



GREATER
SHEPPARTON

AGENDA

Greater Shepparton City Council

ORDINARY COUNCIL MEETING

5.30pm, Tuesday 31 March 2020

IN THE
FUNCTION ROOM, RIVERLINKS EASTBANK

COUNCILLORS

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

VISION

GREATER SHEPPARTON, GREATER FUTURE

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

A G E N D A
FOR THE
ORDINARY COUNCIL MEETING
TO BE HELD ON
TUESDAY 31 MARCH, 2020 AT 5:30PM

CHAIR
CR SEEMA ABDULLAH

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

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

PRESENT:

1. ACKNOWLEDGEMENT

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

2. PRIVACY NOTICE

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

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

3. APOLOGIES

COVID-19 COUNCIL RESPONSE

The Chief Executive Officer will provide a verbal update on COVID-19 and Council’s response package.

4. PUBLIC QUESTION TIME

5. DEPUTATIONS AND PETITIONS

5.1 Petition Proposing Development of a Recreational Area in Oxbow Avenue

Summary

A petition containing 38 signatures has been received by Council, requesting that Council consider the area near Oxbow Avenue for the development of a recreational area.

RECOMMENDATION

That the Council receive the petition requesting that the area near Oxbow Avenue be considered for development of a recreational area.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.1 MAV Large Market Gas Supply Contract

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 – Building Maintenance

Proof reader(s): Manager – Strategic Assets

Approved by: Director - Infrastructure

Executive Summary

Greater Shepparton City Council has a large market gas account for the supply of gas to Aquamoves for pool heating and energy production.

The previous contract for large market gas was with Origin Energy as procured through the MAV. This expired on 31 December 2019.

The MAV have procured a new large gas contract with Origin Energy again being the preferred provider. Council opted into the procurement in late October 2019 and were given the opportunity to accept the offer in December 2019. MAV have been notified that Council's intention is to accept the offer subject to Council authorisation at an Ordinary Council Meeting.

RECOMMENDATION

That the Council:

1. Approve entering into the MAV procured Origin Energy large market gas contract, for an estimated total value of \$851,230.56 (excluding GST), expiring on 31 December 2022;
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

Background

GSCC have previously been part of a large gas supply contract with Origin Energy for supply of 18,000GJ of gas for pool heating and energy production at Aquamoves via the MAV. The previous procurement was carried out by The MAV in 2018 and expired on 31 December 2019.

The MAV approached GSCC in October 2019 with an offer to participate in their procurement of a replacement gas contract for 3 years.

As a result of the MAV procurement process, Origin Energy was selected as the retailer for the contract in early December 2019. MAV have been notified of Council's intention is to accept the offer, subject to Council authorisation at an Ordinary Council Meeting.

Council Plan/Key Strategic Activity

The provision of large gas account rates allows Aquamoves to source gas at a cost effective rate. The account underpins Aquamoves business operations.

6. INFRASTRUCTURE DIRECTORATE

6.1 MAV Large Market Gas Supply Contract (continued)

Risk Management

There are no significant risks identified associated with entering this contract.

Policy Considerations

The recommendation aligns with Councils policies for procurement.

Financial Implications

Rates for the new gas contract are marginally lower than the existing rates as detailed in the table below:

Existing Rate	New Rate	Cost for 18,000GJ existing rate	Gas cost for 18,000GJ new rate	Aggregate cost over 3 years including service charges
\$10.51/GJ	\$10.39/GJ	\$189,180	\$187,020	\$851,230.56

Legal/Statutory Implications

Entry into this contract retains business as usual for council.

Procurement has been carried out by the MAV complying with Council's statutory requirements under the local government act.

Environmental/Sustainability Impacts

There is no option for procuring environmentally sustainable gas.

Social Implications

The efficient operation of Aquamoves facilities provides a social benefit to the Greater Shepparton region.

Economic Impacts

There are no economic impacts associated with the adoption of this contract.

Consultation

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

Strategic Links

a) Greater Shepparton 2030 Strategy

b) Other strategic links

There are no strategic links associated with this report.

Conclusion

The MAV completed a process to procure a new large gas rate in October 2019 of which GSCC was a signatory. The procurement process has secured a rate marginally better than the existing rate.

The approval to formally enter this contract for a period of three years ensures that Aquamoves is provided with up to 18,000GJ of competitively priced gas for a 3 year period. The new contract period expires 31 December 2022

Attachments

Origin Energy Large Market Gas Contract 2020 [u](#) Page 57

6. INFRASTRUCTURE DIRECTORATE

6.2 Shepparton Art Museum Project Variations

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

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

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

Council Officers involved in producing this report

Author: Project Manager SAM

Proof reader(s): Manager Projects

Approved by: Director Infrastructure

Executive Summary

Council's Exercise of Delegations policy provides for variation approvals for contracts. This is necessary for effective and efficient administration of contracts and the provisions in the policy are appropriate for the contracts that form Council's typical annual program. The new Shepparton Art Museum (SAM) contracts are significantly larger in value than business as usual contracts and the delegations for variations in the Exercise of Delegations policy are not appropriate to facilitate effective administration of these contracts. The recommendation contained in this report will provide the Chief Executive Officer specific delegation to approve payment of variations under contracts for this project necessary for effective project administration and delivery. The level of delegation recommended aligns with the allowance for contingencies provided in the project budget previously approved by Council.

RECOMMENDATION

That the Council authorise the Chief Executive Officer to approve all post award variations for a cumulative total of \$2,350,000 inclusive of GST, for the following:

- Contract 1865 (Construction);
- Contract 1732 (Architectural and Engineering)

Background

As part of the Shepparton Art Museum (SAM) project two major contracts were awarded that form the majority of the project's costs.

- Contract 1732 – The architectural and engineering contract for the design development and engineering of the Shepparton Art Museum – Denton Corker Marshall
- Contract 1865 – The construction of the new Shepparton Art Museum – Kane Construction

The value of the two contracts amount to over \$50 million inclusive of GST, with Contract 1865 being the largest contract Council has ever awarded.

As with any contract, but particularly so with large complex projects such as SAM, it is standard industry practice, and good governance to recognise project contingencies in projects budgets. Project contingency is an allowance for expenditure during the project on unforeseen requirements or decisions taken during the project to achieve the intended outcome or improve outcomes where appropriate. The formal mechanism for expenditure

6. INFRASTRUCTURE DIRECTORATE

6.2 Shepparton Art Museum Project Variations (continued)

against this allowance for works under contract is via a variation to the contract. Variations can result in both increased and reduced expenditure against the awarded contract value.

The contingency sum included in the approved project budget for SAM at the December 2019 Ordinary Council Meeting is \$2,350,000 inclusive of GST. This figure is well below industry standard allowances for contingency on similar projects.

Under Council's Exercise of Delegations policy and Procurement Procedure, for contracts greater than \$250,000, the CEO can approve payment of variations up to a total sum equal to 20% of the contract sum or \$500,000 whichever is the lowest. Approval for all variation payments above this cumulative value of 20% or \$500,000 requires formal approval by Council. When considered in the context of the SAM project, the cumulative limitation of \$500,000 only represents 1% of the contract sum and is not aligned with the budget for contingencies in the approved project budget adopted by Council.

For the SAM contracts, retaining the cumulative limitation of \$500,000 in the delegation for approval of variation payments would result in an inefficient process for payment of legitimate variations, well below the Council's approved contingency budget, and expose Council to potential delays on the project and claims for interest and costs associated with delayed payments. It also means that even simple, minor variations would not be payable until approved via resolution at an Ordinary Council Meeting. This would be a poor and unproductive situation for Council to be in therefore this report recommends that Council;

- Authorise the Chief Executive Officer to approve variations, under Contracts 1865 (Construction) and 1732 (Architectural and Engineering) up to \$2,350,000 inclusive of GST, for all variations post award of Contract 1865 (The construction of the new Shepparton Art Museum – Kane Construction was awarded on 26 February 2019).

This will ensure a practical and sensible arrangement is in place for the administration of the SAM related contracts that are aligned to the approved contingency and will avoid Council being exposed to unnecessary costs.

To ensure transparency is maintained regarding the spend against the budgeted contingency amount a report will be presented quarterly to Council Briefing identifying the SAM Projects approved variations.

6. INFRASTRUCTURE DIRECTORATE

6.2 Shepparton Art Museum Project Variations (continued)

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Variation approvals delayed causing delay to the project	5	3	High	Revise delegation limits to match contingency amount for the SAM project
Departure from policy may result in transparency issues	3	3	Medium	Variation report to be provided at Council Briefing Quarterly
Payment delays resulting in damages to the Council	3	2	Low	Revise delegation limits to match contingency amount for the SAM project

Financial Implications

The realignment of delegated authorities to contingency allowance has no negative effect on the project budget or Council's financial position.

Legal/Statutory Implications

To facilitate more efficient administrative management of the SAM related contracts, specific approval is required to avoid non-compliance with Exercise of Delegations policy.

Consultation

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

Strategic Links

Greater Shepparton City Council Plan 2017 – 2021

Social

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

Economic

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

Conclusion

To efficiently administer the SAM Project and mitigate potential project delays and costs the authorisation for approval of variations for the SAM Project contracts should be aligned to the approved budgeted contingency allowance to allow efficient and effective contract administration.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.3 Purchase of Land - 50 Raftery Road, Kialla

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

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

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

Council Officers involved in producing this report

Author: Manager – Parks, Sport and Recreation

Proof reader(s): Director - Infrastructure

Approved by: Director - Infrastructure

Executive Summary

Council became aware that the parcel of land at 50 Raftery Road, was listed for sale and available for purchase at an asking price of \$500,000; the land is located to the West of the Kialla Park Recreation Reserve.

The property abuts the western end of Kialla Park Recreation Reserve and Council also owns the parcel of land immediately to the north. A secondary arterial road between Raftery Road and Furphy Avenue, as outlined in the Shepparton South Growth Corridor Development Plan A, requires this parcel of land for implementation. In addition to the potential to create the link road and walking paths this property is ideally located to facilitate expansion of sports facilities at Kialla Park to meet existing and future demand and is considered an important strategic purchase.

Council sought an independent valuation of the property which resulted in an assessed value of \$420K ex GST. An offer to purchase, subject to formal Council approval, of \$420,000 was made for the property via the real estate agent. The property owner has accepted this conditional offer and Council's formal approval to proceed with the purchase is now sought.

