

MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

HELD ON
TUESDAY 21 MAY, 2013
AT 5.30PM

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

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FOR THE
ORDINARY COUNCIL MEETING
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**CHAIR
CR JENNY HOULIHAN**

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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, Michael Polan, Fern Summer, Dennis Patterson and Kevin Ryan.

**OFFICERS: Gavin Cator – Chief Executive Officer
Steve Bowmaker – Director Infrastructure
Johann Rajaratnam – Director Sustainable Development
Justin Finlayson – Director Business
Kaye Thompson – Director Community
Rebecca Bertone – Official Minute Taker
Fiona Sawyer – 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

**Moved by Cr Patterson
Seconded by Cr Polan**

That an apology is received from, and leave of absence granted to Cr Oroszvary.

CARRIED.

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**Moved by Cr Summer
Seconded by Cr Polan**

That the Minutes of the Ordinary Council Meeting held on 16 April 2013 and the Special Council Meetings held on 23 April 2013 and 30 April 2013, as circulated, be adopted.

CARRIED.

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.1 Constitutional Recognition of Local Government

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

Approved by: Chief Executive Officer

Purpose

Following the release of the final report from of the Expert Panel in relation to the Recognition of Local Government in the Constitution there have been ongoing discussions in relation to holding a referendum to change the constitution. On 9 May 2013 the Prime Minister announced that a referendum would be conducted on 14 September 2013 in conjunction with the Federal Election.

The Australian Local Government Association have continued seeking support from Local Government bodies endorsing that the Constitution be amended to allow direct funding of local government bodies by the Commonwealth Government.

In November 2012 the Federal Government appointed a Joint Select Committee on Constitutional Recognition of Local Government.

With the formation of the Joint Select Committee the call went out again to Councils to lodge a submission to the committee which was undertaken in February 2013 under the guidance of the motion carried by Council on 15 March 2011.

In order to progress further the challenge of gaining support for a referendum and achieving a "Yes" vote it is recommended that Council support, through the MAV, the national campaign for the Constitutional Recognition of Local Government and make a voluntary contribution of \$26,535 in accordance with the 2012 MAV State Council resolution.

Correspondence received from the MAV on 2 May 2013, indicates that the national campaign is estimated to cost in the order of \$10 million, of which the contribution from Victoria is estimated at \$2 million (excluding any public funding). Victoria's contribution to the national campaign will be funded in line with the MAV State Council resolution to issue a voluntary levy on members, with each council to determine whether or not to pay the levy. Other state associations are making or have made similar requests of Councils in respective states.

The calculated voluntary contribution for the Greater Shepparton City Council is \$26,535.

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.1 Constitutional Recognition of Local Government (continued)

Moved by Cr Summer
Seconded by Cr Patterson

That the Council:

1. confirm the intention to participate in the national "Yes" campaign at the local level (to be coordinated at the state level by the MAV under the direction of a national campaign team)
2. confirm agreement to voluntarily contribute \$26,535 toward the campaign.

CARRIED.

Background

In 2009, a decision of the High Court set out that the Australian Government does not have the power to fund local government directly. It is in the best interest of local communities that Federal Governments have the capacity to fund councils directly to achieve national objectives.

It has been argued by the Australian Local Government Association (ALGA) that a pragmatic and simple change be made to the Constitution which would allow direct funding to continue. The form of financial recognition of local government proposed, which will not impact on the relationship between councils and state governments, has been endorsed by the ALGA and all other state and territory local government associations.

All councils were asked to pass a resolution endorsing the position that a referendum be held by 2013 to change the Constitution to allow direct funding of local government bodies by the Commonwealth Government, and to also include local government in any new Preamble to the Constitution if one is proposed.

The Greater Shepparton City Council passed the resolution on 15 March 2011 and subsequently lodged a submission to the Expert Panel in September 2011.

At the normal meeting of Council held on 15 March 2011 a motion was carried as follows:

"The Greater Shepparton City Council declare its support for financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly and also for inclusion of local government in any new Preamble to the Constitution if one is proposed, and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition."

On 01 November 2012 the Parliament of Australia established a Joint Select Committee to inquire into and report on the majority finding (financial recognition) of the Expert Panel on Constitutional Recognition of Local Government including by amending section 96 of the Australian Constitution.

With the formation of the Joint Select Committee the call went out again to Councils to lodge a submission to the committee which was undertaken in February 2013 under the guidance of the motion carried by Council on 15 March 2011.

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.1 Constitutional Recognition of Local Government (continued)

Additional advice has been received in the past two months from the ALGA and MAV alerting Council to the formation of the joint committee, advising of some discussion points for media and seeking council support in lodging a submission when appropriate.

Discussion Points

This briefing paper provides Councillors with an update on progress in the move to provide Constitutional Recognition of Local Government and informs council of the formal request from the MAV to voluntarily contribute levy of \$26,535 to be utilized to support the national local government "Yes" campaign that may be held in support of a referendum held at the next Federal Election on 14 September 2013.

Council Plan/Key Strategic Activity

This proposal is consistent with the 2009-2013 Council Plan Strategy in relation to Strategic Objective 6:

"Council will deliver best practice management, governance, administrative and financial systems that support the delivery of council programs to the community of Greater Shepparton."

by seeking change in the way local government works with both State and Federal Government Sectors to enhance the delivery of services to our community.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Constitutional recognition of Local Government is not achieved	C	4	Minor	Continue to lobby to ensure appropriate level of direct recognition is provided from Federal Government
Lack of recognition effects monetary contributions from the Federal Government towards the Local Government sector	C	3	Moderate	Lobby for retention of appropriate levels of funding from government

Policy Considerations

There are no policy considerations associated with this report.

Financial Implications

The financial implications associated with this report relate to the following:

	2012/2013 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue				
Expense	Nil	26,535	26,535	
Net Result	Nil	26,535	26,535	

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

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.1 Constitutional Recognition of Local Government (continued)

The voluntary contribution through the MAV to support the campaign for constitutional recognition has not been formally provided for in the 2012/13 financial year or in projection for the 2013/14 Budget.

The effects of constitutional recognition or not on the level of funding provided by the Federal or State Governments is unknown although the change would provide clear constitutional right to allow the Federal Government to directly fund the Local Government sector.

Legal/Statutory Implications

There are no direct legal or statutory implications associated with this report however subsequent changes may be required should recognition be endorsed.

Environmental/Sustainability Impacts

There are no identified Environmental or Sustainability impacts associated with this report.

Social Implications

There are no identified Social implications associated with this report.

Economic Impacts

The economic impacts associated with this report in relation to constitutional recognition are unknown.

Consultation

Consultation has been undertaken over many years in relation to the constitutional recognition of Local Government and since 2011 Council formally resolved to support the recognition on 15 March 2011 and has recently forwarded a submission to the Joint Select Committee on Constitutional Recognition of Local Government which was formed to review and make a recommendation on the matter. At this stage the majority of participation has been at government and sector level however now that the Prime Minister has announced the conduct of a referendum at the 2013 Federal Election, it is expected that the public consultation and public campaign will be put in place.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Nil.

b) Other strategic links

Nil.

Options for Consideration

Do nothing will fail to reflect a commitment of Council to support the motion of 15 March 2011.

To agree to partial commitment ie either participation only or funding only may jeopardise the success of the campaign and Councils position within the sector.

To agree to participate and voluntarily fund the campaign in accordance with the resolution of State Council will support the motion of Council of 15 March 2011 and also

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.1 Constitutional Recognition of Local Government (continued)

show support and leadership within the sector and provide an opportunity for the Greater Shepparton City Council to promote the cause for constitutional recognition in the community. This way forward will also reinforce commitment to the 2012 MAV State Council resolution.

Conclusion

In order to progress further the challenge of gaining support for a referendum and achieving a "Yes" vote it is recommended that Council support, through the MAV, the national campaign for the Constitutional Recognition of Local Government and make a voluntary contribution of \$26,535 in accordance with the 2012 MAV State Council resolution.

Attachments

Nil

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.2 Regional Cities Victoria - Memorandum of Understanding

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: Chief Executive Officer

Proof reader(s): Executive Assistant to the Chief Executive Officer

Approved by: Chief Executive Officer

Purpose

The purpose of this report is to present the Regional Cities Victoria (RCV) Memorandum of Understanding (MOU) to Council for endorsement.

Moved by Cr Polan

Seconded by Cr Ryan

That Council endorses the Regional Cities Victoria Memorandum of Understanding.

CARRIED.

Background

RCV was established in 2000 and is an alliance of 10 regional Victorian councils that represent the collective interest of the regions. The 10 councils are:

- City of Ballarat
- City of Greater Bendigo
- City of Greater Geelong
- Rural City of Horsham
- City of Latrobe
- Rural City of Mildura
- City of Greater Shepparton
- Rural City of Wangaratta
- City of Warrnambool
- City of Wodonga

RCV members work cooperatively on issues and projects of mutual interest that affect Regional Cities as well as the whole state of Victoria.

The Mayor and Chief Executive Officer of all 10 councils are members of RCV.

The objectives of RCV are to:

- Define and develop long-term policies that support and encourage the growth of regional Victoria as a viable alternative to metropolitan Melbourne.
- Encourage, enable and support governments to deliver those policies.
- Ensure regional cities continue to enjoy quality services, amenities and transport networks.
- Increase workforce capacity and employment opportunities in regional cities.
- Continue to build awareness of RCV among government, media, business and RCV communities.

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.2 Regional Cities Victoria - Memorandum of Understanding (continued)

RCV has developed a draft MOU to clearly identify the roles and responsibilities of RCV.

The MOU sets out the agreement between the 10 regional cities and provides clearer governance arrangements for the group. The MOU covers the following areas:

- Purpose and objectives of RCV
- Members
- Scope and operation
- Terms of the agreement
- Governance arrangements
- Roles and responsibilities
- Financial arrangements
- Administrative arrangements
- Communication and information management
- Review and evaluation

Council Plan/Key Strategic Activity

This report is consistent with Council's Strategic Objective 6 of the *Council Plan 2009-2013* "Council Organisation and Management" number 32 "Develop strong partnerships with the State and Federal Governments".

Risk Management

No risks have been identified in providing this report.

Policy Considerations

There are no policy implications with Council signing the MOU.

Financial Implications

There are no increased financial implications arising from this report.

Year to date, Greater Shepparton City Council has contributed \$14,005.43 to RCV, with the estimated final spend this financial year to be in the order of \$16,100. This contribution covers the operating costs and costs associated with project delivery. This contribution will be reviewed annually and is subject to each Council's budget process. The estimated budget for RCV for the 2013/14 financial year is \$21,000.

	2012/2013 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$ 0	\$ 0	\$ 0	
Expense	\$16,100	\$ 0	\$ 0	
Net Result	\$16,100	\$ 0	\$ 0	

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

Legal/Statutory Implications

The MOU is a non-binding agreement that details how the parties will interact and what the expectations of all Councils are.

Environmental/Sustainability Impacts

There are no environmental implications with Greater Shepparton City Council signing

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.2 Regional Cities Victoria - Memorandum of Understanding (continued)

the MOU, apart from RCV, if it so desires, lobbying or advocating on behalf of Regional Cities for matters of environmental significance to all cities within the group.

Social Implications

There are no social implications with Greater Shepparton City Council signing the MOU, apart from RCV, if it so desires lobbying or advocating on behalf of Regional Cities for matters of social significance to all cities within the group.

Economic Impacts

RCV has over the last 11 years been responsible for significant influence and input on state government policy and in particular the funding that has been provided by both this and the former state governments.

Consultation

Consultation on this report is not required.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	<p>All members of the Regional Cities of Victoria have been consulted and have had input into the drafting of the Memorandum of Understanding.</p> <p>All members have agreed to place the Memorandum of Understanding before their respective council for endorsement.</p>	<p>Meetings, discussion papers, correspondence</p>

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

Strategic Links

a) Greater Shepparton 2030 Strategy

While there is no overarching objective, the focus by RCV on securing significant State Government investment in regional cities will allow Council to support the variety of projects identified in the Greater Shepparton 2030 Strategy.

b) Council Plan

This report is consistent with the following Council Plan objectives:

1. Strategic Objective 32: Develop strong partnerships with State and Federal Governments
2. Strategic Objective 34: Ensure our long term strategic vision for Greater Shepparton remains relevant and accurate.

Options for Consideration

1. That Council endorses the RCV MOU; or
2. That Council does not endorse the RCV MOU; or
3. That Council request further information regarding the RCV MOU.

