

MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

HELD ON
TUESDAY 19 NOVEMBER, 2013
ADJOURNED AND HELD ON
TUESDAY 26 NOVEMBER, 2013
AT 5.30

IN THE COUNCIL BOARD ROOM

COUNCILLORS:

Cr Jenny Houlihan (Mayor)
Cr Les Oroszvary (Deputy Mayor)
Cr Milvan Muto
Cr Dennis Patterson
Cr Michael Polan
Cr Kevin Ryan
Cr Fern Summer

VISION

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

**MINUTES
FOR THE
ORDINARY COUNCIL MEETING
TUESDAY 19 NOVEMBER, 2013
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**CHAIR
CHIEF EXECUTIVE OFFICER
CR JENNY HOULIHAN**

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RISK LEVEL MATRIX LEGEND

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

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

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

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

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

Low Operational, manage through usual procedures and accountabilities

Insignificant Operational, add treatments where appropriate

PRESENT: Councillors Jenny Houlihan, Les Oroszvary, Milvan Muto, Dennis Patterson, Michael Polan, Kevin Ryan and Fern Summer.

**OFFICERS: Gavin Cator – Chief Executive Officer
Steve Bowmaker – Director Infrastructure
Johann Rajaratnam – Director Sustainable Development
Justin Finlayson – Director Business
Kaye Thomson – Director Community
Rebecca Bertone – Official Minute Taker
Sharlene Still – Deputy Minute Taker**

1. ACKNOWLEDGEMENT

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

2. APOLOGIES

Nil.

In accordance with Local Law No.2 Processes of Local Government (Meetings and Common Seal) Section 26, the following motion was moved:

**Moved by Cr Polan
Seconded by Cr Patterson**

That the meeting be adjourned for 7 days in order to allow time to clarify the position in relation to Cr Muto’s bail conditions.

CARRIED

The Ordinary Council Meeting held 19 November 2013 was adjourned at 5.36pm.

The Ordinary Council Meeting of 19 November 2013 was reconvened at 5.30pm on Tuesday 26 November 2013.

PRESENT: Councillors Jenny Houlihan, Les Oroszvary, Dennis Patterson, Michael Polan, Kevin Ryan and Fern Summer.

**OFFICERS: Gavin Cator – Chief Executive Officer
Steve Bowmaker – Director Infrastructure
Johann Rajaratnam – Director Sustainable Development
Justin Finlayson – Director Business
Rebecca Bertone – Official Minute Taker
Sharlene Still – Deputy Minute Taker**

1. ACKNOWLEDGEMENT

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

2. APOLOGIES

Nil.

3. DECLARATIONS OF CONFLICT OF INTEREST

In accordance with sections 77A, 77B, 78 and 79 of the *Local Government Act 1989* Councillors are required to disclose a “conflict of interest” in a decision if they would receive, or could reasonably be perceived as receiving a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

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

Cr Polan declared an indirect financial interest in relation to report number 8.3 “Management of the Shepparton Regional Saleyards” as he has had business dealings with some of the tenderers.

Cr Ryan declared an indirect interest by close association in relation to report number 8.3 “Management of the Shepparton Regional Saleyards” as his family members were involved in the contract.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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

That the Minutes of the Ordinary Council Meeting held 15 October 2013 and the Special Council Meeting held 29 October 2013, as circulated, be confirmed.

CARRIED.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Mayoral Position Description

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, Manager Corporate Performance

Approved by: Chief Executive Officer

Executive Summary

The purpose of this report is to review and adopt the Mayoral position description.

Moved by Cr Houlihan
Seconded by Cr Patterson

That the Mayoral position description be adopted.

CARRIED.

Background

In previous years, a position description has been adopted for the Mayor. This document sets out the objectives and accountabilities for the position, to enable the Council and the community to assess the Mayor's performance. The position description also outlines the Mayor's overall responsibilities, key responsibility areas, skills, knowledge, qualifications and experience.

The position description is reviewed prior to each Mayoral election to ensure that it continues to reflect the legislative and other requirements of the position, as well as the expectations that the Council has of the incumbent.

Council Plan/Key Strategic Activity

This proposal supports Objective 35 of the *Council Plan 2009-2013*: "Provide best practice management and administrative systems and structures to support the delivery of Council services and programs".

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Mayor not adhering to the position description	D	2	Low	Councillor induction training is provided. Support and advice will be available from Council officers.
Elected Councillor not understanding the increased responsibility and time commitments arising from Mayoral appointment	D	4	Low	A Mayoral position description outlining the responsibilities of the Mayor will be adopted.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.1 Mayoral Position Description (continued)

Policy Considerations

There are no direct links to existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

There are no legal or statutory implications arising from this proposal.

Environmental/Sustainability Impacts

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

Social Implications

There are no social implications arising from this proposal.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

Councillors have been consulted in relation to the review of the Mayoral position description.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

There are no other strategic links

Options for Consideration

Councillors could choose not to adopt a Mayoral position description or to adopt a modified version of the document.

Conclusion

As the position description outlines the Mayor's overall responsibilities, key responsibility areas, skills, knowledge, qualifications and experience and enables the Council and the community to assess the Mayor's performance, it is recommended that Council adopt the Mayoral position description.

Attachments

Mayoral Position Description Page 131

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Election of Mayor

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, Manager Corporate Performance

Approved by: Chief Executive Officer

Executive Summary

The purpose of this report is to facilitate the election of a Councillor to be the Mayor of Greater Shepparton City Council.