RECOMMENDATION

That the Council:

1. Approve the purchase of 50 Raftery Road Kialla for a purchase price of \$462,000.00 (including GST);
2. Authorise the Chief Executive Officer to complete all necessary actions to achieve the purchase.

Background

Council became aware that the parcel of land at 50 Raftery Road, was listed for sale and available for purchase at an asking price of \$500,000; the land is located to the West of the Kialla Park Recreation Reserve.

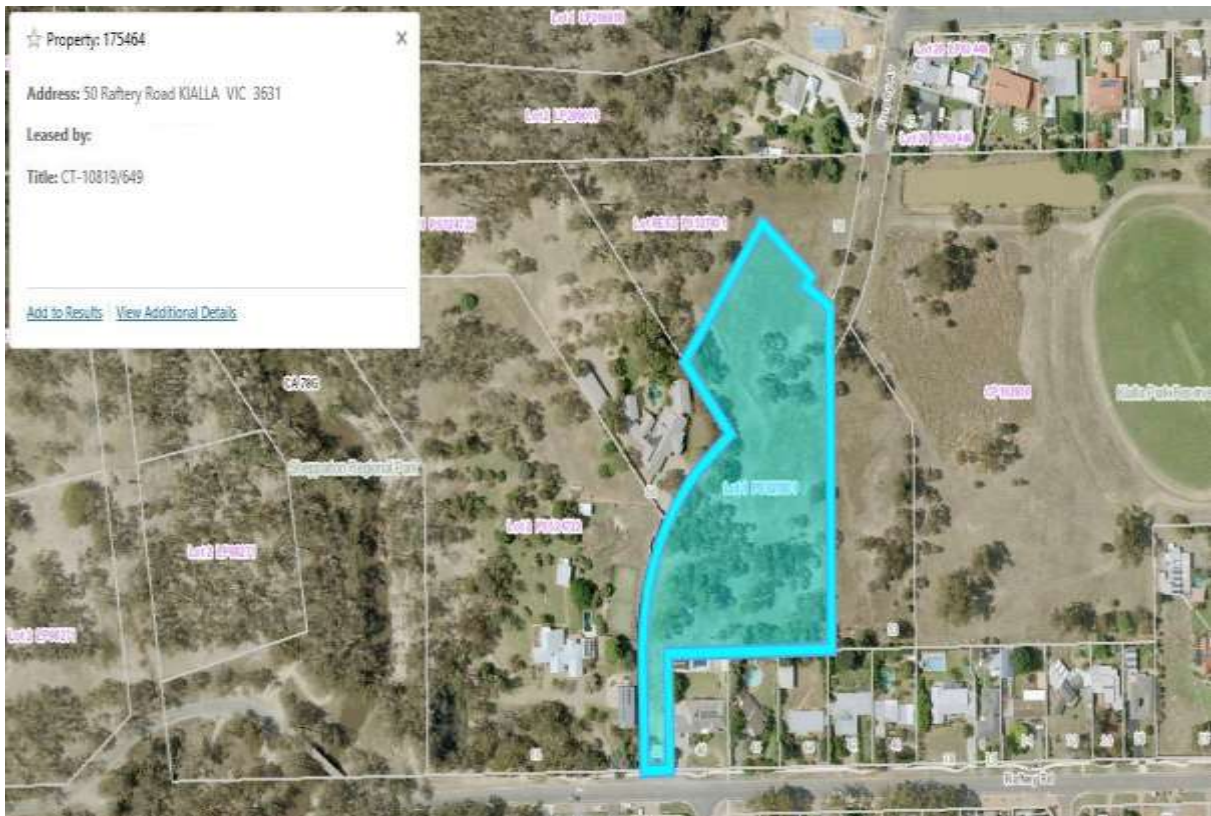
The property abuts the western end of Kialla Park Recreation Reserve and Council also owns the parcel of land immediately to the north. A secondary arterial road between Raftery Road and Furphy Avenue, as outlined in the Shepparton South Growth Corridor Development Plan A, requires this parcel of land for implementation. In addition to the potential to create the link road and walking paths this property is ideally located to

6. INFRASTRUCTURE DIRECTORATE

6.3 Purchase of Land - 50 Raftery Road, Kialla (continued)

facilitate expansion of sports facilities at Kialla Park to meet existing and future demand and is considered an important strategic purchase.

Council sought a valuation of the property which resulted in an assessed value of \$420K ex GST. An offer to purchase, subject to formal Council approval, of \$420,000 was made for the property via the real estate agent. The property owner has accepted this conditional offer and Council's formal approval to proceed with the purchase is now sought.



6. INFRASTRUCTURE DIRECTORATE

6.3 Purchase of Land - 50 Raftery Road, Kialla (continued)



IDYLIC 4 ACRE LIFESTYLE OPPORTUNITY*

Included and set among the private bushland of the Sevens Creek, this extremely rare and unique 4 Acre allotment offers an idyllic lifestyle surrounded by natural bush environment, the perfect home site to build your dream home or explore the opportunities to subdivide this fantastic site located within town boundary. Zoned Residential and surrounded by reserve, enjoy tranquil bushwalks, sevens creek estate, Kialla recreational reserve all with 10 minutes drive to Shepparton CBD and 2 hours north of Melbourne.

*If town services are available

CONTACT AGENT

AGENT DETAILS

 **Gerald Sabri**
 DIRECTOR & LICENSED AGENT

Council Plan/Key Strategic Activity

The proposal directly aligns with the following objectives of the Council Plan:

Social

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

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

- Kialla Park Master Plan
- South Shepparton Growth Corridor Development Plan A

Risk Management

There are no significant risks identified as a result of purchasing this property. There are risks associated with lost opportunity if the purchase did not proceed.

Policy Considerations

Approval of the recommendation supports existing Council Policies.

Financial Implications

	Approved Budget Estimate for this proposal ¹ \$	This Proposal GST Exclusive \$	Variance to Approved Budget Estimate \$	This Proposal GST Inclusive ² \$
Revenue	N/A	N/A	N/A	N/A
Expense	\$0.00	\$420,000	\$420,000	\$462,000
Net Total	\$0.00	\$420,000	\$420,000	\$462,000

¹ Budgets are GST exclusive

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

6. INFRASTRUCTURE DIRECTORATE

6.3 Purchase of Land - 50 Raftery Road, Kialla (continued)

Funds for the purchase will be allocated from the Recreational Land Fund (Open Space developer contribution) restricted investment which had a projected ending balance at 30 June 2020 of \$670,000 which will now be \$250,000 with this purchase.

Legal/Statutory Implications

There are no legal or statutory impacts in regards to purchasing this land.

Environmental/Sustainability Impacts

There are no adverse environmental or sustainability impacts in regards to purchasing this land.

Social Implications

The recommendation will not result in any negative social implications. Purchasing will improve access to facilities supporting current use and encouraging increased participation in sport and creating better connectivity.

Economic Impacts

The recommendation will not result in any negative economic impacts.

Consultation

In addition to consultation during the establishment of the Shepparton South Growth Corridor Development Plan A Internal Consultation has taken place regarding this strategic purchase and Council 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 – Enhance social connectedness, physical and mental health and wellbeing, education and participatory opportunities in order to improve liveability with a greater range of public open spaces, and recreation and community services.

Vision 4.3.5 Different New Residential Development – A priority on an active community with walking and cycle networks linked to major attractions as a major consideration**)b)**

Other strategic links

Greater Shepparton Municipal Health and Wellbeing Plan – Priority 14 – Physical Activity

Conclusion

This is an important strategic purchase of land that aligns with Councils objectives and planning documents for this area and it is recommended that the purchase of 50 Raftery Road Kialla be approved in line with the valuation commissioned by Council at \$420,000.00 excluding GST.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.4 Procurement Australia Contract PA 2110/0503 – Contract No.2026 Mobile Garbage Bins

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

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

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

Council Officers involved in producing this report

Author: Team Leader Waste

Proof reader(s): Manager Works and Waste

Approved by: Director Infrastructure

Executive Summary

Procurement Australia (PA), on behalf of 17 Councils, acted as a tendering agent for the purpose of inviting and evaluating public tenders from suitably experienced and qualified parties to be part of a panel of providers to its members for kerbside bins. This panel is endorsed by the State Government of Victoria as a preferred method of procurement and is specifically made available to Council under a standing Ministerial Exemption issued in 2014.

The purpose of this report is to opt in and take advantage of the Procurement Australia Panel of providers to supply and deliver a range of mobile bin products (kerbside bins).

Council was party to this service in the past under Contract No.1547 (PA 1801/0503) however that contract has now expired. Contract No.2026 (PA 2110/0503) is the replacement of the expired arrangement.

The contract is for the period commencing 1 November 2019 through to 31 October 2021 (2 years) with an option of two (2) by one year (1) extensions (2+1+1). The annual value of Council's expenditure under this contract is estimated to be \$176,000 (GST inclusive). The estimated value of this contract for the contracted period of four years is therefore \$704,000(GST inclusive).

RECOMMENDATION

That the Council:

1. Approve entry into Procurement Australia's Contract No.2026 (PA 2110/0503), panel of suppliers for the supply and delivery of Mobile Bin products.
2. Authorise the Chief Executive Officer to sign and seal the contract documents
3. Note that the contract term is two years with an option of two by one year extensions (2+1+1), for a total estimated contract value of \$704,000 GST inclusive.
4. Authorise the Chief Executive Officer to exercise the contract extension, where satisfactory performance has been demonstrated.

6. INFRASTRUCTURE DIRECTORATE

6.4 Procurement Australia Contract PA 2110/0503 – Contract No.2026 Mobile Garbage Bins (continued)

Contract Details

Procurement Australia invited tenders from suitably qualified organisations to form a panel of providers to supply and deliver a range of Mobile Bin products to its members nationwide. This contract replaces Contract No.1547 (PA1801/0503) Mobile Garbage Bins.

Council was signed up to this service in the past under Contract No.1547 (PA 1801/0503) and this contract has now expired. Contract No.2026 (PA 2110/0503) is simply the replacement of the expired arrangement.

This Procurement Australia contract is for the period commencing 1 November 2019 through to 31 October 2021 with an option of two (2) by one year (1) extensions.

Tenders

Tenders were received from:

Tenderers
Contenur Asia Pacific Pte Ltd
SULO MGB Australia P/L
The Trustee for WRS Trust t/a Mastec Australia P/L
Trident Plastics (SA) P/L
Viscount Plastics (Australia) P/L

Due to limited Australian local capability Procurement Australia did not award this contract to Contenur.