Conclusion

The RCV MOU is an important framework to ensure RCV continue to operate effectively.

Attachments

1. Regional Cities Victoria - Memorandum of Understanding

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.3 Shepparton Show Me Quarter 3 2013 Report and Marketing Update

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 Marketing and Communications

Proof reader(s): Manager Marketing and Communications

Approved by: Chief Executive Officer

Purpose

As a requirement of Council, this report has been prepared to demonstrate Shepparton Show Me (SSM) activity undertaken in Quarter 3 (Dec 2012 - Feb 2013). A report will be presented to Council each quarter reporting marketing activity during the quarter prior. As decided by Council, acceptance of this report will authorise the release of the following quarter's funds.

Moved by Cr Polan

Seconded by Cr Summer

That the Council:

1. note the receipt of Shepparton Show Me meeting minutes and Committee Report for Quarter 3
2. approve the release of Quarter 4 funds, \$177, 505.35 inc gst.

CARRIED.

SSM Committee Structure

The current structure of the Committee membership is:

10 voting members

(8 industry representatives, 2 Councillors and 1 Member of Council Executive)

4 non-voting members

(Team Leader Marketing and Promotions, Manager Marketing and Communications, Manager Investment and Attraction and Manager Arts, Events and Tourism)

Six industry representative Committee member positions will be available for nomination and positions will take affect from 17 July 2013.

Third Quarter Report

The major marketing campaign for Quarter 3 was the Christmas campaign.

Campaign budget: \$45,440.00

Actual spend: \$41,139.64

Timing: December 2012

The campaign objective was to promote retail spend at SSM Stakeholder businesses over the 2012 Christmas period.

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.3 Shepparton Show Me Quarter 3 2013 Report and Marketing Update (continued)

The Christmas campaign consisted of four parts:

- Show Ho Ho Me Quizza
- Charity Christmas Gift Wrapping
- Shepparton News Show Me Christmas
- Free Christmas Activities
- Christmas Promotions Survey

1. Show Ho Ho Me Quizza

The following is an estimate provided by Alchemy Media on number of game show participant tickets distributed to shoppers at various locations:

- CBD locations: 70 - 100
- Shepparton Marketplace: 60
- Riverside Plaza: 20
- Trade and industrial, morning tea and lunch locations: 40
- Safeway Shopping Plaza: 70
- IGA: 30
- Neighbourhood shopping Dunkirk Street and Brandit Avenue: 50
- Poplar Avenue (over lunch time): 10

Feedback provided by Alchemy Media

- The most popular prizes were car care kits, bikes, beauty packs and Ice watches
- The larger percentage of contestants were from out of town (North)
- Neighbourhood Quizza events attract larger audiences in the evenings
- Cheap as Chip provided 15% discount on SSM purchases
- Local stakeholder 'A Pinch Of Salt' offered prizes at no charge
- Cr. Fern Summer reported complaints from retailers who were of the view that the Quizza inspired customers to leave stores to participate in or watch the Quizza show

Show Ho Ho Me prizes were purchased from the following businesses:

- Cheap as Chips - toys, give-aways, travel cases, home wares
- Autobarn Car - care kits
- Big W - bikes, radios, games, pool toys
- K-mart - bike, toys, chairs, eskies
- Target - beauty packs
- Spotlight - Plush toys
- Showcase Jewellers - Ice watches

Further prizes were secured from Alchemy client toy companies at no charge.

Alchemy media produced two 30 second television commercials and 38 radio advertisements promoting the Christmas Quizza campaign.

Information on actual media placement has been requested and is to be provided by Alchemy Media.

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.3 Shepparton Show Me Quarter 3 2013 Report and Marketing Update (continued)

2. Charity Christmas Gift Wrapping

The former Williams Shoe store located at the Mall entrance to City Central was rented over the Christmas period and utilised as the Charity Christmas Gift Wrapping store.

Please see below feedback from charities who participated in the campaign:

- Uniting Care Cutting Edge raised \$615.95
- STAG reported that they had a great week providing this service to the public and raised \$531 which will be put toward the Bakehouse rehearsal/performance space in Wheeler Street
- Shepparton High School raised \$650, organiser thanks SSM for the opportunity to be involved
- Solar City Callisthenic Club raised \$230 (note that this was in the first week of the store being open)

3. Shepparton News Show Me Christmas

The Shepparton News provided the opportunity for SSM to feature in a 4-page wrap promoting SSM Christmas events (published with Friday 7th December Shepparton News). Included was promotion of the Christmas Quizza and the Charity Gift Wrapping store and was distributed as the front and back page of every copy of the daily newspaper, readership is 37,000 (source: Roy Morgan Dec2008).

4. Free Christmas Activities

To assist in attracting people to shop in Shepparton in the period leading up to Christmas, a series of free Christmas activities was coordinated in the Maude Street Mall. This included Stage Coach Rides, balloon art and face painting and Farmer Daryl's Reindeer and animal nursery. A flyer was produced and distributed to Mall traders to pass on to their customers with details of times and dates.

5. Consumer Campaign Survey

Shoppers were invited to participate in a survey which was available to complete at the Charity Gift Wrapping Store. In total we received 50 responses. Below is a summary of the results.

Who the shoppers were and where did they travel from?

The majority of survey participants were from the Shepparton and Mooroopna (34 people). Other towns where 3 or less respondents said they were from included Cobram, Rushworth, Nagambie, Murchison, Katunga, Tatura, Numurkah, Benalla and Deniliquin. Almost half of the respondents were aged 31-50 years. The interesting question raised from these results is where are people shopping who live in the Benalla and Riverina region?

Campaign awareness

The majority of respondents said they were not aware of planned Christmas activities in the Mall (74%). Although 56% of people stated they saw the Shepparton Show Me Christmas feature in the Shepparton News, 36% said they had heard about the Christmas Quizza promotion. Those who said they had heard about the Quizza promotion, 8 people responded and said they saw it advertised on television and 10 responded via radio.

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.3 Shepparton Show Me Quarter 3 2013 Report and Marketing Update (continued)

Campaign influence on people's decision to shop

Survey respondents were asked whether the Christmas Quizza promotion was an incentive to come to Shepparton and shop, 58% responded No, 14% stated that they attended one of the game shows.

Consumer suggestions for the 2013 Christmas Campaign

Responses to the question asked 'what activities would you like to see available for next year's Christmas season?' included:

- Ice skating
- Teenage focused events e.g. skateboard competition
- More live music in the streets
- Markets
- Choir singing carols
- More kids activities
- Santa in the Mall

A number of people commented that they would like to have the Charity Gift Wrapping service available again next year.

Current Activities

1. Marketing Strategy

The SSM Marketing Strategy is being developed by Brentron and Partners / Media Wise, the contractor for the project as decided by the Committee. The 5-year Marketing Strategy will clearly outline the future direction of SSM marketing campaigns including the establishment of measureable objectives and goals.

2. Shepparton Motor City branding campaign

Campaign budget: \$63,700
Campaign duration: 6 months

The Motor City campaign was launched in March 2013 as a series of television and radio commercials. The campaign positions Shepparton as the place to buy all things automotive.

Six television advertisements were developed to promote the following areas of business:

- New cars
- Used cars
- Prestige cars
- Motorcycles
- Trucks

Radio advertisements were developed to promote automotive parts, accessories and services i.e. smash repairs, car washes, aftermarket accessories.

The following initial feedback was collected from stakeholders in relation to the Motor City campaign and was presented to the SSM Committee at the April Meeting:

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.3 Shepparton Show Me Quarter 3 2013 Report and Marketing Update (continued)

Stakeholder 1

- Expressed a bit of frustration that they had not been involved in the campaign to date, especially given the very close link they could have with the Motor City Campaign

Stakeholder 2

- Liked the Motor City campaign concept but said there is no incentive or tool to measure if it is working for their business
- She suggested that there be a competition or incentive so shop owners could measure if the ads are working for their business
- Reported that sales were down for March when compared with last year

Stakeholder 3

- Also said March sales are down compared with last year
- He believes they are losing sales to online businesses and Melbourne Car Auctions
- Also suggested the idea of traders and other automotive businesses working together to coordinate a Shepparton Motor City Sale. He suggested that this be a cooperative marketing opportunity between SSM and businesses.

It was decided at the April 2013 Committee that following the current branding campaign, the Acting Team Leader Marketing and Promotions will put together a proposal for a call-to-action campaign.

3. Celebrating Mums campaign

Campaign budget: \$20,000

Campaign duration: 3 weeks promotion, 1 day major event (Saturday 4 May)

The Shepparton Show Me Committee has devised a campaign to showcase and drive business for the local hospitality and retail industries. This is the first time SSM have undertaken a campaign to support the local hospitality industry and there has been much success in getting their support and engagement. One of the key objectives of SSM is the engagement of local businesses or stakeholders to work collaboratively to benefit the local economy and initiatives such as this provide the opportunity to do so.

The Mother's Day campaign comprises two main aspects 1) a media campaign 2) a pre-Mother's Day competition and event.

The media campaign showcases the majority of our local hospitality businesses with the aim of encouraging families to take their mum out for a special mother's day meal. It aims to encourage people to spend locally and encourage on-going patronage. The media campaign is occurring across the region with the aim of not only attracting locals but also customers in other regional towns encouraging them to dine and shop in Shepparton.

The pre-Mother's Day event on Saturday 4 May involves 3 local chefs battling it out in the Mum Knows Best Chefs' Challenge. There was a competition for people to nominate their mum to be a judge for the cook off. The aim of the event is to drive people into Shepparton to do their mother's day shopping while simultaneously

4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

4.3 Shepparton Show Me Quarter 3 2013 Report and Marketing Update (continued)

promoting the various local hospitality venues for people to consider taking their mum to on Mother's Day. The event further aims to bring some vitality and activity to the CBD. Critical to getting people to come into town to spend is having a call to action or an incentive.

Despite the short time frame the campaign has come together very well and the level of engagement of stakeholders is very pleasing.

Risk Management

No risk has been identified in providing this report.

Policy Implications

There are no conflicts with existing Council policies.

Financial Implications

Approval of the quarterly report will enable quarterly funds of \$177, 505.35 inc gst to be released to Shepparton Show Me covering ongoing marketing and operating costs (including salaries, general and plant expenses).

Quarter 4 SSM Financials (as at 31 March 2013)

	2012/13 Budget	YTD Actual	Variance
Operating Expenses	\$ 90,320.00	\$ 80,221.00	\$ 10,099.00
Marketing Expenses	\$ 616,524.30	\$ 389,202.49	\$ 227,321.81*

*Variance Marketing Expense figure spend is subject to the SSM Marketing Strategy development and approval

Legal/Statutory Implications

This report is compliant with Local Government Act 1989.

Consultation

This report was prepared and adopted by the Shepparton Show Me Committee at the 10 April 2013 Special Committee Meeting.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration of the release of Quarter 4 funds.

Conclusion

As a requirement of Council, this report has been prepared to demonstrate Shepparton Show Me (SSM) activity undertaken in Quarter 3 (Dec 2012 – Feb 2013). A report will be presented to Council each quarter reporting marketing activity during the quarter prior. As decided by Council, acceptance of this report will authorise the release of the following quarter's funds.

Attachments

1. Shepparton Show Me - Ordinary Committee Meeting Minutes - 12 December 2012
2. Shepparton Show Me - Ordinary Committee Meeting Minutes - 16 January 2013
3. Shepparton Show Me - Special Committee Meeting Minutes - 25 January 2013

5. INFRASTRUCTURE DIRECTORATE

5.1 Lake Bartlett Master 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: Team Leader Sports Facilities & Premier Places

Proof reader(s): Manager Recreation & Parks

Approved by: Director Infrastructure

Purpose

Adoption of Lake Bartlett Master Plan

Moved by Cr Ryan

Seconded by Cr Patterson

That the Council endorse the Lake Bartlett Master Plan

CARRIED.

Background

Extensive community consultation was undertaken in 2009/2010 as part of the Tatura Community Plan and a major issue raised was the use and development of Lake Bartlett. Funding was allocated to prepare a master plan for the area and following a community consultation and engagement process, the Lake Bartlett Master Plan has been completed.

Council Plan/Key Strategic Activity

This master plan has been an a direct outcome of priority actions listed in the Tatura Community Plan 2009/10.

Risk Management

There are no significant risks associated with the adoption of the master plan, however any projects arising from the delivery of the plan would be subject to risk assessment.

Policy Considerations

The adoption of a master plan does not constitute commitment to delivery of the recommended developments. It provides direction and priorities for future development of the area, which can be assessed against other competing funding priorities.

