

MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

HELD ON
TUESDAY 17 DECEMBER, 2019
AT 5.30PM

IN THE COUNCIL BOARDROOM

COUNCILLORS:

Cr Seema Abdullah (Mayor)
Cr Dinny Adem (Deputy Mayor)
Cr Bruce Giovanetti
Cr Chris Hazelman OAM
Cr Kim O'Keeffe
Cr Les Oroszvary
Cr Dennis Patterson
Cr Fern Summer
Cr Shelley Sutton

VISION

*A THRIVING ECONOMY IN THE FOODBOWL OF VICTORIA WITH
EXCELLENT LIFESTYLES, INNOVATIVE AGRICULTURE
A DIVERSE COMMUNITY AND
ABUNDANT OPPORTUNITIES*

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**CHAIR
CR SEEMA ABDULLAH**

INDEX

1. ACKNOWLEDGEMENT	1
2. PRIVACY POLICY	1
3. APOLOGIES	1
4. DECLARATIONS OF CONFLICT OF INTEREST	1
5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	1
5.1 Confirmation of Minutes of Previous Meetings	1
6. PUBLIC QUESTION TIME	2
7. PETITIONS.....	3
7.1 Petition - Objecting to the Proposal to Fluoridate Tatura Public Water	3
8. MANAGEMENT REPORTS FROM THE INFRASTRUCTURE DIRECTORATE.....	4
8.1 Public Toilet Policy and Draft Strategy	4
8.2 Contract 1974 - Redevelopment of Tatura Library	7
8.3 Advertising of Leases	11
8.4 Resource Recovery Centres - Waiving of Standard Fees for 2 x 1 Day Sessions in January 2020 for Residential Waste Only	14
8.5 Asset Management Strategy Review	19
8.6 SAM Stage 2 Commitment	22
9. MANAGEMENT REPORTS FROM THE COMMUNITY DIRECTORATE.....	27
9.1 Greater Shepparton Healthy Food and Drinks Policy	27
9.2 Community Engagement Policy	33
10. MANAGEMENT REPORTS FROM THE CORPORATE SERVICES DIRECTORATE.....	37
10.1 Council Plan 2019-20 Quarter 1 Progress Report.....	37
10.2 November 2019 Monthly Financial Report	40
10.3 Public Interest Disclosure Policy	42
10.4 Shepparton Show Me 2018-2019 Annual Report.....	45
10.5 Contracts Awarded Under Delegation and Contracts Advertised but yet to be Awarded	48
10.6 Review of Councillor Representation on Committees	52
11. MANAGEMENT REPORTS FROM THE SUSTAINABLE DEVELOPMENT DIRECTORATE.....	60
11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone	60
11.2 Procurement of Public Infrastructure Works.....	75
11.3 Draft Toolamba Growth Plan 2019 - Authorisation for Public Exhibition	80
12. REPORTS FROM COUNCILLORS.....	85
13. REPORTS FROM SPECIAL AND ADVISORY COMMITTEES.....	85

14. NOTICE OF MOTION, AMENDMENT OR RESCISSION	85
14.1 Notice of Motion 5/2019 Consultation on Regional Land Use Strategy.....	85
14.2 Notice of Motion 6/2019 - Planning Application 2018-264	85
15. DOCUMENTS FOR SIGNING AND SEALING	93
16. COUNCILLOR ACTIVITIES	94
16.1 Councillors Community Interaction and Briefing Program	94
17. URGENT BUSINESS NOT INCLUDED ON THE AGENDA	97

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 (1)	Minor (2)	Moderate (3)	Major (4)	Extreme (5)
Almost Certain (5) Would be expected to occur in most circumstances (daily/weekly)	LOW	MEDIUM	HIGH	EXTREME	EXTREME
Likely (4) Could probably occur in most circumstances (i.e. Monthly)	LOW	MEDIUM	MEDIUM	HIGH	EXTREME
Possible (3) Reasonable probability that it could occur (i.e. over 12 months)	LOW	LOW	MEDIUM	HIGH	HIGH
Unlikely (2) It is not expected to occur (i.e. 2-5 years)	LOW	LOW	LOW	MEDIUM	HIGH
Rare (1) May occur only in exceptional circumstances (i.e. within 10 years)	LOW	LOW	LOW	MEDIUM	HIGH

- Extreme** Intolerable – Immediate action is required to mitigate this risk to an acceptable level. Event/Project/Activity is not to proceed without authorisation
- High** Intolerable – Attention is needed to treat risk.
- Medium** Variable – May be willing to accept the risk in conjunction with monitoring and controls
- Low** Tolerable – Managed by routine procedures

PRESENT: Councillors Seema Abdullah, Dinny Adem, Bruce Giovanetti, Chris Hazelman OAM, Kim O’Keeffe, Les Oroszvary, Dennis Patterson, Fern Summer and Shelley Sutton.

**OFFICERS: Peter Harriott – Chief Executive Officer
Phillip Hoare – Director Infrastructure
Geraldine Christou – Director Sustainable Development
Chris Teitzel – Director Corporate Services
Kaye Thomson – Director Community
Boboleia Kom – Official Minute Taker
Rebecca Good – 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. PRIVACY POLICY

This public meeting is being streamed live via our Facebook page and made available for public access on our website along with the official Minutes of this meeting.

All care is taken to maintain your privacy; however as a visitor in the public gallery, it is assumed that your consent is given in the event that your image is broadcast to the public. It is also assumed that your consent is given to the use and disclosure of any information that you share at the meeting (including personal or sensitive information) to any person who accesses those recordings or Minutes

3. APOLOGIES

Nil.

4. 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.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**Moved by Cr Giovanetti
Seconded by Cr Adem**

That the minutes of the Ordinary Council meeting held 19 November 2019, as circulated, be confirmed.

CARRIED UNOPPOSED.

6. PUBLIC QUESTION TIME

Question 1 - Mr Albon

Given that council officers recently met with the Victorian Police Sex Industry Coordination Unit and that the council officers were extensively briefed as to the magnitude of illegal brothel activity in Shepparton and surrounds can the community soon expect a halt to this massive abuse of council planning law and that this new and welcomed approach by council to actively working with police in investigative terms, might mean an end to the problem of illegal brothels and anything else you wish to include in answering this question?

Response

As complaints for illegal brothel activity are reported to Council, Council compliance officers will continue to investigate matters and take necessary enforcement actions in accordance with our statutory obligations. These investigations will be undertaken in conjunction with Victoria Police as required.

7. DEPUTATIONS AND PETITIONS

7.1 Petition - Objecting to the Proposal to Fluoridate Tatura Public Water

Summary

A petition containing 1446 signatures has been received by Council, objecting to the fluoridation of the public water supply in Tatura.

Moved by Cr Hazelman

Seconded by Cr Giovanetti

That the Council receive the petition objecting to the fluoridation of the public water supply in Tatura.

CARRIED UNOPPOSED.

Attachments

Nil

8. INFRASTRUCTURE DIRECTORATE

8.1 Public Toilet Policy and Draft Strategy

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 Parks, Sport and Recreation

Proof reader(s): Director – Infrastructure

Approved by: Director – Infrastructure

Executive Summary

This Public Toilet Policy and draft Strategy has been revised and is presented for Council consideration and approval. The Public Toilet Policy was last adopted by Council in 2013.

In addition to the Public Toilet Policy, a Public Toilet Strategy, including a capital replacement and refurbishment plan, has been prepared. This plan provides operational level information and the longer term outline of proposed capital improvements and informs future annual budget provisions.

The changes in the revised document are aimed at clarifying some aspects and making the document more concise recognising the existence of the supporting strategy.

Moved by Cr Summer

Seconded by Cr O'Keeffe

That the Council:

1. adopt the Public Toilet Policy;
2. release the draft Public Toilet Strategy for public exhibition and comment for a period of 28 days, commencing on 13 January 2020 and concluding on 10 February 2020.

CARRIED UNOPPOSED.

Background

The objective of the Public Toilet Policy is to formalise the Greater Shepparton City Council's commitment to the provision of quality, universally accessible and appropriately located public toilet amenities to meet community needs. This Policy will guide the provision and management of public toilets with respect to:

1. Siting and distribution
2. Accessibility
3. Quality and service levels
4. Public safety
5. Service Communication

This policy applies to all public toilets within the Municipality that are owned and managed by Council. The Policy excludes toilets within permanent staffed Council buildings, community centres, local commercial centres and leased areas.

8. INFRASTRUCTURE DIRECTORATE

8.1 Public Toilet Policy and Draft Strategy (continued)

Review of Policy

The policy was marked for review in November 2016. A review has been undertaken and changes have been made which do not change the substance of the original policy. Wording has been refined, with redundant wording removed.

Review of Strategy

The public toilet strategy provides an overview of public toilets facilities in the Shepparton Region. It has been developed to guide the provision of universally accessible public toilet facilities and associated infrastructure for the next 10 years. This strategy will focus on appropriate, achievable, and cost effective ways in which Greater Shepparton City Council's public toilets can be greatly improved. The specific aims of this report are below:

1. Location
2. Safety
3. Universal access
4. Quality
5. Cleaning and maintenance
6. Environmental sustainability

Council Plan/Key Strategic Activity

Leadership and Governance

1.9 – Service standards and service delivery models are realistic and meet community expectations and demand while being financially viable and in line with Council's core business.

Social

2.1 – Greater Shepparton is a welcoming, inclusive and safe place for all.

2.9 – Public places, open space and community facilities are safe and accessible for all and presented to a high quality.

Built

4.4 – Quality infrastructure is provided and maintained to acceptable standards.

Risk Management

There are no identifiable risks associated with the proposed recommendation

Policy Considerations

The recommendation does not conflict with any existing Council policy.

Financial Implications

Council to continue to allocate \$2.5 Million over the next 10 years to upgrade/renew existing public toilets through the 10 year Capital plan.

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 Impacts

The Public Toilet Strategy considers relevant environmental/sustainability impacts associated with the provision of public toilets.

8. INFRASTRUCTURE DIRECTORATE

8.1 Public Toilet Policy and Draft Strategy (continued)

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 Public Toilet Strategy will place emphasis on actions to address gaps in accessibility such as the lack of adult change and maternal care facilities.

Economic Impacts

The Public Toilet Policy and Strategy will provide high quality amenities influencing a positive impact on visitor and resident experience. Improved amenities may increase visitation and pedestrian/cycle travel throughout the Municipality to recreation, entertainment, retail and tourism destinations.

Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep Informed	Media Release Public notice Accessible on council's website
Consult	Listen, acknowledge, consider	Public submissions invited

Strategic Links

a) Greater Shepparton 2030 Strategy

2.3.5 Infrastructure - The existing infrastructure will continue to be effectively managed to enhance its performance and longevity.

Community life objectives - To ensure that facilities, services and policies are accessible and inclusive, and appropriate to the sporting and recreation needs of the community.

Conclusion

Council officers recommend the adoption of the Public Toilet Policy. The policy will enable preparation of a Public Toilet Strategy to guide the Greater Shepparton City Councils provision, management and servicing of public toilet facilities throughout the municipality.

Attachments

1. Public Toilet Management Policy 2019 [↓](#)
2. Draft - Public Toilet Strategy 2019 - Public Consultation [↓](#)

8. INFRASTRUCTURE DIRECTORATE

8.2 Contract 1974 - Redevelopment of Tatura Library

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 – Project Management Office
Proof reader(s): Manager Projects
Approved by: Director Infrastructure

Executive Summary

This contract is for the Redevelopment of the Tatura Library.

An open Request for Tender process has been undertaken with two submissions received.

It is recommended that Council award Contract 1974 to BLR Provincial Construction Pty Ltd for the redevelopment of the Tatura Library. The evaluation panel is satisfied that the tender provided by BLR Provincial Construction Pty Ltd meets the specification and timeline requirements for this project. BLR Provincial Construction Pty Ltd was assessed as having excellent past experience and capability, demonstrated an excellent understanding of the project through their methodology and are engaging local contractors for many of the trade services.

The allocated capital budget for this financial year is \$1,606,000 (including contingency) and the recommended contract value is \$1,827,991.44 (ex GST). The capital budget for this project contained a community contribution from the Goulburn Valley Regional Library Corporation of \$100,000.

Moved by Cr Giovanetti
Seconded by Cr O'Keeffe

That the Council:

1. accept the tender submitted by BLR Provincial Construction Pty Ltd of 3/8 Wood Street, Long Gully for Contract No. 1974 Redevelopment of Tatura Library for the Lump Sum price of \$2,010,790.58 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

CARRIED UNOPPOSED.

Contract Details

The proposed works include:

- Extension of 240sqm to the library
- Renovation of the current library facility
- Renovation of the existing entrance from Casey Street

8. INFRASTRUCTURE DIRECTORATE

8.2 Contract 1974 - Redevelopment of Tatura Library (continued)

Tenders

Tenders were received from:

Tenderers
BLR Provincial Construction Pty Ltd
Moretto Building

Tender Evaluation

Tenders were evaluated by:

Title	Branch
Team Leader	Projects
Team Leader	Building Maintenance
Team Leader	Neighbourhoods
Procurement Officer	Contracts & Procurement

Evaluation Criteria

Tenders were evaluated on the following criteria:

Council Plan/Key Strategic Council Plan/Key Strategic Activity

Evaluation Criteria	Weighting
Price	45%
Quality	10%
Sustainability / Environmental measures	10%
Project delivery – schedule & methodology	15%
Relevant past experience and capability	10%
Benefit to Local Region	10%
OH&S systems	Pass / Fail
Total	100%

BLR Provincial Construction is a Bendigo based company and as part of their submission provided a comprehensive construction methodology demonstrating an excellent understanding of the project. The company has worked for the Macedon Rangers Shire and City of Greater Bendigo which demonstrates they have an understanding of local government requirements and reference checks with both organisations were very complimentary of the quality of work and service provided by BLR Provincial Construction for similar or larger projects. Council officers have also inspected the quality of work at a facility in Eaglehawk, accompanied by the Project Manager from City of Greater Bendigo.

Within their submission they state they are utilising at least 4 sub-contractors who are local to the Shepparton region and that they are sourcing around 80% of materials, plant and equipment from within the Greater Shepparton Municipality.

8. INFRASTRUCTURE DIRECTORATE

8.2 Contract 1974 - Redevelopment of Tatura Library (continued)

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Inclement Weather	Likely	Moderate	Moderate	Delay works till work site is safe
Damage to assets owned by other Authorities	Likely	Major	High	Consult with relevant authority to identify the proposed lines. Relocate assets prior to works Safety Management during construction
Working with user groups/stakeholders	Likely	Moderate	Moderate	Communication will be vigilant with childcare centre and community house as well as keeping worksite clean
Connection by Authorities	Likely	Moderate	Moderate	Ensure connection paperwork is submitted in a timely manner into system

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 \$500,000 including GST.

Financial Implications

	Approved Budget Estimate for this proposal ¹ \$	This Proposal GST Exclusive \$	Variance to Approved Budget Estimate \$	This Proposal GST Inclusive ² \$
Revenue	\$ 650,000			
Community Contribution	\$100,000			
Expense	\$ 856,000			
Net Total	\$1,606,000	\$1,827,991.44	-\$221991.44	\$2,010,790.58

¹ Budgets are GST exclusive

² For Contract Award reports the GST inclusive expense shall match the amount reported in the recommendation.

The requested contract award amount is \$224,991.44 over the adopted budget. This adopted budget was derived on a concept plan and cost estimated provided in 2016 for funding applications. The two tenders submitted are both above the adopted budget, however given that the prices are within 5% of each other it indicates that the market now values these works in excess of the adopted budget.

Legal/Statutory Implications

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

8. INFRASTRUCTURE DIRECTORATE

8.2 Contract 1974 - Redevelopment of Tatura Library (continued)

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

Conclusion

BLR Provincial Construction is the highest scoring tender as evaluated against the selection criteria. The evaluation panel is satisfied that the works offered by BLR Provincial Construction meets the functional requirements for this contract.

It is recommended that Council award Contract 1974 to BLR Provincial Construction Pty Ltd for the Lump Sum Contract for the Redevelopment of the Tatura Library.

Attachments

Nil

8. INFRASTRUCTURE DIRECTORATE

8.3 Advertising of Leases

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: Coordinator Property

Proof reader(s): Manager Strategic Assets

Approved by: Director Infrastructure

Executive Summary

Council has a number of lease agreements with community groups that have expired. Authorisation is sought to advertise those leases in accordance with the *Local Government Act 1989*.

Moved by Cr Patterson

Seconded by Cr Hazelman

That the Council:

1. In accordance with Section 223 of the *Local Government Act 1989*, provide public notice in the Shepparton News on Friday 20 December 2019 of the intention to grant the following leases:
 - Shepparton Heritage Centre Inc lease of Heritage Centre – 5-year lease with two 5-year options
 - Shepparton Adventure Club Inc lease of site at Victoria Park Lake – 5-year lease with two 5-year options
 - Shepparton Rowing Club Inc lease of site at Victoria Park Lake – 5-year lease with two 5-year options
 - Shepparton Canoe Club Inc lease of site at Victoria Park Lake – 5-year lease with two 5-year options
 - Shepparton Brass Band Inc lease of Sound Shell at Queens Garden for 5 years with 2 X 5-year options
 - Shepparton Art Museum lease to Shepparton Art Museum Ltd for a period of 5 years with 4 X 5-year options
 - World Fuel Services (Australia) Pty Ltd lease of Fuel site 4A at Shepparton Aerodrome – 10-year lease with 10-year option
 - Melanie Coats T/as Goulburn Valley Academy of Ballet for a lease of part of Sound Shell at Queens Garden for 5 years with 2 X 5-year options
2. Stipulate in the public notice that persons may make a submission on the leases in accordance with Section 223 of the Act, and that submissions must be received by 5pm, Friday 24 January 2020.
3. authorise the Chief Executive Officer to undertake the administrative procedures necessary to enable the Council to carry out its functions under section 223 of the Act in relation to this matter;

8. INFRASTRUCTURE DIRECTORATE

8.3 Advertising of Leases (continued)

If submissions are received under section 223 of the Act:

- a) a Special Council Meeting be convened at a date and time to be determined to hear from any person or persons who request to be heard in support of a section 223 written submission; and
- b) a report on any section 223 submissions received by the Council, along with a summary of any hearings held, be provided to the Special Council.

CARRIED UNOPPOSED.

Background

It is a requirement of the *Local Government Act 1989* that any lease for a period of ten years or more be advertised under section 223 to allow for any public submissions.

The community lease arrangements that will be offered to the community groups will be for a 5-year lease with two 5-year options. Each of the community groups will pay a rent ranging from \$260 to \$300 per annum, depending on their original lease agreement.

In addition to the rent payable under the leases, the community groups will be required to pay the fire services levy, pay for waste services and utilities and will be required to refund a portion of insurance premiums paid on the buildings.

Council has also undertaken to lease the SAM building being constructed at Victoria Park Lake to Shepparton Art Museum Pty Ltd for an annual rental of \$1 per annum for a period of 25 years and this lease is also to be advertised.

The lease of fuel site 4A at the Shepparton Aerodrome is being taken over by World Fuel Services (Australia) Pty Ltd. The current tenant, Gawne Aviation, is currently paying \$931.00. This will be taken over by a new tenant so there will be no financial implications for Council.

The lease to the Academy of Ballet is not a community lease and a rental of \$8,000 per annum will be achieved from this lease. This amount has been negotiated and agreed to by the group in negotiations.

Council Plan/Key Strategic Activity

One of the aims identified in the Council Plan 2017-2021 under Built is “*Quality infrastructure is provided and maintained to acceptable standards*”. The provision of these new leases will allow the respective organisations to continue their occupation of the facility and support the community.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Community groups continuing in occupation of premises without lease agreements in place	Medium	Low	Low	Ensure new leases are put in place to address this issue.

