

MINUTES

Greater Shepparton City Council

COUNCIL MEETING

3:00PM, Tuesday 17 October 2023

Studio 1, Riverlinks Eastbank

COUNCILLORS

Cr Shane Sali (Mayor)

Cr Anthony Brophy (Deputy Mayor)

Cr Seema Abdullah

Cr Dinny Adem

Cr Geoffrey Dobson

Cr Greg James

Cr Ben Ladson

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 17 OCTOBER 2023 AT 3:00PM**

**CHAIR
CR SHANE SALI
MAYOR**

INDEX

- 1 WELCOME TO COUNTRY.....6**
- 2 ACKNOWLEDGEMENT6**
- 3 PRIVACY NOTICE.....6**
- 4 GOVERNANCE PRINCIPLES.....6**
- 5 APOLOGIES.....7**
- 6 DECLARATIONS OF CONFLICT OF INTEREST.....7**
- 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....7**
- 8 PUBLIC QUESTION TIME7**
- 9 DEPUTATIONS AND PETITIONS.....7**
- 10 COMMUNITY DIRECTORATE8**
 - 10.1 Multicultural Action Plan 2023 to 20268
 - 10.2 Greater Shepparton Positive Ageing Strategy 2023 to 20279
 - 10.3 Lemnos Commemorative Structure.....10
 - 10.4 Future Governance - Goulburn Valley Libraries.....11
- 11 CORPORATE SERVICES DIRECTORATE12**
 - 11.1 2023/2024 Christmas Closure.....12
 - 11.2 2024 Council Meeting Schedule.....13
 - 11.3 Contracts Awarded Under Delegation - September 202314
 - 11.4 S5 Instrument of Delegation to the Chief Executive Officer15
 - 11.5 S6 Instrument of Delegation to Members of Council Staff16
 - 11.6 S18 Instrument of Sub-Delegation - Environment Protection Act 201717
 - 11.7 S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)18
 - 11.8 September 2023 Quarterly Financial Report.....19
 - 11.9 Annual Report 2022-202320
- 12 SUSTAINABLE DEVELOPMENT DIRECTORATE21**
 - 12.1 Park Naming - Trinity Park, Cormorant Park & Glenferrie Park21
 - 12.2 Visitor Experience Innovation Grants - 2023.....22

13 INFRASTRUCTURE DIRECTORATE	23
13.1 Contract Number 2243 Provision of Heavy Plant and Equipment Hire (Wet & Dry Hire) Services - Panel of Suppliers	23
13.2 Contract Number CN2026 Manufacture and Supply of Kerbside Collection Bins (Glass-Only and FOGO).....	25
14 CONFIDENTIAL MANAGEMENT REPORTS	26
15 DOCUMENTS FOR SIGNING AND SEALING	26
16 COUNCILLOR REPORTS	27
16.1 Councillor Activities	27
16.1.1 Councillor Activities - September 2023	27
16.1.2 Report on Murray Darling Conference 2023	28
17 NOTICE OF MOTION, AMENDMENT OR RESCISSION	29
18 URGENT BUSINESS NOT INCLUDED ON THE AGENDA	29
19 CLOSE OF MEETING	29

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

1 Welcome to Country

Cr James will now present a Welcome to Country 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 Adem
Seconded by Cr Spinks

That the apology from Cr Seema Abdullah be noted and a leave of absence be granted.

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.

7 Confirmation of Minutes of Previous Meetings

Moved by Cr Dobson
Seconded by Cr Ladson

That the minutes of the 19 September 2023 Council Meeting as circulated, be confirmed.

CARRIED UNOPPOSED

8 Public Question Time

Nil Received.

9 Deputations and Petitions

Nil Received.

10 Community Directorate

10.1 Multicultural Action Plan 2023 to 2026

Moved by Cr Adem
Seconded by Cr Ladson

That the Council adopt the Greater Shepparton Multicultural Action Plan 2023-2026, as attached.

CARRIED UNOPPOSED

10.2 Greater Shepparton Positive Ageing Strategy 2023 to 2027

**Moved by Cr Brophy
Seconded by Cr Dobson**

That the Council adopt the Greater Shepparton Positive Ageing Strategy 2023 – 2027, as attached.

