

# MINUTES

Greater Shepparton City Council

## COUNCIL MEETING

**3:00PM, Tuesday 20 September 2022**

Studio 1, Riverlinks Eastbank

### COUNCILLORS

Cr Shane Sali (Mayor)

Cr Anthony Brophy (Deputy Mayor)

Cr Seema Abdullah

Cr Geoffrey Dobson

Cr Greg James

Cr Dinny Adem

Cr Sam Spinks

Cr Fern Summer

### VISION

**GREATER SHEPPARTON, GREATER FUTURE**

A thriving economy in the foodbowl of Victoria with excellent lifestyles, innovative agriculture a diverse community and abundant opportunities

# Values

Values reflect what we feel is important. Organisations may have core values that reflect what is important in the organisation. These values may be guiding principles of behaviour for all members in the organisation.

## **Respect first, always**

We are attentive, listen to others and consider all points of view in our decision making.

## **Take ownership**

We take pride in honouring our promises and exceeding expectations, and are transparent with and accountable for our actions.

## **Courageously lead**

We lead with integrity, and stand up and stand by what is in the best interests of the Greater Shepparton community.

## **Working together**

We work collaboratively to create higher quality outcomes that are more efficient, thoughtful, effective and responsive. We cannot accomplish all that we need to do without working together.

## **Continually innovate**

We are open to new ideas and creatively seek solutions that encourage us to do our best for our community.

## **Start the celebration**

As ambassadors for our people and place, we proudly celebrate the strengths and achievements of Council and the Greater Shepparton community.

**M I N U T E S  
FOR THE  
COUNCIL MEETING  
HELD ON  
TUESDAY 20 SEPTEMBER 2022 AT 3:00PM**

**CHAIR  
CR SHANE SALI**

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**Bookmark not defined.**

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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) |
| <b>Almost Certain (5)</b><br>Would be expected to occur in most circumstances (daily/weekly) | LOW            | MEDIUM    | HIGH         | EXTREME   | EXTREME     |
| <b>Likely (4)</b><br>Could probably occur in most circumstances (i.e. Monthly)               | LOW            | MEDIUM    | MEDIUM       | HIGH      | EXTREME     |
| <b>Possible (3)</b><br>Reasonable probability that it could occur (i.e. over 12 months)      | LOW            | LOW       | MEDIUM       | HIGH      | HIGH        |
| <b>Unlikely (2)</b><br>It is not expected to occur (i.e. 2-5 years)                          | LOW            | LOW       | LOW          | MEDIUM    | HIGH        |
| <b>Rare (1)</b><br>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

## 1 Welcome to Country

To be presented by Cr James on behalf of the Yorta Yorta Elders Council and the 16 family groups.

## 2 Acknowledgement

We, Greater Shepparton City Council, acknowledge the Yorta Yorta Peoples of the land which now comprises Greater Shepparton, we pay our respect to their tribal elders, we celebrate their continuing culture and we acknowledge the memory of their ancestors.

## 3 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.

## 4 Governance Principles

Council considers that the decisions contained in these Minutes gives effect to the overarching governance principles stated in Section 9(2) of the *Local Government Act 2020*. These principles are as follows:

1. Council decisions are to be made and actions taken in accordance with the relevant law;
2. priority is to be given to achieving the best outcomes for the municipal community, including future generations;
3. the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
4. the municipal community is to be engaged in strategic planning and strategic decision making;
5. innovation and continuous improvement is to be pursued;
6. collaboration with other Councils and Governments and statutory bodies is to be sought;
7. the ongoing financial viability of the Council is to be ensured;
8. regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
9. the transparency of Council decisions, actions and information is to be ensured.

## 5 Apologies

**Moved by Cr Spinks  
Seconded by Cr Abdullah**

**That the apology from Cr Geoff Dobson and Cr Fern Summer be noted.**

**CARRIED UNOPPOSED**

## 6 Declarations of Conflict of Interest

In accordance with section 130 (1)(a) of the Local Government Act 2020 Councillors are required to disclose any “conflict of interest” in respect of a matter to be considered at a Council Meeting.

