

# MINUTES

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## ORDINARY COUNCIL MEETING

HELD ON  
TUESDAY 16 JULY, 2013  
AT 5.30

IN THE COUNCIL BOARD ROOM

**COUNCILLORS:**

Cr Jenny Houlihan (Mayor)  
Cr Les Oroszvary (Deputy Mayor)  
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***

**M I N U T E S  
FOR THE  
ORDINARY COUNCIL MEETING  
HELD ON  
TUESDAY 16 JULY, 2013 AT 5.30**

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

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

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

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

**Low** Operational, manage through usual procedures and accountabilities

**Insignificant** Operational, add treatments where appropriate

**PRESENT:** Councillors Jenny Houlihan, Les Oroszvary, Dennis Patterson, and Fern Summer.

**OFFICERS:** Gavin Cator – Chief Executive Officer  
Steve Bowmaker – Director Infrastructure  
Justin Finlayson – Director Business  
Kaye Thomson – Director Community  
Rebecca Bertone – Official Minute Taker  
Lyn Martin – Deputy Minute Taker

## **1. ACKNOWLEDGEMENT**

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

## **2. APOLOGIES**

**Moved by Cr Oroszvary**

**Seconded by Cr Patterson**

That an apology be received, and leave of absence granted to Cr Polan and Cr Ryan.

**CARRIED.**

## **3. DECLARATIONS OF CONFLICT OF INTEREST**

In accordance with sections 77A, 77B, 78 and 79 of the *Local Government Act 1989* Councillors are required to disclose a “conflict of interest” in a decision if they would receive, or could reasonably be perceived as receiving a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

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

## **4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**Moved by Cr Oroszvary**

**Seconded by Cr Summer**

That the Minutes of the Ordinary Council Meeting held 18 June 2013 and the Special Council Meetings held on 2 July 2013 and 9 July 2013, as circulated, be adopted.

**CARRIED.**

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.1 Committees of Management - Appointment of Additional Members

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

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

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

#### **Council Officers involved in producing this report**

**Author: Committees Liaison Officer**

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

**Approved by: Chief Executive Officer**

#### **Executive Summary**

At the Ordinary Council Meeting held on 18 December 2012 five members were appointed to the Tallygaroopna Recreation Reserve and Community Centre Committee of Management for a two year term. An additional application has now been received from Rodney Taylor and it is recommended that he be appointed to the committee for the remainder of the current committee's term of office.

At the Ordinary Council Meeting held on 16 April 2013 five members were appointed to the Katandra West Community Facilities Committee of Management for a two year term. Two additional applications have now been received from Paul Verbeek and Aaron Howells. It is recommended that they both be appointed to the committee for the remainder of the current committee's term of office.

**Moved by Cr Patterson**

**Seconded by Cr Oroszvary**

That the Council:

1. having considered the application received for appointment to the Tallygaroopna Recreation Reserve and Community Centre Committee of Management, appoint Mr Rodney Taylor to the term for a period expiring 17 December 2014.
2. having considered the applications received for appointment to the Katandra West Community Facilities Committee of Management, appoint Mr Paul Verbeek and Mr Aaron Howell to the committee for a term expiring on 15 April 2015.

**CARRIED.**

#### **Background**

At the Ordinary Council Meeting held on 18 December 2012 Council appointed five members to the Tallygaroopna Recreation Reserve and Community Centre Committee of Management for a two year term. An additional application to join the committee has now been received from Rodney Taylor.

At the Ordinary Council Meeting held on 16 April 2013 five members were appointed to the Katandra West Community Facilities Committee of Management for a two year term. Two additional applications to join the committee have now been received. The applications are from Paul Verbeek and Aaron Howells.

## **5. OFFICE OF THE CHIEF EXECUTIVE OFFICER**

### **5.1 Committees of Management - Appointment of Additional Members (continued)**

The Guidelines to the Instrument of Delegations to both the Tallygaroopna Recreation Reserve and Community Centre and the Katandra West Community Facility Committee of Management allow for up to 11 members to be appointed to each committee and both committees are keen to increase the number of members serving on their committee.

#### **Council Plan/Key Strategic Activity**

This proposal supports the following objectives of the *Council Plan 2013-2017*:

- Objective 1 – Active & Engaged Community (Social)
- Objective 4 – Quality Infrastructure (Built)
- High Performance Organisation (Leadership and Governance)

#### **Risk Management**

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

#### **Policy Considerations**

There are no conflicts with Council Policy.

#### **Financial Implications**

There are no financial implications associated with this proposal.

#### **Legal/Statutory Implications**

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

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

#### **Environmental/Sustainability Impacts**

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

#### **Social Implications**

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

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

At the time of the initial membership recruitment letters were sent to outgoing members of both the committees inviting them to apply for another term on the committee.

Advertisements calling for applications from community members interested in joining the Tallygaroopna Recreation Reserve and Community Centre Committee of Management were placed in the Shepparton News on Friday 2 November and 9 November 2012.

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.1 Committees of Management - Appointment of Additional Members (continued)

Advertisements calling for applications from community members interested in joining the Katandra West Community Facilities Committee of Management were placed in the Shepparton News on Friday 8 March and Friday 15 March 2013.

Since the initial recruitment committee members from both committees have been actively consulting with other members of the Tallygaroopna community seeking additional expressions of interest in joining the committees.

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

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

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

##### b) Other strategic links

There are no other strategic links applicable to this proposal.

#### **Options for Consideration**

Councillors could choose not make either or both of the recommended appointments.

#### **Conclusion**

It is recommended that Council appoint Rodney Taylor to the Tallygaroopna Recreation Reserve and Community Centre Committee of Management and Paul Verbeek and Aaron Howells to the Katandra West Community Facilities Committee of Management. Appointing community members to these committees helps to increase the involvement of the local community in the ongoing management of important community facilities and reduces the need for Council to directly manage these facilities.

#### **Attachments**

Nil



## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 5.2 Appointment of Shepparton Show Me Committee Members

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

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

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

#### **Council Officers involved in producing this report**

**Author: Manager Marketing and Communications**

**Proof reader(s): Team Leader Marketing and Communications, Communications Officer**

**Approved by: Chief Executive Officer**

#### **Executive Summary**

The terms of four current Shepparton Show Me Committee members are due to expire in early July 2013. This coupled with the resignation of two members earlier this year has resulted in six committee positions currently being available.

Expressions of Interest for the six available committee positions were advertised with six nominations being received.

The voting members of the Shepparton Show Me Committee assessed the applications against the selection criteria and are recommending that Gerard Bruinier, Clinton Tilley, Peter Dunbabin, Morry McKellar and John Montagner be appointed to the Committee.

#### **Moved by Cr Oroszvary**

#### **Seconded by Cr Patterson**

That the Council, having considered the applications received for appointment to the Shepparton Show Me Committee, appoint Gerard Bruinier, Clinton Tilley, Peter Dunbabin and Morry McKellar to the term for a period of two years expiring on the 17 July 2015, and John Montagner to the term for a period of 12 months expiring on the 17 July 2014.

**CARRIED.**

#### **Background**

The guidelines applying to the Shepparton Show Me Committee outlines that members will be appointed to the committee for a period of two years with 50 per cent of the committee positions being eligible for nomination every 12 months.

The terms of four current Shepparton Show Me Committee members are due to expire in early July 2013. This coupled with the resignation of two members earlier this year has resulted in six committee positions currently being available.

Of the six positions, two positions are available for a one year period ending 17 July 2014, with four positions being available for a two year period.

Expressions of Interest for the six available committee positions were placed in the public notices section of the Shepparton News on Friday 31 May 2013 and Friday 7 June 2013 and The Adviser on Wednesday 5 June 2013 and Wednesday 12 June 2013, as well as being advertised on the Shepparton Show Me and Council websites. Shepparton Show

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **5.2 Appointment of Shepparton Show Me Committee Members (continued)**

Me Committee members also approached members of business community to ascertain interest and email was sent to all Shepparton Show Me stakeholders advising them of the available positions.

Applications for these positions closed at 5.00pm on Monday 17 June 2013.

Six expressions of interests were received and are listed below:

1. John Montagner – Solar City Office Equipment (seeking re-election)
2. Gerard Bruinier – Auto Barn Shepparton Owner (seeking re-election)
3. Clinton Tilley – Marketplace Shopping Centre National Manager
4. Peter Dunbabin – Focus Cards and Gifts Owner
5. Morry McKellar – McKellar's Office and Framing Service
6. Andrew Pogue – Shepparton News Senior Advertising Consultant

A closed discussion was held at 19 June 2013 Shepparton Show Committee meeting to assess the applications. The Committee endorsed the applications received from John Montagner, Gerard Bruinier, Clinton Tilley, Peter Dunbabin and Morry McKellar, and that Andrew Pogue be invited to participate in a Shepparton Show Me marketing working group.

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

- 8.1 *The Committee shall comprise up to eight members, representative of the Greater Shepparton business community, two Councillors and a member of the Executive, appointed by resolution of the Council.*

*One of the two Councillors appointed by the Council will be appointed as Chairperson of the committee by the Council.*

- 8.2 *Members will be appointed for a period of two years (but may be removed by the Council at any time). Nominations will take place each year, with 50 per cent of the Committee positions eligible for nomination every twelve months. A member of the Committee shall be eligible for re-appointment at the expiration of his or her period of office.*

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

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

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

- Established networks with a range of Shepparton businesses
- An innovative and creative approach to problem solving
- A willingness to work in a team environment
- An understanding of marketing and advertising
- Business planning and financial management skills

## 5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **5.2 Appointment of Shepparton Show Me Committee Members (continued)**

- An understanding of business issues across a broad range of industry sectors
- Ability to regularly attend monthly meetings
- Potential conflicts of interest

The assessment was conducted by the following Shepparton Show Me Committee members:

- Cr Michael Polan – Chair
- Bill Dowling – Secretary
- Tristen Murray – Treasurer
- Cr Les Oroszvary
- Barry Smith
- Geraldine Christou – A/Director Sustainable Development

The panel reviewed the applications, assessing them against the selection criteria and endorsing Gerard Bruinier, Clinton Tilley, Peter Dunbabin, Morry McKellar and John Montagner for appointment.

*Moved by Barry Smith    Seconded by Cr Les Oroszvary*

*That the Shepparton Show Me Committee endorse the applications of Gerard Bruinier, Clinton Tilley, Peter Dunbabin, Morry McKellar and John Montagner and recommend to Council their appointment to the Shepparton Show Me Committee, and seek Andrew Pogue's involvement in Shepparton Show Me via an informal marketing working group.*

**CARRIED**

### **Council Plan/Key Strategic Activity**

This proposal is consistent with the Council Plan 2013-2017:

#### **Goal 3: Economic Prosperity (Economic)**

1. Maximise opportunities to ensure Greater Shepparton leads Victoria, retaining and attracting education and industry.
2. Ensure that retail strategies deliver appropriate outcomes for the community.

### **Risk Management**

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

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

### **Policy Considerations**

There are no conflicts with Council Policy

### **Financial Implications**

There are no financial implications associated with this proposal.

### **Legal/Statutory Implications**

The proposal conforms to legislation set out in section 86(2) of the Local Government Act

## **5. OFFICE OF THE CHIEF EXECUTIVE OFFICER**

### **5.2 Appointment of Shepparton Show Me Committee Members (continued)**

1989 – a Council may appoint members to a special committee and may at any time remove a member of a special committee.

#### **Environmental/Sustainability Impacts**

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

#### **Social Implications**

There are no social implications associated with this proposal.

#### **Economic Impacts**

There are no economic impacts associated with this proposal.

#### **Consultation**

The current Shepparton Show Me Committee was advised of the process for recruiting new committee members at the monthly meetings prior to the closing date. Positions were publicly advertised and following the closing date for submissions, committee members personally approached members of the business community to ascertain their interest in becoming a member of the Shepparton Show Me Committee. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

##### **a) Greater Shepparton 2030 Strategy**

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

##### **b) Other strategic links**

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

#### **Options for Consideration**

The recommendation is the preferred option, alternatively determine not to appoint any of the nominated members.

#### **Conclusion**

That the Council, having considered the nominations received for appointment to the Shepparton Show Me Committee, determine whether to appoint Gerard Bruinier, Clinton Tilley, Peter Dunbabin and Morry McKellar to represent Shepparton Show Me for a two year term and John Montagner for a 12 month term, commencing Wednesday 17 July 2013.

#### **Attachments**

Nil

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Road Management Plan Review

#### **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 Works

**Proof reader(s):** Director Infrastructure

**Approved by:** Director Infrastructure

**Other:** Executive

#### **Executive Summary**

In accordance with section 301(3)(b) of the Road Management (General) Regulations 2005, a newly elected Council must conduct a review of its Road Management Plan during the same period as it is preparing its Council Plan, which is to be undertaken within the period of 6 months after each general election or by the 30 June, whichever is later.

The process to date includes the following:

1. Council adopts Road Management Plan (Version 1) on 1 February 2005
2. Council adopts Road Management Plan (Version 2) on 3 June 2008
3. Council adopts Road Management Plan (Version 3) on 28 September 2009
4. Council adopts Road Management Plan (Version 3 Revision A) on 23 November 2011
5. In accordance with the requirements of the Road Management (General) Regulations 2005 gave notice of its intention to review its existing Road Management Plan (Version 3 Revision A) in the Shepparton News on 24 May 2013 and the Government Gazette on 23 May 2013.
6. By 24 June 2013 no submissions were received from the public in relation to the Road Management Plan Review.

#### **Moved by Cr Summer**

#### **Seconded by Cr Oroszvary**

That the Council adopts the Road Management Plan (Version 4) and resolves to give notice of its decision in accordance with Division 5 of the Road Management Act 2004.

**CARRIED.**

#### **Background**

The purpose of a Road Management Plan is to establish a management system for the road management functions of a road authority which is based on policy and operational objectives and available resources. It is also used to establish the service standards which a road authority is required to meet in the discharge of those road management functions.

On 20 November Council engaged Terry Alford consulting to assist review Council's Road Management Plan. This was done in conjunction with Strathbogie Shire Council

## **6. INFRASTRUCTURE DIRECTORATE**

### **6.1 Road Management Plan Review (continued)**

and Moira Shire Council with the objective of creating standardised plans within our region.

At the same time as reviewing the Road Management Plan, an audit was undertaken to check Council's systems for compliance in meeting our obligations to citizens under the road management plan. As a result of the audit and review it was reported by Terry Alford consulting that the adopted road management plan complies with the requirements of the legislation. The review recommended that the Road Management Plan be updated only to improve the formatting of the document, standardising it with Moira and Strathbogie, and removing superfluous detail which was not required to be in the Road Management Plan.

As the Road Management Plan has been changed in format only; that there have been no changes to service levels or lowering of standards, Version 4 of the Road Management Plan can now be presented to Council for adoption.

#### **Council Plan/Key Strategic Activity**

From the 2013 – 2017 Council Plan

Council Goal 4 – Quality Infrastructure (Built) – We will provide and maintain urban and rural infrastructure to support the development and liveability of our communities.

#### **Risk Management**

As there is no reduction in the levels of service or lowering of standards the risk involved in following the recommendation is low.

Insignificant to low risks have been identified and will be addressed at the operational level.

#### **Policy Considerations**

No Council policies are impacted by the recommendation

#### **Financial Implications**

As the recommendation does maintain existing service levels and standards in the maintenance of road infrastructure, the costs to Council is factored into the road maintenance budget within the Works Department.

#### **Legal/Statutory Implications**

This recommendation is consistent with the Local Government Act (1989), the Road Management Act (2004) and the Road Management (general) Regulations 2005.

Council is required to meet the service levels and standards of the Road Management Plan and can be held legally accountable for any incidents involving a member of the public where service levels or standards are not met and have caused or contributed to the incident.

#### **Environmental/Sustainability Impacts**

There are no Environmental/Sustainability impacts associated with the adoption of the Road Management Plan.

#### **Social Implications**

The recommendation maintains the existing service levels and standards for the

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Road Management Plan Review (continued)

maintenance of Council's road infrastructure. As there is no lowering of any service levels or standards the community should not anticipate any negative social changes.

#### Economic Impacts

The recommendation maintains the existing service levels and standards for the maintenance of Council's road infrastructure. As there is no lowering of any service levels or standards the community should not anticipate any negative economic impacts.

#### Consultation

On 20 May 2013 a notice was placed in the Government Gazette, and in the Shepparton News daily paper to inform the public the Council was undertaking a review of its Road Management Plan and was inviting submissions from the public.

The advertisement invited the public to view the existing Road Management Plan via the Council's web site, or a copy could be viewed (and copied) from Council's Welsford Street Office. The offer to make a submission to the RMP review was open for a period of 28 days.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Inform the public of the review.	Local media advertisement and Government Gazette. Make available a copy of the Road Management Plan on web site and at Welsford St Office
Consult	Accept and consider any submissions from the public	Workshop any ideas submitted by the public and consider their inclusion in the document
Involve		
Collaborate	Accept submissions from the public	Workshop ideas with Council staff for consideration for inclusion in the document
Empower	Encourage the public to be involved in the process	All submissions considered in light of available resourcing to meet the submitted request/idea.

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

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

Infrastructure – The provision and restructure of urban and rural infrastructure to enhance the performance of the municipality and facilitate growth – 6. To ensure the safety and efficient functioning of the roads for a variety of users.

##### b) Other strategic links

Local Government Act (1989)

Road Management Act (2004)

Road Management (General) Regulations (2005)

#### Options for Consideration

- Adopt the Road Management Plan Version 4 – The Road Management Plan has not been changed in any fundamental way as to change the level of service or standards

## 6. INFRASTRUCTURE DIRECTORATE

### **6.1 Road Management Plan Review (continued)**

for maintaining road infrastructure. In light of available resources to Council in performing maintenance functions, and legal implications for raising or lowering service levels, this is the preferred option.

- Do not adopt the Road Management Plan Version 4 – If the recommendation is not supported, then clearly there will be some changes that Council would like to see made to the Road Management Plan, which will need to be documented and understood from a resource perspective and legal perspective. If recommended changes seek to lower any service level or standard, then this will require further consultation with the public before the a Road Management Plan can be adopted by Council.

#### **Conclusion**

The recent review of the Road Management Plan has not recommended any changes to service levels or standards, as the current levels are considered appropriate and within Council's means to deliver. These service levels and standards are documented and become our minimum commitment to undertake our obligations under the Road Management Act. However, Council staff, wherever possible, will undertake maintenance to a higher level to ensure the integrity and sustainability of road infrastructure.

#### **Attachments**

- |  |          |
|--|----------|
| 1. Road Management Plan Version 4            | Page 97  |
| 2. Road Management Plan Version 3 Revision A | Page 115 |
| 3. Road Management Plan - Public Notice      | Page 139 |
| 4. Road Hierarchy                            | Page 140 |



## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Public Toilet Report and Draft Policy

**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 Recreation and Parks

**Proof reader(s):** Director Infrastructure

**Approved by:** Director Infrastructure

#### **Executive Summary**

To provide an update on progress made in the preparation of a review of the Council's provision of public toilets

**Moved by Cr Patterson**

**Seconded by Cr Oroszvary**

That the Council place the Public Toilet Report and draft Public Toilet Policy on public exhibition for comment, with written responses to be received to Friday 16 August 2013

**CARRIED.**

#### **Background**

At the November 20 2012 Council meeting, the following resolution was made:

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

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

Significant progress has been made on the preparation of a draft report and policy documents. This has included:

- Revision and update of existing public toilet asset inventory
- Completion of detailed asset condition inspection for each facility
- Assessment of access and compliance of all facilities to relevant codes, regulations and legislation.
- Consultation with key stakeholders including the Greater Shepparton Disability Advisory Committee and the HACCC.
- Conduct of a public survey.
- Preparation of a Public Toilet report
- Preparation of a draft Public Toilet policy.

The report and draft policy are now ready for public exhibition and comment.

## **6. INFRASTRUCTURE DIRECTORATE**

### **6.2 Public Toilet Report and Draft Policy (continued)**

#### **Council Plan/Key Strategic Activity**

Consultation undertaken to assist the development of the 2013-2016 Council Plan indicated a high expectation that public facilities are fully accessible to all members of the community and that public toilets be of high quality, suitably located and well maintained.

#### **Risk Management**

The review includes risk assessment in relation to the provision of public toilet facilities and services. This assessment includes consideration of risks associated with the physical condition of the facilities and risks associated with non-compliance to relevant codes, regulations and legislation.

#### **Policy Considerations**

The review process will deliver an adopted Greater Shepparton Public Toilet policy, with associated CEO directives and technical manuals for service levels and operations.

