

# MINUTES

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## ORDINARY COUNCIL MEETING

HELD ON  
TUESDAY 15 MARCH, 2016  
AT 5.30PM

IN THE COUNCIL BOARDROOM

**COUNCILLORS:**

Cr Dinny Adem (Mayor)  
Cr Fern Summer (Deputy Mayor)  
Cr Chris Hazelman  
Cr Jenny Houlihan  
Cr Les Oroszvary  
Cr Dennis Patterson  
Cr Kevin Ryan

***VISION***

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



**MINUTES  
FOR THE  
ORDINARY COUNCIL MEETING  
HELD ON  
TUESDAY 15 MARCH, 2016 AT 5.30PM**

**CHAIR  
CR DINNY ADEM**

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## RISK LEVEL MATRIX LEGEND

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

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

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

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

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

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

**Insignificant** Operational, add treatments where appropriate



**PRESENT: Councillors Dinny Adem, Fern Summer, Chris Hazelman, Jenny Houlihan, Les Oroszvary, Dennis Patterson and Kevin Ryan.**

**OFFICERS: Peter Harriott – Chief Executive Officer  
Steve Bowmaker – Director Infrastructure  
Chris Teitzel – Director Business  
Kaye Thomson – Director Community  
Maree Martin – Official Minute Taker  
Peta Bailey – Deputy Minute Taker**

## **1. ACKNOWLEDGEMENT**

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

## **2. APOLOGIES**

Nil

## **3. 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.**

**Cr Summer declared an indirect financial interest in relation to Item 9.3 Goulburn Valley Waste and Resource Group Operations. Cr Summer is paid Director of the Goulburn Valley Waste and Resource Group.**

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

**Moved by Cr Oroszvary  
Seconded by Cr Houlihan**

That the Minutes of the Ordinary Council Meeting held 16 February 2016 as circulated, be confirmed.

**CARRIED.**

## **5. DEPUTATIONS AND PETITIONS**

### **5.1 Funding to Respite and Home Care Services in the Goulburn Valley**

#### **Summary**

A petition containing 1040 signatures has been received requesting that Council reconsider its decision to significantly decrease its support and funding to Respite and Home Care Services in the Goulburn Valley.

**Moved by Cr Summer**

**Seconded by Cr Hazelman**

That the Council receive the petition in relation to Funding to Respite and Home Care Services in the Goulburn Valley.

**CARRIED.**

#### **Attachments**

Nil



## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Asset Capitalisation 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:** Team Leader Strategic Assets

**Proof reader(s):** Manager Strategic Assets

**Approved by:** Director Infrastructure

#### **Executive Summary**

This report presents a draft of Council's new Asset Capitalisation Policy. The policy sets out to provide guidance, clarity and consistency regarding the treatment of capital expenditure, which will provide for greater understanding and accuracy of Council's capital requirements and depreciation expenses.

The policy will assist to ensure there is a distinction made between expenditure on long-lived assets and expenditure on goods and services for immediate consumption. This is critically important in determining the cost of providing services.

The policy will assist in ensuring that Council complies with its obligations under the Local Government Act 1989 (the Act) and Australian Accounting Standards.

#### **Moved by Cr Houlihan**

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

That the Council adopt the Asset Capitalisation Policy 03.POL3.

**CARRIED.**

#### **Background**

This new Asset Policy is applied to Council's Non-Current assets that are referred to in Australian Accounting Standards Board (AASB) 116 Property, Plant and Equipment.

Broadly speaking, these assets are:

- Land
- Buildings and Improvements
- Infrastructure
- Plant and Equipment
- Furniture and Equipment.

Also as part of the development of this policy Council has prepared a supporting document titled the Asset Capitalisation and Measurement at Recognition Procedure, which details the specific application of this policy and includes:

- Definitions
- Recognition Measurement and Cost
- Capital Expenditure Thresholds
- Asset Hierarchy for Disclosure of Non-Current Assets

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Asset Capitalisation Policy (continued)

#### Council Plan/Key Strategic Activity

This document supports the Greater Shepparton City Council Plan 2013-2017 objectives:  
 Goal 3 – High Performing Organisation (Leadership & Governance)  
 Ensure strong internal systems and processes to ensure best practice delivery of services for the community

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Incorrect measurement and recognition of new, renewed and upgraded assets	Likely	Moderate	Moderate	Endorse Policy and supporting Procedure to guide staff.

#### 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 \$1.37 billion. The policy will allow Council to apply thresholds for capitalising expenditure on non-current assets.

#### Legal/Statutory Implications

Legislation relevant to the Asset Capitalisation are:

- *Local Government Act 1989* (the Act)
- Australian Accounting Standards
  - AASB 116 Property, Plant and Equipment
  - AASB 1041 Revaluation of Non-Current Assets
  - AASB 136 Impairment of Assets
  - AASB 1051 Land Under Roads
  - AASB 138 Intangible Assets
  - AASB 5 Non-Current Assets Held for Sale and Discontinued Operations
  - AASB 1049 Whole of Government and General Government Sector Financial Reporting.
- State Government Guidelines  
 Department of Treasury and Finance - Financial Reporting Directions and Guidance Notes
  - FRD 19 Private Provision of Public Infrastructure - 2003
  - FRD 100 Financial Reporting Directions – Framework – 2005
  - FRD 103D Non-Current Physical Assets - 2009
  - FRD 106 Impairment of Assets - 2005
  - FRD 109 Intangible Assets - 2005
  - FRD 118B Land Under Declared Roads – 2010

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Asset Capitalisation Policy (continued)

- Department of Planning and Community Development Guidelines
  - 2004 Guidelines for Developing an Asset Management Policy, Strategy and Plan
  - 2005 Guidance Note – Fair Value Asset Valuation Methodologies for Victorian Local Governments
  - 2006 Guidelines for Reporting and Measuring the condition of Road Assets
  - 2006 Accounting for Non-Current physical assets under AASB 116
  - 2006 Accounting for Non-Current physical assets under AASB 116
  - 2010 Model Financial Report
- Victorian Auditor-General's Office Reports
  - 2004 Beyond the Triple Bottom Line – Measuring and Reporting on Sustainability
  - 2004 Local Government: Results of the 2006-07 / 2007-08 / 2008-09 / 2009-10 Audits

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

There are no environmental or sustainability impacts as a result of the implementation of this Policy.

#### **Social Implications**

There are no Social Implications associated with this report.

#### **Economic Impacts**

There are no economic impacts associated with this report.

#### **Consultation**

Internal consultation occurred with a number of Council staff.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Make policy available	Council Website

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

#### **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

- Strategic Resource Plan
- Asset Management Strategy
- Asset Management Plans (in draft)
- Service Plans (in draft)

## 6. INFRASTRUCTURE DIRECTORATE

### 6.1 Asset Capitalisation Policy (continued)

#### **Conclusion**

It is essential that Council has a clearly defined Asset Capitalisation policy which 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.

The Asset Capitalisation Policy provides guidance, clarity and consistency regarding the treatment of capital expenditure and improved understanding and accuracy of Council's capital requirements and depreciation expenses.

The policy will assist in ensuring that Council complies with its obligations under the Local Government Act 1989 (the Act).

#### **Attachments**

Asset Capitalisation Policy Version 1 16/02/16 Page 94

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Contract 1445 - Panel of Suppliers - Consulting Engineers & Design Services (Amendment)

**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**

**Proof reader(s): Manager Projects Department**

**Approved by: Director Infrastructure**

**Other: Procurement Analyst, Manager Environment, Team Leader Development**

#### **Executive Summary**

The Panel of Suppliers, Consulting Engineers & Design Services (Contract #1445) was approved by Council at its Ordinary Council Meeting on 15 December 2015. Due to an administration error, the officer's recommendation and subsequent motion omitted two contractors identified by the Tender Evaluation Panel which were recommended to be awarded the contract.

#### **Moved by Cr Hazelman**

#### **Seconded by Cr Ryan**

That the Council endorse the recommendation of the Tender Assessment Panel and:

1. accept the tenders submitted by:

- Senversa Pty Ltd
- URS Australia Pty Ltd

for Contract 1445 – Panel of Suppliers for a contract period of three years (with an option for two extensions of one year each).

2. authorise the Chief Executive Officer to sign and seal contracts with the successful tenderers.

**CARRIED.**

#### **Contract Details**

Contract 1445 – Panel of Suppliers, Consultancy Services provides formalisation of contractual arrangements with consultants and companies who will be engaged to undertake a variety of specialised consultancy services on an as-need basis.

The initial contract will be a three year contract, with the option of extending the contract for two additional one year periods.

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Contract 1445 - Panel of Suppliers - Consulting Engineers & Design Services (Amendment) (continued)

#### Tenders

Tenders were received from:

Tenderers		
Architecture & Access	Group GSA	Parking and Traffic Consultants
Architecture & Access	GTA Consultants Pty Ltd	PlanB Architecture + Construction
Architecture Matters Pty Ltd	Harmer Architecture Pty Ltd	Planright Australasia Pty Ltd
Australian Ecosystems	Haskell Architects	Prowse Quantity Surveyors
Ballarat Engineering And Mining Surveys Pty Ltd	HDS Australia Pty Ltd	RBA architects + conservation consultants
Benchmark Heritage Management	Heil Engineering Consultants	Regional Management Group
BM Civil Engineers Pty Ltd	Infrastructure Solutions Pty. Ltd.	Rexel Holdings Australia
Bruce Mactier & Associates Pty Ltd	Integrity Testing Pty Ltd	Rural Works Pty Ltd
CAF Consulting Services Pty Ltd	Iolar Pty Ltd	Sandhurst Geotech
Cardno	Jacobs Group Australia	Senversa Pty Ltd
CDR Geotechnical & Environmental Services Pty Ltd	JMA Architects	SGS
Chris Smith & Associates Pty Ltd aff Subdivision Management & Design UT	Juxtaposition Pty Ltd	SMEC Australia Pty Ltd
Coffey Environments Australia Pty Ltd	KATZ Architecture	SMITH MICHAEL EDWARD TA Michael Smith and Associates
CT Management Group	Kleinfelder Australia Pty Ltd	Spiire
Deacon Engineers Pty Ltd	Landair surveys	Storm Consulting Pty Ltd
DWP Suters	Landserv	Taylor's Development Strategists Pty Ltd
Engeny Water Management	Laurie McGoldrick Consulting Engineers	Terry Alford Consulting Pty Ltd
Engineering Management Styles	LP Building Consultants	The Trustee for GEOTESTA TRUST
Enlocus Pty Ltd	LR Pardo & Associates Pty Ltd	Traffix Group Pty Ltd
FOUR18 ARCHITECTURE Pty Ltd	Meinhardt Infrastructure and Environment Pty Ltd	Trevor Main & Associates
Gerard Brandrick & Associates Pty Ltd	Millbrook Enterprise Pty Ltd trading as James Seymour Architecture	Turner and Townsend
GHD Pty Ltd	Muller partnership	Urban Initiatives Pty. Ltd.
GMR Engineering Services	Of Diverse Research P/L	URS Australia Pty Ltd

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Contract 1445 - Panel of Suppliers - Consulting Engineers & Design Services (Amendment) (continued)

Tenderers		
Golder Associates	Onleys	Van der Meer (Vic) Pty Ltd
Grant Maggs Architects Pty Ltd	Opus International Consultants (Australia) Pty Ltd	
Greg Schofield & Assocs Pty Ltd	Paffrath Consulting	

A total of 76 tenders were received.

Tenders previously awarded in the December 2015 Council meeting were:

Tenderers		
Ballarat Engineering And Mining Surveys Pty Ltd	Heil Engineering Consultants	Rexel Holdings Australia
Bruce Mactier & Associates Pty Ltd	Landair surveys	Rural Works Pty Ltd
CAF Consulting Services Pty Ltd	LP Building Consultants	SGS
Cardno	LR Pardo & Associates Pty Ltd	SMEC Australia Pty Ltd
Chris Smith & Associates Pty Ltd atf Subdivision Management & Design UT	Millbrook Enterprise Pty Ltd trading as James Seymour Architecture	SMITH MICHAEL EDWARD TA Michael Smith and Associates
Engineering Management Styles	Of Diverse Research P/L	Spiire
GHD Pty Ltd	Onleys	The Trustee for GEOTESTA TRUST
Golder Associates	Opus International Consultants (Australia) Pty Ltd	Turner and Townsend
Haskell Architects	Paffrath Consulting	

Tenders subject to his report that had been identified as successful tenderers, but not included in the December 2015 Council meeting report:

Tenderers		
URS Australia Pty Ltd	Senversa Pty Ltd	

#### **Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Manager	Projects Department
Development Officer (Acting Team Leader Development)	Development
Project Manager	Project Management Office

## 6. INFRASTRUCTURE DIRECTORATE

### 6.2 Contract 1445 - Panel of Suppliers - Consulting Engineers & Design Services (Amendment) (continued)

#### Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	30%
Qualifications, Experience, Technical Ability & Capacity	30%
Quality	10%
Occupational Health & Safety	10%
Environment/Sustainability	10%
Customer Service	10%

#### Council Plan/Key Strategic Activity

##### Quality Infrastructure (Built)

Ensure that the community has access to high quality facilities

*Council will continue to provide for the development & maintenance of high quality facilities to enhance the opportunities for community participation in a broad range of activities at both a passive and active level.*

##### High Performing Organisation (Leadership & Governance)

Ensure strong internal systems and processes to ensure best practice delivery of services for the community.

*Greater Shepparton City Council will provide value for money services, best practice internal systems and processes and an organisation continuous improvement culture to maximise council performance in delivering service to meet the needs of the community.*

#### Risk Management

The implementation of this contract will enhance the quality of Councils engagement of consultants by ensuring that appropriately qualified, experienced and capable consultants are engaged in a standardised manner to undertake a range of activities and increase councils compliance with the Local Government Act 1989 and other legislation in relation to entering into contracts.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Compliance with the Local Government Act 1989 and other legislation	A	3	High	Implementation of contract manages risk.

#### Policy Considerations

The undertaking of this contract provides compliance with Councils Procurement Policy.

#### Financial Implications

The total estimated liability of this procurement is approximately \$3.5 million over a three year period.

This is an estimate only and is dependent on the usage of the proposed contract (i.e. whether it is used solely by the Projects Department, Infrastructure Directorate, or organisational wide).



## 6. INFRASTRUCTURE DIRECTORATE

### **6.2 Contract 1445 - Panel of Suppliers - Consulting Engineers & Design Services (Amendment) (continued)**

Please also refer to Attachment One– Total by Vendor for 2013/2014 financial year (Infrastructure Directorate) for a summary of total Infrastructure Directorate spending under the consultants sub-ledger.

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

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

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

As part of the tender process, tenderers were evaluated on their commitment to the environment. Tenderers were required to declare if they had a formal environmental certification under AS14000 2007, and/or to demonstrate they had company systems in place to ensure their business did not negatively impact on the environment.

#### **Strategic Links**

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

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

#### **Conclusion**

Public tenders were sought for Contract 1445 – Panel of Suppliers – Consulting Engineers and Design Services. A total of 76 responses were received who offered schedule of rates submissions. Upon completion of the tender evaluation process, preferred suppliers were identified for the range of services required and are recommended in this report.

The nominated Tender Evaluation Panel has undertaken individual review of all submissions and scored accordingly.

Subsequent Tender Evaluation Panel meetings were held following individual review in order to undertake moderation/review on:

- 31 August 2015
- 24 September 2015
- 7 October 2015
- 26 October 2015

Further review of Tender Evaluation Panel's recommendation was undertaken:

- 5 November 2015 by Council's Executive
- 24 November 2015 by Councillor Briefing/SDS
- 15 December 2015 by Council Meeting

The tender evaluation process has been completed and it is the recommendation of the Tender Evaluation Panel that the Panel of Suppliers as recommended is awarded the contract.

#### **Attachments**

1. Attachment One - FY13/14 Vendor Spend Page 102

## 7. COMMUNITY DIRECTORATE

### 7.1 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - January 2014 to June 2015

#### **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: Cultural Development Officer**

**Proof reader(s): Team leader Community Strengthening,  
Manager Neighbourhoods**

**Approved by: Director Community**

#### **Executive Summary**

The Greater Shepparton Cultural Diversity and Inclusion Strategy and associated Action Plan 2012-2015, was adopted by Council at its Ordinary Council Meeting on 20 March 2012. Implementation of the Strategy and Action Plan is now complete and a review has been undertaken of the activities and actions carried out. Council Officers, in partnership with local service providers and community members, have been working together towards creating a more inclusive society by implementing the actions from this strategy.