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

**Cr Greg James declared a conflict of interest in relation to item 12.4 Draft Inner North Local Area Traffic Management Plan August 2022.**

## 7 Confirmation of Minutes of Previous Meetings

**Moved by Cr Spinks  
Seconded by Cr Adem**

**That the minutes of the 16 March 2021 and 16 August 2022 Council Meetings as circulated, be confirmed.**

**CARRIED UNOPPOSED**

## 8 Public Question Time

Nil Received.

## 9 Deputations and Petitions

Nil Received.

## 10 Community Directorate

Nil Received.

## 11 Corporate Services Directorate

### 11.1 Financial Statements and Performance Statement for Year Ended 30 June 2022

Moved by Cr Abdullah  
Seconded by Cr Brophy

That the Council:

1. approve in principle the financial statements and performance statement for the financial year ended 30 June 2022; and
2. authorise the Mayor, Cr Shane Sali, the Deputy Mayor, Cr Anthony Brophy and the Chief Executive Officer, Peter Harriott, to certify the financial statements and to certify the performance statement in their final form, after any changes recommended, or agreed to, by the auditor have been made.

**CARRIED UNOPPOSED**



## **11.2 Governance Rules 2022**

**Moved by Cr Spinks  
Seconded by Cr Brophy**

**That the Council defer consideration of the Governance Rules to the Council Meeting on 18 October 2022.**

**CARRIED UNOPPOSED**

**11.3 Council Plan 2021-2022 Quarter Four Performance Report**

**Moved by Cr James  
Seconded by Cr Brophy**

**That the Council note the 2021-2022 Quarter Four Progress Report on the key performance indicators contained within the Council Plan.**

**CARRIED UNOPPOSED**

## **11.4 Records & Information Management Policy**

**Moved by Cr Spinks  
Seconded by Cr Adem**

**That the Council adopt the Records & Information Management Policy as attached.**

**CARRIED UNOPPOSED**

**11.5 August 2022 Monthly Financial Report**

**Moved by Cr Abdullah  
Seconded by Cr Brophy**

**That the Council receive and note the August 2022 Monthly Financial Report.**

**CARRIED UNOPPOSED**

## **11.6 Contracts Awarded Under Delegation - August**

**Moved by Cr James  
Seconded by Cr Adem**

**That the Council:**

- 1. note that no contracts were awarded under delegation pursuant to a formal tender or quotation process for the reporting period; and**
- 2. note the requests for tenders advertised but not yet awarded.**

**CARRIED UNOPPOSED**

## 11.7 Council Submission on Electoral Structure

Moved by Cr Abdullah  
Seconded by Cr Adem

That the Council:

1. write to the Minister for Local Government stating its opposition to the introduction of a subdivided, single member ward electoral structure for Greater Shepparton;
2. request that no Order in Council be recommended by the Minister for Local Government under Section 15 of the *Local Government Act 2022*; and
3. partner with Victorian Councils to further advocate this position, in recognition of the challenges a single ward structure would present in achieving Council's aspirations of culturally and other diverse and gender equitable representation.

**CARRIED UNOPPOSED**

## 12 Sustainable Development Directorate

### 12.1 RiverConnect Implementation Advisory Committee Terms of Reference

Moved by Cr Spinks  
Seconded by Cr Adem

That the Council adopt the revised Terms of Reference for the RiverConnect Implementation Advisory Committee, as attached.

**CARRIED UNOPPOSED**

## 12.2 Proposed Lease of Land for Affordable Housing - Kids Under Cover

Moved by Cr Spinks  
Seconded by Cr Brophy

1. regarding the request from Kids Under Cover received on 24 February 2022:
  - a. note the conclusion of the community engagement process, undertaken in accordance with Section 115 of the *Local Government Act 2020* (the Act), regarding the proposed lease of land at 4 Deane Court, Shepparton to Kids Under Cover;
  - b. note the advice received from Kids Under Cover on 1 August 2022 withdrawing the request to lease land at 4 Deane Court, Shepparton; and
  - c. abandon the proposal to lease land at 4 Deane Court, Shepparton to Kids Under Cover.
  