Tender Evaluation

Tenders were evaluated by Procurement Australia on behalf of the 17 participating councils.

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Technical Criteria (Compliance, Professional competence and Corporate governance & Social responsibility)	80%
Price	20%

Council Plan/Key Strategic Activity

The adoption of the Procurement Australia contract allows Council the flexibility to utilise the panel of suppliers for regular waste collection operations including emergency situations without the concern risk of being non-compliant with the Local Government Act or Councils Procurement Guidelines.

6. INFRASTRUCTURE DIRECTORATE

6.4 Procurement Australia Contract PA 2110/0503 – Contract No.2026 Mobile Garbage Bins (continued)

Financial Implications

It is more cost effective for Council to purchase through this panel of suppliers rather than repeat the whole tender process that Procurement Australia have already done.

	Approved Budget Estimate for this proposal ¹ \$	This Proposal GST Exclusive \$	Variance to Approved Budget Estimate \$	This Proposal GST Inclusive ² \$
Revenue				
Expense	\$640,000	\$704,000		\$704,000
Net Total	\$640,000	\$704,000		\$704,000

¹ Budgets are GST exclusive

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

Legal/Statutory Implications

Tender process has been carried out according to the requirements of *Section 186 (5) (c)* of the *Local Government Act 1989*.

Environmental/Sustainability Impacts

Mobile garbage bins are made from a percentage of recycled plastic and so this purchase will achieve sustainable purchasing status and the competitive price will mean Council do not need to apply as much in financial resources as it may otherwise.

Strategic Links

a) Greater Shepparton 2030 Strategy

The recommendation is consistent with the Greater Shepparton 2030 Strategy, Section 4.1 – Sustainability Principles

Conclusion

By endorsing this Procurement Australia contract Council will have the flexibility to streamline procurements, and will be able to ensure that a high level of service is maintained for residents, whilst adhering to Council procurement guidelines and the Local Government Act.

Attachments

Letter to Procurement Australia [↓](#) Page 64

6. INFRASTRUCTURE DIRECTORATE

6.5 Contract 2012 - Supply of Advanced Trees - Panel of Suppliers

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 – Arboriculture, Parks & Sports Facilities

Proof reader(s): Manager Parks, Sport & Recreation

Approved by: Director - Infrastructure

Executive Summary

Council's Arboriculture team complete an annual tree planting program and on average plant 1500 trees each year. This panel of supplier's contract will facilitate compliance with Council's procurement guidelines and the requirements of the Local Government Act.

The contract period is three years with an option of two by one year extensions (3+1+1). The annual expenditure against this contract is estimated to be \$150,000 (GST exclusive) or \$165,000 (GST inclusive). The estimated value of this contract for the contracted period of five years is therefore \$825,000 (GST inclusive).

Council advertised for the Supply of advanced Trees via TenderSearch. As this contract is a panel of suppliers the method for utilising the panel will be prioritised by best quality, price and availability.

RECOMMENDATION

That the Council:

1. Accept the tenders submitted by:
 - Established Tree Transplanters
 - Flemings Nurseries Pty Ltd
 - Green Corp
 - Local Tree Care Pty Ltd
 - Rochester Native Nursery

For contract No. 2012 Supply of Advanced Tree – Panel of Suppliers

2. Authorise the Chief Executive Officer to sign and seal the contract documents.
3. Note that the contract term is three years with an option of two by one year extensions (3+1+1), for a total estimated contract value of \$825,000 inclusive of GST.
4. Authorise the Chief Executive Officer to award the optional contract extension periods, where satisfactory performance has been demonstrated.

6. INFRASTRUCTURE DIRECTORATE

6.5 Contract 2012 - Supply of Advanced Trees - Panel of Suppliers (continued)

Contract Details

Contract No. 2012 – Supply of Advanced Trees – Panel of Suppliers provides formalisation of contractual arrangements with tree growers who will be engaged to supply advanced trees for the annual tree planting program and on as - need basis.

Note: the tender received from Hillywood Tree Nursery did not comply with the tender requirements and is not recommended to be awarded the contract.

Tenders

Tenders were received from:

Tenderers
Established Tree Transplanters
Flemings Nurseries Pty Ltd
Green Corp
Local Tree Care Pty Ltd
Rochester Native Nursery
Hillywood Tree Nursery

Tender Evaluation

Tenders were evaluated by:

Title	Branch
Manager – Strategic Assets	Strategic Assets
Team Leader – Arboriculture, Parks and Sports Facilities	Parks, Sport & Recreation
Group Coordinator - Arboriculture	Parks, Sport & Recreation

Note:

- Tender Evaluation was overseen/moderated by the Procurement Department

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	50%
Capability/Previous Experience	10%
Performance	10%
Response to brief	10%
Benefit to the local region	10%
Environmental Sustainability	10%

Council Plan/Key Strategic Activity

Environment

5.1 - Greening Greater Shepparton has created an attractive, vibrant and liveable place with well- connected green spaces that are valued by the community

5.2 – The region’s environmental assets are planned and managed to ensure they are enhanced and sustainable for future generations.

6. INFRASTRUCTURE DIRECTORATE

6.5 Contract 2012 - Supply of Advanced Trees - Panel of Suppliers (continued)

Risk Management

Please see table below

Risks	Likelihood	Consequence	Rating	Mitigation Action
Suppliers unable to supply stock	Unlikely	Minor	Low	With five suppliers on the panel we have the ability to buy from one who will grow the variety of tree required
Tree stock not to acceptable standard	Possible	Minor	Low	Inspection of trees in growing stages will be conducted

Policy Considerations

The undertaking of this contract provides compliance with Councils Procurement Policy

Financial Implications

	Approved Budget Estimate for this proposal ¹	This Proposal GST Exclusive	Variance to Approved Budget Estimate	This Proposal GST Inclusive ²
	\$	\$	\$	\$
Revenue				
Expense	\$750,000	\$750,000	0	\$825,000
Net Total	\$750,000	\$750,000	0	\$825,000

¹ Budgets are GST exclusive

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

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 demonstrate they had a company system in place to ensure their business did not negatively impact on the environment.

Strategic Links

a) Greater Shepparton 2030 Strategy

Urban forest Strategy

b) Other strategic links

There are no strategic links associated with this report.

Conclusion

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

Nil

7. COMMUNITY DIRECTORATE

7.1 Greater Shepparton Sports Hall of Fame - Revised Terms of Reference and Appointment of Committee Members

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

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

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

Council Officers involved in producing this report

Author: Team Leader Healthy Communities

Proof reader(s): Manager Active Living

Approved by: Director Community

Executive Summary

Greater Shepparton City Council delivered the Greater Shepparton Sports Hall of Fame Honour Roll and Junior Honour Roll induction ceremony in August 2019, following on from the inaugural Hall of Fame induction ceremony held in August 2017.

These ceremonies were the culmination of almost four years work undertaken by the Greater Shepparton Sports Hall of Fame Advisory Committee which was appointed by Council in 2016 to recognise and celebrate significant sporting achievements of Greater Shepparton residents. Both induction ceremonies have been an outstanding success and generated continued interest in the initiative.

The terms of reference for the committee was reviewed and updated with the view to continuing the success of this initiative. Changes to the terms of reference recommended included;

- Minor adjustment to the role and purpose description of the advisory committee in line with their activities in their second term, including creating guidelines for the revocation of award status.

Following this review of the terms of reference, Greater Shepparton City Council called for nominations from local residents for the Greater Shepparton Sports Hall of Fame Advisory Committee.

Membership of the committee as referred to in the revised terms of reference (included with this report) comprises up to ten members for a two year term and includes;

- Four representatives from Greater Shepparton City Council - two Councillors, Manager Active Living and Team Leader Healthy Communities,
- One representative from ValleySport and,
- Up to five community representatives

Nominations for the community representative positions were advertised from Monday 9 December 2019 and closed at 5.00pm Friday 31 January 2020. A total of three nominations were received from the following individuals who have served on the committee since its inception:

- Darryl Butcher
- Don Kilgour
- Margo Koskelainen

There remain two vacant community representative spots on the committee. Council Officers believe the committee is in capable hands to commence 2020 with three

7. COMMUNITY DIRECTORATE

7.1 Greater Shepparton Sports Hall of Fame - Revised Terms of Reference and Appointment of Committee Members (continued)

community member representatives. The remaining two spots will look to be filled throughout the year.

At the conclusion of each term, members are currently eligible for re-nomination. All nominations received meet the membership prerequisites of committee representation as detailed in the Terms of Reference and allows for a quorum to be achieved.

RECOMMENDATION

That the Council:

1. Approve the revised Greater Shepparton Sports Hall of Fame Advisory Committee Terms of Reference.
2. Appoint the following three community members to the Sports Hall of Fame Advisory Committee for a term of two years, commencing 1 April 2020 and concluding 31 March 2022:
 - Darryl Butcher
 - Don Kilgour
 - Margo Koskelainen

Background

The Sports Hall of Fame seeks to recognise and celebrate significant sporting achievement of Greater Shepparton residents; and has the potential to recognise sporting achievers from the Goulburn Valley and become a Regional Sports Hall of Fame. Achievements recognised in the first induction include participation and success in sport at a national, international, state or local level and included players and athletes, coaches and officials, administrators and others involved in sport at an elite level.

The Greater Shepparton Sports Hall of Fame Advisory Committee was first established in February 2016 according to the Terms of Reference adopted by Resolution of Council on 17 November 2015.

Members of the Greater Shepparton Sports Hall of Fame Advisory Committee serve on the committee for a two year period.

Members included councillor representatives Cr. Bruce Giovanetti and Cr. Dennis Patterson, Manager Active Living, Team Leader Healthy Communities, Don Kilgour, Margo Koskelainen, Ian Fitzsimmons, Darryl Butcher, Lana Young David Quinn (ValleySport representative).

Over the past two years, members of the Greater Shepparton Sports Hall of Fame Advisory Committee developed selection criteria, called for public nominations to induct the Greater Shepparton Sports Hall of Fame Honour Roll and Junior Honour Roll inductees. The Greater Shepparton Inaugural Sports Hall of Fame Induction Ceremony was held on Friday 4 August 2019 which saw 23 individuals inducted into the Greater Shepparton Sports Hall of Fame.