8. INFRASTRUCTURE DIRECTORATE

8.3 Advertising of Leases (continued)

Policy Considerations

This proposal does not conflict with any current Council policies.

Financial Implications

Each of the community organisation pay rent ranging from \$260 - \$300 per annum. Shepparton Art Museum Pty Ltd will pay rent of \$1 per annum. The Shepparton Aerodrome tenant will pay \$930 per annum. The Academy of Ballet will pay \$8,000 per annum.

Legal/Statutory Implications

The new leases will be publicly advertised pursuant to section 223 of the *Local Government Act 1989*.

Environmental/Sustainability Impacts

There are no environmental or sustainability impacts identified with this proposal.

Social Implications

The provision of these leases will allow the community organisations to continue in their occupation of Council premises and allow these groups to provide community activities and services, which promote health and well-being and/or develop a strong sense of community. The creation of the new SAM lease will promote cultural activities within the community.

Economic Impacts

There are no adverse economic impacts identified with this proposal.

Consultation

Section 223 provisions of the *Local Government Act 1989* will be followed to ensure the general community is aware of the proposals to enter into the leases and has opportunity to provide submissions.

Strategic Links

a) Greater Shepparton 2030 Strategy

One of the strategies identified in the 2030 Objectives and Strategies is to “*Enhance social connectedness, physical and mental health and well-being, education and participatory opportunities to improve liveability and provide a greater range of community services.*”

b) Other strategic links

Nil.

Conclusion

That the Council authorise the advertising of leases noted in the recommendation of this report.

Attachments

Nil

8. INFRASTRUCTURE DIRECTORATE

8.4 Resource Recovery Centres - Waiving of Standard Fees for 2 x 1 Day Sessions in January 2020 for Residential Waste Only

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 - Waste

Proof reader(s): Manager - Works and Waste

Approved by: Director Infrastructure

Executive Summary

Council adopted the following notice of motion at its November 2019 ordinary meeting;

That the Council:

Consider a “Junk your Junk in January” trial to offer complimentary tip days in the month of January 2020. This trial will be evaluated to assess capacity for future complimentary tip days in January.

Evaluation criteria should include:

- *Uptake of service*
- *Waste stream data*
- *Reduce dumping of waste*
- *Customer satisfaction; and*
- *Ongoing visitation rates to our transfer station*

This report summarises that consideration and provides a recommendation for Council. Council officers note that the proposal is not aligned with the revised Waste and Resource Recovery Management Strategy adopted in May 2019, nor the rationale for not adopting similar proposals considered in that review however, acknowledge the expectation created in adopting the motion and have developed arrangements and criteria for its implementation.

To effect the intent of the motion it is proposed that, subject to criteria, Council formally resolve that certain fees and charges be waived at the Resource Recovery Centres (RRC's) on the following days and times:

1. Shepparton and Ardmona Resource Recovery Centres:
 - Saturday 11 January 2020 – (8:00 am – 4:15 pm)
 - Saturday 25 January 2020 – (8:00 am – 4:15 pm)
2. Murchison Resource Recovery Centre:
 - Sunday 12 January 2020 – (1:00 pm – 3:45 pm)
 - Sunday 26 January 2020 – (1:00 pm – 3:45 pm)

8. INFRASTRUCTURE DIRECTORATE

8.4 Resource Recovery Centres - Waiving of Standard Fees for 2 x 1 Day Sessions in January 2020 for Residential Waste Only (continued)

The criteria will be established and approved by the Director Infrastructure/City Engineer and will include the following:

- Available only to residents of Greater Shepparton (evidence of Greater Shepparton residential address to be provided in the form of a current Drivers Licence)
- Not applicable to commercial waste
- Maximum limit of 3m³ per load
- Loads must be sorted prior to entering the facility

RECOMMENDATION

That the Council:

1. Waive fees and charges applicable to residential waste at the Resource Recovery Centres during the following days and times and subject to criteria approved by the Director Infrastructure/City Engineer.
 - a) Shepparton and Ardmona Resource Recovery Centres:
Saturday 11 January 2020 – (8:00 am – 4:15 pm)
Saturday 25 January 2020 – (8:00 am – 4:15 pm)
 - b) Murchison Resource Recovery Centre:
Sunday 12 January 2020 – (1:00 pm – 3:45 pm)
Sunday 26 January 2020 – (1:00 pm – 3:45 pm)
2. Use information obtained during this period to inform consideration of similar actions during the development of the next waste strategy. This will cover aspects including;
 - Uptake of service
 - Waste stream data
 - Reduce dumping of waste
 - Customer satisfaction; and
 - Ongoing visitation rates to our transfer station

Moved by Cr Summer Seconded by Cr O'Keeffe

That the Council:

1. Waive fees and charges applicable to residential waste at the Resource Recovery Centres during the following days and times and subject to criteria approved by the Director Infrastructure/City Engineer.
 - a) Shepparton and Ardmona Resource Recovery Centres:
Saturday 11 January 2020 – (8:00 am – 4:15 pm)
Saturday 25 January 2020 – (8:00 am – 4:15 pm)
 - b) Murchison Resource Recovery Centre:
Sunday 12 January 2020 – (1:00 pm – 3:45 pm)
Sunday 26 January 2020 – (1:00 pm – 3:45 pm)

8. INFRASTRUCTURE DIRECTORATE

8.4 Resource Recovery Centres - Waiving of Standard Fees for 2 x 1 Day Sessions in January 2020 for Residential Waste Only (continued)

2. Use information obtained during this period to inform consideration of similar actions. This will cover aspects including;
 - Uptake of service
 - Waste stream data
 - Reduce dumping of waste
 - Customer satisfaction; and
 - Ongoing visitation rates to our transfer station

CARRIED.

Background

Council adopted the following notice of motion at its November 2019 Ordinary Council Meeting;

That the Council:

Consider a “Junk your Junk in January” trial to offer complimentary tip days in the month of January 2020. This trial will be evaluated to assess capacity for future complimentary tip days in January.

Evaluation criteria should include:

- *Uptake of service*
- *Waste stream data*
- *Reduce dumping of waste*
- *Customer satisfaction; and*
- *Ongoing visitation rates to our transfer station*

The Waste and Resource Recovery Management Strategy 2013-2023 was reviewed and adopted by Council in May 2019. During this review Council considered and rejected similar initiatives such as complimentary tip tickets and hard rubbish collection in favour of more appropriate and effective actions. Some of the primary reasons for this included:

- They do not align with best practice waste management
- They encourage poor waste practices
- They do not align with ‘User Pays’ and result in costs being cross-subsidised by those who don’t use the system
- They do not necessarily provide service to those most in need

The proposal as adopted at the November Council meeting may lead to negative community outcomes as a result of aspects including:

- Queuing and timeliness of service
- Increased traffic and safety concerns on adjoining roads
- Requirements to sort to have fees waived
- Requirement to demonstrate residential status
- Equity of the system

To effect the intent of the motion, to maximise its benefits and to minimise the potential for negative outcomes, it is proposed, subject to appropriate criteria, Council formally resolve that fees and charges applicable to residential waste be waived at the Resource Recovery Centres (RRC’s) on the following days and times.

8. INFRASTRUCTURE DIRECTORATE

8.4 Resource Recovery Centres - Waiving of Standard Fees for 2 x 1 Day Sessions in January 2020 for Residential Waste Only (continued)

1. Shepparton and Ardmona Resource Recovery Centres:
Saturday 11 January 2020 – (8:00 am – 4:15 pm)
Saturday 25 January 2020 – (8:00 am – 4:15 pm)
2. Murchison Resource Recovery Centre:
Sunday 12 January 2020 – (1:00 pm – 3:45 pm)
Sunday 26 January 2020 – (1:00 pm – 3:45 pm)

The criteria will be established and approved by the Director Infrastructure/City Engineer and will include the following:

- Normal restriction to material types remain e.g. no prescribed waste or asbestos
- Available only to residents of Greater Shepparton
- Not applicable to commercial waste
- Maximum limit of 3m³ per load
- Loads must be sorted prior to entering the facility
- All other current conditions of entry at the RRCs

This action will require additional resources and equipment including;

- Additional staff
- Waste bins
- Transport
- Traffic management

These are difficult to plan for and are subject to participation rates.

Council Plan/Key Strategic Activity

This trial does not align with the Waste and Resource Recovery Management Strategy.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Unauthorised waste (i.e. asbestos, C&I and C&D) disposal at the RRC's	Possible	Moderate	Medium	Council staff will remain vigilant and follow appropriate operation procedures.
Sudden influx of customers with excessive loads of wastes	Possible	Moderate	Medium	Appropriate traffic management plan along with sufficient number of bins will be allocated at all sites.
Additional budget requirements	Possible	Moderate	Medium	Any additional budget requirements will be funded through Waste reserve.
Traffic Issues on Wanganui Road, Shepparton	Possible	Moderate	Medium	Signage will be erected on Wanganui Road and traffic management provided if required.

8. INFRASTRUCTURE DIRECTORATE

8.4 Resource Recovery Centres - Waiving of Standard Fees for 2 x 1 Day Sessions in January 2020 for Residential Waste Only (continued)

Financial Implications

Council incurs fixed and variable costs for materials received at the Resource Recovery Centres. Council's fees and charges are established, to generally, manage the various aspects of the waste management system on a cost recovery basis. This action will have a negative impact on the financial management of the waste services from that perspective. Modelling of similar actions was provided in the review of the Waste Strategy and indicated the potential scale of the implications.

Legal/Statutory Implications

There are no known legal implications.

Consultation

The event will be promoted through various channels including;

- Newspaper
- Social media
- Speaking engagements (Waste Education Officer)

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

The Waste and Resource Recovery Strategy (2013 – 2023),

Conclusion

Free Tip days will require additional resources which depend on various unforeseeable factors. Council staff will ensure that all appropriate data such as uptake rate, volume of wastes, contamination and customer satisfaction are captured and analysed against the resource utilised for these events.

Attachments

Nil

8. INFRASTRUCTURE DIRECTORATE

8.5 Asset Management Strategy 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: Team Leader Assets

Proof reader(s): Manager Strategic Assets

Approved by: Director Infrastructure

Executive Summary

Council manages in excess of \$1.4 billion worth of assets. An effective asset management system is critical to ensure that these assets are managed in a responsible manner and that expenditure is appropriately planned and prioritised.

Council adopted the current Asset Management Policy in December 2017. The current Asset Management Strategy was adopted by Council in December 2010.

The Asset Management Strategy has now been updated to align with the Asset Management Policy adopted in December 2017 and to reflect contemporary asset management principles.

The Asset Management Strategy establishes the framework that determines the nature and direction of asset management, and identifies the activities necessary to implement GSCC's Asset Management Policy.

This update presents the framework Council has in place to manage our assets to ensure they continue to provide their intended service to the community.

This report presents Council's updated Asset Management Strategy Version 4.0 for adoption.

Moved by Cr Patterson
Seconded by Cr Oroszvary

That Council adopt the Asset Management Strategy.

CARRIED UNOPPOSED.

Background

A review of the Asset Management Strategy has been undertaken to reflect current data, organisational changes and the significant progress made towards core competency under the National Asset Management Framework (NAMAF) assessment. Council adopted the revised Asset Management Policy in 2017, this update of the strategy aligns to that policy.

Council Plan/Key Strategic Activity

This document supports the Greater Shepparton City Council Plan 2017-2021 objectives: Built – Provide and support appealing relevant infrastructure that makes Greater Shepparton an attractive, liveable regional city. Objectives, 4.4 Quality infrastructure is

8. INFRASTRUCTURE DIRECTORATE

8.5 Asset Management Strategy Review (continued)

provided and maintained to acceptable standards, 4.5 Assets are well managed and their renewal is being planned through long term renewal strategies.

Risk Management

The Asset Management Strategy includes provisions for the assessment of risk of the critical assets owned by Council and the determination of appropriate mitigation measures.

Policy Considerations

There are no identified conflicts with existing Council Policies.

Financial Implications

The Council is the custodian of community assets with a replacement value of over \$1.4 billion. The financial implications of the adoption of the Asset Management Strategy are included in the strategy and are generally included in existing budgets and budget forecasts.

Legal/Statutory Implications

There are no legal or statutory implications identified.

Environmental/Sustainability Impacts

There are no adverse environmental or sustainability impacts as a result of the implementation of this Policy. The policy has been updated to incorporate clearer recognition of climate change and the need to respond and allow for this in all aspects of asset management.

Social Implications

This policy sets out the Council's commitment to manage and care for its assets, as an integral part of its delivery of services to the community.

Economic Impacts

There are no adverse economic impacts associated with this report. The appropriate management of the significant portfolio of assets that Council is responsible for facilitates the economic prosperity of the municipality.

Consultation

Internal consultation occurred with the Asset Management Steering Committee as well as a number of Council staff.

Officers believe that this strategy is ready for adoption by council.

Strategic Links

a) Greater Shepparton 2030 Strategy

Direction 5: 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 Policy
- Asset Management Plans
- Depreciation Policy
- Land Under Roads Policy
- Asset Valuation and Revaluation Policy

8. INFRASTRUCTURE DIRECTORATE

8.5 Asset Management Strategy Review (continued)

Conclusion

It is essential that Council has a clearly defined Asset Management Strategy which sets out the Council's commitment to manage its assets, as an integral part of its delivery of services to the community. This report recommends that Council adopt the Asset Management Strategy Version 4.0.

Attachments

Asset Management Strategy [↓](#)

8. INFRASTRUCTURE DIRECTORATE

8.6 SAM Stage 2 Commitment

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: Project Manager SAM

Proof reader(s): Manager Projects

Approved by: Director Infrastructure

Executive Summary

On 26 February 2019 Greater Shepparton City Council awarded Contract 1865 for the Construction of new SAM.

The construction phase of the project was divided into two stages to provide an opportunity for Council to source additional external funding.

- Stage 1 \$47.4m (ex GST) includes the main structure, loading dock and general fitout of the new SAM building
- Stage 2 \$2.5m (ex GST) includes landscaping, specialist equipment and components of Kaiela Arts section of the building.

Actions pursuing external funding opportunities for Stage 2 (\$2.5m) have been ongoing since the award of Contract 1865 in February. Extensive queries and investigations have not yet secured funding for Stage 2 however an application under the Aboriginal Infrastructure Fund from the State Government for \$1.5M is currently being assessed with an announcement expected shortly.

Under Contract 1865 Council must provide direction to the Contractor on Stage 2 by 20 December 2019 to avoid liability for compensation.

To ensure that the contract works are completed on schedule and to avoid delay costs by not providing instruction on Stage 2 in line with the contract requirements Council's Commitment to the funding required for stage 2 and approval to issue the instruction for stage 2 to proceed is sought, noting that external funding is still being pursued.

Moved by Cr Adem

Seconded by Cr Giovanetti

That the Council:

- Approve its commitment to Stage 2 works under Contract 1865 – Construction of the new Shepparton Art Museum at a cost of \$2,500,000.00 ex GST.
- Note that in accordance with the conditions of Contract 1865 the Chief Executive will issue the Contractor direction to proceed with Stage 2 works prior to 20 December 2019.

8. INFRASTRUCTURE DIRECTORATE

8.6 SAM Stage 2 Commitment (continued)

- Note that the project budget is \$49,900,000 ex GST including Stage 1 and Stage 2 works.
- Note that opportunities to offset the additional funding for Stage 2 against other external funding will be pursued.

Cr Summer called for a division.

Those voting in favour of the motion: Cr Oroszvary, Cr Adem, Cr Patterson, Cr Hazelman OAM, Cr Abdullah, Cr Giovanetti, Cr O'Keeffe and Cr Sutton.

Those voting against the motion: Cr Summer.

The motion was carried.

Background

On 26 February 2019 Greater Shepparton City Council awarded Contract 1865 for the Construction of new SAM by passing the following resolution.

<p>Moved by Cr Adem Seconded by Cr Abdullah</p> <p>That the Council:</p> <ol style="list-style-type: none"> 1. Acknowledge that Council has secured additional funding from the Federal Government and SAM Foundation to offset the increase in the Capital required for Stage 1 of the SAM Project. 2. Acknowledge and accept that Council will commence Stage 1 works with Stage 2 on hold until further funding is sourced from external funding bodies. 3. Endorse the revised Project Budget – Construction Phase of \$47.4m (ex GST) as detailed in the report to enable Stage 1 works to commence. 4. Accept the tender submitted by Kane Construction Pty Ltd for the lump sum Contract No. 1865 - Construction of the new Shepparton Art Museum with a value of \$45,975,954.00 (including GST) with \$2,750,000.00 (including GST) of the Contract sum conditional on funding gained for Stage 2. 5. Authorise the Chief Executive Officer to sign and seal the contract documents. 6. Authorise the Chief Executive Officer to sign off on monthly progress payments up to \$3,300,000.00 (including GST) for Contract 1865. <p style="text-align: right;">CARRIED.</p>
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The construction phase of the project was divided into two stages to provide an opportunity for Council to source additional external funding.

- Stage 1 \$47.4m (ex GST) includes the main structure, loading dock and general fit out of the new SAM building
- Stage 2 \$2.5m (ex GST) includes landscaping, specialist equipment and components of Kaiela Arts section of the building.

Actions pursuing external funding opportunities for Stage 2 (\$2.5m) have been ongoing since the award of Contract 1865 in February. Extensive queries and investigations have not yet secured funding for Stage 2 however an application under the Aboriginal

8. INFRASTRUCTURE DIRECTORATE

8.6 SAM Stage 2 Commitment (continued)

Infrastructure Fund from the State Government for \$1.5M is currently being assessed with an announcement expected shortly.

Under Contract 1865 Council must provide direction to the Contractor on Stage 2 by 20 December 2019 to avoid liability for compensation. The relevant clause states;

Conditional Works Notice

- (e) The *Principal* may (in its sole and absolute discretion) at any time direct the *Contractor* by written notice to perform separable portion 2 (Conditional Works) (**Conditional Works Notice**).
- (f) If the *Principal* issues a *Conditional Works Notice*, the *contract sum* will be increased by \$2,500,000 (excluding GST).
- (g) If the *Principal* issues a *Conditional Works Notice* after 20 December 2019, any such delay will be deemed a *compensable cause*.
- (h) The *Contractor's* entitlement to claim a *compensable cause* under clause 46.2(f) will be the *Contractor's* sole entitlement arising out of or in connection with a *Conditional Works Notice* or delay in issuing a *Conditional Works Notice*.

To ensure that the contract works are completed on schedule and to avoid delay costs by not providing instruction on Stage 2 in line with the contract requirements Council's Commitment to the funding required for stage 2 and approval to issue the instruction for stage 2 to proceed is sought, noting that external funding is still being pursued.

Council Plan/Key Strategic Activity

Greater Shepparton City Council Plan 2017 – 2021

Social

- 2.4 Social and Cultural and employment opportunities are created to enable children, young people, individuals and families to actively participate in their community.
- 2.5 Creativity and participation in arts and culture is nurtured and encouraged.
- 2.8 Our Aboriginal culture and people are valued and celebrated, with collaborative actions undertaken to enable peaceful, healthy and productive lives in a safe environment.
- Social Key Capital Projects – Construction of a new SAM.

Economic

- 3.3 Greater Shepparton is a major destination for events and tourism.

8. INFRASTRUCTURE DIRECTORATE

8.6 SAM Stage 2 Commitment (continued)

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Build a non-compliant building (build to current budget)	5	3	High	Build a functional and compliant building
Reputation loss of Council due to non-compliant building (build to current budget)	5	3	High	Build a functional and compliant building
Council liquidity position will be stressed by the increased capital costs	4	3	Moderate	Limit Council's contribution by sourcing third party funding
Not award Stage 2 delaying the project and causing a contract sum increase to Contract 1865	5	3	High	Award stage 2 of the contract as soon as reasonably practicable

Financial Implications

Approving Stage 2 works under Contract 1865 – Construction of the new Shepparton Art Museum at a cost of \$2,500,000.00 ex GST will result in the commitment to the full project budget of \$49,900,000 ex GST including Stage 1 and Stage 2 works.