Officers will continue to collaborate moving forward to build on and deliver the Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018 that was adopted by Council at the September Council meeting.

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

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

That the Council note the achievements of the Greater Shepparton City Council Cultural Diversity and Inclusion Strategy and Action Plan - January 2014 to June 2015.

**CARRIED.**

#### **Background**

Greater Shepparton is a richly diverse region with the 2011 Australian Bureau of Statistics Census revealing that 13.1% of the population identifies as being born in a country other than Australia. An increase of 37.1% in the number of people identifying as coming from a non-English speaking background was identified in the period from 2006 to 2011. 9.9% of the population in Greater Shepparton identified as coming from a non-English speaking background compared with Regional Victoria's statistic of 5.5%.

Greater Shepparton's three largest non-English speaking populations come from India, Afghanistan and Iraq. Overall the Greater Shepparton now comprises of over 30 nationalities who speak more than 50 languages.

## 7. COMMUNITY DIRECTORATE

### 7.1 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - January 2014 to June 2015 (continued)

Following extensive community and stakeholder consultation undertaken throughout 2011, Council's first Cultural Diversity and Inclusion Strategy and associated action plan was adopted by Council at its Ordinary Council Meeting in March 2012. The development of the strategy was designed to build on the existing positive achievements and relationships of Greater Shepparton City Council with the Culturally and Linguistically Diverse (CALD) community. The strategy guided Council's commitment to support and celebrate cultural diversity through best practice.

Local organisations and service providers that Council liaises, consults and partners with include The Ethnic Council Shepparton & District, Shepparton Interfaith Network, Primary Care Connect, Kildonan Uniting Care, Relationships Australia, Familycare, Shepparton English Language Centre, Gotafe, Victoria Police, Goulburn Valley Regional Library, The Bridge, Word and Mouth, Rumbalara Co Op, Greater Shepparton Women's Charter Alliance Advisory Committee, amongst others.

This review compiles the outcomes from the second half of the 2012-2015 Cultural Diversity and Inclusion Strategy and Action Plan. A previous review was completed and presented to Council on the 17 June 2014. A new strategy and action plan has since been developed and was adopted by Council on the 15 September 2015.

#### **Highlights of the reporting period January 2014 to June 2015 include:**

##### **Key Strategic Direction 1 – Engagement: Communicate and Educate**

- Council launched MILS in November 2014, an interactive multilingual communication package with pre-recorded Council information and the ability to connect with Council Officers and an interpreter in up to 140 languages
- The Greater Shepparton City Council partnered with the Reconciliation Group and the Ethnic Council Shepparton & District in June 2014 to host a Respecting Difference Forum. The forum discussed experiences of discrimination, provided factual information to address these concerns and informed the community of the proposed changes to the *Racial Discrimination Act*.

##### **Key Strategic Direction 2 – Partnership**

- Council has participated in the development and review of the 'My Health in Shepparton' handbook co-ordinated by Goulburn Valley Health. This guide helps new residents and refugees to navigate their way through our local health services and includes an explanation of what to expect at each service. The handbook has been printed and distributed in Arabic, Dari, English and Swahili in 2014.
- Victoria Police have now appointed a full time Multicultural Liaison Officer (MLO). The MLO is regularly involved in multicultural events throughout the Greater Shepparton, organises inclusive sporting activities, attends meetings and speaks at information sessions.

##### **Key Strategic Direction 3 – Leadership**

- Greater Shepparton City Council's Community Leadership Program (CLP) commenced in 2014 and runs from May to November. The program is aimed to develop active and engaged community members to increase their leadership potential and influence within the community from a grass roots level. This program was promoted to multicultural communities through the Cultural Developments Officer's networks and has received a number of multicultural participants.

## 7. COMMUNITY DIRECTORATE

### 7.1 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - January 2014 to June 2015 (continued)

- Council's Grants Officer and Cultural Development Officer have been working with a number of multicultural communities to understand the process of applying for Council's grants. This work has seen a rise in the number of grants going to local multicultural organisations.

#### **Key Strategic Direction 4 – Celebration**

- Council supported, promoted, organised and/or attended cultural festivals held throughout the year. Some of the celebration included Harmony Day, Cultural Diversity Week, Refugee Week, Emerge Festival, Citizenship Ceremonies, Wesak, Multicultural Soccer Match, #illridewithyou - Candlelight Vigil, Emerge and St George's Rd Festival.
- Council had established a substantial imagery library that is representative of Greater Shepparton's community from workshop, forums and events. The collection is available for all of Council to use with the correct permissions

#### **Key Strategic Direction 5 – Advocate**

- Greater Shepparton City Council provided evidence-based training for reducing race-based discrimination to volunteer and volunteer managers and a second session for local organisations.
- Memorandum's of Understanding (MOU) were signed in June 2015 by the local Neighbourhood Houses for the next three years. The MOU outlined the requirements for funding and included a focus on providing opportunities that promote an active, accessible, and inclusive community that provides social, economic, educational, sporting, recreational and cultural opportunities for families and individuals to ensure they feel connected, safe and supported within the community.

#### **Key Strategic Direction 6 – Services**

- One of the projects from the Greater Shepparton City Council's Community Leadership program was the 'People of the Goulburn Valley' mural that is now hung in Council's Welsford Street foyer. The project was to show an example of how a multicultural society can live and work together in harmony and the benefits to our region. The group did this by taking photos of people from of an array of cultures within the Greater Shepparton region which was then printed as a mural.
- Council launched its Multifaith Prayer and Contemplation Room at Welsford St Officers in March 2014. This is a room that has been set aside for religious, spiritual and reflective thought for Council employees, consultants and visitors. A CEO Directive was adopted and People Performance manages the room through the online booking system.

## 7. COMMUNITY DIRECTORATE

### 7.1 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - January 2014 to June 2015 (continued)

#### **Council Plan/Key Strategic Activity Goal 1: Active and Engaged Communities (Social)**

Objective	Aim	Strategies
5. Embrace and Strengthen cultural harmony and diversity.	That council respects and acknowledges the diversity of the Greater Shepparton community and encourages opportunities for all cultures to share and celebrate their values in the community.	<ul style="list-style-type: none"> <li>Continue to engage and partner with our aboriginal community to support improved opportunities and outcomes in employment and health.</li> <li>Ensure council's activities and events support and enhance cultural harmony and inclusiveness.</li> <li>Continue to monitor, review annually and implement the Greater Shepparton City Council Cultural Diversity and inclusion Strategy.</li> <li>Recognise and take advantage of opportunities to celebrate our diversity.</li> </ul>

#### **Risk Management**

There were no high or extreme risks identified with this report.

#### **Policy Considerations**

This report supports existing Council policies including but not limited to Council's Language Services CEO Directive.

#### **Financial Implications**

The implementation of actions from the Cultural Diversity and Inclusion's Action Plan for 2013/2014 and 2014/2015 were covered by Council's Cultural Development budget allocated through the annual budgeting process.

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

There has been no legal/statutory implication in the past eighteen months.

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

There has been no environmental/sustainability impacts in the past eighteen months.

#### **Social Implications**

Greater Shepparton has been the destination for migrants and refugees and patterns of immigrations are likely to continue as new emerging communities seek settlement in Australia. The completion of this inaugural strategy and adoption of the new strategy highlights Council's continued commitment to support and celebrate cultural diversity through best practice to achieve a cohesive and inclusive society.

#### **Economic Impacts**

No economic impacts have been assessed in the compilation of this report.

## 7. COMMUNITY DIRECTORATE

### 7.1 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - January 2014 to June 2015 (continued)

#### Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Public and local organisations were informed by various techniques regarding the development of the strategy's consultation and an invitation for feedback.	Public notice in the Shepparton News, media release, community radio and direct mail.
Consult	Council consulted broadly in the implementation of the strategy's action plan with many emerging and established cultural communities as well as sector organisations.	Individual public forums for different cultures with interpreters, Council's website, invitation for feedback and translation of draft strategy for comment.
Involve	Partnerships with local sector organisations have played a crucial role in the delivery of a number of the actions outlined in the key strategic directions.	Committees, meetings, networking.
Collaborate	Council has collaborated with both community members and local sector organisations to complete a number of actions within the plan.	Community meetings, committees. Involving communities within or through the completion of the Action Plan, advocate to combat prejudice and race-based discrimination and continue to address the specific needs of CALD communities.

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

#### Strategic Links

a) Greater Shepparton 2030 Strategy

Direction 2 – Community Life

b) Other strategic links

Greater Shepparton City Council – Community Development Framework

## 7. COMMUNITY DIRECTORATE

### 7.1 Review of the Cultural Diversity and Inclusion Strategy's Action Plan - January 2014 to June 2015 (continued)

#### **Conclusion**

Over the past eighteen months, Officers in partnership with local service providers have been working towards creating a more inclusive society by implementing the actions from the Cultural Diversity and Inclusion Strategy. Many positive outcomes have been achieved and ongoing work continues to drive the recently adopted Cultural Diversity and Inclusion Strategy and action Plan 2015-2018 forward. Officers will continue to collaborate with service providers and the community to deliver high quality outcomes through the new Cultural Diversity and Inclusion Strategy and Action Plan 2015-2018.

#### **Attachments**

1. Cultural Diversity and Inclusion Strategy and Action Plan Page 104
2. Cultural Diversity - Key Strategic Directions Page 130

## 7. COMMUNITY DIRECTORATE

### 7.2 S.86 Committees of Management - Membership 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: Committees and Cemeteries Operations Officer**

**Proof reader(s): Team Leader Community Strengthening and Manager Neighbourhoods**

**Approved by: Director Community**

#### **Executive Summary**

In accordance with Greater Shepparton City Council CEO Directive 07.CEOD2, Section 86 Committees of Management (Special Committees), Section Four – Committee members can only be appointed by a formal resolution of Council.

As the term of office for current members of the Bunbartha Recreation Reserve and Community Centre Committee of Management expires on 21 March 2016, it is necessary a new Committee be appointed to manage the facilities. This report recommends the appointment of five members to the Bunbartha Recreation Reserve and Community Centre Committee of Management for a two year term commencing 22 March 2016.

In addition this report recommends the appointment of one additional member to the following Kialla West Recreation Reserve Committee of Management and the Harston Hall Committee of Management joining the current term of appointment:

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

That the Council:

1. having considered the nominations received for appointment to the Bunbartha Recreation Reserve and Community Centre Committee of Management, appoint the following members for a term of two years, commencing 22 March 2016:
  - Barry HINCHCLIFFE
  - Douglas LEES
  - Toni MACKIN
  - John PETTIGREW
  - Barry RUTHERFORD
2. having considered the nomination received for appointment to the Kialla West Recreation Reserve Committee of Management, appoint Daryl O'KEEFE for the remaining term of the current committee concluding on 16 September 2017
3. having considered the nomination received for appointment to the Harston Hall Committee of Management, appoint Dennis WATTS for the remaining term of the current committee concluding on 18 February 2017



## 7. COMMUNITY DIRECTORATE

### 7.2 S.86 Committees of Management - Membership Report (continued)

4. resolve that all members (who are not Councillors or nominated Officers) of the Bunbartha Recreation Reserve and Community Centre Committee of Management, Kialla West Recreation Reserve Committee of Management and Harston Hall Committee of Management continue to be exempt from the requirement to complete Interest Returns in exercise of power granted to Council under section 81(2A) of the *Local Government Act 1989*.

**CARRIED.**

#### **Background**

##### Bunbartha Recreation Reserve and Community Centre Committee of Management

At the Ordinary Council Meeting held on 18 March 2014, six applicants were appointed to the Bunbartha Recreation Reserve and Community Centre Committee of Management for a term of two years. As the term of appointment expires on 21 March 2016, it is necessary that a new committee be appointed to manage the facility.

Five applications have been received from community members interested in being appointed to the new committee.

It is recommended that all five applicants be appointed to the Bunbartha Recreation Reserve and Community Centre Committee of Management for a two year term, commencing on 22 March 2016.

##### Kialla West Recreation Reserve Committee of Management

At the Ordinary Council Meeting held on 15 September 2015, six applicants were appointed to the Kialla West Recreation Reserve Committee of Management for a term of two years commencing 16 October 2015. It is now recommended a further member be appointed to the Committee bringing the total number of committee members to seven.

##### Harston Hall Committee of Management

At the Ordinary Council Meeting held on 17 February 2015, eight applicants were appointed to the Harston Hall Committee of Management for a term of two years commencing the same day. With the resignation of one member, whose membership was rescinded on 21 April 2015, followed by the appointment of two members on 15 December 2015, the total number of members was brought to nine. It is now recommended a further member be appointed to the Committee bringing the total number of committee members to ten.

##### Interest Return Exemption

It is recommended that all newly appointed members of Section 86 Committees be exempt from the requirement of completing Interest Return in accordance with Section 81(2A) of the *Local Government Act 1989*.

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

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

- Goal 1 – Active & Engaged Community (Social)
- Goal 4 – Quality Infrastructure (Built)
- Goal 5 – High Performance Organisation (Leadership and Governance)

## 7. COMMUNITY DIRECTORATE

### 7.2 S.86 Committees of Management - Membership Report (continued)

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Governance risk associated with the delegation of Council powers to a committee	Possible	Major	High	The appointment of members by formal resolution of the Council reduces governance risks by ensuring that all members of a committee are covered by Council's public liability insurance.

#### **Policy Considerations**

There are no conflicts with existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal.

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

All of Council's Committees of Management have been established under Section 86 of the *Local Government Act 1989* and have been issued with an Instrument of Delegation and Guidelines outlining their responsibilities.

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

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

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

#### **Social Implications**

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

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

A public notice was placed in the Shepparton News on Friday the 22 January 2016 calling for applications from community members to join the Bunbartha Recreation Reserve and Community Centre Committee of Management. Letters were also sent to the outgoing members of the committees inviting them to apply for a further term.

Where applications for new members have been received to join the current term of appointment for the Kialla West Recreation Reserve Committee of Management and Harston Hall Committee of Management the chairpersons for these Committees have been notified.

## 7. COMMUNITY DIRECTORATE

### 7.2 S.86 Committees of Management - Membership Report (continued)

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

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

#### Strategic Links

##### a) Greater Shepparton 2030 Strategy

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

##### b) Other strategic links

No other strategic links have been identified.

#### Conclusion

It is recommended that all of the abovementioned applicants be appointed to their respective Committees of Management for the term specified.

#### Attachments

Nil

## 7. COMMUNITY DIRECTORATE

### 7.3 Draft Small Town Youth Recreation Spaces 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: Community Development Coordinator**

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

**Approved by: Director Community**

#### **Executive Summary**

The provision of youth recreation facilities has been increasingly identified as a priority within many of our small town Community Plans. Council is committed to working in partnership with community members to implement the Community Planning program. To respond to the identified priorities of youth recreation, a collective approach has been undertaken to address youth recreation needs in small towns going forward. The development of the draft *Small Town Youth Recreation Spaces Strategy* provides a strategic approach to youth recreation spaces across Greater Shepparton.

To inform the development of the draft strategy, extensive consultation has occurred with young people from small towns, with a variety of engagement methods utilised to seek feedback directly from young people. The engagement process has included discussions with the Ramp it Up Committee and a number of internal stakeholders. Local demographics, forecast statistics and emerging youth recreation trends data have also contributed to the development of this strategy.

The draft *Small Town Youth Recreation Spaces Strategy* recommends the use and implementation of bus SPOTs for the small towns. These spaces follow four key principles including social (areas to hang out, sheltered, safe), playful (to play and participate), open (visible, safe, accessible) and township (central, close to shops, relevant).

The SPOT approach is based upon activity and function. Primarily they are focused on a social area. But there are four modules in total – social, play, active and skate. A SPOT scale of small, medium and large has been identified and applied to each small town. The recommendation for the implementation of the SPOTs is based on a staged approach with funding being sought through a range of community, government and philanthropic sources.

The draft *Small Town Youth Recreation Spaces Strategy* is being presented for community feedback and consultation before the strategy is finalised and presented to Council for adoption.

## 7. COMMUNITY DIRECTORATE

### 7.3 Draft Small Town Youth Recreation Spaces Strategy (continued)

**Moved by Cr Summer**  
**Seconded by Cr Houlihan**

That Council place the draft Small Town Youth Recreation Spaces Strategy on public consultation for the period of six weeks commencing, 16 March 2016 and concluding on 27 April 2016 and invite submissions from the community and key stakeholders.