McPherson Media, media partner for the initiative has established a Greater Shepparton Sports Hall of Fame website containing stories published and photos of each of the

7. COMMUNITY DIRECTORATE

7.1 Greater Shepparton Sports Hall of Fame - Revised Terms of Reference and Appointment of Committee Members (continued)

inductees. A longer term, more permanent commemoration of recipients is yet to be confirmed by the advisory committee. Work on this continues.

The Terms of Reference for the committee has been reviewed and updated following the completion of the Greater Shepparton Sports Hall of Fame Induction Ceremonies that have been held.

There have been some minor adjustments to the role of the committee described in the document to better reflect the activities of the committee in its second term. This includes the creation of guidelines for the revocation of Sports Hall of Fame status for inductees.

The membership of the Sports Hall of Fame Advisory Committee includes:

- Greater Shepparton City Council – Up to 2 Councillors, 1 Senior Staff member and 1 Project Officer
- ValleySport – 1 Representative
- Community Members – up to 5 Representatives

At the conclusion of each term, members will be eligible for re-nomination.

Council called for nominations from local residents for the Greater Shepparton Sports Hall of Fame Advisory Committee. Nominations for appointments to the committee were received from Monday 4 December 2019 until 5.00pm Friday 31 January 2020. A total of three applications were received from the following individuals – Don Kilgour, Margo Koskelainen and Darryl Butcher.

There are two Community Member positions on the committee that may be filled at a later date. Council Officers believe the committee is in capable hands to commence 2020 with three community member representatives.

The nominations received fit the membership of the committee in accordance with the Terms of Reference and a quorum can be met. Members will be appointed for a two year term in accordance with the Terms of Reference, concluding in November 2021.

Council Plan/Key Strategic Activity

The Sports Hall of Fame links to the following strategic goals outlined in the Council Plan 2017 – 2021.

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

Economic Prosperity – Increased tourism, including conferences, events and sports.

This is achieved by establishing a formal recognition scheme for sporting accomplishments achieved by Greater Shepparton residents. The Sports Hall of Fame will have a flow on effect to the community, with Hall of Fame inductees engaged in programs that support participation in sport and physical activity. The Sports Hall of Fame presents itself as an economic opportunity for the region.

7. COMMUNITY DIRECTORATE

7.1 Greater Shepparton Sports Hall of Fame - Revised Terms of Reference and Appointment of Committee Members (continued)

Risk Management

The Greater Shepparton Sports Hall of Fame is a low risk activity with reputational risk to both Council, the advisory committee and the initiative itself being managed through the eligibility criteria which forms part of the terms of reference.

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications identified at this stage. Potential for a physical location and/or web based location which will include associated capital and operational costs will be investigated at a later stage.

Legal/Statutory Implications

There are no legal/statutory implications identified within this project.

Environmental/Sustainability Impacts

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

Social Implications

The concept of a Sports Hall of Fame has a range of positive social implications including:

The appointment of community members to a committee helps to build a sense of community by increasing participation, involvement and pride in this project.

Connecting with others through the social medium of sport is a great way to acknowledge sporting achievements and inspire community members to participate in sport and recreation, overcome obstacles and provide a sense of motivation to achieve a high standard. The Sports Hall of Fame aims to preserve, celebrate and showcases history and heritage of sports excellence and achievement in Greater Shepparton.

Economic Impacts

It remains an ambition that the Sports Hall of Fame initiative including future induction ceremonies has the ability to attract financial support from corporate sponsorship, philanthropic trust support and government grants which, when added to event ticket pricing will minimise any subsidy by Greater Shepparton City Council.

Should a physical commemorative feature be decided upon for the hall of fame, it is expected that this will act as a tourist attraction for the region.

Consultation

Nominations for the Sports Hall of Fame Advisory Committee were advertised in the Shepparton News, on the Greater Shepparton City Council website and facebook page and the Get Mooving Greater Shepparton Facebook page. Nominations closed at 5.00pm on Friday 22 December 2018.

The three nominations received were evaluated based on qualifications, skills and experience and all deemed suitable for appointment to this committee.

7. COMMUNITY DIRECTORATE

7.1 Greater Shepparton Sports Hall of Fame - Revised Terms of Reference and Appointment of Committee Members (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

Community Life: focusing upon enhancing the health of the community both through services and facilities.

b) Other strategic links

Greater Shepparton Community Development Framework

The Community Development Framework was adopted by Council in 2010. This framework outlines Council's commitment to implement a community development approach to empower and strengthen communities, encourage cooperative practices and celebrate and embrace diversity of our community.

Sport and Recreation Victoria Strategic Framework 2013 – 2015

Victorians gain greater health and wellbeing, and Victoria's prosperity and liveability is enhanced, through participation in sport and active recreation.

Conclusion

Based on the success of the inaugural Greater Shepparton Sports Hall of Fame induction ceremony, it is recommended that the Sports Hall of Fame concept to continue.

In support of this, it is recommended that the revised terms of reference for the advisory committee be adopted and above mentioned applicants be appointed to the Sports Hall of Fame Advisory Committee by Council.

Attachments

Sports Hall of Fame Advisory Committee Terms of Reference 2018 - 2020 Page 69

7. COMMUNITY DIRECTORATE

7.2 Amendment to Council's Acknowledgement of Traditional Owners

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

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

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

Council Officers involved in producing this report

Author: Manager Neighbourhoods

Proof reader(s): Director Community

Approved by: Director Community

Executive Summary

The Yorta Yorta Nation Aboriginal Corporation is recognised by the Victorian Government through the Victorian Aboriginal Heritage Council under the Aboriginal Heritage Act 2006 as a Registered Aboriginal Party for the land comprising the City of Greater Shepparton. It was established to represent the eight clan groups of the Yorta Yorta Nation. Registered Aboriginal Parties, or Traditional Owners as they are commonly known, have important roles and functions in managing and protecting Aboriginal and Torres Strait Islander Peoples' cultural heritage.

Council's current Acknowledgement adopted in 2004, does not specify the Yorta Yorta people as the Traditional Owners of the Land comprising of Greater Shepparton. This report recommends an amendment to the existing Acknowledgement so that it does recognise the Traditional Owners and is consistent with the advice of Aboriginal Victoria.

This will signify to the whole community that Council are committed to reconciliation and healing, in addition to affording the appropriate respect to Traditional Owners of Country.

RECOMMENDATION

That the Council amend its Acknowledgement of Traditional Owners to:

'Greater Shepparton City Council acknowledge the Traditional Owners of the land on which we are gathering today, the Yorta Yorta Peoples comprising of 16 family groups and pay our respect to Elders both past and present.'

Background

Aboriginal and Torres Strait Islander Peoples' communities in Shepparton have maintained strong cultural identities. Today, Greater Shepparton has many places and features that have significant Aboriginal and Torres Strait Islander cultural heritage and is amongst the most culturally diverse municipalities in regional Victoria.

Around 1.6% of people in Greater Shepparton identify as Aboriginal and/or Torres Strait Islander People in the Australian Bureau of Statistics Census (2016). However, anecdotal evidence shows that this is an underrepresentation, and Greater Shepparton's Aboriginal and Torres Strait Islander population is actually almost three times this with a population of nearly 6,000. This makes this region one of the largest Aboriginal and Torres Strait Islander populated areas outside of metropolitan Melbourne.

7. COMMUNITY DIRECTORATE

7.2 Amendment to Council's Acknowledgement of Traditional Owners **(continued)**

Greater Shepparton Local Government Area has 567 registered cultural heritage places including Aboriginal historical places, burials, artefact scatters, earth features, low density artefact distributions, object collections, a quarry, scarred trees and shell middens.

Historically, the majority of the municipality was included in the Yorta Yorta Nation with eight clans occupying Greater Shepparton and surrounding areas including: Bangerang, Kalitheban, Wollithiga, Moira, Ulupna, Kwat Kwat, Yalaba Yalaba and Nguaria-iliam-wurrung.

The Yorta Yorta Nation Aboriginal Corporation is recognised by the Victorian Government through the Victorian Aboriginal Heritage Council under the Aboriginal Heritage Act 2006 as the Registered Aboriginal Party for the land comprising the City of Greater Shepparton. It was established to represent the eight clan groups of the Yorta Yorta Nation. Registered Aboriginal Parties, or Traditional Owners as they are commonly known, have important roles and functions in managing and protecting Aboriginal and Torres Strait Islander Peoples' cultural heritage.

At the Council's Ordinary Council Meeting held 7 December 2004, Councillor John Gray passed a Notice of Motion introducing Acknowledgement of Traditional Owners (Acknowledgement) at the start of formal Council meetings and state:

"We, the Greater Shepparton City Council, acknowledge the Traditional Owners of the land which now comprise Greater Shepparton. We pay respect to their tribal Elders, we celebrate their continuing culture and we acknowledge the memory of their ancestors".

Council adopted the Reconciliation Action Plan 2019-2020 (Plan) at the June 2019 Ordinary Council Meeting. The Plan sets out Council's commitment to reconciliation and to ensuring Aboriginal and Torres Strait Islander Peoples and cultures are respected, acknowledged and celebrated. One of the Actions of the Plan is to amend the current acknowledgement;

9.(g) Revise Council's official Acknowledgement of Traditional Owners to specifically acknowledge the Registered Aboriginal Party and the 8 Clans

This report recommends that Council formally amend the Acknowledgement of Traditional Owners to the below:

Greater Shepparton City Council acknowledge the Traditional Owners of the land on which we are gathering today, the Yorta Yorta Peoples comprising of 16 family groups and pay our respect to Elders both past and present.

This formally acknowledges the Yorta Yorta people as the Traditional Owners of the Land and is consistent with the Victorian Government's Aboriginal Victoria guidance on the Acknowledgement of Traditional Owners *'If the Victorian Government has formally recognised the Traditional Owners for the area where your event is taking place, you should specifically acknowledge those Traditional Owners'* which was reviewed on 28 October 2019.

An Acknowledgement of Traditional Owners should be given at formal events, forums and functions such as Government and Local Government meetings, conferences,

7. COMMUNITY DIRECTORATE

7.2 Amendment to Council's Acknowledgement of Traditional Owners (continued)

school assemblies, concerts, board meetings, and official openings. This is consistent with the procedure outlined in Council's Aboriginal Communications Guide.

Council Plan/Key Strategic Activity

This report links to the following Council Plan Objectives:

Social

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

2.8 Our Aboriginal culture and people are valued and celebrated, with collaborative actions undertaken to enable peaceful, healthy and productive lives in a safe environment.

