and enhance sites and areas of recognised historic significance.”*

Strategy 1.1 – *“Promote the protection of heritage buildings and sites so that heritage significance is not diminished or irreversibly damaged through proposed use or development.”*

Strategy 1.2 – *“Encourage the retention, adaptation and appropriate renovation of significant historic buildings and works, gardens and other areas as a viable alternative to demolition.”*

Strategy 1.3 – *“Ensure that any alteration or addition to identified heritage buildings and areas, or redevelopment on adjacent land, is in keeping with identified streetscape or neighbourhood character and appearance (as appropriate).”*

b) Other strategic links

Greater Shepparton Heritage Study Stage IIB (HSIIB)

HSIIB identifies gaps in the previous heritage studies and recommends a list of places of cultural heritage significance that should be considered as part of a cultural heritage amendment.

HSIIB was adopted by the Council in September 2010 and Amendment C110 proposes to integrate the findings of the study into the Planning Scheme.

Shepparton CBD Strategy 2008

The *Shepparton CBD Strategy 2008* (CBD Strategy) was undertaken between 2007 and 2008. The CBD Strategy has established five themes that apply across the CBD or large sections of it. Paramount to the strategy is the identification of actions that will allow Shepparton’s CBD to become a truly sustainable city. The Council adopted the strategy on 07 October 2008.

The main objective of the strategy in relation to Theme 2 is to *‘strengthen links to the post-settlement history of Shepparton by identifying and protecting the built heritage of the CBD’*. The inclusion of those places, specifically the Central Business Area Precinct (HO160) and those ‘Individually Significant’ places, identified as being of cultural heritage significance within Shepparton’s CBD will complement the objectives of this strategy.

Options for Consideration

In accordance with Section 27 of the *Planning and Environment Act 1987*, the Council must consider the recommendations of the Independent Planning Panel before deciding whether or not to adopt the amendment.

- The Council may abandon the amendment under Section 28 of the Act.
- The Council may adopt the amendment under Section 29 of the Act.

If adopted, the Council may then submit the amendment to the Minister for approval under Section 31 of the Act.

Conclusion

It is recommended that the Independent Planning Panel’s Report be considered by the Council and that the revised study and amendment documentation, including the Panel’s recommendations, be adopted and submitted to the Minister for approval.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Heritage Amendment C110 (continued)

Attachments

1. Background Information relating to the Greater Shepparton Heritage Study Stage IIB and Amendment C110
2. Panel Report
3. Exhibited and revised Tatura Township Precinct Maps (HO156)
4. Memo from the Council's Heritage Advisor dated 08 May 2013 outlining the methodology used to determine 'Individually Significant' places in the revised Tatura Township Precinct (HO156)
5. Amended Departmental Mapping to correct an anomaly uncovered by Council Officers during the amendment process relating to HO93

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Dookie Wastewater Disposal Options

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: Team Leader Environmental Health

Proof reader(s): Acting Manager Environment

Approved by: Director Sustainable Development

Other: Environmental Health Officer

Purpose

To provide the Council with the conclusions and recommendations of the consultancy work completed by Sinclair Knight Merz regarding wastewater disposal options for the township of Dookie.

Moved by Cr Summer

Seconded by Cr Ryan

That the Council:

1. adopts the Dookie Wastewater Disposal Options report from Sinclair Knight Merz
2. officers initiate community consultation with the residents of Dookie in conjunction with Goulburn Valley Water to discuss the options contained within the report
3. implement actions outlined in the Dookie Wastewater Disposal Options report where budget is available
4. officers investigate the possibility of innovative solutions to wastewater treatment and water re-use options.

CARRIED.

Background

The Dookie Community and District Plan have listed wastewater disposal issues as a priority. The Council adopted a Domestic Wastewater Management Plan (DWMP) in 2008; Dookie is listed as one of five priority towns where wastewater disposal improvements are needed.