**CARRIED.**

#### **Background**

The provision of youth recreation facilities is increasingly being identified as a priority in many of our small town Community Plans. The development of a Youth Recreation Spaces strategy provides a strategic framework for identifying need and determining the type of opportunity that best services youth recreation needs in each of the small towns within Greater Shepparton. An overriding focus of the strategy was to ensure that the outcomes of this project provided an accessible, inclusive and relevant space for young people in small towns, in line with current world's best practice and also be realistic for expectations / outcomes.

Playce were appointed to work with Council Officers and community stakeholders on the development of the Youth Recreation Spaces Strategy. Playce have extensive experience in play, recreation and designing youth inclusive places.

One of the key stakeholders for the development of the Youth Recreation Spaces Strategy is the Ramp it Up Committee. This Committee was established in 2014 by Council in partnership with representatives of small towns where youth recreation spaces have been identified as a priority within their Community Plans. Since their formation, this Committee have worked collectively on planning (surveys with young people, audits of current spaces) and commenced fundraising for youth recreation facilities. This Committee have supported the consultation process with their respective small towns and provided input into the development of the draft plan.

Between November 2015 and January 2016, Playce and Council Officers undertook community consultation with young people from small towns. Over 201 young people from small towns provided input and 336 from the municipality in total. These young people were aged between 5 and 17 years old with 48% male and 52% female. The consultation methods included:

- Local Secondary School sessions (six sessions)
- Engagement with class groups from five secondary colleges and a specialised education setting within Greater Shepparton.
- School Bus Consultations (six bus trips)
- Playce and Council Officers travelled with young people on the school bus between school and their town. This was an effective way to seek input from young people on youth recreation opportunities.
- Pool Party events (two pool parties)
- Officers met with young people at the rural pools during Pool Party events.
- Ramp it Up (three meetings)
- Ramp it Up have been consulted on several occasions throughout the development of the Youth Recreation Spaces strategy.

## 7. COMMUNITY DIRECTORATE

### **7.3 Draft Small Town Youth Recreation Spaces Strategy (continued)**

The consultation was targeted to students from small towns attending local secondary colleges and was inclusive with young people from a range of ages, gender and backgrounds. The detailed design phase will further explore diversity of young people in small towns with feedback incorporated into the overall design.

From the initial feedback the top five suggestions for youth recreation spaces were a place to hang out, playful elements, ball courts, social seating, fitness and climbing.

An internal Working Group was established to assist the formation of the strategy with representatives from Active Living, Recreation and Parks, Youth and Children's, Strategic Planning and Neighbourhoods contributing to the development of the strategy. Further consultation will continue with internal departments throughout the draft consultation period to further inform the implementation of the strategy.

The draft *Small Town Youth Recreation Spaces Strategy* recommends the use and implementation of bus SPOTs for the small towns that are highly visible, accessible and close to shops and food as applicable. The bus SPOTs is an acronym made up of four key principles that are critical for these spaces:

- Social (areas to hang out, sheltered – built or natural, safe)
- Playful (to play / participate in recreation, art, music)
- Open (visible, safe and accessible)
- Township (central, close to shops, relevant)
- Space

The SPOT approach is based upon activity and function with a primary focus on the provision of a social area. The four options for modules include:

- Social (social seating area with various seating configurations, shelter – built or natural, place to study. Possible area for power and wifi. Panels could include space for youth art)
- Play (play area with active social elements which may include parkour bars, mounding, swings or trampolines)
- Active (hardstand area for ball sports and spill out space for events / classes)
- Skate (Linear skate area with obstacles, ledges, rails, kickers).

Each module combines together to suit what each small town wants based on the community engagement process. The strategy provides some visualisations, but detailed design will occur once funding has been obtained.

A SPOT scale of small, medium and large has been identified and applied to each small town based on location, forecast population, engagement with communities and working group discussions.

The recommendation for the implementation of the SPOTs is based on a staged approach with funding being sought through a range of community, government and philanthropic sources.

The draft *Small Town Youth Recreation Spaces Strategy* is being presented for community feedback and consultation before the strategy is finalised and presented to Council for adoption.

## 7. COMMUNITY DIRECTORATE

### 7.3 Draft Small Town Youth Recreation Spaces Strategy (continued)

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

The draft *Small Town Youth Recreation Spaces Strategy* is intrinsically linked to the Council Plan 2013 – 2017, in particular the following objectives.

Goal 1 – Active and Engaged Communities (Social)

Continue to enhance community capacity building.

#### **Risk Management**

Consideration has been given to risk management issues during the development of draft *Small Town Youth Recreation Spaces Strategy*. Any risks identified have been addressed through the action planning process.

#### **Policy Considerations**

The draft *Small Town Youth Recreation Spaces Strategy* will support existing Council policies.

#### **Financial Implications**

Indicative costing's prepared for the *Small Town Youth Recreation Spaces Strategy* indicate that each 'stage' will be \$25,000. The strategy is set within the Council context of existing financial constraints. The implementation recommends a staged approach with a variety of funding options being explored including government funding, philanthropic trusts and community fundraising. A funding submission has been made to Council's capital budget over the next four years; 16/17 - \$50,000, 17/18 - \$100,000, 18/19 - \$50,000 and 19/20 - \$100,000. Costs of implementing the strategy will be reviewed as part of the annual budgetary processes.

	2015/2016 Approved Budget	This Proposal  \$	Comments
Revenue	0	0	Funding options will be considered – community fundraising, government bodies, philanthropic trusts
Expense	\$23,900	16/17 - \$50,000 17/18 - \$100,000 18/19 - \$50,000 19/20 - \$100,000 (Submission to Council's budget process)	A funding submission has been submitted for Council's annual budget process

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

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

The strategy is consistent with the *Local Government Act 1989* and the *Victorian Charter of Human Rights and Responsibilities Act (2006)*.

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

There are no environmental impact related to this strategy.

## 7. COMMUNITY DIRECTORATE

### 7.3 Draft Small Town Youth Recreation Spaces Strategy (continued)

#### **Social Implications**

The *Small Town Youth Recreation Spaces Strategy* has been developed in consultation with young people across small towns in Greater Shepparton. The strategy demonstrates many social and recreational benefits for young people and the broader community.

#### **Economic Impacts**

The *Small Town Youth Recreation Spaces Strategy* will encourage economic development in small towns.

#### **Consultation**

The draft *Small Town Youth Recreation Spaces Strategy* has been developed through extensive consultation with young people from small towns and the Ramp it Up Committee.

A number of mechanisms were used to engage and consult with young people. These included:

- Secondary school groups
- School bus consultations
- Pool party.

Ongoing discussions Ramp it Up Committee have continued throughout the development of the strategy.

An internal Working Group was established to assist the formation of the strategy. Representatives from Active Living, Recreation and Parks, Youth and Children's, Strategic Planning and Neighbourhoods have contributed to the development of the strategy.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keeping the community informed	Flyers
Consult	Capture community input	School workshop School bus consultation Pool party consultation
Involve	Feedback in an important input into decision making	Draft strategy placed on public exhibition to ensure feedback is gathering.
Collaborate	Feedback will be incorporated into decisions to the maximum level possible	Ongoing meetings with Ramp it Up Committee

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



## 7. COMMUNITY DIRECTORATE

### **7.3 Draft Small Town Youth Recreation Spaces Strategy (continued)**

#### **Strategic Links**

a) Greater Shepparton 2030 Strategy

Direction 2 – Community Life

b) Other strategic links

Greater Shepparton City Council – Community Development Framework

Greater Shepparton City Council – Community Engagement Strategy

Community Plans

#### **Conclusion**

The draft *Small Town Youth Recreation Spaces Strategy* has been developed in response to youth recreation facilities increasingly being identified as a priority within small town Community Plans. This strategy has been developed with significant input from young people from small towns, the Ramp it Up Committee and internal departments. The detailed design phase will further explore diversity of young people in small towns with feedback incorporated into the overall design. This document provides a strategic direction for the implementation of youth recreation spaces in our municipality. Upon release of the draft strategy, residents from small towns will be invited to provide further comment and feedback on the draft to ensure that it is reflective of the needs of the community.

#### **Attachments**

Draft Youth Recreation Spaces Strategy Page 144

## 8. CORPORATE SERVICES DIRECTORATE

### 8.1 Contracts Awarded Under Delegation and Contracts Yet to be Awarded - February 2016

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

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

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

**Author: Contracts and Procurement Analyst**

**Proof reader(s): Manager Corporate Governance**

**Approved by: Manager Corporate Governance**

#### **Executive Summary**

To inform the Council of the status of requests for tenders that have not yet been awarded.

**Moved by Cr Oroszvary**  
**Seconded by Cr Ryan**

That the Council notes tenders that have been advertised but not yet awarded.

**CARRIED.**

#### **Tendered Contracts Awarded under Delegated Authority by Chief Executive Officer**

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
1626	Party and Events Equipment Hire Services	Schedule of rate contract for the provision of Event and Party Equipment Hire, including temporary fencing and crowd control barriers	Tender closed 9 December 2015. Tenders are currently being evaluated. This will be signed under delegation.
1622	Construction of Small Pavilion	Lump sum contract Construction of small pavilion at the Greater Shepparton Regional Sports Precinct	Tender closed 9 March 2016. Tenders currently being evaluated

## 8. CORPORATE SERVICES DIRECTORATE

### 8.1 Contracts Awarded Under Delegation and Contracts Yet to be Awarded - February 2016 (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1669	Shepparton Senior Citizens Centre – External Toilet	Lump sum contract for the provision of minor works associated with the construction of an external single cell toilet at Welsford St, Shepparton	Tender closed 2 March 2016. Tenders are currently being evaluated.
1631	Construction of Cell 3 Capping	Lump sum contract for the Construction of Cell 3 Capping & Stormwater Management Infrastructure, Cosgrove 2 Landfill	Tender closed 24 February 2016. Tender is currently being evaluated.
1632	Victoria Lake Holiday Park Fire Services	Lump sum contract for the construction of a new upgraded fire services system	Tender closed 24 February 2016. Tender is currently being evaluated.
1666	Provision of Pavement Management Services	Lump sum contract for Pavement Management Services for the period of 5 years	Tenders closed 17 February 2016. Tenders currently being evaluated
1431	Provision of Landfill Waste, Recyclables & Organics Transfer Services	Lump sum contract for the provision of waste, recyclables & Organics Transfer services	Tender closed 10 February 2016. Evaluation being completed.
1648	Provision of Ticketing System for Riverlinks venue	Lump sum contract for the provision of a new computerised ticketing system	Tender closes 6 April 2016
1649	Pine Lodge cemetery expansion	Lump sum Contract for the construction to the internal access road and associated earthworks	Tender closes 23rd March 2016
1673	Tatura Senior Citizen Centre extension	Lump sum contract for extension works at the Tatura Senior Citizen Centre	Tender closes 23rd March 2016

#### **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 \$400,000 excluding GST.

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

## 8. CORPORATE SERVICES DIRECTORATE

### **8.1 Contracts Awarded Under Delegation and Contracts Yet to be Awarded - February 2016 (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 of the status of requests for tenders that have not yet been awarded during the period 1 February 2016 to 29 February 2016.

#### **Attachments**

Nil

## 8. CORPORATE SERVICES DIRECTORATE

### **8.2 Instrument of Delegation - Members of Staff and Development Hearings Panel**

**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 Governance**

**Proof reader(s): Manager Corporate Governance**

**Approved by: Director Corporate Services**

#### **Executive Summary**

The power of a Council to act by resolution is set out in section 3(5) of the Act:

*“Where a Council is empowered to do any act, matter or thing, the decision to do the act, matter or thing is to be made by a resolution of the Council.”*

As the Council is not a “natural” person, it can act in only two ways, which is by resolution or through others acting on its behalf. For others to act on the Councils behalf, the relevant Council powers must be delegated by the Council.

The Council has delegated the majority of its delegable powers to the Chief Executive Officer (CEO), who is permitted under the act to further sub-delegate these powers to other members of Councils staff. The powers conferred on the Council under some legislative instruments cannot be delegated through the CEO, and must be delegated by resolution of Council directly to Council officers.

The Instrument of Delegation to Members of Staff and Development Hearings Panel was last adopted by Council on 17 February 2015 and has since been reviewed and updated to reflect changes to legislation, position titles and reporting lines within the organisation. These changes are essential to ensuring officers are authorised with the appropriate powers, duties and functions to perform their roles effectively.

This report was presented to the 16 February 2016 Ordinary Council Meeting where the motion was defeated due to concerns in relation to the Development Hearings Panel (DHP). As a result, Council has continued to operate under the previous Instrument of Delegation (adopted 17 February 2015).

Essentially, this means that only the CEO has had delegation on any new clauses introduced to legislation under this instrument since that time. As the delegations are assigned to positions and not individuals, it also means that any staff who have undergone a position title change will not have delegations until the amended instrument has been adopted.

As a follow on to this report, Council Officers will review the makeup of Panel Members on the Development Hearings Panel (DHP) in order to aid in its transparency. A report will be prepared for Council that investigates the inclusion of independently qualified panel members on the DHP.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.2 Instrument of Delegation - Members of Staff and Development Hearings Panel (continued)

**Moved by Cr Houlihan**  
**Seconded by Cr Patterson**

That in the exercise of powers conferred by section 98(1) of the *Local Government Act 1989* and other legislation referred to in the revised *Instrument of Delegation - Members of Staff and Development Hearings Panel*, the Council resolves that:

1. the Council delegates to the members of staff holding, acting in or performing the duties of the offices or positions referred to in the *Instrument of Delegation - Members of Staff and Development Hearings Panel*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument
2. the Instrument comes into force immediately upon the common seal of Council being affixed to the instrument
3. it authorises the Chief Executive Officer to sign and seal *the Instrument of Delegation – Members of Staff and Development Hearings Panel* document
4. on the coming into force of the instrument, the *Instrument of Delegation to Members of Council Staff and Development Hearings Panel* adopted by the Council on 17 February 2015 be revoked.
5. the duties and functions set in the Instrument must be performed, and powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

**CARRIED.**

#### **Background**

The power of a Council to act by resolution is set out in section 3(5) of the Act:

*“Where a Council is empowered to do any act, matter or thing, the decision to do the act, matter or thing is to be made by a resolution of the Council.”*

The Council is not in a position to exercise all the powers conferred upon it by resolution and requires others to act on its behalf. This is made possible under section 98(1) of the Act which provides that a Council may, by Instrument of Delegation, delegate to a member of its staff any power, duty or function of a Council under the *Local Government Act 1989* or any other Act, other than certain specified powers.

The Council has delegated the majority of its delegable powers to the CEO. Section 98(2) of the Act provides that the CEO may, by Instrument of Delegation, delegate to a member of the Council staff any power, duty or function of his or her office, except the power of delegation itself. This is the avenue by which most Council officers are delegated the power to make decisions.

The powers conferred on the Council under some legislative instruments cannot be delegated through the CEO, and must be delegated by resolution directly to Council officers. The Acts and Regulations referred to in the attached *Instrument of Delegation - Members of Staff and Development Hearings Panel* are among those which require direct delegation.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.2 Instrument of Delegation - Members of Staff and Development Hearings Panel (continued)**

This Instrument has been reviewed as required by section 98(6) of the Act and a number of changes proposed. These changes are necessary to reflect changes in the delegated powers and duties under these Acts and Regulations since the last delegation was adopted.

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

The issuance of the Instrument of Delegation to Members of Council Staff supports Objective 5. 3 under High Performing Organisation (Leadership and Governance) “ensure strong internal systems and processes to ensure best practice delivery of service for the community”.

#### **Risk Management**

The review of Instruments of Delegation ensures that they remain valid, legal and that generally routine decisions are able to be made without the need for a Council meeting.

The Council subscribes to the Delegations and Authorisations Service provided by Maddocks Lawyers and the proposed changes have been recommended by this service. Subscribing to the Maddocks service reduces the risk that legislative changes which have implications for the Council’s delegations and authorisations are not properly identified and implemented.

#### **Policy Considerations**

The proposed Instrument must be exercised in accordance with the Council’s Exercise of Delegations policy.

#### **Financial Implications**

There are no direct financial implications arising from the *Instrument of Delegation to Members of Staff and Development Hearings Panel*. Financial delegations have been made by the CEO and are consistent with the Council’s Exercise of Delegations Policy.

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

The Instrument of Delegation to members of Council Staff and Development Hearings Panel ensures that decisions made by Council officers are legally compliant and enforceable.

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

There are no environmental/sustainability impacts on the coming into force of the *Instrument of Delegation – Members of Staff and Development Hearings Panel*.