Risk Management

When making a decision regarding this report the political tension that exists primarily between the Yorta Yorta Nation Aboriginal Corporation (YYNAC) and the Bangerang should be considered.

Council works closely with YYNAC and has established internal procedures regarding Acknowledgement, Welcome to Country and seeks guidance from YYNAC in regards to all Aboriginal matters relating to cultural heritage, land and language.

Policy Considerations

If an amendment to the Acknowledgement is made as a result of this report an update of the Aboriginal Communications Guide 0.2PRO3 will be required and communicated across the organisation.

Financial Implications

There are no financial implications associated with this report.

Legal/Statutory Implications

This report is consistent with the Local Government Act 1989 and the Aboriginal Heritage Act 2006.

Environmental/Sustainability Impacts

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

Social Implications

This report seeks to recognise the Yorta Yorta people as the Traditional Owners of the Land comprising of Greater Shepparton.

An Acknowledgement of Traditional Owners recognises the continuing connection of Aboriginal Traditional Owners to their Country. Greater Shepparton has a strong and proud Aboriginal history, comprising of complex ownership and land stewardship systems stretching back many thousands of years.

This will signify to the whole community that Council are committed to reconciliation and healing, in addition to affording the appropriate respect to Traditional Owners of Country.

Economic Impacts

There are no economic impacts associated with this report.

7. COMMUNITY DIRECTORATE

7.2 Amendment to Council's Acknowledgement of Traditional Owners (continued)

Consultation

Consultation has been undertaken with Yorta Yorta Nation Aboriginal Corporation, Bangerang and Shepparton Region Reconciliation Group regarding changes to Council's acknowledgment. Consultation was also undertaken when developing the Reconciliation Action Plan with a number of key stakeholders in the Greater Shepparton area.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

Greater Shepparton City Council Reconciliation Action Plan 2019-2020.

Conclusion

Council's current Acknowledgement adopted in 2004, does not specify the Yorta Yorta people as the Traditional Owners of the Land comprising of Greater Shepparton.

This report recommends an amendment to the existing Acknowledgement so that it does recognise the Traditional Owners. This will demonstrate to the whole community that Council are committed to reconciliation and healing, in addition to affording the appropriate respect to Traditional Owners of Country.

Attachments

Nil

8. CORPORATE SERVICES DIRECTORATE

8.1 Council Plan 2019-20 Quarter 2 Progress Report

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

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

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

Council Officers involved in producing this report

Author: Corporate Planning Analyst

Proof reader: Acting Manager Corporate Governance

Approved by: Director Corporate Services

Executive Summary

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

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

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

Of the identified general actions for progress reporting in relation to measuring achievement, the vast majority of actions (39 out of 52) are on target.

RECOMMENDATION

That the Council note the Council Plan 2019-20 Quarter 2 progress report which provides details in relation to achieving the Measures of Success identified in the Council Plan 2017-2021.

Background

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

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

8. CORPORATE SERVICES DIRECTORATE

8.1 Council Plan 2019-20 Quarter 2 Progress Report (continued)

These five themes are:

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

Council Plan/Key Strategic Activity

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

Risk Management

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

Policy Considerations

There are no policy considerations associated with this report.

Financial Implications

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

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

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

Social Implications

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

Economic Impacts

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

8. CORPORATE SERVICES DIRECTORATE

8.1 Council Plan 2019-20 Quarter 2 Progress Report (continued)

Consultation

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

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

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

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Council Plan 2017-2021

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

c) The Annual Budget 2019-20

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

Conclusion

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

Attachments

Council Plan 2019-20 Quarter 2 Progress Report [↓](#) Page 73

8. CORPORATE SERVICES DIRECTORATE

8.2 February 2020 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 Accounting Operations

Proof reader(s): Director Corporate Services

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 2020.

RECOMMENDATION

That the Council receive and note the February 2020 Monthly Financial Report.

Background

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

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

Council adopted the 2019/2020 Q2 Adopted Forecast on 18 February 2020, with an accounting surplus of \$23.96 million which is \$0.67 million more than then Q1 Adopted Forecast. The capital works program is \$73.5 million which is an increase of \$0.6 million from the Q1 Adopted Forecast.

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

The February 2020 Monthly Financial Report incorporates the following sections which are presented for Council's consideration:

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

8. CORPORATE SERVICES DIRECTORATE

8.2 February 2020 Monthly Financial Report (continued)

Council Plan/Key Strategic Activity

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

Risk Management

There are no risks identified in providing this financial report.

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

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

Social Implications

There are no social implications associated with this report.

Economic Impacts

There are no economic implications in providing this financial report.

Consultation

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

Conclusion

The report presents Council’s actual financial performance compared to the budget for the eight months ended 29 February 2020.

Attachments

February 2020 - Monthly Financial Statements [↓](#) Page 129

8. CORPORATE SERVICES DIRECTORATE

8.3 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

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

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

Council Officers involved in producing this report

Author: Governance Officer

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

Approved by: Director – Corporate Services

Executive Summary

The Chief Executive Officer (CEO) has delegated powers to appoint Council officers as Authorised Officers under various pieces of legislation to ensure appropriate appointments can be made efficiently and without significant delay. However, under the *Planning and Environment Act 1987*, the Council cannot delegate the provision to authorise officers for the purposes of enforcing the *Planning and Environment Act 1987* to the CEO. This can only be done by Council.

A staff member that has commenced employment in the Planning Department and/or within a relevant position at Council may be required to be Authorised Officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act by Council.

This report seeks to review and update the authorisations currently in place for Council Officers, authorise officers who have commenced work with the organisation, and revoke the authorisation of officers who are no longer employed by the organisation in a role requiring authorisation.

8. CORPORATE SERVICES DIRECTORATE

8.3 Instrument of Appointment and Authorisation (Planning and Environment Act 1987) (continued)

RECOMMENDATION

In the exercise of the provisions conferred by Section 147 of the *Planning and Environment Act 1987* and the other legislation referred to in the attached Instrument of Appointment and Authorisation (*Planning and Environment Act 1987* only)(S11A), Council resolves that:

1. the Instrument of Appointment and Authorisation conferred to Ronan Murphy and Carl Byrne be revoked;
2. the following staff members be appointed and authorised as set out in the Instrument of Appointment:
 - Colin Kalms
 - Andrew Dainton
 - Braydon Aitken
 - Patricia Garraway
 - Michael MacDonagh
 - Grace Docker
 - Michelle Edwards
 - Tracey Mercuri
 - Geraldine Christou
 - Sally Edmunds
 - Mitchell Stoter
 - Kate Clarke
 - Alan Wright
 - Alex Smith
 - Kerri Piner
 - Kevin McNair
 - Mark Dudley
 - Brent O'Brien
 - Sarabjit Singh
 - Jonathan Griffin
 - Vathana Mathivannan
3. The Instrument comes into force immediately upon the Common Seal of Council being affixed to the Instrument and remain in force until Council determines to vary or revoke the Instrument, or the staff member ceases employment with Council.
4. The Common Seal of Council be affixed to the Instrument as attached.

Background

Council subscribes to a delegations and authorisations service provided by the legal firm Maddocks Lawyers Pty Ltd. This documentation is generally updated twice per year based upon any legislative changes and specific issues raised by councils.

Council Plan/Key Strategic Activity

This is a procedural matter, but ensures the successful delivery of Council business.

8. CORPORATE SERVICES DIRECTORATE

8.3 Instrument of Appointment and Authorisation (Planning and Environment Act 1987) (continued)

Risk Management

Only Authorised Officers are able to undertake various functions under the *Planning and Environment Act 1987*. This process ensures that officers have the correct authorisation in place. There is a minor risk of this occurring.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Unauthorised Officers	Unlikely	Minor	Low	Ensures officers have correct authorisation

Policy Considerations

There are no conflicts with existing Council policy.

Financial Implications

There are no financial implications as a result of this report.

Legal/Statutory Implications

The proposal is consistent with the *Planning & Environment Act 1987*, in that officers must be authorised to perform duties under the *Planning & Environment Act 1987*.

Environmental/Sustainability Impacts

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

Social Implications

No social implications have been identified.

Economic Impacts

No economic impacts have been identified.

Consultation

No consultation is needed, as this is an administrative process.

Strategic Links

a) Greater Shepparton 2030 Strategy 2006

No strategic links have been identified to the *Greater Shepparton 2030 Strategy, 2006*.

b) Council Plan

This proposal supports Council Plan Priorities and Actions of the *Council Plan 2017-2021*:

- Instrument of Appointment and Authorisation relates to the Leadership and Governance pillar of the Council Plan 2017 -2021.

c) Other strategic links

No other strategic links have been identified.

8. CORPORATE SERVICES DIRECTORATE

8.3 Instrument of Appointment and Authorisation (Planning and Environment Act 1987) (continued)

Conclusion

To maintain Council's legal and statutory requirements, and avoid breaches to the *Planning and Environment Act 1987*, it is recommended that the revoking of former employees and the appointment of the new officers be authorised.