Financial Implications

The Council has received \$50,000 from the State Government for works at Lake Bartlett. These funds will be allocated towards the construction of two jetties, with works completed by 30 June 2013. The jetties are a key component of the Master Plan.

Legal/Statutory Implications

There are no legal or statutory implications associated with the adoption of this Master Plan.

5. INFRASTRUCTURE DIRECTORATE

5.1 Lake Bartlett Master Plan (continued)

Environmental/Sustainability Impacts

The master plan makes recommendations based on achieving an acceptable balance between environmental requirements and recreational requirements. The development and management of a wetlands area as a functioning water cleansing environment requires significant specialized monitoring and maintenance resources to undertake. This work need to be considered as part of Council's commitment to this site.

Social Implications

There are considerable social benefits that can be achieved by the enhancement of Lake Bartlett as public open space.

Economic Impacts

The economic impact of future projects will be assessed as part of the Council's project initiation and endorsement processes. The extent of economic impact will vary depending on the type and extent of project that may be delivered.

Consultation

Consultation and engagement for this project has been led by the Tatura Community Plan Steering Committee in partnership with Council officers. There has been extensive engagement with many stakeholders within the Tatura community. The Tatura Cricket Club, Tatura Soccer Club, Tatura Primary School, Tatura Racing Club, Tatura Italian Club, Local residents have all been involved in the process to develop this Master Plan. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

Community Life - Recreation and Open Space Objective 1.2

Environmental-best practice Land management Objective 3.1

b) Other strategic links

Strategic Objective 13 in the Greater Shepparton Council Plan and Strategic resource Plans 2009-2013 refers to the commitment towards effectively engaging with the community when making decisions.

Tatura Community Plan 2009/2010

Options for Consideration

1. Don't endorse the Master Plan - this would be inconsistent with community expectations at the Tatura Community Plan and is likely to meet with disappointment given the degree of community consultation involved in the process to date
2. Endorse the Master Plan in part - Council may reject elements of the Master Plan. Again this would be contrary to community expectations.
3. Adopt Master Plan in full - consistent with Tatura Community Plan and community expectations

Conclusion

Given the large amount of feedback that was received from the community during the development of the Tatura Community Plan in 2009/2010, ongoing community input will be crucial to develop a sustainable outcome for Lake Bartlett. The master plan captures the community's priorities and recommendations and lists projects that can be considered for the future.

Attachments

1. Lake Bartlett Master Plan

6. COMMUNITY DIRECTORATE

6.1 Endorsement of Sevens Creek Neighbourhood Community 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 Neighbourhoods

Proof reader(s): Director Community

Approved by: Director Community

Purpose

In late 2011, a small group of residents, conducted community consultation regarding key priorities for Sevens Creek Estate, Shepparton. Informed by this consultation a plan was developed highlighting the needs, wants and aspirations of the community. The Sevens Creek Neighbourhood Community Plan is now being presented to Council for endorsement.

Moved by Cr Patterson

Seconded by Cr Summer

That the Council:

1. Endorse the Sevens Creek Neighbourhood Community Plan.
2. Acknowledge and congratulate the contribution that the Sevens Creek Estate Community has made during the creation of the plan.

CARRIED.

Background

In late 2011, a small group of residents from Shepparton's Sevens Creek Estate came together to lead the development of the Sevens Creek Neighbourhood Community Plan. On Sunday 20 November 2011, this small group of residents facilitated a community planning day, which presented all residents of the Estate the opportunity to share their needs, wants and aspirations for their community. Approximately 100 residents attended, including children. The group were supported with sponsorship from Mawson's Constructions and Young's and Co Real Estate to offer a BBQ for attendees. The group engaged residents by doorknocking and brochure delivery. The session used a number of consultation techniques to ensure community ideas were recorded.

From this day, the residents compiled their own Community Plan, theming their priorities into the following key areas for action:

- Recreation Space
- Passive open Space
- Road Works
- Neighbourhood Safety
- Social Connections; and
- Other group suggestions.

6. COMMUNITY DIRECTORATE

6.1 Endorsement of Sevens Creek Neighbourhood Community Plan (continued)

These key action areas identify a range of diverse priorities to be undertaken, some requiring limited resources (funding or otherwise), larger funding resources, advocacy roles and community capacity building opportunities.

Council Plan/Key Strategic Activity

The endorsement of the Sevens Creek Neighbourhood Community Plan is linked to Council Plan 2009 – 2013, in particular the following objectives:

- Council Organisation and Management
- Develop and pursue strategies to improve community health and wellbeing.

Risk Management

The endorsement of the Sevens Creek Neighbourhood Community Plan will strengthen community planning and result in reduced risk for Council.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Community expectation that all initiatives will be funded by Council	C	4	Low	Ensuring that the community are aware of budget constraints and processes.
Community do not drive the implementation of the plan	C	4	Low	The community have been extensively consulted and the Steering Committee will drive its implementation.

Policy Considerations

The endorsement of the Sevens Creek Neighbourhood Community Plan creation will support existing Council policies.

Financial Implications

The endorsement of the Sevens Creek Neighbourhood Community Plan is set within the Council context of existing financial constraints. The community themselves developed the plan with their own resources, sponsorship from a local construction company and real estate and with no financial assistance from Council. Community planning priorities requiring funding will be assessed through the Community Plan Implementation Budget, State and Federal Funding and /or philanthropic trusts. It is anticipated that the Community will provide in kind support (materials, labour, financial) to the implementation of these priorities.

Legal/Statutory Implications

The Sevens Creek Neighbourhood Community Plan is consistent with the *Local Government Act 1989* and the *Victorian Charter of Human Rights and Responsibilities Act (2006)*.

Environmental/Sustainability Impacts

The endorsement of the Sevens Creek Neighbourhood Community Plan will not have any environmental impacts.

6. COMMUNITY DIRECTORATE

6.1 Endorsement of Sevens Creek Neighbourhood Community Plan (continued)

Social Implications

The Sevens Creek Neighbourhood Community Plan has been developed in consultation with the wider community ensuring that the plan is reflective of the needs and aspirations of the local community. With community members identifying and developing priorities for their town it demonstrates asset based community development and ensures an ongoing commitment to the implementation of the plan, driven by the people who live there.

Economic Impacts

The Sevens Creek Neighbourhood Community Plan includes initiatives such as promoting and developing the local economy through enhancing the facilities and passive open space to encourage more people to the estate.

Consultation

The Sevens Creek Neighbourhood Community Plan has been developed following extensive consultation with the Sevens Creek community.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keeping the community informed about the development of the community plan	Surveys Flyers
Consult	Discuss ideas for future priorities for the town	Neighbourhood planning day with a BBQ provided
Involve	Feedback is an important input into decision making	Neighbourhood planning day held with 100 local residents
Collaborate	Feedback will be incorporated into decisions to the maximum level possible We will implement what the community decides	Partnership between Council and Sevens Creek Neighbourhood Plan Steering Committee. Collaborate through meetings.
Empower	The Sevens Creek Estate community have ownership of this plan and will actively drive the priorities within it.	Sevens Creek Estate Community have developed this Plan independently of Council processes.

The draft plan was presented back to the community to ensure that ideas and priorities raised had been captured. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

Direction 2 – Community Life

b) Council Plan 2009 - 2015

Key Strategic Objective 6 – Council Organisation & Management

Number 31: Engage our community when making decisions.

Continue to develop small town and other community plans across the municipality and foster a shared vision for the future.

b) Other strategic links

Greater Shepparton City Council – Community Development Framework

Greater Shepparton City Council – Community Engagement Strategy

Greater Shepparton City Council – Community Plan Implementation Policy

6. COMMUNITY DIRECTORATE

6.1 Endorsement of Sevens Creek Neighbourhood Community Plan (continued)

Options for Consideration

Option 1: Do nothing

This option would not be preferable as it would not meet expectations of the Sevens Creek Estate community and cause significant community angst given the community has and will continue to drive the plan.

Option 2: Council adopt not endorse the Sevens Creek Neighbourhood Community Plan

By adopting (rather than endorsing) the Sevens Creek Neighbourhood Community Plan, Council would take full responsibility and implementation of the plan, therefore not building the community's capacity. The Sevens Creek Neighbourhood Community Plan has been solely lead by the Sevens Creek community. This option does not align with Council's current community planning processes.

Option 3: Endorse the Sevens Creek Neighbourhood Community Plan

Endorsing the Community Plan will ensure that the priorities and goals of the Sevens Creek community are captured within this strategic document and used to drive the implementation of initiatives.

Conclusion

This proposal has been brought forward by the self-formed Sevens Creek Neighbourhood Plan Steering Committee. The group with buy-in from the wider community have demonstrated the true philosophy of Asset Based Community Development (ABCD). The Sevens Creek Neighbourhood Plan Steering Committee showcase the power of community; building on the skills, expertise, passion and determination to make their dreams a reality. This truly demonstrates the capacity within their community.

Attachments

1. Sevens Creek Neighbourhood Community Plan

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining

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): Manager Neighbourhoods

Approved by: Director Community

Other: Technical Officer

Purpose

Council has recently undertaken community consultation to gather the community's opinion in regard to considering smoke free outdoor dining within the Greater Shepparton area.

During the second consultation period from December 2012 to January 2013 feedback was gathered from businesses, health professionals and the broader community through a variety of consultation methods to gain opinion on considering smoke free outdoor dining and any anticipated impact. The results of this survey have been collated into a report summarising the 277 responses received.

Moved by Cr Polan

Seconded by Cr Patterson

That the Council:

1. Circulate the results of the community survey to the wider community
2. Introduce a 12 month trial of smoke free outdoor dining areas within the Greater Shepparton Council Area (effecting businesses with current outdoor dining licence permits on Council land only).
3. Support the Municipal Association of Victoria (MAV) *Local Government Recommendations for a Victorian Outdoor Smoking Framework, September 2011* encouraging the State Government to consider a state-wide framework.

Cr Houlihan sought an extension of time for Cr Polan to speak to the motion.

GRANTED

Cr Houlihan vacated the chair to speak to the motion and Councillors appointed Cr Polan as Acting Mayor. Cr Polan assumed the Chair at 6.00 pm.

Cr Houlihan resumed the Chair at 6.03 pm.

The motion was put and carried.

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

Cr Polan called for a division.

**Those voting in favour of the motion: Cr Polan, Cr Houlihan and Cr Patterson.
Those voting against the motion: Cr Ryan and Cr Summer.**

Background

At a Council meeting on 17 April 2012 a report was tabled detailing extensive research and evidence of smoking related health risks and related diseases, including the impact on individuals of second hand smoke. Results of an earlier survey in March 2012 invited 42 businesses to participate who were currently licensed to offer outdoor dining on Council land. The survey requested details of renovations made to existing premises, whether the licence holder would support smoke free outdoor dining and what impact they believed may result. Unfortunately, only 9 businesses completed the survey, with 67% of respondents indicating that they would not support the introduction of a smoke free outdoor dining policy. Council requested that further community consultation should occur to gather the implications of establishing smoke free outdoor dining areas in Greater Shepparton before an informed decision is considered.

The Victorian *1Tobacco Act 1987* provides regulation for outdoor dining and drinking areas which have a roof and are more than 75% enclosed by walls. These enclosed workplaces where smoking is prohibited include restaurants, cafes, theatres, cinemas, pubs and registered clubs. Smoking is also prohibited in all covered areas of train platforms, tram stops and bus shelters under regulation 24A of the *Transport (Conduct) Regulations 2005*.

The Heart Foundation and Quit Victoria are keen to support Councils to denormalise smoking, reduce the environmental impact, make it less visible and reduce the impact of second-hand smoke. *2Quit Victoria* has released a Strategic Plan 2012-2015 with a vision of ending the pain, suffering and costs caused by Tobacco.

The key goals are to:

1. Reduce Victorian smoking rates in the shortest possible time to achieve adult daily smoking rate in Victoria of 12% by 2015.
2. Work towards reducing smoking prevalence and behaviours in high smoking rate groups to reduce tobacco related health, social and economic disparities.
3. Reduce exposure to tobacco smoking and smoking behaviours (denormalisation).

In October 2011 Councillors approved installation of smoke free signage to all playgrounds/play areas, commencing with the most prominent, nearly 30% are installed.