As part of the preparation for Council's DWMP some data has been collected regarding the existing septic tank systems in the township of Dookie. Dookie has a population of 290, there are 108 houses, a general store, café, pub/hotel, primary school, pre-school, recreation reserve and engineering business. There are 150 allotments, 72 are less than 1000m² and 78 greater than 1000m². The majority of houses were built prior to 1980, previous to this time greywater/sullage was permitted to be discharged to the street drain. The greywater/sullage creates offensive odours, provides concerns to residents and can cause damage to the environment.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Dookie Wastewater Disposal Options (continued)

The Dookie community members have specific environmental concerns as the Dookie catchment is a groundwater recharge area for the districts underground aquifers. In particular the Dookie Community and District Plan have a focus on increasing the town population. The community has a preference for environmentally sound whole of township solutions where feasible to allow for controlled township growth. It should be noted that the growth would be governed by Council plans such as the Greater Shepparton Housing Strategy and Greater Shepparton Rural Strategy (RRLUS). The Council and the Dookie community wanted to determine what the options for improving the situation and as such, a project brief was prepared for consultancy services in June 2011.

The consultancy services were awarded to Sinclair Knight Merz (SKM) and the contract commenced in September 2011. A draft report was prepared by SKM in November 2011, the report was provided to a sub-committee of the Dookie and District Development Group, the group provided feedback to Council which was incorporated in Council's feedback to SKM. A final report was completed in June 2012 and is now presented to Council for formal adoption for the purposes of consultation.

The report identified the major risks/concerns associated with the current wastewater management systems that include:

1. Poor maintenance of household septic systems by residents;
2. Inability for current systems to service black water and grey water loads, resulting in the disposal of grey water to the storm water drainage network;
3. Community concerns as a result of odours, water logging and mosquito breeding;
4. Limits on the growth potential of the town due to the need to maintain adequate effluent disposal areas on each property;
5. Environmental concerns associated with groundwater recharge and contamination.

A range of potential solutions were described and compared based on a range of economic, social and environmental criteria. The report provides several options for potential solutions to the wastewater problems. A matrix is provided as an Appendix to show the comparison of the options.

A brief summary of the options is provided in the table below:

Option	Total Cost	Cost per property	Addresses Risk
1. Improved maintenance of septic tanks	\$95,850	\$640	A
2. Retrofit improved septic system technology	\$2,587,500	\$17,250	B & C
3. Retrofit household reuse of grey water	\$2,250,000	\$15,000	B & C
4. Common Effluent Disposal Scheme	\$3,326,250	\$22,175	A, B & C and possibly E
5. Sewerage System	\$3,542,750	\$23,625	All
6. Groundwater monitoring	\$57,000	\$380	E
7. Planting for protection of groundwater recharge areas	\$17,500	\$120	E

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Dookie Wastewater Disposal Options (continued)

The recommendations of the report show the combined preferred options are:

Option 1 – Improved maintenance of septic tanks

Option 5 – Sewerage System

Option 6 – Groundwater monitoring

Option 7 – Planting for protection of groundwater recharge areas

A combination of these options would address each of the major risks and concerns associated with the current system. Option 5 (Sewerage system) is recommended as it is preferred over Option 4 by the Dookie and District Development Forum. The draft report by SKM recommended Option 4, which was reviewed by the Forum and feedback to Council indicated a preference for Option 5. The total cost of Option 4 and 5 differ by a minimal amount; the end result of Option 5 would have greater benefit to the community in the long term. See table above.

Council Plan/Key Strategic Activity

The development of the Dookie Wastewater Options paper is part of the Implementation of the Council's Domestic Wastewater Management Plan which is an action under the Key Strategic Objective to develop and pursue strategies to improve community health and wellbeing.

Risk Management

State Environment Protection Policy Waters of Victoria under Section 32 requires Council's to undertake a range of actions relating to the management of wastewater management systems. At present Council is not undertaking all of its legal obligations.

Risks	Likelihood	Consequence	Rating	Mitigation Action
A. Poor maintenance of household septic systems by residents	A	3	High	Undertake Option 1
B. Inability for current systems to service black water and grey water loads, resulting in the disposal of grey water to the storm water drainage network	A	3	High	Undertake Option 5
C. Community concerns as a result of odours, water logging and mosquito breeding	A	3	High	Undertake Option 5
D. Limits on the growth potential of the town due to the need to maintain adequate effluent disposal areas on each property	A	3	High	Undertake Option 5
E. Environmental concerns associated with groundwater recharge and contamination	A	3	High	Undertake Options 6 & 7

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Dookie Wastewater Disposal Options (continued)

Policy Considerations

This report does not conflict with any Council Policy. Adoption of the recommendations will meet one of the objectives of Council's Domestic Wastewater Management Plan.