#### **Financial Implications**

A budget of \$30,000 has been allocated to complete this review. The outcomes and recommendations of the review and adopted policy will guide future budget allocations for public toilet provision.

#### **Legal/Statutory Implications**

There are many applicable relevant codes, regulations and legislation that apply in relation to the provision of public facilities. This includes Australian Standard AS 1428.1 (Design for Access, the Mobility), the Federal Disability Discrimination Act and the Disability (Access to Premises - buildings) Standards 2010 (the Premises Standards).

#### **Environmental/Sustainability Impact**

The review and adopted policy will consider relevant environmental/sustainability impacts associated with the provision of public toilets.

#### **Social Implications**

The provision of high quality, suitably located, well maintained and fully accessible public toilet facilities allows all members of the community to participate in social and community activities. The review and policy will place emphasis on actions that address gaps in accessibility such the lack of adult change and maternal care facilities.

#### **Consultation**

Consultation to date has included meetings with the Greater Shepparton Disability Advisory Committee and the Greater Shepparton Positive Ageing Committee

A public survey closed on 31 May 2013, attracted 120 responses via the Council's website and submission of forms. A number of detailed letters were also received.

This information and feedback has been reviewed and used in the preparation of the report and draft policy to be placed on public exhibition for comment.

#### **Strategic Links**

##### **a) Greater Shepparton 2030 Strategy**

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

## **6. INFRASTRUCTURE DIRECTORATE**

### **6.2 Public Toilet Report and Draft Policy (continued)**

#### **Conclusion**

The preparation of a Public Toilet report and draft Public Toilet policy has been completed and is subject to public exhibition and feedback process that will conclude on Friday 16 August 2013.

#### **Attachments**

1. 64.POL.1 - Public Toilet Management Policy Page 142
2. Report - Toilet Review - Final Draft June 2013 Page 149

## 6. INFRASTRUCTURE DIRECTORATE

### **6.3 Vaughan Street Redevelopment between Maude Street and Corio Street, Shepparton**

#### **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: Senior Construction Engineer**

**Proof reader(s): Team Leader Delivery, Manager Projects, Director Infrastructure**

**Approved by: Chief Executive Officer**

#### **Executive Summary**

The purpose of this report is to provide information to the Council to accept the tender submitted by Mawson Constructions Shepparton P/L of Shepparton for Contract No. 1434 – Vaughan Street Redevelopment between Maude Street and Corio Street, Shepparton.

The reasons for the presentation to the Council:

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

**Moved by Cr Oroszvary**

**Seconded by Cr Patterson**

That the Council:

1. Accept the tender submitted by Mawson Constructions Shepparton P/L of 20 Apollo Drive, Shepparton for Contract No. 1434 Vaughan Street Redevelopment between Maude Street and Corio Street, Shepparton for the Lump Sum price of \$3,134,006.70 (including GST).
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

**CARRIED.**

#### **Contract Details**

The contract is a lump sum contract for civil construction works for the Vaughan Street Redevelopment between Maude Street and Corio Street, Shepparton

## 6. INFRASTRUCTURE DIRECTORATE

### **6.3 Vaughan Street Redevelopment between Maude Street and Corio Street, Shepparton (continued)**

The works include:

- Preliminaries
- Demolition and excavation of the existing streetscape
- Construction of concrete paths and kerb and channel
- Supply and construction of new deep lift asphalt pavement
- Supply and construction of upgraded and new drainage system including rain gardens and tree cell construction
- Supply and installation of streetscape furniture
- Supply and installation of public lighting and feature lighting
- All other associated works.

#### **Pre-tender meeting**

A compulsory pre-tender meeting was held on Tuesday, 11 June 2013. Representatives from seven prospective tenderers attended the meeting. The meeting addressed the various significant aspects of the works, updates to the original scope of works and responses to questions from contractors.

#### **Tenders**

The invitation to tender was publicly advertised in the Shepp News, Tenderlink website and Council's website on Friday, 17 May 2013. Tender submissions closed at 4:00pm on Wednesday, 19 June 2013. Four tenders were received.

Tenders were received from:

Tenderers
Morriasy Civil Works P/L (withdrawn on 03 July 2013)
Mawson Constructions Shepparton P/L
Citywide P/L
Canteri Brothers Constructions P/L

#### **Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Manager	Projects
Senior Construction Engineer	Projects
Team Leader – Delivery	Projects
Principal Consultant	SPIIRE

#### **Evaluation Criteria**

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	70%
Integrated Management System	10%
Previous Experience, Personnel, Project Methodology and Works Program	15%
Rate for variations	5%

## 6. INFRASTRUCTURE DIRECTORATE

### 6.3 Vaughan Street Redevelopment between Maude Street and Corio Street, Shepparton (continued)

#### Council Plan/Key Strategic Activity

Draft Council Plan 2013-2017

#### **Goal 3 : Economic Prosperity (Economic)**

Objective 2 Ensure that retail strategies deliver appropriate outcomes for the community

- Maximise the opportunities within the CBD that present themselves with the redevelopment of Vaughan Street.

#### **Goal 4: Quality Infrastructure (built)**

Objective 1 Ensure that the community has access to high quality facilities

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Traffic, Pedestrian and Buses /Trucks management during construction	Likely	Major	High	Traffic management including road closure and work methodology to provide for safe pedestrian access
Damage to existing/proposed electricity lines and electrocution	Likely	Major	High	Consult with Powercor to identify the proposed lines.  Safety management during construction – use of warning equipment / “spotters” for overhead lines
Damage to assets owned by other Authorities	Likely	Moderate	Moderate	Consult with relevant authority to identify the proposed lines. Relocate assets prior to works safety management during construction

#### Policy Considerations

There are no conflicts with Council Policy

#### Financial Implications

	2013-2014 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$147,000 \$700,000	\$147,000 \$700,000		Developer contribution State Govt Grant contribution
Expense	\$2,517,939	\$2,849,097	(\$331,158)	Additional budget cover to be sought prior to 13/14 final budget.
Net Result	\$1,670,939	\$2,002,097	(\$331,158)	

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

## 6. INFRASTRUCTURE DIRECTORATE

### **6.3 Vaughan Street Redevelopment between Maude Street and Corio Street, Shepparton (continued)**

The council estimate (prior to tender) was \$2,354,000.00 exc. GST.

The key areas of price difference between the council estimate of \$2,354,000 and the recommended tender price of \$2,849,047 relate to site supervision (+\$111K), feature lighting (+ \$170K), street furniture (+\$181K).

This is attributed to the tenderer obtaining detailed quotations for the supply of these specialised items and the cost of out of hours site supervision to achieve the tight construction timelines.

In addition, higher than expected costs are attributed to the market, pricing into the tender, its assessment of the high risk cost elements of the works. In particular, the liquidated damages cost of \$14,000 plus \$1,000 per day for a delayed completion date.

Approval to additional budget cover will be sought before the finalisation of the 13/14 budget.

#### **Legal/Statutory Implications**

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

#### **Environmental/Sustainability Impacts**

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

Infrastructure – The provision and restructure of urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

##### b) Other strategic links

Asset Management Strategy 2007

##### **Infrastructure**

Greater Shepparton will provide urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

- Maintain the Council's major asset categories, such as roads, footpaths, kerb and channel, drainage and buildings to meet specified levels of service

#### **Options for Consideration**

##### a) Do Nothing

(Withdraw the tender)

##### **Positives**

- Allocated funds could be considered for other projects
- No disruption to traffic, lighting and businesses on Vaughan Street, Shepparton.

##### **Negatives**

- The street and footpaths will require significant maintenance works to comply with the road management plan and other policies.
- Vaughan Street landscape and public infrastructure will appear incomplete given the developers have provided the new built environment in the vicinity including redeveloped facades of Coles/Kmart stores.

## **6. INFRASTRUCTURE DIRECTORATE**

### **6.3 Vaughan Street Redevelopment between Maude Street and Corio Street, Shepparton (continued)**

b) Proceed with the contract

Positives

- The street and paths will be reconstructed to provide enhanced level of service and amenity to the community.
- The refurbished environment will facilitate business for the traders on the street.
- The street will blend with the surrounding newly built environment.

Negatives

- There will be some disruption to traffic and businesses on Vaughan Street during construction.
- There will be temporary planned disruption to public lighting on Vaughan Street, Shepparton.

#### **Conclusion**

Mawson Constructions Shepparton Pty Ltd has submitted a conforming tender and received the highest overall score.

Mawson Constructions Shepparton Pty Ltd is a local contractor who has completed projects for Greater Shepparton City Council. These include various stages of Balaclava Road Drainage, Archer Street Drainage, Archer Street Duplication and Knight Street Drainage. The panel is satisfied that Mawson Constructions Shepparton Pty Ltd has established a good performance history in the civil works industry and is considered to have the experience, capability and resources to complete this project within the time period stipulated.

Therefore, the tender submitted by Mawson Constructions Shepparton Pty Ltd for a total lump sum price of \$2,849,097.00 (excluding GST) or \$3,134,006.70 (including GST) has been determined to provide the best value for Council.

#### **Attachments**

1. Contract 1434 - Final Tender Evaluation Worksheet 1 of 4 - *CONFIDENTIAL*
2. Contract 1434 - Final Tender Evaluation Worksheet 2 of 4 - *CONFIDENTIAL*
3. Contract 1434 - Final Tender Evaluation Worksheet 3 of 4 - *CONFIDENTIAL*
4. Contract 1434 - Final Tender Evaluation Worksheet 4 of 4 - *CONFIDENTIAL*



## 7. BUSINESS DIRECTORATE

### 7.1 Shepparton Regional Saleyards

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

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

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

#### **Council Officers involved in producing this report**

**Author:** Acting Manager Regulatory Services

**Proof reader(s):** Property Officer

**Approved by:** Director Business

#### **Executive Summary**

The report presents for consideration the future direction of the Shepparton Regional Saleyards.

The Shepparton Regional Saleyards (Saleyards) is a Council owned facility which has been in continuous operation for more than 70 years. The Saleyards are one of the larger saleyards in regional Victoria. The regional significance is also exemplified by the catchment area for stock being transported to the yards which includes destinations from mid NSW, Central, Northern and Eastern Victoria. In the 2011/12 financial year 220,000 head of sheep and 84,456 head of cattle were processed through the Saleyards.

There are a number of components to the Saleyards operations including:

- Co-ordination of Sales
- Management of infrastructure
- Management of environmental issues

To maintain the operations of the Shepparton Regional Saleyards it is proposed that tenders be sought for the operation of the Shepparton Regional Saleyards and expressions of interest be invited for a new lease of the Saleyards Café.

It is also proposed that an overarching external review of the future direction of the Shepparton Regional Saleyards be undertaken before Council commits significant funds to infrastructure upgrade works, including expansion of the roofed area.

#### **RECOMMENDATION**

That the Council:

1. receive and note the Shepparton Regional Saleyards report.
2. invite tenders for the operation of the Shepparton Regional Saleyards for a period of 3 years plus 2 one year extension options at Council's discretion.
3. invite expressions of interest for the lease of the Saleyards Café for a 5 year term with no options for extension.
4. engage a consultant to undertake an overarching review of the future options of the Shepparton Regional Saleyards, prior to any major capital works being undertaken, such as the expansion of the roofed area.

## **7. BUSINESS DIRECTORATE**

### **7.1 Shepparton Regional Saleyards (continued)**

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

That the Council:

1. receive and note the Shepparton Regional Saleyards report.
2. invite tenders for the operation of the Shepparton Regional Saleyards for a period of 3 years plus 2 one year extension options at Council's discretion.
3. invite expressions of interest for the lease of the Saleyards Café for a 5 year term with no options for extension.
4. a further report be prepared relating to the engagement of a consultant to undertake an overarching review of the future options of the Shepparton Regional Saleyards, prior to any major capital works being undertaken, such as the expansion of the roofed area.

**CARRIED.**

#### **Background**

The Shepparton Regional Saleyards (Saleyards) is a Council owned facility comprising of approximately 4 hectares acres of land. The infrastructure includes sheep yards, cattle yards, old pig yards, cafeteria, 2 bay truck wash, coin operated truck wash, stock agent offices, showering facilities etc.

The Saleyards has been in continuous operation at the site on the corner of New Dookie Road and Wheeler Street Shepparton for more than 70 years. The Saleyards are one of the larger saleyards in regional Victoria and provides a service to buyers and sellers of livestock over a large geographical area. In the 2011/12 financial year 220,000 head of sheep and 84,456 head of cattle were processed through the Saleyards.

The Saleyards are an important economic activity within Greater Shepparton and district with 6 stock agents employing approximately 46 staff members directly. The turnover of livestock in the yards is approximately \$80 million per annum which includes \$65 million in cattle sales. These figures were contained in a report commissioned by Greater Shepparton City Council (Master Plan and Development Options for the Shepparton Regional Saleyards) by Kattle Gear Australia Pty Ltd in 2008. Regionally cattle sales at Shepparton are the second largest in the region to Wodonga. The regional significance is also exemplified by the catchment area for stock being transported to the yards which includes destinations from mid NSW, Central, Northern and Eastern Victoria.

The Saleyards has good arterial road access with only 1km to the major truck bypass of Shepparton. However care must be taken with immediate access to the site as manoeuvring transports can encroach on traffic lanes in both directions. The Saleyards site is in an Industrial Zone 1. The Saleyards Site is bounded on all sides by key roads and a railway reserve.

## **7. BUSINESS DIRECTORATE**

### **7.1 Shepparton Regional Saleyards (continued)**

There has been an approximate increase of 7% in numbers from 2012 to 2013. The growth of activity currently being experienced through the Saleyards Complex will mean continued demands for maintenance and upgrade of the existing site.

Some of the key challenges for the future will be:

- Satisfy EPA requirements for removal of solid trade waste prior to 31 July 2013
- Negotiation of a new Trade Waste Agreement with Goulbourn Valley Water by 1 August 2013
- Appointing a new saleyards contract manager at the expiry of the current contract on 31 December 2013. The current contract was awarded in 2008 for \$462,500 for each year of the contract and is held by Wilby Downs Pty Ltd. This contract commenced on 1 January 2009. This contract is for the maintenance and operation of the saleyards. The proposed future contract will be for a term of 3 years with two additional 1 year terms and will be similar to the current contract with the exception that some of the current variations will be included in the lump sum. Based on current variations, it is estimated that this will increase the current contract amount by approximately \$80,000 per year.
- Tendering for a new tenant of the saleyards café prior to the expiry of the current lease in February 2014. The current lease was for 3 terms of 3 years each and the current annual rent is approximately \$13,900. At the time of negotiating this lease, a minimal rent was negotiated to entice the current lessees to remain. It is anticipated that the new lease will be for a similar term. A tenant will be sought to run the café during normal business hours and during other periods when the saleyards are open.

There are a number of components to the Saleyards operations including:

- Co-ordination of Sales
- Management of infrastructure
- Management of environmental issues

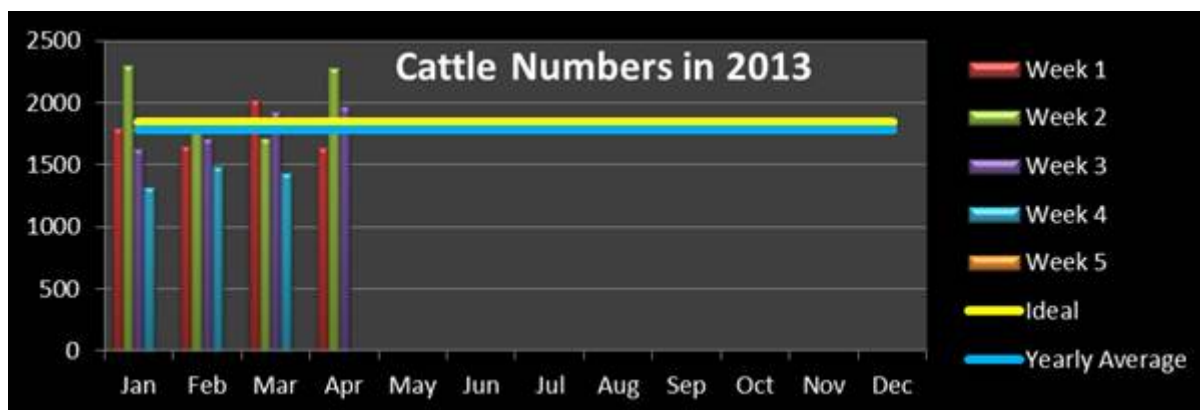
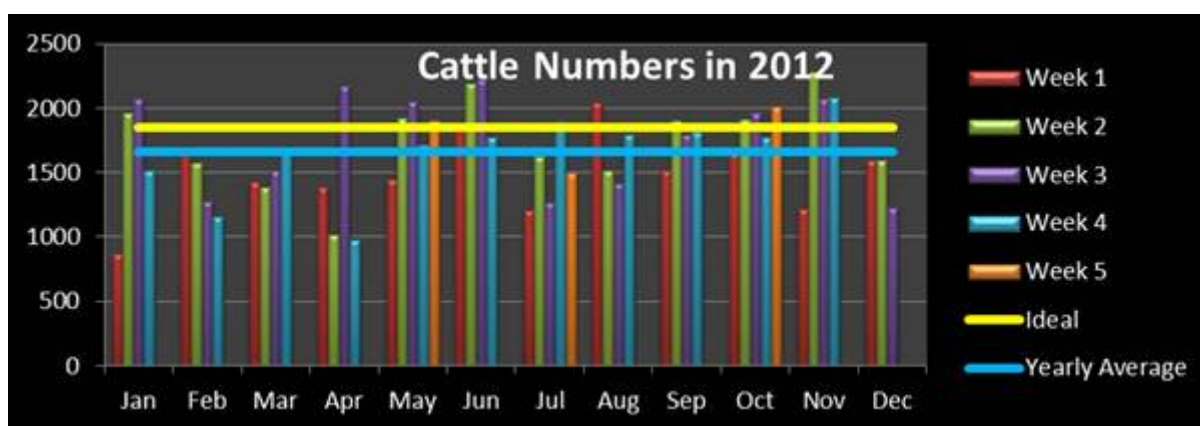
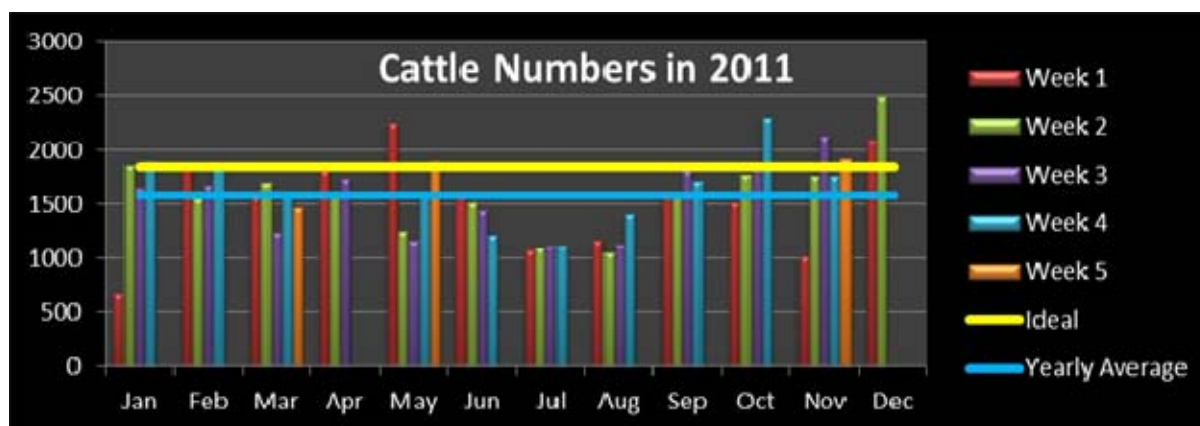
#### **Co-ordination of Sales**

The co-ordination and marketing of sales at the Saleyards is undertaken by the Contract Manager. This Contract requires the Manager to publish regular sales which are held as follows:

- Operational – Sale Days  
There are three weekly sales.  
Monday – Bobby calves at 10:00am  
(average numbers over past 5 years is 15,000 per annum)  
Tuesday – Cattle at 8:30am  
Friday – Sheep/Lambs at 10:00am
- Sale numbers and trends  
There has been a noticeable change in penning number for all saleyards. Smaller rural saleyards have been witnessing decreased numbers over previous years where as larger Regional centres like Shepparton has been maintaining its pen numbers. Sales from the saleyards result in 80% of cattle being sold to abattoirs and 20% being sold to various farming/feedlot destinations throughout Australia.