2. regarding the request from Kids Under Cover received on 1 August 2022:
  - a. provide in-principle support for the preparation of any funding applications by Kids Under Cover to lease land from Council at 20-22 Perrivale Drive, Shepparton for the purposes of constructing approximately six relocatable studios to accommodate six young people and two live-in mentors for approximately 10 years;
  - b. commence the statutory process, under Section 115 of the Act, to give effect to its intention to enter into a lease with Kids Under Cover for the purpose of providing temporary relocatable housing to accommodate six young people and two live-in mentors for approximately 10 years;
  - c. in accordance with Section 115 of the Act and the *Greater Shepparton City Council Community Engagement Policy 2021*, Council authorises that a public notice be placed in the Shepparton News outlining Council's intention to lease the land at 20-22 Perrivale Drive, Shepparton and to call for submissions;
  - d. publish a copy of the public notice on Council's website, and provide a copy to owners and occupiers of all properties abutting the land, and any other properties that Council officers consider to be affected;
  - e. authorise the Chief Executive Officer to undertake the administrative procedures necessary to carry out Council's functions under Section 115 of the Act in relation to this matter; and
  - f. note that, following the completion of the consultation process, any submissions received in relation to Council's intention to lease the land at 20-22 Perrivale Drive, Shepparton will be considered by Council at a future Scheduled Council Meeting.

**CARRIED UNOPPOSED**



**12.3 Consideration of the findings and recommendations of the Greater Shepparton Affordable Housing Strategy: Houses for People 2020, and audit of Council-owned land in Shepparton, Mooroopna and Kialla**

**PART 1**

**Moved by Cr Abdullah  
Seconded by Cr Spinks**

**That the Council note the resolution of Council at the Council Meeting held on 21 June 2022 and decline the request from Beyond Housing and Wintringham, received on 21 October 2021, seeking the sale of the Edward, Maude and Nixon Streets Car Park in Shepparton.**

**CARRIED UNOPPOSED**

## PART 2

**Moved by Cr Brophy  
Seconded by Cr James**

**That the Council:**

- 1. confirm Council's support for the findings and recommendations of the Greater Shepparton Affordable Housing Strategy – Houses for People 2020, including that an audit (and community consultation) of Council-owned assets be conducted to identify potential Council land holdings, underutilised buildings and air-right opportunities (i.e. above at-grade car parking) that may be suitable for Affordable Housing purposes;**
- 2. note the findings of the Greater Shepparton City Council Social Housing – Site Options Assessment, June 2022 prepared by SEMZ Property Advisory and Project Management Pty Ltd, which assessed the appropriateness of sixteen sites across Kialla, Mooroopna and Shepparton for Affordable Housing purposes;**
- 3. undertake a community engagement process in accordance with the Greater Shepparton City Council Community Engagement Policy 2021 to seek the community's feedback on any potential future sale, lease or gift of Council-owned land for Affordable Housing at:**  
  
**the south east corner block of 84-90 High Street, Shepparton (High and Rowe Streets Car Park);**
- 4. notes that, following the completion of the consultation process, any submissions received will be considered by Council at a future Scheduled Council Meeting.**

**Amendment Moved by Cr Abdullah  
Seconded by Cr Spinks**

**That the Council:**

- 1. confirm Council's support for the findings and recommendations of the Greater Shepparton Affordable Housing Strategy – Houses for People 2020, including that an audit (and community consultation) of Council-owned assets be conducted to identify potential Council land holdings, underutilised buildings and air-right opportunities (i.e. above at-grade car parking) that may be suitable for Affordable Housing purposes;**
- 2. note the findings of the Greater Shepparton City Council Social Housing – Site Options Assessment, June 2022 prepared by SEMZ Property Advisory and Project Management Pty Ltd, which assessed the appropriateness of sixteen sites across Kialla, Mooroopna and Shepparton for Affordable Housing purposes;**

3. (i) undertake a community engagement process in accordance with the Greater Shepparton City Council Community Engagement Policy 2021 to seek the community's feedback on any potential future sale, lease or gift of Council-owned land for Affordable Housing at:

the south east corner block of 84-90 High Street, Shepparton (High and Rowe Streets Car Park);

(ii) ensure that the community engagement process is inclusive of the affected parties, including those currently experiencing Affordable Housing issues.