Financial Implications

Part of the recommendation will include consultation with the community which have not been separately budgeted for. It is expected that most of this cost will be borne within recurrent budgets.

	2013/2014 Draft Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue				
Expense	6500	6500		
Net Result	6500	6500		

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

Option 1 – Improved maintenance of septic tanks – costs of this option are included in the business case for a septic tank management program for 2013/14 financial year.

Option 5 – Sewerage System – costs for this option will be managed through consultation with Goulburn Valley Water. It is an expectation that this option will only proceed if State Government funding is available.

Option 6 – Groundwater monitoring – an amount of \$6500 has been budgeted for in 2013/14 financial year (see above). This cost does not include the capital cost of sinking bores (expected at \$50,000).

Option 7 – Planting for protection of groundwater recharge areas – this requirement can be provided for through tree planting budgets elsewhere included. (\$17500)

Officers intend to implement the actions contained within the report where budget is available.

Legal/Statutory Implications

State Environment Protection Policy Waters of Victoria under Section 32 requires Council's to undertake a range of actions relating to the management of wastewater management systems. At present Council is not undertaking all of its legal obligations.

Environmental/Sustainability Impacts

The report identified the major risks/concerns associated with the current wastewater management systems that include:

- Inability for current systems to service black water and grey water loads, resulting in the disposal of grey water to the storm water drainage network;
- Community concerns as a result of odours, water logging and mosquito breeding;
- Environmental concerns associated with groundwater recharge and contamination.

Social Implications

Social implications identified in the report include:

- Community concerns as a result of odours, water logging and mosquito breeding;
- Limits on the growth potential of the town due to the need to maintain adequate effluent disposal areas on each property

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Dookie Wastewater Disposal Options (continued)

Economic Impacts

Economic impacts include;

- Limits on the growth potential of the town due to the need to maintain adequate effluent disposal areas on each property
- Costs associated with any of the options that residents may need to meet.

Consultation

At this point some initial consultation has taken place with the Dookie and District Development Forum. It is expected that substantial consultation will take place with the residents of Dookie following Council consideration of the report.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	Upload report onto website Provide copy of report at strategic locations in Dookie Advise community of what council is doing
Consult	Informed, listen, acknowledge	Seek comment from community Public meeting Survey

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Ensuring appropriate effluent disposal systems are implemented throughout the municipality is covered by Section 2.1 and 2.2 of the Environment section of the 2030 strategy.

b) Other strategic links

Domestic Wastewater Management Plan

Options for Consideration

Council Officers will investigate the possibility of innovative wastewater treatment and water re-use options.

Do nothing – this is not an option as the Dookie community has identified wastewater as an issue within the Dookie & District plan.

Conclusion

1. That Council adopt the Dookie Wastewater Disposal Options report from Sinclair Knight Merz.
2. Officers initiate community consultation with the residents of Dookie in conjunction with Goulburn Valley Water to discuss the options contained within the report.
3. Implement actions outlined in the Dookie Wastewater Disposal Options report where budget is available.
4. Officers investigate the possibility of innovative solutions to wastewater treatment and water re-use options.

Attachments

Dookie Wastewater Disposal Options Final Report, Sinclair Knight Mertz - 25 June 2012

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.3 Festive Decorations Advisory Committee 2013

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 CBD & Township Development Officer

Proof reader(s): Manager Investment Attraction

Approved by: Director Sustainable Development

Purpose

The purpose of this report is to provide Councillors with the opportunity to consider the community member nominations to the Festive Decorations Advisory Committee for a two year term to commence immediately following council resolution. This report also seeks amendments to the current Guidelines. The Festive Decorations Advisory Committee guidelines require change from a Section 86 Committee Guidelines template to an Advisory Committee Guidelines template. Minor amendments to the guidelines content include the update of departmental names from Economic Development to Investment Attraction, Culture and Community Strengthening to Neighbourhoods and Operations to Works.