Municipal Association of Victoria (MAV) have released a *Local Government Recommendations for a Victorian Outdoor Smoking Framework, September 2011* to encourage the State Government to consider a Statewide framework, including a mix of laws, policies and programs. MAV is currently requesting feedback from all Councils in regard to the Victorian Government's proposal to introduce bans on smoking in a number of outdoor areas including: children's playgrounds, children's sporting events and sporting and recreational areas. Greater Shepparton City Council will participate in this consultation process closing 17 May 2013.

The Heart Foundation and Quit Victoria together with Asthma Foundation Victoria, Australian Medical Association (Victoria) and Cancer Council Victoria have launched an

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

online campaign ‘Keep Fresh Air Fresh’ on 17 April 2013 to urge the government to protect the health of Victorians, particularly children, from second-hand smoke.

Greater Shepparton City Council’s Smoke-free Workplace Policy adopted 7 April 2009 includes reference to smoking being prohibited in workplaces and vehicles and would benefit from a review to include Council events, car parks and building entrances. Over the months of December 2012/January 2013 community feedback was collated through survey, community information sessions and Voxpop consultation opportunities, with 277 respondents giving their opinion on the anticipated impact of introducing smoke free outdoor dining areas in Greater Shepparton. This consultation period gathered feedback from businesses, health professionals and the broader community.

Local Demographics

The Department of Health statistics indicate that 1/4 or 25.4% of Greater Shepparton’s population are smokers, which is considerably higher than the Victorian rate of 19.1% or 1/5 who smoke.

Survey Summary

With 277 survey respondents engaged in this survey a representation of 0.4 % of our total Greater Shepparton Area’s population have participated.

Interestingly 65% of respondents were non-smokers and 34% were smokers that have completed the survey, with smokers indicating a considerable concern for smoke free environments.

A higher amount of respondents have stated that they prefer nobody should smoke near them when they are eating or drinking in an outdoor dining area, regardless of being smokers or not (78.8%).

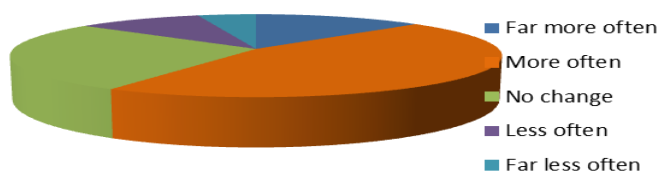
The majority of respondents (73.6%) indicated that they believe all outdoor dining areas should be smoke free.

Most respondents (67.6%) indicated that they felt smoke free outdoor dining areas would reduce smoking rates and tobacco related illness.

Nearly 60% of respondents (59%) indicated that they would attend far more often (13%), or more often (46%), if Council established smoke free outdoor dining areas.

More women (66.54%) have completed the survey than men.

As demonstrated below the majority of all respondents completed this question with 56.6% indicating that they believe people would attend outdoor dining areas more often or far more often if they were smoke free.



Refer Attachment One - Full details of the survey findings detailed in Evaluation Report

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

Learning from Baw Baw Shire

Baw Baw Shire were the first Victorian Council to establish a local law for smoke free outdoor dining during 2012. Greater Shepparton City Council have an opportunity to learn from Baw Baw's experience with community consultation, creating community change and evaluating the effectiveness and acceptance of such a policy and associated decision processes. *Baw Baw's population sits around 42,000 in comparison to Greater Shepparton's of 62,000.*

Baw Baw have taken gradual steps to trial their decision before the establishment of a local law to ensure effective control measures and management mechanisms were in place to support the community change desired.

Consultation Summary

The local Baw Baw community were encouraged to participate during the whole process, empowering them to create a more acceptable social environment in partnership. The following feedback opportunities were provided:

- A random sample of 500 community members were chosen and provided with a survey in hard copy, also offering online completion. There were 167 surveys received, with 65% indicating that their shopping experience is now more enjoyable.
- Baw Baw consulted with their local businesses, 66 premises, who offer outdoor dining facilities. (Before the trial 65% of the respondents supported the policy and after the twelve month trial period the evaluation report indicated that 71% of local businesses supported the change.)
- During the trial period 47 online comments were received.
- E-poll survey opportunities provided on the Council website collected 203 responses, with 72% indicating support for smoke free outdoor dining areas and 49% agreeing that the trialled policy had worked.
- A further eight submissions were received, seven from community members and one from Heart Foundation/Quit Victoria.

Twelve Month Trial

Baw Baw Shire conducted a twelve month trial of smoke free outdoor dining areas in their Municipality, including the supply of signage to business owners offering outdoor dining on Council owned land to display on tables and walls.

Advertising and Media

A considerable amount of time and money was spent on advertising and promotional costs to encourage the change, community acceptance and provide continuous feedback opportunities.

The trial attracted an enormous amount of media attention and advice has been given that media releases should be prepared before commencing the trial in advance.

Negative impacts were felt when some local businesses chose to advertise that their business continued to offer dining areas that permitted smoking, as their business operated on private property. Over time this had less impact.

Signage

Baw Baw Shire provided signage to all businesses for display during the trial process at a cost of approximately \$9,400 and feel they encouraged self-regulation of the policy.

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

Ashtrays

Businesses were also asked to remove all ashtrays as part of the trial period to ensure they didn't harbour or assist individuals to smoke.

Resources

Considerations of available resources indicated an impediment on current resources available in the Local Laws team, including the enforcement out of normal office hours of local businesses.

The responsibility of enforcing the local law remains with Council Officers: such as local law officers undertaking parking officer duties or Environmental Health Officers who regularly visit local businesses offering outdoor dining.

It was recognised that only a statewide ban may consider other authorised officer options, ie local police as authorised officers.

Further resources were required for the lengthy process in developing the local law: including engagement of a consultant with legal expertise to assist with the wording. Baw Baw Shire chose to manage the project internally, utilising the skills and expertise of their staff in their Governance Branch.

Evaluation – Measuring the success

Overall the evidence captured in Baw Baw's Evaluation Report indicated that businesses reported little or no impact on their business, with 73% of the community and 71% of the local businesses supporting the change.

Although this trial is not conclusive as each Council area has different demographic profiles to be considered: including income levels, education standards and rates of current smokers or businesses with regular clientele.

One particular business noticed a decrease in business initially but later suggested that it may have related to a typical quieter period or weather conditions. Later they experienced staff and customers feeling happier and more comfortable with the changed environment.

From open-ended questions the common themes were identified as follows:

Positive themes -

- Cleaner, fresher air, found it healthier
- Less cigarette butt litter
- A better shopping experience, better amenities, cleaner streets
- Positive impact on business.

Negative themes -

- Smokers ignoring the ban
- Lack of enforcement
- No location of smokers near smoke free areas
- Waste of Council money or resources.

Recommendations from Baw Baw have suggested Councils should consider a blanket ban and remain mindful not to enforce a trial in a particular area only (ie Mall) to avoid

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

what occurred in Frankston Council where the local businesses forced Council to revoke their decision to make only a shopping mall smoke free (September 2011).

Council Plan/Key Strategic Activity

To consider smoke free outdoor dining and the anticipated impact of such a change to the Greater Shepparton community meets the aspirations of many key strategic objectives of the current Council Plan, particularly those in the Community Life, Environment, Economic Development area and considers aspects of ways to revitalise the CBD as included under the Settlement and Housing theme.

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.

Risk Management

The risks associated with creating community change that impact on the behaviour of an individual or community can influence whole community lifestyle choices and have long term health benefits and reduce burden of disease and impact on health services.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Decrease local business	Unlikely	Major	Low	Other Councils have experienced a positive impact on local business with increased patronage in smoke free dining areas.
Postings on Social Media	Very Likely	Minor	Medium	Although Baw Baw Council noted that local businesses advertised outdoor dining areas with smoking permitted, over time evidence showed little or no impact was felt by the remaining local businesses impacted by the smoke free dining trial.
Lack of healthy dining areas	Likely	Minor	Medium	Families, frail, aged and those suffering with asthma and allergies enjoy smoke free dining areas that have no impact on their health.

Policy Considerations

There are no conflicts with existing policies, rather most are supporting such a health and wellbeing initiative.

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

Financial Implications

There are financial implications associated with this decision in relation to the level of support offered by Council to reflect their commitment to community health and wellbeing, particularly in relation to resources (staff) and signage.

	2012/2013 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue:	0	0	0	Funding options considered.
Expenses: Advertising and Media	0	2,000	2,000	Provide support to local businesses to create change.
Signage	0	10,000	10,000	Providing signage in partnership will demonstrate commitment to health and wellbeing initiative.
Weekend/out of hours inspection	0	2,000	2,000	** Random weekend inspections twice a year, involving two staff members, administration to co-ordinate and follow up of any complaints.
Net Result:	0	14,000	14,000	Encourage smooth transition for community change and third party influence.

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

** Environmental Health have confirmed that an inspection would not necessarily require two EHO's, one may be accompanied by another Council Officer providing the minimum of three hours work is paid for any inspection required over a weekend period. The rate of pay will vary depending on the base salary of the EHO.

Legal/Statutory Implications

This decision needs to consider compliance with the Freedom of Information Act, Tobacco Act, The Liquor Control Act, Information Privacy Act, with consideration also being given to Australian Standards, Charter of Human Rights, Worksafe Victoria's Workplace amenities and work environments including smoke free environments for employees.

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

Council is primarily concerned with obligations under section 24 of the Public Health and Wellbeing Act (2008):

...’ 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

There are identified environmental and sustainable impacts which may result from the introduction of a smoke free outdoor dining policy:

Cigarette Butts

8An increase in cigarette butts remains highly rated in the top ten rubbish items commonly found. They remain a major pollutant causing a significant nuisance to residents, businesses, the environment, waterways and wildlife. Cigarette bins negatively impact on the streetscape.

There is a concern that further smoking bans may increase the cigarette litter as smokers are forced away from public spaces that provide cigarette bins, particularly on footpaths.

A solution may include public education on disposal and the placement of extra cigarette bins.

Enforcement

Following discussions with the Manager Sustainability and Environment a concern of enforcement was raised if regular out of hours inspections and control was expected.

Other Councils have indicated that ad-hoc inspections were far more effective and achievable.

Exposure to second hand smoke

9Evidence suggests that there are links between exposure to second hand smoke and a range of serious life threatening health impacts including heart disease, lung cancer, asthma, irritation of the eyes/nose and other respiratory problems. This includes children at increased risk of sudden death infant syndrome (SIDS), acute respiratory infections and ear problems.

Social Implications

To consider this decision Council demonstrates a concern for social connection opportunities and the influence of individuals behaviour on the participation of others. Council has the ability to advocate for change to create healthy environments, improve lifestyle choices and de-normalise smoking.

Community health and wellbeing

Where local communities create environments to de-normalise smoking public spaces are more accessible for all individuals, whole families and those with existing health conditions, ie parks, open spaces, Malls, swimming pools, shopping centres.

Council have the ability to encourage smoke free areas when accessing community service facilities a healthier environment will reduce harmful exposure to second-hand smoke and decrease urban litter. (ie. Maternal and child Health Centres, kindergartens, schools, aged care facilities, hospitals, bus and taxi stops).

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

Anti-social Behaviour

¹⁰Smoking in today's society is considered an abnormality or an anathema making it difficult for smokers in public, often referred to as anti-social behaviour. Nowadays if you go to someone's house for dinner you will need to seek permission to light up after dinner, the hosts may allow it but with a facial expression showing that they would rather that you don't. Society does not respect or admire smokers.

Addiction

For some, excessive alcohol consumption and smoking is related. Nicotine which is present in cigarette smoke is a highly addictive substance and is very difficult to break away from. There are people who state that they became addicted after their first cigarette. Whereas someone can enjoy a single drink but not feel as if they must increase this in order to experience the same level of enjoyment.

There is ¹¹evidence to suggest that smoking bans support smokers who are trying to quit as well as reduce individual's overall cigarette consumption.

Education and increasing awareness

Changing signage and advertising mechanisms that act as cues to encourage smoking can help to reduce and de-normalise smoking, ie removal of ash trays, placement of outdoor butt out bins further from outdoor dining areas. Habits, although difficult to change can lead to more inclusive environments.

Evidence provided by ¹²Quit Victoria suggested that by removing the cues in bars, nightclubs and gaming venues smokers were more likely to reduce or quit smoking.

Economic Impacts

There are unmeasurable minor economic impacts that may result from this decision during the period of change:

Impact on Health Services

As reported by Quit Victoria and the Heart Foundation smoking remains a major cause of preventable death in Victoria and Council's introduction of smoke free areas can impact on the demand on local health services.