## 7. BUSINESS DIRECTORATE

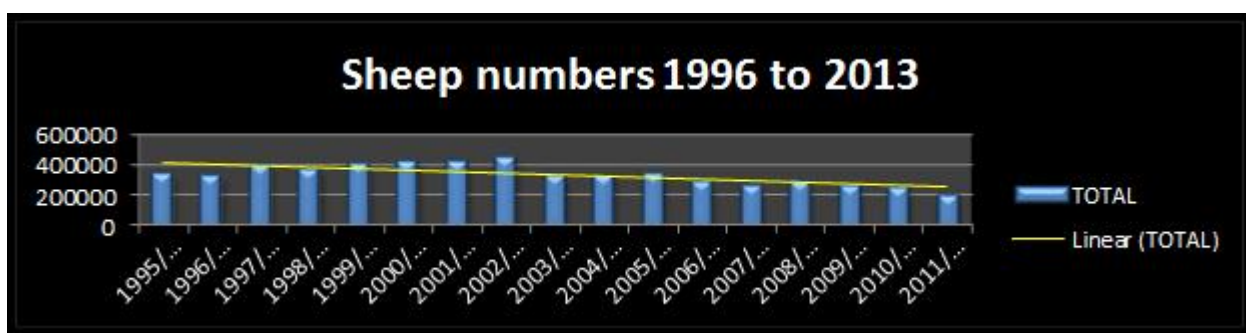
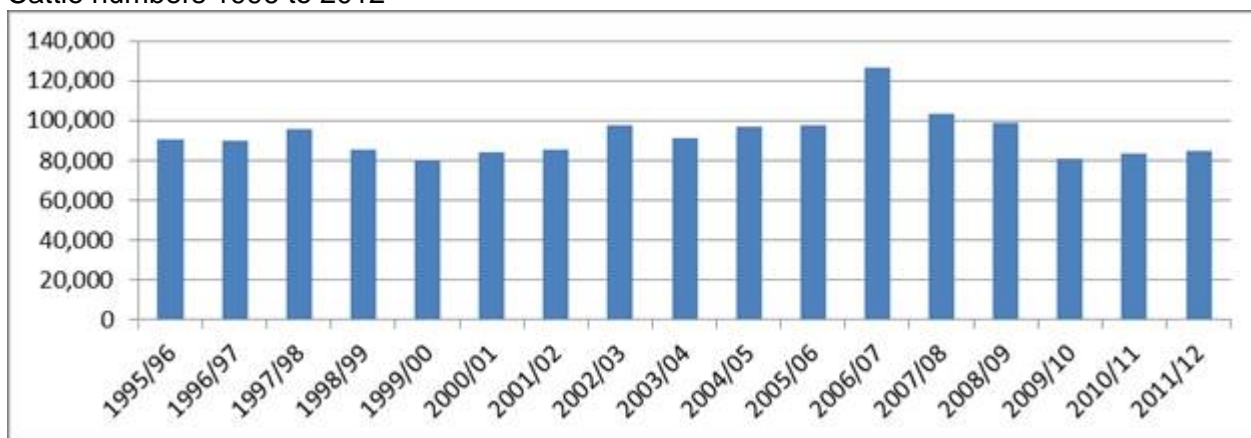
### 7.1 Shepparton Regional Saleyards (continued)



## 7. BUSINESS DIRECTORATE

### 7.1 Shepparton Regional Saleyards (continued)

Cattle numbers 1996 to 2012



The decline in sheep numbers has been apparent in the last 10 years. This can be attributed to farmers selling directly to abattoirs where they have been able to achieve better prices as a whole. Top end lambs are still selling at a premium in regional saleyards. There was a recent article in The Weekly Times discussing these issues.

#### **Management of Infrastructure**

A report was commissioned by Greater Shepparton City Council (Master Plan and Development Options for the Shepparton Regional Saleyards) by Kattle Gear Australia Pty Ltd in 2008. A substantial amount of the recommendations within that report have been implemented in the last 5 years. The operation of the Saleyards are managed under a Council Contract. The contract is due to expire on 30 December 2013. The current contract was awarded in 2008 for \$462,500 per annum and is held by Wilby Downs Pty Ltd. This contract commenced on 1 January 2009. This contract requires the contractor to maintain and operate the infrastructure of the Saleyards in a safe and usable order at all times.

## 7. BUSINESS DIRECTORATE

### 7.1 Shepparton Regional Saleyards (continued)

#### Site Assets

The estimated replacement cost and written down value of Saleyards site is detailed in the table below:

Group	Description	Replacement value \$	Written down value \$
Land		<b>1,486,500</b>	<b>1,486,500</b>
Land Improvement		<b>276,245</b>	<b>89,781</b>
Buildings			
	Sheep yards	2,875,585	2,714,803
	Cattle yards	2,326,000	1,831,744
	Pig yards	270,000	100,802
	Café/office complex	420,200	315,153
	Toilets/workshop	172,800	69,122
	Store Building - Old Dog Pound	72,000	21,601
	New Truck Wash	90,000	64,801
	Old Truck Wash	30,000	0
		<b>6,256,585</b>	<b>5,118,026</b>
Furniture & Equip.	Pumps, weighing & office equipment	93,297	3,655
	Waste Disposal System	127,240	
		<b>220,537</b>	<b>3,655</b>
Computer equipment		<b>146,396</b>	<b>3,569</b>
Drainage		<b>51,401</b>	<b>45,474</b>
Grand Total		<b>8,437,664</b>	<b>6,747,005</b>

#### Sheep yards

The existing sheep yards were constructed in the early 1990's. The yards are quite functional and cater for the numbers to be sold on sale days. The complex is roofed and has hard floors.

#### Cattle yards

The existing cattle sale pens have a capacity to sell approximately 1,800 head per day. Post sale weighing is employed with scales centrally located within the complex. The complex has most of the features of a modern cattle complex and is roofed, with concrete flooring and sawdust overlay.

#### Pig yards

So that the existing pig yards can be utilised for selling cattle it proposed that the existing pig shed is to be demolished and the existing roof over the cattle pens will be extended to cover that area. New pens with overhead agent walkways will be installed. A verbal estimate has been obtained for the construction of a new roof which is estimated at \$200,000. The demolition of the existing shed and the construction of new pens and walkways has not yet been costed.

#### Cafe

There is a café at the Saleyards site which is leased out with the lease expiry in early 2014. The café operates Monday to Friday servicing staff, agents and the public visiting the Saleyards.

## 7. BUSINESS DIRECTORATE

### 7.1 Shepparton Regional Saleyards (continued)

#### Office

There are six agents offices that are currently utilised by the standing agents. There is also a GVSAA office, this is where a staff member supplies reports of prices and lots to the buyers, sellers and agents.

#### Truckwash

A Truck wash facility exists at the Saleyards site and services transport operators moving through Shepparton on a daily basis. The truck wash is accessible 24 hours a day and is accessed by an Avdata Key system the holders of which are billed for access. There is also a shower facility available with the Avdata Key system.

Since 2010 revenue collected from the truckwash facility is over \$500,000 and it has been used in excess of 16,000 times.

The fees charged for the truck wash were last increased on 1 January 2013 and increases each year on 1 January as per all Council fees and charges. Whilst the current charge of 85 cents per minute is greater than and comparable to other regional saleyards, it is also less than some others (see table below). The truck drivers have stated that the Shepparton Saleyards truck wash is far more efficient than other truck washes and the truck drivers choose to use Shepparton rather than other local truck washes.

Bendigo	1.009/minute
Cobram	60c/minute
Deniliquin	63c/minute
Echuca	90.9c/minute
Euroa	1.00/minute
Kyneton	1.00/minute
Pakenham	1.40/minute
Wodonga	75c & 95c/minute

#### Lighting

The Saleyards complex has extensive lighting for daytime and night time operations.

#### Sealed Pavements and car parking

The saleyards has good sealed internal roads and a b double turning area. There is also good onsite car parking, with an area for trailers to be parked on sale days.

#### Waste Management Systems

Water and Waste Water systems at the complex have been under significant pressure over the past decade as operations and throughput of cattle at the complex remain high. Roofing of the complex has meant significant onsite water catchment has been achieved allowing for the recycling of the water throughout the complex. Waste water treatment and solids removal have been under constant review by Council, Goulbourn Valley Water and the Environment Protection Authority.

## 7. BUSINESS DIRECTORATE

### 7.1 Shepparton Regional Saleyards (continued)

#### Council Plan/Key Strategic Activity

The Shepparton Regional Saleyards supports the Council Plan 2013-2017 goal Economic Prosperity, we will promote economic growth, business development and diversification, with a focus on strengthening the agricultural industry.

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Odour and noise	Likely	Low	Low	Cows are on soft standing in a roofed area and relaxed. Cleaning regularly ensures minimal odours.
Trade Waste	Likely	Moderate	Moderate	External review is being undertaken. EPA and GV Water analysis undertaken regularly.
Traffic	Likely	Low	Low	New design of access minimised trucks parking on road and causing issues

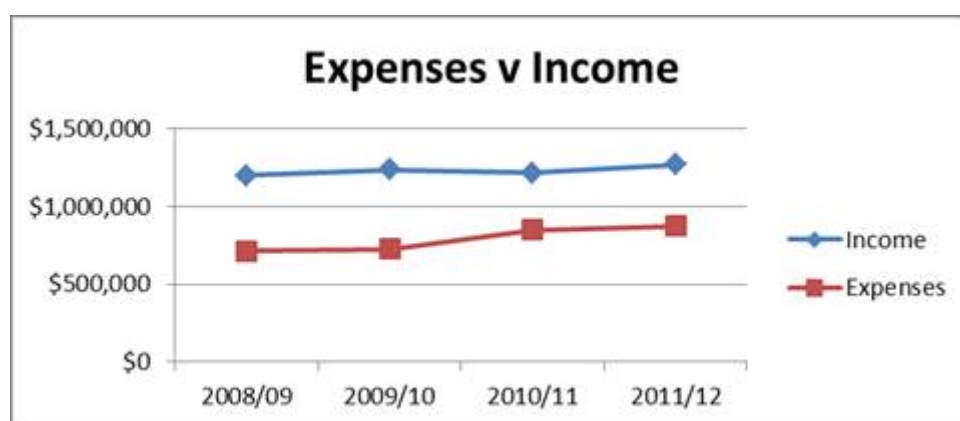
#### Policy Considerations

The operation of the Saleyards does not conflict with any existing Council policy.

A Saleyards Advisory Committee is in place to provide a means of keeping Council informed with saleyards operation and to discuss and advise on various matters such as capital, budgets and legislation.

#### Financial Implications

The Saleyards is generating an annual cash surplus of approximately \$265,000. These surplus funds are put aside for capital renewal and improvements to the yards. The annual surplus of the Saleyards is transferred to a restricted asset to fund future works which currently holds approximately \$699,370. Over the past years when there has been sufficient funds accumulated, capital improvements have been scheduled, including the roofing of the sheep yards, installation of rain water tanks and water harvesting facilities etc.





## 7. BUSINESS DIRECTORATE

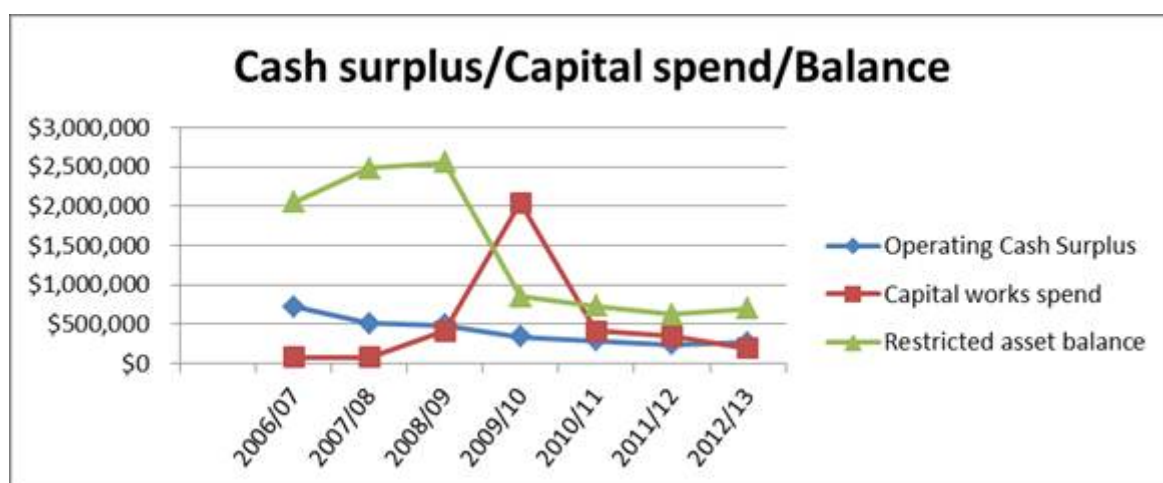
### 7.1 Shepparton Regional Saleyards (continued)

Over the past 4 years the fees and charges for selling have increased by the following percentages:

- 2013/1 5%
- 2012/1 5%
- 2011/1 4%
- 2010/1 8%

The operating surplus figures offset by capital works and the closing restricted asset balance for the past 7 years including the 2012/13 financial year are detailed in the table and graph below.

Year	Operating cash surplus	Capital works spend	Closing restricted asset balance
2006/07	\$727,242	\$79,353	\$2,052,056
2007/08	\$511,177	\$79,551	\$2,483,682
2008/09	\$487,356	\$415,681	\$2,555,357
2009/10	\$337,680	\$2,041,097	\$851,940
2010/11	\$294,345	\$412,813	\$733,472
2011/12	\$241,496	\$348,166	\$626,802
2012/13	\$269,928	\$197,000	\$699,370
Forecast			



#### Proposed 2013/14 works

Description	Estimate
Loading Ramp and Security Cameras (\$76k grant)	\$104,000
Annual renewal allocation	\$90,000
	\$194,000

# The net Council contribution is \$118,000 after deducting the Government grant of \$76,000.

## 7. BUSINESS DIRECTORATE

### 7.1 Shepparton Regional Saleyards (continued)

#### Estimated future works 2014/15 to 2015/16

Description	Estimate
Trade Waste Works (pending investigation)	\$70,000
Overhead plumbing in sheep yards	\$21,000
Pig yards power upgrade	\$30,000
New weigh station	\$120,000
Pig yard roof demolition	\$80,000
Pig yard roof replace	\$200,000
Pig yard replacement of pens and walkways	\$100,000
Campbell's pipe upgrade	\$300,000
	<b>\$921,000</b>

In addition to the future works listed above an annual allocation for capital renewal would also be required.

It is estimated that an overarching external review of the future direction of the Shepparton Regional Saleyards would cost up to \$50,000 which has not been provided for within Council's budget.

#### **Legal/Statutory Implications**

Occupational Health & Safety, including the continual upgrading of the facility to meet increasing standards and increase in numbers. The current trend has shown that at 50% of the sales the number of cattle exceeds 1,800 head and the old pig yards are currently utilised for selling cattle when numbers exceed 1,800 head. When this occurs cattle are placed in the old pig pens which are not suitable for the selling of cattle as the agents need to enter the pens with the cattle. To manage the OH&S risk, the current contractor has advised that they will not allow selling from those pens, but just use them for the storage of animals awaiting sale or post sale.

The Saleyards comply with the Code of Practice for the Welfare of Animals at Saleyards and the Code of the Operation of the NLIS in Victoria which are monitored by the Department of Primary Industries.

The tender process is to be carried out according to the requirements of *Section 186* of the *Local Government Act 1989*, prior to entering into the contract.

The Council at its ordinary meeting on 16 December 2008 authorised the Chief Executive Officer to finalise Contract 1186 *Operation of the Shepparton Saleyards* to appoint Wilby Downs Pty Ltd as the manager of the Shepparton Regional Saleyards for a three year term at an annual lump sum cost of \$462,500 per annum. The Contract was executed as for a three year term with two options to extend the contract by a maximum of twelve months at the discretion of the Council.

There was a typographical error within the Contract that stated "the term of the Contract was three years from 1 January 2009 to 31 December 2012". The period 1 January 2009 to 31 December 2012 is four years rather than three, which made the term of the Contract ambiguous. The Contract term was amended in 2011 to be a four year term; however the Contract term was amended without the authorisation of the Council.

## 7. BUSINESS DIRECTORATE

### **7.1 Shepparton Regional Saleyards (continued)**

The Contract allows for annual increases of 4% or CPI, whichever was greater. Additional items which are treated as variations are set out in the Contract and provided for in the budget.

The Council at its meeting on 18 December 2012 authorised a 12 month extension of Contract 1186 *Operation of the Shepparton Saleyards* with Wilby Downs Pty Ltd until 31 December 2013, with all other existing terms and conditions remaining unchanged.

It is proposed that the Council advertise a new 3 year contract from 1 January 2014 with Council's option to extend the contract for a further two one year periods.

#### **Environmental/Sustainability Impacts**

Few complaints have been received by Council in relation to noise and odour. The installation of the soft standing in the cattle yards and roofing of the cattle pens, means that the cattle are comfortable and tend to sleep in the yards after they are penned. This reduces the noise levels over night. The present contractor ensures that the yards are cleaned when required to reduce the risk of any odours. However with a growing industrial and residential neighbourhood nearby, Council must be diligent in monitoring these matters in the future of the saleyard complex operation.

The management of waste is a significant activity. There are two main sources from which waste is generated which include:

- used soft fall material (sawdust contaminated with and cow manure) that has been removed from cattle pens and stockpiled at the Eastern side of the site
- Truck Wash where solids (cow manure) has been removed from the liquid waste system. This is scooped from interceptor pits with an excavator and also harvested from a filter screen. This waste contains a lot of liquid and is stockpiled with the used soft fall material

As stated above the majority of the Trade Waste is generated from used soft fall and solids harvested from the Truck Wash. The waste is processed in two ways:

- used soft fall is mixed with the solids that have been collected from the interceptor pits and filter screen with the use of an excavator. This is then left outdoors until to some of the moisture evaporates. The process is repeated as needed until the product dries out further, then it is stockpiled for the length of time needed to kill any seeds etc. After that it is sold to farmers, processed further and spread on farms. A portion of this is retained on site for further processing then sold as fertiliser.
- liquid waste that is generated from the Truck Wash is filtered before going into the trade waste sewer system

There is also a "first flush" system where stormwater from the site gravity feeds into an underground tank. In a rain event the initial stormwater flows are collected in the tank and diverted to the filter screen and then to the trade waste sewer system. Once the initial flows have been diverted, the remainder of the stormwater that is collected in the tank then flows to stormwater and off the site.

#### **Liquid Trade Waste**

The Trade Waste is regularly analysed by SGS Australia and Goulburn Valley Water. Analysis has identified the issue that Council has been consistently in breach of the trade waste agreement with GV Water. The current five year trade waste agreement expired on 31 March 2013. GV Water has agreed to continue the previous agreement until

## **7. BUSINESS DIRECTORATE**

### **7.1 Shepparton Regional Saleyards (continued)**

August 2013 to allow Council to obtain a consultant's recommendation on how trade waste management practices can be improved in the future.

The history of the breaches is that approximately five years ago GV Water requested that Council construct a roof over the existing Sheep Yards. The request was made as in a significant rain event, the large volume of outflows to sewer caused capacity issues at GV Water's sewerage treatment plant. The 10,500m<sup>2</sup> roof was completed two years ago from reserve funds and water tanks with the capacity to store 1mgl of harvested water have been installed.

While this resolved a problem for GV Water, it resulted in the volume of dissolved solids in the trade waste that is diverted to sewer increasing beyond the limits of Council's trade waste agreement.

Another result of installing the new roof and water harvesting was that the relationship between mains water coming into the site, and water discharged to sewer was altered, thus affecting the accuracy of the billing process. To resolve this Council responded to a request from GV Water to install a Magnetic Flow Meter so the discharge to sewer could be measured, monitored, and considered in a future trade waste agreement. This work was completed approximately 18 months ago.

#### **Solid Waste**

Council was recently contacted by the Environment Protection Authority (EPA) regarding a complaint of "dumping" of waste on property adjoining the Saleyards site. Although the EPA agreed the complaint was unfounded they issued a Pollution Abatement Notice regarding the storage and processing of waste.

The PAN gives Council to 30 August 2013 to provide a response re: how Council are going to address their concerns.

The volume of solid trade waste from the site is approximately 2000 m<sup>3</sup> per year.

As a result of both of the above issues, it is necessary to review waste management at the site in a holistic manner. Council has engaged a consultant to review trade waste management systems on the site and make recommendations for future management.

Reports are currently being prepared to address issues regarding the onsite treatment of waste water and waste solids, which will assist in framing new trade waste agreements with the Goulbourn Valley Water Authority and the Environment Protection Authority.