Attachments

1.	Instrument of Appointment and Authorisation - Colin Kalms ↓	Page 140
2.	Instrument of Appointment and Authorisation - Andrew Dainton ↓	Page 142
3.	Instrument of Appointment and Authorisation - Braydon Aitken ↓	Page 144
4.	Instrument of Appointment and Authorisation - Patricia Garraway ↓	Page 146
5.	Instrument of Appointment and Authorisation - Michael John MacDonagh ↓	Page 148
6.	Instrument of Appointment and Authorisation - Grace Docker ↓	Page 150
7.	Instrument of Appointment and Authorisation - Michelle Edwards ↓	Page 152
8.	Instrument of Appointment and Authorisation - Geraldine Christou ↓	Page 154
9.	Instrument of Appointment and Authorisation - Sally Edmunds ↓	Page 156
10.	Instrument of Appointment and Authorisation - Mitchell Stoter ↓	Page 158
11.	Instrument of Appointment and Authorisation - Kate Clarke ↓	Page 160
12.	Instrument of Appointment and Authorisation - Alan Wright ↓	Page 162
13.	Instrument of Appointment and Authorisation - Kerri Piner ↓	Page 164
14.	Instrument of Appointment and Authorisation - Kevin McNair ↓	Page 166
15.	Instrument of Appointment and Authorisation - Mark Dudley ↓	Page 168
16.	Instrument of Appointment and Authorisation - Brent O'Brien ↓	Page 170
17.	Instrument of Appointment and Authorisation - Sarabjit Singh ↓	Page 172
18.	Instrument of Appointment and Authorisation - Jonathan Griffin ↓	Page 174
19.	Instrument of Appointment and Authorisation - Vathana Mathivannan ↓	Page 176
20.	Instrument of Appointment and Authorisation - Alex Smith ↓	Page 178
21.	Instrument of Appointment and Authorisation - Tracey Mercuri ↓	Page 180
22.	Revoke - Instrument of Appointment and Authorisation - Ronan Murphy ↓	Page 182
23.	Revoke - Instrument of Appointment and Authorisation - Carl Byrne ↓	Page 184

8. CORPORATE SERVICES DIRECTORATE

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

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

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

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

Council Officers involved in producing this report

Author: Contracts and Procurement Advisors

Proof reader(s): Acting Manager Corporate Governance

Approved by: Director Corporate Services

Executive Summary

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

RECOMMENDATION

That the Council note:

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

Contracts Awarded under Delegated Authority by the Chief Executive Officer

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
1960	Construction of Marlboro Drive Stormwater Pipeline & Sedimentation Basin, Kialla	Lump Sum Contract for Construction of Marlboro Drive Stormwater Pipeline & Sedimentation Basin, Kialla	\$248,876.65	Mawson Constructions Pty Ltd.
1989	Construction of Landscaping on Blocks 1,2 & 6 McLennan Street, Mooroopna	Lump Sum Contract for Construction of Landscaping on Blocks 1,2 & 6 McLennan Street, Mooroopna	\$397,831.75	Jarvis Delahey Contractors Pty Ltd.

8. CORPORATE SERVICES DIRECTORATE

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

Contracts Awarded under Delegated Authority by a Director

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
1992	Provision of Single Consultancy into Relocation Economic Benefit Analysis of Shepparton Aerodrome	Lump Sum Contract for Provision of Single Consultancy into Relocation Economic Benefit Analysis of Shepparton Aerodrome	\$69,476.00	Urban Enterprise Pty Ltd.

Contracts Awarded under Delegated Authority by a Manager

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
2018	Provision of Perimeter Fencing for Merrigum Swimming Pool	Lump Sum Contract for the Provision of Perimeter Fencing for Merrigum Swimming Pool	\$90,288.00	Fast Track Fabrication & Design Pty Ltd.

Requests for Tenders advertised but not yet awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1897	North Growth Corridor Stormwater Pump and Basins Upgrade Works, Warrumbungle Drive, Shepparton	Lump Sum Contract for North Growth Corridor Stormwater Pump and Basins Upgrade Works, Warrumbungle Drive, Shepparton	Tender closed on 19 February 2020. Tender currently being evaluated.
1915	Dookie - Cosgrove Rail Trail - Stage 2a & 2b Civil Construction Works	Lump Sum Contract for Dookie - Cosgrove Rail Trail - Stage 2a & 2b Civil Construction Works	Tender closed on 29 January 2020. Tender currently being evaluated.
1920	Construction of Ferrari Park Car Park - Kerb & Drainage	Lump Sum Contract for Construction of Ferrari Park Car Park - Kerb & Drainage	Tender closed on 19 February 2020. Tender currently being evaluated.

8. CORPORATE SERVICES DIRECTORATE

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

Requests for Tenders advertised but not yet awarded (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1964	Provision of Parking Enforcement Services OR Provision of Parking Enforcement PLUS Administration Services	Lump Sum Contract for Provision of Parking Enforcement Services OR Provision of Parking Enforcement PLUS Administration Services	Tender closed on 22 January 2020. Tender currently being evaluated.
1980	Provision of Waste Operations Software	Lump Sum Contract for the Provision of Waste Operations Software	Tender closed 5 February 2020. Tender currently being evaluated.
2012	Advance Supply of Trees - Panel of suppliers	Schedule of Rates Contract for the Advance Supply of Trees - Panel of suppliers	Tender closed on 4 December 2019. Refer to Agenda Item 6.5.
2014	Provision of Food Services	Schedule of Rates for Provision of Food Services	Tender closed on 19 February 2020. Tender currently being evaluated.
2015	Construction of Sewer Rising Main and Pressure Sewer System, Victoria Park	Lump Sum Contract for a suitably GVW accredited contractor for the supply of all labour, plant and materials for the construction of the Sewer Reticulation, Pressure Sewer System and the associated Sewer Rising Main at Victoria Park Lake, Shepparton.	Tender scheduled to close on 18 March 2020.
2016	Construction of Water Main Works – Fitzjohn Street, Victoria Park Lake Shepparton	Lump Sum Contract for a suitably GVW accredited contractor for the supply of all labour, plant and materials for the construction of water main works at Fitzjohn Street, Victoria Park Lake, Shepparton.	Tender scheduled to close on 18 March 2020.
2020	Appointment of SAM Brand Campaign Creative, Production and Media Placement Agency	Lump Sum Contract for the Appointment of SAM Brand Campaign Creative, Production and Media Placement Agency	Tender closed on 24 January 2020. Tender currently being evaluated.

8. CORPORATE SERVICES DIRECTORATE

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

Policy Considerations

Through the *Instrument of Delegation to the Chief Executive Officer* the Council has delegated authority to the Chief Executive Officer to award a contract up to the value of \$500,000 including GST.

The Council through the *Exercise of Delegations Policy* has delegated authority to the Director Corporate Services to approve a contract up to the value of \$500,000 and the Director Infrastructure, Director Community and Director Sustainable Development to approve a contract up to the value of \$150,000 for goods and services and \$200,000 for works. Through this Policy, the Manager Projects department also has delegated authority to approve contracts up to the value of \$100,000, for goods, services or works.

Legal/Statutory Implications

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

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

Conclusion

It is important that decisions and actions taken under delegation be properly documented and transparent in nature. The report details the publicly advertised contracts awarded by the Chief Executive Officer and Directors under delegated authority of the Council during the period 1 February 2020 to 29 February 2020.

Attachments

Nil

8. CORPORATE SERVICES DIRECTORATE

8.5 Instrument of Delegation to the Chief Executive Officer

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): Acting Manager - Corporate Governance

Approved by: Director - Corporate Services

Executive Summary

Delegations are a critical governance tool of the Council. Most Council decisions are not made at Council meetings and the effective functioning of the Council would not be possible if they were. Instead, most decision-making power is allocated by formal delegations. The most important delegation issued by the Council is to the Chief Executive Officer (CEO). This delegation allows the CEO to then sub-delegate powers, duties and functions to Council officers, to allow them to make the day to day decisions necessary to provide responsive and high quality services to the community.

RECOMMENDATION

In the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989 (the Act)* and the other legislation referred to in the attached instrument of delegation, Greater Shepparton City Council (**Council**) resolves that -

1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, 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 to the Chief Executive Officer.
4. On the coming into force of the instrument, the previous Instrument of delegation to the Chief Executive Officer dated 19 September 2019 is revoked.
5. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
6. It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.

8. CORPORATE SERVICES DIRECTORATE

8.5 Instrument of Delegation to the Chief Executive Officer (continued)

Background

The previous Instrument of Delegation from the Council to the CEO was authorised by resolution at a Council meeting on 19 September 2019.

This review has been conducted as a best practice process, with administrative changes made such as the updating of dates within the Instrument.

In response to the current Covid-19 Pandemic, an additional provision has been inserted to enable the Chief Executive Officer to award contracts up to the value of \$5,000,000, in the event that a quorum cannot be reached at a Council Meeting. This will provide an additional safeguard for the continuity of Council operations during this challenging time.

Council Plan/Key Strategic Activity

The review and adoption of a revised delegation to the CEO directly supports Objective 1.3 Leadership and Governance “*Council demonstrates strong leadership and sound decision making in the best interest of the community*”.

Risk Management

The review and adoption of the CEO’s delegation ensures that it remains current, valid, and legal and that there is no temptation to operate outside a delegation which has become dated and unworkable over time.

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 Council adopted Exercise of Delegations policy provides guidance to delegates on how they should exercise their delegations. This delegation is in accordance with the Exercise of Delegations policy.

There are no conflicts with Council policies associated with the matters outlined in this report.

Financial Implications

There are no direct financial implications arising from the *Instrument of Delegation to the Chief Executive Officer*.

Legal/Statutory Implications

There are no legal implications associated with the Delegation as it ensures decisions are made legally.

Environmental/Sustainability Impacts

There are no environmental or sustainable 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.

8. CORPORATE SERVICES DIRECTORATE

8.5 Instrument of Delegation to the Chief Executive Officer (continued)

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 Greater Shepparton 2030 Strategy

b) Other strategic links

No other strategic links have been identified.

Conclusion

It is recommended that the amended Instrument of Delegation to the Chief Executive Officer be approved, as regular reviews are undertaken in accordance with best practice guidelines.

Attachments

Instrument of Delegation to Chief Executive Officer - April 2020 [↓](#) Page 187

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Proposed Naming of Tatura Park Outdoor Arena

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: Events Facilities Coordinator

Proof reader(s): Team Leader Tourism & Major Events,
Manager Economic Development

Approved by: Director Sustainable Development

Other: Support Officer – Building & Planning

Executive Summary

Council received a request in October 2018 from Tatura resident Royden James to name the outdoor arena at Tatura Park Exhibition & Equestrian Complex the ‘Kevin “Gunna” Ryan Outdoor Arena’ in recognition of former Rodney Shire and Greater Shepparton Councillor and Tatura resident Kevin Ryan (OAM). The Tatura Park Advisory Committee have also advised that they are in favour of the concept.

Internal Council departments and the Department of Environment, Land, Water and Planning (DELWP) have been consulted regarding the requests with confirmation that any formal part of a facility cannot be officially named after an individual whilst they are living unless an exemption from the Register of Geographic Names is granted.

Council made a formal application for an exemption with the request now being formally denied. It is suggested that the acknowledgment be made through placement of a sign or plaque or similar, however the name cannot be officially registered.