4. notes that, following the completion of the consultation process, any submissions received will be considered by Council at a future Scheduled Council Meeting.

**CARRIED UNOPPOSED**

#### **Amendment Moved by Cr Abdullah**

That the Council:

1. confirm Council's support for the findings and recommendations of the Greater Shepparton Affordable Housing Strategy – Houses for People 2020, including that an audit (and community consultation) of Council-owned assets be conducted to identify potential Council land holdings, underutilised buildings and air-right opportunities (i.e. above at-grade car parking) that may be suitable for Affordable Housing purposes;
2. note the findings of the Greater Shepparton City Council Social Housing – Site Options Assessment, June 2022 prepared by SEMZ Property Advisory and Project Management Pty Ltd, which assessed the appropriateness of sixteen sites across Kialla, Mooroopna and Shepparton for Affordable Housing purposes;
3. (i) undertake a community engagement process in accordance with the Greater Shepparton City Council Community Engagement Policy 2021 to seek the community's feedback on any potential future sale, lease or gift of Council-owned land for Affordable Housing at:
  - (a) 84-90 High Street, Shepparton (High and Rowe Streets Car Park);
  - (b) 103 Fryers Street, Shepparton (Edward and Fryers Streets Car Park); and
  - (c) 57 Welsford Street, Shepparton (part of the Welsford Street Car Park).

(ii) ensure that the community engagement process is inclusive of the affected parties, including those currently experiencing Affordable Housing issues.
1. notes that, following the completion of the consultation process, any submissions received will be considered by Council at a future Scheduled Council Meeting.

The amendment was rejected by the Chair.

**The motion was put to the vote.  
The Mayor exercised their casting vote and the motion was carried.**

**Cr Abdullah called for a Division.  
Those voting in favour: Cr Sali, Cr Brophy and Cr James  
Those voting against: Cr Adem, Cr Spinks and Cr Abdullah.  
The Mayor exercised their casting vote and the Motion was carried.**

## 12.4 Draft Shepparton Inner North Local Area Traffic Management Plan August 2022

Cr James declared a conflict of interest and left the Council Chamber at 4:18 pm.

Moved by Cr Spinks  
Seconded by Cr Brophy

That the Council:

1. note the conclusion of the community engagement process associated with the review of the *Greater Shepparton Secondary College Local Area Traffic Management Study, October 2021* held from 30 January 2022 to 8 April 2022;
2. receive and note the *Conversation Report: Greater Shepparton Secondary College Local Area Traffic Management Plan Review, August 2022* summarising the community engagement process, all submissions received and Council Officers' responses to submissions;
3. authorise for exhibition the *Draft Shepparton Inner North Local Area Traffic Management Plan, August 2022* for a period of four weeks commencing 26 September 2022 and concluding on 24 October 2022; and
4. note that Council officers will report back to Council on any feedback, comments and submissions received from the public during the consultation period.

**CARRIED UNOPPOSED**

Cr James returned to the Council Chamber at 4:28 pm.