Moved by Cr Oroszvary

Seconded by Cr Patterson

That the Council:

1. Having considered the applications received for appointment to the Festive Decorations Advisory Committee, appoint the following members for a term of two years:
 - Jill Innes-Irons
 - Wendy Crow
 - Kerry Handwerk
 - Rachael Matthews
2. Amend the Festive Decorations Advisory Committee Guidelines from a Section 86 Committee Guidelines template to an Advisory Committee Guidelines template, noting the updated departmental names in respect of Investment Attraction, Neighbourhoods and Works formerly Economic Development, Culture and Community Strengthening and Operations.

CARRIED.

Background

On the 17 June, 2011 Council resolved to issue guidelines for a Festive Decorations Advisory Committee and to call for the appointment of up to seven community members to assist in the utilisation of budget allocations for the purchase, installation and

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.3 Festive Decorations Advisory Committee 2013 (continued)

maintenance of the annual festive decorations. The community members nominated and appointed to the committee would represent the wider community for a term of two years.

The term of office for the committee members appointed in 2011 expired upon conclusion of the 2012 activities.

As stated in the guidelines the Council is required to call for nominations to fill the vacant community positions by way of public notice in the Shepparton News. Call for nominations to the Festive Decorations Advisory Committee for 2013 were advertised on three separate occasions over a period of two months. Due to minimal response to the advertising in the Shepparton News an advertisement was also placed in the Tatura Guardian.

Nominations were received from four community members, two being from committee members seeking reappointment and the balance of nominations from new interested persons. Appointed committee members will be required for a two year term however in the second year we do not have a budget allocation for festive decorations. Although no budget allocation has been approved for purchases of additional decorations the committee will still be required to advise council on the placement and installation of decorations

Council Plan/Key Strategic Activity

Council Plan

This proposal supports the following objectives of the Council Plan 2009-2013:
 Strategic Objective 6 – Embrace and strengthen cultural harmony and diversity
 Strategic Objective 31 – Engage our community when making decisions

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
The main risk associated with the recommendation contained within this report is the adherence to local governance by appointed community members.	Unlikely	Moderate	Moderate	Ensure the appointed departmental representatives from GSCC provide support and guidance in the area of local governance.

Policy Considerations

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

Financial Implications

No financial implications are associated with the recommendations within this report.

Legal/Statutory Implications

Recommendations outlined in the report are consistent with the *Local Government Act 1989*.

Environmental/Sustainability Impacts

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

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.3 Festive Decorations Advisory Committee 2013 (continued)

Social Implications

Through the establishment of the Festive Decorations Advisory Committee and the subsequent appointment of community members, we seek to provide the community with an opportunity to play a significant and positive role in ensuring Greater Shepparton has a distinct festive atmosphere. A sense of community can be achieved through the participation of community members if they feel they have actively influenced decisions made within the committee as well as a feeling of personal achievement at the completion of the Festive activities.

Economic Impacts

The recommendation to appoint community members to the Festive Decorations Advisory committee will not have a direct impact on the local economy.

Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	An advertisement was placed in the public section of the Shepparton News on 22 nd February, 1st March and 12 th April 2013 as well as Tatura Guardian on 16 th April, 2013. A number of community members were also engaged through the use of the Shepparton Business Centre eNewsletter database.	Newspaper Advertisement Email

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

Council Plan 2009-2013

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

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

Strategic Objective 31 – Engage our community when making decisions

Options for Consideration

The Council could choose to not accept the nominations from the four community members.

The Council could request further advertising and engaging of the community in an effort to obtain more nominations for consideration.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.3 Festive Decorations Advisory Committee 2013 (continued)

Conclusion

It is recommended that Councillors note the recommendation contained within this report and adopt accordingly.

Attachments

Festive Decorations Advisory Committee Guidelines

10. TABLED MOTIONS

10.2 Integrated Fire Management Project - Draft Municipal Fire Management Plan - Lifting Report from the Table

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

Under section 80C of the *Local Government Act 1989*, Council officers and others who are contracted to provide advice or services to the Council must disclose any conflicts of interests they have before any advice they provide is considered. Disclosures must be in writing, to the Chief Executive Officer and must specify the type and nature of the conflict.

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.

At the Ordinary Meeting held on Tuesday 16 April 2013, Cr Patterson moved:

Moved by Cr Patterson

That this matter lay on the table.

CARRIED

Moved by Cr Patterson Seconded by Cr Ryan

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

CARRIED.