#### **Social Implications**

There are no social implications with the coming into force of the *Instrument of Delegation – Members of Staff and Development Hearings Panel*.

#### **Economic Impacts**

There are no economic impacts with the coming into force of the *Instrument of Delegations – Members of Staff and Development Hearings Panel*.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.2 Instrument of Delegation - Members of Staff and Development Hearings Panel (continued)**

#### **Consultation**

The review of the Delegation was undertaken by Governance and consultation was conducted with each Director and Manager that has been given delegated powers within the document. This was to ensure all Managers agreed and understood their powers and responsibilities under the Instrument of Delegation.

All consultation was in conjunction with the advice provided by Maddocks Lawyers with the release of the new version of the *Instrument of Delegations - Members of staff* document.

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

There are no direct links to the Greater Shepparton 2030 Strategy

##### b) Other strategic links

There are no other strategic links

#### **Conclusion**

It is important that all of Council's Instruments of Delegation remain up to date with the latest versions of legislation and that the document reflects the current organisation structure. The amended Instrument of Delegation reflects such changes and it is therefore recommended that the updated document comes into force and the previous Instrument is revoked.

#### **Attachments**

S6 Instrument of Delegation - Members of Staff and Development Hearings  
Panel

Page 190



## 8. CORPORATE SERVICES DIRECTORATE

### 8.3 Freedom of Information 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: Team Leader Governance**

**Proof reader(s): Manager Corporate Governance**

**Approved by: Director Corporate Services**

#### **Executive Summary**

Council has previously processed all Freedom of Information (FOI) requests using the manual provided by FOI Solutions as a guideline, which has been developed in accordance with the *Freedom of Information Act 1982* (the Act).

This process has been communicated in detail through Councils website to members of the public. However officers feel that it would be of benefit to both the organisation and the public, if a Policy was developed to formalise this process.

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

**Seconded by Cr Oroszvary**

That the Council adopts the Freedom of Information Policy 37.POL9.

#### **Cr Hazelman moved an Amendment**

**Seconded by Cr Houlihan**

That the Council adopt the draft Freedom of Information Policy 37.POL9 and release for public consultation for a period of 30 days prior to formal adoption.

The motion was put and carried.

#### **Background**

The Greater Shepparton City Council recognises the value of transparency and accountability in its administrative and management practices, and supports the making of FOI requests as a means of achieving these objectives.

The Council will take all reasonable steps to ensure that valid FOI requests will be processed in a time efficient manner, and in accordance with all relevant legislation.

This policy will provide valuable information to applicants on the process and requirements of submitting a valid FOI request under 'the Act'. It will also cover access charges and considerations such as partial access and exempt documents which may be applicable to some applications.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.3 Freedom of Information Policy (continued)**

To ensure the Policy is consistent with current legislation and all subordinate acts, Maddocks Lawyers have been engaged to assist with the document development.

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

There are no direct links to the Council Plan / Key Strategic Activity.

#### **Risk Management**

This policy has been developed to mitigate any potential risks associated with non-compliance.

#### **Policy Considerations**

This Policy will be applied in conjunction with the Local Government Privacy Guide.

#### **Financial Implications**

No financial implications have been identified in relation to this report.

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

This policy has been developed with the assistance of Maddocks Lawyers to ensure it is consistent with all relevant legislation.

#### **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**

Consultation has been undertaken with Councils Executive Team and Councillors. This policy and the process contained within will be promoted to all staff and members of the public via Councils website once adopted.

#### **Strategic Links**

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

Nil.

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

Nil.

#### **Conclusion**

Officers believe that there is benefit to both the organisation and the public in adopting this Policy.

#### **Attachments**

Freedom of Information Policy 37.POL9 Page 295

## 8. CORPORATE SERVICES DIRECTORATE

### 8.4 Protected 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: Team Leader Governance**

**Proof reader(s): Manager Corporate Governance**

**Approved by: Director Corporate Services**

#### **Executive Summary**

The Protected Disclosure Act 2012 (Act), 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.

Council endorsed its current Protected Disclosure CEO Directive in August 2013, which outlines Councils procedures for facilitating the making of disclosures and the handling of disclosures, in accordance with the Act and the Independent Broad-Based Anti-Corruption Commission (IBAC) Guidelines.

After reviewing the current CEO Directive, officers felt that adopting a Council Policy on Protected Disclosure would further strengthen Councils commitment to transparency and accountability, and improve awareness of the Protected Disclosure processes within the community.

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

That the Council adopt the Protected Disclosure Policy 37.POL4.

**CARRIED.**

#### **Background**

The *Protected Disclosure Act 2012* aims to encourage and assist a person wishing to make an allegation of improper conduct against staff of Victorian government authorities including councils.

Any person can make a report or allegation about improper conduct by public officers and public bodies. The Greater Shepparton City Council is committed to the aims and objectives of the Act. It does not tolerate improper conduct by its employees, officers or members, nor the taking of reprisals against those who come forward to disclose such conduct.

The Council recognises the value of transparency and accountability in its administrative and management practices, and supports the making of disclosures that reveal corrupt conduct, conduct involving a substantial mismanagement of public resources, or conduct involving a substantial risk to public health and safety or the environment.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.4 Protected Disclosure Policy (continued)**

The Council will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure. It will also afford natural justice to the person who is the subject of the disclosure.

Any person can submit an allegation or complaint, and this Policy has been developed to clearly outline the process involved in the making of, and handling of Protected Disclosures, and what each party may expect, and be responsible to do throughout this process.

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

This Policy is consistent with Goal 5 – High Performing Organisation (Leadership and Governance), in particular, objective 5.3 – ‘Ensure strong internal systems and processes to ensure best practice delivery of services for 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 Protected Disclosures.

#### **Policy Considerations**

This Policy will replace Councils existing Protected Disclosure CEO Directive. Any disclosures deemed not to be a Protected 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 Protected 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, the IBAC Guidelines and Councils current Protected Disclosure CEO Directive. Consultation has been undertaken with Governance, Executive and Councillors.

Once adopted, the Policy will be distributed internally to staff, and uploaded to Councils website for members of the public to access.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.4 Protected Disclosure Policy (continued)**

#### **Strategic Links**

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

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

#### **Conclusion**

As Protected Disclosures can be made to Council from individuals external to the organisation, it has been determined that a Policy is a more appropriate format to communicate these processes.

The Protected Disclosure Policy has been drafted 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**

Protected Disclosure Policy 37.POL9 Page 303

## 8. CORPORATE SERVICES DIRECTORATE

### 8.5 Election Caretaker Provisions 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: Team Leader Governance**

**Proof reader(s): Manager Corporate Governance**

**Approved by: Director Corporate Services**

#### **Executive Summary**

In accordance with Section 93B of the *Local Government Act 1989* (the Act), Council must adopt an election policy by 31 March 2016 which includes the following:

- a) procedures intended to prevent the Council from making inappropriate decisions, or using resources inappropriately during the election period
- b) limits on public consultation and the scheduling of Council events
- c) procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.

Council had previously adopted an Election Caretaker Provisions Policy on 21 August 2012 prior to the last general election. This Policy has now been reviewed and updated to address new clauses introduced to the Act, to ensure we remain compliant with current legislation.

**Moved by Cr Hazelman**

**Seconded by Cr Ryan**

That the Council:

1. adopt the Election Caretaker Provisions Policy 37.POL4
2. resolve that public question time be excluded from the 18 October 2016 Ordinary Council Meeting, in accordance with the Election Caretaker Provisions Policy 37.POL4.

**CARRIED.**

#### **Background**

The election period commences at midnight on Tuesday 20 September 2016 and concludes at 6.00pm, Saturday 22 October (election day).

During this time, specific provisions of the Act must be adhered to, in order to ensure that Council actions do not in any way, influence the outcome of an election. These provisions include limitations to Council decision making, publications and events, community consultation and the use of Council resources.

This policy has been developed to clearly outline the roles and responsibilities of both staff and Councillors during the election period, to ensure these provisions are well understood and upheld.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.5 Election Caretaker Provisions Policy (continued)

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

This report is consistent with objective 5.3 of the Greater Shepparton Council Plan 2013-2017 – ‘High Performing Organisation (Leadership and Governance)’ – Ensure strong internal systems and processes to ensure best practice delivery of services for the community.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Councillors using Council resources for campaigning	Unlikely	Major	Moderate	Covered in s76D in the act with a 600 penalty unit
Having to deal with a major policy decision during the caretaker period	Unlikely	Moderate	Moderate	The Council can apply for a Ministerial Exemption
Releasing a publication or other information which has not been certified by the CEO	Unlikely	Major	Moderate	An internal procedure has been developed and training will be provided to all senior managers on the requirements of the Caretaker period.
CEO certifying a publication which contains electoral matter	Rare	Major	Moderate	All documents will be checked by the Director Corporate Performance before going to the CEO for certification.

#### **Policy Considerations**

The adoption of this Policy does not present any conflicts with existing Council Policy.

#### **Financial Implications**

The financial implications identified relate to the penalties set out in the Act. The Act contains offences for breaches of section 55D. A breach may be prosecuted in Court and, if a person is found guilty, he or she may be convicted and fined up to 60 penalty units. This includes:

- A CEO who intentionally or recklessly certifies a publication containing electoral matter.
- A Councillor or member of Council staff who intentionally or recklessly authorises, prints, published or distributes an uncertified publication containing electoral matter.

It should also be noted that section 76D of the Act, which imposes serious penalties (600 penalty units or imprisonment for 5 years) on a Councillor who misuses his or her position for private benefit, identified improper use of public resources as a misuse of position.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.5 Election Caretaker Provisions Policy (continued)**

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

The adoption of an Election Policy by 31 March 2016 is a requirement of the Act. By establishing these clear procedures in relation to Councils requirements during the election period, officers can minimise the risk of any breaches and therefore, liability on Council.

#### **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**

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

#### **Strategic Links**

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

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

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

No other strategic links have been identified

#### **Conclusion**

The Election Caretaker Provisions Policy has been drafted in accordance with current legislation. This document clearly defines the restrictions applied to Council during the election period, and the processes which both staff and Councillors must follow to ensure no breaches occur.

Given the statutory requirement to adopt an election policy by 31 March 2016, it is recommended that the Council endorse the Election Caretaker Provisions Policy, either in its current format, or with minor amendments.

#### **Attachments**

Election Caretaker Provisions Policy - 37.POL4 Page 316



## 8. CORPORATE SERVICES DIRECTORATE

### 8.6 Policy Revocation - Special Events and Promotions Signage

#### **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 Executive Assistant Corporate Services**

**Proof reader(s): Director Corporate Services**

**Approved by: Director Corporate Services**

#### **Executive Summary**

An organisational wide intensive review of Council's policies and CEO Directives aimed to identify any redundant policies and procedures.

It is being recommended that the Special Events and Promotions Signage Policy (58.POL2) Adopted 15 June 2010 be removed from use across the organisation as Council no longer allows Event Management to place temporary signage of this type around the municipality.

**Moved by Cr Oroszvary**

**Seconded by Cr Houlihan**

That Council revoke the Special Events and Promotions Signage Policy (58.POL2).

**CARRIED.**

#### **Background**

Council's Governance Department initiated an organisation wide review on all existing Council policies and procedures.

Throughout the review process there was a focus on identifying redundant policies and procedures that are no longer relevant. Many policies were repetitive and focussed on dealing with a problem rather than focussing on trying to prevent the problems in the first place.

This report provides a recommendation to revoke the following Council policy which is no long required. The reasons are provided below:

Policy Title	Reason for Revocation
Special Events and Promotions Signage Policy	Council no longer allows Event Management to place temporary signage of this type.

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

This proposal is consistent with the strategic objective High Performing Organisation (Leadership and Governance).

#### **Risk Management**

No risks have been identified with the revocation of this document.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.6 Policy Revocation - Special Events and Promotions Signage (continued)**

#### **Policy Considerations**

This review has been undertaken in accordance with the CEO Directive 'Management of Policies, CEO Directives and Guidelines' 16.CEOD1.

#### **Financial Implications**

There are no financial implications associated with this report.

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

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

#### **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 impacts associated with this report.

#### **Consultation**

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 with the Greater Shepparton 2030 Strategy

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

There are no strategic links that relate to revoked or amended policies.

#### **Conclusion**

At the beginning of the intensive review of Council Policies, Procedures and CEO Directives it was highlighted that we needed to reduce the number of policies within the organisation.

#### **Attachments**

Special Events and Promotions Signage Policy 58.POL2 Page 324

## 8. CORPORATE SERVICES DIRECTORATE

### 8.7 Minutes for Audit and Risk Management Committee Meetings

#### **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 Risk

**Proof reader(s):** Manager Corporate Governance

**Approved by:** Chief Executive Officer

#### **Executive Summary**

In compliance with Section 139 of the *Local Government Act 1989*, Council must establish and audit committee as an independent advisory committee and follow the guidelines developed by the Minister.

The purpose of this report is to present the minutes for five meetings of the Audit and Risk Management Committee meetings held in 2015. A summary report highlighting key discussion points at each meeting has been included.

**Moved by Cr Summer**

**Seconded by Cr Ryan**

That the Council note the report on the Audit and Risk Management Committee (ARMC) Meeting Minutes of:

- 22 January 2015
- 26 March 2015
- 23 July 2015
- 10 September 2015
- 8 October 2015

**CARRIED.**

#### **Background**

In accordance with the committee's charter,

- The committee meets at least quarterly;
- The meetings are formally structured with an agenda and discussion papers circulated before the meeting. Minutes are taken of all proceedings.
- Minutes of each committee meeting shall be presented to Councillors at a briefing to be given by one of the member Councillors and the Council may invite the Chairperson to attend the briefing.

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

This report is consistent with the governance principle of Strategic Objective 5 of the Council Plan 2013 – 2017 "High Performing Organisation (Leadership and Governance.)"

## 8. CORPORATE SERVICES DIRECTORATE

### **8.7 Minutes for Audit and Risk Management Committee Meetings (continued)**

#### **Risk Management**

The Audit and Risk Management Committee are to provide guidance to Council in external and internal audit, annual financial reporting, insurance and risk exposures, compliance and assessment and review, all of which are high risk components of Council's roles.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Councillors may be unaware of significant issues discussed at ARMC meetings, for example weaknesses in Council's approach to risk management.	Likely	Moderate	Moderate	Present ARMC committee minutes to Council periodically.

#### **Policy Considerations**

There are no conflicts with existing Council policy.

#### **Financial Implications**

Financial implications for the ongoing fees associated with the Audit and Risk Management Committee are included in approved budgets.

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

In compliance with section 139 of the *Local Government Act 1989*, Council must establish an audit committee as an independent advisory committee.

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

There are no known environmental/sustainability impacts associated with the details within this report.

#### **Social Implications**

Social implications associated with the Audit and Risk Management Committee have been addressed within the Charter.

#### **Economic Impacts**

There are no economic impacts associated with the details within this report.

#### **Consultation**

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

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

##### b) Other strategic links

No other strategic links have been identified.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.7 Minutes for Audit and Risk Management Committee Meetings (continued)

#### **Conclusion**

In accordance with Charter Requirements, the ARMC minutes of the 22 January 2015, 26 March 2015, 23 July 2015, 10 September 2015 and 8 October 2015 have been prepared and are presented to Council for noting.

#### **Attachments**

- |  |          |
|--|----------|
| 1. Summary Report of Audit and Risk Management Committee (ARMC) Meetings | Page 330 |
| 2. Minutes - ARMC Meeting 22 January 2015                                | Page 335 |
| 3. Minutes - ARMC Meeting - 26 March 2015 (PDF)                          | Page 344 |
| 4. Minutes - ARMC Meeting - 23 July 2015                                 | Page 362 |
| 5. Minutes - ARMC Special Meeting - 15 September 2015                    | Page 371 |
| 6. Minutes - ARMC Ordinary Meeting - 8 October 2015                      | Page 375 |

## 8. CORPORATE SERVICES DIRECTORATE

### 8.8 Surveillance 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: Team Leader Governance**

**Proof reader(s): Manager Corporate Governance**

**Approved by: Director Corporate Services**

#### **Executive Summary**

Council currently operates surveillance devices across many of its buildings for security and safety purposes. These devices have been installed to provide protection of assets, members of the public and employees and to assist law enforcement agencies with their investigations into vandalism and other crimes.