The impact on budget allocations in the 20/21 financial year will depend on the outcome of the current application under the Aboriginal Infrastructure Fund from the State Government for \$1.5M and approaches for external funding for other projects that Council would otherwise be required to fund against which the additional stage 2 funding can be offset.

Social and Economic Implications

Greater Shepparton is transitioning from an agricultural and manufacturing based economy to a services-based economy. Attracting new residents to Greater Shepparton to support the continuation of growth in the services-based economy, in a community with limited architectural form, against other key Victorian regional cities creates a significant challenge to attract and retain professional staff and external investors.

In this regard, the new SAM is will be pivotal. As a major, well regarded and widely recognised cultural institution it will play an important role in providing a cultural outlet and showpiece for those actively investigating relocation or investment to/in Greater Shepparton.

Consultation

Council has conducted extensive and productive consultation with the following organisations to deliver the funding and project outcomes detailed in this report:

- State Government
- Federal Government
- RRV – (Regional Roads Victoria)
- VicTrack

8. INFRASTRUCTURE DIRECTORATE

8.6 SAM Stage 2 Commitment (continued)

Conclusion

The new SAM project is a significant community project and will require completion of the Stage 2 works to achieve compliance with the planning scheme and Building Code Australia. To ensure works can proceed to completion of this iconic project without incurring additional delay costs it is recommended that, in accordance with the contract, Council, prior to 20 December 2019, directs that Stage 2 works proceed.

Attachments

Nil

9. COMMUNITY DIRECTORATE

9.1 Greater Shepparton Healthy Food and Drinks 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: Water in Sport Project Officer

Proof reader(s): Manager Active Living, Team Leader Healthy Communities

Approved by: Director - Community

Executive Summary

Local councils are well placed to positively influence the health behaviours of staff, volunteers, residents and visitors, and are encouraged to be a role model for good health practices in the wider community.

In line with the Municipal Public Health Plan, Greater Shepparton City Council through its Active Living Department is committed to driving the introduction of a Healthy Food and Drinks Policy that aligns with the Victorian Government Healthy Choices Guidelines.

This policy is a key deliverable of the VicHealth Water in Sport project, which Council received funding for in 2018 that enabled a Nutritionist (Water in Sport Project Officer) to be employed until 2020 to make changes to the food and drinks sold through Council's directly managed Leisure Facilities. This including, AQUAMOVES, Outdoor Pools, SPC Kids Town and the Shepparton Sports Stadium.

The present policy aims to align itself with the Healthy Choices Guidelines which stipulate that: wherever food and drink is offered in the aforementioned locations, ≥50% of choices must be from the GREEN (eat most) category; ≥30% from the AMBER (eat occasionally) category and ≤20% from the RED (eat least) category.

Moved by Cr O'Keeffe

Seconded by Cr Summer

That the Council:

1. Endorse the Healthy Food and Drinks policy.
2. Support implementation of the Healthy Food and Drinks policy.

CARRIED UNOPPOSED.

Background

Health behaviours, such as giving up smoking, increasing physical activity and consuming healthy food and drinks have been shown to reduce the chance of developing diseases later in life.

A healthy diet is vital for optimal growth, development and good health through life and contributes to physical vitality, mental health and social wellbeing.

9. COMMUNITY DIRECTORATE

9.1 Greater Shepparton Healthy Food and Drinks Policy (continued)

Evidence demonstrates that diet-related conditions such as heart disease, stroke, type 2 diabetes and some forms of cancer are the major causes of death and disability among Australians. Not eating enough healthy foods or eating too much of the foods that are high in saturated fat, salt and added sugar are often considered as major contributors to these conditions.

The introduction of a healthy food and drinks policy that meets the Healthy Choices Guidelines can:

- Promote good health and wellbeing practices to all staff, visitors, the community and partner organisations;
- Lead to increased productivity;
- Demonstrate to the community at large, that the Greater Shepparton City Council are committed to supporting good health and healthy eating choices for everybody and
- Positively influence workplace culture and unhealthy practices.

This Healthy Food and Drinks policy will help consolidate good practices while supporting programs and services already delivered by Council. These clear messages are consistent with other state endorsed food policies and nationally recognised guidelines such as The Heart Foundation's Guide to Healthier Catering – A Healthier Serve. In addition, The Public Health Acts were passed into legislation in 2011, which the present policy supports.

Local Obesity Rates

The Greater Shepparton Health and Wellbeing Advisory Committee (HWBAC) have encouraged the obesity monitoring program (RESPOND) to gauge the seriousness of the Greater Shepparton local health status and work with community to identify key triggers to bring change.

Evidence collected as part of the Deakin University study identified that more than 38% of primary school aged children are obese/overweight in the Greater Shepparton area, all of whom would benefit from local solutions and action.

Council as Local Leader

The successful implication of this policy not only supports a healthier community, it demonstrates leadership and highlights the council's deep-rooted passion for developing viable and sustainable systems in the promotion of health and wellbeing.

Any action Council implements to encourage healthy eating choices would also show support to other key local organisations. For example, one of the region's largest employers, Goulburn Valley Health, are making significant internal changes to their own policies impacting on their staff café, public Café and vending machines located within their various workplace divisions.

9. COMMUNITY DIRECTORATE

9.1 Greater Shepparton Healthy Food and Drinks Policy (continued)

Sweetened and Sugary Beverages

Council has been funded by VicHealth to implement the Water In Sport Project 2018 - 2020, which focuses on making the healthy choice the easy choice, when standing at a drinks fridge in a council run sporting and recreation centre.

From the initial stage of the project, 153 people were surveyed and 67% of the respondents strongly believed that our local community needed to implement changes to reduce sugary drink consumption. In addition, 27% strongly agreed and 54% agreed that sports and recreation centres had a responsibility to promote healthy eating.

Local Councils Activity

Research indicates a number of large regional Councils are currently implementing healthy catering policies and developing more detailed healthy eating and drinking policies; see table below.

LGA	Policy	Summary
City of Greater Geelong	Sale and Procurement of Healthy Food by Council - Food Policy Management Procedure	The food policy considers all aspects of the food system that Council can influence, from 'paddock to plate' and brings together areas of council policy and operations that are usually considered separately, such as food safety and food waste. In addition, includes a <i>Healthy Catering Guide</i> .
City of Melton	Healthy Catering (Food & Drink) Policy	Council's Healthy Food and Drink Guide aims to support local businesses, schools, organisations and community members to order healthy catering options and promote healthy eating.
Glenelg Shire Council	Healthy Catering Policy	The policy is centred on healthy catering and applies to all internal and external catering related to both food and drink options. This policy covers Council funded and organised meetings, functions and events, whether for staff, partners or the wider community.

Council officers are working in partnership with members of the Integrated Health Promotion network (IHP network) which encompasses representatives from hospitals and health services in the Hume Region, including three Councils; Greater Shepparton, Moira and Strathbogie and the Healthy Eating Advisory Service (HEAS). HEAS offers mentorship training as an essential part of their support to organisations, workplaces, hospitals, health services, universities, sport and recreation centres who commit to making sustainable healthy changes to their food and drink provision. HEAS supports sustainable changes to make healthy food and drink choices, providing training designed to build knowledge, skills and capacity of staff.

Implementation

The Active Living Department in partnership with the 'My Lifestyle' Workplace Wellness Committee will be responsible for actively encouraging this policy and promoting healthier eating practices and healthy catering choices within Greater Shepparton City Council.

This policy will be communicated through the My Lifestyle Program and will be responsible for actively promoting this policy and as such, will be accountable for actively promoting healthier eating practices and healthy catering choices within Greater

9. COMMUNITY DIRECTORATE

9.1 Greater Shepparton Healthy Food and Drinks Policy (continued)

Shepparton City Council. In addition, the procedure and policy will be accessed via internal newsletters, via Insite, at relevant staff meetings and toolbox meetings, at both the OHS and Corporate Induction and on bulletin boards.

Council Plan/Key Strategic Activity

1. Greater Shepparton's Public Health Implementation Plan 2017-2021
 - Short-term targets as set in this plan are: Decrease the prevalence of overweight and obesity; increase the proportion of residents consuming the recommended serves of fruit and vegetables and increase the proportion of residents consuming water over sugar sweetened beverages.
2. Greater Shepparton's Public Health Plan & Strategic Focus 2018-2028
 - One of the main areas of focus is Healthy Eating and Active Living. Locally, 54% of people don't meet the dietary guidelines for either fruit or vegetable consumption and in Victoria, the direct healthcare costs attributed to overweight and obesity is estimated at \$14.4 billion, annually.

Risk Management

Risk	Solution
Negatively affecting current relations with existing contracts and suppliers.	Developing and maintaining strong relationships is integral to the implementation of this proposed policy. Keeping the suppliers and lessees informed throughout the process will ensure buy in and prevent negatively skewed assumptions. As shown by Alfred Health's case study, the bottom line of businesses are not affected when such changes are made, as customers will still purchase something, very few walk away without spending money.
Public Perception	The community may see these changes as 'removing their choice'. However this is not the intention of such a policy. The intent is not to remove individual's ability to choose, however, it is to simply assist in making choosing the healthy choice, the easy choice. A reduced amount of unhealthy ('red') options will still be on sale, however won't be displayed at eye level.
Staff Dissatisfaction	There is a risk that staff may feel frustrated due to the implementation of such a policy. However, with a well thought and designed marketing plan, the message will be to emphasise the addition of healthy options, rather than the removal of unhealthy ones.

Policy Considerations

The policy will meet the Healthy Choices Guidelines and specify that where food and drink are offered, they must meet the following standards at all times:

- ≤20% Red drinks/food available (Eat least – very little health benefit)
- ≥30% Amber drinks/food available (Eat Moderately)
- ≥50% Green drinks/food available (Eat most – healthiest options)

Financial Implications

It's possible that there may be short term financial impacts associated with change; however the greater benefit is to improve the health of our community by direct action and leadership. Experience from the changes already made to drink fridges at Council run recreation centres suggests that financial implications are unlikely.

9. COMMUNITY DIRECTORATE

9.1 Greater Shepparton Healthy Food and Drinks Policy (continued)

Facilities which form the basis of the initial project are places of health and well-being and income from food and beverage sales are secondary to active participation.

One of the most successful implementation projects of the Healthy Choices Guidelines has been at the Alfred Hospital in Melbourne who voluntarily adopted the guidelines for their hospital café 12 months ago. Following the implementation of the new guidelines, no change to the income of the café was recorded. Total food sales were not affected, customers continued to purchase meals at the same rate, 26% more 'green' meals were purchased, 7% more 'amber' meals and a significant reduction of 17% in 'red' meals was also observed.

Social Implications

Social implications have been considered and evidence has confirmed that individuals, who are recognised as being overweight and obese, benefit from localised interventions to bring stronger support for changing lifestyle habits and eating behaviours.

Currently, 58.7% of our local community are considered either overweight or obese, compared to the Victorian average of 49.8%. In addition, 54% of people in the Greater Shepparton region do not meet the dietary guidelines for either fruit or vegetable consumption. It is the responsibility of this local council to lead from the front and adopt strong policy change to assist in making healthier choices the easier choice.

Economic Impacts

There are no direct economic impacts associated with this report above the financial impacts previously noted.

Consultation

Since its inception in January 2019, The My Lifestyle program has engaged with over 300 Greater Shepparton City Council employees through a large range of activities and learning sessions. The My Lifestyle Program was established to promote health and wellbeing for all employees through initiatives such as 'Health Checks', '8-Week Wellness Challenge', 'Men's Health Breakfast' and the 'Women's Health Forum', just to mention a few. Such initiatives are integral to council showcasing their strong leadership in the space of employee wellbeing and are a great platform for the implementation of the Healthy Food and Drinks Policy.

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

Strategic Links

a) Other strategic links

The Achievement Program

This framework for workplaces enables a whole-of organisation approach to promoting and supporting health and wellbeing across five health priority areas: Physical Activity, Healthy Eating, Mental Health and Wellbeing, Alcohol and Other Drug Use and Smoking.

VicHealth Local Government Action Guide

These action guides provide evidence-informed actions for councils to consider when preparing their Municipal Public Health and Wellbeing plan and other strategies.

9. COMMUNITY DIRECTORATE

9.1 Greater Shepparton Healthy Food and Drinks Policy (continued)

Greater Shepparton City Council My Lifestyle Program

This program is designed to promote health and wellbeing amongst the workforce through varied channels. To date, health checks, presentations, hypnotherapy, an 8-week wellness challenge plus both women's and men's health functions have been offered to all council employees.

Conclusion

Every worker's health is important and employees spend the majority of their time in the workplace, this makes it an ideal setting for health and wellbeing initiatives and programs.

Improving the health of employees will not only assist in improving health, it will also reduce absenteeism, improve employee morale, increase productivity and reduce stress and anxiety.

Once established, this policy and the benefits it offers will be able to be extended to the broader community. Lessons learned through early implementation will shape this future work.

Attachments

Healthy Food and Drink Policy [↓](#)

9. COMMUNITY DIRECTORATE

9.2 Community Engagement 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: Project Administration Officer

Proof reader(s): Team Leader Community Strengthening,

Manager Neighbourhoods Approved by: Director Community

Executive Summary

Council recently undertook community consultation in broad terms about Community Engagement with a series of broad questions. A variety of methods were used to consult the community, including a survey, social media, print media, radio, website and engagement with committees and local networks.

This consultation has now concluded, and the results have been considered to inform the draft Community Engagement Policy.

Following approval, the draft Policy will be available for feedback for an extended period from 18 December 2019 until 14 February 2020 due to the Christmas and holiday period.

Moved by Cr Giovanetti

Seconded by Cr O'Keeffe

That Council approve the release of the Draft Community Engagement Policy for public exhibition and consultation for a period of 8 weeks, commencing 18 December 2019 and concluding on 14 February 2020.

CARRIED UNOPPOSED.

Background

Council needs to adapt, revisit, and strengthen its commitment to effective community engagement.

The internal Community Engagement Working Group has been working on revising and strengthening Council's Community Engagement practices, and has consulted with the community in broad terms about Community Engagement. Council received more than 200 responses to the survey.

A copy of the detailed results are attached to this report, however, key findings have been summarised below.

The community told Council they like to receive information from Council via:

- Email 47%
- Social media 43%
- Letterbox drops 38%
- Information sessions 34%
- Council's website 33%

9. COMMUNITY DIRECTORATE

9.2 Community Engagement Policy (continued)

The community would like Council to engage with them about:

- Neighbourhood and Community Plans 77%
- Strategies such as waste, community safety, budget, rates 70%
- Major roadwork upgrades 66%
- Future plans for growth 66%
- Streetscape and sporting ground redevelopments 64%

The community also specifically highlighted parking and children's services as topics they would like to be engaged about.

The community indicated they would like to hear from Council at all stages, including when an idea is being developed, drafted, and fully developed (but might need some tweaks). The community have also indicated it is important to engage right at the beginning of projects, as well as 'closing the loop' (letting them know how and if their feedback has been used).

The community indicated the information most important to them is what is happening in their town, neighbourhood, street, and municipality.

The results of the feedback received as part of this consultation process have been considered in the development of the draft Community Engagement Policy.

The draft Community Engagement Policy will be sent to survey respondents who provided their contact details, local networks and more broadly to the public through a Council media release, website and social media.

Once feedback on the draft Community Engagement Policy has been received, Council Officers will review the draft Policy accordingly and present the document to Council for adoption.

A Toolkit and training program will be established to guide and support staff in the day to day operations of community engagement to ensure a consistent, considered approach to community engagement across the organisation.

Council Plan/Key Strategic Activity

Community engagement is a core process that underpins the Council Plan and Integrated Planning Framework and ensures that community needs and aspirations are considered in developing and implementing Council's strategic directions and priorities.

Community engagement is linked to the following Council objectives:

- Leadership and Governance 1.3 Council demonstrate strong leadership and sound decision making in the best interests of the community.
- Leadership and Governance 1.8 Consultation that is transparent, robust and accessible, and clear, consistent and timely communication provided to inform, educate and engage with the community.

Risk Management

There is nil to little risk with releasing the draft Community Engagement Policy for consultation.

9. COMMUNITY DIRECTORATE

9.2 Community Engagement Policy (continued)

Policy Considerations

The following Policies and Procedures have been considered thus far:

- Community Planning Policy 55.POL1
- Media Policy 07.POL1
- Privacy Policy 37.POL12

There are no conflicts with any of the above Policies.

Financial Implications

There are no financial implications associated with this report.

Legal/Statutory Implications

Legislation considered included:

- Privacy and Data Protection Act 2014
- Public Health and Wellbeing Act 2008

The Local Government Bill – Exposure Draft and the ‘Act for the Future – Directions for a new Local Government Act’ directions paper were also considered.

Environmental/Sustainability Impacts

There will be no environmental/sustainability impacts as a result of this report.

Social Implications

Effective community engagement builds relationships between Council and the community. It enables two-way communication and ensures community feels valued and listened to.

Effective community engagement allows Council to be better informed, and achieve better outcomes with – and for – the community it serves.

Economic Impacts

There are no economic impacts associated with this report.

Consultation

Consultation on Community Engagement was conducted from 23 September to 14 October 2019 via a survey, social media, website, print media, radio, engagement with committees and local networks.

The results have now been collated.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Nil

b) Other strategic links

Nil

9. COMMUNITY DIRECTORATE

9.2 Community Engagement Policy (continued)

Conclusion

Community consultation has occurred regarding Council's Community Engagement practices in broad terms.

It is now necessary for Council to consult further, by releasing the draft Community Engagement Policy for public exhibition and formal consultation.

Attachments

1. Community Engagement Policy [↓](#)
2. Consultation Infographic Results [↓](#)

10. CORPORATE SERVICES DIRECTORATE

10.1 Council Plan 2019-20 Quarter 1 Progress 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: Corporate Planning Analyst

Proof reader: Manager Corporate Governance

Approved by: Director Corporate Services

Executive Summary

In accordance with Section 125 of the *Local Government Act 1989*, Council developed and adopted a four year Council Plan on 20 June 2017. The Council Plan contains Key Strategic Objectives and Strategies to achieve those objectives.

This report provides the first quarter update of 2019-20 in relation to the actions taken to achieve the Key Strategic Objectives identified in the 2017-2021 Council Plan and forms part of council's accountability framework. The report also includes progress made in achieving the Key Strategic Activities contained within the 2019-20 Budget which form Council's Performance Statement.

The Council Plan becomes the organisational focus for the development of Directorate and Business Unit plans and ultimately the individual responsibilities of officers which are subsequently reflected in those officers' annual appraisals.

Of the identified general actions for progress reporting in relation to measuring achievement, the vast majority of actions (41 out of 52) are on target.

Moved by Cr Patterson
Seconded by Cr Giovanetti

That Council note the progress report for the 2017-2021 Council Plan which provides details in relation to achieving the Measures of Success identified in the Council Plan 2017-2021.

CARRIED UNOPPOSED.

Background

The 2017-2021 Council Plan identified Goals, Key Strategic Objectives and Strategies for implementation across the life of the plan.

Based on the outcomes of the community consultations, Council identified five themes to describe what we are working towards in achieving the community's vision of a Greater Shepparton - Greater Future. As these goals explicitly align with the Municipal Public Health Planning Framework (Department of Health Services, 2001) with the emphasis on the built, social, economic and natural environments, the Council Plan also addresses the legislative requirements for the Municipal Health and Wellbeing Plan.