Other environmental risks such as animal disease outbreaks need to be considered when working with Agents and National and State Authorities to maintain a vigilant awareness of possible disease outbreaks.

#### **Social Implications**

The saleyards is an important asset to the community that draws the rural community together on sale days. It is an opportunity for our regional farmers to catch up on a social level as well as for business. It also provides direct and indirect employment for locals through the management contract, and through the agents, transport operators and buying agents.

## 7. BUSINESS DIRECTORATE

### 7.1 Shepparton Regional Saleyards (continued)

#### **Economic Impacts**

Market Impacts National, State Influences

Future throughput at regional saleyards will be influenced by a number of factors. At the National and State levels the stability of cattle and sheep markets have become more dependent on global influences as the proportion of export consumption vs domestic consumption increases. Recent publicity of stock treatment by overseas importers has demonstrated the risks to the Australian export market being impacted upon when this publicity sees periods of restraint in export activity until policy and agreements are renegotiated. Conversely Australia's quality assurance conditions and "clean and green image" is a major advantage in the retention of market share in overseas trade.

Economic Importance – Local (livestock industry, livestock agents, employment, transport industry, retailers, vendors)

The Shepparton Regional Saleyards conducts three weekly sales and draws business from a wide sector of northern Victoria and southern New South Wales. The importance of this business is in providing a livestock selling centre that has a multiplier effect in the local economy through livestock agents employment of staff, transport operators employment of staff and goods and services, agricultural businesses, providing goods and services to stock breeders and stock breeders employment of staff and purchase of goods and services.

#### **Regional Competitors**

A review of the activity of Shepparton Regional Saleyards over the past 10 years indicates the competition for business within approximately 100 kilometres of Shepparton. Whilst the overall cattle numbers appear to have decreased, when compared with figures from 2002, we are maintaining similar numbers, ie 85,619 in 2002 and 84,456 in 2012 and expected numbers for 2012/2013 is 96,000 (see table on page 4) whereas trends for other regional saleyards over the past 10 years are:

- Bendigo numbers have dropped by 64%
- Cobram numbers have dropped by 58%
- Deniliquin numbers have dropped by 42%
- Echuca numbers have dropped by 9%
- Wangaratta and Euroa have shown a slight increase.

A review of sheep numbers provided by Livestock Saleyards Association of Victoria over the past 4 years show the following trends in sheep numbers:

- Yarrawonga numbers have dropped by 41%
- Shepparton have dropped by 30%
- Bendigo numbers have dropped by 26%
- Finley numbers have dropped by 4%
- Deniliquin have increased by 21%
- Corowa numbers have increased by 5%

Additional external risks will need to be considered as they arise such as the uncertainty of operational costs to transport operators of fuel cost increases thereby making paddocks sales more attractive to breeders in the future.

## 7. BUSINESS DIRECTORATE

### 7.1 Shepparton Regional Saleyards (continued)

#### Consultation

Council's Shepparton Regional Saleyards Advisory Committee has been consulted in the development of this report. The Advisory Committee have recommended that of the Option for Consideration detailed below that Option 1 be implemented and the other options not be supported.

Members of the Advisory Committee include a Councillor, Council's Director Business, Saleyards Contract Manager, a stock agent's representative and Council's superintendent of the saleyards contract.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Consult	Future direction of the Saleyards discussed with Council's Advisory Committee	Shepparton Regional Saleyards Advisory Committee Meeting

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

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

The Background & Analysis Report No 5: Economic Development Objective 2: To support developing and emerging agribusinesses and their increasing requirement for high technical infrastructure.

#### Options for Consideration

Option 1 – continue the operations of the Saleyards as is. Recommended

The saleyards are producing an average annual operating surplus in excess of \$250,000. These surplus funds are put aside for capital renewal and improvements to the yards. These surplus figures have allowed major upgrade works to be undertaken and will allow for further works to be conducted in the future.

This option requires the advertising for a new contract to manage the operations of the Saleyards and the advertising for expressions of interest for the lease of the Café.

To maintain operations the schedule of capital and renewal works outlined above at an estimated cost of \$1.1 million over the period 2014-2016 will be required to be invested to manage trade waste and works associated with upgrading of pig yards etc.

Option 2 – modify the current operations of the Saleyards. Not recommended

- scale down sheep sales?  
This is not optimum as the agents are keen to maintain the sheep sales for the benefit of local farmers and the community. Whilst sheep sales have declined over recent years, the agents are very keen to maintain sheep sales at Shepparton. In years when conditions are not ideal for growing lambs, then the sheep will be sold through the saleyards.

## 7. BUSINESS DIRECTORATE

### 7.1 Shepparton Regional Saleyards (continued)

- have 2 cattle sales?  
To move to a 2 day sale may lessen the return from the saleyards. One of the reasons for the success of the Saleyards cattle sale is the fact that farmers can ship all of their cattle in one shipment for a one day sale. For two day sales, farmers are required to split their stock and have two shipment fees. Additional staff would be required to manage the 2 day sale. Another consideration would be whether the buyers would attend on two separate days.

Option 3 – sell the saleyards business (operational) Not recommended

Further analysis would be required to establish what a sale of the existing Saleyards business and assets would be worth on the open market.

The sale of the Saleyards business and assets would release considerable capital for other Council projects. To date \$6.7m (written down value) is invested in the Shepparton Regional Saleyards site.

Most saleyards are purchased by large conglomerates; other possible buyers could be local agents or a consortium of agricultural investors.

If Council was to sell the Saleyards business and assets, Council would no longer have responsibility or be liable for the operation of the Saleyards however it would no longer have control over pricing and policy.

Option 4 – relocate operations to a greenfield site and redevelop the existing site.  
Not recommended

This would involve the purchase of a suitable site and rebuilding the saleyards on that site. The building of a new site would ensure a state of the art facility, all OH&S and trade waste issues would be non existent. Location and access could be planned to minimise disruption to urban traffic flows. However, this must be measured against the investment required to build on a greenfield site and the length of time required to achieve a return on that investment.

There has been a substantial investment in the current site, including the roofing of the cattle yards and sheep yards which is currently valued at \$5 million plus the value of land which is equal to \$1.5 million. The value of buildings may not be recoverable in a sale of the current site.

In a Future Directions Study prepared on behalf of Wodonga Livestock Exchange in January 2006, it was noted that the costs of rehabilitating and selling the existing site would be cost neutral and the estimated cost to build a new greenfield site was \$12 million, excluding the purchase of the land. (In the Future Directions Study of the Wodonga Livestock Exchange in 2006 it was estimated as likely to be \$3 million). The report also identified that if Council were to maintain operation on the current site, it would cost the ratepayers a substantial amount of money, ie \$6million, to minimise OH&S and environmental issues and the existing facility whilst returning a surplus does not provide a return on investment. This could be substantially higher if Council were to compulsorily acquire a preferred site.



## 7. BUSINESS DIRECTORATE

### 7.1 Shepparton Regional Saleyards (continued)

#### **Conclusion**

To maintain the operations and regional significance of the Shepparton Regional Saleyards it is proposed that tenders be sought for the operation of the Shepparton Regional Saleyards and expressions of interest be invited for a new lease of the Saleyards Café.

It is proposed that an overarching external review of the future direction of the Shepparton Regional Saleyards be undertaken before Council commits significant funds to infrastructure upgrade works, including expansion of the roofed area.

#### **Aerial Map of Saleyards Site**



#### **Attachments**

Nil



## 7. BUSINESS DIRECTORATE

### 7.2 June 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

#### **Executive Summary**

The report presents Council's draft financial performance compared to budget for the twelve months ending 30 June 2013.

**Moved by Cr Patterson**

**Seconded by Cr Oroszvary**

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

**CARRIED.**

#### **Background**

The draft financial result will be updated for year end adjustments and included in draft financial statements for the year ended 30 June 2013 which will be considered by Council's Audit and Risk Management Committee and subsequently by a Special Meeting of Council to be held on 24 September 2013.

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 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 related to projects that are still proceeding however were not as far progressed as previously expected at 30 June 2013 and will be reconsidered as part of the 2013/14 Budget.

The March Quarter Budget Review forecast 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.

## **7. BUSINESS DIRECTORATE**

### **7.2 June 2013 Monthly Financial Report (continued)**

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

- Overview
- Income Statement
- Balance Sheet
- Cash Flow Statement
- Strategic Objective Reports
- 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.

## **7. BUSINESS DIRECTORATE**

### **7.2 June 2013 Monthly Financial Report (continued)**

#### **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 draft financial performance compared to budget for the twelve months ended 30 June 2013.

#### **Attachments**

June 2013 Monthly Financial Report Page 270

## 7. BUSINESS DIRECTORATE

### 7.3 Contracts Awarded Under Delegation

#### **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: Procurement Officer**

**Proof reader(s): Director Business**

**Approved by: Director Business**

#### **Executive Summary**

To inform the Council of publicly advertised contracts awarded by Officers under delegated authority of the Council during the period 16 May to 18 June 2013. The report also provides details of the status of requests for tenders that have not yet been awarded.

**Moved by Cr Patterson**

**Seconded by Cr Oroszvary**

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**

<b>Contract Number</b>	<b>Contract Name</b>	<b>Contract details, including terms and provisions for extensions</b>	<b>Value inclusive of GST</b>	<b>Awarded to</b>
1430	Management of Victoria Park Lake Caravan Park	Lump sum contract for the management of the Victoria Park Lake Caravan Park until 30 June 2015	\$611,000	David & Susan Hunneybell

#### **Tendered contracts awarded under delegated authority by a Director**

<b>Contract Number</b>	<b>Contract Name</b>	<b>Contract details, including terms and provisions for extensions</b>	<b>Value inclusive of GST</b>	<b>Awarded to</b>
1437	Fryers St Streetscape - North Side, East of Maude Street	Lump sum contract for the construction of streetscape works in Fryers Street	\$94,182	Morrissy Civil Works Pty Ltd

## 7. BUSINESS DIRECTORATE

### 7.3 Contracts Awarded Under Delegation (continued)

#### Tendered contracts not awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1409	Essential Services – Fire Extinguishers, Fire Hose Reels and Fire Blankets	Audit information contained in Council's Asset Management System, record inspection results, testing of essential safety measures, carry out approved repair works	Tender closed 24 April 2013. Tender abandoned 5 June 2013. Alternative procurement method to be investigated.
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. Tender abandoned 5 June 2013. Alternative procurement method to be investigated.
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. Tender abandoned 5 June 2013. Alternative procurement method to be investigated.
1412	Essential Services – Mechanical Services	Audit information contained in Council's Asset Management System, record inspection results, testing	Tender closed 8 May 2013. Tender abandoned 5 June 2013. Alternative procurement method to be investigated.
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. Tender abandoned 5 June 2013. Alternative procurement method to be investigated.

## 7. BUSINESS DIRECTORATE

### 7.3 Contracts Awarded Under Delegation (continued)

#### Requests for tenders advertised but not yet awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
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 closed 15 May 2013. Contract to be awarded in June 2013.
1417	Shepparton Showgrounds Outdoor Multi-Use Event Area - Electrical Works - Stage 1	Lump sum contract for the manufacture, supply, installation, testing and commissioning of electrical works for the multi-use event area at the Shepparton Showgrounds.	Tender closed 15 May 2013. Contract to be awarded in June 2013.
1432	Relocation of GVW Waterline - Vaughan Street Shepparton	Lump sum contract for the relocation of the GVW Waterline in Vaughan Street	Tender closed 5 June 2013. Contract to be awarded in July 2013.
1433	Relocation of Powerlines - Vaughan Street Shepparton	Lump sum contract for relocation of powerlines in Vaughan Street	Tender closed 5 June 2013. Contract to be awarded in July 2013.
1437	Fryers St Streetscape - North Side, East of Maude Street	Lump sum contract for the construction of streetscape works in Fryers Street	Tender closed 29 May 2013. Contract to be awarded in July 2013.
1441	Popular Avenue - Off-Street Car Park	Lump sum contract for the construction of streetscape works in Poplar Avenue	Tender closed 5 June 2013. Contract to be awarded in July 2013.
1443	Provision of Home & Community Care Services	Provision of Home Care Services, including General Home Care, Personal Home Care, Respite Care and Home Maintenance	Tender closes 29 June 2013.
1444	Provision of Food Services 2013	The provision of meals for Councils Meals on Wheels service and bulk meals to Community Centres.	Tender closes 29 June 2013.

## **7. BUSINESS DIRECTORATE**

### **7.3 Contracts Awarded Under Delegation (continued)**

#### **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.

#### **Attachments**

Nil

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.1 High Speed Rail Submission

#### **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 Director Sustainable Development

**Proof reader(s):** Chief Executive Officer

**Approved by:** Chief Executive Officer

#### **Executive Summary**

A strategic study on the implementation of a High Speed Rail (HSR) network on the east coast of Australia between Brisbane, Sydney and Melbourne has been undertaken in two phases – Phase 1 and Phase 2. Shepparton has been identified as a station on the proposed route and the Minister is calling for feedback on the report. The proposed location for the Shepparton station is north of the Midland Highway, west of Pine Lodge, providing good road access and located approximately 10 kilometres from the Shepparton Central Business District.

Council, in its submission to the Minister:

- Applauds the Federal Government's foresight to instigate the study into this major infrastructure project
- Supports the current alignment with stations identified at Wagga Wagga, Albury-Wodonga and Shepparton
- Recommends the construction of the route between Sydney and Melbourne to be undertaken as an immediate priority
- Recommends that the Federal Government take into consideration as part of the cost/benefit analysis - the costs that would be realised should the HSR project not be undertaken – including the construction of additional road networks and infrastructure to support additional air travel required to service population growth.

Council has received various letters of support from the following politicians/bodies, advocating for both the project and the proposed route with a station located in Greater Shepparton:

- Hume Region Local Government Network
- Candy Broad MLC Member for Northern Victoria Region
- Jeanette Powell MLA Member for Shepparton – Minister for Local Government – Minister for Aboriginal Affairs
- The Hon Dr Sharman Stone MP Federal Member for Murray
- Kaye Darveniza MP Member for Northern Victoria

**Moved by Cr Summer**

**Seconded by Cr Patterson**

That the Council adopt the submission to the High Speed Rail Study Phase 2 Report and authorise the document to be forwarded to the Department of Infrastructure and Transport for consideration.

**CARRIED.**



## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.1 High Speed Rail Submission (continued)**

#### **Background**

In August 2010, the Australian Government committed to a strategic study on the implementation of HSR on the east coast of Australia. The Phase 1 Report was launched by the Minister for Infrastructure and Transport, The Hon Minister Albanese MP on 4 August 2011 identifying corridors, station locations and potential patronage, as well as indicative costings to build a HSR network. Council undertook intensive lobbying and engaged community leaders to both educate and garner support for advocating Shepparton as a proposed location for a HSR station. Council consequently forwarded a submission on the Phase 1 Report.

The release of the HSR Study Phase 2 Report was made on 11 April 2013, identifying a HSR station to the east of Shepparton. Council invited Mr Richard Farmer, General Manager High Speed Rail, Department of Infrastructure and Transport to address Councillors and Council staff, Chief Executives and Mayors from neighbouring municipalities and community leaders to discuss the project in further detail and encourage support for the estimated \$114B project.

Council sought letters of support from local politicians in support of Council's submission advocating for the project and the proposed route, and circulated the draft submission to both local politicians and community leaders for feedback. Feedback was incorporated into the draft submission and is now presented to Council for endorsement and adoption.

GSCC has entered into a Memorandum of Understanding (MOU) with the Coalition of Councils for HSR (the Coalition – eighteen councils) which outlines total support for HSR and advocates for Sydney, Canberra, Melbourne and the four proposed regional areas (Southern Highlands, Wagga Wagga, Albury and Shepparton) to be connected by this mode of transport.

Specifically, the Coalition advocates for:

- Tri-partisan support for the concept of high speed rail and government commitment to commence detailed engineering plans for stage one.
- Land acquisition of the rail corridor to commence.
- Shorter construction times

#### **Council Plan/Key Strategic Activity**

Key Strategic Objective 17 – Promote and demonstrate environmental sustainability

Key Strategic Objective 31 – Engage our community when making decisions

Key Strategic Objective 32 – Develop strong partnerships with the State and Federal Governments

Key Strategic Objective 34 – Ensure our long term strategic vision for Greater Shepparton remains relevant and accurate

#### **Risk Management**

There are no known risks associated with the submission of feedback into the High Speed Rail Phase 2 Report.

#### **Policy Considerations**

This report aligns with the Shepparton CBD Strategy (2008) - Improving public transport services.

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.1 High Speed Rail Submission (continued)

#### Financial Implications

There are no financial implications associated with the submission of feedback into the High Speed Rail Phase 2 Report.

#### Legal/Statutory Implications

There are no known adverse legal or statutory implications associated with this report.

#### Environmental/Sustainability Impacts

HSR has significant environmental benefits over alternative modes of transport, however it must be noted that there would be considerable energy intensive activity during the construction phase of the project, and it is likely that native vegetation will be destroyed to allow for the proposed route. The report articulates that this will be addressed with appropriate mitigation and where necessary, offsets.

#### Social Implications

There are many anticipated benefits from a HSR station in Greater Shepparton in the areas of workforce and community development, access to health and related services, and tourism, recreation and social inclusion.

#### Economic Impacts

HSR will substantially improve access to regional centres such as Greater Shepparton, as well as capital cities, with access to Melbourne from Shepparton anticipated to be 43 minutes. HSR provides the opportunity for increased regional economic development, however the ability to realise these opportunities will rely on a coordinated and planned approach.

#### Consultation

Council has consulted with State and Federal Government, neighbouring Councils and community leaders during the development of submissions for both the Phase 1 and Phase 2 Reports into HSR. The submission presented for endorsement and adoption has been circulated in draft form to local politicians, neighbouring Councils and community leaders for review and feedback. Feedback provided has been incorporated where relevant.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Information regarding the project provided to stakeholders.	Media release and information and engagement session.
Consult	Stakeholders have been provided with the opportunity to review and provide feedback on draft submission.	Email inviting stakeholders to review and provide feedback on draft submission.

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

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

This report supports the themes of:

- Community Life
- Environment
- Economic Development
- Infrastructure

## **8. SUSTAINABLE DEVELOPMENT DIRECTORATE**

### **8.1 High Speed Rail Submission (continued)**

#### **b) Other strategic links**

Northern Victorian Transport Strategy

Objective 8 – a transport network that better supports tourism

Objective 9 – a safe, fast and efficient road and rail passenger network

Hume Strategy for Sustainable Communities 2010-2020

Transport Theme – Key Direction 15 – Linking communities through improved public transport and transport linkages

#### **Options for Consideration**

The Council has three options in relation to this report:

- Forward the submission to the Department of Infrastructure and Transport as presented
- Amend the submission and submit to the Department of Infrastructure and Transport
- Not forward a submission to the Department of Infrastructure and Transport.

#### **Conclusion**

It is recommended that the Council forward the submission as presented to the Department of Infrastructure and Transport, to advocate Council's support for the project and articulate support for a station to be located in Greater Shepparton

#### **Attachments**

Nil

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.2 Boulevard Bush Reserve - Park Naming

#### **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:** Statutory Planning Support Officer

**Proof reader(s):** Manager Planning

**Approved by:** Director Sustainable Development

#### **Executive Summary**

The Council received a request from the Shepparton Mooroopna Urban Landcare Group to formally name Crown Allotments CA9 Sec B & CA10 Sec B situated on The Boulevard, Shepparton as *Boulevard Bush Reserve*.

#### **RECOMMENDATION**

That the Council:

1. Approve the land known as Crown Allotments CA9 Sec B & CA10 Sec B situated on The Boulevard, Shepparton in accordance with Guidelines for Geographic Names Victoria and the *Geographic Place Names Act 1998* Boulevard Bush Reserve
2. submit the name for approval to the registrar of Geographic Names.

#### **Moved by Cr Oroszvary**

#### **Seconded by Cr Summer**

That the Council:

1. Approve the land known as Crown Allotments CA9 Sec B & CA10 Sec B situated on The Boulevard, Shepparton in accordance with Guidelines for Geographic Names Victoria and the *Geographic Place Names Act 1998* to be officially named Boulevard Bush Reserve
2. submit the name for approval to the registrar of Geographic Names.

**CARRIED.**

#### **Background**

Greater Shepparton City Council purchased the block of land in north Shepparton, commonly referred to as "Tassickers" in June 2010, with the intent to maintain it as a passive recreational, educational and environmental area for general community use. Since then, there has been little planning for this site.