CARRIED UNOPPOSED

10.3 Lemnos Commemorative Structure

**Moved by Cr Adem
Seconded by Cr Brophy**

That the Council note:

- 1. the estimated costs and options of erecting a memorial structure in Lemnos, which recognises the sacrifices of nurses during the 1910's on the Greek Island of Lemnos; and**
- 2. that the Lemnos community will be invited to consider the initiative as a Community Plan priority.**

CARRIED UNOPPOSED

10.4 Future Governance - Goulburn Valley Libraries

Moved by Cr James

Seconded by Cr Ladson

That the Council:

- 1. Approve continued collaboration in the delivery of library services by the current member Councils of the Goulburn Valley Regional Library Corporation.**
- 2. Approve adoption of the 'Not-for-profit, Company Limited by Guarantee' model, registered under the Corporations Act 2001 and registered as a charity with the Australian Charities and Not-for-profits Commission, as the preferred future governance model for the Goulburn Valley Regional Library Corporation.**
- 3. Note and encourage a review of member Council cost contributions as part of any future collaborative governance model agreement.**

CARRIED UNOPPOSED

11 Corporate Services Directorate

11.1 2023/2024 Christmas Closure

Moved by Cr Ladson
Seconded by Cr Adem

That the Council resolve to close the Council Offices to members of the public at 3.00pm on Friday 22 December 2023, and reopen at 9:00am, Tuesday 2 January 2024.

CARRIED UNOPPOSED

11.2 2024 Council Meeting Schedule

**Moved by Cr Dobson
Seconded by Cr Ladson**

The Council resolves that:

- 1. Scheduled Council Meetings for 2024 will be held at 3.00pm on the fourth Tuesday of each month, at 70-90 Welsford Street, Shepparton;**
- 2. no Scheduled Council Meeting be held in January 2024; and**
- 3. the Scheduled Council Meeting cycle be resumed on 27 February 2024.**

CARRIED

11.3 Contracts Awarded Under Delegation - September 2023

**Moved by Cr James
Seconded by Cr Ladson**

That the Council:

- 1. note the contracts awarded under delegation pursuant to a formal tender process for the reporting period; and**
- 2. note the requests for tender advertised but not yet awarded.**

CARRIED UNOPPOSED

11.4 S5 Instrument of Delegation to the Chief Executive Officer

Moved by Cr Summer
Seconded by Cr Spinks

That the Council, in the exercise of the power conferred by S11(1)(b) of the *Local Government Act 2020* (the Act) 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 the Chief Executive Officer signature is affixed to the instrument;
3. on the coming into force of the instrument, all previous delegations to the Chief Executive Officer are revoked; and
4. 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.

CARRIED UNOPPOSED

11.5 S6 Instrument of Delegation to Members of Council Staff

**Moved by Cr Dobson
Seconded by Cr Adem**

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Greater Shepparton City Council (Council) resolves that:

- 1. there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to Members of Council Staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.**
- 2. the instrument comes into force immediately the Chief Executive Officer signature is affixed to the instrument.**
- 3. on the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.**
- 4. 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.**

CARRIED UNOPPOSED

11.6 S18 Instrument of Sub-Delegation - Environment Protection Act 2017

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

In the exercise of the power conferred by s 242(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Greater Shepparton City Council (Council) resolves that:

- 1. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.**
- 2. The instrument comes into force immediately upon being signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.**

CARRIED UNOPPOSED

11.7 S11A Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Moved by Cr Spinks
Seconded by Cr Adem

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

1. All previous Instruments of Authorisation (*Planning and Environment Act 1987*) (S11A) be revoked.
2. The following staff members be appointed as Authorised Officers as set out in the Instruments of Authorisation (*Planning and Environment Act 1987*) (S11A):
 - Alex Smith
 - Andrew Monichino
 - Andrew Dainton
 - Brent O'Brien
 - Brett Hangan
 - Colin Kalms
 - Daniel McDonald
 - Daniel Gundrill
 - Geraldine Christou
 - Jack Montesano
 - Jason Coonerty
 - John Dunn
 - John Hoornweg
 - Lisa Crozier
 - Maria Nardella
 - Mark Dudley
 - Michael Costanzo
 - Michelle Edwards
 - Mitchell Hyde
 - Mitchell Ballantyne
 - Patricia Garraway
 - Ryan Elliot
 - Sam Singh
 - Sylvester Tan
 - Tori Powell
 - Tracey Mercuri
3. The Instruments come into force immediately the signature Chief Executive Officer is affixed to the Instrument and remain in force until Council resolves to vary or revoke the Instrument, or until the officer ceases employment with Council.