Signage

The cost of signage is considerable and could greatly support the trial or introduction of a local law influencing community acceptance if a decision to trial or implement is chosen. The introduction of a third party through signage can support local businesses to create change.

Business Impact

Improved workplace conditions and environments for staff could stimulate employment opportunities.

The risk of any change to local business may be harmful, evidence can guide businesses to diversify and create changing environments or attract new investment opportunities.

Consultation

Consultation has been undertaken with Council's Sustainable Development branch to develop this Report.

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

Discussions in regard to resources required and any impact that may be experienced on current staff highlighted the need to have clear guidance of control level and management of Council required or to allow self-regulation by community. Ad-hoc inspections may strengthen partnerships with local businesses and support community change.

Local Laws have assisted with a review of the current terms and conditions of existing outdoor dining permits, which will allow extra signage approved by Council and the display of signs to advise of smoke free areas.

Planning staff have provided detail in regard to signage displays which will need to comply with Council requirements, most likely being classified as an informative or directive sign. This could include painting footpaths to warn of smoke free area/zone. The use of a billboard to promote a possible launch of a policy affecting community is not encouraged on private land but may be possible on public land with the prior permission from Vic Roads or the use of Trans Ad. Quotations have not been sought for billboard considerations.

Discussions with representatives from other Councils have also been utilised to compile this summary. There were both positive and negative experiences shared by Frankston Council and Baw Baw Shire in particular.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep all residents informed	<ul style="list-style-type: none"> • Media release • External website • Social Media • Newspaper • Information Display • Public Information Session • Flyers and Posters
Consult	Capture whole community opinion	<ul style="list-style-type: none"> • Letter to local businesses affected by such a decision. • Vox pop survey in local businesses offering outdoor dining • On line survey
Involve	Provide feedback choices and opportunities	<ul style="list-style-type: none"> • Integrate Council considerations • Survey options • Feedback opportunities • Partnering stakeholders
Collaborate	Integrate Council approach to community change	<ul style="list-style-type: none"> • Use local knowledge and experiences to consider realistic approach • Evaluate feedback
Empower	Support local businesses to create change	<ul style="list-style-type: none"> • Consider provision of signage, support management and ad-hoc inspections

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

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

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 connectedness, improve liveability
- Environment
 - Conserving our significant natural environments and cultural and environmental assets
- Economic Development
 - Promote economic growth, business development, with sustainable tourist attractions, festivals and events to strengthen our local economy
- Infrastructure
 - Undertake beautification works for the main streets and entrances
- Council organisation and Management
 - Engage our community when making decisions and ensure our long term focus by working with community sectors.
- *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

Option 1- Status Quo

Do nothing and wait for the establishment of a statewide ban due to the sensitive nature of the issue and considering smoking is not illegal.

Sharing the results of the community survey would benefit any future work in this area.

Option 2 – Conduct a Trial

Introduce a 12 month trial period of smoke free outdoor dining areas within the Greater Shepparton Council Area (effecting businesses with current outdoor dining licence permits on Council land only) to evaluate the effectiveness and/or impact to the community.

Initial meetings with Sustainable Development have indicated that a trial would impede on current resources available in the Local Laws team, including the consideration of enforcement out of normal office hours in up to 47 business locations.

Additional signage costing approximately \$10,000 may need to be provided due to the feedback of local businesses experiencing quieter economic times and hardship. This may also create a consistent approach and a third party responsibility for businesses to encourage the changed environment for regular clientele.

Option 3 – Establish a Local Law

Proceed to establish a local law which involves a long term approach, far more consultation and possibly a trial period.

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

Consideration of how local laws may cause confusion for visitors and residents from neighbouring Councils also needs to be considered and possibly a large marketing/promotion campaign simultaneously introduced.

A local law may need to be enforced by Council's authorised officers: such as local law officers undertaking parking officer duties or Environmental Health Officers regularly visiting the businesses.

Further resources may be required for the lengthy process in developing or amending a local law: possibly a consultant or legal expert. Other Councils have completed this task in house, utilising the skills and expertise of their Governance branch.

Option 4 – Support a Statewide Ban

Council may choose to advocate for the introduction of a Statewide ban.

There is evidence of support demonstrated through a wide range of media issues relating to smoke free areas occurring. A Statewide ban would also need to be enforced by Council's local law's officers, but could include local police as authorised officers to enforce such changes.

A statewide ban would provide a consistent and equitable approach with a far greater impact on community health. This would impact not only on the 47 businesses with licensed outdoor dining permits in Greater Shepparton: but on all other pubs, clubs, cafes and restaurants with outdoor dining areas, including those located on private land.

Option 5 – Empower local business to introduce smoke free outdoor dining areas

Encourage local businesses to consider establishing their own smoke free outdoor dining areas.

By providing signage to display on tables and doors to local businesses that offer outdoor dining, businesses may introduce smoke free areas on their own.

Council may also consider painting footpaths to recognise the changed environment.

Conclusion

When contemplating decisions that impact on community life and individual's choices all aspects of the environment need to be considered. It is important for Council to consider the economic, health and community impact of new policy and feedback provided by their whole community during the consultation periods.

Community have prompted the following considerations for discussion:

- Are smokers expected to go around bollards and barriers to find an open space to smoke?
- Can community really influence people's right to choose to smoke or not and is this similar to making choices to consume alcohol or gamble?
- Are there greater challenges for our community to focus on that can result with far greater change, inclusion and better community health and wellbeing outcomes?
- Is it fair to challenge people's lifestyle behaviours, considering smoking is not illegal?
- With statistics indicating that the majority of the population are non-smokers can a decision be made to introduce smoke free outdoor dining areas?

6. COMMUNITY DIRECTORATE

6.2 Considering Smoke Free Outdoor Dining (continued)

Council can learn from other Councils, particularly Baw Baw, who have taken the step to trial their decision before the establishment of a local law to allow effective control and management to result in their community and for their community to get involved with the whole process. Baw Baw Shire provided signage to all businesses for display during the trial process, asked businesses to remove all ashtrays to ensure they didn't harbour or assist individuals to smoke and encouraged self-regulation of the policy.

Council can focus on the evidence obtained from community feedback indicating significant support from both smokers and non-smokers to establish smoke free outdoor dining areas to make a suitable decision for our local community.

References

1. Tobacco Act 1987 (Vic), Section 3-5
2. Quit Victoria Strategic Plan 2012-2015
3. Online smoke free campaign <http://www.freshairfresh.com.au>
4. Vox pop originated from the Latin word vox populi meaning 'the voice of the people' and encourages personally approaching people.
5. Department of Health, November 2012
6. Based on Estimated Resident Population of 61,747, ABS 2011
7. http://www.bawbawshire.vic.gov.au/Living_in_Baw_Baw/Smoke_Free_Baw_Baw
8. Clean Up Australia Day: *Rubbish Report 2009*
9. Smoke-Free Outdoor Areas – A resource kit for Local Governments; pg 1
10. http://www.quityoursmokingaddiction.com/smoking_has_become_antisocial.php
11. http://www.frankston.vic.gov.au/library/scripts/objectifyMedia.aspx?file=pdf/318/74.pdf&siteID=18&str_title=Smoke%20Free%20Area%20-%20Fact%20Sheet.pdf
12. Quit Victoria conducted a research and evaluation study in 2000-2001 '*Socially cued smoking in bars, nightclubs and gaming venues: a case for introducing smoke free policies*'.

Attachments

1. Considering Smoke Free Outdoor Dining Areas for Greater Shepparton - Evaluation Report February 2013

7. BUSINESS DIRECTORATE

7.1 April 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.

Moved by Cr Patterson

Seconded by Cr Polan

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

Operating Result

The April 2013 Financial Report provides a summary of the actual financial performance compared to budget for the first ten months of the 2012/2013 financial year. The actual

7. BUSINESS DIRECTORATE

7.1 April 2013 Monthly Financial Report (continued)

year to date operating surplus of \$13.39 million is \$388,000 or 3 per cent less than the year to date budget.

Actual revenue is currently less than budget by \$3.42 million or 3.6 per cent. The main reason for this variance is that year to date capital grants and contributions revenue is \$2.61 million less than budget which relates to a Building Better Regional Cities grant which will be received in May following the finalisation of the funding agreements with the Federal Government.

Expenditure is currently less than budget by \$3.03 million or 3.8 per cent, which is mainly due to materials and consumables expenditure being \$2.77 million less than budget. Significant underspends to date include:

- Plant, Fleet and Leased Vehicles \$357 thousand
- Arboriculture Services \$287,000 with large amounts of expenditure now forecast for May
- Community Plan Implementation \$205,000 forecast to be completed before 30 June
- Community Connection \$139,000, with payments to be made to Moira, Strathbogie and Community Accessibility
- Provincial Leaders Program \$125,000, forecast to be completed before 30 June

The forecast operating surplus for end of year is \$6.94 million, which is \$104,000 less when compared with the March Quarter Budget Review.

Capital

Year to date capital expenditure is tracking \$3.50 million or 18 per cent less than budget, with works to the value of \$16.18 million having been completed to 30 April 2013. The forecast capital expenditure has been revised down by \$398,000 or 2 per cent to \$24.7 million.

Investments

Investments are tracking as expected, with a total of \$31.4 million invested. The average interest rate has decreased to 4.12 per cent.

Rate Debtors

Rate Debtors are tracking at similar levels to the 2011/12 year at the end of this reporting period with final instalments due in May which is expected to collect the majority of outstanding amounts.

Sundry Debtors

Sundry Debtors are tracking slightly higher when compared for the same period in 2011/2012 due to a large number of current (less than 30 days) invoices outstanding. Sundry Debtors are within acceptable limits and are being actively managed.

Further details and explanations are contained in the financial report.

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

- Overview
- Income Statement
- Balance Sheet
- Cash Flow Statement

7. BUSINESS DIRECTORATE

7.1 April 2013 Monthly Financial Report (continued)

- 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.

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.

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 30 April 2013.

7. BUSINESS DIRECTORATE

7.1 April 2013 Monthly Financial Report (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan

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

c) Other strategic links

No other strategic links have been identified.

Attachments

1. April 2013 Financial Report

7. BUSINESS DIRECTORATE

7.2 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 26 March to 24 April 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 Ryan

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
Nil				

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
1405	Realignment of GM Water Drain 03	Lump sum contract for the Realignment of Drain at Community Football Complex, Shepparton Sports Precinct	\$143,334	Pearse Earthmoving

7. BUSINESS DIRECTORATE
7.2 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
1407	Reconstruction of Stormwater Drainage - Mason Court Shepparton East	Excavation, supply, laying of 220 metres stormwater pipe, culverts, reinstatement of driveways etc.	Tender closed 6 April 2013. Tender will be awarded in May 2013.
1408	Supply and Delivery of Water Cart	Tender being advertised by Procurement Australia on behalf of Council	Tenders presently under evaluation. Contract will be awarded in May 2013.
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	Tender closed 24 April 2013. Contract will be awarded in May 2013.
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	Tender closed 24 April 2013. Contract will be awarded in May 2013.
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	Tender closed 24 April 2013. Contract will be awarded in May 2013.
1412	Essential Services - Mechanical Services	Audit information contained in Council's Asset Management System, record inspection results, testing	Tender closes 8 May 2013. Contract will be awarded in May 2013.
1413	Essential Services - Automatic Fire Detection and Alarm Systems	Audit information contained in Council's Asset Management System, record inspection results, testing	Tender closed 24 April 2013. Contract will be awarded in May 2013.
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.	Tender closes on 15 May 2013. Contract to be awarded in May 2013.

7. BUSINESS DIRECTORATE

7.2 Contracts Awarded Under Delegated Authority (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1430	Management of Victoria Park Lake Caravan Park	Lump sum contract for the management of the Victoria Park Lake Caravan Park	Tender closes on 15 May 2013. Contract to be awarded in May 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.

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 26 March to 24 April 2013.

Attachments

Nil

7. BUSINESS DIRECTORATE

7.3 2013-2014 Schedule of Fees and Charges

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 the proposed 2013-2014 Schedule of Fees and Charges for adoption.

Moved by Cr Patterson

Seconded by Cr Ryan

That the Council adopt the 2013-2014 Schedule of Fees and Charges, effective from 1 July 2013 unless otherwise stated.

CARRIED.

Background

The setting of fees and charges for goods and services is required to recover some of the costs of providing Council services when full cost recovery is not considered appropriate.