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.2 Boulevard Bush Reserve - Park Naming (continued)

Various agencies and community groups, including Shepparton Mooroopna Urban Landcare Group, Goulburn Valley Environment Group, Goulburn Broken CMA and Parks Victoria have been keen to undertake a range of works on site, mainly focusing on sustaining the environmental integrity of the site.

In October 2012 a Flora and Fauna Assessment of the site was undertaken by Integrated Catchment Services, who made various recommendations for the environmental management of the site. These recommendations have been reviewed by the RiverConnect Land Management Working Group and used to form an interim management statement for the site. This management statement has been endorsed by the RiverConnect Implementation Advisory Committee.

The block has very high conservation value: it is a unique bush block on the edge of a city, with an excellent representation of the flora and fauna that is specific to that type of vegetation. It has species that are rare in our shire of both plants and animals.

Echidnas have been sighted twice, and two platypus are known to reside at either end of the reserve to name just a couple..

#### Council Plan/Key Strategic Activity

There are no links to the Council Plan as this is a procedural matter.

#### Risk Management

The proposed name has been through the community consultation process via public notice, 3 support letters were received and no objections were received.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Little risk related to naming of garden	E	5	Insignificant	
Not naming the gardens could cause a negative reaction by the landcare group and/or the community	B	4	Moderate	Assessed against Naming Guidelines and advertised proposal by public notice
The reserve will not be listed on Emergency Services mapping databases	C	4	Low	
Risk that someone hasn't seen the notice and objects when the sign is erected	D	4	Low	Public Notice was undertaken in accordance with Naming Guidelines

From this there is deemed no risk to naming this reserve.

#### Policy Considerations

Council Officer assesses names in accordance with Guidelines for Geographic Names in Victoria and *Geographic Place Names Act 1998 (Naming Guidelines)*.

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.2 Boulevard Bush Reserve - Park Naming (continued)

#### Financial Implications

There are no fees associated with the formal approval and/or lodgement of park names. There may be some costs associated with the erection of signage.

	2012/2013 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	Nil			
Expense	-	\$2000.00	-	Parks & Rec
Net Result				

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

#### Legal/Statutory Implications

Assessment of names has been undertaken in accordance with the *Geographic Place Names Act 1998*

#### Environmental/Sustainability Impacts

There are no implications as this is a procedural matter.

#### Social Implications

There are no implications as this is a procedural matter.

#### Economic Impacts

There are no implications as this is a procedural matter.

#### Consultation

Boulevard Bush Reserve was placed on Public Notice in the Shepparton News on Friday 19 April 2013. There were 3 submissions of support received including 1 from The Boulevard Corporation.

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

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

There are no links as this is procedural

##### b) Other strategic links

There are no links as this is procedural

#### Options for Consideration

- Reserve be named in accordance with recommendation of this report
- Reserve remains unnamed

#### Conclusion

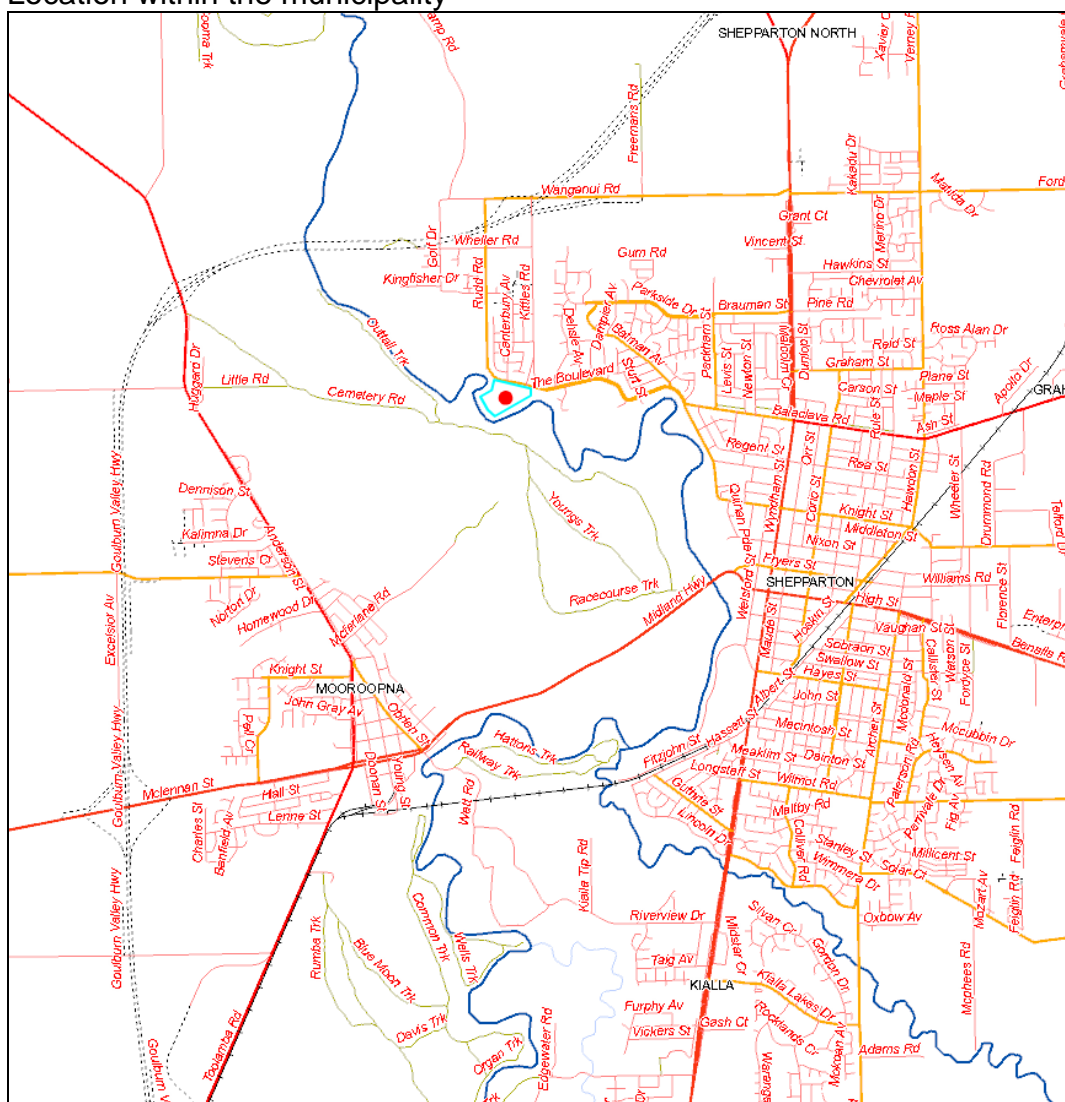
As request meets naming guidelines, and no objections have been received it is recommended that the land be renamed Boulevard Bush Reserve.

Location within the municipality

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.2 Boulevard Bush Reserve - Park Naming (continued)

Location within the municipality

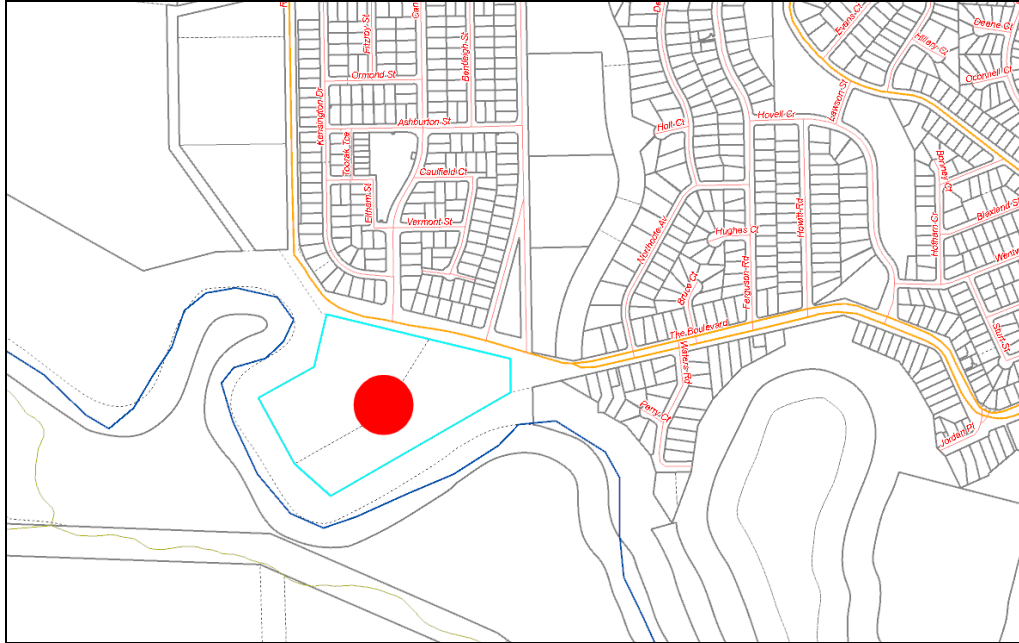




## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.2 Boulevard Bush Reserve - Park Naming (continued)

Site Photo



Aerial Photo





## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.2 Boulevard Bush Reserve - Park Naming (continued)

Letter from Shepparton Mooroopna Urban Landcare Group

25 March 2013

Janine Saxon  
Greater Shepparton City Council  
90 Welsford Street  
SHEPPARTON VIC 3630

Greater Shepparton City Council	
File No	
Record No	
- 4 APR 2013	
Referred To	
Copies To	

Dear Janine,

#### **Naming of 'Tassicker's Block'**

I write on behalf of the Shepparton Mooroopna Urban Landcare Group to request the block of land commonly referred to as "Tassicker's Block" be formally named "Boulevard Bush Reserve".

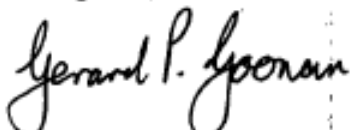
As you'd be aware, Greater Shepparton City Council purchased a parcel of land along the Boulevard commonly referred to "Tassicker's Block" in 2010. The term 'Tassicker's' derived from a previous owners name, who used the adjacent land for farming purposes. (Note that the river frontage is part of the Shepparton Regional Park managed by Parks Victoria).

This block of land is a high value area of fragmented native vegetation and contains a number of native bird and mammal species, including the endangered Squirrel Glider. To the best of my knowledge, this land was purchased with the intent to preserve it for habitat and passive recreational needs, and therefore the proposed name of "Boulevard Bush Reserve" is well suited to this site.

This suggested name is supported by groups including, Parks Victoria, Goulburn Broken CMA, Goulburn Valley Environment Group, Department of Primary Industries and the RiverConnect Land Management Working Group.

Thank you for considering our suggest name and I look forward to your timely response.

Kind regards,



**Gerry Goonan**  
**Shepparton Mooroopna Urban Landcare Group**

#### **Attachments**

Nil

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.3 Revised Conditions for an Application at 25 Prentice Road, Shepparton East**

#### **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: Senior Statutory Planner**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

This report considers an application for buildings and works for two dock loaders, one to the north and one to the south of the existing building, works for a hardstanding area to the north of the existing building in the Farming Zone and Land Subject to Inundation Overlay at 25 Prentice Road, Orrvale. The application is currently before VCAT.

The application originally considered by the Council included the development of a new access / egress onto Central Avenue. The application now being considered by VCAT was amended and has removed the proposed access / egress onto Central Avenue, which would mean that the existing access onto Prentice Road would continue to be used as it is now.

As the application now before VCAT has been amended from the original application considered by the Council at the 20 November 2012 ordinary Council meeting, (including a set of draft conditions should VCAT approve the application) it is now pertinent to amend the set of draft permit conditions to reflect the current application and the access arrangements.

The case is set to resume at VCAT on August 5 2013 and will continue to August 8 2013.

The amended conditions are also considered necessary as a number of the conditions on the previous Draft Planning Permit were specific to the access / egress to Central Avenue, which no longer forms part of the amended application and are therefore redundant.

Having regard to the above, the purpose of this report is, in the first instance to seek approval of the amended conditions by the Council and secondly to further establish a Council position regarding the amended conditions.

#### **Moved by Cr Summer**

#### **Seconded by Cr Patterson**

That the Council endorse the amended draft conditions for Planning Permit 2012-130 for development at 25 Prentice Road in accordance with those as set out below.

#### **1. Amended Plans Required**

Within 30 days of the date of issue of this permit, amended plans to the satisfaction of the responsible authority must be submitted to and approved

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.3 Revised Conditions for an Application at 25 Prentice Road, Shepparton East (continued)**

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

- a) The upgrading of the Prentice Road/ Channel Road intersection, the Channel Road/ Orrvale Road intersection (eastern side) and the Channel Road / Central Avenue intersection;
- b) Transport route which directs B-Double traffic to the Midland Highway along Orrvale Road;
- c) Provision of way finding signage to direct truck drivers to the Midland Highway from Prentice Road through the Channel Road intersection to the Channel Road / Orrvale Road and the Orrvale Road / Midland Highway intersection.

#### **2. Layout Not Altered**

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

#### **3. Hours of Operation**

The use including all associated truck movements must operate only between the hours of 7.00AM to 7.00PM Monday to Sunday to the satisfaction of the responsible authority.

#### **4. Acoustic Requirements**

The applicant must provide the following noise attenuation measures:

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

To the satisfaction of the responsible authority.

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

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

#### **Security Alarms**

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.3 Revised Conditions for an Application at 25 Prentice Road, Shepparton East (continued)**

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

#### **5. Drainage Discharge Plan**

Within 30 days of the date of issue of this permit, a drainage plan with computations prepared by a suitably qualified person to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of two copies must be provided. The plans must be in accordance with council's Infrastructure Design Manual and include:

- a) how the land will be drained;
- b) drains conveying stormwater to the legal point of discharge;
- c) the expected discharge quality emanating from the development output from Model for Urban Stormwater Improvement Conceptualisation (MUSIC).
- d) an electronic copy of treatment modelling (MUSIC or equivalent) to demonstrate proposed treatment results.
- e) a maximum discharge rate from the site of 1.2 l/sec/ha;
- f) documentation demonstrating approval from the relevant authority for the legal point of discharge

#### **6. Detailed Construction Plan**

Within 30 days of the date of issue of this permit, detailed construction plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must include:

- a) Upgrading works of intersections and the road network as required by the Traffic Works report

#### **7. Hardstanding Area**

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

#### **8. Road Upgrades**

Within 30 days of the date of issue of this permit, detailed construction plans of road upgrades as outlined by Traffic Works must be submitted to and approved by the responsible authority.

#### **9. Road Works**

Within 3 months of the date of issue of this permit, all road works detailed in Condition 8 must be completed to the satisfaction of the Responsible Authority.

#### **10. Traffic Management Plan**

Within 30 days of the date of issue of this permit, the applicant must provide a Traffic Management Plan which outlines the following:

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.3 Revised Conditions for an Application at 25 Prentice Road, Shepparton East (continued)

- a) Transport route to Midland Highway;
- b) Measures to inform drivers of the route;
- c) Use of broadband reversing beepers ;
- d) Informing drivers that engine brakes should not be used

#### 11. Parking and Traffic Management Plan

Within 30 days of the date of issue of this permit, a traffic management plan to the satisfaction of the responsible authority must be submitted for approval by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. Three copies of the plan must be submitted and must include:

- a) Transport route to Midland Highway for B-Double trucks;
- b) Measures to inform drivers of this route;
- c) Measures to ensure that this route is used by all B-Double drivers;
- d) Measures to ensure that engine brakes are not used by any drivers;

#### 12. General Amenity

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

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

#### 13. Time for Starting and Completion

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

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

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

**CARRIED.**

#### Property Details

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

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.3 Revised Conditions for an Application at 25 Prentice Road, Shepparton East (continued)**

#### **Proposal in Detail**

The original application considered by the Council comprised of:

*Buildings and works for two dock loaders, one to the north and one to the south of the existing building, works for a hardstanding area to the north of the existing building and works for a new vehicle access/ egress onto Central Avenue in the Farming Zone and Land Subject to Inundation Overlay.*

On 26 September 2012, the applicants made an application to VCAT for a review under Section 79 (failure to determine the application within 60 days) and Section 149 A (Declaration regarding the existing use rights of the lands) of the *Planning and Environment Act 1987*.

In light of this, the Council's Planning Department made a recommendation to the Council regarding a position which should be taken at the VCAT hearing.

At the 20 November 2012 Ordinary Council Meeting the Council resolved:

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

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

On 19 March 2013 the applicant's wrote to VCAT to request that leave be granted to amend the application to remove the access / egress to Central Avenue. The applicants stated that the changes were made to respond to the objections received to the proposed development.

The Council's Planning Department requested a Practice Day at VCAT to seek leave to advertise the proposed amendments to the application. VCAT refused this application on the grounds that the amendment would be dealt with by way of substitution of plans at the commencement of the hearing.

However, the Practice Day was not required in the end as in the interim the applicants advised the Council that it had provided notice of the new access arrangements to all objectors and also to the owners and occupiers that the Council officers had intended to give notice.

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.3 Revised Conditions for an Application at 25 Prentice Road, Shepparton East (continued)**

It is now considered appropriate to present the Council with an updated set of draft conditions which addresses the amended application

#### **Summary of Key Issues**

The application that was considered by the Council comprised of the following:

*Buildings and works for two dock loaders, one to the north and one to the south of the existing building, works for a hardstanding area to the north of the existing building and works for a new vehicle access/ egress onto Central Avenue in the Farming Zone and Land Subject to Inundation Overlay.*

The application now before VCAT was amended from the original proposal to remove the access / egress to Central Avenue and provide access by the current access to the site being Prentice Road.

The draft conditions previously considered by the Council included conditions which related to the proposed Central Avenue access arrangements. Conditions 1, 6, 8 and 10 are now not applicable to the amended application before VCAT.

Having regard to the above, it is considered that a new draft set of conditions should be prepared for the consideration of the Council which reflect the application which is now before VCAT.

For these reasons, it is the Planning Department's view that the Council should endorse the updated draft conditions.

#### **Background**

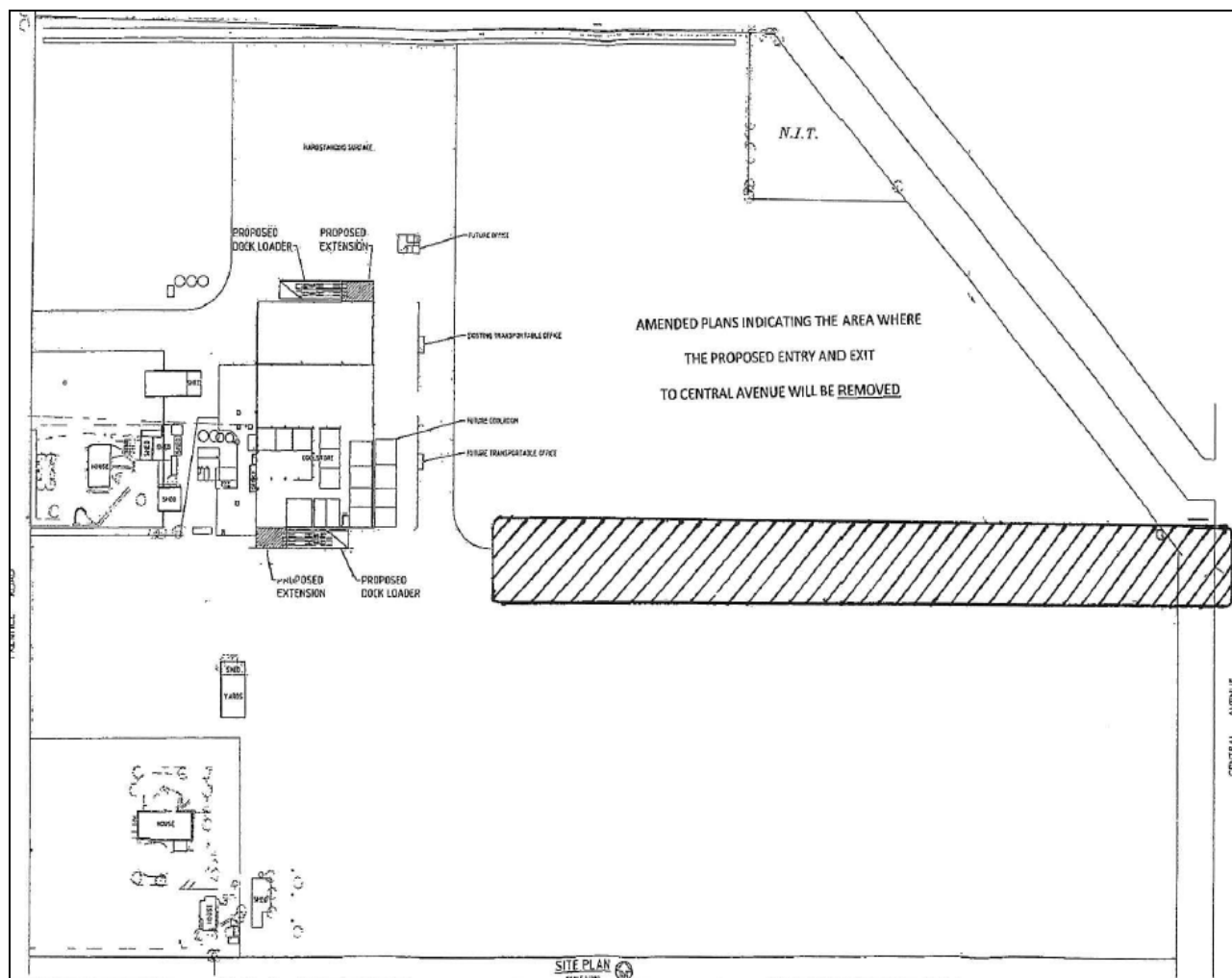
The proposal comprises of buildings and works for two dock loaders, one to the north and one to the south of the existing building, works for a hardstanding area to the north of the existing building. A brief background to the application is outlined below:

- A Planning Permit application was received by the Council's Planning Department on 4 May 2012.
- The application was notified to the public and 64 objections were received.
- The majority of the objections related to the volume of truck movements associated with the use, the increase in use of the site from the previous owners and that the site is now in effect a logistics warehouse and not a store/ packing shed as used previously.
- On 18 September 2012 the Council's Planning Department received notice from VCAT that the applicants had made an application for a declaration in relation to the existing use rights.
- Further to this, the Council's Planning Department have also received a notice from VCAT that the applicants have made an application for review pursuant to Section 79 of the *Planning and Environment Act 1987* (Failure to Determine the application within the prescribed 60 day period).
- At the November 2012 OCM (20 November 2012) the Council decided that if it had the ability to make a decision it would have refused the application for the development of the site for dock loaders, hard stand area and access / egress to Central Avenue.
- On 19 March 2013 the applicant sought to amend the application at VCAT to remove the proposed access / egress to Central Avenue.