**12.5 Shepparton East Overland Flow Urban Flood Study  
March 2017**

**Moved by Cr Spinks  
Seconded by Cr Brophy**

**That the Council note the finalisation of the *Shepparton East Overland Flow Urban Flood Study March 2017* by the Goulburn Broken Catchment Management Authority.**

**CARRIED UNOPPOSED**

## 13 Infrastructure Directorate

### 13.1 Award of Contract Number 2250 Tree Maintenance & Tree Planting Panel of Suppliers

Moved by Cr Abdullah  
Seconded by Cr Adem

That the Council:

1. accept tenders for the Award of Contract Number 2250 – Tree Maintenance & Tree Planting Services Panel of Suppliers submitted by the following companies:
  - Austral Tree Services
  - Kialla Lawn and Garden Pty Ltd
  - Arbor Dynamics Pty Ltd
  - Preston’s Turf & Garden Pty Ltd
  - Arboressence
  - Choice Corporate Pty Ltd
  - Summit Open Space Services
2. note that the contract term is for a period of three years with two single year options to extend at Council’s discretion (3 + 1 + 1).
3. note the estimated contract value over the 5 years is \$3,715,000.00 (excluding GST): and
4. authorise the Chief Executive Officer to execute the contract documents and approve any one year contract extensions as deemed appropriate.

**CARRIED UNOPPOSED**

**13.2 Award of Contract Number 2258 Construction  
Wheeler Street and New Dookie Road, Shepparton  
Intersection Upgrade**

**Moved by Cr James  
Seconded by Cr Brophy**

**That the Council:**

- 1. award Contract Number 2258 Construction Wheeler Street and New Dookie Road Intersection Upgrade to Jarvis Delahey Contractors Pty Ltd for the lump sum price of \$1,324,097.51 (including GST); and**
- 2. authorise the Chief Executive Officer to execute such documents as are necessary to give effect to this Resolution.**

**CARRIED UNOPPOSED**



**13.3 Award of Contact Number 2262 Welsford Street  
Stage 4 - Fryers Street Shepparton Intersection  
Upgrade**

**Moved by Cr Spinks  
Seconded by Cr Abdullah**

**That the Council:**

- 1. award Contract Number 2262 Welsford Street Stage 4 Upgrade – Fryers Street Intersection Shepparton to Apex Earthworks Pty Ltd for the lump sum price of \$2,734,449.53 (including GST); and**
- 2. authorise the Chief Executive Officer to execute such documents as are necessary to give effect to this Resolution.**

**CARRIED UNOPPOSED**

## 14 Confidential Management Reports

### 14.1 Close Meeting to Members of the Public

**Moved by Cr Adem  
Seconded by Cr Spinks**

**That pursuant to section 66(1) of the Local Government Act 2020, resolve that the Council meeting be closed to members of the public for consideration of the following confidential item:**

- **Kerbside Comingle Recycling Gate Fee – Agreement with Visy and Foott Waste**

**CARRIED UNOPPOSED**

The meeting was closed to members of the public at 4:50 pm.

The meeting was reopened to members of the public at 4:54 pm.



## 15 Documents for Signing and Sealing

Nil Received.

## 16 Councillor Reports

### 16.1 Councillor Activities

#### 16.1.1 Councillor Activities - August 2022

Moved by Cr Adem  
Seconded by Cr Spinks

That the Council receive and note the summary of the Councillor's Community Interactions and Informal Meetings of Councillors.

**CARRIED UNOPPOSED**

## 16.2 Council Committee Reports

Nil Received.

## 16.3 Notice of Motion, Amendment or Rescission

### 16.3.1 Notice of Motion 9/2022 - Culturally Significant Events / Festivals

Moved by Cr Abdullah  
Seconded by Cr Brophy

That a report be provided to the 20 December 2022 Council Meeting which:

1. outlines the progress of the Greater Shepparton City Council Multicultural Strategy 2019-2022;
2. includes a recommendation for the preparation of the next version of the Multicultural Strategy; and
3. contains an action in the draft Multicultural Strategy that *“The Mayor is to acknowledge key culturally significant festivals observed by the multicultural communities in Greater Shepparton and issue a greeting message to the respective communities on the festival day”*.

**CARRIED UNOPPOSED**

## **17 Urgent Business not Included on the Agenda**

Nil Received.

## **18 Close of Meeting**

**Meeting closed at 5:09 pm.**