This Policy has been developed to formalise existing processes and to provide guidance on the following matters:

1. Process for staff requesting a new surveillance device or location
2. Authorisation process for staff to monitor / access surveillance footage
3. Application process for external requests to access footage
4. Storage and destruction of footage

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

That the Council adopt the Surveillance Policy 37.POL6.

**CARRIED.**

#### **Background**

This Policy has been developed to provide guidance on the installation, monitoring, storage and access to footage of any CCTV or video surveillance devices operating in Council owned and managed buildings.

Council currently has surveillance devices operating at 15 different locations.

On occasion, the Council receives requests for access to footage captured by these devices. These requests come from both law enforcement agencies and from members of the public.

Consideration must be made prior to the Chief Executive Officer (CEO) or relevant Director granting access to view or release any footage in Councils possession to ensure that doing so would not breach Privacy legislation or Council Policy.

It is anticipated that this Policy, along with its supporting attachments, will clarify the access and authorisation processes, providing improved guidance to both staff and members of the public on this important matter.

## 8. CORPORATE SERVICES DIRECTORATE

### 8.8 Surveillance Policy (continued)

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

There are no direct links with the Council Plan.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Unauthorised Access to Footage	Unlikely	Moderate	Moderate	Devices are stored in restricted areas. Records are also kept of authorised users.
Misuse of footage once released	Unlikely	Moderate	Moderate	CEO / Director approval required for the release of footage to approved agencies. CEO / Director may also choose to approve access to 'view' only.

#### **Policy Considerations**

The Surveillance Policy is consistent with all Council Policies. A supporting Procedure will also be developed providing additional information and guidance on the internal processes relating to surveillance footage.

#### **Financial Implications**

There are no financial implications associated with this report.

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

All footage captured by Council surveillance devices will be handled in accordance with the *Privacy and Data Protection Act 2014* and *Public Records Act 1973*.

#### **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**

Consultation was undertaken with all existing users of Council Surveillance devices.

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

No links identified.

##### b) Other strategic links

No links identified.

## 8. CORPORATE SERVICES DIRECTORATE

### **8.8 Surveillance Policy (continued)**

#### **Conclusion**

It is anticipated that continuing to operate surveillance devices in Council owned and managed buildings will ensure staff and public safety, protect assets from theft and vandalism, discourage unlawful activity and aid the investigation of incidents.

By adopting this Policy, Council can improve public awareness of Councils existing practices and formalise the authorisation process of access to, and the release of surveillance footage.

#### **Attachments**

Surveillance Policy 37.POL6 Page 382



## 8. CORPORATE SERVICES DIRECTORATE

### 8.9 February 2016 Monthly Financial Report

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

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

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

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

**Author:** Team Leader Corporate Accounting

**Proof reader(s):** Manager Finance and Rates

**Approved by:** Director Corporate Services

#### **Executive Summary**

The report presents Council's actual financial performance compared to the budget for the eight months ended 29 February 2016.

#### **Moved by Cr Houlihan**

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

That the Council receive and note the February 2016 Monthly Financial Report.

**CARRIED.**

#### **Background**

The 2015/2016 Budget was adopted at a Special Council Meeting on 23 June 2015. The 2015/2016 Budget provided for an accounting surplus of \$9.11 million with revenue of \$125.15 million and expenditure of \$116.04 million. The 2015/2016 Budget also provided for capital works of \$40.10 million.

On 17 November 2015, Council adopted the 2015/2016 September Quarter Budget Review with an accounting surplus of \$1.41 million which is \$7.71 million less than the 2015/2016 Adopted Budget largely due to the early receipt of half of the 2015/2016 Federal Financial Assistance Grants in 2014/2015. The capital works program remained at the Adopted Budget amount of \$40.1 million.

On 16 February 2016, Council adopted the 2015/2016 Mid Year Budget Review with revenue of \$122.92 million, expenditure of \$119.11 million and an accounting surplus of \$3.81 million. The forecast increase in accounting surplus of \$2.40 million was mainly due to \$1.3 million increase in grants for the Roads to Recovery program. The 2015/2016 Mid Year Budget Review also included \$44.15 million in capital works, a forecast increase of \$4.05 million mainly due to \$2.09 million of re-budgeted works, which were moved from 2014/2015 to 2015/2016.

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

## 8. CORPORATE SERVICES DIRECTORATE

### **8.9 February 2016 Monthly Financial Report (continued)**

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

- Financial Report
- Income Statement
- Balance Sheet
- Cash Flow Statement
- Operating Budget
- Capital Budget
- Investment Summary
- Rates Debtors Report
- Sundry Debtors Report
- Councillor Expense Report

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

The report is consistent with the leadership and governance goal "High Performing Organisation" as included in the *Council Plan 2013-2017*.

#### **Risk Management**

No risks have been identified in providing this financial report.

#### **Policy Considerations**

There are no conflicts with existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal.

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

Section 137 of the *Local Government Act 1989* provides that Council maintain a budgeting and reporting framework that is consistent with the principles of sound financial management. In addition Section 138 requires that at least every 3 months a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a Council meeting which is open to the public. This report satisfies that requirement.

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

No Environmental or Sustainability impacts have been identified.

#### **Social Implications**

No Social implications have been identified.

#### **Economic Impacts**

No Economic impacts have been identified.

#### **Consultation**

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

## 8. CORPORATE SERVICES DIRECTORATE

### **8.9 February 2016 Monthly Financial Report (continued)**

#### **Conclusion**

The report provides details of Council's financial performance compared to the budget for the seven months ended 29 February 2016.

#### **Attachments**

February 2016 - GSCC Council Reports (Monthly Financial Statements) Page 391

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (August 2015 to December 2015)

#### **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 and contractors have provided advice in relation to this report and have disclosed a conflict of interest regarding the matter under consideration:

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

**Author: Team Leader Statutory Planning**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The purpose of this report is to inform Council on the performance of the Statutory Planning Team as it relates to planning permit activity.

The report also provides an update on:

- VCAT activity
- Enforcement Activity

The report and attachments provide detailed information including:

- Planning permit processing times
- VCAT update
- Development Hearings Panel (DHP) update
- Planning Enforcement update

Positives from the above information include:

- An increase in planning permit applications lodged when compared to the corresponding reporting period in 2014.
- An increase in planning permit applications decided when compared to the corresponding reporting period in 2014.
- An increase in the percentage of applications issued within the statutory timeframe when compared to the corresponding reporting period in 2014.

Average decision making times were higher when compared to the corresponding reporting period in 2014. This is likely to be a direct correlation with the increase in application numbers in the 2015 report period. A conscious effort was made in late 2015 to minimise the number of active planning permit applications that remain in the assessment system for more than 100 days. These types of applications are generally complex and receive objections as part of the public notification process. This requires adequate time to be allocated to mediate between objectors concerns and the applicant's development proposal.

The effort to minimise these applications helped to bridge the gap between the number of applications lodged in 2015 and applications decided in 2015. It also helped to reduce backlog in the system. In 2016, a balance will need to be struck between reducing backlog and issuing a larger number of less complex applications in a timelier manner.

While overall performance figures remain good, achieving the above balance will lead to an improvement in average decision making times.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (August 2015 to December 2015) (continued)

**Moved by Cr Summer**  
**Seconded by Cr Houlihan**

That the Council note the planning permit, VCAT, Development Hearings Panel and Enforcement File information detailed in this report.

**CARRIED.**

#### **Planning Permit Activity**

The number of planning permit applications lodged from 1 August 2015 to 24 December 2015 was 215. Planning permit applications lodged for the same period in 2014 was 174.

The number of planning permit applications decided from 1 August 2015 to 24 December 2015 was 236. Planning permit applications decided in this period in 2014 was 182.

The average decision making time for a planning permit applications from 1 August 2015 to 24 December 2015 was 50.67 statutory days. The average decision making time for the corresponding period in 2014 was 46.83 statutory days.

The percentage of applications completed within sixty days remains above 75% and is getting closer to the statutory planning teams aim of averaging 80% or above per month. As stated in previous reports this is dependent upon a number of variables such as the type and complexity of applications received and how many applications receive objections, all of which can impact on decision making times.

Another aim is to decide on more applications each year than the number of applications lodged each year. A busy start to 2015 presented a challenge, however in the second half of 2015 more applications were decided on (289) than were lodged (264).

As at the date of writing this report there are 11 planning permit applications that have been in the assessment system for more than 100 days. This is approximately 11% of all active applications and an improvement on the 15% of applications during the last reporting period (April-July 2015).

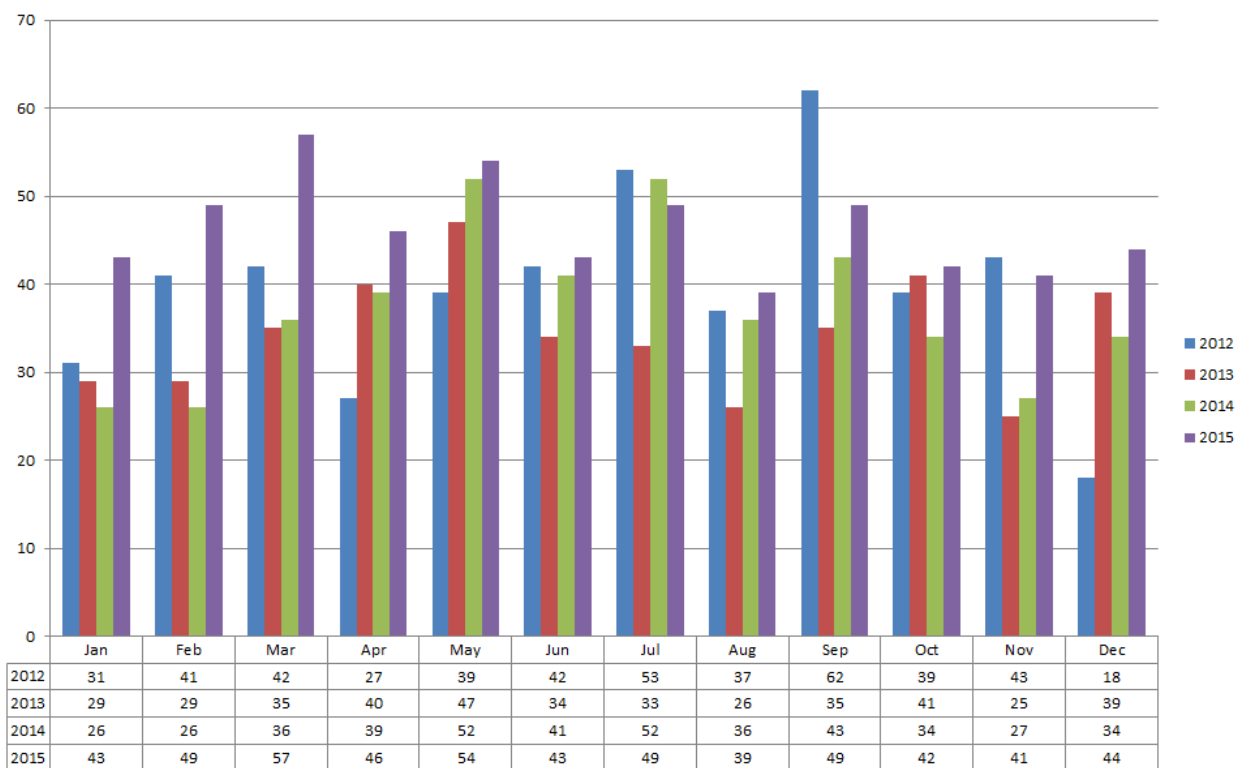
The tables listed below provide a summary of the monthly reporting undertaken by the Statutory Planning Team up to the end of December 2015.

Additional information on planning permit activity is included in attachments 1 and 2 this report.

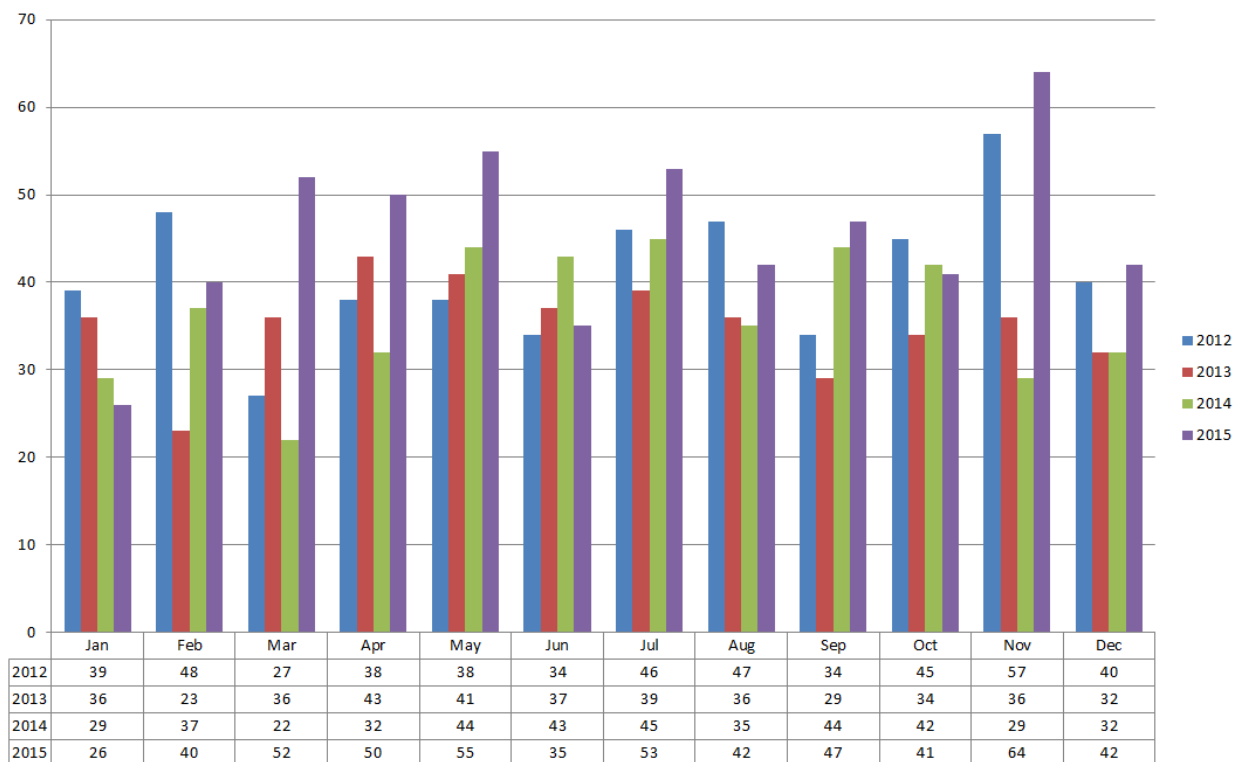
## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (August 2015 to December 2015) (continued)