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.3 Revised Conditions for an Application at 25 Prentice Road, Shepparton East (continued)

- The applicants provided notice to all objectors and other potentially interested parties in the area on 19 March 2013.
- The VCAT hearing commenced on 18 April 2013 and resumes 5 August 2013.
- The applicant was granted leave to amend the application by VCAT at the opening day of the hearing on 18 April 2013. The amended layout is shown below:



#### Assessment under the Planning and Environment Act

The key consideration is the impact that the omission of the access/ egress to Central Avenue would have on the wider road network and what conditions would be required to be added to the Draft Permit to accommodate large truck movements within the local road network.

In this regard, the Council's Traffic Engineering advisor (Traffic Works) was requested to consider the impact that the proposed amendment would have on the area. In this regard the following was stated:

*If the current access location is retained (Access/ egress from Prentice Road), considerable improvements are required to comply with Austroads standards at the present site entry and exit driveways.*



## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.3 Revised Conditions for an Application at 25 Prentice Road, Shepparton East (continued)**

*Such improvements would involve significant widening of the Prentice Road carriageway and upgrading of the entrances to 25 Prentice Road to better accommodate access by B-Doubles (the VicRoads Standard Drawing SD 2065, as appended to my report of 22/8/2012, is suggested as an appropriate standard). It is also expected to involve general pavement and seal widening between the two access points to 25 Prentice Road and Channel Road to permit two-way vehicle movements within the sealed carriageway for this length of Prentice Road.*

#### **Wider Network Impacts**

*The Paffrath (applicants Traffic Impact Assessment) report undertook extensive assessments of intersection operations in the area, including SIDRA analysis, establishment of levels of service, gap analysis, review of sight distance criteria and concluded that no mitigating works were necessary to accommodate traffic generated by the development.*

*My report (Traffic Works) of 22/8/2012 noted that turns by semi trailers and B-Doubles at the three nearby intersections (Prentice Rd at Channel Rd; Channel Rd at Orrvale Rd and Channel Rd at Central Ave) require these vehicles to swing wide and occupy the full pavement width (including the opposing traffic lanes) during their turn manoeuvres. This is an undesirable and inherently unsafe situation. In addition there are visibility shortcomings at each of these intersections that need to be addressed (see Section 5.1.2 of my report).*

*In the absence of the alternative access from the site direct onto Central Avenue, each of the above intersections should desirably be upgraded to safely cater for turns by larger trucks (semi-trailers and B-Doubles). Quantification of these improvements will require survey and design to define the total scope of work to be carried out at each intersection but is likely to involve extensive pavement widening and some relocation of utility services.*

Having regard to the above, it is considered that the Draft Planning Permit should be amended to take account of:

1. The omission of the access/ egress onto Central Avenue. The Draft Planning Permit previously considered included conditions relating to the access/ egress to Central Avenue, this access/ egress is no longer being considered by VCAT and the conditions are therefore considered null and void.
2. The advice of the Council's Traffic Engineer (Traffic Works). A number of junction upgrades would be required to ensure that the local road network could accommodate the movements of B-Double trucks. The pertinent junctions are shown in the aerial image shown overleaf. It is considered that the Draft Planning Permit should be amended to include the upgrades highlighted by the Council's Traffic Engineer (Traffic Works).



## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.3 Revised Conditions for an Application at 25 Prentice Road, Shepparton East (continued)**

#### **Risk Management**

The updated draft conditions have been considered in accordance with the provisions of the Act, which includes public notice of the proposal, which reduces possible risk to the Council.

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

Risks	Likelihood	Consequence	Rating	Mitigation Action
Recommendation to refuse to grant the amended permit	B	5	Low	The Planning Department's recommendation to refuse to grant a permit is a legitimate decision that would be normally open to Council.

#### **Policy Implications**

The proposal conflicts with the Council policy regarding non-agricultural uses in agricultural areas , which seeks to ensure that non- agricultural uses are located in more suitable areas rather than in agricultural areas.

#### **Financial Implications**

The application is currently being considered at VCAT. To date the Council has spent \$20,808 on VCAT proceedings. The Tribunal resumes on 5 August 2013. Additional expenses will be incurred for these days and it is estimated that the cost of the case could reach approximately \$100,000 in total.

#### **Conclusion**

It is the Planning Department's view that the amended Draft Planning Permit should be endorsed by the Council.

#### **Attachments**

Nil

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.4 Hume Regional Growth Plan Submission

#### **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): Acting Director Sustainable Development**

**Approved by: Acting Director Sustainable Development**

#### **Executive Summary**

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.

The RGP was released on 3 June 2013 for public consultation.

The Minister for Planning has instructed DPCD that all regional growth plans must be completed and submitted to him by October 2013.

As part of finalising the draft RGP in readiness for consultation, the Councils were asked to acknowledge the preparation of the draft plan and note the consultation process prior to the finalisation of the plan.

At the 21 May Ordinary Council meeting the Council resolved the following;

- *That Council acknowledges the preparation of a draft Hume Regional Growth Plan by the Department of Planning and Community Development and notes the process that allows for public consultation prior to the final document being submitted to Council for consideration.*

During the public consultation process Councils have an opportunity to provide further feedback. This report seeks the Council's endorsement of its submission to the RGP.

In this regard, there are a number of items and issues within the RGP that could be strengthened, particularly regarding social infrastructure which is required to meet growth projections.

#### **Moved by Cr Summer**

#### **Seconded by Cr Oroszvary**

That the Council endorse the submission to the Hume Regional Growth Plan and authorise the document to be forwarded to the Department of Planning, Transport and Infrastructure for consideration.

**CARRIED.**



## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.4 Hume Regional Growth Plan Submission (continued)**

#### **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* 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.

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.

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.4 Hume Regional Growth Plan Submission (continued)

- *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.

The process of developing the draft Hume RGP was commenced in 2011 and included extensive stakeholder consultation and targeted community consultation.

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

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



As part of finalising the draft RGP in readiness for consultation, the Councils were asked to acknowledge the preparation of the draft plan and note the consultation process prior to the finalisation of the plan.

At the 21 May Ordinary Council meeting the Council resolved;

*That Council acknowledges the preparation of a draft Hume Regional Growth Plan by the Department of Planning of Community Development and notes the process that allows for public consultation prior to the final document being submitted to Council for consideration*

The draft Hume RGP was subsequently released for broader community consultation on 3 June 2013 and was available for public comment until Friday 12 June 2013.

Whilst the Council wishes to acknowledge the significant work undertaken by DPCD to produce the RGP and recognise that the fact that the Council itself has made significant

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.4 Hume Regional Growth Plan Submission (continued)

contribution to the draft, there are a number of items and issues within the RGP that could be strengthened, particularly regarding social infrastructure which is required to meet growth projections. In this respect much of the Council's submission relates to these issues and where the Council seeks changes to the final RGP.

#### 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.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Not commenting on the draft RGP	Unlikely	Moderate	Moderate	Council are making a submission to the draft RGP to ensure that the Council's interests are addressed
RGP does not include issues that are of interest to the Council and its community				Council should continue to advocate to 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.

## **8. SUSTAINABLE DEVELOPMENT DIRECTORATE**

### **8.4 Hume Regional Growth Plan Submission (continued)**

#### **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, programs and resources to support growth is required, such as additional childcare, hospital services and other important social infrastructure. In this respect ongoing monitoring of social determinants is essential to ensure that services match the needs of the existing and growing community.

#### **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.

#### **Consultation**

Further to a briefing of all 12 Councils in the region, the draft Hume RGP was officially released for community consultation on 3 June 2013. The community consultation process took 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 were released for community feedback. In addition, the project website ([www.dpcd.vic.gov.au/planning/plansandpolicies/ruralandregionalplanning/regionalgrowthplans/hume-regional-growth-plan](http://www.dpcd.vic.gov.au/planning/plansandpolicies/ruralandregionalplanning/regionalgrowthplans/hume-regional-growth-plan)) featured all project documents. Public notices and press releases were made available by DPCD, including notices in local newspapers. Displays providing information about the draft Hume RGP were also be available at council offices.

The community had 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. These were held in Seymour, Wodonga, Wangaratta and Shepparton.

The community consultation period provided 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 the close of the consultation period, submissions will be assessed and a revised draft Hume RGP will be prepared. The 12 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 the Councils for consideration in September 2013.



## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.4 Hume Regional Growth Plan Submission (continued)

All RGP's 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	1) 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 make a submission to DPCD on the draft RGP.

Make a submission to DPCD on the draft RGP (preferred)

#### 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 draft Hume RGP and draft Background Paper were officially released by DPCD for community consultation on 3 June 2013. During this period of time anyone (including Councils) can make a submission regarding the draft Hume RGP. This feedback will be used to inform the development of the final draft Hume RGP.

## **8. SUSTAINABLE DEVELOPMENT DIRECTORATE**

### **8.4 Hume Regional Growth Plan Submission (continued)**

The community consultation period provided 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 the close of the consultation period, submissions will be assessed and a revised draft Hume RGP will be prepared. The 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.

Given the importance placed on the RGPs at a State Government level, it is imperative that the Council endorse a submission to the RGP to ensure that the Council's and the community's interests are known and included within the final document.

#### **Attachments**

Hume Regional Growth Plan Submission      Page 272

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.5 Draft Shepparton Freight and Land Use Study

#### **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: Strategic Transport Engineer**

**Proof reader(s): Team Leader Strategic Planning**

**Approved by: Acting Director Sustainable Development**

#### **Executive Summary**

The purpose of the Greater Shepparton Freight and Land Use Study is to identify and assess relevant industry, freight and land use trends in the Greater Shepparton municipal area. It seeks to inform road and rail infrastructure network planning decision making and prioritisation.

The freight task in the region is growing and there is evidence to suggest that this growth is exceeding economic and population growth. Efficient and effective transport movement, particularly of freight within (as well as to and from) Greater Shepparton, is critical to ongoing growth and competitiveness of Greater Shepparton and the surrounding region. The objectives of this study are to:

- Ensure Greater Shepparton is well placed to accommodate increased freight demand whilst minimising impacts on the community.
- Safeguard strategically important freight transport corridors and links to facilitate delivery of future infrastructure projects.
- To integrate transport and land use so there are direct and efficient routes that connect key industrial land uses, there is an efficient use of land and to support ongoing investment into manufacturing and freight related industries.

There are a number of issues in Greater Shepparton which are currently curtailing the potential of the area as an important and growing hub for freight related activity. These have been identified by a review of existing strategic documents which has been complemented by extensive stakeholder consultation with government and industry. The Draft Greater Shepparton Freight and Land-use Study (attachment 1) provides a framework plan with 21 short, medium and long term actions and is ready for endorsement.

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

That the Council endorse the Draft Greater Shepparton Freight and Land Use Study, incorporating the Framework Plan, for public consultation with industry stakeholders, government agencies and broader community.

**CARRIED.**

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.5 Draft Shepparton Freight and Land Use Study (continued)**

#### **Background**

The Greater Shepparton City Council is experiencing population growth and a significant investment in irrigation infrastructure, which is likely to result in future growth of already substantial agricultural and manufacturing outputs. This coupled with the demand from the expanding industrial and commercial sector will put increased pressure on the freight transport routes and freight infrastructure. To ensure Greater Shepparton is well placed to accommodate this increased demand and minimise the impacts on the community there is a clear need to strategically identify and safeguard current and future freight transport corridors and links. It is also necessary to identify and prioritise future infrastructure investments and road freight network improvements for the municipality.

In June 2012 the Department of Transport (DoT) invited the Council to undertake the Shepparton Freight and Land Use Study and following agreement to their terms and conditions, Council was successful in securing \$40,000 from DoT for this project.

A steering group comprising representatives from Council, DoT, VicRoads and Department of Planning and Community Development (DPCD) provided direction to AECOM Australia Pty Ltd who was appointed to undertake the study.

The Steering Group has met three times. It first confirmed the study brief and ensured that all organisations represented on the group were in agreement to the study outcomes sought. The first meeting also communicated the need for coordination with the Hume Planning for Freight Pilot (HPFF). Stakeholder consultations were undertaken in November 2012 involving 17 freight generators and freight operators.

The second meeting reviewed a discussion paper that presented a strategic overview and key trends for freight. The steering group members communicated their issues for AECOM to investigate and respond to.

The first Freight and Land Use Study draft report was received on 21 December 2012. Consolidated comments from the Steering Group were discussed at a video conference with AECOM in January 2013. Several revisions have been assessed since to achieve the final draft Study Report (Attachment 1).

The Greater Shepparton Freight and Land Use Study has been undertaken in parallel with the Hume Region Planning for Freight Pilot which evaluated Freight Impacted local road networks and established future Strategic Freight routes. Greater Shepparton submitted 18 freight network upgrade projects for inclusion in the regional priority list. Three of these projects have recently been shortlisted for a '*Rapid Appraisal*' analysis and regional funding consideration. The Freight and Land Use Study has taken into account the HPFF outcomes.

The Draft Greater Shepparton Freight and Land Use Study has identified and examined future industrial/commercial and community freight interests and trends. It builds on previous studies that have focussed on addressing land use and transport issues in Greater Shepparton.

Following endorsement of the study and completion of the consultation (refer to attachment 2) the Freight and Land Use Study will be presented back to the Council with:

- Amendments as agreed to by the Steering Group
- Priorities for immediate actions provided in the Framework Plan

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.5 Draft Shepparton Freight and Land Use Study (continued)

Council will therefore be in a position to lobby both State and Federal Governments for funding these priority actions.

#### Council Plan/Key Strategic Activity

Council Plan 2009–13:

Economic Development, Action 20

- *Establish the Goulburn Valley Freight Logistics Centre to improve the efficiencies and competitiveness of regional business*

Infrastructure, Action 25

- *Pursue construction of the Shepparton bypass and second river crossing on the Goulburn Valley Highway*

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
That the expectations of the stakeholders are not represented in the draft study report.	C (Possible)	3 (Moderate)	Moderate	Summaries of stakeholder interviews to be provided to each freight company for review. Release the final draft study report for all stakeholders and government agencies to consider.
That the Framework Plan actions for the arterial road network are not supported by the state government.	C (Possible)	2 (High)	Major	Engage with VicRoads and seek support from the Hume Region Forum and Department of TPLI.
That insufficient funds are available to deliver the actions within the recommended timeframes.	C (Possible)	3 (Moderate)	Moderate	Prepare business cases to attract funding for delivering the Framework Plan actions.

#### Policy Considerations

The Draft Greater Shepparton Freight and Land Use Study responds to the objectives and strategies of the Greater Shepparton 2030 Strategy and Shepparton CBD Strategy.

#### Financial Implications

The Greater Shepparton Freight and Land Use Study has been fully funded by the Department of Transport (DoT) in 2012 – 2013.

	2012/2013 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	40,000	40,000	0	DoT grant
Expense	40,000	46,139	6,139	
Net Result	0	0	0	

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

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.5 Draft Shepparton Freight and Land Use Study (continued)**

The project has exceeded the budget due to additional work comprising bridge assessments for the Hume Region Planning for Freight Pilot and additional traffic modelling for Welsford Street. This additional expenditure has been funded from the 2012-13 budget.

#### **Legal/Statutory Implications**

Officers will be limited to powers provided in the *Local Government Act 1989*, Road Management Act 2004 and the Transport Integration Act 2010.

#### **Environmental/Sustainability Impacts**

The study report acknowledges the following potential environmental/sustainability impacts:

1. High use of heavy vehicles due to the lack of an attractive and viable rail freight option that results in traffic safety impacts.
2. Emissions/noise impacts generally and in those areas where there are network pinch points.
3. Noise impact of heavy goods vehicles during night operations.

#### **Social Implications**

The study report acknowledges the potential impact on the amenity of urban areas due to:

1. Heavy vehicle traffic travelling through Shepparton CBD, residential and commercial areas of our towns resulting in emission of pollutants and threats to pedestrian safety.
2. Congestion on the Shepparton Alternative Route limiting access to some potential users.
3. The Shepparton Alternative Route not being designed for its current level of activity and type of use causing severance and amenity issues for the local community.

#### **Economic Impacts**

Agricultural production has a strong historical connection with Shepparton. Despite the recent announcement by SPC Ardmona overall growth is still expected with the diversity of other agricultural and manufacturing activity. Shepparton is a major regional hub for the collection, production, value adding and packaging of raw materials for export from the region to national and international markets. As such, local, regional and interstate freight routes play a significant role in the collection, manufacturing and distribution of local products. A strong and flexible road and rail network is of great significance to the continued economic prosperity of the region.

Network performance issues that are affecting the economic prosperity are listed in Section 6.3 ('Transport Integration Act Principles') of the study report.

#### **Consultation**

Major freight generators and transport service providers have been consulted during the preparation of the study. A number of candidate freight generators and transport service providers were identified by the study project steering group for inclusion in the consultation process. Seventeen candidates were identified for an interview on the basis of their levels of activity, their national freight network access requirements and the potential benefits they may receive from the delivery of any infrastructure proposals that are identified in this study. Details of the freight generators and providers included in the stakeholder consultation are presented in Appendix A of the Study Report.

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.5 Draft Shepparton Freight and Land Use Study (continued)

Freight generators and transport service providers were asked to provide the following information to inform the study:

1. A description of the scale, geographic coverage and nature of existing and potential future operations.
2. Details of the use of the Shepparton freight network for transport operations.
3. Issues with the existing road freight network.
4. Any commercial considerations determining existing route choices.
5. Any anticipated changes in levels of activity, activity profiles or routes used.

Summaries of the consultation outcomes for these companies are provided in Section 5 of the study report. Because some of the information provided in Section 5 may be considered 'commercial-in-confidence' the companies have been asked to review the summary of their interview and consent to its inclusion in the final report. They were advised that if no response is received by the specified date it would be assumed they had no objection.

At present six responses have been received, five seeking changes to their company details and one giving consent without amendment.

<i>Level of public participation</i>	<i>Promises to the public/stakeholders</i>	<i>Examples of techniques used</i>
<i>Inform</i>	<i>Freight stakeholders both local and regional advised and involved</i>	<i>Steering group formed and freight industry companies advised of project. Discussion paper considered by the steering committee</i>
<i>Consult</i>	<i>Local and regional input to inform project outcomes</i>	<i>Freight industry companies interviewed. Regional input received from HPFF project and 3 government agencies</i>
<i>Involve</i>	<i>Feedback from relevant industry, government agencies and regional input</i>	<i>17 freight companies reviewed the summaries of their interviews for inclusion in study report. Government agencies provided feedback in writing and teleconferencing with consultant.</i>

Comments on the early drafts of the study report have been provided by DoT, VicRoads, DPCD and during steering group meetings with AECOM.