10. CORPORATE SERVICES DIRECTORATE

10.1 Council Plan 2019-20 Quarter 1 Progress Report (continued)

These five themes are:

1. Leadership and Governance - Provide strong civic leadership, advocacy and good governance in the operation of Greater Shepparton City Council.
2. Social - Develop resilient, inclusive, healthy communities that make Greater Shepparton a safe and harmonious place to live, work, learn and play.
3. Economic - Build a thriving, resilient economy where Greater Shepparton is recognised as a competitive place to invest and grow business.
4. Built - Provide and support appealing relevant infrastructure that makes Greater Shepparton an attractive, liveable regional city.
5. Environment - Enhance and protect the clean, green environment that makes Greater Shepparton the unique place it is.

Council Plan/Key Strategic Activity

Council is high performing; customer focused and is marked by great people and quality outcomes (Leadership and Governance).

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to report to Council and the community	Unlikely	Moderate	Moderate	Continue quarterly reports to Council

Policy Considerations

There are no policy considerations associated with this report.

Financial Implications

The report contains no financial implications, however many of the initiatives contained within the Council Plan required Council to allocate funds in its 2019-20 budget to provide the finances to continue implementation of the Council Plan.

Legal/Statutory Implications

The report complies with Councils' obligations to monitor and report on progress in relation to achieving the strategic objectives and strategies contained within the council plan. The provision of regular reporting, in addition to the Annual Report, provides an opportunity for Council and the community to consider the progress made towards achieving the targets set by Council against the Council Plan.

Environmental/Sustainability Impacts

The report contains no environmental/sustainability impacts, however many of the initiatives contained within the Council Plan were targeted at improving Greater Shepparton's sustainability, both as an organisation and a municipality.

Social Implications

The report contains no social implications, however there are a number of initiatives contained in the Council Plan that were aimed at improving the health and well-being of the Greater Shepparton communities and the wider municipality. This is expected to improve social outcomes.

10. CORPORATE SERVICES DIRECTORATE

10.1 Council Plan 2019-20 Quarter 1 Progress Report (continued)

Economic Impacts

The report contains no economic impacts however there were a number of initiatives contained in the Council Plan that were aimed at improving the economic wellbeing of the Greater Shepparton municipality.

Consultation

Internal consultation occurred with the responsible officers regularly updating individual actions and the overall review of all plans by the Executive Team.

Community consultation was achieved by publishing quarterly reports in the Council meeting agenda and including the plan and quarterly updates on Councils website.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep Informed	Council Meeting Minutes Council Website

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The Council Plan 2017-2021 plays a pivotal role in the delivery of the short term plans and aspirations of council and the community whilst following the long term strategies of Greater Shepparton 2030.

b) Council Plan 2017-2021

The Council Plan 2017-2021 supports the short term direction of the organisation (4 years) and provides linkage to the strategies developed and or implemented over the duration of the plan

c) The Annual Budget 2019-20

The Annual Budget 2019-20 supports the short term direction of the organisation (1 year)

Conclusion

This report provides the 2019-20 first quarter update with progress on achieving the Key Strategic Objectives contained within the 2017-2021 Council Plan and the Key Strategic Activities contained within the 2019-20 Budget.

Attachments

Council Plan 2019-20 Quarter 1 Progress Report [↓](#)

10. CORPORATE SERVICES DIRECTORATE

10.2 November 2019 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: Manager Finance and Rates

Proof Reader(s): Manager Finance and Rates

Approved by: Director Corporate Services

Executive Summary

The report presents Council's actual financial performance compared to the budget for the five months ended 30 November 2019.

Moved by Cr Oroszvary
Seconded by Cr O'Keeffe

That the Council receive and note the November 2019 Monthly Financial Report.

CARRIED UNOPPOSED.

Background

The 2019/2020 Budget was adopted at the Ordinary Council Meeting held 18 June 2019. The 2019/2020 Adopted Budget provided for an operating surplus of \$25.33 million with revenue of \$153.32 million and expenditure of \$127.99 million. The 2019/2020 Adopted Budget also provided for capital works of \$73.68 million.

On 15 October 2019, Council adopted the 2019/2020 Q1 Adopted Forecast with an accounting surplus of \$23.29 million which is \$2.04 million less than the 2019/2020 Adopted Budget. The capital works program of \$73.0 million is forecast to be expended during the 2019/2020 financial year which is a decrease of \$0.7 million from the Adopted Budget.

Council's actual financial performance compared to the budget is presented to Council on a monthly basis.

The November 2019 Monthly Financial Report incorporates the following sections which are presented for Council's consideration:

- Operating Performance
- Capital Works Performance
- Income Statement
- Balance Sheet
- Cash Flow Statement
- Capital Works Statement

10. CORPORATE SERVICES DIRECTORATE

10.2 November 2019 Monthly Financial Report (continued)

Council Plan/Key Strategic Activity

The report is consistent with the leadership and governance goal “High Performing Organisation” as included in the *Council Plan 2017-2021*.

Risk Management

There are no risks 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

There are no environmental or sustainability impacts associated with this report.

Social Implications

There are no social implications associated with this report.

Economic Impacts

There are no economic implications in providing this financial report.

Consultation

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

Conclusion

The report presents Council’s actual financial performance compared to the budget for the five months ended 30 November 2019.

Attachments

November 2019 - Monthly Financial Statements [↓](#)

10. CORPORATE SERVICES DIRECTORATE

10.3 Public Interest Disclosure 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 Corporate Governance

Proof reader(s): Team Leader Governance

Approved by: Director Corporate Services

Executive Summary

The Protected Disclosure Act 2012, forming part of the statutory regime for Victoria's integrity reforms, commenced operation on 10 February 2013 and replaced the former Whistleblowers Protection Act 2001.

As of the 1 January 2020, the Protected Disclosure Act 2012 is now being amended to the Public Interest Disclosure Act 2012. This change in term from Protected Disclosure to Public Interest Disclosure is making Victoria consistent with the rest of Australia.

Council needs to be working under the new Public Interest Disclosure Act 2012 by the 1 January 2020.

RECOMMENDATION

That the Council

1. adopt the Public Interest Disclosure Policy 37.POL9
2. note that the current Protected Disclosure Policy 37.POL9, previously adopted by Council on 19 September 2017 will remain in force until the commencement of the legislative amendment and the Public Interest Disclosure Policy 37.POL9 take effect on 1 January 2020.

Moved by Cr Patterson

Seconded by Cr Oroszvary

That the Council

1. adopt the Public Interest Disclosure Policy 37.POL9
2. note that the current Protected Disclosure Policy 37.POL9, previously adopted by Council on 19 September 2017 will remain in force until the commencement of the legislative amendment and the Public Interest Disclosure Policy 37.POL9 take effect on 1 January 2020
3. write to the relevant Ministers to request sufficient resources for the Local Government Inspectorate and the Independent Broad-based Anti-corruption Commission to administer the legislative changes outlined in this report.

CARRIED.

10. CORPORATE SERVICES DIRECTORATE

10.3 Public Interest Disclosure Policy (continued)

Background

The amendments to the Protected Disclosure Act 2012 have been made to a number of Acts relating to the operation of Victoria's integrity system, established to facilitate the confidential disclosure and investigation of improper conduct in relation to public bodies and public officers. The changes aim to improve access for those making Public Interest Disclosures (PIDs) and flexibility for agencies investigating PIDs.

The Protected Disclosure Act 2012 changes in name to the Public Interest Disclosure Act 2012 (PID Act).

The terms 'protected disclosure' and 'protected disclosure complaint' have been replaced with:

- **Public Interest Disclosure** – disclosure by a natural person of information that shows / tends to show or information that the person reasonably believes shows / tends to show improper conduct or detrimental action
- **Public Interest Complaint** – a public interest disclosure that has been determined by IBAC, the Victorian Inspectorate to be a Public Interest Complaint

The main changes to the PID Act are terminology changes. Complainant has been replaced with the term 'discloser', and the term wrongdoer is now used.

The definition of 'improper conduct' has been revised to specify the following categories:

- corrupt conduct
- criminal offence
- serious professional misconduct
- dishonest performance of public functions
- intentional or reckless breach of public trust
- intentional or reckless misuse of information
- substantial mismanagement of public resources
- substantial risk to health or safety of a person
- substantial risk to the environment
- conduct of any person that adversely affects the honest performance by a public officer of their functions
- conduct of any person that is intended to adversely affect the effective performance by a public officer of their functions for the benefit of the other person.

The people that a PID can now be made to has been expanded:

- CEO
- Direct/Indirect manager or supervisor of discloser
- Public Interest Disclosure Coordinator
- Public Interest Disclosure Officers

It is important to note that a disclosure made against a Councillor can only be reported directly to IBAC.

The Public Interest Disclosure Policy has been amended to reflect the amendments made to the Act.

10. CORPORATE SERVICES DIRECTORATE

10.3 Public Interest Disclosure Policy (continued)

Council Plan/Key Strategic Activity

This Policy is consistent with Leadership and Governance, in particular, objective 1.3. Council demonstrates strong leadership and sound decision making in the best interest of the community.

Risk Management

No risks have been identified with respect to the adoption of this Policy. It has been developed to ensure all officers and members of the community are aware of their rights and responsibilities in relation to Public Interest Disclosures.

Policy Considerations

Any disclosures deemed not to be a Public Interest Disclosure will be addressed through Councils Complaints Policy which is also currently under review.

Financial Implications

There are no financial implications associated with the adoption of a Public Interest Disclosure Policy.

Legal/Statutory Implications

In accordance with Section 58 (1) of the Act, Council must establish procedures to facilitate the making of disclosures, and for the handling of disclosures. Officers believe that these processes would be best documented and communicated in the format of Council Policy, which is consistent practice across other Victorian Councils.

Environmental/Sustainability Impacts

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

Social Implications

There are no social implications associated with this report.

Economic Impacts

There are no economic impacts associated with this report.

Consultation

This Policy has been developed in accordance with the Act and the IBAC Guidelines. 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.

Conclusion

The Public Interest Disclosure Policy has been reviewed in accordance with all current legislation and best practice guidelines, and will provide clear guidance to members of the public and staff. It is therefore recommended that it be adopted by Council.

Attachments

Public Interest Disclosure Policy [↓](#)

10. CORPORATE SERVICES DIRECTORATE

10.4 Shepparton Show Me 2018-2019 Annual 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: Administration Officer SSM & Marketing and Communications

Proof reader(s): Director Corporate Services

Approved by: Director Corporate Services

**Other: Manager Marketing and Communications,
Shepparton Show Me Marketing Co-ordinator.**

Executive Summary

Shepparton Show Me presents the 2018/2019 Annual Report to the Greater Shepparton City Council.

The Shepparton Show Me Committee is required to produce an Annual Report to be presented and received at its Annual General Meeting (AGM). The Shepparton Show Me 2018/2019 Annual Report including financial statements, was endorsed by the Shepparton Show Me Committee at the Annual General Meeting on the 17 October 2019.

The Annual Report highlights the achievements and reports the financial performance of Shepparton Show Me over the past financial year.

**Moved by Cr Oroszvary
Seconded by Cr Adem**

That the Council receives and note the 2018/2019 Shepparton Show Me Committee Annual Report.

CARRIED UNOPPOSED.

Background

The 2018/2019 Shepparton Show Me (SSM) Annual Report reports on the functions, operations and activities of the Committee using the following structure:

1. Vision, Mission and Direction
2. History
3. Milestones
4. Chairperson's Report
5. Committee Overview
6. Operations
7. Marketing and Communications
 - Key areas of the 2018/19 Marketing Plan
 - Shepparton Show Me 2019/2023 Marketing Strategy
 - Shepparton Show Me All Things Social
 - Shepparton Show Me Website Statistics
 - Shepparton Show Me Mobile Stage
 - Annual Campaigns
 - Sponsorships, Partnerships and Events

10. CORPORATE SERVICES DIRECTORATE

10.4 Shepparton Show Me 2018-2019 Annual Report (continued)

- Communications
- 8. Financial Report
- 9. Shepparton Show Me Boundary

In summary the report details how SSM successfully delivered on the 2018/2019 Marketing Plan, with tactics and outcomes comprehensively detailed in the report.

Strategic initiatives included the inception of an iconic music event (Land of Plenty), Summer Styling Fashion Event, Spring Expo and Winter Fun Zone event with the aim of driving business in Shepparton during a non-peak time.

Annual campaigns such as Father's and Mother's Day, End of the Financial Year, Fun Starts Here, Christmas and Summer and Winter City Markets continued to be delivered.

Other highlights this financial year have been the opportunity to sponsor several events such as the "An Evening with Sir Bob Geldof", 2019 BMX Nationals and A-League Pre-season match.

For a full overview of activities undertaken during the 2018/2019 financial year, please refer to the attached Annual Report.

Council Plan/Key Strategic Activity

Goal 3: Economic – build a thriving, resilient economy where Greater Shepparton is recognised as a competitive place to invest and grow business.

Risk Management

There have been no risks identified in relation to this report.

Policy Considerations

This report presents no conflicts with Council Policy.

Financial Implications

An overview of the 2018/2019 expenditure is included in the attached Annual Report.

Legal/Statutory Implications

At the Shepparton Show Me AGM an annual report, including annual financial statements, must be received. The Shepparton Show Me 2018/2019 Annual Report was endorsed by the Committee at the AGM on the 17 October 2019.

Environmental/Sustainability Impacts

There are no environmental/sustainability impacts.

Social Implications

One of the Shepparton Show Me's objectives is to facilitate a culture that encourages government, business and the community to work together to grow Shepparton's prosperity.

Economic Impacts

The vision for Shepparton Show Me is to position Shepparton as the premier place in northern Victoria to work, do business, shop, dine, play and stay.

10. CORPORATE SERVICES DIRECTORATE

10.4 Shepparton Show Me 2018-2019 Annual Report (continued)

The mission of Shepparton Show Me is to advance the growth and development of business (retail and commercial) and professional services in Shepparton.

Consultation

The SSM Committee and acquittals provided by sponsored events contribute to the production of the Annual Report.

The Committee reviewed the Annual Report and it was endorsed at the AGM held on the 17 October 2019.

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) 2017-2021 Council Plan

Economic – Build a thriving, resilient economy where Greater Shepparton is recognised as a competitive place to invest and grow business.

3.1 The Greater Shepparton Economy is prosperous, high value and a focus of choice for business, investment and employment.

3.2 Strong global, national and local business connections are developed and nurtured.

3.3. Greater Shepparton is a major destination for events and tourism.

Social – Develop resilient, inclusive, healthy communities that make Greater Shepparton a safe and harmonious place to live, work, learn and play.

2.4 Social and cultural, educational and employment opportunities are created to enable children, young people, individuals and families to actively participate in their community.

2.5 Creativity and participation in arts and culture is nurtured and encouraged.

c) Economic Development, Tourism & Major Events Strategy 2017-2021

2.5. Visitor Economy

Grow the visitor economy through improved product, experiences, targeted marketing and visitor servicing.

Position Greater Shepparton as a major regional destination through co-ordinated branding, efficient governance, and investment in quality attractions and experiences focused on food, agri-tourism, arts, indigenous and cultural product.

2.6. Major Events Destination

Continue to develop Greater Shepparton into a major events hub in central Victoria capitalising on quality infrastructure and investment in arts and cultural assets

Conclusion

That Council receives and considers the Shepparton Show Me Annual Report 2018/2019 for the year ended 30 June 2019.

Attachments

Shepparton Show Me 2018 - 2019 Annual Report [↓](#)

10. CORPORATE SERVICES DIRECTORATE

10.5 Contracts Awarded Under Delegation and Contracts Advertised but yet to be Awarded

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

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

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

Council Officers involved in producing this report

Author: Acting Team Leader Contracts and Procurement

Proof reader(s): Manager Corporate Governance

Approved by: Director Corporate Services

Executive Summary

To inform the Council of the status of requests for tenders that have been awarded under delegation and those that have been publicly advertised but are yet to be awarded.

Moved by Cr O'Keeffe
Seconded by Cr Giovanetti

That the Council note:

1. contracts awarded under delegated authority by the Chief Executive Officer;
2. contracts awarded under delegated authority by a Director;
3. requests for tenders advertised but not yet awarded.

CARRIED UNOPPOSED.

Contracts Awarded under Delegated Authority by the Chief Executive Officer

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
1971	Construction of Changerooms at Kialla Recreation Reserve	Lump Sum Contract for the Construction of Changerooms at Kialla Recreation Reserve	\$423,789.30	Moretto Building Pty Ltd
1973	Construction Of Floodlighting At Vibert Reserve	Lump Sum Contract for the Construction Of Floodlighting At Vibert Reserve	\$329,131.00	Watters Electrical Pty Ltd
1982	Construction of Floodlighting at Princess Park, Nixon Street, Shepparton	Lump Sum Contract for the Construction of Floodlighting at Princess Park, Nixon Street, Shepparton	\$334,246.00	Watters Electrical Pty Ltd

10. CORPORATE SERVICES DIRECTORATE
10.5 Contracts Awarded Under Delegation and Contracts Advertised but yet to be Awarded (continued)
Contracts Awarded under Delegated Authority by a Director

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
		NIL		

Requests for Tenders advertised but not yet awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1909	Aquamoves 25m Indoor Pool Refurbishment & Tile Renewal	Lump Sum Contract for Aquamoves 25m Indoor Pool Refurbishment & Tile Renewal	Tender Abandoned
1929	Provision of Construction Stage Two Safer City Network	Lump Sum Contract for Provision of Construction Stage Two Safer City Network	Tender closed on 11 December 2019.
1960	Construction of Marlboro Drive Stormwater Pipeline & Sedimentation Basin, Kialla	Lump Sum Contract for Construction of Marlboro Drive Stormwater Pipeline & Sedimentation Basin, Kialla	Tender closed on 4 December 2019.
1974	Construction of the Tatura Library	Lump Sum Contract for the Construction of the Tatura Library	Tender closed on 23 October 2019. Contract is being considered as part of this again.
1976	Construction of Mooroopna War Memorial - Stage 1	Lump Sum Contract for the Construction of Mooroopna War Memorial - Stage 1	Tender closed on 20 October 2019. Tender currently being evaluated.
1979	Construction of Yakka Basin	Lump Sum Contract for the Construction of Yakka Basin	Tender closed on 13 November 2019. Tenders currently being evaluated.
1981	Design & Construction of Solar PV Systems at Shepparton Saleyards & Aquamoves	Lump Sum Contract for the Design & Construction of Solar PV Systems at Shepparton Saleyards & Aquamoves	Tender closed on 13 November 2019. Tenders currently being evaluated.
1983	Contract for the Provision of Audit Services	Schedule of Rates Contract for the Provision of Audit Services	Tender closed on 9 October 2019. Tender currently being evaluated.

10. CORPORATE SERVICES DIRECTORATE

10.5 Contracts Awarded Under Delegation and Contracts Advertised but yet to be Awarded (continued)

Requests for Tenders advertised but not yet awarded (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1989	Construction of Landscaping on Blocks 1,2 & 6 McLennan Street, Mooroopna	Lump Sum Contract for Construction of Landscaping on Blocks 1,2 & 6 McLennan Street, Mooroopna	Tender closed on 11 December 2019.
1993	Refurbishment of Water Tower Gardens Public Amenity, Mooroopna	Lump Sum Contract for the Refurbishment of Water Tower Gardens Public Amenity, Mooroopna	Tender closed on 6 November 2019. Tenders currently being evaluated
1994	Refurbishment of Stuart Mock Place Public Amenity, Tatura	Lump Sum Contract for the Refurbishment of Stuart Mock Place Public Amenity, Tatura	Tender closed on 6 November 2019. Tenders currently being evaluated
2008	Construction of Athletics Jump Pits at Shepparton Sports City	Lump Sum Contract for the Construction of Athletics Jump Pits at Shepparton Sports City	Tender closed on 13 November 2019. Tenders currently being evaluated
2012	Advance Supply of Trees - Panel of suppliers	Schedule of Rates Contract for the Advance Supply of Trees - Panel of suppliers	Tender closed on 4 December 2019.
2013	Provision of Ticketing Software for Riverlinks Venues	Lump Sum Contract for the Provision of Ticketing Software for Riverlinks Venues	Tender closed on 20 October 2019. Tender currently being evaluated.
2018	Provision of Perimeter Fencing for Merrigum Swimming Pool	Lump Sum Contract for the Provision of Perimeter Fencing for Merrigum Swimming Pool	Tender closed on 4 December 2019.