An integral part of the budget process is the annual review of Council's fees and charges. Annually departmental managers review fees and charges giving consideration to the level of fee charged and ensuring it reflects any changes to costs associated with or the level of the service provision and/or legislation. The Schedule of Fees and Charges is then considered by the Executive before being presented to the Council. Following adoption by the Council, fees and charges collected are monitored throughout the year. Fees and charges include both discretionary and non-discretionary fees. Discretionary fees and charges are those set by Council, while non-discretionary fees and charges are those prescribed by the State Government. Non-discretionary fees and charges include items such as town planning, local laws and animal management.

The Schedule of Fees and Charges are proposed to take effect from 1 July 2013 unless otherwise stated. Fees associated with the Saleyards and Animal Registrations will take effect in January 2014 and April 2014 respectively.

Council Plan/Key Strategic Activity

This proposal is consistent with the strategic objective Council Organisation and Management which seeks to deliver best practice management, governance, administrative and financial systems that support the delivery of Council programs to the community of Greater Shepparton.

7. BUSINESS DIRECTORATE

7.3 2013-2014 Schedule of Fees and Charges (continued)

Risk Management

The annual review of fees and charges enables an assessment of the revenue and expenditure associated with the delivery of services and in turn compliance with National Competition Policy.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Breaching National Competition Policy by obtaining a competitive advantage over private enterprise	E	Moderate	Low	Review of user fees and charges for significant business activities
Insufficient revenue collected to maintain existing service levels	C	Moderate	Moderate	Annual review of user fees and charges required to sustain services
Loss of revenue due to Schedule of Fees and Charges not being adopted by 1 July 2013.	C	Moderate	Moderate	Schedule of Fees and Charges presented for consideration by Council at its May meeting.

Policy Considerations

There are no identified conflicts with Council Policies.

Financial Implications

The proposed fees and charges form the basis of revenue estimates for user charges, fees and fines in the 2013-2014 Budget. Council's forecast total user charges, fees and fines revenue for the 2012-2013 financial year is equal to \$18.7 million which represents 18% of total revenue. Significant amounts of forecast user charges being collected include:

	'000	%
Waste Management	\$5,093	27%
Aquamoves	\$2,712	14%
Children's Services	\$1,809	10%
Parking Fees	\$1,290	7%
Saleyards	\$1,256	7%
Parking Fines	\$629	3%
Animal Registrations	\$519	3%
Other	\$5,408	29%
Total	\$18,716	100%

As included in the Council's Strategic Resource Plan, user fees and charges collected are projected to increase by 3.5% annually, which includes inflation of 2.5% and growth of 1%.

Changes as detailed in the 2013-2014 Schedule of Fees and Charges include:

Waste Management Cosgrove industrial/commercial waste charge proposed to increase by 13% to \$147 per tonne. The proposed 13% increase comprises 7% due to EPA construction and audit requirements, 2% due to EPA levy increase plus 3.5% on remaining amount. The EPA levy, which is paid to the State Government, is now \$46.60 or 32% of total \$147 charge.

7. BUSINESS DIRECTORATE

7.3 2013-2014 Schedule of Fees and Charges (continued)

Aquamoves 4% increase proposed

Children's Services Subsidised kindergarten term fees increase of 24% reflective of increase in hours from 10 or 11 hours to 15 hours (36% to 50% increase) as part of implementation of the Universal Access by Early Childhood Education.
Long day care and occasional care increase of 10% required to cover regulatory changes in ratios and increased education requirements.

Parking Fees No increase proposed to \$1.30 rate

Saleyards 5% increase proposed

Animal Registrations No increase proposed

Statutory fees are projected to increase by 2% per annum. The penalty unit rate as set by the State Government increased by 2.5% during the 2012-2013 financial year.

It is estimated that the proposed increase in fees and charges included in the 2013-2014 Schedule of Fees and Charges will increase total user charges, fees and fines revenue collected by 4 per cent compared to the 2012-2013 financial year.

Legal/Statutory Implications

Statutory implications are reflected in non-discretionary fees and charges.

With respect to discretionary fees and charges Council is required to comply with National Competition Policy. The principal objective of National Competition Policy is to promote competition within the economy where it is considered to be in the public benefit. Council is required to apply competitive neutrality principles to its significant business activities where the benefits to the community would outweigh the costs. Competitive neutrality aims to promote the efficient use of resources in public sector business activities by removing any net competitive advantage that businesses activities of the Council may have solely as a result of public ownership, unless it is not in the public interest to do so.

Environmental/Sustainability Impacts

Environmental impacts have been considered when setting fees, including user charges associated with waste management.

Social Implications

The review of fees and charges requires a considered approach to obtain a balance between the cost of delivering services and users' willingness to pay.

Economic Impacts

The potential economic impact of changes to user fees and charges have been considered.

Consultation

External consultation has not occurred regarding the content of this report. Consultation has occurred with Council officers and the matter is now ready for Council consideration.

7. BUSINESS DIRECTORATE

7.3 2013-2014 Schedule of Fees and Charges (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	<ul style="list-style-type: none"> - Where practical, write in advance to individual users of services. - Display new user fees at services. - Display Schedule of Fees and Charges on Council's Website.

Strategic Links

a) Greater Shepparton 2030 Strategy

Nil

b) Other strategic links

The report is consistent with the governance principle of Strategic Objective six of the Council Plan 2009-2013 Council Organisation and Management, which seeks to deliver best practice management, governance, administrative and financial systems that support the delivery of Council programs to the community of Greater Shepparton.

Analysis of Council's fees and charges are also included in Council's Draft Strategic Resource Plan 2013/14-2022/23 which has been released for public comment.

Options for Consideration

1. That the Council adopt the 2013-2014 Schedule of Fees and Charges, with or without amendment, effective 1 July 2013 unless otherwise stated. **Recommended.**

Adoption will enable advance notice to citizens who access Council services of changes and allow collection of revenue in accordance with the 2013-2014 Schedule of Fees and Charges from 1 July 2013.

2. That the Council consider adoption of the proposed 2013-2014 Schedule of Fees and Charges after public comment has been sought. **Not recommended.**

It is not proposed to seek public comment on the proposed 2013-2014 Schedule of Fees and Charges due to the limited time between now and 1 July 2013. If public comment was sought the Council would not consider adoption of the proposed 2013-2014 Schedule of Fees and Charges until after 1 July 2013 which would reduce the amount of revenue collected during the 2013-2014 financial year.

3. That the Council not adopt the proposed 2013-2014 Schedule of Fees and Charges. **Not recommended.**

If the proposed changes to the Council's fees and charges were not adopted there may be insufficient revenue collected to maintain existing levels of service provided.

Conclusion

The proposed 2013-2014 Schedule of Fees and Charges is presented for adoption by Council, with or without amendment, to take effect from 1 July 2013 unless otherwise stated.

Attachments

1. 2013-2014 Schedule of Fees and Charges

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.1 Greater Shepparton Heritage Advisory Committee - Annual Report 2012-2013

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 Team Leader Strategic Planning

Proof reader(s): Manager Planning

Approved by: Director Sustainable Development

Purpose

The Council authorised the formation of the Greater Shepparton Heritage Advisory Committee (the Committee) on 17 January 2012. In early 2013, the Committee began preparing an inaugural annual report to inform the Council of its activities.

The Committee has adopted the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013* on 08 April 2013 and resolved to present it to the Council for consideration.

Moved by Cr Summer
Seconded by Cr Patterson

That the Council receives and notes the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013* for the year ended 16 January 2013.

CARRIED.

Background

During the process of preparing the *Greater Shepparton Heritage Study Stage IIB*, a need was identified for the establishment of a Heritage Advisory Committee. Although the purpose of the study was to document places of post-contact cultural heritage significance to the City of Greater Shepparton and to make recommendations for their future conservation, the study envisaged an Advisory Committee as having a wide-ranging impact on cultural heritage awareness, conservation and promotion within the municipality.

In 2011, the Strategic Planning Team began implementing the recommendations of the *Greater Shepparton Heritage Study Stage IIB*. The team invited a number of member representatives from organisations active in the conservation, interpretation and promotion of cultural heritage significance in the City of Greater Shepparton to meet and discuss how a Heritage Advisory Committee could be formed. This group of representatives first met in August 2011 and began to prepare Draft Terms of Reference

The Council authorised the formation of the Committee on 17 January 2012, in accordance with the proposed Terms of Reference. The primary purpose of the Committee is to provide the best possible advice to the Council on how to conserve and promote the unique cultural heritage of Greater Shepparton, and to act as an advocate for all cultural heritage matters within the Municipality.

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.1 Greater Shepparton Heritage Advisory Committee - Annual Report 2012-2013 (continued)

The Committee's membership consists of up to two councillors, up to two members of the Council's Strategic Planning Team, the Council's Heritage Advisor, one voting member from each of the ten identified member organisations and three community representatives unaffiliated with any of these organisations.

In January 2012, in accordance with the Terms of Reference, the Council invited ten cultural, historical and community groups to nominate representatives to the Committee. In addition, the Council called for written expressions of interest from members of the community to fill the three community representative positions. The Council subsequently resolved to adopt the three nominations recommended by the Committee at its Ordinary Council Meeting held on 20 March 2012.

The Annual Report outlines the commencement of the Heritage Advisory Committee in 2011, tracks the formal adoption by Council of the Committee's Terms of Reference, Committee membership, activities and achievements, advocacy and advice, and highlights the implementation of the inaugural Greater Shepparton Cultural Heritage Awards 2013.

Council Plan/Key Strategic Activity

The formation of the Heritage Advisory Committee is consistent with the following objectives outlined in the *Greater Shepparton Council Plan and Strategic Resource Plan 2009-2013*:

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

Risk Management

There are minimal risks associated with the consideration of the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013*.

Policy Considerations

The preparation or consideration of the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013* does not conflict with existing Council policies.

Financial Implications

There are no costs associated with the consideration of the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013*.

	2012/2013 Approved Budget for this proposal \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	Nil
Expense	5,000	0	0	Nil
Net Result	0	0	0	Nil

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

The approved budget for the Heritage Advisory Committee is \$5,000 in the 2012-2013 financial year. The Committee previously resolved in February 2012 to allocate the entire

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.1 Greater Shepparton Heritage Advisory Committee - Annual Report 2012-2013 (continued)

budget allocation to the hosting of the Cultural Heritage Awards 2013 ceremony on 20 April 2013.

Legal/Statutory Implications

The Heritage Advisory Committee is not a Section 86 Committee under the *Local Government Act 1989*.

There are no legal or statutory implications associated with the consideration of the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013*.

The preparation of the annual report accords with the *Victorian Charter of Human Rights and Responsibilities Act, 2006* and *Local Government Act, 1989*. No human rights were negatively impacted upon through the preparation of the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013*. It is not foreseen that the consideration of the annual report will not impact upon the rights of all individuals and groups with regard to Freedom of Expression, Right to be Heard, Entitlement to Participate in Public Life and Property Rights.

Environmental/Sustainability Impacts

There are no environmental or sustainability impacts associated with the consideration of the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013*.

Social Implications

There are no direct social impacts associated with the consideration of the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013*. The Committee is seen as a critical way of raising awareness and promoting community participation of cultural heritage issues within the Municipality.

Economic Impacts

There are no economic impacts associated with the consideration of the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013*.

Consultation

Officers believe that appropriate consultation has occurred during both the formation of the Greater Shepparton Heritage Advisory Committee and the key activities it has been involved in over the course of the year following its formation by the Council.

Strategic Links

a) Greater Shepparton 2030 Strategy

The functioning of the Committee is consistent with the objectives, strategies and actions outlined in the Environment Section of the *Greater Shepparton 2030 Strategy*.

b) Other strategic links

The functioning of the Committee will also help to develop and implement the initiatives outlined in the *Greater Shepparton Heritage Study Stage IIB 2010*.

Options for Consideration

Option One: To receive and note the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013*.

Option Two: Not to receive or consider the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013*.

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.1 Greater Shepparton Heritage Advisory Committee - Annual Report 2012-2013 (continued)

Conclusion

It is recommended that the Council receive and note the *Greater Shepparton Heritage Advisory Committee Annual Report 2012-2013*.

The Committee is a critical way of raising awareness of cultural heritage issues, as well as promoting community participation in cultural heritage issues within the Municipality.

By continuing to support the Greater Shepparton Heritage Advisory Committee, the Council is continuing to embrace a cost-effective opportunity of raising awareness and promoting community participation of cultural heritage issues within the Municipality.