In addition, discussions have taken place between AECOM and the Hume Region Planning for Freight Pilot consultant (RED Strategic Planning) to ensure that freight issues, impacts and network upgrades are understood from both the regional and local perspective.

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

### Strategic Links

#### a) Greater Shepparton 2030 Strategy

The Traffic and Transport Systems section of this strategy states the following objectives and action:

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.5 Draft Shepparton Freight and Land Use Study (continued)**

#### **Objective 1**

"To promote linkages with other regional cities to cater for traffic movements which include Freight movements that distribute products, particularly farm products to depots and warehouses for further distribution to markets and regional logistics centres."

#### **Objective 2**

"To improve the efficiency and safety of regional based freight handling and traffic."

#### **Action: 2.2**

"Encourage the development of freight networks that reduce the intrusion of freight transport on the local traffic network"

#### **b) Other strategic links**

*Shepparton CBD Strategy – 2008:*

*Objective – "Manage the short-term operation of the CBD road network to redirect freight and non-local through traffic to alternative routes prior to development of the Shepparton Bypass."*

*The Northern Victoria Regional Transport Strategy - 2009:*

*Industrial Land Review - 2011:*

#### **Options for Consideration**

1. Not to support all or some of the Draft Framework Plan actions within the draft study report and do not release it for final consultation.
2. Adopt the Greater Shepparton Freight and Land-use Study without further stakeholder consultation. This is not recommended.
3. Give an 'in principle endorsement' to the Draft Greater Shepparton Freight and Land Use Study, release it for final consultation and invite submissions from the stakeholders and government agencies.

#### **Conclusion**

The Study recommends a series of short to long term actions that provide transport network improvements to support the continuing growth in the existing freight network and the future shift in freight movements when both GV Link and Shepparton Bypass are operational.

The relative timing for the delivery of GV Link and staging of the Shepparton Bypass will influence greatly the impact of freight growth on the Peter Ross Edwards Causeway, Welsford St, High St/Benalla Rd, Shepparton Alternative Route and Central Ave/Lemnos Rd Link. Some of the key findings are related to the timing of major infrastructure improvements to the freight road network (Refer to Sec. 5.2.10 & 5.3). The earlier a commitment is given to these projects the less investment will be needed for road network upgrades to service freight movements to and from the east Shepparton industrial precinct.

The longer it takes to deliver the Shepparton Bypass and GV Link the greater the investment will be needed on the existing road network to service growing industries and warehousing, which continue to be established in the east and north-east of Shepparton.

Having funding certainty will enable the road network investment to reflect the movement of freight warehousing operations from east to west of the Goulburn River. Until this is



## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.5 Draft Shepparton Freight and Land Use Study (continued)**

known, investment into upgrading Welsford St, Shepparton Alternative Route, Old Dookie Rd and Central Ave/Lemnos Rd is critical.

The Hume Region Planning for Freight Pilot project has also short listed Old Dookie Rd, Lemnos North Rd/Central Ave Link and Welsford St as regionally significant local road projects.

#### **Attachments**

- |  |          |
|--|----------|
| 1. Greater Shepparton Freight and Land Use Study Report - Consultation draft | Page 284 |
| 2. GS Freight and Land Use Study, final Public Consultation Period outline   | Page 342 |

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.6 Request for Planning Scheme Amendment for proposed new private school (Roman Catholic Trust Corporation - Diocese of Sandhurst) and rezoning at 4 and 5 Waterbird Court, Kialla**

#### **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:** Graduate Strategic Planner (Amendments)

**Proof reader(s):** Team Leader Strategic Planning, Manager Planning

**Approved by:** Director Sustainable Development

#### **Executive Summary**

The Council is required to consider a request for the development of a new Private School, to be established by the Roman Catholic Trust Corporation (RCTC), in Kialla. This requires a combined planning permit and amendment to the Greater Shepparton Planning Scheme (in accordance with Section 96A of the *Planning and Environment Act 1987*) to rezone land at 4 and 5 Waterbird Court, Kialla. The proposal seeks to amend the Schedule to the Rural Living Zone (RLZ) to create lots below the current minimum lot size for subdivision and to rezone a portion of the land to the Special Use Zone (SUZ). The amendment will facilitate the development of the land for a school.

The *South Shepparton Community Infrastructure Needs Assessment 2011* (CINA), adopted by the Council in June 2011, identifies a lack of community infrastructure in South Shepparton, and in the Kialla South area in particular. The proposed development will assist in meeting some of this need in an appropriate location to service the wider Kialla South area.

It is recommended that the Council agree to the preparation and exhibition of the combined amendment and planning permit application, including referring any submissions that request changes to the amendment to an Independent Planning Panel, if required, in accordance with the *Planning and Environment Act 1987*.

#### **Moved by Cr Patterson**

#### **Seconded by Cr Oroszvary**

That, in accordance with the *Planning and Environment Act 1987* (the Act) for an amendment to the Greater Shepparton Planning Scheme applying to 4 and 5 Waterbird Court, Kialla, which amends the Schedule to the Rural Living Zone and rezones a portion of land to the Special Use Zone (Schedule 8) for a new Private School, the Council:

1. Seek authorisation from the Minister for Planning to prepare the amendment;
2. Exhibit the amendment in accordance with Part 3 Division 1 of the Act; and
3. Refer any submissions seeking changes to the exhibited amendment to an Independent Planning Panel, if required, in accordance with Section 23 of the Act.

**CARRIED.**

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

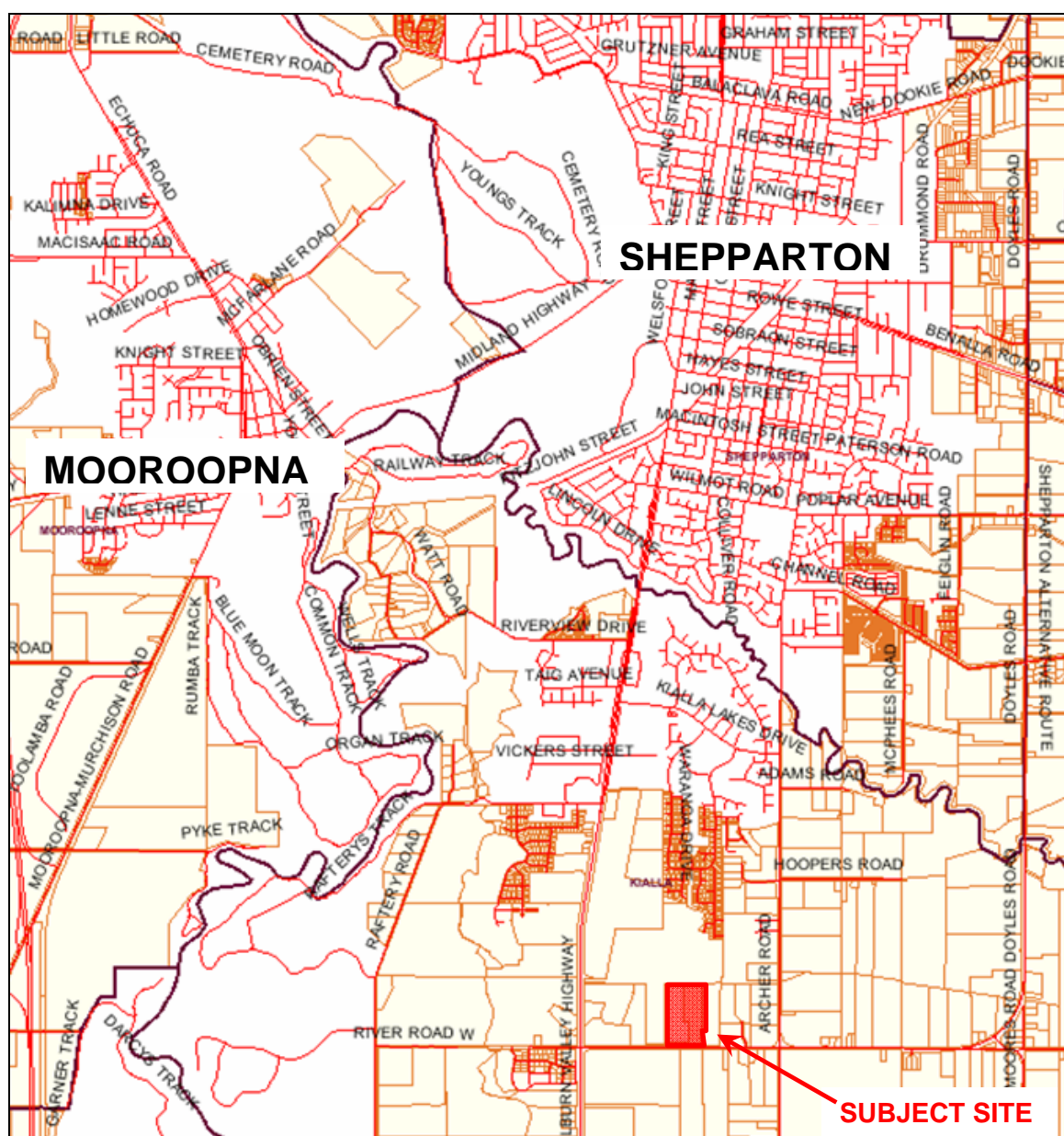
### 8.6 Request for Planning Scheme Amendment for proposed new private school (Roman Catholic Trust Corporation - Diocese of Sandhurst) and rezoning at 4 and 5 Waterbird Court, Kialla (continued)

#### Background

A request for an amendment to the Greater Shepparton Planning Scheme was received by the Council in April 2013 seeking to amend the Schedule to the Rural Living Zone (RLZ) for specified land and rezone part of the land to the Special Use Zone Schedule 8 – Private Education Establishments (SUZ8) for the development of a new Private School (to be established by the RCTC).

The application applies to land at 4 and 5 Waterbird Court, Kialla. The subject site is approximately 17ha of land located 7.5km south of the Shepparton Central Business Area.

Figure 1 – Location



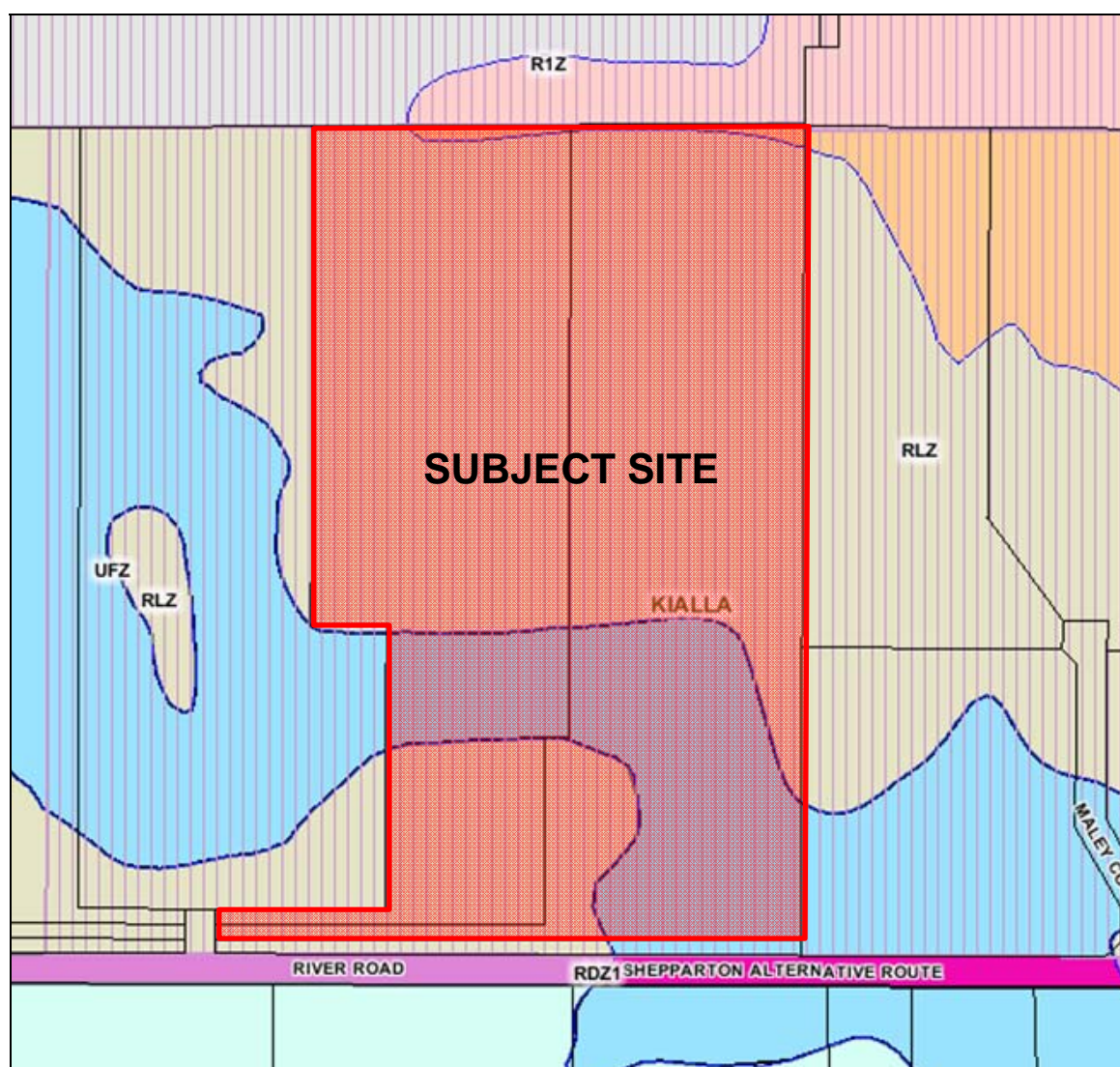
## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.6 Request for Planning Scheme Amendment for proposed new private school (Roman Catholic Trust Corporation - Diocese of Sandhurst) and rezoning at 4 and 5 Waterbird Court, Kialla (continued)**

The land is within the Urban Floodway Zone (UFZ) and the Rural Living Zone (RLZ). The land is also affected by the Land Subject to Inundation Overlay (LSIO) and Schedule 1 to the Development Plan Overlay (DPO1).

This amendment request has been lodged on behalf of the Roman Catholic Trust Corporation (RCTC) for the development of a Private School on the subject land. It is proposed to subdivide the land into three lots; one northern lot being approximately 10ha of land for the proposed school site (being purchased by the RCTC), and the two remaining lots (being 2.94ha and 3.82ha) to continue serving their existing use as residences and remain within their current ownership.

*Figure 2 – Zones and Overlays*



## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.6 Request for Planning Scheme Amendment for proposed new private school (Roman Catholic Trust Corporation - Diocese of Sandhurst) and rezoning at 4 and 5 Waterbird Court, Kialla (continued)**

The current provisions in the planning scheme do not allow subdivision below 8ha in the RLZ. The proposal is for a three lot subdivision with two of the proposed parcels below the permissible limit. The planning scheme amendment will facilitate the creation of the smaller lots proposed.

Surrounding land currently within the RLZ and UFZ will remain within the existing land use zones. The land immediately to the east and west of the subject site is designated in Clause 21.04 *Settlement* of the Greater Shepparton Planning Scheme for 'Potential Low Density' development in 15+ years and is within the settlement boundary for Kialla and South Shepparton. Further development of this land will be considered and assessed by Council officers as necessary in accordance with the Greater Shepparton Planning Scheme through future planning scheme amendments.

The main purpose of the SUZ is to '*recognise or provide for the use and development of land for specific purposes*'. The purposes of Schedule 8 to the SUZ include:

- *To provide for the continued use and development of land for an educational centre and associated uses.*
- *To provide for the use and development of the land in accordance with an approved School Master Plan.*
- *To ensure that the development of an education centre takes place in an orderly and proper manner and does not cause loss of amenity to the neighbourhood.*

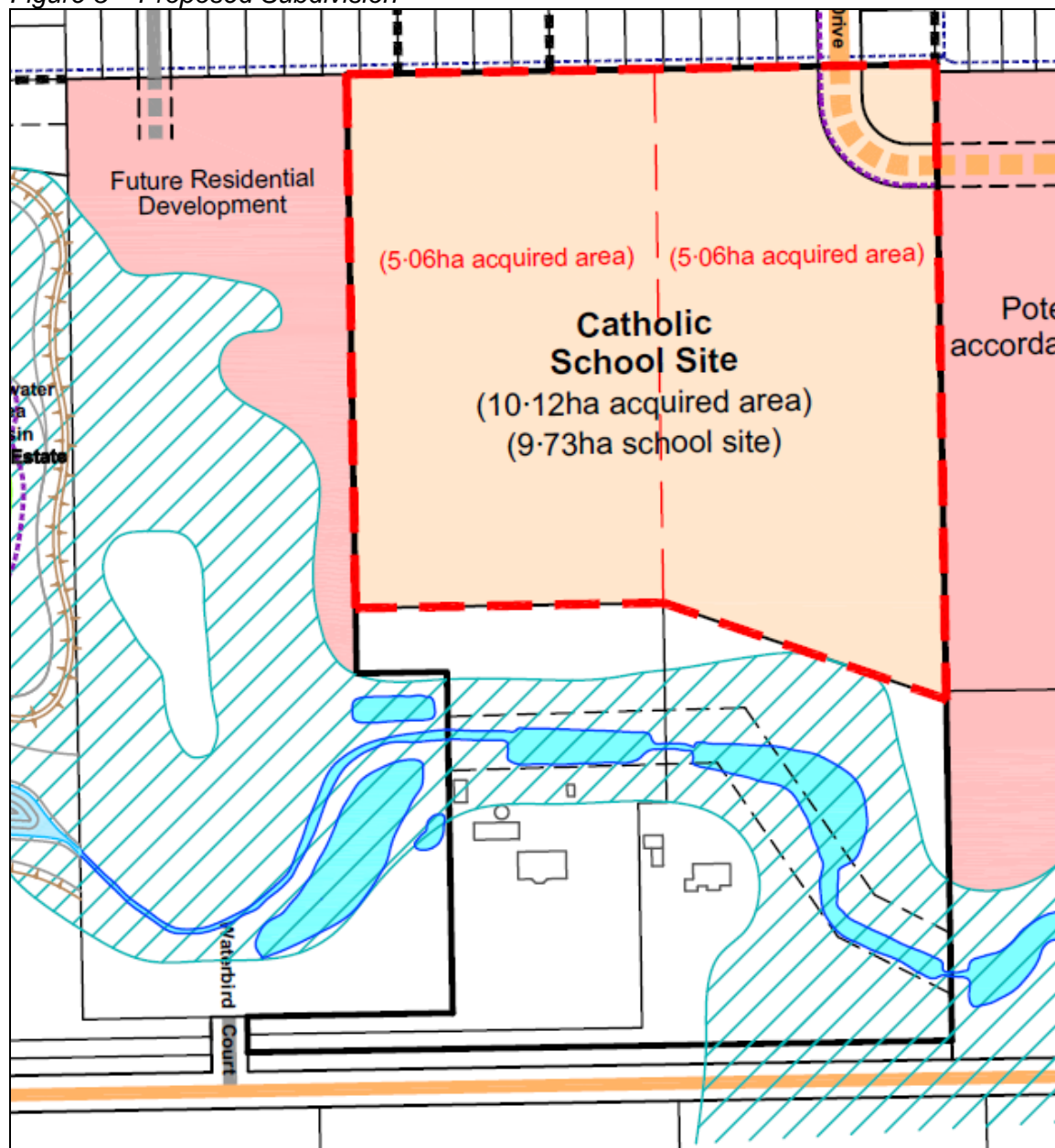
This Schedule will facilitate the use and development of the land as required by the RCTC for development as a Private School.



## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.6 Request for Planning Scheme Amendment for proposed new private school (Roman Catholic Trust Corporation - Diocese of Sandhurst) and rezoning at 4 and 5 Waterbird Court, Kialla (continued)

Figure 3 – Proposed Subdivision



A planning permit request has been lodged in accordance with Section 96A (combined planning scheme amendment and planning permit) of the *Planning and Environment Act 1987* for a three lot subdivision of the land, to be progressed in conjunction with this planning scheme amendment.

#### Assessment under the *Planning and Environment Act 1987*:

- Objective (a) 'to provide for the fair, orderly, economic and sustainable use and development of land'
- Objective (c) 'to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria'

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.6 Request for Planning Scheme Amendment for proposed new private school (Roman Catholic Trust Corporation - Diocese of Sandhurst) and rezoning at 4 and 5 Waterbird Court, Kialla (continued)**

The proposal meets objectives (a) and (c) of planning in Victoria by providing for the orderly, economic and sustainable use and development of land in the municipality. The amendment allows the development of land for an educational centre in an area highlighted as lacking community facilities. The amendment proposes to balance the interests of the community through the provision of high quality educational facilities to meet the demands of a growing regional centre in Victoria. The amendment will also ensure a pleasant, efficient and safe working, living and recreational environment.