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 \$500,000 including GST.

The Council through the *Exercise of Delegations Policy* has delegated authority to the Director Corporate Services to approve a contract up to the value of \$500,000 and the Director Infrastructure, Director Community and Director Sustainable Development to approve a contract up to the value of \$150,000 for goods and services and \$200,000 for works.

10. CORPORATE SERVICES DIRECTORATE

10.5 Contracts Awarded Under Delegation and Contracts Advertised but yet to be Awarded (continued)

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 1 November 2019 to 30 November 2019.

Attachments

Nil

10. CORPORATE SERVICES DIRECTORATE

10.6 Review of Councillor Representation on Committees

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

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

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

Council Officers involved in producing this report

Author: Governance Support Assistant

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

Approved by: Director Corporate Services

Executive Summary

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

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

Mayoral appointments include:

- Greater Shepparton Audit and Risk Management Committee
- Goulburn Valley Highway Bypass Action Group
- Municipal Emergency Management Planning Committee [MEMP]
- Regional Cities Victoria [RCV]
- Rumbalara Aboriginal Cooperative Working Party
- 2030 Greater Victoria Commonwealth Games – Taskforce
- Shepparton Education Plan Project Board
- Shepparton Chamber of Commerce - Parking Reference Group

In December 2018, it was determined that a review of Councillor representation on committees would take place annually.

Peter Harriott, Chief Executive Officer noted a correction to the recommendation, being the appointment of Cr Sutton to the Goulburn Broken Greenhouse Alliance.

Moved by Cr Oroszvary

Seconded by Cr Patterson

That the Council:

1. Confirm the appointment of delegates and representatives for committees shown in the following table:

Committee	Councillor Representative/s 2020
Best Start Municipal Early Years Partnership Committee	Cr Seema Abdullah
Calder Woodburn Memorial Advisory Committee	Cr Shelley Sutton

10. CORPORATE SERVICES DIRECTORATE
10.6 Review of Councillor Representation on Committees (continued)

Committee	Councillor Representative/s 2020
Deakin Reserve Advisory Committee	Cr Bruce Giovanetti Cr Chris Hazelman
Development Hearings Panel	Cr Chris Hazelman Cr Dennis Patterson
Disability Advisory Committee	Cr Bruce Giovanetti
Goulburn Broken Greenhouse Alliance	Cr Shelley Sutton
Goulburn Valley Highway Bypass Action Group	Mayor [Cr Seema Abdullah]
Goulburn Valley Regional Library Corporation Board	Cr Bruce Giovanetti
Greater Shepparton Aerodrome Advisory Committee	Cr Shelley Sutton
Greater Shepparton Audit and Risk Management Committee	Mayor [Cr Seema Abdullah] Cr Chris Hazelman
Greater Shepparton Public Health and Wellbeing Plan Advisory Committee	Cr Kim O'Keeffe
Greater Shepparton Women's Charter Alliance Advisory Committee	Cr Kim O'Keeffe
Goulburn Valley Local Government Waste Forum	Cr Bruce Giovanetti
Heritage Advisory Committee	Cr Seema Abdullah Cr Shelley Sutton
Municipal Association of Victoria	Representative Cr Dinny Adem Substitute Representative Cr Bruce Giovanetti
Municipal Emergency Management Planning Committee (MEMP)	Mayor [Cr Seema Abdullah]
Murray Darling Association	Cr Dennis Patterson
Positive Ageing Advisory Committee	Cr Bruce Giovanetti
Rail Freight Alliance Committee	Cr Bruce Giovanetti
Regional Cities Victoria [RCV]	Mayor [Cr Seema Abdullah]
RiverConnect Community Advisory Committee	Cr Dennis Patterson
Rumbalara Aboriginal Cooperative 'Working Party'	Mayor [Cr Seema Abdullah] Deputy Mayor [Cr Dinny Adem]
Shepparton Art Museum Advisory Committee	Cr Chris Hazelman [Chair]

10. CORPORATE SERVICES DIRECTORATE

10.6 Review of Councillor Representation on Committees (continued)

Committee	Councillor Representative/s 2020
Shepparton Showgrounds Advisory Committee	Cr Shelley Sutton Cr Fern Summer
Shepparton Show Me Committee	Cr Dinny Adem Cr Les Oroszvary
Sir Murray Bouchier Memorial Advisory Committee	Cr Shelley Sutton
Sports Hall of Fame Advisory Committee	Cr Bruce Giovanetti Cr Dennis Patterson
Tatura Park Advisory Board	Cr Dinny Adem Cr Fern Summer
NEW COMMITTEE	
Shepparton Education Plan Project Board	Mayor [Cr Seema Abdullah]
Shepparton Chamber of Commerce Parking Reference Group	Mayor [Cr Seema Abdullah] Cr Shelley Sutton

2. Remove Councillor representatives on the following committees:

Committee	Reason
Australian Botanic Gardens Shepparton Special Committee	Committee no longer exists
Dhurringile Prison Community Advisory Group	Officer Role
Greater Shepparton Safe Communities Advisory Committee	Officer Role
North Eastern Australian Local Government Women's Association (NE-ALGWA)	Nil required – all female councillors are invited to events
Regional Aboriginal Justice Advisory Committee	Officer Role Director Community
Greater Shepparton City Council – Off Leash Dog Park Advisory Committee	Councillor not required

CARRIED UNOPPOSED.

Consultation has been undertaken with the committee support officers and responsible Managers regarding the role Councillors play on each committee, the benefit to having a Councillor representative and whether or not the committee could function without Councillor representation. In most instances, it was determined that having a Councillor representative was very significant to the operation of the various committees.

Background

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

10. CORPORATE SERVICES DIRECTORATE

10.6 Review of Councillor Representation on Committees (continued)

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

Best Start Municipal Early Years Partnership Committee

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

Calder Woodburn Memorial Avenue Advisory Committee

The purpose of the Calder Woodburn Memorial Avenue Advisory Committee is to provide advice to Council in relation to maintaining, enhancing and conserving the heritage and environmental values of the Calder Woodburn Memorial Avenue.

Community Advisory Group – Dhurringile Prison

The Advisory Group consists of representatives from the Dhurringile Prison, Department of Justice and Regulation, Victoria Police, Greater Shepparton City Council and Community Members. The group meets to discuss prison operations and opportunities for greater connections between the prison and community.

Deakin Reserve Advisory Committee

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

Development Hearings Panel (DHP)

The DHP is a special committee of the Council established under Section 86 of the Local Government Act 1989 and has been formed to consider and determine, as a delegate of Council, various matters under the Planning and Environment Act 1987, the Greater Shepparton Planning Scheme and other relevant regulations.

Disability Advisory Committee

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

Goulburn Broken Greenhouse Alliance

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

Goulburn Valley Highway Bypass Action Group

The Goulburn Valley Highway Bypass Action Group will provide advice to Greater Shepparton City Council on the development of the proposed Goulburn Valley Highway Shepparton Bypass.

10. CORPORATE SERVICES DIRECTORATE

10.6 Review of Councillor Representation on Committees (continued)

Goulburn Valley Regional Library Corporation Board

This Committee enables member Councils (Greater Shepparton, Moira and Strathbogie municipalities) to provide, through economy of scale and structure, a standard level of library service for their communities and the regional community which they would be unable to provide individually for the same level of annual expenditure.

Greater Shepparton Aerodrome Advisory Committee

This Committee advises Council on the management and operation of the Shepparton Aerodrome.

Greater Shepparton Audit and Risk Management Committee

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

Greater Shepparton Public Health Advisory Committee

The Health and Wellbeing Advisory Committee (HWBAC) is a collaborative partnership that guides the strategic direction of the Municipal Public Health Plan (MPHP) for Greater Shepparton to meet statutory obligations and support the delivery of health initiatives. Together emerging health trends are identified from analysis of local demographics, indicators and working knowledge to maximise local health outcomes.

Greater Shepparton Women's Charter Alliance Advisory Committee

This Committee provides advice to promote women in leadership and decision-making roles.

Heritage Advisory Committee

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

Municipal Association of Victoria

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

Municipal Emergency Management Planning Committee (MEMP)

The MEMP outlines Council's approach to emergency management, planning and coordination through partnerships with emergency services agencies. This includes details of the municipality, history of emergency incidents, processes, standard operating procedures and updating contact details and maps.

Murray Darling Association

The Murray Darling Association (MDA) is a peak body which has been representing Local Government, community groups, businesses, individuals and agencies across the Murray Darling Basin since 1944. Representatives on this association undertake an advocacy role in presenting the needs and priorities of our community to the board members of the MDA.

10. CORPORATE SERVICES DIRECTORATE

10.6 Review of Councillor Representation on Committees (continued)

Murray Darling Basin Association

The Murray Darling Basin Authority (MDBA) is an independent Commonwealth agency responsible for developing and implementing the Basin Plan. The Basin Plan aims to achieve a healthy and productive river system. The MDBA is also charged with operational management of the River Murray.

Positive Ageing Advisory Committee

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

Rail Freight Alliance Committee

The Rail Freight Alliance Committee has been established to advocate for rail standardisation of all key rail lines in Victoria as well as the upgrading and connecting to a National Rail Freight Network. It will lobby for a competitive, independent and open access rail freight system and a seamless freight logistics that will facilitate rail freight movement.

RiverConnect Community Advisory Committee

This Committee has been established to achieve the best possible outcome from the implementation of a very significant, unique and complex community orientated project through the redevelopment of the Goulburn-Broken River flood plain between Shepparton and Mooroopna, incorporating high level community involvement and participation.

Rumbalara Aboriginal Co-operative Working Party

This group consists of a joint working party formed between Rumbalara Aboriginal Cooperative and the Council to foster a cohesive working relationship between the Indigenous community and the Council.

Shepparton Art Museum Advisory Committee

The purpose of this Committee is to formulate recommendations to the Council in respect of policies of relevance to the Art Gallery and to provide contract performance evaluation advice to the Council.

Shepparton Education Plan Project Board

Developed to provide strategic advice on matters relevant to the development and implementation of the Shepparton Education Plan, including:

- Provide director to working parties in relation to issues resolution;
- consideration of needs of current and future students in Greater Shepparton and the local community and
- explore opportunities for research and evaluation during the implementation of the Shepparton Education Plan.

Shepparton Racecourse and Recreation Reserve Committee of Management

This Committee consists of representatives from user groups as well as community representation and provides advice to Council on the Shepparton racecourse and the greyhound operations.

10. CORPORATE SERVICES DIRECTORATE

10.6 Review of Councillor Representation on Committees (continued)

Shepparton Regional Saleyards Advisory Committee

The purpose of this Committee is to provide advice in relation to the annual budget, fees and charges and the strategic direction of the saleyards.

Shepparton Show Me Committee

This Committee promotes the retail and commercial sector of Shepparton, and helps to ensure its long-term viability and economic sustainability.

Shepparton Showgrounds Advisory Committee

The purpose of this Committee is to advise Council on procedures, rules, conditions of use, future strategic planning and proposed capital works which are necessary for the optimum management of the Shepparton Showgrounds.

Sir Murray Bouchier Memorial Committee

The Sir Murray Bouchier Memorial Advisory Committee will advise Council on the future design and location for the establishment of a memorial to Sir Murray Bouchier. It has no executive authority and will operate in accordance with the Committees Terms of Reference.

Sports Hall of Fame Advisory Committee

This advisory committee has been formed to recognise and celebrate significant sporting achievements of Greater Shepparton residents at both at a national and international level.

Tatura Park Advisory Board

This advisory board provides feedback to Council from user groups and discusses and puts forward ideas for the future development of the facility.

Victorian Local Governance Association

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

Council Plan/Key Strategic Activity

Councillor representation on Committees is consistent with the following Council Plan objective:

1.3 – Council demonstrates strong leadership and sound decision making in the best interests of the community.

Risk Management

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

Policy Considerations

There are no conflicts with existing council policies.

Financial Implications

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

10. CORPORATE SERVICES DIRECTORATE

10.6 Review of Councillor Representation on Committees (continued)

Legal/Statutory Implications

This proposal conforms with all relevant legislation.

Environmental/Sustainability Impacts

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

Social Implications

There are no social implications arising from this proposal.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

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

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

Officers have consulted with the support officer / Manager of each committee. The advice provided is presented in the Officers recommendation for Executive and Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

No other strategic links have been identified.

Conclusion

It is recommended that Councillors be appointed to committees as per the recommendation.

Attachments

Nil

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment seeking permission for concrete crushing and mulching of timber in the Farming Zone

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 Statutory Planner

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

Approved by: Director Sustainable Development

Executive Summary

Planning permit 2015-79 was issued on 18 August 2015 and allowed for the use of land for demolition contractor's depot including storage of demolition waste. Initially the application sought permission to undertake the crushing of concrete on the land. Both Council planning officers and neighbours were opposed to this use due to amenity concerns and the applicant subsequently removed the crushing of concrete from the application.

Permit conditions prevented the crushing of concrete and mulching of timber.

The previous use of the land was for a garden supplies business and this use involved the stockpiling of sands and gravels and the sale of materials to the public. The use included heavy vehicle movements and earthmoving activities. It was acknowledged that although the Planning Scheme discourages non-agricultural uses in the Farming Zone, the land is removed from agricultural land use due to the location and its association with the garden supplies business and therefore the land lends itself to a non-agricultural use. The land has therefore had a long history of being removed from agricultural land use.

The land is within the Farming Zone with no overlays.

This amended planning permit application seeks permission for concrete crushing and mulching of timber on the land.

Officers have advertised the application and 15 objections have been received. The objections largely relate to amenity issues such as noise and dust.

The main assessment concern associated with the amended application is whether noise emissions to nearby neighbours from crushing concrete and mulching of timber are acceptable.

Officers engaged Watson Moss Growcott to conduct a noise assessment of concrete crushing and mulching of timber. The expert noise report found that the activities would not comply with the noise standards being Noise from Industry in Regional Victoria (NIRV).

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)

The Watson Moss Growcott report made the following conclusion:
Overall, the results of the assessment have indicated that operation of the crushing and mulching/grinding uses that are sought for the site by the proponent would not comply with the recommended maximum noise levels under NIRV.

The application was notified to the Environmental Protection Authority (EPA) who objected to the application as the application provides no evidence the proposed land use would not adversely affect nearby dwellings.

Officers have undertaken an assessment of the application and recommend that the amended application be refused as noise associated with concrete crushing and mulching of timber results in unacceptable noise emissions.

A refusal to this amended application does not prevent the ongoing activities as authorised by planning permit 2015-79.

Moved by Cr Patterson Seconded by Cr Hazelman

In relation to Amended Planning Application 2015-79/A, on the basis of the information before Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, Council resolves to refuse the amended application on the following grounds:

1. The proposal is not in accordance with State Planning Policy, in particular:
 - Clause 13.05-1S – Noise abatement, as the proposed concrete crushing and mulching of timber activities would unacceptably affect the amenity of surrounding sensitive land uses through noise emissions.
 - Clause 13.07-1S – Land use compatibility, as the proposal does not indicate any measures that will safeguard the community amenity as a result of the concrete crushing and mulching of timber.
2. The acoustic report prepared by Watson Moss Growcott concluded that the noise levels of the proposed concrete crushing and mulching of timber would not comply with recommended Noise from Industry in Regional Victoria (NIRV). The application should be refused as no evidence has been provided that the concrete crushing and mulching of timber would produce acceptable noise emissions.
3. The proposal is not in accordance with 53.14 Resource recovery, in particular:
 - Clause 53.14-2 – The application was not accompanied by an assessment of potential noise impacts.
 - Clause 53.14-3 – Officers consider that the amended application would impact on the amenity of the surrounding area.

CARRIED UNOPPOSED.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)

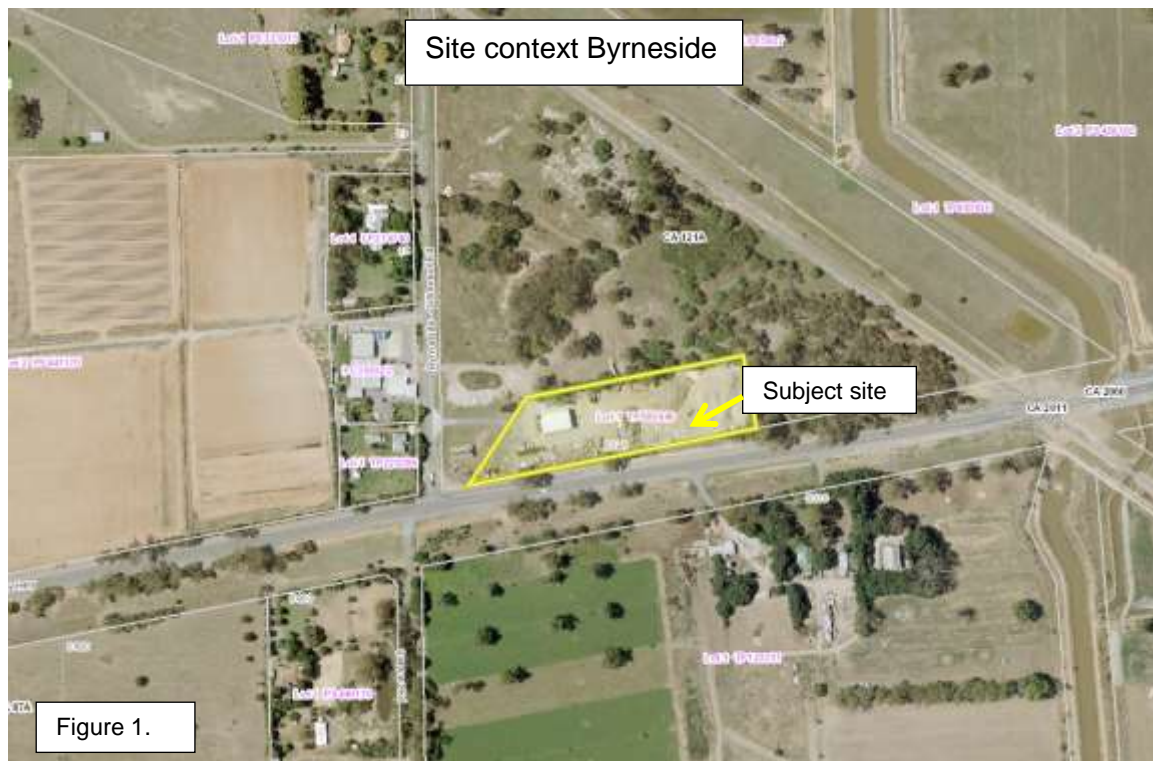
Property Details

Land/Address	5545 Midland Highway BYRNESIDE
Size of the land	3.31ha
Covenants	None
Zones and Overlays	Farming Zone, no Overlays
Why is a permit required?	35.07-1 Change of use to allow concrete crushing and mulching of timber in the Farming Zone

Locality Plan

The land is known as 5545 Midland Highway, Byrneside and is located on the northern side of Midland Highway approximately 20km west of Shepparton and 4km North West of Tatura as shown in Figure 2.

The land is located within the Byrneside hamlet as shown in Figure 1.



11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)



Vehicle access to the property is from Byrneside-Gillieston Road over VicTrack owned land.

Proposal in Detail

The application was lodged on 9 October 2018.

Discussions have been on-going between the applicant and Council planning and compliance officers due to compliance issues relating to planning permit application 2015-79 since November 2018.

Negotiations between Council officers, the applicant and one main objector representing multiple objectors were undertaken with the aim to reach a compromise on the application. The outcome of the negotiations was that officers were not satisfied that the application could provide evidence that the crushing of concrete and mulching of timber would not have an adverse amenity impact on surrounding properties.