Attachments

1. Greater Shepparton Heritage Advisory Committee - Annual Report 2012-2013

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.2 Regional Growth 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 Planning

Proof reader(s): Manager Planning and Director Sustainable Development

Approved by: Director Sustainable Development

Purpose

The draft Hume Regional Growth Plan (RGP) is one of eight regional growth plans being developed across Victoria. Together with the Metropolitan Planning Strategy (MPS), the plans will form the basis of the State Government's *Vision for Victoria*.

The Hume RGP project is being overseen by the Hume RGP Project Steering Committee (PSC), a partnership between the 12 Councils in the Hume Region, the Department of Planning and Community Development (DPCD) and other State Departments and Agencies.

Once all 12 Councils in the region have been briefed the community consultation process will commence with the official public release of the draft Hume RGP and draft Background paper on 3 June 2013. The community consultation process will take place over a period of six weeks from 3 June to 12 July 2013. During this period of time the draft Hume RGP and Background Paper will be released for community feedback.

The Minister for Planning has instructed DPCD that all regional growth plans must be completed and submitted to him by October 2013. In order to achieve this, the draft Plan will be released by DPCD for comment on 3 June 2013.

Councils are not being asked to endorse the draft Plan, but to acknowledge the preparation of the draft plan and note the consultation process prior to the finalisation of the plan. Councils will be asked to consider endorsing the final Plan which will be informed by feedback received during the public consultation process. Councils have an opportunity to provide further feedback during this consultation process. In this regard, there are a number of items and issues within the plan that could be strengthened, particularly regarding social infrastructure which is required to meet growth projections. During the consultation period, Council officers will prepare a submission to DPCD outlining these concerns for consideration by the Council at the June or July Council meeting.

**Moved by Cr Summer
Seconded by Cr Ryan**

That the Council:

1. acknowledges the preparation of a draft Hume Regional Growth Plan by the Department of Planning of Community Development

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.2 Regional Growth Plan (continued)

- notes the process that allows for public consultation prior to the final document being submitted to Council for consideration.

CARRIED.

Background

The draft Hume Regional Growth Plan (RGP) is one of eight regional growth plans being developed across Victoria. Together with the Metropolitan Planning Strategy (MPS), the plans will form the basis of the State Government's *Vision for Victoria*.

The Hume RGP project is being overseen by the Hume RGP Project Steering Committee (PSC), a partnership between the 12 Councils in the Hume Region, the Department of Planning and Community Development (DPCD) and other State Departments and Agencies. All 12 Councils in the Hume Region are represented on the PSC. A project management team led by DPCD ensures the project is delivered to agreed timelines.

The draft Hume RGP responds to directions established in the regional strategic plan for the Hume Region (the *Hume Strategy for Sustainable Communities 2010 – 2020*) which represents regional aspirations and sets an agenda for regional development and long term strategic planning. The draft Hume RGP provides an opportunity to refine and implement the directions of the *Hume Strategy for Sustainable Communities*.

The process of developing the draft Hume RGP was commenced in 2011 and included extensive stakeholder consultation and targeted community consultation. The draft Hume RGP and accompanying draft Background Paper is now considered to be ready for community consultation by the PSC.

Council was briefed on the content of the draft Hume RGP on the 23rd April 2013.

The Hume RGP project timeline diagram below identifies the project phases, timing and engagement activities.



8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.2 Regional Growth Plan (continued)

The next key milestone in the project is to release a draft Hume RGP for broad community consultation. Deliverables to date include (refer to timeline diagram):

- Finalisation of governance structures
- Endorsement of Project Plan and Engagement Strategy;
- Development of Issues Paper;
- Engagement with stakeholders on the development of vision, principles and future options –including stakeholder workshops;
- Making the vision and principles and summary of issues publically available on DPCD's website; and,
- Completing initial targeted community consultation on the vision, principles and strategic directions.
- Developing a number of working draft RGPs (and accompanying draft Background Paper) through an iterative process in close consultation with stakeholders.

The key themes considered in the draft Hume RGP include:

- Supporting the development of a more diverse regional economy while managing and enhancing key regional economic assets
- Protecting environmental and heritage assets and maximising the regional benefit from them, whilst managing exposure to natural hazards and planning for the potential impacts of climate change
- Focusing growth and development to maximise the strengths of existing settlements
- Supporting the improvement of people and freight movement and planning strategically for future infrastructure needs.

The draft Hume RGP and accompanying draft Background Paper are now considered to be ready for community consultation by the PSC.

The draft Hume RGP responds to directions established in the regional strategic plan for the Hume Region (the *Hume Strategy for Sustainable Communities 2010 – 2020*) which represents regional aspirations and sets an agenda for regional development and long term strategic planning. The draft Hume RGP provides an opportunity to refine and implement the directions of the *Hume Strategy for Sustainable Communities* and the development of the Hume RGP is considered to be part of the implementation of the *Hume Strategy for Sustainable Communities*

Regional growth plans are intended to translate and integrate emerging state-wide regional land use planning policy. The Hume RGP aims to:

- establish a framework for strategic land use and settlement planning that can sustainably accommodate growth
- identify important economic, environmental, social and cultural resources to be preserved, maintained or developed
- provide direction for accommodating growth and change including: residential, employment, industrial, commercial, agriculture and other rural activities
- show which areas of land can accommodate growth and which are to be maintained for limited growth
- identify opportunities for supporting regional level infrastructure, providing an essential contribution to the long-term sustainability of the region.

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.2 Regional Growth Plan (continued)

Regional growth plans are also intended to help Councils by streamlining planning policy and potentially reducing the strategic workload of Councils and contribute to broader regional goals. RGPs will provide a regional strategic land use framework for growth and change. RGPs are strategic direction setting documents which identify long term land uses and growth objectives. RGPs will help provide solutions to common issues across each region but will not reduce attention to local issues or replace local planning.

The draft Hume RGP comprises the following five main parts:

- *Part A: Introduction*
- Provides an overview of the context of the Plan and how it is being prepared.
- *Part B: Regional overview*
- Provides a snapshot of the region, a vision for the region and land use principles to achieve the vision.
- *Part C: Towards the regional growth plan*
- Draft regional land use framework, which outlines land use directions in relation to the economy, environment and heritage, urban and rural settlement and infrastructure.
- *Part D: Draft regional growth plan*
- Provides an integrated strategic plan for growth and change, bringing together the key directions outlined in Part C.
- *Part E: Delivering regional growth*
- Identifies actions and outlines how the Plan will be implemented.

The format of the draft Hume RGP is consistent with all other region's RGPs across Victoria. However, the content and strategies for the Hume RGP are tailored to the issues and circumstances of this region. The draft Hume RGP is supported by a draft Background Paper which underpins the draft Plan.

Council Plan/Key Strategic Activity

The Hume RGP supports many objectives of the Council Plan 2009-2013 such as a commitment to growth within a consolidated and sustainable development framework and that Greater Shepparton will provide urban and rural infrastructure to enhance performance of the municipality and facilitate growth. The Hume RGP recognises and reflects the significant strategic growth management work that has been undertaken by the Council to date, which were outcomes and actions stemming from the plan.

Risk Management

The Hume RGP project is being overseen by the Hume RGP Project Steering Committee (PSC), a partnership between the 12 Councils in the Hume Region, the Department of Planning and Community Development (DPCD) and other State Departments and Agencies. The DPCD are responsible for the completion of the RGP by October 2013 and the community consultation process (with assistance of the Councils). There are few risks associated with this process at this stage.

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.2 Regional Growth Plan (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Not acknowledging the preparation of the RGP	Unlikely	Moderate	Moderate	DPCD are only requesting that Councils acknowledge the preparation of the RGP at this stage and that the RGP will be released by the DPCD

Policy Considerations

The RGP does not conflict with any existing Council policy, but supports the Council's general commitment to managing growth and lobbying for investment in important regional infrastructure to support growth such as improved passenger rail services to Melbourne, and the upgrade of the Shepparton Court facilities and Goulburn Valley Health redevelopment.

Financial Implications

There are no financial implications for the Council at this stage. The RGP will in the future serve as a platform and strategic justification for grant applications to help fund necessary infrastructure to support growth.

Legal/Statutory Implications

The RGP will be incorporated into the Planning Scheme.

Environmental/Sustainability Impacts

The Hume RGP aims to establish a framework for strategic land use and settlement planning that can sustainably accommodate growth and identify important economic, environmental, social and cultural resources to be preserved, maintained or developed. The RGP also aims to protect environmental and heritage assets and maximise the regional benefit of them, whilst managing exposure to natural hazards and planning for the potential impacts of climate change

Social Implications

Greater Shepparton has the capacity to accommodate more businesses and more residents who can enjoy an outstanding lifestyle in strong and vibrant communities. Higher population levels in Greater Shepparton will make a positive economic and social contribution to the state of Victoria and help address population pressures in Melbourne. However significant investment in enabling infrastructure and resources to support growth is required, such as additional childcare, hospital services and other important social infrastructure.

Economic Impacts

The RGP provides direction for accommodating growth and change including employment, industrial, commercial, agriculture and other rural activities. The RGP also shows which areas of land can accommodate growth and which are to be maintained for limited growth, identify opportunities for supporting regional level infrastructure, providing an essential contribution to the long-term sustainability and economy of the region.

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.2 Regional Growth Plan (continued)

Consultation

Once all 12 Councils in the region have been briefed, the community consultation process will commence with the official public release of the draft Hume RGP and draft Background paper on 3 June 2013. The community consultation process will take place over a period of six weeks from 3 June to 12 July 2013. During this period of time the draft Hume RGP and Background Paper will be released for community feedback. In addition, the project website (www.dpcd.vic.gov.au/planning/plansandpolicies/ruralandregionalplanning/regionalgrowthplans/hume-regional-growth-plan) will feature all project documents. Public notices and press releases will be made available by DPCD, including notices in local newspapers. Displays providing information about the draft Hume RGP will also be available at council offices.

The community will have an opportunity to view and discuss the draft Hume RGP with project partners at a number of 'open houses' located across the region during the community consultation period.

The community consultation period provides an opportunity for anyone (including Councils) to consider and comment on the draft Hume RGP and to have their views considered prior to the plan's finalisation. Following close of the consultation period, submissions will be assessed and a revised draft Hume RGP will be prepared. Councils will then be asked to consider the final Hume RGP for adoption. It is anticipated the final draft Hume RGP will be presented to Councils for consideration in September 2013. All RGPs have to be submitted to the Minister for Planning by October 2013 for consideration as part of the 'Vision for Victoria'.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	A strategic framework was developed for the Hume Regional Growth Plan. This framework set out the strategic directions for future land use and included a vision and a set of principles	Newspaper advertisements and website
Consult	Extensive stakeholder consultation and targeted community consultation in the preparation of the plan	Workshops held in various locations

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The RGP supports the directions within Greater Shepparton 2030 which was to develop a blueprint to manage expected growth.

b) Other strategic links

The Hume RGP supports a number of the Council's strategies, including the CBD Strategy, structure plans for growth areas currently being developed for the north east and south east Shepparton areas, Sports 2050 strategy.

Options for Consideration

Not acknowledge the preparation of the RGP.

Acknowledge preparation of the RGP (preferred)

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.2 Regional Growth Plan (continued)

Conclusion

Regional growth plans are intended to translate and integrate emerging state-wide regional land use planning policy.

The key themes considered in the draft Hume RGP include:

- Supporting the development of a more diverse regional economy while managing and enhancing key regional economic assets
- Protecting environmental and heritage assets and maximising the regional benefit of them, whilst managing exposure to natural hazards and planning for the potential impacts of climate change focusing growth and development to maximise the strengths of existing settlements
- Supporting the improvement of people and freight movement and planning strategically for future infrastructure needs.

The next stage of community engagement will involve exhibition of the draft Hume RGP and draft Background Paper. DPCD will officially release these draft documents for community consultation on 3 June 2013 and the consultation period will close on 12 July 2013. During this period of time anyone (including Councils) will be able to make a submission regarding the draft Hume RGP. This feedback will be used to inform the development of the final draft Hume RGP.

The community consultation period provides an opportunity for anyone (including Councils) to consider and comment on the draft Hume RGP and to have their views considered prior to the plan's finalisation. Following close of the consultation period, submissions will be assessed and a revised draft Hume RGP will be prepared. Councils will then be asked to consider the final Hume RGP for adoption. It is anticipated the final draft Hume RGP will be presented to Councils for consideration in September 2013.

Council is now requested to note the proposed community consultation process for the draft Hume RGP.