RECOMMENDATION

That the Council:

1. Acknowledges the significant contribution of Kevin “Gunna” Ryan to the Greater Shepparton community and notes the request and community support in naming a component of the Tatura Park Exhibition & Equestrian Complex in recognition of his contribution.
2. Understands the ‘Naming rules for places in Victoria and the Geographic Place Names Act 1998’ limitations and accepts the response from the Registrar of Geographic Names to formally name the outdoor arena location after a living person.
3. Proceeds to informally name the Tatura Park Exhibition & Equestrian Complex outdoor arena as the ‘Kevin “Gunna” Ryan Outdoor Arena’ through placement of signage at the location.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Proposed Naming of Tatura Park Outdoor Arena (continued)

Background

Kevin Ryan (OAM) has been involved in the Greater Shepparton community for many years in various capacities. Kevin Ryan was a Councillor in the Rodney Shire from 1972 and continued as a Councillor during the amalgamation to the Greater Shepparton City Council in 1994. Kevin's tenure at Greater Shepparton City Council saw him stand as Deputy Mayor numerous times during which his commitment to the community, and in particular Tatura, saw him receive an Order of Australia (OAM) medal for his 'lifelong contribution to the community'. In 2018 Kevin was the recipient of the Tatura & District Citizen of the Year. Mr Ryan has also been an active member of the Tatura Park Advisory Committee for many years.

Council officers consulted Department of Environment, Land, Water and Planning (DELWP) regarding the *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2016* (naming rules). These naming rules are the statutory requirements allowed for under the *Geographic Place Names Act 1998*; they are therefore mandatory for all naming authorities in Victoria – councils, government departments and authorities – and include all government owned or administered roads, features (natural or otherwise) and localities. Section 1 of the Act recommends that the names of people who are still alive must be avoided because community attitudes and opinions can change over time. There is an avenue to make application for an exemption.

The application for exemption from Principle (H) Using Commemorative Names was made with DELWP and denied, with the response recommending placement of a plaque in honour of Kevin Ryan's achievements. Council officers recommend informally naming the arena as the 'Kevin "Gunna" Ryan Outdoor Arena' through placement of signage at the location. There is a risk associated with this recommendation, in that if this 'informal' name is utilised to engage emergency services there will be a delay in deployment due to the location not appearing on emergency service databases.

Council Plan/Key Strategic Activity

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

Risk Management

The associated risks are that the Emergency Services will be delayed if this name is used in relaying a location of an emergency as it will not appear on any emergency service databases.

Policy Considerations

Council policy requires compliance with legislation. The Naming rules for places in Victoria and the Geographic Place Names Act 1998 guidelines require application for formal naming.

Financial Implications

There may be some minimal costs associated with the erection of signage approximate to \$1,000. The Economic Development department operational budget will be used to cover these costs at the facility.

Legal/Statutory Implications

Compliance with *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2016* (naming rules).

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.1 Proposed Naming of Tatura Park Outdoor Arena (continued)

Environmental/Sustainability Impacts

There are no implications as this is a procedural matter.

Social Implications

There are no implications as this is a procedural matter.

Economic Impacts

There are no implications as this is a procedural matter.

Consultation

The proposed facility name 'Kevin "Gunna" Ryan Outdoor Arena' was discussed at a Tatura Park Advisory Committee meeting on Monday 26 November 2018 with all Committee members present in favour.

Consultation was made with Department of Environment, Land, Water and Planning (DELWP) regarding the *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2016* (naming rules)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Consult	Tatura Park Advisory Committee	Meeting agenda item

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

Strategic Links

a) Greater Shepparton 2030 Strategy

There are no links as this is procedural

b) Other strategic links

There are no links as this is procedural

Conclusion

Council has received community request and support for naming of facilities at Tatura Park Exhibition & Equestrian Complex. Council officers applied for exemption for formal naming of the Outdoor Arena however this was denied. It is recommended to informally name the arena as the 'Kevin "Gunna" Ryan Outdoor Arena' through placement of signage at the location.

Attachments

1.	Tatura Park Advisory Committee Minutes - Monday 26 November 2018 ↓	Page 192
2.	Naming Rules for Places in Victoria 2016 ↓	Page 195
3.	Denied Request for Formal Naming - DELWP ↓	Page 310

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Climate Emergency Declaration

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 Sustainability and Environment

Proof reader(s): Manager Environment

Approved by: Director Sustainable Development

Other: Sustainability Officer

Executive Summary

Greater Shepparton is the food bowl of Victoria, our reliance on agriculture underpins our social and economic prosperity and therefore the health of the climate is critical to the Greater Shepparton area.

In the last 6 months, there have been a number of approaches to Council from various community leaders asking for meaningful action on climate change including declaring a climate emergency.

By declaring a climate emergency and commencing the considered planning required to manage the emergency, Council will be in a prime position to demonstrate strong leadership, maximise opportunities and guide the community forwards in an orderly and just transition to ensure a prosperous and vibrant future under a changing climate.

If we fail to do so, our liveability, ability to attract investment and maintain a level of environmental, social and economic prosperity will diminish and, as a competitive regional city, we risk being left behind.

RECOMMENDATION

That the Council:

1. Declare a Climate Emergency;
2. Adopt a 2030 Zero Carbon Emission target in relation to Greater Shepparton City Council;
3. Develop action plans to support the Climate Emergency Declaration and the 2030 Zero Carbon Emission target in relation to Greater Shepparton City Council.

Background

What is climate change?

Climate is the average typical weather for a region over a period of thirty years or longer. Climate change refers to shifts in the long term weather patterns of that region. Current climate change is scientifically proven to have anthropogenic causes (human, industry and agriculture), primarily the unrestrained emission of carbon dioxide (CO₂) into the atmosphere. The main source of this carbon is from burning of fossil fuels.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Climate Emergency Declaration (continued)

The world's natural scientists have been predicting a hotter, drier global climate with increasing instability in weather patterns resulting in more extreme weather events for over forty years. Recent observations have shown these conditions have become reality at a faster rate than predicted with unexpected impacts.

What are the risks for Greater Shepparton?

As the Food Bowl of Victoria, our reliance on agriculture underpins our social and economic prosperity. Significant climate change events such as the millennial and current drought, severe frosts, storms, and heat and rainfall events directly affect the productivity of our agricultural industry and the businesses that service the industry. Many of our long standing commodities such as dairy production are in decline and the broader agricultural sector is in a period of transition, climate change is only going to exacerbate this decline.

Low productivity reduces income for farms, lowering purchasing power with service businesses and processors, risking job security and investment across the economy.

Tourism is a growing industry for Greater Shepparton and Council has a strong strategic focus to continue to attract visitors and major events to our municipality. An increasingly unstable and unsafe climate requires makes our event delivery and ability to attract events difficult.

The natural environment is predicted to deteriorate with hotter and drier conditions. Habitat loss will continue to occur such as the death of old hollow bearing trees, pest plants and animals will move into a stressed environment and out-compete vulnerable indigenous species and our river health will continue to decline. Research has identified that Greater Shepparton will have the current climate of Griffith by 2050.

Vulnerable communities are at greater risk of sickness and death due to an increasingly unsafe climate. Those with poor quality housing and limited access to cool spaces face severe stress throughout increasingly common heatwaves and extreme weather events. They will bear the worst outcomes because of financial limitations to adapt.

Other risks include decreased productivity of outdoor workers during heatwave events; declining mental health due to stress associated with extreme events and prolonged drought and a rapidly increasing reliance on emergency services limiting their capacity to respond.

Financial and legal imperatives underpin Council proactivity in both climate change mitigation (emissions reduction) and adaptation (impact risk management and strategy). Local governments are particularly exposed to litigation arising from the risks of climate change from such matters as development approvals and conditions that don't adequately have regard to current and future climate risks; failure to implement strategies for protection of properties and assets from the physical climate change risks; ensuring climate change is accounted for and embedded in strategic documents and governance arrangements; economic transition risks such as difficulty in sourcing, and increased cost of funding, potential scarcity of goods that enable delivery of Council services and the availability of adequate insurance. Auditors have identified climate change as an inherent risk for Councils and it is anticipated that scrutiny in relation to risk mitigation will only increase in this area.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Climate Emergency Declaration (continued)

The call for declaring a climate emergency

In recent months, the community has been raising its voice in support of Council declaring a climate emergency.

The Shepparton Statement, a platform provided to the youth of Greater Shepparton to share their thoughts about environmental sustainability, has provided a resounding plea for clear action and planning to deal with the climate crisis. They see a prosperous future is dependent on what actions are taken now. During a recent presentation to Councillors, a youth representative commented that youth anxiety over climate change will be reduced by actions on climate change. This reinforces the importance of action on climate change.

Numerous local community groups are calling on council to declare a climate emergency. This call is echoed throughout Victoria, Australia and the world. To date 91 Australian LGA's, including 29 Victorian, the ACT Government, South Australian Parliament, the Municipal Association of Victoria and the Western Australian Local Government Association have declared a climate emergency. These jurisdictions represent 8 million people – a third of Australia's population. Globally, 1,402 jurisdictions in 28 countries have declared a climate emergency, representing over 819 million citizens.

This is community driven, undertaken through democratic processes and based on scientific evidence and solutions that currently exist.

What would declaring a climate emergency mean for Greater Shepparton?

The declaration of climate change by Council would demonstrate leadership in increasing awareness on the issue, allocate resources and instigate action to mitigate against climate change and focus our attention on complying with legal obligations. Declaration also sends a clear message to the community that Council is serious about mitigating against the risks that climate change poses for the social, economic and environmental prosperity of our community.

Council Plan/Key Strategic Activity

Objectives:

- 1.1 Council demonstrates strong regional and local partnerships to improve health and wellbeing, access and inequity.
- 1.3 Council demonstrates strong leadership and sound decision-making in the best interests of the community.
- 1.7 Council advocates on issues, priorities and needs that matter to our community in partnership with key stakeholders.
- 1.8 Consultation that is transparent, robust and accessible, and clear, consistent and timely communication provided to inform, educate and engage with the community.
- 2.1 Greater Shepparton is a welcoming, inclusive and safe place for all.
- 3.1 The Greater Shepparton economy is prosperous, high value and a focus of choice for business, investment and employment.
- 3.2 Strong global, national and local business connections are developed and nurtured.
- 3.4 Water is protected and managed to optimise sustainable benefits for industry, the environment and the community.
- 4.1 Growth is well planned and managed for the future.
- 4.2 Urban and rural development is sustainable and prosperous.
- 5.2 The region's environmental assets are planned and managed to ensure they are enhanced and sustainable for future generations.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Climate Emergency Declaration (continued)

5.4 Council has positioned itself to be a leader in building Greater Shepparton's response to climate change issues, in partnership with key stakeholders.