#### Assessment under the Greater Shepparton Planning Scheme:

The subject land is highlighted at Clause 21.04 *Settlement* of the Greater Shepparton Planning Scheme for 'Potential Low Density' development in 15+ years and is within the settlement boundary for Kialla and South Shepparton. The site immediately abuts Kialla Lakes Estate further to the north: this is an identified urban growth area. The development of this land for a school, as proposed, will provide high quality educational facilities in a growing urban area.

Clause 21.04-6 *Non Residential Uses* of the Greater Shepparton Planning Scheme identifies a need to protect the amenity of existing and future residential areas. It is important that non-residential uses do not have a negative impact on residential amenity through inappropriate location, unsympathetic design and traffic impacts. The planning scheme allows complementary non-residential uses to be integrated into residential areas. It also ensures they are appropriately located by allowing complementary non-residential uses in areas where the intensity and scale will have a minimal impact on the amenity of nearby residential properties.

The *South Shepparton Community Infrastructure Needs Assessment 2011* (CINA), adopted by the Council in June 2011, is included as a reference document at Clause 21.09 of the Greater Shepparton Planning Scheme. This document assesses the likely nature and extent of community infrastructure required to meet current and future population needs in South Shepparton, and identifies the appropriate nature and scale of five community infrastructure sites. As part of this assessment, the Kialla South area was identified as lacking community infrastructure and the CINA recommended provision of a '*local level community infrastructure cluster with an activity/community meeting space focus*'.

The proposed amendment would allow the development community infrastructure in an area of identified need. Council officers are also working with the proponent to provide for additional community facilities, including the provision of children's services, shared public recreation facilities, etc. As part of this process, the proposal has been referred to the Community Directorate as appropriate.

#### **Council Plan/Key Strategic Activity**

Strategic Objective #2 – Community Life

Key Strategic Activity #8 – '*Increase education and learning opportunities for our community*'

In the next four years – '*Continue to work with education providers to increase the range of locally available education options to promote lifelong learning*'

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.6 Request for Planning Scheme Amendment for proposed new private school (Roman Catholic Trust Corporation - Diocese of Sandhurst) and rezoning at 4 and 5 Waterbird Court, Kialla (continued)**

#### **Risk Management**

A risk assessment has been undertaken for this amendment and all risks identified are considered to be negligible.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Amendment not approved by Minister	Unlikely	Major	Medium	The proposal is consistent with the Greater Shepparton Planning Scheme and all environmental, social and economic impacts have been minimised.
Submissions from public	Likely	Minor	Low	Impacts on other landowners have been minimised. If required, all submissions will be referred to an Independent Planning Panel for consideration.
Adverse traffic impacts	Unlikely	Moderate	Low	A Traffic Impact Assessment has been prepared and peer reviewed.
Amendment not finalised within timelines	Unlikely	Major	Medium	Exemptions from the Ministerial timelines for planning scheme amendments can be sought – impacts are minor. There are major impacts associated with the development being delayed as the RCTC have strict timeframes that must be adhered to. Planning Officers are taking action to ensure the timely progression of this amendment.

All stages in the amendment process will be undertaken in accordance with the *Planning and Environment Act 1987*.

Prior to sending this amendment to the Minister for Planning for final approval, the Council will be required to consider any recommendations of an Independent Planning Panel (if required), and to consider and adopt the final amendment.

#### **Policy Consideration**

This amendment does not conflict with any existing Council policy. The amendment supports existing Community Development policies.

#### **Financial Implications**

This amendment will not impose any unreasonable costs on Council's resources or finances. The proponent of this amendment will be required to meet all costs associated with the planning permit and planning scheme amendment process. The costs associated with an Independent Planning Panel, if required, may be approximately \$40,000 and would be met by the proponent of this amendment, not Council.

#### **Legal/Statutory Implications**

All procedures associated with this amendment comply with the legislative requirements under the *Planning and Environment Act 1987* (the Act). The amendment has been assessed in accordance with the Act and the Greater Shepparton Planning Scheme. The assessment is considered to accord with the *Victorian Charter of Human Rights and*



## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.6 Request for Planning Scheme Amendment for proposed new private school (Roman Catholic Trust Corporation - Diocese of Sandhurst) and rezoning at 4 and 5 Waterbird Court, Kialla (continued)**

*Responsibilities Act 2006* (the Charter) – no human rights have been negatively impacted upon through the process.

The Charter recognises that reasonable restrictions may be placed on the use and development of land, and that there may on occasion be reasonable and acceptable off-site impacts on others. Provided these issues are properly considered, it would be a rare and exceptional case where the exercise of a planning decision in accordance with the regulatory framework is not Charter compatible.

When submissions are received by the Council seeking changes to an amendment, in accordance with Section 23(1) of the Act, Council must:

- (a) change the amendment in the manner requested; or
- (b) refer the submission to a panel appointed under Part 8; or
- (c) abandon the amendment or part of the amendment.

As part of the recommendation included in this report, the amendment is to be referred to an Independent Planning Panel, if required, in accordance with the Act. Council officers have delegation to consider submissions and refer the amendment to a Panel if required. Where submissions are substantial and may raise issues of public interest, concern or controversy, Council officers refer the amendment to the Council for consideration (in accordance with the *Greater Shepparton City Council Exercise of Delegations Policy*). In this case, due to significant time constraints associated with the contracts of sale for the subject site, the referral of submissions to a Panel is being included with the current recommendation. This means that following exhibition of the amendment, any submissions will be referred to a Panel without delay and without further consideration by the Council.

Prior to referral of submissions to a Panel, the Director of Sustainable Development will provide a report to the CEO outlining the content of these submissions and a recommendation on how they should be considered – including whether or not they can be accommodated by changing the amendment. If any submissions cannot be accommodated, the Director will recommend to the CEO referral of the submissions to a Panel for consideration.

#### **Environmental/Sustainability Impacts**

An Environmental Site Assessment (ESA) has been prepared for the lot proposed to be used for education by *Vantage Environmental Management*. The report identified that the site has been historically used for agricultural purposes since at least the 1940s. There was no evidence of significant contamination, and the site has a generally low potential for contamination. The ESA also investigated the likely impacts of the project on the water table and concluded that the risk from development to site groundwater would be low.

A Stormwater Management Plan (SMP) has been prepared by *Chris Smith and Associates*. The SMP was prepared to demonstrate how stormwater can be discharged from the site to Waterbird Creek using Best Practice Environmental Management Guidelines for Urban Stormwater. This plan states that the stormwater design will safely convey the 1 in 100 year stormwater flows from the site with velocities and depths within allowable limits.

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **8.6 Request for Planning Scheme Amendment for proposed new private school (Roman Catholic Trust Corporation - Diocese of Sandhurst) and rezoning at 4 and 5 Waterbird Court, Kialla (continued)**

There are no adverse environmental/sustainability impacts associated with this amendment.

#### **Social Implications**

The amendment implements the recommendations of the CINA, which will have positive social impacts for the wider South Kialla and South Shepparton communities.

The development of this site for a new education centre will facilitate development of community facilities in an area of identified need and provides the potential for co-located community facilities in the future. The amendment will also facilitate the provision of high quality educational facilities for the community.

There are no adverse social implications associated with this amendment.

#### **Economic Impacts**

The development of a new Private School will provide create jobs in the development industry, teaching and allied profession and support the community.

An Infrastructure Provision Plan (IPP) has been prepared by *Chris Smith and Associates*, which identifies the infrastructure and servicing requirements for the site to cater for the future development of the site as a school. The Plan identifies that the site is able to be connected to existing and future infrastructure and services.

There are no adverse economic impacts associated with this amendment.

#### **Consultation**

This amendment has not been subject to any statutory exhibition or notice requirements as it is still in preliminary assessment stage.

This amendment will be exhibited as necessary in accordance with the *Planning and Environment Act 1987*.

Officers believe that appropriate consultation has occurred for this stage of amendment preparation and the matter is now ready for Council consideration.

#### **Strategic Links**

##### **a) Greater Shepparton 2030 Strategy**

Topic: Community Life

Theme: Health and Social Services

Objective 1: *'To provide an equitable and efficient distribution of community facilities and services.'*

##### **b) Other strategic links**

There are no other related strategic links.

#### **Options for Consideration**

1. Agree to the preparation and exhibition of the planning scheme amendment, including referral of any submissions that request changes to the amendment that cannot be accommodated to an Independent Planning Panel, if required. (preferred)

## **8. SUSTAINABLE DEVELOPMENT DIRECTORATE**

### **8.6 Request for Planning Scheme Amendment for proposed new private school (Roman Catholic Trust Corporation - Diocese of Sandhurst) and rezoning at 4 and 5 Waterbird Court, Kialla (continued)**

2. Do not agree to the preparation and exhibition of the planning scheme amendment, including referral of any submissions that request changes to the amendment that cannot be accommodated to an Independent Planning Panel, if required.

#### **Conclusion**

It is recommended that the Council agree to the preparation and exhibition of the amendment, including referring any submissions that request changes to the amendment that cannot be accommodated to an Independent Planning Panel, if required, in accordance with the *Planning and Environment Act 1987*.

#### **Attachments**

Nil

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.7 Waste Management Strategy | Options Paper 2013 - 2023

#### **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: Waste Services Manager**

**Proof reader(s): Acting Manager Environment, Director Sustainable Development**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The purpose of this report is for the Council to endorse the Waste Management Strategy Options Paper - Community Consultation and authorise its release for public comment. Information obtained from this consultation will be used to review the Council's Waste Management Strategy.

CEO Gavin Cator tabled an amended version of Attachment 2: Have Your Say on Waste.

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

That the Council:

1. Endorse the Waste Management Strategy Options Paper - Community Consultation.
2. Authorise the Chief Executive Officer to publish a Public Notice inviting submissions regarding the Waste Management Strategy Options Paper - Community Consultation, which are to be received by 5:00pm Friday 16<sup>th</sup> August 2013.
3. Consider all written submissions on the Waste Management Strategy Options Paper - Community Consultation.
4. Consider a recommendation to adopt the Draft Waste Management Strategy 2013-2023 at a future Ordinary Council Meeting.

**CARRIED.**

#### **Background**

The Council adopted its current waste management strategy on 27 September 2005. With the existing kerbside collection contracts now due for renewal the opportunity exists to review current service standards before the new contracts are awarded. The updated strategy will also confirm the Council's strategic waste management goals and how it intends to achieve them.

An options paper has been considered by the Council as part of this review and public consultation forms the next part of the process.

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.7 Waste Management Strategy | Options Paper 2013 - 2023 (continued)

Endorsement by the Council to release the options paper for community comment is now required.

#### Council Plan/Key Strategic Activity

Strategic objective 2 – Community Life

Strategy 9 – Improve community health and wellbeing

The collection and proper disposal of kerbside waste reduces the risk of ill health in the community.

Strategic objective 3

Strategy 17 – We will become a leader in environmental sustainability

The proper management of waste is environmentally beneficial and sustainable.

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to implement new service contracts prior to 1 July 2014 could put the Council in breach of <i>Section 186 of the Local Government Act 1989</i> .	C	High	Major	Award and implement new collection contracts prior to 1 July 2014.
Expenditure in breach of <i>Sect 186 of the Local Government Act 1989</i>	E	Major	Moderate	Seek Ministers approval to temporarily not comply with <i>Sect 186 of the Local Government Act 1989</i>

#### Policy Considerations

This report forms part of the process for the development of an updated Waste Management Strategy. At this stage the final strategy has not been adopted. Future waste services standards implemented by the Council should be in accordance with the adopted Waste Management Strategy 2013-2023.

#### Financial Implications

This report is considering the community consultation process for the development of an updated Waste Management Strategy. There are no financial implications at this stage.

#### Legal/Statutory Implications

Failure to tender, award and implement new contracts by 1 July 2014 could result in the Council being in breach of *Section 186 of the Local Government Act 1989*. Three of the contracts expire on 30 June 2014 and do not have an extension option. The recycling contract expires on 31 July 2014 and has a 12 month option to extend available.

#### Environmental/Sustainability Impacts

Failure to properly manage household waste would have a negative impact on the environment. The collection and composting of household organics reduces greenhouse gaseous emissions at landfill and provides a useful soil conditioning product.

The community consultation process will also increase awareness of environmental issues.

## 8. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 8.7 Waste Management Strategy | Options Paper 2013 - 2023 (continued)

#### Social Implications

The provision of these services has the following social implications:

- It reduces the risk of disease in the community
- Performed at a commercial scale it minimises transport distances and costs compared to residents having to transport and dispose of the material individually
- As collection occurs at the front gate the service is available to all residents including those with mobility restrictions. It is also more convenient for other residents.

#### Economic Impacts

The provision of these services has the following economic impacts:

- Waste transport and disposal costs are minimised
- Access to household waste disposal is improved

#### Consultation

This report is seeking Council endorsement to commence the public consultation process for this strategy. The campaign activity plan includes the following:

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform		Website, media, Facebook, twitter
Consult		Submissions invited, public meeting

A Community Engagement Plan has also been developed.

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

Topic: Environment

Theme: Best practice land management

Objective 4: To reduce greenhouse gas emissions by local actions

Collection and processing of organics will reduce greenhouse gas emissions

##### b) Other strategic links

Greater Shepparton City Council – Waste Management Strategy 2005-15

This proposal is part of the review of this strategy

Victorian Government – Towards zero waste

This proposal complies with this strategy

#### Options for Consideration

This report is a stage in the review process of the Council's Waste Management Strategy update.

This stage relates to the community consultation process. The option to not proceed with the consultation process would not be in accordance with accepted Council procedure.

Failure to consult could also result in the community not fully embracing the changes.

#### Conclusion

It is recommended that the Council invites and considers submissions from the public on the Waste Management Strategy Options Paper - Community Consultation as attached.

#### Attachments

1. Waste Management Strategy Options Paper - Community Consultation Page 344
2. Have Your Say on Waste Page 360

## 9. TABLED MOTIONS

Nil Received

## 10. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

Nil Received

## 11. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

### 11.1 Report from Councillor Fern Summer

#### **Summary**

Cr Summer presented a verbal report on the recent activities of the Disability Advisory Committee.

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

**GRANTED.**

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

That the report be noted.

**CARRIED.**

## 12. NOTICE OF MOTION, AMENDMENT OR RESCISSION

Nil Received

## 13. DOCUMENTS FOR SIGNING AND SEALING

### 13.1 Documents for Signing and Sealing

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

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

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

The following document has been presented for signing and sealing:

**Lease** – At its Ordinary Council Meeting on 13 November 2007 the Council agreed to maintain the Shepparton Aerodrome at its existing site for a minimum of 10 years. As leases expired at the Aerodrome, new leases were prepared with the current tenants to coincide with the expiry of that 10 year period in 2017. This is a lease between the Shepparton City Council and Sixth Erra Pty Ltd for hangar site 6 for a period of 5 years from 1 July 2012.

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

That the Council authorise the Chief Executive Officer to sign and seal the lease between the Shepparton City Council and Sixth Erra Pty Ltd for hangar site 6 for a period of 5 years from 1 July 2012.

**CARRIED.**

## 14. COUNCILLOR ACTIVITIES

### 14.1 Councillors Community Interaction and Briefing Program

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

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

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

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

From 1 June 2013 to 30 June 2013, some or all of the Councillors have been involved in the following activities:

- Africa Day Celebration
- Induction of the Rev Desmond Potter
- Heritage Advisory Committee Meeting
- Tatura Park Advisory Group Meeting
- Indonesian Students & Delegation Civic Reception
- Audit Risk Management Committee Meeting
- SLAP Tomorrow 'A Wake Up Call' Forum
- Goulburn Valley Regional Waste Management Group Meeting
- Development Hearing Panel | Site Visits
- St Anthony's Feast Day
- Northern Victorian Sled Dog Event
- Regional Challenge Soccer Cup | Presentations
- Luncheon with Shepparton Villages Board Members
- St Brendan's School Production | Disney Aladdin
- 2013 Launch of the Regional Achievement and Community Awards
- Deakin Reserve Advisory Committee Meeting
- Development Hearings Panel Meeting
- Neighbouring Council Meeting [Nagambie Hosting]
- Positive Ageing Advisory Committee Meeting
- Annual Community Natural Resource Management Awards for the Goulburn Broken region
- Shepparton Show Me Ordinary Committee Meeting
- Shepparton Fire Brigade | Annual Dinner
- Tatura Hospital | Annual June Hospital Collection & Open Day
- Citizenship Ceremony
- Shepparton Art Gallery Advisory Committee Meeting
- RiverConnect Implementation Advisory Committee Meeting
- Opening of Arthur Mawson Kindergarten
- Australian Botanic Gardens Meeting
- Regional Cities Victoria
- Shepparton Aerodrome Advisory Committee Meeting
- Regional Employment Summit
- Meeting with the Hon Minister Wendy Lovell
- Exhibition Opening | Speaking In Colour: The Collection of Carrillo and Ziyin Gantner
- Meeting with Carrillo Gantner | Possible donations to SAM
- SAM Media Preview - Speaking in Colour exhibition
- People Supporting People Dinner



## **14. COUNCILLOR ACTIVITIES**

### **14.1 Councillors Community Interaction and Briefing Program (continued)**

- Headspace | Shepparton Launch [National Youth Mental Health Foundation]
- Goulburn Valley Concert Orchestra Event
- Affected Growers | Information Session & Update
- Launch of Section 86 Committee Newsletter
- High Speed Rail Forum | Canberra
- Shepparton Lions | 52nd Change Over Dinner
- Best Start Partnership Meeting
- Rating Strategy Group Meeting
- Women's Charter Alliance Advisory Committee Meeting
- Heavy Vehicle Forum | GSCC and Roadsafes GV
- Disability Advisory Committee Meeting

Councillors were also briefed on the following matters:

- Shepparton Art Museum | Current Collection
- Greater Shepparton Health & Wellbeing Advisory Committee
- Domestic Animal Management Plan 2013/2017
- Procurement Policy
- Elizabeth Street, Tatura - Road Closure
- Victoria Park Lake Caravan Park [with Rob Crowe]
- Council Plan & SRP | Hearing of Submissions
- Capital Budget | 2013/2014 Budget Review
- Australian Botanic Gardens Briefing
- Council Plan 2013/2017 and Strategy Resource Plan
- Victoria Park Lake Caravan Park - Tender Process
- Contracts Awarded Under Delegation
- Monthly Financial Report | May
- 2013/2014 Budget and Rating Strategy
- SPCA Update
- Regional Growth Plan Submission
- 25 Prentice Road, Shepparton East | Revised Permit Conditions
- 4 & 5 Waterbird, Kialla | Proposed Zoning
- Greater Shepparton Freight & Land Use Study
- Confidential | 79A Riverview Drive, Kialla
- Boulevard Bush Reserve
- Endorsement Tallygaroopna Community Plan
- Waste Management Strategy Options
- Public Toilet Policy

## 14. COUNCILLOR ACTIVITIES

### **14.1 Councillors Community Interaction and Briefing Program (continued)**

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

**Moved by Cr Summer**  
**Seconded by Cr Patterson**

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

**CARRIED.**

#### **Attachments**

1.	Heritage Advisory Committee – 3 June 2013	Page 367
2.	Tatura Park Advisory Group – 3 June 2013	Page 372
3.	Councillor Briefing Session – 4 June 2013	Page 373
4.	Councillor Briefing Session – 11 June 2013	Page 374
5.	Saleyards Advisory committee Meeting – 19 June 2013	Page 375
6.	Shepparton Art Museum – Advisory Committee 19 June 2013	Page 376
7.	RiverConnect – 19 June 2013	Page 377
8.	Aerodrome Advisory Committee Meeting – 21 June 2013	Page 378

**15. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA**

Nil Received.

**16. PUBLIC QUESTION TIME**

Nil Presented.

**17. CONFIDENTIAL MANAGEMENT REPORTS**

**17.1 Designation of Confidentiality of Information – Report Attachments**

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

In accordance with section 77(2)(b) of the *Local Government Act 1989* (the Act) the Council designates as confidential all documents used to prepare the following agenda items and previously designated by the Chief Executive Officer in writing as confidential under section 77(2)(c) of the Act.

1. Report 6.3: Vaughan Street Redevelopment between Maude Street and Corio Street, Shepparton. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.

**CARRIED.**

**MEETING CLOSED AT 6.21PM**