Officers therefore decided that a trial day to test the concrete crusher and timber mulcher was necessary to determine what the impact of the machinery will have on neighbouring properties.

On 23 May 2019 Council planning and compliance officers sought legal advice from Holding Redlich which allowed for a crushing of concrete and mulching of timber trial day to assess the impact of dust and noise on neighbouring properties.

On 26 June 2019 Council compliance officers requested noise assessment testing be undertaken on neighbouring properties as well as the subject site for the trial test day.

The application proposes concrete crushing and mulching of timber on site as part of the existing demolition contractor's depot which included storage of demolition waste. No further information was requested from the applicant for the application.

The applicant originally proposed an amendment to extend the hours of operation (currently 7:30am – 5pm, Monday to Friday) which was subsequently removed from the application.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)

Officers engaged Watson Moss Growcott Acoustics to measure the noise emissions at nearby dwellings on a noise trial day conducted on 26 August 2019.



11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)



11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)

Summary of Key Issues

The amended application proposes to remove or alter certain conditions of the existing permit 2015-79, to allow concrete crushing and mulching of timber.

The site is located within an area zoned Farming (Schedule 1) and the area is predominantly characterised by agricultural uses and rural living properties.

Officers have advertised the application and 15 objections have been received. The objections largely relate to amenity issues such as noise and dust.

The application was notified to the VicTrack, Regional Roads Victoria, and Council's Engineers who consented to the application with conditions. Council's Environmental Health Officers and the EPA were also notified and objected to the application on amenity grounds, citing noise and dust to surrounding properties as a potential impact.

The acoustic report undertaken by Watson Moss Growcott concluded that the noise generated by the concrete crusher and mulching of timber would not comply with the NIRV.

Background

Planning permit 2015-79 was issued on 18 August 2015 to allow for the use of land for demolition contractor's depot which included the storage of demolition waste.

Planning permit 2015-79 prohibited the use of concrete crushing as there would be significant impact on neighboring properties, however recognised that if an amendment were to be made, an acoustic report to understand the noise emissions must accompany the application.

Planning permit 2015-79 included the following conditions which prohibited concrete crushing and the mulching of timber:

- *This permit does not allow the land to be used for concrete crushing*
- *No composting or mulching is to occur on site*

Prior to lodging the application, the applicant undertook a pre-application meeting with officers. Officers informed the applicant that an amended permit would be required to use the land for concrete crushing and mulching of timber.

Assessment under the Planning and Environment Act

The zoning of the land

The land falls within the **Farming Zone, Schedule 1**.

The relevant purposes of the zone include to:

- Implement the Municipal Planning Strategy and Planning Policy Framework;
- To provide for the use of land for agriculture;
- To encourage the retention of productive agricultural land;
- Clause 35.07-1 identifies that a permit is required for the change of use.

The zone identifies a number of decision guidelines, the relevant guidelines are identified and responded to as follows:

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)

General issues

Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

The Planning Policy Framework (PPF)

The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS), local planning policies and Structure Plans
Clause 13.05-1S – Noise abatement

The objective of the Clause is to assist the control of noise effects on sensitive land uses with the strategy being to ensure that development is not prejudiced and community amenity is not reduced by noise emissions by using a range of building design, urban design and land use techniques as appropriate to the land use functions and character of the area.

Officers consider that noise emissions are the main assessment concern associated with the amended application. The submitted amended application was not accompanied by a noise assessment. In the absence of a noise assessment from the applicant, officers cannot be satisfied that acceptable noise emissions are achieved.

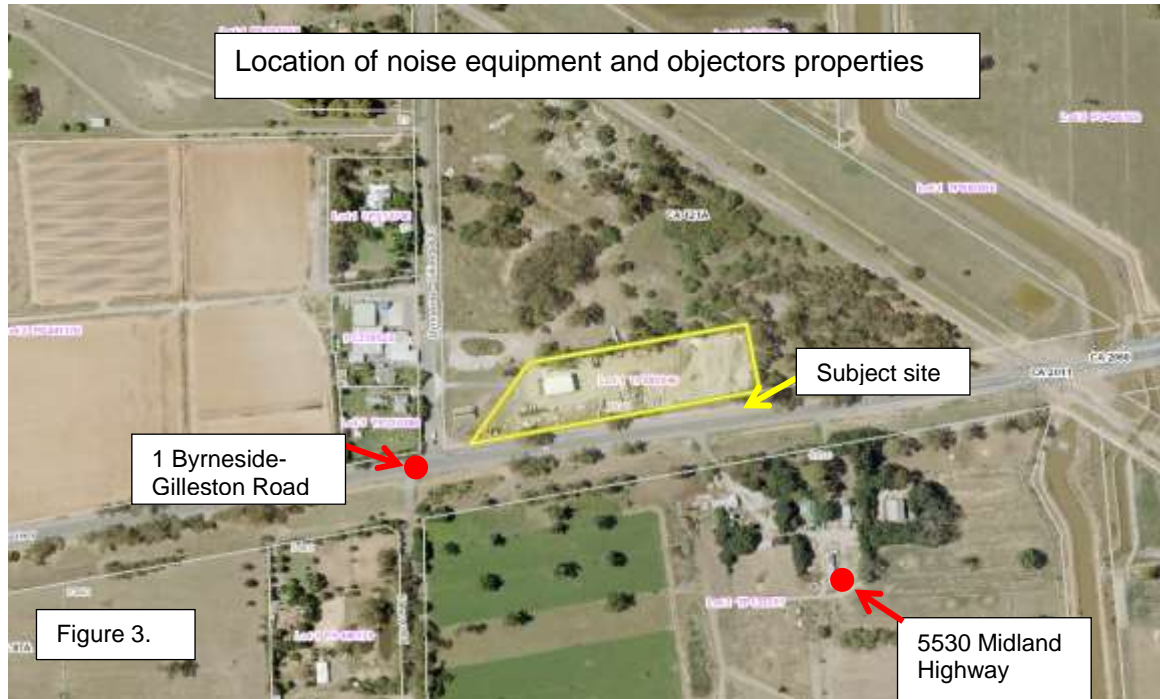
Officers have elected to undertake their own noise assessment to properly determine whether the intent to concrete crush and mulch timber uses are acceptable. Officers engaged Council's noise engineers being Watson Moss Growcott Acoustics to undertake the noise testing.

The applicant was directed to undertake a concrete crushing and mulching of timber trial on 26 August 2019 to allow actual noise testing to occur at nearby neighbouring dwellings, 1 Byrneside-Gilleston Road approximately 50m setback from the site and 5530 Midland Highway approximately 60m setback from the site as shown in Figure 3.

Objectors to the application were also invited to attend the noise trial.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)



Following the onsite noise testing Watson Moss Growcott prepared an expert noise report that made the following key conclusions:

It was noted that during the trial that concrete and masonry rubble was being placed into the crusher in small quantities at a time and the crusher did not appear to be operating at full capacity, based on observations previously made at commercial facilities during normal operations.

(Table 4: Predicted noise levels associated with proposed facility operation)

Noise Sensitive Receptor	Measured Noise Level, dB(A) Leq	Notes	Indicated compliance with NIRV RMNL?
80 Byrneside-Gillieston Rd	-	Too much vegetation at this location affected by wind to get reliable measurement	-
125 Byrneside-Gillieston Rd	-	Crushing audible at times, not reliably measureable under the conditions	-
25 Byrneside-Gillieston Rd	53	Crushing noise dominant feature of the environment	No
23 Byrneside-Gillieston Rd	50	Crushing noise dominant feature of the environment, birds and traffic excluded from the measurements	No
15 Byrneside-Gillieston Rd	50	Some acoustic shielding due to the shed on the subject site, crushing noise dominant, excluding birds from the measurement	No
1 Byrneside-Gillieston Rd	58	Very brief sample but crusher stopped.	Inconclusive

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)

- Three of the results were 50, 50 and 53 dB(A) Leq respectively, well above the 46 dB(A) 'day' period NIRV Recommended Maximum Noise Level (RMNL).
- An attempt was then made to conduct a trial of rock breaker noise, but its usage was so limited as not to be worth going out to the residential locations. In normal use, rock breakers produce a higher level than a crusher but typically for shorter duration.

Table 5: Measured noise levels due to mulcher/grinder operation

Noise Sensitive Receptor	Measured Noise Level, dB(A) Leq	Notes	Indicated compliance with NIRV RMNL?
80 Byrneside-Gillieston Rd	-	Mulching audible but too affected by wind to get reliable measurement	-
125 Byrneside-Gillieston Rd	-	Mulching audible at times, not reliably measureable under the conditions	-
25 Byrneside-Gillieston Rd	50	Crushing noise clearly audible, pausing for extraneous noises	No
23 Byrneside-Gillieston Rd		Dogs barking consistently at this location, measurement not possible on this occasion	-
15 Byrneside-Gillieston Rd	51	Some acoustic shielding due to the shed on the subject site, mulching noise dominant, excluding birds from the measurement	No
1 Byrneside-Gillieston Rd		Operation again stopped while at this location.	Inconclusive
5480 Midland Hwy	48	Only possible to obtain a very brief sample at this location before operation stopped for the day.	Inconclusive

- Where results could be obtained, they were very similar to the crushing results, indicating exceedance of the NIRV RMNL by approximately 5 dB(A).
- Noise due to both the concrete/masonry rubble and wood mulching/grinding operations was clearly audible and measureable at several of the residential premises heading north up Byrneside-Gillieston Rd, with resultant noise levels approximately 5 dB(A) above the NIRV 'day' period RMNL of 46 dB(A).
- Two factors indicate that, if anything, the resultant noise levels could be higher at the critical identified residential premises, 15, 23 and 25 Byrneside-Gillieston Rd, if full operation were to proceed than was identified during the trial:
 - It was apparent that the focus of the operators during the trial was to minimise noise generation by the selection of material and the rate of processing. In commercial operation the focus would be achieving throughput and as the Leq noise level is a result of both level and duration, the results would be expected to be higher.
 - The measurements at residential locations north west of the subject site were conducted in the presence of a south westerly breeze, which would have opposed propagation to those measurement locations to an extent. Under calm conditions higher noise levels would occur at the measurement points.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)

- *Overall, the results of the assessment have indicated that operation of the crushing and mulching/grinding uses that are sought for the site by the proponent would not comply with the recommended maximum noise levels under NIRV.*

In addition to this independent noise testing the EPA objected to the amended application on the following grounds:

- *The proposed use of land for concrete crushing and mulching is expected to have an adverse amenity impact on neighbouring dwellings, particularly through dust and noise.*
- *The proposed site is within a rural hamlet of Byrneside and is surrounded by sensitive uses (dwellings). The application provides no evidence the proposed use would not adversely affect nearby sensitive uses.*

Officers consider that the application does not comply with particular provision Clause 53.14 Resource Recovery as the application was not accompanied by a noise assessment report and the application will impact upon the amenity of the surrounding area.

Officers recommend that the amended application be refused as the crushing of concrete and mulching of timber will result in unacceptable noise outcomes to nearby neighbours.

Council Plan/Key Strategic Activity

Council Plan 2017-2021

Municipal Health and Wellbeing Plan

- Protect the community

Liveability indicators

- A liveable place is one that is safe, attractive, socially cohesive and inclusive, and environmentally sustainable

Community health, education, arts

- Liveability

Economy

- Economic growth and stability
- Grow local businesses, and continue to attract more industries and employment

Land use

- Value diversity and opportunity in smaller towns

The application does encourage economic growth and local business growth, however the impact of noise emissions will have an impact on the liveability of the area.

Waste and Resource Recovery Management Strategy 2013-2023

1.3 VISION AND SCOPE

A major focus of the revised waste strategy is waste avoidance. Reducing the production of waste is the most effective way of minimising waste being collected, treated, recycled or disposed of in landfill. The strategy seeks to enable and encourage the Greater Shepparton community to improve our environment by avoiding waste generation as

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)

much as possible. This is achieved by using resources more efficiently and reducing the environmental impacts of waste. Education plays a major role in ensuring that this can happen.

The aim of this strategy is to minimise municipal solid waste (MSW), which accounts for 47% of the municipalities waste stream, and to, where possible, increase recycling of commercial and industrial (C&I) wastes and construction and demolition (C&D) wastes.

The application does provide an alternative waste option for the Greater Shepparton community and encourages the recycling of materials which will minimise waste being collected, treated, recycled or disposed of in landfill. However, the application will have a detrimental impact on surrounding residential properties due to noise emissions. Officers therefore consider that the additional uses of the crushing of concrete and mulching of timber are not suitable for the area.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Incorrect notification	A	5	Low	The application has been properly advertised which has resulted in objections being lodged with Council. These objectors will be informed of Council's decision on the application.

Policy Considerations

The application has been considered against the relevant policies contained within the Greater Shepparton Planning Scheme and found to achieve unacceptable planning outcomes with respect to noise emissions.

Financial Implications

This planning application has no significant financial implications for Council.

Environmental/Sustainability Impacts

This planning application has no environmental or sustainability impacts for Council.

Social Implications

This planning application has no significant social implications for Council.

Economic Impacts

This planning application has no significant economic implications for Council.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)

Referrals/Public Notice

External Referrals Required by the Planning Scheme:

Section 55 - Referrals Authority	List Planning clause triggering referral	Determining or Recommending	Advice/Response/Conditions
Clause 66 of the Planning Scheme did not require referral of the application			

Notice to Authorities

External Notice to Authorities:

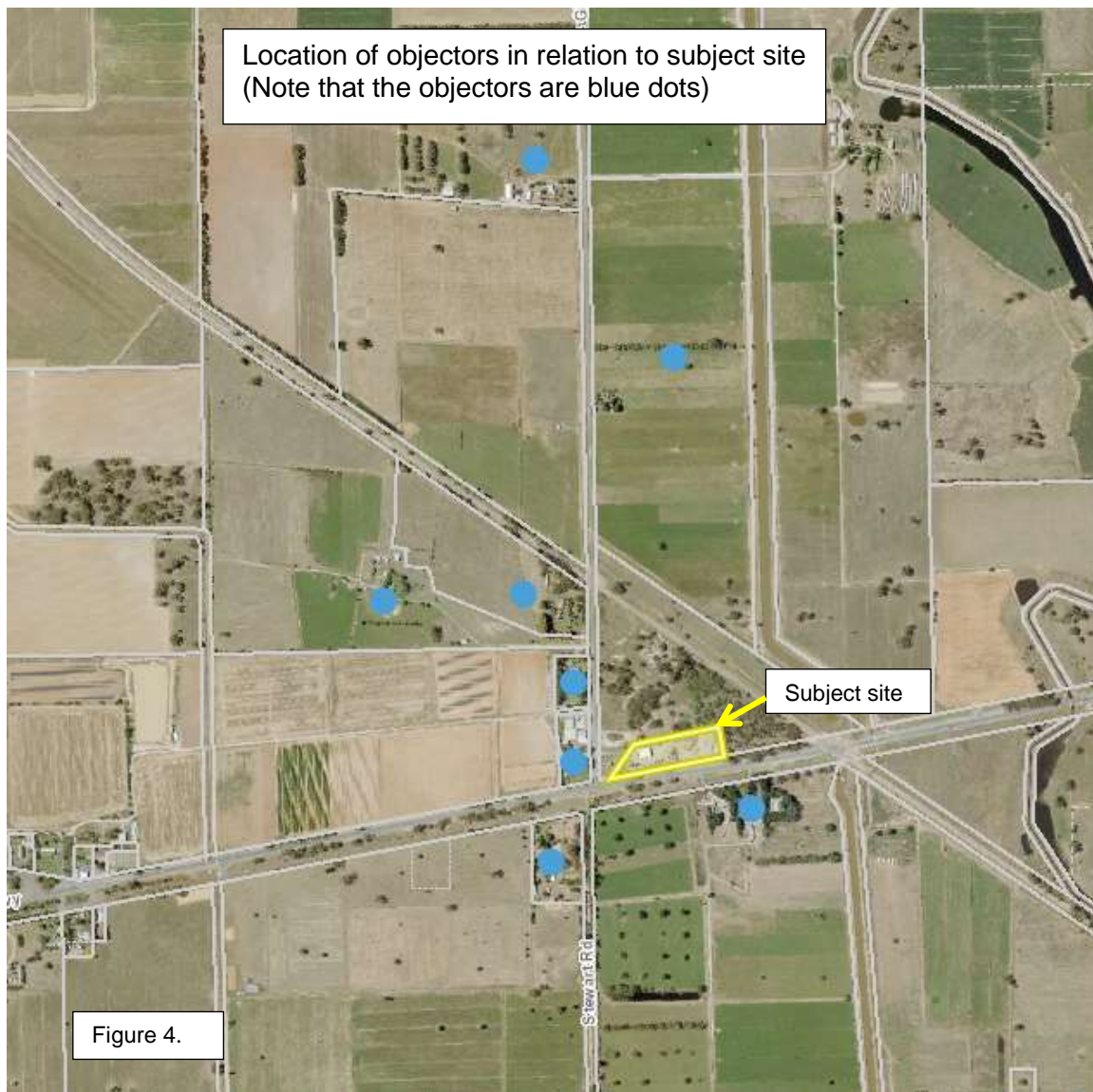
Section 52 - Notice Authority	Advice/Response/Conditions
Environmental Protection Authority	Does not support the application for the following reason: a) The proposed use of the land for concrete crushing and mulching is expected to have an adverse amenity impact on neighbouring dwellings, particularly through dust and noise. The proposed site is within a rural hamlet of Byrneside and is surrounded by sensitive uses (dwellings). The application provides no evidence the proposed land use would not adversely affect nearby sensitive uses.
VicTrack	Consented to the application without conditions.
VicRoads	Consented to the application subject to the following conditions: a) No direct access to Midland Highway is permitted. b) Legal and practical access for the use shall be provided from Gilleston-Byrneside to the satisfaction and requirements of the Greater Shepparton City Council.

The application was advertised pursuant to Section 52 of the *Planning and Environment Act 1987* with the following description: amendment to allow change in hours of operation, concrete crushing and mulching.

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site.
- 15 objections to the application have been received from the properties shown in Figure 4.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)



The reasons for objection are addressed and considered as follows:

Ground for Objection	Response
Amenity concerns such as dust, debris, noise	Officers in assessing the application and independent noise assessment report have concluded that the noise emissions from concrete crushing and mulching of timber result in unacceptable noise emissions. During the onsite testing, dust emissions were managed to an acceptable level by an onsite water truck and hoses. This is not to say that dust management may not be an issue in drier weather conditions, and if a permit were to grant, suitable dust management conditions would need to be included.
Increase in traffic	Officers have not been provided with any evidence to support this ground of objection.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.1 Planning Permit Application 2015-79/A - Amendment Seeking Permission for Concrete Crushing and Mulching of Timber in the Farming Zone (continued)

Ground for Objection	Response
Visibility of intersection due to large piles of concrete and other materials	The application proposes to allow for concrete crushing and mulching. Officers have used the intersection and are of the view that piles of materials are not resulting in unacceptable visibility issues.
Fire hazard due to the large timber piles	Officers acknowledge that the site may be at risk of a fire however this is a matter for EPA.
Property devaluation	VCAT has consistently held that property de-valuation as a result of planning applications is not a relevant planning consideration.

Strategic Links

GS2030

Direction 4: ECONOMIC DEVELOPMENT

Promote economic growth, business development and diversification, with a focus on strengthening the agricultural industry.

SETTLEMENT & HOUSING – Commitment to growth within a consolidated and sustainable development framework

Protect the amenity of rural residential land by discouraging uses with the potential to create a nuisance.

The amended application, whilst promoting economic growth and diversification, does not protect the amenity of rural residential land and will impact upon the amenity of surrounding properties.