Applications Lodged



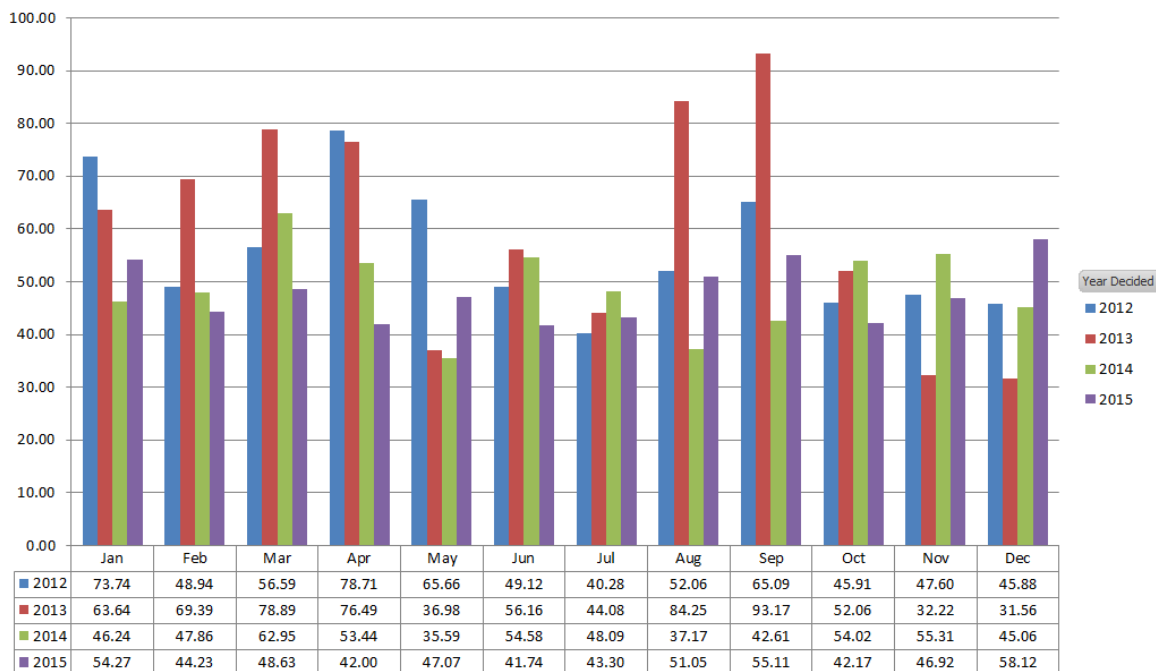
Applications Decided



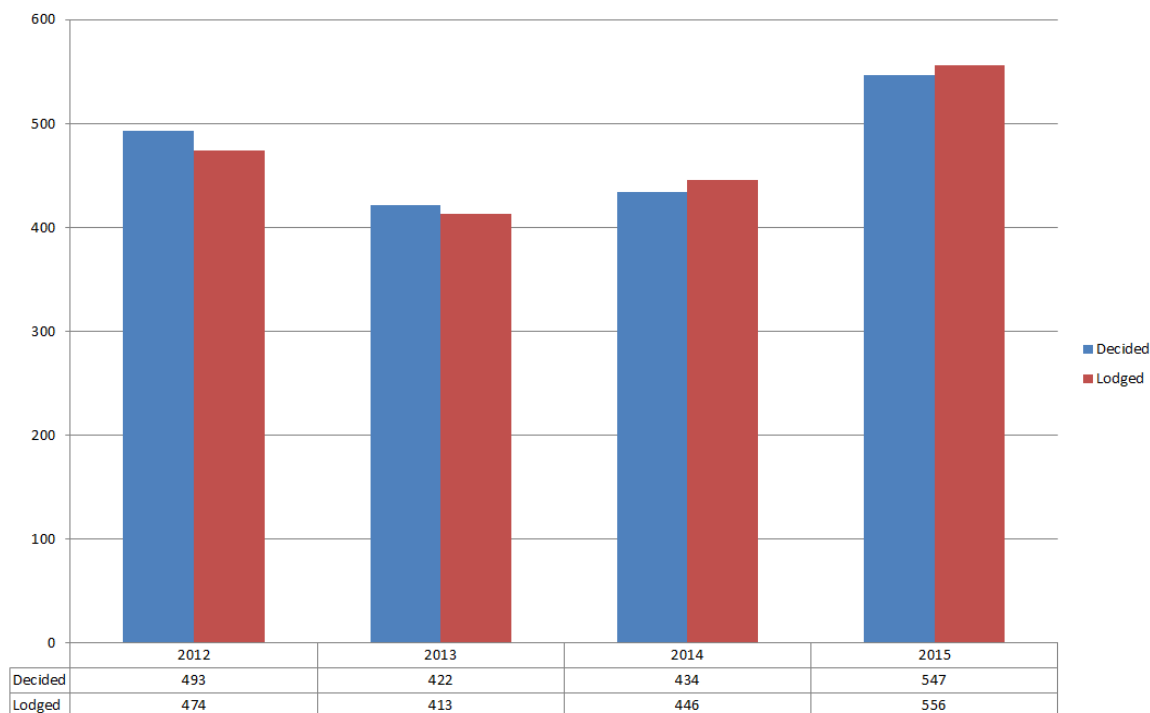
## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (August 2015 to December 2015) (continued)

Average Decision Statutory Days



Applications Lodged & Decided



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (August 2015 to December 2015) (continued)

#### **VCAT Activity**

Below is a summary of recent VCAT activity:

- VCAT will re-consider whether off site works, the concept of warehousing planning permit applications, and changes in planning policy should lead to a planning permit for a service station at 309 Midland Highway being extended. The hearing is scheduled over four days in May 2016.
- An enforcement order application was lodged at VCAT seeking an order to cease the illegal use of part of the land at 85-95 High Road, Murchison for materials recycling. VCAT have directed that the use must be reduced in size (to an area of existing use rights) by June 2016. VCAT have also directed that all parties attend a second hearing in June 2016 to report on level of compliance with the VCAT direction.
- An enforcement order application has been lodged against a cool store operation at 25 Doyles Road. The permit holder has failed to undertake road safety works, being a left turn lane into the land from Doyles Road. A VCAT hearing was held on 15 January 2016 with direction from VCAT pending.
- Council's Planning Department has received a complaint from the Commonwealth Bank of Australia in relation to failure to comply with a section 173 agreement at 290 and 300 Central Avenue, Shepparton East. The agreement required the construction of a fire wall within an existing shed; officers have observed that this fire wall has not been erected. As the owners have failed to comply with requests to construct the wall, an enforcement application has been lodged at VCAT. A Practice Day VCAT hearing is scheduled for 22 January 2016.
- An enforcement order application has been lodged at VCAT in relation to an unauthorised fuel container on land at 309 Midland Highway. A Practice Day VCAT hearing is scheduled for 12 February 2016.

#### **Planning Enforcement update**

At the time of writing this report there are 59 active enforcement cases (files), all of which are at various stages of the investigative process. A number of these files were cases where planning permits had not been sought. As a result of the Planning Departments enforcement process six of these cases are currently being assessed as part of a planning permit applications process.

Through the August 2015 – December 2015 period the Planning Department began investigating 38 new enforcement matters, through this same period 20 enforcement cases were resolved. Five cases involved the Department issuing Planning Infringement Notices (PIN) and fines.

During the above period, 39 planning permits were audited, 24 of the permits audited were found to be compliant, with the remainder requiring some form of additional works to comply with planning permit conditions.

#### **Developments Hearings Panel Update**

A number of applications have been considered by the Development Hearings Panel (DHP) in the months from August 2015 – December 2015:

- An application for a two lot residential subdivision at 101-109 O'Reilly Road, Tatura. Notice of Decision to Grant a Planning Permit was issued.
- An application for an amendment to the offset planting requirements for the removal of native vegetation at 535 Bitcon Road, Dhurringile. Notice of Decision to Grant an Amended Planning Permit was issued.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (August 2015 to December 2015) (continued)

- An application for a two lot rural living subdivision at 115 Raftery Road, Kialla. The application was refused.
- An application for a three lot subdivision and variation of an electricity supply easement at 105 Central Kialla Road, Kialla. Notice of Decision to Grant a Planning Permit was issued.
- An application for a three lot subdivision and construction of two dwellings at 51 Callister Street, Shepparton. The application was refused.
- An application for materials recycling, removal of native vegetation (2 trees) and associated buildings and works at 3300 Katamatite-Shepparton Main Road, Congupna. Notice of Decision to Grant a Planning Permit was issued.
- An application for a multi lot industrial subdivision and removal of easements at 37-65 New Dookie Road, Shepparton. Notice of Decision to Grant a Planning Permit was issued.
- An application for an internally illuminated electronic promotion sign at 82 Wyndham Street, Shepparton. The application was refused.
- An application to amend the development plan to allow a reduced setback on the eastern boundary, the inclusion of a pharmacy and a 2.5 metre high acoustic fence along the eastern boundary at 103-109 Numurkah Road, Shepparton. The application was approved.
- An application for the use and development of the land for a dwelling at 250 Poplar Avenue, Shepparton. Planning Permit issued.
- An application for a landscape supplies business and the alteration of a vehicle access to a Road Zone Category 1 at 8018 Goulburn Valley Highway, Kialla. Notice of Decision to Grant a Planning Permit was issued.

#### **Background**

The Council's Statutory Planning Team undertakes reporting on planning permit activity in conjunction with the Department of Transport, Planning and Local Infrastructure (DTPLI).

This report provides a summary of this reporting to the Executive and Council for information and discussion purposes.

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

The Council Plan's (2013-17) goal number 5 is to have a high performing organisation. By tracking planning permit performance, the Statutory Planning Team can monitor and refine processes introduced to improve planning permit approval times.

#### **Risk Management**

There are no risk management issues associated with this report as it is for information purposes only.

#### **Policy Considerations**

There are no relevant policy considerations associated with this report as it is not for decision making purposes.

#### **Financial Implications**

There are no financial considerations associated with this report for the reason outlined in the risk management section of this report.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.1 Statutory Planning Update (August 2015 to December 2015) (continued)

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

There is no legal requirement to provide the information required in this report. Council's Planning Department is required to supply information to DELWP for planning permit activity reporting purposes only.

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

There are no relevant environmental or sustainability considerations associated with this report as it is for information purposes only.

#### **Social Implications**

There are no relevant social considerations for the reasons outlined above.

#### **Economic Impacts**

There are no relevant economic considerations associated with this report as it is for information purposes only.

#### **Consultation**

This report has been provided to help inform Council of planning permit activity and performance.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

The report provides performance statistics for information and discussion purposes to assist in providing transparency, working towards best practice service delivery and reducing time delays.

##### b) Other strategic links

The report highlights performance in line with goal number 5 'High Performing Application' of the Council Plan.

#### **Conclusion**

New planning permit applications have increased when compared to the same reporting period in 2014. This has corresponded with more planning permit applications being decided. While the average approval times for this reporting period increased, the percentage of applications decided on within the statutory timeframe of 60 days continues to improve.

Key focuses for 2016 will be to reduce the number of active planning permit applications in the system for over 100 days, issuing a larger number of less complex applications in a timelier manner and continuing to meet statutory obligations to enforce the requirements of the Planning and Environment Act and Greater Shepparton Planning Scheme.

#### **Attachments**

- |   |          |
|---|----------|
| 1. Pie Chart - Planning Applications Decided August to December 2015              | Page 412 |
| 2. Planning Activity Reporting - November 2015 (latest available) & November 2014 | Page 414 |

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Use of land at 287 Doyles Road Orrvale for a pipeline (minor utility installation)**

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

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

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

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

**Author: Principal Statutory Planner**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

Planning application 2016-46 has been lodged by Council seeking permission to use 287 Doyles Road, Orrvale (the land) for a stormwater pipeline.

A permit is required to use land in the Public Use Zone 1 (PUZ1) on the basis that the proposed pipeline is not carried out by or on behalf of Goulburn Murray Water (GMW).

The pipeline crosses other zones and overlays; however the only part of the pipeline that requires a permit to use land is the area of PUZ1. The recently constructed enlarged drainage basin also did not require a permit for buildings and works.

Council can and has commenced the construction of the pipeline without obtaining a planning permit, as no permit is required for the works associated with a minor utility installation. Despite this Council should not use the pipeline for the purpose of the transmission of stormwater on the land that requires permission for use until a permit has been obtained for the use of the pipeline in the PUZ1.

A Crown Land Status Report was obtained on 5 February 2016 which confirms that the current administrator of the land is GMW. As required by 36.01-3 of the PUZ1 the application was accompanied by written consent from GMW to the application being made.

Officers have advertised the application and one objection to the proposal has been lodged. The grounds of objection relate to Council's bias and pre-determination of the proposed special charge scheme also relating to the area.

The application proposes to use PUZ1 for an underground stormwater pipe which conveys water to Council's recently enlarged regional drainage basin. The land manager being GMW has consented to the proposed use of their land.

The PUZ1 includes the following purposes:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To recognise public land use for public utility and community services and facilities.*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Use of land at 287 Doyles Road Orrvale for a pipeline (minor utility installation) (continued)

- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*

Officers are satisfied that the proposed use of land for a stormwater pipeline produces acceptable planning outcomes for the following reasons:

- The public land manager being GMW have consented to the application
- The proposed pipeline does not negatively impact on the existing stock and domestic pipeline within the PUZ1
- The proposed pipeline is underground and will therefore not lead to visual amenity impacts

**Moved by Cr Hazelman  
Seconded by Cr Houlihan**

That the Council:

In relation to Planning Application 2016-46, 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 issue a notice of decision to grant a planning permit to use the land for the purpose of a minor utility installation (stormwater drain) subject to the following conditions.

#### Goulburn Murray Water

All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

The design Drawing No. DM35-2(2) sheet 2 of 24 5143 shows Crossing of Storm Water Pipe under GMW channel 1/10. The existing GMW pipeline is to be located before start of work.

A constructed plan is required to be submitted to GMW after completion of the proposed works.

**CARRIED.**

**Cr Summer called for a division.**

**Those voting in favour of the motion: Cr Hazelman, Cr Houlihan, Cr Adem, Cr Patterson and Cr Ryan**

**Those voting against the motion: Cr Summer and Cr Oroszvary**

#### **Property Details**

Land/Address	287 Doyles Road, Orrvale (Allot. 32A Sec D Parish of Shepparton)
Zones and Overlays	Public Use Zone 1 No Overlays
Why is a permit required	Use of the land for the purpose of a minor utility installation (stormwater drain) under 36.01-1

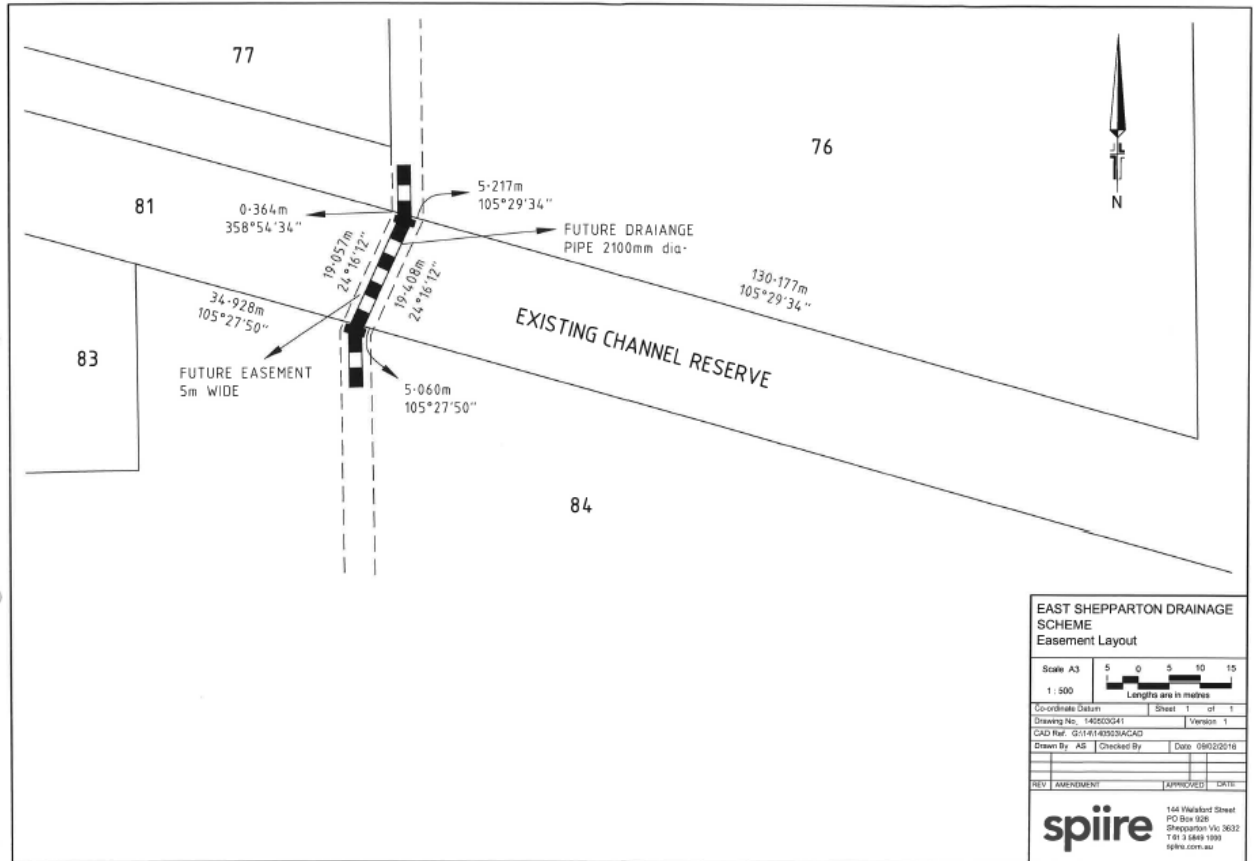
**9. SUSTAINABLE DEVELOPMENT DIRECTORATE**

**9.2 Use of land at 287 Doyles Road Orrvale for a pipeline (minor utility installation) (continued)**

**Proposal in Detail**

The planning application was lodged on 3 February 2016 and described the application as 'use part of the land in PUZ1 zone for stormwater drainage purposes'.