10. TABLED MOTIONS

10.2 Integrated Fire Management Project - Draft Municipal Fire Management Plan

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: Manager Environment

Proof reader(s): Director Sustainable Development

Approved by: Director Sustainable Development

Purpose

To provide Council with a Municipal Fire Management Plan as required by the Emergency Management Act 1986. The benefit of the Plan to the local community is to reduce the likelihood and consequence of fire hazards within local communities.

Moved by Cr Patterson

Seconded by Cr Oroszvary

That Council adopt the Greater Shepparton Municipal Fire Management Plan.

CARRIED.

Background

The Integrated Fire Management Plan (IFMP) Framework was established as a result of recommendations made from the Victorian Bushfire Inquiry in 2003. The Framework is the vehicle for improvement in fire management planning and outlines a consistent and comprehensive approach across the State and at regional and municipal levels. Following the 2009 bushfires the IFMP framework was endorsed by the Royal Commission into the 2009 bushfires.

The key element of IFMP is bringing together a range of key agencies and organisations to discuss, plan and manage fire in the community. These organisations are responsible for fire prevention, preparedness, response, recovery and cultural and environmental uses of fire.

By working together, they will ensure a more strategic and integrated approach to fire management planning, reducing the impact of fire in Victoria.

IFMP will assist in establishing consistent, state-wide planning approaches and develop processes for continuous improvement.

IFMP involves organisations through the establishment of state, regional and municipal committees, through which members have the opportunity to better understand each other's roles in fire management planning and bring their individual plans together.

Greater Shepparton Council together with the members of the Greater Shepparton IFMP Committee have been meeting since late 2011 to develop the draft Municipal Fire

10. TABLED MOTIONS

10.2 Integrated Fire Management Project - Draft Municipal Fire Management Plan

Management Plan. The Committee has been assisted in the development of the Plan by an officer appointed through the IFMP process.

The Committee formed under the auspice of the Municipal Fire Prevention Officer (MFPO), included representatives from the following organisations; Murchison Fire Brigade, Shepparton Fire Brigade, Mooroopna Fire Brigade (these representatives were representing the 20 Brigades throughout the Municipality), Vic Police, Goulburn Valley Water, Country Fire Brigade District 22, Department of Sustainability & Environment, Parks Vic and Council Municipal Fire Prevention Officers plus the officer from the Regional office of IFMP. The process in developing the plan has followed a process initiated by IFMP across the State and followed a template that had been previously developed. The strategic intent of the Fire Management Plan is to:

- Reduce the likelihood and consequence of fire hazards within local communities;
- Identify and prioritise the risks and vulnerabilities across the municipal area;
- Manage local priorities relating to protection of communities and assets;
- Develop and implement works programs for the management of fires, including hazard removal and fuel management;
- Engage community activities;
- Identify reliable water supplies;
- Encourage increased responsibility by the community;
- Give consideration to planning across municipal boundaries;
- Elevate matters to the Hume Regional Fire Management Planning Committee when appropriate.

This plan will replace the Municipal Fire Prevention Plan and will be audited by the Emergency Management Victoria on a three year rotation. The Plan will be a live document that will be reviewed annually by the Municipal Fire Management Committee.

Council Plan/Key Strategic Activity

Community Life

Strategy – Provide a safe and family friendly Community

Risk Management

The purpose of the plan is to identify numerous risks associated with bushfire. These risks are identified from a social, economic, environment and planning perspective and have been developed through the expertise of the members of the Committee.

These risks are presented and expanded upon within the body of the document.

Policy Considerations

The plan will be a sub plan under the Greater Shepparton Municipal Emergency Management Plan. The plan does not conflict with any other Policy of Council.

Financial Implications

There may be financial implications for the Council once the Plan has been adopted. The financial implications will be addressed annually through the normal budgetary process.

Whilst there will not be any financial implication this financial year, it is anticipated that actions for fire management, in future financial years, may total up to an estimated \$50,000 per annum. This may be made up of slashing roadsides to provide strategic fire

10. TABLED MOTIONS

10.2 Integrated Fire Management Project - Draft Municipal Fire Management Plan (continued)

breaks, undertaking works to allow access to water points or making contributions to water tanks for fire fighting purposes at strategic locations within the municipality.

The Council currently undertake fire suppression activity through road maintenance activities such as roadside slashing.