Conclusion

Officers having undertaken an assessment of the application and independent noise assessment report and have determined that on balance, the proposal achieves an unacceptable planning outcome when considered against the relevant planning policy and zone requirements applying to the land and should recommend that it not be supported by Council for the reasons outlined in this report.

Attachments

Watson Moss Growcott Acoustic Report [↓](#)

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.2 Procurement of Public Infrastructure Works

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 Planner

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

Approved by: Director Sustainable Development

Other: Team Leader Development

Executive Summary

The purpose of this report is to explain and seek approval for the Procurement of Public Infrastructure Works policy (the policy) to guide the construction of public infrastructure works (such as drainage and roads) that are required in association with a planning approval under a Developer Contributions Plan (DCP), section 173 agreement (S173), Development Plan Overlay (DPO) or similar.

Public infrastructure works are works for which the developer can be compelled to provide directly by way of a planning permit as part of a development approval. Public infrastructure works are works for which Council has assumed the obligation to provide at its expense.

Examples of public infrastructure works are items such as a signalised intersection that connects a residential development to a main road which provides access to a number of development fronts or a drainage basin and pump station that provides drainage to a number of separate developments.

One simple way to differentiate public infrastructure works to which the policy would apply from other infrastructure works is who funds the works. The policy applies to public infrastructure works that are funded by Council and not to works that must be funded by a developer as part of a development approval.

Officers have identified the need for a policy to document the process for the procurement of public infrastructure works to, amongst other things, ensure:

- A consistent, transparent and orderly methodology for officers and developers
- Officers are acting in compliance with Section 186 of the *Local Government Act, 1989*
- Council is receiving good value in relation to works in kind from developers

Officers in preparing the policy are proactively seeking to facilitate public infrastructure works whilst complying with the *Local Government Act 1989* and providing transparency to the community. Officers encourage the development community to assist in the implementation of the policy and continue to develop public infrastructure works that provide good value for Council.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.2 Procurement of Public Infrastructure Works (continued)

RECOMMENDATION

That the Council endorse the Greater Shepparton City Council Procurement of Public Infrastructure Works policy.

Moved by Cr O'Keeffe
Seconded by Cr Oroszvary

That the Council adopt the Greater Shepparton City Council Procurement of Public Infrastructure Works policy.

CARRIED UNOPPOSED.

Background

Greater Shepparton City Council has five existing and proposed growth corridors within its municipal boundaries. It is foreseen that these corridors will cater for the majority of Shepparton's future residential development.

Three of these growth corridors have been integrated into the Greater Shepparton Planning Scheme and have had structure plans and development contribution plans already prepared and adopted to facilitate for development within these corridors.

These corridors are the South Growth Corridor, the North Growth Corridor and the Mooroopna West Growth Corridor.

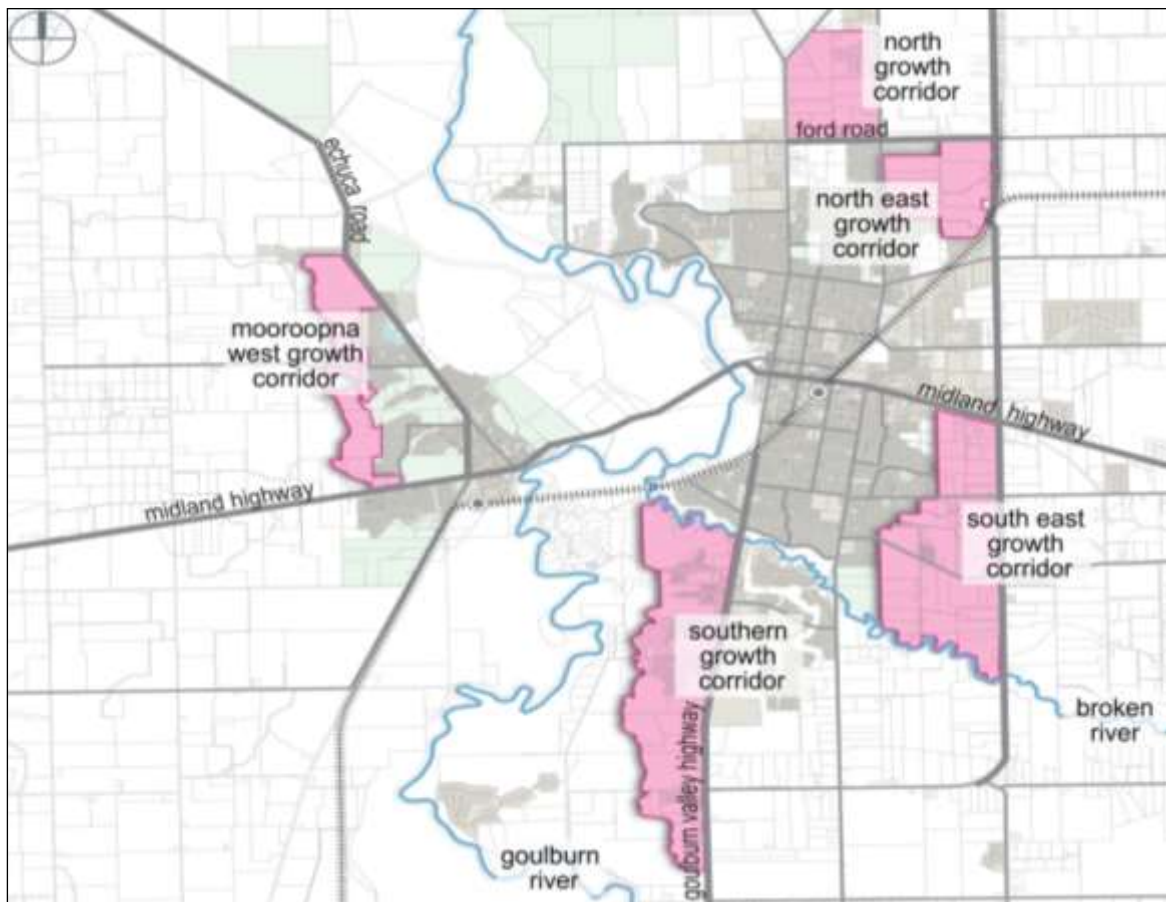
A significant degree of development has already occurred within the North and South Growth Corridors. Development has commenced in the Mooroopna West Growth Corridor on two fronts.

In all three cases, the relevant outline development plan / structure plan is included in the Greater Shepparton Planning Scheme as a Reference Document at Clause 21.09 and the respective development contribution plan is included in the scheme as an Incorporated Document in the Schedule to Clause 72.04.

Two additional precinct structure plans for growth corridors are currently being prepared or awaiting approval and it is intended that they will also have a development contribution plan applying to them. These corridors are the North-East Growth Corridor and the South-East Growth Corridor.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.2 Procurement of Public Infrastructure Works (continued)



Existing and Proposed Growth Corridors within City of Greater Shepparton.

Growth Corridor	Proposed Lots	Estimated Population	Value of DCP	Status
North Growth Corridor	1,000	2,700	\$4.7M	Mostly completed
South Growth Corridor	1,400	3,650	\$7M	Mostly completed
Mooroopna West Growth Corridor	1,600	4,000	\$11.5M	Partially completed
North East Growth Corridor	1,500	4,000	\$21M	Construction has not commenced
South East Growth Corridor	2,500	6,000	\$35M (proposed)	In planning

In addition to DCP's, S173's are used to deliver infrastructure where formal DCP's have not been incorporated into the scheme; examples include the Marlboro Drive development precinct and Maley Court.

If approved, officers will rely on the policy to facilitate the construction of public infrastructure works within these growth corridors.

Council Plan 2017-2012/Key Strategic Activity

Council's purpose is 'to serve our community through providing leadership, making decisions and advocating for equitable services and infrastructure'.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.2 Procurement of Public Infrastructure Works (continued)

Relevant objectives of the plan include:

- 1.4 – Financial management is responsible and effective in responding to challenges and constraints with a focus on the financial sustainable of the Council
- 4.4 – Quality infrastructure is provided and maintained to acceptable standards

Officers consider that the policy implements the purpose and objectives of the Council Plan by providing a tailored policy that responds to the delivery of public infrastructure works with a focus on financial sustainability, well design and delivered infrastructure and compliance with statutory obligations.

Risk Management

The implementation of the policy assists in the management of risks by ensuring consistent decision making by officers based on a properly prepared and approved policy. The policy will allow increased consistency and transparency in relation to the interaction between Council Officers and developers concerning the implementation of Council infrastructure.

In preparing this policy officers have had regard to the *Special report on corruption risks associated with procurement in local government, Independent Broad-based Anti-corruption Commission, September 2019*.

Principles of the policy are:

- value for money;
- open and fair competition;
- accountability;
- risk management;
- probity and transparency; and
- ethical behaviour.

The policy requires that an officer's report for the procurement process be prepared and retained on file to detail the following:

- the basic facts of the procurement;
- the Council Officers who are responsible for the procurement;
- the amount of the Council spend;
- the process followed;
- confirming compliance with the policy, as relevant, throughout the procurement process;
- identifying any matters for which compliance with this policy was not achieved and reasons for such non-compliance; and
- any other matters relevant to compliance with this policy.

Officers consider that the adoption of the policy will assist in implementing the findings of the *Special report on corruption risks associated with procurement in local government, Independent Broad-based Anti-corruption Commission, September 2019*.

Policy Considerations

Council currently has a procurement policy that must be considered and complied with by officers when spending Council money. The policy is also a procurement policy that is tailored to respond to the issues associated with public infrastructure works. Compliance with the procurement of public infrastructure works policy will result in deemed compliance with Council's procurement policy.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.2 Procurement of Public Infrastructure Works (continued)

Financial Implications

The policy will have implications to Council's future budgets. It will become increasingly necessary for officers to undertake detailed design and construction of public infrastructure works in accordance with the policy. The costs associated with the design and subsequent construction must be considered when preparing future Council budgets.

Legal/Statutory Implications

The policy has been prepared by Council's Solicitors to ensure that the policy is consistent with the LG Act and *Planning and Environment Act, 1987*.

Environmental/Sustainability Impacts

The policy is considered to have no detrimental environmental or sustainability impacts.

Social Implications

The policy is considered to have no detrimental social implications.

Economic Impacts

The policy is considered to have no detrimental economic impacts. It is anticipated the policy will lead to greater efficiencies in relation to the implementation of public infrastructure.

Consultation

Officers undertook consultation during the preparation of the policy with various Council departments including Finance and Procurement.

Officers have also informed Chris Smith & Associates and Spiire of the policy.

Strategic Links

Greater Shepparton 2030 Strategy (GS2030)

GS2030 under Settlement and Housing provides strategic direction to apply DCP's to residential growth areas.

This direction has been followed as DCP's have been applied to the major growth areas in Shepparton and Mooroopna. Officers consider that the policy is a natural progression of DCP planning and implementation.

Conclusion

Officers recommend that Council endorse the policy to improve the implementation of public infrastructure works that are funded by Council. Officers consider that the policy will improve consistency and transparency for officers and developers involved in the design and construction of public infrastructure works.

Attachments

1. Shepparton - Procurement Policy 20 November 2019 [↓](#)
2. Shepparton - Procurement Policy Flowchart (Draft) (2) [↓](#)
3. PIW Officer's Report [↓](#)

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.3 Draft Toolamba Growth Plan 2019 - Authorisation for Public Exhibition

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 Projects

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

Approved by: Director Sustainable Development

Other: Graduate Strategic Planner Amendments

Executive Summary

In February 2019, Council appointed Ethos Urban Pty Ltd to prepare the *Draft Toolamba Growth Plan* (the draft Plan) to guide future development in Toolamba and Old Toolamba.

The appointment followed a recommendation from the Department of Environment, Land, Water and Planning (DELWP) arising from its consideration of Amendment C168. Amendment C168 seeks to rezone approximately 44 ha of land at 355 Rutherford Road, Toolamba to the Urban Growth Zone, and incorporate the *Toolamba Precinct Structure Plan 2018* into the Greater Shepparton Planning Scheme (Planning Scheme).

Further, Toolamba is the only small town that will have its own interchange as part of the Goulburn Valley Highway Shepparton Bypass, to be constructed during Stage 3. While a timeframe for construction of this section of the Bypass has not been confirmed, Council wishes to ensure that growth in the both townships is strategically planned and managed to accommodate future changes.

Pre-draft consultation was held in May and June 2019, comprising an online survey, a community drop-in session, individual meetings with land owners and their representatives, and a workshop with key referral agencies, including DELWP, Goulburn Valley Water (GVW), Goulburn Broken Catchment Management Authority (GBCMA), VicTrack and the Environmental Protection Authority (EPA). Eight formal written submissions were received, as well as 182 informal responses during the drop-in session which provided more than 400 comments and suggestions. A Conversation Report was prepared to summarise the responses received (see attached).

Building on the feedback received, the *Draft Toolamba Growth Plan 2019* provides a framework for the growth of the townships over the next three decades to ensure that adequate land is appropriately rezoned and released to accommodate changing needs, and to provide surety to residents and developers.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.3 Draft Toolamba Growth Plan 2019 - Authorisation for Public Exhibition (continued)

**Moved by Cr Giovanetti
Seconded by Cr Patterson**

That the Council:

1. receive and note the *Draft Toolamba Growth Plan Conversation Report Pre-Draft Engagement May 2019*;
2. authorise the *Draft Toolamba Growth Plan 2019* for exhibition for a period of eight weeks from 20 December 2019 to 17 February 2020; and
3. note that Council officers will report back to Council on any feedback, comments and submissions received from the public during the consultation period.

CARRIED UNOPPOSED.

Background

In February 2019, Council appointed Ethos Urban Pty Ltd to prepare the *Draft Toolamba Growth Plan* (the Plan) to guide future development in Toolamba and Old Toolamba.

The appointment followed a recommendation from DELWP arising from its consideration of Amendment C168, which seeks to rezone approximately 44 ha of land at 355 Rutherford Road, Toolamba to the Urban Growth Zone. The subject land had been identified as Investigation Area 6 in the *Greater Shepparton Housing Strategy 2011*. The Amendment also aims to implement the *Toolamba Precinct Structure Plan 2018* as an Incorporated Document in the Planning Scheme, including provision of reticulated services to Toolamba.

Further, Toolamba is the only small town that will have its own interchange as part of the Goulburn Valley Highway Shepparton Bypass, to be constructed during Stage 3, which may experience heightened residential demand as a consequence. A timeframe for construction of this section of the Bypass has not yet been confirmed, but Council wishes to ensure that growth in the both townships is strategically planned and managed to accommodate any future demand for change.

Pre-draft consultation was held in May and June 2019, comprising an online survey, a community drop-in session, individual meetings with land owners and their representatives, and a workshop with key referral agencies, including DELWP, Goulburn Valley Water (GVW), Goulburn Broken Catchment Management Authority (GBCMA), VicTrack and the Environmental Protection Authority (EPA).

Eight formal written submissions were received, as well as 182 informal responses during the drop-in session which provided more than 400 comments and suggestions. A Conversation Report was prepared to summarise the responses received (see attached) and identify key points for consideration in the Plan.

Building on the feedback received, the *Draft Toolamba Growth Plan 2019* provides a framework for the growth of the townships over the next three decades, to ensure that adequate land is rezoned and released to accommodate changing needs and to provide surety to residents and land owners.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.3 Draft Toolamba Growth Plan 2019 - Authorisation for Public Exhibition (continued)

It assesses requirements for housing, open space, access and transport, education, services, and employment, and includes actions to support timely provision of infrastructure and community facilities in response to the townships' growth.

Council Plan/Key Strategic Activity

Theme: Leadership and Governance

Objective:

1.3 Council demonstrates strong leadership and sound decision making in the best interests of the community.

Theme: Social

Objective:

2.2 Our community is supported to achieve and sustain physical, emotional and spiritual health and wellbeing.

Theme: Built

Objectives:

4.1 Growth is well planned and managed for the future.

4.2 Urban and rural development is sustainable and prosperous.

4.8 Active transport (cycling, walking) is encouraged through safe, connected and improved linkages.

Risk Management

There are no adverse risks associated with the exhibition of the *Draft Toolamba Growth Plan 2019* for public exhibition.

The Toolamba community have demonstrated a high degree of interest in the *Draft Toolamba Growth Plan 2019*. There is significant risk of community dissatisfaction and loss of trust in Council if the Growth Plan is not released for public feedback.

Policy Considerations

All consultation associated with the *Draft Toolamba Growth Plan 2019* will be undertaken in accordance with Council's *Community Engagement Strategy 2009*.

Financial Implications

The recommendation to release the *Draft Toolamba Growth Plan 2019* for consultation does not have any financial or budgetary implications for Council.

Legal/Statutory Implications

The recommendation to release the *Draft Toolamba Growth Plan 2019* will not result in any legal or statutory implications.

Environmental/Sustainability Impacts

The recommendation to release the *Draft Toolamba Growth Plan 2019* for public comment will not result in any adverse environmental or sustainability impacts.

Social Implications

It is not expected that the recommendation to release the *Draft Toolamba Growth Plan 2019* for public comment will have any adverse social impacts.

Economic Impacts

The recommendation to release the *Draft Toolamba Growth Plan 2019* for public consultation will not result in any adverse economic impacts.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.3 Draft Toolamba Growth Plan 2019 - Authorisation for Public Exhibition (continued)

Consultation

Pre-draft consultation was undertaken in May-June 2019 to inform the preparation of the *Draft Toolamba Growth Plan 2019* (see attached Conversation Report). Authorisation for public exhibition is now required to obtain feedback on the draft Plan from the community, to ensure that issues have been identified, and that concerns and aspirations are understood and considered, before finalising the Plan.

Consultation methods will include an online survey, a community drop-in session, and meetings with individual stakeholders, in accordance with Council's *Community Engagement Strategy 2009*.

Strategic Links

a) Greater Shepparton 2030 Strategy 2006

Topic: Settlement & Housing – Commitment to growth within a consolidated and sustainable development framework

Objectives:

- To provide for sufficient suitable additional land for urban growth until 2030.
- To release land efficiently in terms of location, supply of services and infrastructure.
- To contain urban growth to identified growth areas in order to protect higher quality and intact agricultural areas and achieve a more compact built up area.
- To provide for a broader range of dwelling densities and types of housing to meet current and future community needs and differing lifestyles.
- To increase the supply of medium density housing in appropriate locations.

Topic: Community Life – Enhance social connectedness, physical and mental health and well-being, education and participatory opportunities to improve liveability and provide a greater range of community services.

Objectives:

- To provide an equitable and efficient distribution of community facilities and services.
- To ensure that facilities, services and policies are accessible and inclusive, and appropriate to the sporting and recreation needs of the community.

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

Objective:

- To develop Walking/Bicycle and Public Transport networks that provides transport and accessibility options to segments of the community who have not or prefer not to use a motor car.

b) Other strategic links

Greater Shepparton Housing Strategy 2011

Greater Shepparton Townships Framework Plan Review 2018

Conclusion

The Toolamba townships have experienced substantial latent housing demand but their growth has been limited in recent years due to the absence of reticulated services.

A *Draft Toolamba Growth Plan 2019* was prepared following receipt of DELWP's consideration of Amendment C168. Amendment C168 seeks to rezone approximately 44 ha of land at 355 Rutherford Road, Toolamba to the Urban Growth Zone. It envisages the provision reticulated services to Toolamba and the development of approximately 270 dwellings.

11. SUSTAINABLE DEVELOPMENT DIRECTORATE

11.3 Draft Toolamba Growth Plan 2019 - Authorisation for Public Exhibition (continued)

In addition, the *Draft Toolamba Growth Plan 2019* will assist in managing implications arising from the future delivery of the Goulburn Valley Highway Shepparton Bypass.

Authorisation for public exhibition is now required to obtain feedback from the community, to ensure that issues have been identified, and that concerns and aspirations are understood and considered, before finalising and implementing a final Plan.