The application was accompanied by a plan showing the location of the pipeline within the existing GMW channel reserve as shown below.





## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Use of land at 287 Doyles Road Orrvale for a pipeline (minor utility installation) (continued)

#### Summary of Key Issues

- The application seeks planning permission to use the land for a pipeline in the PUZ1.
- The public land manager being GMW has formally consented to the application.
- The application has been advertised and one objection lodged. Grounds of objection relate to Council's bias and pre-determination of the proposed special charge scheme.
- Officers are satisfied that the proposed pipeline is an acceptable planning outcome as GMW have consented to the application and the pipeline will not impact on the existing stock and domestic pipe in the PUZ1.

#### Background

The first component of the drainage works comprised the upsizing of the existing Council retention basin. These works have been substantially completed and did not require planning permission.

Associated stock piling of earth from the construction of the enlarged basin has been placed in the Land Subject to Inundation Overlay (LSIO) without obtaining planning permission. Council's planning officers have required an application be made which is now being considered by the responsible authority. However this application is exempt from notice and review under the LSIO.

Planning officers are currently awaiting a response from the Goulburn Broken Catchment Management Authority to allow a decision on the stockpiling application.

#### Assessment under the Planning and Environment Act

Planning permission is required for the pipeline under the PUZ1.

The proposed pipeline is for the purpose of carrying stormwater from the drainage catchment to the recently enlarged stormwater basin, performing the function of a stormwater drain, and falling within the defined land use term of minor utility installation.

The pipeline crosses the following zones and overlays:

- Commercial 2 Zone (C2Z)
- Road Zone Category 1 (RDZ1)
- Public Use Zone 1 (PUZ1)
- Public Use Zone 6 (PUZ6)
- Land Subject to Inundation Overlay (LSIO)

The following table provides a summary in relation to each planning control, whether or not the exemption under clause 62.02-1 applies and what, if any permission is required under each planning control.

Control	Is use permission required?	Is building and works permission required?	Does the clause 62.02-1 exemption apply?	Is permission required?
<b>C2Z</b>	No	Yes	Yes	No
<b>RDZ1</b>	No	No	Not applicable	No
<b>PUZ1</b>	Yes	Yes	Yes	Yes – use only
<b>PUZ6</b>	No	No	Not applicable	No
<b>LSIO</b>	Not applicable	Yes	Yes	No



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Use of land at 287 Doyles Road Orrvale for a pipeline (minor utility installation) (continued)

Therefore the only permit trigger is use of land in the PUZ1.

Decision Guideline	Officers Response
<b>36.01-4</b>	
The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	State and Local policy at 19.03-2 and 21.07-3 encourage the provision of drainage services that meet the community's needs. The proposed application seeks permission to use a stormwater pipeline that in part will provide urban drainage to the catchment. Therefore the proposal positively responds to the relevant planning policies.
The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.	Goulburn Murray Water being the land manager consented to the application to use land in the PUZ1 for a pipeline.
Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.	The application proposes an underground pipe which does not impact on the built environment.

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

The fourth strategic goal of Council's plan is:

#### **Quality Infrastructure (Built)**

*We will provide and maintain urban and rural infrastructure to support the development and liveability of our communities.*

Officers are satisfied that the proposed application positively responds to Council's Plan by providing an urban drainage system to the catchment.



## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Use of land at 287 Doyles Road Orrvale for a pipeline (minor utility installation) (continued)

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Incorrect notification	A	5	Low	The application has been properly advertised which allowed an objection to be lodged with the Council. The objector will be informed of Council's decision on the application.

#### Policy Considerations

The application has been considered against the policies contained within the Greater Shepparton Planning Scheme and found to achieve acceptable planning outcomes.

#### Financial Implications

This planning application has no significant financial implications on Council.

#### Legal/Statutory Implications

Should either the applicant or objector be dis-satisfied with Council's decision an application for review can be lodged at VCAT.

#### Cultural Heritage

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

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

As the land is not within an area of cultural heritage sensitivity, the application does not trigger the need for a CHMP.

#### Environmental/Sustainability Impacts

The application raises no significant environmental / sustainability impacts.

#### Social Implications

Section 60(1)(f) of the Act states the following:

Before deciding on an application, the responsible authority must consider,

- *Any significant social effects and the economic effects which the responsible authority considers the use or development may have.*

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.2 Use of land at 287 Doyles Road Orrvale for a pipeline (minor utility installation) (continued)**

The proposed application to use land in the PUZ1 for a pipeline is not considered to raise any significant social effects.

#### **Economic Impacts**

The planning application has no significant economic impacts itself however the pipeline will provide a benefit to landowners by providing urban drainage to the catchment.

#### **Referrals/Public Notice**

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.

The Council has received one objection to date.

The objector was issued with an acknowledgment letter.

The key issues that were raised in the objections are as follows:

<b>Ground of Objection</b>	<b>Officer's Response</b>
The application demonstrates that Council is bias and has pre-judged the proposed special charge scheme	The proposed special charge scheme is a separate matter to this planning application. The purpose of this report is to consider the merits of a pipeline in the PUZ1 under the <i>Planning and Environment Act, 1987</i> , the subsequent funding mechanisms of the pipeline is a separate matter for others to decide.

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

The objection also raised the stockpile within the LSIO, however the stockpile application is exempt from notice and review.

Officers having considered the objection do not believe that the objection lodged should lead to the application being refused.

#### **Strategic Links**

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

##### **Infrastructure**

##### **Table 2 – Objective 3**

To maintain an efficient and environmentally sensitive stormwater management system.

Policy direction supports an efficient and environmentally sensitive drainage system. The planning application if allowed allows the use of the proposed pipeline to transfer stormwater to the recently enlarged regional basin at Council's depot site.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.2 Use of land at 287 Doyles Road Orrvale for a pipeline (minor utility installation) (continued)

#### **Conclusion**

Officers having undertaken an assessment of the application have decided that the application achieves acceptable planning outcomes when assessed and therefore a notice of decision to grant a permit should issue.

#### **Attachments**

Nil

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Goulburn Valley Waste and Resource Recovery Group Operations

#### **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.

**Cr Summer declared an indirect financial interest of the Goulburn Valley Waste and Resource Group as she is a paid Director.**

**Cr Summer left the meeting at 6.45pm**

**Cr Summer returned to the meeting at 6.47pm**

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

**Author: Manager Environment**

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

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The Goulburn Valley Waste and Resource Recovery Group (GVWRRG) have sought input from the Council in regard to making a submission to the State Government on the operational process for the Board in the period immediately following the municipal Council elections to be held in October 2016. GVWRRG has been requested by the State Government to make comment and provide some guidance on the preferred way forward to ensure the business continuity of the Group is not impacted in the interim period.

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

#### **Seconded by Cr Houlihan**

That the Council advise the Goulburn Valley Waste and Resource Recovery Group and the Victorian Government that:

1. all forum-nominated appointments allowed to lapse on 28 October 2016 when their term expires
2. new nominations to be made by the reconstituted waste forums following Council elections with additional measures taken to ensure local government input into the decisions of the Goulburn Valley Waste and Resource Recovery Group in the interim.

**CARRIED.**

#### **Background**

The Victorian State Government underwent a major restructure of regional waste management groups in 2014. As a result, the number of regional waste groups was reduced across the state from 13 to 7 including a metropolitan group.

Part of the restructure included the change of membership of the Boards overseeing the activities of the groups to include four skills based members plus four local government nominees determined by the Goulburn Valley Local Government Waste Forum (The Forum) which was established through the provisions of the Environment Protection Act.

The Operating Guidelines of the forum stipulate that the local government nominees are elected members of a council not officers.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Goulburn Valley Waste and Resource Recovery Group Operations (continued)

All appointments to new waste boards are undertaken by the Minister for Environment, Climate Change and Water, who also selects the Chairperson. The Board positions are remunerated.

Skills-based directors were appointed for a term of four years by the Governor in Council and the four waste forum-nominated directors were appointed to each board for a shorter term of 2 years. The shorter period was to allow the appointments to coincide with council elections due to occur in October 2016 and for a staggering effect to aid orderly succession of the board.

Some concern has been raised that these boards may not be able to operate in an effective manner for a period of at least six months after the lapsing terms of the current forum-nominated directors and the appointment of their replacements. This process would include the following:

- Council's determine the appointments to the waste forum of the groups;
- the election by the forum of the of the 4 nominees to the board; and
- the Minister's consideration of those nominations and selection of a chair (including the fact that chair appointments require Cabinet approval).

GVWRRG has forwarded a discussion paper to each member council of the forum seeking feedback on a number of options they have suggested or for any alternative options that a council may believe is an effective solution.

The options in the discussion paper are outlined below.

Option	Description	Preferred
A	All forum-nominated appointments allowed to lapse on 28 October 2016 when their term expires. New nominations to be made by the reconstituted waste forums following Council elections.	X
B	All forum-nominated appointments allowed to lapse on 28 October 2016 when their term expires. New nominations to be made by the reconstituted waste forums following Council elections with additional measures taken to ensure local government input into the decisions of the WRRG in the interim.	√
C	Reappoint all existing waste forum-nominated directors for six months to April 2017 and await new nominations from re-established waste forums.	X
D	As with Option C but reappoint only the existing chairs (who are required to be waste forum-nominated directors) for six months to April 2017.	X

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

To develop stronger relationships between council and State and Federal Governments, local government sector and non-government partnerships to enhance the position of Greater Shepparton City Council.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 9.3 Goulburn Valley Waste and Resource Recovery Group Operations (continued)

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Board member no longer retains the support/ confidence of GSCC.	M	M	M	Option B- Directors in waiting obtain induction and access to information.
Avoidance of additional administrative burden	M	L	L	Option B-cheaper and administratively simple
Loss of local government expertise	M	M	M	Option B- ensuring continued input through advisory reference Group
Incoming waste forum representative feels disempowered through delayed commencement	M	L	M	Option B- allows for timely induction and confusion of status.
Lack of feedback to the Council	L	M	M	Option B-Incoming/ outgoing Directors and staff, able to support.

#### Policy Considerations

GSCC are currently represented (Director Sustainable Development) on a Waste Forum working Group that is reviewing the Operating Guidelines of the Forum. A range of recommendations are being developed as part of that work which may suggest alternate governance for the operation of the forum and the manner of determining nominees to the GVWRRG board.

#### Financial Implications

There are no financial implications in regard to this matter.

#### Legal/Statutory Implications

The Environment Protection and Sustainability Victoria Amendment Bill 2014 outlines GSCC membership of the Waste Forum, as well as the objective, functions and powers of the forum and the GVWRRG.

#### Environmental/Sustainability Impacts

There are no Environmental/Sustainability impacts in regard to this matter.

#### Social Implications

There are no social implications in regard to this matter.

#### Economic Impacts

There are no economic impacts in regard to this matter

#### Consultation

There is no requirement to consult with the public on this matter.

## 9. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **9.3 Goulburn Valley Waste and Resource Recovery Group Operations** **(continued)**

#### **Strategic Links**

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

Nil

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

The Draft Goulburn Valley Waste and Resource Recovery Implementation Plan and the State-wide Waste and Resource Recovery Infrastructure Plan include references to GSCC waste facilities, including the current and future Cosgrove landfill which is listed as a Hub of state importance.

As a major stakeholder in the Regional and State-wide context for Waste Management and Resource Recovery, Councils interest in the development and implementation of this plan requires active engagement by Council and staff.

#### **Conclusion**

The protracted processes involved in the reappointment of local government nominees to the GVWRRG Board potentially creates a scenario where Council's interests may not be given adequate weight.

Notwithstanding this fact however, on balance GSCC wishes to avoid the circumstance that may give rise to an extension of term for a Board Director who may have not retained their council seat. Changes in portfolio holders or a decision to not stand are other factors that may lead to a Directors status being regarded as 'unelected'.

The competence of the GVWRRG Skills based Board members and staff provide GSCC with confidence that the impact of this period will result in minimal disruption.

#### **Attachments**

Nil

**10. TABLED MOTIONS**

Nil Received

**11. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES**

Nil Received



## 12. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

### 12.1 Cr Houlihan's Report on Special Committees and Advisory Committees

Name of Committee	Date of Meeting Attended	Key Items
Deakin Reserve Advisory Committee AGM and February Meeting	10/02//2016	<ul style="list-style-type: none"> <li>• AGM: 2016 Office bearers:               <ul style="list-style-type: none"> <li>- Chair - Chris Smith</li> <li>- Deputy Chair - John Hyde</li> <li>- Secretary – Don Kilgour</li> </ul> </li> <li>• AFL pre-game inspection of ground resulted in a 'seal of approval'</li> <li>• Grant for female change rooms lodged. Committee keen to hear of a successful outcome.</li> <li>• Notre Dame, Deakin Reserve Advisory Committee and user groups co-operating to develop a strategy for use of wall of Notre Dame building for advertising. Will require Council approval.</li> </ul>
RiverConnect Implementation and Advisory Committee	17/2/2016	<ul style="list-style-type: none"> <li>• Walking Trail along Goulburn River to link Toolamba with Old Toolamba being progressed via a Community Plan Group focus for 2016.</li> <li>• GBCMA is planning an expanded education, activities and community engagement focus around Environmental Water Flows, in partnership with GSCC and other organizations.</li> <li>• Parks Victoria doing a River Red Gum Management Plan. Wanting input. Closes April.</li> </ul>
Australian Botanic Gardens Shepparton Section 86 Committee	24/2/2016	<ul style="list-style-type: none"> <li>• Progress report on the building of the infrastructure for the Refugee Garden: includes crazy paving, concrete steps and brick footpaths, all constructed with materials from the GSCC Transfer Station.</li> <li>• Committee has applied for a Myer Foundation grant: funding to support governance, membership and fund-raising activities for associated support groups such as the Friends of the Gardens and Urban Landcare.</li> <li>• New steel and frosted glass sign being made to recognize donations.</li> </ul>

**Moved by Cr Houlihan**  
**Seconded by Cr Hazelman**

That Cr Houlihan's report on Special Committees and Advisory Committees be noted.

**CARRIED.**

### **13. NOTICE OF MOTION, AMENDMENT OR RESCISSION**

#### **13.1 Notice of Motion - Funding GV Community Care - Cr Summer 5/2016**

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

That the Council, refer for consideration in the 2016/2017 budget an additional \$34K towards GV Community Care as part of our annual contribution.

**CARRIED.**

#### **13.2 Notice of Motion - Staff Updates - Cr Summer 6/2016**

**Moved by Cr Summer**

That the Council refer consideration of the requirement for regular updates on staff morale to the Chief Executive Officer KPI development process.

**LAPSED FOR WANT OF A SECONDER**

#### **13.3 Notice of Motion - SAM Funding - Cr Summer 7/2016**

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

That Council note the welcome contribution by the State Government of \$10 million towards the new Shepparton Art Museum.

That Council note the total cost of Shepparton Art Museum project requires a financial contribution of \$42 million, including \$8 million for operational expenses.

That Council note the total cost of capital expenses be made up of \$10 million from a Council loan, \$10 million from State, \$10 million from Federal and \$4.5 from philanthropic sources.

That Council note an additional \$8 million from philanthropic sources will be placed in a trust to subsidise operational costs of Shepparton Art Museum over 10 years.

That Council discourages funding allocations towards Shepparton Art Museum project until such time as a significant financial contribution has been secured and confirmed by both Federal and philanthropic sources.

**13. NOTICE OF MOTION, AMENDMENT OR RESCISSION**

**13.3 Notice of Motion - SAM Funding - Cr Summer 7/2016 (continued)**

**Cr Houlihan moved an Amendment  
Seconded by Cr Hazelman**

That Council note the welcome contribution by the State Government of \$10 million towards the new Shepparton Art Museum.

That Council note the total cost of Shepparton Art Museum project requires a financial contribution of \$42.5 million, including \$8 million for operational expenses.

That Council note the total cost of capital expenses be made up of \$10 million from a Council loan, \$10 million from State, \$10 million from Federal and \$4.5 from philanthropic sources.

That Council note an additional \$8 million form philanthropic sources will be placed in a trust to subsidise operational costs of Shepparton Art Museum.

The motion was put and carried.

**Cr Summer called for a division.**

**Those voting in favour of the motion: Cr Hazelman, Cr Houlihan, Cr Adem, Cr Summer and Cr Oroszvary**

**Those voting against the motion: Cr Patterson and Cr Ryan**

## 14. DOCUMENTS FOR SIGNING AND SEALING

### 14.1 Documents for Signing and Sealing

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

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

The following document has been presented for signing and sealing:

- **Lease** – between Council and Conquest Industries Pty Ltd for Hangar site 10, Shepparton Aerodrome, 7810 Goulburn Valley Highway, Kialla for a period of 7 years from 1 July 2013.