Attachments

Nil

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.3 Heritage Advisory Committee - Nomination of Community Representatives

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 Team Leader Strategic Planning

Proof reader(s): Manager Planning

Approved by: Director Sustainability

Purpose

At the Ordinary Council Meeting held on the 17 January 2012, the Council authorised the formation of the Heritage Advisory Committee in accordance with the proposed Terms of Reference.

The Terms of Reference require the annual appointment of three community representatives unaffiliated with any of the historical groups and societies already represented on the Committee.

Two advertisements calling for community representative nominations for membership of the Committee were placed in newspapers circulating throughout the municipality in March and April 2013. Three nominations were received.

The Committee has assessed each nomination against three selection criteria and resolved on 06 May 2013 to advise the Council that it sought to nominate all three applicants to the Committee for a one (1) year term.

Moved by Cr Ryan

Seconded by Cr Polan

That the Council, having considered the nominations received for appointment to the Heritage Advisory Committee, resolves to appoint the following three community representatives for a one (1) year term to the Committee:

1. Evan LLOYD,
2. Neil C PENNEY,
3. Gary STEIGENBERGER.

CARRIED.

Background

At the Ordinary Council Meeting held on the 17 January 2012, the Council authorised the formation of the Heritage Advisory Committee in accordance with the proposed Terms of Reference.

The primary purpose of the Committee is to provide the best possible advice to the Council on how to conserve and promote the unique cultural heritage of Greater Shepparton and to act as an advocate for all cultural heritage matters within the

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.3 Heritage Advisory Committee - Nomination of Community Representatives (continued)

Municipality. It is not delegated to act as an internal referral body, to comment or object to applications, or to make decisions on behalf of the Council.

The Council also resolved to appoint three community representatives unaffiliated with any of the historical groups and societies already represented on the Committee. This was subject to public consultation on an annual basis.

At the Ordinary Council Meeting held on the 20 March 2012, the Council authorised the appointment of three community representatives for a one year term. This term ceased on 19 March 2013 and the Committee must now seek to appoint three community representatives.

An initial advertisement calling for community representative nominations for membership of the Heritage Advisory Committee was placed in the Shepparton News and Tatura Guardian in March 2013 with in excess of a two week nomination period. Only two nominations were received during this advertisement period.

On 08 April 2013, the Committee resolved to undertake an additional advertisement round. One nomination was received during this period. Three nomination forms were received in total.

On 06 May 2013, the Committee assessed each nomination against the following selection criteria:

- demonstrated experience in area or building conservation, or the development industry in general,
- knowledge of conservation and historical issues affecting the Municipality, and
- the ability to access historical or conservation networks and stakeholder groups.

Following consideration of each nomination application against these selection criteria, the Committee resolved to advise the Council that it sought to nominate all three applicants to the Committee for a one (1) year term as required by the Committee's adopted Terms of Reference.

Council Plan/Key Strategic Activity

The formation and operation of the Heritage Advisory Committee, as well as the appointment of three community representatives, is consistent with the following objectives outlined in the *Greater Shepparton Council Plan and Strategic Resource Plan 2009-2013*:

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

Risk Management

There are minimal risks associated with the appointment of three community representatives to the Heritage Advisory Committee. Failure to resolve to approve the three community representatives for the Heritage Advisory Committee would reduce the Committee's ability to promote community participation in and raise awareness of cultural heritage issues within the Municipality.

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.3 Heritage Advisory Committee - Nomination of Community Representatives (continued)

Policy Considerations

The appointment of three community representatives to the Heritage Advisory Committee does not conflict with existing Council policies.

Financial Implications

There are no financial implications relating to the appointment of the three community representatives for the Heritage Advisory Committee, as the Committee is a voluntary group. The approved budget for the Heritage Advisory Committee is \$5,000 in the 2012-2013 financial year. The Committee previously resolved in February 2012 to allocate the entire budget allocation to the hosting of the Cultural Heritage Awards 2013 ceremony on 20 April 2013.

Legal/Statutory Implications

The Heritage Advisory Committee is not a Section 86 Committee under the *Local Government Act 1989*.

There are no legal or statutory implications associated with the appointment of the three community representatives to the Heritage Advisory Committee. The appointment accords with the *Victorian Charter of Human Rights and Responsibilities Act, 2006* and *Local Government Act, 1989*. No human rights were negatively impacted upon through the advertisement and consideration of the appointment of the three community representatives. It is not foreseen that the appointment of the three community representatives will impact upon the rights of all individuals and groups with regard to Freedom of Expression, Right to be Heard, Entitlement to Participate in Public Life and Property Rights.

Environmental/Sustainability Impacts

There are no environmental or sustainability impacts associated with the appointment of the three community representatives to the Heritage Advisory Committee.

Social Implications

There are no direct social impacts associated with the appointment of the three community representatives to the Heritage Advisory Committee. The Committee is seen as a critical way of raising awareness and promoting community participation of cultural heritage issues within the Municipality.

Economic Impacts

There are no economic impacts associated with the appointment of the three community representatives to the Heritage Advisory Committee.

Consultation

Officers believe that the consultation period outlined in the 'summary' and 'background' sections of this report was appropriate and the matter is now ready for the Council's consideration.

8. SUSTAINABLE DEVELOPMENT DIRECTORATE

8.3 Heritage Advisory Committee - Nomination of Community Representatives (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

The approval of the three community representatives for the Heritage Advisory Committee is consistent with the objectives, strategies and actions outlined in the Environment Section of the *Greater Shepparton 2030 Strategy*.

b) Any other strategic links

The approval of the three community representatives for the Heritage Advisory Committee will also develop and implement the initiatives outlined in Section 14.2 of the *Greater Shepparton Heritage Study Stage IIB*.

Options for Consideration

Option One: That the Council, having considered the nominations received for appointment to the Heritage Advisory Committee, resolves to nominate the three community representatives for a one (1) year term to the Committee.

Option Two: That the Council, having considered the nominations received for appointment to the Heritage Advisory Committee, resolves not to nominate the three community representatives to the Committee.

Conclusion

It is recommended that the Council resolve to appoint the three community representatives for a one (1) year term to the Committee.

The Committee is a critical way of raising awareness of cultural heritage issues, as well as promoting community participation in cultural heritage issues within the Municipality.

By continuing to support the Greater Shepparton Heritage Advisory Committee, the Council is continuing to embrace a cost-effective opportunity of raising awareness and promoting community participation of cultural heritage issues within the Municipality.

Attachments

Nil

9. TABLED MOTIONS

Nil received.

10. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

Nil received.

11. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

Nil received.

12. NOTICE OF MOTION, AMENDMENT OR RESCISSION

12.1 Notice of Motion 2/2013 - Cr Polan

**Moved by Cr Polan
Seconded by Cr Houlihan**

That Council provide sponsorship of \$2500 to the organisers of the Slap Tomorrow forum, which will be held in Shepparton Eastbank Centre on 6th June this year.

Cr Houlihan vacated the chair to speak to the motion and Councillors appointed Cr Polan as Acting Mayor. Cr Polan assumed the Chair at 6.27 pm.

Cr Houlihan resumed the Chair at 6.31 pm.

The motion was put and lost.

Cr Polan called for a division.

**Those voting in favour of the motion: Cr Polan and Cr Houlihan.
Those voting against the motion: Cr Ryan, Cr Summer and Cr Patterson.**

13. DOCUMENTS FOR SIGNING AND SEALING

Nil received.

14. COUNCILLOR ACTIVITIES

14.1 Councillors Community Interaction and Briefing Program **Councillors' Community Interaction and Briefing Program**

From 6 April 2013 to 30 April 2013 some or all of the Councillors have been involved in the following activities:

- Official Opening - Toolamba CFA Station
- SPC Ardmona KidsTown - Community Food Hub Meeting
- Rating Strategy 2013-2017 Discussion Paper | Public Information Session
- Regional Cities Victoria - April 2013 Meeting
- The PaintCare Trade Trial
- North East AWLGA Meeting
- Hume Strategy / Hume Alliance Partnership Exec: Stakeholder Engagement & Comm's Workshop
- Ladies Day Luncheon - Shepparton Swans
- Tatura Netball Association 50th Anniversary
- Days Mills 150th Anniversary - Community Fair, Murchison
- Murchison Historical Society Grant Approval | Announcement, Local Member Bill Sykes
- Citizenship Ceremonies
- RiverConnect Implementation Advisory Committee Meeting
- Saleyards Advisory Committee Meeting
- Positive Ageing Advisory Committee Meeting
- Public Launch - Robert Mactier VC Statue project
- Katandra West Community Plan Launch
- 2013 Regional Victoria Living Expo
- Tallygaroopna Community Plan Forum
- Kialla Land Fill - Working Bee
- ANZAC Day Ceremony - Shepparton, Mooroopna, Tatura, Murchison and Dookie
- Women's Charter Alliance Advisory Committee Meeting
- Anzac Service and Lunch
- Disability Advisory Committee Meeting
- Watt Road - Bridge Reopening
- 'Peace Torch - Run
- Greater Shepparton Cultural Heritage Awards

Councillors were also briefed on the following matters:

- 2013/2014 Budget - Councillor Review Session 4
- Draft Municipal Fire Management Plan
- Contracts Award under Delegated Authority
- Goulburn Valley Community Care and Emergency Relief
- Tour of Shepparton Senior Citizens
- CCTV Fryers Street - Management of Footage
- C145 Adoption of Anomalies Amendment
- Migration Overview - presented by Chris Hazelman
- Waste Management Strategy Options
- Lake Bartlett Master Plan
- March Financial Report
- 2013/2017 Rating Strategy discussion and Strategic Resource Plan Finalisation
- Tour of GV Community Care
- Council Plan

14. COUNCILLOR ACTIVITIES

14.1 Councillors Community Interaction and Briefing Program Councillors' Community Interaction and Briefing Program (continued)

- Strategic Resource Plan
- 2012-2013 March Quarter Review
- Hume Regional Growth Plan - CEO Briefing
- Hume Regional Growth Plan - DPCD
- Waste Management Strategy
- Heritage Advisory Committee - Annual Report
- Council Plan & Strategic Resource Plan - Discussions
- Seven Creeks Estate Neighbourhood - Community Plan
- Rating Strategy 2013-2017

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.

Attachments

1. Disability Advisory Committee – 30 November 2012
2. Tatura Park Advisory Board Meeting – 18 March 2013
3. Councillor Briefing Session – 9 April 2013
4. Saleyards Advisory Committee Meeting – 17 April 2013
5. Councillor Briefing Session – 30 April 2013

15. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

Nil received.

16. PUBLIC QUESTION TIME

Question 1 (John Gray)

Can you please supply the respective totals of overall annual expenditure on Council legal expenses for each of the financial years 2005-6 through to 2012-13 (ytd)?

Response

Detailed below are legal expenses incurred for each financial year from 2005/06 to 2012/13 as at 30 April 2013.

Note, total legal expenses incurred from 2003/04 to 2011/2012 were previously reported at the September 2012 Council Meeting (refer M12/55345).

Year	Actual
2005/2006	\$ 503,276
2006/2007	\$ 526,435
2007/2008	\$ 596,387
2008/2009	\$ 686,920
2009/2010	\$ 694,563
2010/2011	\$ 654,870
2011/2012	\$ 720,341
2012/2013	\$ 651,195

Question 2 (John Gray)

What is the current situation in respect to the completion of the CBD Goulburn Valley Highway internal bypass from Vaughan St to Knight St via Welsford St – in particular the highly-congested, dangerous and ugly section between Nixon St and Knight St?

Response

Council and VicRoads have worked closely over a number of years to investigate and design options to allow Welsford Street to be developed as a north south city bypass route in lieu of Wyndham Street.

This has been driven primarily by Council's CBD Strategy and has the "in principle" support of VicRoads.

Preliminary concept designs have been completed, however there are a number of infrastructure changes including parking, drainage, intersection treatments and road pavement strengthening that will require considerable funding to upgrade Welsford Street and formalise it as a bypass road able to be transferred to VicRoads control.

The proposed council forward budget does not allocate this work as a high priority for capital expenditure in the 2013/14 financial year.

17. CONFIDENTIAL MANAGEMENT REPORTS

17.1 Designation of Confidentiality of Information

**Moved by Cr Polan
Seconded by Cr Patterson**

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

CARRIED.

17.2 Audit and Risk Management Committee - Presentation of Committee Minutes to Council

17.3 Audit and Risk Management Committee - Remuneration

17.4 Reopening of the Council Meeting to Members of the Public

**Moved by Cr Ryan
Seconded by Cr Summer**

That the meeting be re-opened to the public.

CARRIED.

MEETING CLOSED AT 6.49PM