Attachments

- 1 Draft Toolamba Growth Plan Conversation Report Pre-Draft Engagement May 2019 [↓](#)
- 2 Draft Toolamba Growth Plan 2019 [↓](#)
- .

12. REPORTS FROM COUNCILLORS

Nil Received.

13. REPORTS FROM SPECIAL AND ADVISORY COMMITTEES

Nil Received.

14. NOTICE OF MOTION, AMENDMENT OR RESCISSION

14.1 Notice of Motion 5/2019 Consultation on Regional Land Use Strategy

Moved by Cr Adem

Seconded by Cr Oroszvary

1. That The Greater Shepparton City Council contact the Shire of Moira and The Shire of Campaspe to gauge interest in conducting a review of the Campaspe, Greater Shepparton and Moira Regional Land Use Strategy.
2. Council officers to report back to Councillors by end of February 2020 with the results of the engagement.

Cr Adem was granted an extension of time to speak to the motion.

The motion was carried unopposed.

14.2 Notice of Motion 6/2019 - Planning Application 2018-264

Moved by Cr Adem

Seconded by Cr Summer

To grant permit in relation to Planning application 2018-264 Two Lot Subdivision at 560 Archer Road, subject to conditions as per planning department recommendations, with specific reference to the condition tht dual access points to current lot be reduced to one access within 5 years of permit grant:

- | | |
|-----------|---|
| 1. | <u>Layout Not Altered</u>
The subdivision as shown on the endorsed plans must not be altered without the written consent of the responsible authority. |
| 2. | <u>Drainage Discharge Plan</u>
Before the plan of subdivision is certified, a drainage plan with computations prepared by a suitably qualified person or organisation, 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 submitted in an electronic format. The plans must be in accordance with council's Infrastructure Design Manual and include: |

14. NOTICE OF MOTION, AMENDMENT OR RESCISSION

14.2 Notice of Motion 6/2019 - Planning Application 2018-264 (continued)

	<p>a) direction of stormwater run off demonstrated by contours or adequate spot levels.</p> <p>b) a point of discharge for each lot. and</p> <p>c) independent drainage for each lot.</p> <p>d) how the discharge rate from the new properties has no detriment effect on the upstream or downstream properties.</p> <p>e) Property connections discharging to the table drain must do so to the side of the endwall (driveway) and not directly to the table drain.</p> <p>f) documentation demonstrating approval from the relevant authority for the point of discharge.</p> <p>Incorporation of water sensitive urban design in accordance with Clause 20 of the Infrastructure Design Manual or as otherwise approved in writing by the Responsible Authority; and</p> <p>Before the issue of a statement of compliance the works required by the endorsed drainage plan must be completed to the satisfaction of the responsible authority.</p>	
<p>3.</p>	<p><u>Section 173 Agreement</u></p> <p>Before the issue of a Statement of Compliance, the owner must enter into an agreement with the responsible authority, pursuant to Section 173 of the <i>Planning and Environment Act 1987</i>. This agreement must be registered on the title to the land pursuant to Section 181 of the <i>Planning and Environment Act 1987</i>. The owner must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement. The agreement must provide that:</p> <p>Payment of Owner Contributions</p> <ul style="list-style-type: none"> • Prior to the issue of a Statement of Compliance for the further development of Lot 2 on the initial two lot subdivision, the Owners must pay to the Council a development contribution of \$45,289.00 (calculated at the rate of \$61,459.00 per hectare), unless otherwise agreed to in writing. <p>Public Open Space Contribution</p> <ul style="list-style-type: none"> • In lieu of payment of a public open space contribution, equivalent to 5% of the value of Lot 1, the Owners agree to set aside on the initial two lot Plan of Subdivision an 8 metre wide strip of land on the entire eastern boundary of the Land to facilitate the widening of the Archer Road road reserve, to be vested in Council on registration of that Plan of Subdivision. The Owners further agree that, in the event that Council should request the Owners to vest that 8 metre strip of land in Council prior to the Owners proceeding with the initial two lot subdivision, then the Owners will consent to a Plan of Subdivision to create and vest that 8 metre strip in Council as part of the road reserve. Council will not be required to pay any money to the Owners for that land, but if the subdivision to vest the 8 metre strip in Council takes place at Council's request, prior to the Owners proceeding with the initial two lot subdivision, then Council will be responsible for bearing all costs and fees associated with the vesting subdivision, 	

14. NOTICE OF MOTION, AMENDMENT OR RESCISSION

14.2 Notice of Motion 6/2019 - Planning Application 2018-264 (continued)

	<p>including surveyor's fees, legal fees and registration fees.</p> <ul style="list-style-type: none"> The Owners acknowledge being made aware that it is Council's intention to construct a shared pathway on the 8 metre wide strip of the Archer Road reserve. For the avoidance of doubt the parties have further agreed that the Owners shall not be required to bear any costs associated with those works, including but not limited to fencing costs on the boundary between the road reserve and the Owner's land. <p>Closure of Archer Road Access</p> <ul style="list-style-type: none"> Prior to the issue of the Statement of Compliance one of the two existing vehicle crossovers to Lot 1 from Archer Road must be surrendered to the satisfaction of the Responsible Authority. Within five (5) years of the date of this planning permit the remaining vehicle crossover to Lot 1 from Archer Road must be surrendered to the satisfaction of the Responsible Authority, provided alternate legal vehicle access has been provided to Lot 1 from the development of Lot 2. <p>The said agreement is to be prepared by Council. Council will undertake to have the agreement prepared upon written notification from the applicant. All costs associated with the preparation and registration of the agreement shall be borne by the applicant including Council's administration fee. All fees associated with the documentation must be fully paid prior to execution and registration of the document by Council.</p>
4.	<p><u>Form 13</u></p> <p>Before a Statement of Compliance is issued under the <i>Subdivision Act 1988</i> by the Responsible Authority the owner must provide a completed Form 13.</p>
5.	<p><u>Goulburn Valley Region Water Corporation Requirements</u></p> <ol style="list-style-type: none"> Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment; Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water meter, to the satisfaction of the Goulburn Valley Region Water Corporation; Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment; Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation. (Sewer point cut-in for lot 2) Disconnection and relocation of existing house connection drain, and each allotment to be independently and directly connected to a sewer main of the

14. NOTICE OF MOTION, AMENDMENT OR RESCISSION

14.2 Notice of Motion 6/2019 - Planning Application 2018-264 (continued)

	<p>Goulburn Valley Region Water Corporation (septic tank Lot 1); (f) The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.</p>	
<p>6.</p>	<p><u>Referral Authority Requirements</u></p> <p>a) The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.</p> <p>b) All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easements or site is to be created.</p> <p>c) The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.</p>	
<p>7.</p>	<p><u>Telecommunications Referral Condition</u></p> <p>The owner of the land must enter into an agreement with:</p> <ul style="list-style-type: none"> • A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and • A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre. <p>Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:</p> <ul style="list-style-type: none"> • A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and • A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre. 	

14. NOTICE OF MOTION, AMENDMENT OR RESCISSION

14.2 Notice of Motion 6/2019 - Planning Application 2018-264 (continued)

8.	<p><u>Time for Starting and Completing a Subdivision</u></p> <p>This permit will expire if one of the following circumstances applies:</p> <ul style="list-style-type: none"> a) the subdivision is not started (certification) within two (2) years of the date of this permit; b) the subdivision is not completed (statement of compliance) within five (5) years of the date of certification. <p>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. Prior to approval being given for the extension of these periods the Responsible Authority may require the re-submission of Plans, Computations and other relevant information to assess compliance with current requirements, Acts and Regulations, Codes of Practice and Australian Standards, as may be relevant.</p>
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Moved by Cr Giovanetti
Seconded by Cr O'Keeffe

To grant permit in relation to planning permit application 2018-264 Two Lot Subdivision at 560 Archer Road, subject to the following conditions as per planning department recommendations:

1.	<p><u>Layout Not Altered</u></p> <p>The subdivision as shown on the endorsed plans must not be altered without the written consent of the responsible authority.</p>
2.	<p><u>Drainage Discharge Plan</u></p> <p>Before the plan of subdivision is certified, a drainage plan with computations prepared by a suitably qualified person or organisation, 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 submitted in an electronic format. The plans must be in accordance with council's Infrastructure Design Manual and include:</p> <ul style="list-style-type: none"> a) direction of stormwater run off demonstrated by contours or adequate spot levels. b) a point of discharge for each lot. and c) independent drainage for each lot. d) how the discharge rate from the new properties has no detriment effect on the upstream or downstream properties e) Property connections discharging to the table drain must do so to the side of the endwall (driveway) and not directly to the table drain. f) documentation demonstrating approval from the relevant authority for the point of discharge.

14. NOTICE OF MOTION, AMENDMENT OR RESCISSION

14.2 Notice of Motion 6/2019 - Planning Application 2018-264 (continued)

	<p>g) Incorporation of water sensitive urban design in accordance with Clause 20 of the Infrastructure Design Manual or as otherwise approved in writing by the Responsible Authority; and</p> <p>Before the issue of a statement of compliance the works required by the endorsed drainage plan must be completed to the satisfaction of the responsible authority.</p>	
<p>3.</p>	<p><u>Section 173 Agreement</u></p> <p>Before the issue of a Statement of Compliance, the owner must enter into an agreement with the responsible authority, pursuant to Section 173 of the <i>Planning and Environment Act 1987</i>. This agreement must be registered on the title to the land pursuant to Section 181 of the <i>Planning and Environment Act 1987</i>. The owner must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement. The agreement must provide that:</p> <p>Payment of Owner Contributions</p> <ul style="list-style-type: none"> • Prior to the issue of a Statement of Compliance for the further development of Lot 2 on the initial two lot subdivision, the Owners must pay to the Council a development contribution of \$45,289.00 (calculated at the rate of \$61,459.00 per hectare), unless otherwise agreed to in writing. <p>Public Open Space Contribution</p> <ul style="list-style-type: none"> • In lieu of payment of a public open space contribution, equivalent to 5% of the value of Lot 1, the Owners agree to set aside on the initial two lot Plan of Subdivision an 8 metre wide strip of land on the entire eastern boundary of the Land to facilitate the widening of the Archer Road road reserve, to be vested in Council on registration of that Plan of Subdivision. The Owners further agree that, in the event that Council should request the Owners to vest that 8 metre strip of land in Council prior to the Owners proceeding with the initial two lot subdivision, then the Owners will consent to a Plan of Subdivision to create and vest that 8 metre strip in Council as part of the road reserve. Council will not be required to pay any money to the Owners for that land, but if the subdivision to vest the 8 metre strip in Council takes place at Council's request, prior to the Owners proceeding with the initial two lot subdivision, then Council will be responsible for bearing all costs and fees associated with the vesting subdivision, including surveyor's fees, legal fees and registration fees. • The Owners acknowledge being made aware that it is Council's intention to construct a shared pathway on the 8 metre wide strip of the Archer Road reserve. For the avoidance of doubt the parties have further agreed that the Owners shall not be required to bear any costs associated with those works, including but not limited to fencing costs on the boundary between the road reserve and the Owner's land. 	

14. NOTICE OF MOTION, AMENDMENT OR RESCISSION
14.2 Notice of Motion 6/2019 - Planning Application 2018-264 (continued)

	<p>Closure of Archer Road Access</p> <ul style="list-style-type: none"> • Prior to the issue of the Statement of Compliance one of the two existing vehicle crossovers to Lot 1 from Archer Road must be surrendered to the satisfaction of the Responsible Authority. • Within five (5) years of the date of this planning permit the remaining vehicle crossover to Lot 1 from Archer Road must be surrendered to the satisfaction of the Responsible Authority, provided alternate legal vehicle access has been provided to Lot 1 from the development of Lot 2. <p>The said agreement is to be prepared by Council. Council will undertake to have the agreement prepared upon written notification from the applicant. All costs associated with the preparation and registration of the agreement shall be borne by the applicant including Council's administration fee. All fees associated with the documentation must be fully paid prior to execution and registration of the document by Council.</p>	
4.	<p><u>Form 13</u></p> <p>Before a Statement of Compliance is issued under the <i>Subdivision Act 1988</i> by the Responsible Authority the owner must provide a completed Form 13.</p>	
5.	<p><u>Goulburn Valley Region Water Corporation Requirements</u></p> <ol style="list-style-type: none"> (a) Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment; (b) Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water meter, to the satisfaction of the Goulburn Valley Region Water Corporation; (c) Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment; (d) Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation. (Sewer point cut-in for lot 2) (e) Disconnection and relocation of existing house connection drain, and each allotment to be independently and directly connected to a sewer main of the Goulburn Valley Region Water Corporation (septic tank Lot 1); (f) The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988. 	

14. NOTICE OF MOTION, AMENDMENT OR RESCISSION

14.2 Notice of Motion 6/2019 - Planning Application 2018-264 (continued)

<p>6.</p>	<p><u>Referral Authority Requirements</u></p> <p>a) The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.</p> <p>b) All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easements or site is to be created.</p> <p>c) The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.</p>
<p>7.</p>	<p><u>Telecommunications Referral Condition</u></p> <p>The owner of the land must enter into an agreement with:</p> <ul style="list-style-type: none"> • A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and • A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre. <p>Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:</p> <ul style="list-style-type: none"> • A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and • A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
<p>8.</p>	<p><u>Time for Starting and Completing a Subdivision</u></p> <p>This permit will expire if one of the following circumstances applies:</p> <p>a) the subdivision is not started (certification) within two (2) years of the date of this permit;</p>

14. NOTICE OF MOTION, AMENDMENT OR RESCISSION

14.2 Notice of Motion 6/2019 - Planning Application 2018-264 (continued)

- b) the subdivision is not completed (statement of compliance) within **five (5)** years of the date of certification.

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. Prior to approval being given for the extension of these periods the Responsible Authority may require the re-submission of Plans, Computations and other relevant information to assess compliance with current requirements, Acts and Regulations, Codes of Practice and Australian Standards, as may be relevant.

The amendment was put and carried unopposed.

The motion was put and carried unopposed.

15. DOCUMENTS FOR SIGNING AND SEALING

Nil Received

16. COUNCILLOR ACTIVITIES

16.1 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 November 2019 to 30 November 2019, some or all of the Councillors have been involved in the following activities:

- 2019 Small Towns Meeting – Merrigum
- Land of Plenty | Music Festival
- Carnival Day - Out in the Open Festival 2019
- 'About a Girl' | In Conversation with Author - Rebekah Robertson
- Fairley Leadership Program – Seminar Skills Day
- Greater Shepparton College – Event
- Probus Club of Mooroopna | Breakfast in the Park
- Greater Shepparton Positive Ageing Advisory Committee Meeting
- 2019 Dungala Kaiela - Writing Awards 'Express Yourself'
- Annual Italian Remembrance Day Service | Murchison
- Murchison RSL | Plaque Unveiling
- Byrneside Public Hall | 125th Anniversary – Celebrations
- Mooroopna | 'Remembrance Day' - Service & Wreath Laying Ceremony
- Remembrance Day | Service & Wreath Laying Ceremony – Murchison
- Remembrance Day | Service & Wreath Laying Ceremony – Tatura
- Shepparton RSL | 'Remembrance Day' - Service & Wreath Laying Ceremony
- Heritage Advisory Committee Meeting
- Meeting | Shepparton Reconciliation Group - Dierdre Robertson & Bobby Nicholls
- Order of Australia [OAM] - GSCC Function
- Meet & Greet | New Pro Vice Chancellor (Regional) Dr Guinever Threlkeld
- Mooroopna Community Plan Steering Group - Councillors Tour of Mooroopna
- Audit and Risk Committee Meeting
- Disability Advisory Committee Meeting
- Italian Salami Night – Judging
- Rail Freight Alliance | Dinner
- Bowls Victoria Premier State Tournament | Opening
- Aboriginal Men's Shed | Meeting with Uncle Ruben Baksh
- Rail Freight Alliance Meeting
- Victoria Grant Commission - Shepparton
- Ganbina 2019 - Youth Achievement Awards
- Goulburn Valley Congolese Association | Graduation Ceremony
- Italian Salami Night – Function
- Embassy of the Federal Republic of Germany | Memorial Service
- Shepparton Show Me Ordinary Committee Meeting
- Victorian Local Government Association Candidate Information Session
- Regional Cities Victoria Dinner | Melbourne
- Regional Cities Victoria Meeting | The Hon Jaclyn Symes

16. COUNCILLOR ACTIVITIES

16.1 Councillors Community Interaction and Briefing Program (continued)

- The Bridge Youth Service | Annual General Meeting
- November Ordinary Council Meeting
- Community Planning /S86 Committees | End of Year Dinner
- Shepparton Education Plan Project Board Meeting
- Goulburn Broken Greenhouse Alliance Ordinary Meeting | November
- Goulburn Valley Health Foundation - Celebrating 30 Years Luncheon
- Sports Hall of Fame Advisory Committee Meeting / End of Year Celebration
- Goulburn Valley Health Foundation - Celebrating 30 Years Luncheon
- Welcome dinner - WRRG Boards Professional Development
- Bowls Victoria | Final day Victorian Open | Morning Tea
- Merrigum Splash Park - Official Opening
- Development Hearing Panel
- Spring Car Nationals | Official Opening
- Shepparton East Primary School | Grade 5 & Grade 6 - Story Writing Competition
- Greater Shepparton Women's Charter Advisory Committee Meeting
- Committee for Greater Shepparton - C4GS | Christmas Party
- Shepparton Chamber of Commerce Business Breakfast
- Italian Cooking and Conversations | McGuire College - I Wish I'd Asked
- Bypassing Shepparton - Project Liaison Group
- The Catholic Education Sandhurst Council of the Arts | 2019 Festival of the Sacred
- Goulburn Valley Hospice Care | AGM and 30th Birthday
- Goulburn Valley Libraries Board Meeting
- Shepparton Community Hubs | 1 Year Anniversary Celebration
- Ethnic Council Shepparton | Victorian Multicultural Forum - Employment and Housing - Mayor 'Welcome Speech'
- Meeting | Ms Kessy Sawang - Papua New Guinea (PNG) Female Leader
- Numurkah Secondary College | Speaking Role
- Tatura Community Event | Christmas in Tatura
- Westfield W-League | Melbourne City - Round 3
- Sir Lankan Association of Goulburn Valley | Christmas Breeze

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

Peter Harriott, Chief Executive Officer noted a correction to the list of Councillors activities, being the removal of the 'Welcome Dinner – WRRG Boards Professional Development' as the Mayor was an apology for this event.

**Moved by Cr Hazelman
Seconded by Cr Adem**

That the summary of the Councillors' community interaction and briefing program be received, and record of assemblies of councillors be noted.

CARRIED UNOPPOSED.

16. COUNCILLOR ACTIVITIES

16.1 Councillors Community Interaction and Briefing Program (continued)

Attachments

1. Best Start Early Years Partnership [↓](#)
2. Shepparton Aerodrome Advisory Committee 8 August 2019 [↓](#)
3. Heritage Advisory Committee - 7 October 2019 [↓](#)
4. CEO and Councillor Catch Up - 29 October 2019 [↓](#)
5. Councillor Briefing Session - 29 October 2019 [↓](#)
6. Heritage Advisory Committee Meeting - 11 November, 2019 [↓](#)
7. Audit & Risk Management Committee meeting - 13 November 2019 [↓](#)
8. CEO and Councillor Catch up - 12 November 2019 [↓](#)
9. Councillor Briefing Session - 12 November 2019 [↓](#)
10. Councillor Briefing Session - 19 November 2019 [↓](#)
11. Development Hearings Panel - 22 November 2019
12. CEO and Councillor Catch Up - 26 November 2019
13. Councillor Briefing Session - 26 November 2019
14. Shepparton Art Museum Advisory Committee Meeting
15. Heritage Advisory Committee Meeting

17. URGENT BUSINESS NOT INCLUDED ON THE AGENDA

Nil Received.

Meeting Closed 7.17pm