Future expenditure may be done in conjunction and with the support of the Country Fire Authority.

Legal/Statutory Implications

The recommended action arising from this report is in compliance with the Emergency Management Act 1986, Country Fire Authority Act 1958, Emergency Management Manual Victoria (Guidelines), and the Integrated Fire Management Planning Framework.

Environmental/Sustainability Impacts

Fire management activities will take account of environmental and sustainability issues, in particular road side management of native vegetation in accordance with Council's Roadside Management Plan.

Social Implications

it is expected that the adoption of the final plan will lead to a better analysis of management of fire risk within the community.

Economic Impacts

Fire has the potential to impose significant financial impact on agriculture, public infrastructure and residential areas and this plan is intended to help mitigate this risk.

Consultation

The Plan has been overseen by a Committee comprised of members of the Country Fire Authority including representatives from the agencies and groups listed above under the heading Background under the auspice of the MFPO.

The Plan has been adopted as a draft by the Council (18 September 2012), by the Municipal Emergency Management Committee (20 September 2012) and the Regional Municipal Fire Management Committee (15 March 2013).

The Plan has also been released for public comment and a copy was forwarded to all Fire Brigades within the Municipality seeking feedback. No feedback was received from either source.

Level of public participation	Promises to the public/stakeholders	Techniques used in the process
Inform	√	Fire Brigades had been made aware of changes over last few years through Municipal Fire Prevention Committees and CFA. The Draft Plan was developed by a Committee including representatives indicated above who reported to their respective agencies and organisations
Consult	√	Copy of draft Plan forwarded to all Brigades seeking comment. Consultation undertaken with

10. TABLED MOTIONS

10.2 Integrated Fire Management Project - Draft Municipal Fire Management Plan (continued)

		Committee in developing draft Plan. Plan put on public display seeking feedback.
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Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

This matter is not inconsistent with Council's 2030 Strategy.

b) Council Plan

This matter is not inconsistent with the Council Plan.

c) Other strategic links

Council's Community Living Local Law No. 1.

Options for Consideration

An option is for the Council to not adopt the Plan which would result in the Council not abiding by its emergency management obligations.

Conclusion

By adopting this plan, the Council will be compliant in addressing bushfire risk and management thereby providing a safer community. The adoption of the Plan will ensure that the Council is in line with legislative requirements. The Plan has followed all required steps in its preparation and will be ready for the 2013/14 fire season. All other Council within region 22 have adopted a Municipal Fire Management Plan.

Attachments

Draft Municipal Fire Management Plan

11. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

Nil Received

12. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

Nil Received

13. NOTICE OF MOTION, AMENDMENT OR RESCISSION

Nil Received

14. DOCUMENTS FOR SIGNING AND SEALING

Nil Received

15. COUNCILLOR ACTIVITIES

15.1 Councillors Community Interaction and Briefing Program

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.

Councillors' Community Interaction and Briefing Program

From 1 May 2013 to 31 May 2013, some or all of the Councillors have been involved in the following activities:

- Interpretive Walk | The Flats
- Opening | Stuart Reserve Playground
- Mum Knows Best Cook Off | Fryers Street
- Mooroopna Activity Centre | Open Day
- Civic Reception | AFL Youth Girls National Carnival
- AFL Youth Girls National Carnival | Opening Ceremony
- Closure of Goulburn Valley Branch NCWV | Dinner
- Meeting with Shadow Ministers and Opposition Leader
- Development Hearing Panel meeting
- Ladies Pampering Day
- Public Rally for Shepparton and Local Manufacturing
- Meet and Greet | Peter Kelly [General Manager, SPCA] and Kim Cowen [SPCA Communications]
- Rating Strategy Group Review of Public Submissions
- Grand Final Function | AFL Youth Girls National Championships
- The Unity Cup | Honouring the Role & Status of Women | Luncheon
- The Unity Cup | Presentations
- Mother's Day Classic | 8 km & 4km Run and Walk
- Safe Taxi Rank | Official Launch
- Richard Farmer - General Manager - High Speed Rail – Presentation
- Orchard Haven Community Meeting
- Opening of 'Volunteers Garden' | Harmony Village
- Volunteer Awards Ceremony
- Shepparton Show Me | Ordinary Committee Meeting
- VLGa Councillors Leadership Dinner
- Shepparton Chaplains Celebration
- MAV | State Council Business Papers
- RCGS PAG meeting | Teleconference Meeting
- GSCC MEMP Committee Meeting
- Council Plan 2013-2017 | Public Community Sessions | Shepparton
- Announcement by Jeanette Powell | Destination Management Funding | Goulburn River Valley Tourism
- Positive Ageing Advisory Committee Meeting
- International Day Against Homophobia event
- Speak to Grade 3 & 4 Students, Grahamvale Primary School
- Kialla Landfill Committee Meeting
- Council Plan 2013-2017 | Public Community Sessions | Tatura