5.5 Alternative energy sources with both environmental and economic gains are promoted and encouraged.

Risk Management

Climate change is an inherently risk based conundrum. The Greater Shepparton Climate Adaptation Plan is a risk based document that examines Council's risks to service delivery. It was designed under Council's risk management framework and is embedded in Council's risk management systems. Therefore, the table below explores some of the risks associated with declaring or not declaring a climate emergency outside the scope of council operations and service delivery.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Reputation – Greater Shepparton is no longer a leader in climate change mitigation and adaptation	Almost certain	Moderate	High	Declare climate emergency and embed climate change in all processes, decision-making, strategies and plans
Reputation – clean, green image; attract new, innovative business and investment to municipality and unable to compete with other regional Councils who have declared climate emergency	Almost certain	Major	Extreme	Declare climate emergency and commence planning process, advocacy and continue to promote Greater Shepparton as the place to live, work and invest.
Continuing decline of agriculture productivity relating to reduced water availability.	Almost certain	Major	Extreme	Declare climate emergency and strengthen existing partnerships with industry groups and local leaders to collaborate on information sharing, knowledge building and planning for the future.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Climate Emergency Declaration (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Rapidly shifting policy and regulation around insurance, auditing, access to finance relating to climate change planning.	Possible	Major	High	Declare climate emergency and ensure finance and risk departments and processes are addressing climate change implications and trends.
If Council continues with operating under business as usual, it is likely that costs will increase and assets that will become redundant will be stranded	Almost certain	Major	Extreme	Declare climate emergency and adopt new technologies and renewable strategies.

Policy Considerations

Sustainable Decision Making Policy:

Objectives:

The policy will assist Council to demonstrate its commitment to sustainability by

- Ensuring all decisions are considerate of social, environmental and economic sustainability principles
- To reduce greenhouse gas emissions
- Address the impacts of climate change and build corporate and community resilience
- Maintaining and restoring the natural environment
- Efficient use of resources
- Reducing our environmental impact
- Providing leadership in Corporate Social Responsibility to the community and throughout the region

Community Planning Policy:

Objectives:

1. That the community planning process is based on the values of democracy, trust, equity, social justice, openness, mutual respect, collaboration and inclusion.
2. Recognise that community members have the desire and knowledge to contribute to decision making in their own communities.
3. Recognise that communities want to be worked with rather than worked on by all sectors in which they engage.
4. Focused on achieving sustainable outcomes that are implementable.

Financial Implications

Declaring a climate emergency will lead to no immediate financial implications for this financial year as all actions will be completed within existing budget and approved.

For the 2020/21 financial year, funds will be required to collect and analyse emissions data. Future budgets will require allocations for additional solar panels, renewable energy and to transition Council's fleet to renewable sources. The aim is to have a zero emissions plan that reduces rather than increases costs. This financial plan will be developed alongside the action plan, as per Recommendation 3.

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Climate Emergency Declaration (continued)

Legal/Statutory Implications

As the legal landscape evolves in relation to responsibility and liability of climate change impacts and business preparedness, declaring a climate emergency and implementing actions that respond to the emergency will ensure Council is in a position to reach compliance, indeed be a leader and to reduce the likelihood of litigation.

Environmental/Sustainability Impacts

Declaring a climate emergency will have significant environmental and sustainability benefits to council, the community and the environment. It will enable immediate action to support the future prosperity of our natural world and key assets and provide a framework for sustainable principles to be embedded in council activities.

Social Implications

The social implications are also significantly beneficial, it will provide all levels of council the opportunity to engage with the community on the implications of climate change, understand how it is currently affecting our community and way of life, how they are currently adapting and what opportunities there are to work together to ensure there is no net loss of our way of life but net gain and no member of community, importantly the vulnerable members, are left behind.

Economic Impacts

Significant economic impacts are available through declaring a climate emergency including ensuring risk mitigation is understood and planned for under an emergency management lens, council is positioned to strategically target opportunities to attract investment in new and innovative technologies and business to support the successful transition of our existing and emerging industries.

Consultation

Consultation has focussed on approaches *from* community leaders to Council, requesting meaningful and urgent action on climate change and a declaration of a climate emergency.

Subsequent consultation has occurred between officers and various industry groups to seek understanding on how climate change has impacted their business, how they are currently adapting and identify what they see as important for council to do to help them. In addition, consultation has occurred with prominent members of Australia's leading science institutions to gain an understanding of the very latest climate change science and implications for our community and presenting this information to Council during briefings. Further consultation is anticipated with the broader community to understand climate change impacts, share knowledge of the climate crisis and work towards solutions to restore a safe climate. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

Direction 3: Environment

b) Other strategic links

Environmental Sustainability Strategy 2014-2030

Climate Adaptation Plan 2017

Energy Reduction Plan 2016

Public Health Strategic Plan 2018-2028

Economic Development, Tourism and Major Events Strategy 2017-2021

9. SUSTAINABLE DEVELOPMENT DIRECTORATE

9.2 Climate Emergency Declaration (continued)

Conclusion

Council has a strong leadership history in climate change mitigation and adaptation among regional local governments, recognised by state government and has an increasing presence with business and industry. However, scientific consensus and recent physical climatic events is proving that a more determined effort is required to restore a safe climate for our communities. By declaring a climate emergency, Council provides leadership to the officers, community, business and industry on the way forward to restore a safe climate for current residents and future. It will provide for considered planning to address the emergency and find solutions suitable to our circumstances,

allow for a just and reasonable transition to a zero carbon economy, position the municipality for sustained growth and prosperity and leave a legacy of optimism in lieu of the current uncertainty.

Attachments

Nil

10. COUNCILLOR ACTIVITIES

10.1 Councillors Community Interaction and Briefing Program

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

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

Councillors' Community Interaction and Briefing Program

From 1 February 2020 to 29 February 2020, some or all of the Councillors have been involved in the following activities:

- UCI BMX Supercross World Cup Event | Visitor Economy Function
- Bikes & Bites Festival | A Celebration of International Cycling in Shepparton
- Heritage Advisory Committee Meeting
- Greater Shepparton Women's Charter Advisory Committee Meeting
- Senior Combined Partners Meeting
- Jayco Herald Sun Tour | Men's and Women's
- Audit and Risk Management Committee Meeting
- Launch | 2020 Fairley Leadership
- Shepparton Chamber of Commerce and Council Parking Reference Group Meeting
- Friendship Cafe | Ethnic Council
- LaTrobe Student Leadership Conference
- Graduation Ceremony | Business Literacy and Entrepreneurial Skills for African Australian Businesses
- Shepparton Greyhound Racing Club | Shepparton Greyhound Awards
- Mayoral Welcome | New Cohort of Medical Students - University of Melbourne
- Shepparton Showgrounds Advisory Committee Meeting
- VicHealth Dinner | Challenges facing the health and wellbeing of the Greater Shepparton Community
- Sod Turning Event | Greater Shepparton Secondary College
- Apology Breakfast
- Murchison Employment Response Session
- The Hon Martin Foley & Suzanna Sheed | Tour of the New SAM
- Waste Resource Recovery Group | Chairs and Executive Officers Meeting
- MEGT Local Connect Morning Tea
- Slap Tomorrow | How do Victorians feel about Climate Change? | LaTrobe University
- Disability Advisory Committee Meeting
- MS 24 Hour Mega Swim | Aquamoves
- Official Opening | Shepparton GenesisCare Radiotherapy Centre
- Shepparton Show Me Committee Meeting
- Tatura Park Advisory Committee Meeting
- ConnectGV | Redevelopment Project - Sod Turning Ceremony
- RiverConnect Implementation Advisory Committee Meeting
- Goulburn Broken Greenhouse Alliance Meeting
- Saleyards Advisory Committee Meeting
- Best Start Early Years Partnership Meeting
- Neighbouring Councils – Moira, Strathbogie, Campaspe | Mayor & Deputy Mayor
- Goulburn Valley Waste Resource Recovery Group Board meeting
- Public Health and Wellbeing Advisory Committee Meeting

10. COUNCILLOR ACTIVITIES

10.1 Councillors Community Interaction and Briefing Program (continued)

- Southern Grampians Shire Council | Tour of SAM and 'New' SAM
- Shepparton East Primary School | Presentation of School Leaders Badges
- Greater Shepparton Women's Advisory Committee Meeting
- Launch | Fundraising for the Redevelopment of the Tatura Library
- Meet and Greet | Greater Shepparton Australia Day Award Recipients
- All Abilities Cricket | GV Harmony Cup - Deputy Mayor
- Local Government Mayoral Advisory Panel 2020 Meeting | Melbourne
- Shepparton Education Plan Project Board
- The Hon Gabrielle Williams, Minister for Women | Visit to Shepparton
- Committee for Greater Shepparton | AGM and Members & Stakeholders Dinner
- Regional Cities Victoria Meeting | Melbourne
- Winston Churchill Memorial Trust | Official Opening
- Activities in the Park | Climate Change Actions and Screening of Movie 2040

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

RECOMMENDATION

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

Attachments

- | | | |
|-----|---|----------|
| 1. | Councillor Briefing Session - 4 February 2020 ↓ | Page 312 |
| 2. | CEO and Councillor Catch Up - 4 February 2020 ↓ | Page 314 |
| 3. | Audit & Risk Management Committee - 5 February 2020 ↓ | Page 315 |
| 4. | Councillor Briefing Session - 11 February ↓ | Page 317 |
| 5. | CEO and Councillor Catch Up - 11 February 2020 ↓ | Page 319 |
| 6. | Tatura Park Advisory Committee Meeting - 17 February 2020 ↓ | Page 321 |
| 7. | Councillor Briefing Session - 18 February 2020 ↓ | Page 322 |
| 8. | CEO and Councillor Catch Up - 18 February 2020 ↓ | Page 323 |
| 9. | Councillor Briefing Session - 25 February 2020 ↓ | Page 324 |
| 10. | CEO and Councillor Catch Up - 25 February 2020 ↓ | Page 326 |

11. URGENT BUSINESS NOT INCLUDED ON THE AGENDA

12. CONFIDENTIAL MANAGEMENT REPORTS

12.1 Designation of Confidentiality of Information – Report Attachments

RECOMMENDATION

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 item previously designated by the Chief Executive Officer in writing as confidential under section 77(2)(c) of the Act.

- Report 6.5: Contract 2012 - Supply of Advanced Trees - Panel of Suppliers. This document relates to a contractual matter, which is a relevant ground applying under sections 89(2)(d) of the Act.