**Moved by Cr Oroszvary  
Seconded by Cr Hazelman**

That the Council authorise the Chief Executive Officer to sign and seal the document listed above.

**CARRIED.**

## 15. COUNCILLOR ACTIVITIES

### 15.1 Councillors Community Interaction and Briefing Program

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

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

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

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

From 1 February 2016 to 29 February 2016, Councillors have been involved in the following activities:

#### **Cr Dinny Adem**

Breakfast GV Health | Healthy Together Victoria Workplace Achievement Program  
 Development Hearings Panel  
 ONE FM with John Harboard and John Grey  
 Guest Speaker at Probus Club of Shepparton and District  
 Murchison Tomato Festa Sponsors Dinner  
 Launch 2016 Shepparton MS 24 hour Mega Swim  
 Harmony Community Cup | Toss coin and speech  
 Shepparton Show Me Ordinary Meeting  
 Attendance at Rotary Club of Shepparton meeting  
 Neighbouring Council's Meeting  
 National Apology Breakfast  
 Rumbalara Apology Morning Tea  
 Positive Aging Advisory Committee Meeting  
 Student Leader Induction Ceremony | Mooroopna Secondary College  
 Meet and Greet | Charles Wooley  
 In-house workshop | Meeting Procedure for Councillors  
 White Ribbon Steering Committee  
 Visit Grade 2 | Guthrie Street Primary School  
 Regional Cities Victoria Meeting  
 Mr Craig Ondarchie | Shadow Minister for Investment and Jobs and Trade  
 VLGA | CEO and President - Lunch Meeting  
 Twilight Stroll  
 St George's Road Neighbourhood Plan Launch  
 Baking Association of Australia | Hot Cross Bun judging  
 Baking Association of Australia | Official Awards Dinner  
 Graveside Vigil Remembrance Service | Vietnam Veterans Association of Australia  
 Launch of Shepparton Club's Outstanding Achievers Wall of Fame  
 Present Student Leadership Badges | Wilmot Road Primary School Assembly  
 Meeting | Education Sector [follow up]  
 ABC Radio - Western Park Lighting and CBD Strategy  
 Address Year 2 Medical Students  
 MAV Multicultural Committee  
 Street Rider Presentation  
 Greater Shepparton Women's Charter Alliance Advisory Committee  
 Councillor Catch Up with Community | Summer City Market  
 Sports Hall of Fame Advisory Committee Meeting

## 15. COUNCILLOR ACTIVITIES

### 15.1 Councillors Community Interaction and Briefing Program (continued)

Junior Urban Fire Brigade Championships - Opening Event | Tatura  
SAM Cornucopia – Exhibition Opening  
San Yon Chinese Delegation Welcome Function and Dinner  
Tourism and Events Industry Luncheon Invitation  
Essendon v Geelong Country Game Media Launch

#### **Cr Dennis Patterson**

Meet and Greet | Charles Wooley  
In-house workshop | Meeting Procedure for Councillors  
Shepparton Showgrounds Advisory Group Meeting  
Local Government Act Review [Community Forum]  
Mr Craig Ondarchie | Shadow Minister for Investment and Jobs and Trade  
Twilight Stroll  
St George's Road Neighbourhood Plan Launch  
Meeting | Education Sector [follow up]  
Visit to Harmony Village  
Councillor Catch Up with Community | Summer City Market

#### **Cr Fern Summer**

Greater Shepparton Communities for Children Annual Planning Day  
Rumbalara Apology Morning Tea  
Meet and Greet | Charles Wooley  
Local Government Act Review [Community Forum]  
2016 Chinese New Year Celebration | Lion Dancers & Lunch  
SAM Cornucopia – Exhibition Opening  
Tourism and Events Industry Luncheon Invitation  
Goulburn Valley Waste and Resource Recovery Group Meeting

#### **Cr Chris Hazelman**

Launch | Fairley Leadership 2016 Program  
National Apology Breakfast  
Rumbalara Apology Morning Tea  
Meet and Greet | Charles Wooley  
In-house workshop | Meeting Procedure for Councillors  
Shepparton Showgrounds Advisory Group Meeting  
Launch of Shepparton Club's Outstanding Achievers Wall of Fame  
Councillor Catch Up with Community | Summer City Market  
SAM Cornucopia – Exhibition Opening

## 15. COUNCILLOR ACTIVITIES

### 15.1 Councillors Community Interaction and Briefing Program (continued)

#### **Cr Jenny Houlihan**

Heritage Advisory Committee meeting  
 National Apology Breakfast  
 Meet and Greet | Charles Wooley  
 In-house workshop | Meeting Procedure for Councillors  
 Local Government Act Review [Community Forum]  
 Presentation of Scholarships to Koori Students  
 Twilight Stroll  
 St George's Road Neighbourhood Plan Launch  
 Councillor Catch Up with Community | Summer City Market  
 SAM Cornucopia – Exhibition Opening  
 Tourism and Events Industry Luncheon Invitation

#### **Cr Les Oroszvary**

Shepparton Show Me Ordinary Meeting  
 National Apology Breakfast  
 Meet and Greet | Charles Wooley  
 In-house workshop | Meeting Procedure for Councillors  
 Twilight Stroll  
 St George's Road Neighbourhood Plan Launch

#### **Cr Kevin Ryan**

Meet and Greet | Charles Wooley  
 In-house workshop | Meeting Procedure for Councillors  
 Twilight Stroll  
 Vietnam Veterans Cemetery Service | Laying of wreath  
 Launch of Shepparton Club's Outstanding Achievers Wall of Fame  
 Sports Hall of Fame Advisory Committee Meeting

#### **Moved by Cr Houlihan**

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

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

**LOST**

#### **Attachments**

Nil

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors

Heritage Advisory Committee Monday 1 February 2016		
Councillors:	Councillor Jenny Houlihan	
Officers:	Michael MacDonagh Lynette Bolitho	
Matter No.	Matters discussed	Councillors Present for Discussion
5	Greater Shepparton Cultural Heritage Awards Guidelines 2016	Cr Houlihan
6	Strategic Work Programme	Cr Houlihan
7	Information Purposes – Michael MacDonagh	Cr Houlihan
8	Information Purposes – Deborah Kemp	Cr Houlihan
9	Active Planning Permit Applications within the Heritage Overlay	Cr Houlihan
10	<i>Greater Shepparton Heritage Study Stage IIC: Rural</i>	Cr Houlihan
11	Short Discussion Session	Cr Houlihan
12	General or other business	Cr Houlihan
Conflict of Interest Disclosures		
Matter No.	Nil	

Councillor Briefing Session – 2 February 2016	
Councillors	Cr Adem (Chair), Cr Summer, Cr Hazelman, Cr Houlihan, Cr Patterson, Cr Oroszvary and Cr Ryan
Officers:	Peter Harriott, Chris Teitzel, Steve Bowmaker, Johann Rajaratnam, Kaye Thomson, Heath Chasemore, Stacey Cole, Karen Dexter, Laurienne Winbanks, Peter Gunn, Sharon Terry, Matthew Jarvis, Majenta Rose, Colin Kalms, Michael MacDonagh, Elke Cummins, Sharlene Still and Rebecca Bertone (not all officers were present for all items).



**16. ASSEMBLIES OF COUNCILLORS**
**16.1 Assemblies of Councillors (continued)**

Matter No.	Matters discussed	Councillors Present for Discussion
1.	Draft McLennan Street, Mooroopna Master Plan	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
2.	Appointment of Independent Members to the Audit and Risk Management Committee	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
3.	Approval to Advertise Community Lease Renewals and Authorise Signing of Lease Documents	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
4.	Contract 1425 – Goulburn Valley Water Main Reticulation – Verney Road Stage 2	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
5.	Policy Revocation – Special Events and Promotions Signage	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
6.	CFA Schedule 13 Permit to Burn	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary (partial) Cr Patterson Cr Ryan
7.	Draft Cussen Park Environmental Management Plan	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan

**16. ASSEMBLIES OF COUNCILLORS**
**16.1 Assemblies of Councillors (continued)**

Matter No.	Matters discussed	Councillors Present for Discussion
8.	2015/2016 Mid Year Budget Review	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan
9.	VCAT Matter	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan
10.	Shepparton Art Festival	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan
11.	Media Contract	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan
12.	Commercial Activity Centre Strategy	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

**16. ASSEMBLIES OF COUNCILLORS**
**16.1 Assemblies of Councillors (continued)**

Positive Ageing Advisory Committee Meeting 13 November 2015		
Councillors :	Cr Fern Summer	
Officers:	Louise Dwyer (Access and Inclusion Officer) (Acting Team Leader Client Services)	
Matter No.	Matters discussed	Councillors Present for Discussion
1	Relining of designated accessible parking bay Fryers Street	Cr Summer
2	Telstra Pit – Corio Street Trip Hazard	Cr Summer
3	U3A update	Cr Summer
4	Community Safety Meeting update	Cr Summer
5	Positive Ageing Strategy Draft	Cr Summer
6	Resignation Lisa McIlPatrick from Wintringham and the PAAC	Cr Summer
7	Power of Attorney Documentation	Cr Summer
8	Feedback from PAAC members <ul style="list-style-type: none"> <li>• Changes to HAAC funding</li> <li>• Rumbalara improvements</li> <li>• Small Town Grants</li> <li>• Complaint right hand turn into Pine Lodge Cemetery</li> <li>• Meals on Wheels – quality control</li> <li>• Bus stops at Riverside Plaza</li> </ul>	Cr Summer
9	International Day of People with Disability	Cr Summer
10	Guest Speaker – Life Activities Club	Cr Summer

**16. ASSEMBLIES OF COUNCILLORS**
**16.1 Assemblies of Councillors (continued)**

Conflict of Interest Disclosures		
	Nil.	

Disability Advisory Committee Meeting – 18 December 2015		
Councillors:	Cr Fern Summer	
Officers:	Louise Dwyer (Access and Inclusion Officer) Amanda Tingay (Manager Neighbourhoods)	
Matter No.	Matters discussed	Councillors Present for Discussion
1	Designated Accessible Parking Bay Sub-committee report	Cr Summer
2	Safer Communities Advisory Committee update	Cr Summer
3	Report on International Day of People with a Disability	Cr Summer
4	Complaint received regarding disability access at McLennan Building (Mooroopna)	Cr Summer
5	Complaint regarding Jordan's Bend walking path – trip hazard	Cr Summer
6	Complaint received regarding disability access at Botanical Gardens (Kialla)	Cr Summer
7	Mental Illness Fellowship Presentation at DAC	Cr Summer
8	External toilets proposed next to the Shepparton Senior Citizens' Centre	Cr Summer
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?

## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Councillor Briefing Session – 9 February 2016		
Councillors	Cr Adem (Chair), Cr Summer, Cr Hazelman, Cr Houlihan, Cr Oroszvary, Cr Patterson and Cr Ryan.	
Officers:	Peter Harriott, Chris Teitzel, Marilyn Howley, Johann Rajaratnam, Kaye Thomson, Heath Chasemore, Michael Freeman, Fiona LeGassick, Matt Innes-Irons, Sharlene Still and Rebecca Bertone (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Victoria Park Lake Master Plan	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan (partial)
2.	Greater Shepparton Marketing Campaign Update	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan
3.	Commercial Activity Centre Strategy	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan
4.	Maude Street Mall	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan
5.	Industrial Land Strategy	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Oroszvary Cr Patterson Cr Ryan

**16. ASSEMBLIES OF COUNCILLORS**
**16.1 Assemblies of Councillors (continued)**

Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

Councillor Briefing Session – 16 February 2016		
Councillors	Cr Adem (Chair), Cr Summer, Cr Hazelman, Cr Houlihan, Cr Patterson and Cr Ryan.	
Officers:	Peter Harriott, Chris Teitzel, Steve Bowmaker, Johann Rajaratnam, Kaye Thomson, Sharlene Still and Rebecca Bertone (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Community Fund Goulburn Valley	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
2.	Homelessness in Greater Shepparton	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
3.	CFA Fire Permits	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
4.	Local Government Act Review	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
5.	Regional Partnerships	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan

**16. ASSEMBLIES OF COUNCILLORS**
**16.1 Assemblies of Councillors (continued)**

Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

Councillor Briefing Session – 23 February 2016		
Councillors	Cr Adem (Chair), Cr Summer, Cr Hazelman, Cr Houlihan, Cr Patterson and Cr Ryan.	
Officers:	Peter Harriott, Chris Teitzel, Steve Bowmaker, Johann Rajaratnam, Kaye Thomson, Sharlene Still and Rebecca Bertone (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Draft Youth Recreation Spaces Strategy	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
2.	The Community Fund Goulburn Valley	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
3.	Statutory Planning Update	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
4.	Update Early Intervention Strategy	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
5.	Asset Capitalisation Policy	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan

**16. ASSEMBLIES OF COUNCILLORS**
**16.1 Assemblies of Councillors (continued)**

Matter No.	Matters discussed	Councillors Present for Discussion
6	Margaret Street, Tatura	Cr Adem (Chair) Cr Summer (partial) Cr Hazelman (partial) Cr Houlihan Cr Patterson Cr Ryan
7.	Maude Street Mall	Cr Adem (Chair) Cr Summer (partial) Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

Greater Shepparton Women's Charter Alliance Advisory Committee 26 February 2016		
Councillors:	Cr Dinny Adem	
Officers:	Emma Hofmeyer, Michelle Bertoli, Charlene Norton, Kate Montgomery	
Matter No.	Matters discussed	Councillors Present at Discussion
4	Correspondence in and out	Cr Dinny Adem
5	Media – articles about the Women's Charter Committee in the last month	Cr Dinny Adem
6	Budget – current remaining budget for GSWCAAC 2015/2016	Cr Dinny Adem
8	Committee Membership	Cr Dinny Adem
9	SuperWomanPose photo	Cr Dinny Adem
10	Women's Charter Award 2016 – update	Cr Dinny Adem



## 16. ASSEMBLIES OF COUNCILLORS

### 16.1 Assemblies of Councillors (continued)

Matter No.	Matters discussed	Councillors Present for Discussion
11	3x3 action plan - update	Cr Dinny Adem
12	LGPro Award for Organisational Diversity – finalist	Cr Dinny Adem
13	International Women’s Day sub-committee - update	Cr Dinny Adem
14	Women in Local government forum – with Governance and VLGA	Cr Dinny Adem
15	Membership drive and sub-committee	Cr Dinny Adem
16	Terms of Reference Review	Cr Dinny Adem
17	Queen’s Gardens Honour board and rose garden	Cr Dinny Adem
18	Woman of the Month profile	Cr Dinny Adem
19	Malala Movie	Cr Dinny Adem
20	2016 meeting schedule	Cr Dinny Adem
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

**Moved by Cr Hazelman**  
**Seconded by Cr Oroszvary**

That the Council note the record of the Assemblies of Councillors.

**CARRIED**

#### Attachments

Nil

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

Nil

**18. PUBLIC QUESTION TIME**

Nil

**19. CONFIDENTIAL MANAGEMENT REPORTS**

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

**Moved by Cr Patterson  
Seconded by Cr Houlihan**

In accordance with section 77(2)(b) of the *Local Government Act 1989* (the Act) the Council designates as confidential all documents used to prepare the following agenda items:

1. Report Contract 1445 - Panel of Suppliers - Consulting Engineers and Design Services (Amendment);
2. Goulburn Valley Waste and Resource Recovery Group Operations – Letter CEO’s Forum Nominees;
3. Goulburn Valley Waste and Resource Recovery Group Operations – Options for Forum – Nominated Directors

previously designated by the Chief Executive Officer in writing as confidential under section 77(2)(c) of the Act. These documents relate to contractual matters or matters which may prejudice the Council, which are a relevant ground applying under section 89(2)(d)(h) of the Act.

**CARRIED.**

**19.2 Designation of Confidentiality of Information**

**Moved by Cr Hazelman  
Seconded by Cr Oroszvary**

That pursuant to section 89(2)(d) of the *Local Government Act 1989* the Council meeting be closed to members of the public for consideration of a confidential item and declare the item as confidential.

**CARRIED.**

**19.3 Contract 1436 - Shepparton Aerodrome Relocation Study - Draft Report**

**19.4 Reopening of the Council Meeting to Members of the Public**

**THE MEETING CLOSED AT 7.43PM**