CARRIED UNOPPOSED

11.8 September 2023 Quarterly Financial Report

**Moved by Cr Dobson
Seconded by Cr Summer**

That the Council:

- 1. receive and note the September 2023 Quarter 1 Financial Report, as attached;**
- 2. adopt the revised 2023/2024 full year forecast identified in the September 2023 Quarter 1 Financial Report with the increase to the GV Link Design Project capital budget to be \$144,000 reflecting the carryover from the 2022/23 financial year; and,**
- 3. adopt the following amendment to the 2023/2024 User Fees and Charges:**
 - a. New fee – Tatura Park Stables (day rate) \$12.00 incl. GST**
 - b. Revised fee – Tatura Park Stables (overnight rate) \$24.00 incl. GST.**

CARRIED UNOPPOSED

11.9 Annual Report 2022-2023

**Moved by Cr Ladson
Seconded by Cr Summer**

That the Council note the 2022-2023 Annual Report for the year ended 30 June 2023, including the Financial Statements and Performance Statement, as certified by the Auditor-General.

CARRIED UNOPPOSED

12 Sustainable Development Directorate

12.1 Park Naming - Trinity Park, Cormorant Park & Glenferrie Park

Moved by Cr Ladson
Seconded by Cr Brophy

That the Council approve the naming of Trinity Park, Cormorant Park and Glenferrie Park in line with *Naming Rules for Places Victoria 2022*.

CARRIED UNOPPOSED

12.2 Visitor Experience Innovation Grants - 2023

Moved by Cr Dobson
Seconded by Cr Brophy

That the Council:

1. Note the successful applicants awarded funding under delegated authority for Round 4 of the Visitor Experience Innovation Grants Program as follows:

Organisation	Grant Amount Awarded (GST FREE)
Parklake Hotel Pty Ltd	\$10,000
Elsewhere at SAM	\$6,000
TOTAL	\$16,000

2. Note receipt of the acquittals for the completed Visitor Experience Innovation Grants projects for previous rounds of the Visitor Experience Grants Program.

CARRIED UNOPPOSED

13 Infrastructure Directorate

13.1 Contract Number 2243 Provision of Heavy Plant and Equipment Hire (Wet & Dry Hire) Services - Panel of Suppliers

Moved by Cr James
Seconded by Cr Adem

That the Council:

1. accept the tenders submitted by the following tenderers for Contract Number 2243 – Provision of Heavy Plant and Equipment Hire (Wet & Dry Hire) Services - Panel of Suppliers:
 - Advanced Mini Digger and Maintenance Pty Ltd
 - Down to Earth Contracting Pty Ltd
 - Northern Hire Group Pty Ltd
 - Miller Pipe & Civil Pty Ltd
 - ConX Hire
 - Porter Excavations Pty Ltd
 - Apex Earthworks Pty Ltd
 - Cleanaway Industrial Solutions Pty Ltd
 - Ky Mini Diggers & Grader Hire
 - Precision Grading Pty Ltd
 - Tactile Australia
 - Sniper Services Pty Ltd
 - O’Loughlin Excavations Pty Ltd
 - Conplant Pty Ltd
 - Raymond Neville Farrell
 - Norville Nominees Pty Ltd T/A Redstone Crushing & Plant Hire
 - Bartletts Enviromental
 - Cleaves’s Earthmoving & Drainage Pty ltd
 - Brooks Hire Service Pty Ltd
 - Triple J Plant Hire
 - Extons Pty Ltd
 - Luxton Plant Pty Ltd
 - Moggill Cove Pty Ltd T/A Scaffidi Pty Ltd
 - Coates Hire Operations Pty Ltd
 - Earthworks Civil & Construction, Bartlett’s Environmental
 - Keith McRAe Pty Ltd T/A Crowbar Demolitions
2. note that the contract term is for a period of three (3) years with a potential 1-year further term. The estimated contract value over a four (4) year period is \$7,200,000.00 (inclusive GST); and



3. **authorise the Chief Executive Officer to execute the contract documents and approve any contract extension as deemed appropriate.**

CARRIED UNOPPOSED

13.2 Contract Number CN2026 Manufacture and Supply of Kerbside Collection Bins (Glass-Only and FOGO)

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

That the Council:

- 1. award Contract Number 2026 Manufacture and Supply of Kerbside Collection Bins (Glass-Only and FOGO) to Mastec Australia Pty Ltd for the lump sum price of \$1,411,361.60 (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

Nil Received.

15 Documents for Signing and Sealing

Nil Received.

16 Councillor Reports

16.1 Councillor Activities

16.1.1 Councillor Activities - September 2023

Moved by Cr Brophy
Seconded by Cr Ladson

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

CARRIED UNOPPOSED

16.1.2 Report on Murray Darling Conference 2023

**Moved by Cr Dobson
Seconded by Cr Ladson**

That the Council receive and note Cr Geoffrey Dobson's Report Murray Darling Conference 2023.

CARRIED UNOPPOSED

17 Notice of Motion, Amendment or Rescission

Nil Received.

18 Urgent Business not Included on the Agenda

Nil Received.

19 Close of Meeting

Meeting closed at 4:52PM.