15. COUNCILLOR ACTIVITIES

15.1 Councillors Community Interaction and Briefing Program (continued)

- Employment Response Plan session
- Meeting with Damian Drum - Parliamentary Secretary for Regional Development
- Town Spotlights, Skynews Business Channel | Margaret Lomas
- 2013 Future of Local Government National Summit | MAV [22 May & 23 May]
- Water Technology Cluster Expo
- Council Plan 2013-2017 | Public Community Sessions | Mooroopna
- The Brilliant Local Council of the Future
- Victorian Indigenous Honour Roll | Goulburn Valley Library | Launched by The Hon Jeanette Powell
- Disability Advisory Committee Meeting
- North East Victoria ALGWA Conference | Welcome Dinner and Conference
- Regional Showcase | Brunch and Tour at the Connection
- 'Sorry Day' Commemoration
- Pest Vs The Rest | Mayor to Welcome the Grade 5 & 6 Students
- 'Let's Talk Recognition' | Reconciliation Week 2013
- Orchestra Victoria | Pre Community Concert VIP Function
- The Great Leadership Debate
- Good News Promotion for Shepparton | RACV
- 'A Decision to Discriminate' | Reconciliation Week 2013

Councillors were also briefed on the following matters:

- SSM Quarter Three Report
- Contracts Awarded under Delegation
- 2013/2014 Budget Review
- Investment Attraction Overview
- Universal Access & Inclusion Plan
- Community Accessibility
- Itinerant Traders Policy Rollout
- 2013/2014 Budget Review
- Greater Shepparton Audit Committee
- Program Budget & Rating Strategy [2013/2014 Budget Review]
- Sporting Future Funding program
- Dookie Wastewater Disposal Options
- Festive Decorations Advisory Committee
- Amendment C110
- Rating Discussion, Program Budget and Operational Budget [2013/2014 Budget Review]

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

Moved by Cr Polan
Seconded by Cr Ryan

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

CARRIED.

15. COUNCILLOR ACTIVITIES

15.1 Councillors Community Interaction and Briefing Program (continued)

Attachments

1. Positive Ageing Advisory Committee – 8 March 2013
2. Disability Advisory Committee – 22 March 2013
3. River Connect Implementation Advisory Committee Meeting – 17 April 2013
4. Positive Ageing Advisory Committee – 19 April 2013
5. Disability Advisory Committee – 26 April 2013
6. Councillor Briefing Session – 7 May 2013
7. Councillor Briefing Session – 14 May 2013
8. Environmental Sustainability Strategy Stakeholder Reference Committee – 16 May 2013
9. Councillor Briefing Session – 21 May 2013
10. Councillor Briefing Session – 28 May 2013

16. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

Nil Received.

17. PUBLIC QUESTION TIME

Question 1 (John Gray)

What is the current situation with respect to the ongoing development of Council's Parkside Gardens residential estate? In particular, how many blocks have developed, how many have been sold and how many have been built on? Further how many blocks are yet to be developed in further stages.

Response:

The planning permit is due to expire on 21 September 2013. Two stages of the four stage development have been completed with 53 lots developed. There has been 24 lots sold to date with all 24 lots been built on. A further 92 lots are yet to be developed over two stages, according to the endorsed plans forming part of the planning permit.

Question 2 (John Gray)

If a vacancy on Greater Shepparton City Council was to be created by resignation (as recently occurred in Mitchell, Benalla and Wangaratta) or any other circumstance, what would be the estimation of cost associated with an electoral re-count?

Response:

The cost for the count back from the Victorian Electoral Commission is estimated anywhere between \$2,000 - \$2,500.

MEETING CLOSED AT 6.43PM