Moved by Cr Polan

Seconded by Cr Summer

That the Council appoint a Councillor to the position of Mayor for a 1 year term.

CARRIED.

Cr Polan nominated Cr Houlihan

Seconded by Cr Ryan

There being no further nominations, the Chair declared Cr Houlihan duly elected as the Mayor of Greater Shepparton City Council.

Background

In accordance with section 71 of the *Local Government Act 1989*, Councillors must elect a Councillor to be the Mayor of the Council. Traditionally Council has appointed Mayors for one year terms. However, under section 71(2) of the Act Council may resolve to elect a Mayor for a term of two years.

Council Plan/Key Strategic Activity

There are no direct links to the *Council Plan 2009-2013*.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Elected Councillor not understanding the increased responsibility and time commitments arising from Mayoral appointment	D	4	Low	A Mayoral position description outlining the responsibilities of the Mayor will be adopted.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.2 Election of Mayor (continued)

Policy Considerations

This proposal does not conflict with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal. Provision has been provided for the payment of a Mayoral Allowance in the 2013/14 Budget.

Legal/Statutory Implications

Section 71 of the *Local Government Act 1989* states that the Council must elect a Councillor to be the Mayor of the Council at a meeting of the Council that is open to the public.

Environmental/Sustainability Impacts

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

Social Implications

There are no social implications arising from this proposal.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

There are no other strategic links.

Options for Consideration

That the Council determine to appoint a Councillor to the position of Mayor for two years.

Conclusion

In accordance with section 71 of the *Local Government Act 1989* the Councillor must appoint one of their members to serve as Mayor of Greater Shepparton.

Attachments

Nil

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Election of Deputy Mayor

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, Manager Corporate Performance

Approved by: Chief Executive Officer

Executive Summary

The purpose of this report is to appoint a Deputy Mayor to serve during the Mayoral term of office.

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

That the Council:

1. appoint a Deputy Mayor for the Mayoral Term and
2. if, during the Mayoral Term, there is a vacancy in the office of the Mayor or the Mayor is absent, incapable of acting or refusing to act, then provided the Deputy Mayor is available, the Council hereby appoints the Deputy Mayor to be the Acting Mayor in accordance with Section 73(3) of the Local Government Act 1989.

CARRIED.

**Cr Oroszvary nominated Cr Patterson
Seconded by Cr Ryan**

There being no further nominations, the Chair declared Cr Patterson duly elected as Deputy Mayor of the Greater Shepparton City Council.

Cr Houlihan assumed the Chair at 5.37pm.

Background

There is no statutory requirement to elect a Deputy Mayor, but the Council has traditionally adopted the practice of appointing a Councillor to this role, to act as the chair in the absence of the Mayor at Council meetings or where the Mayor is required to vacate the chair. It also allows the Deputy Mayor to receive the pledge of commitment at citizenship ceremonies and to act as spokesperson in the Mayor's absence. No additional allowance is payable and the Council will need to resolve that a Deputy Mayor be appointed. There is no position description for the role of Deputy Mayor, as the Mayoral position description applies on all occasions that the Deputy Mayor acts in that

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Election of Deputy Mayor (continued)

role and there are no separate and distinct duties or responsibilities assigned to the position of Deputy Mayor.

In accordance with *Local Law No. 2 – Processes of Municipal Government (Meetings and Common Seal)* the election of a Deputy Mayor will follow the same procedure as that used for the election of Mayor.

Council Plan/Key Strategic Activity

There are no direct links to the *Council Plan 2009-2013*.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Councillor appointed to the role of Deputy Mayor not understanding their responsibilities when deputising for the Mayor.	D	4	Low	A Mayoral position description will be adopted. Advice and support will also be available from the Mayor and Council officers.

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal as there is no additional allowance payable to the Deputy Mayor.

Legal/Statutory Implications

There is no statutory requirement for the Council to elect a Deputy Mayor but the Council has traditionally adopted the practice of appointing a Councillor to this role in order to receive the pledge of commitment at citizenship ceremonies and to act as spokesperson in the absence of the Mayor.

Environmental/Sustainability Impacts

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

Social Implications

There are no social implications arising from this proposal.

Economic Impacts

There are no economic implications arising from this proposal.

Consultation

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

There are no other strategic links.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.3 Election of Deputy Mayor (continued)

Options for Consideration

Councillors could decide not to appoint a Deputy Mayor.

Conclusion

It is recommended that Councillors elect a councillor to fill the role of Deputy Mayor for the purposes of receiving a pledge of commitment at citizenship ceremonies and to attend functions and act as Council spokesperson on occasions when the Mayor is unavailable to do so.

Attachments

Nil

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.4 Councillor Representation on Committees

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

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

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

Council Officers involved in producing this report

Author: Governance Officer

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

Approved by: Chief Executive Officer

Executive Summary

As part of the Council's community consultation, communication and advocacy role, the Mayor, Councillors and officers are represented on various community organisations and government agency groups, as well as purpose groups appointed by the Council. The purpose of this report is to appoint Councillors to these various committees.

RECOMMENDATION

That the Council confirm the appointment of delegates and representatives for committees shown in the following table:

Committee	Councillor Representative/s
Australian Botanic Gardens Shepparton Special Committee	Cr Houlihan
Best Start Municipal Early Years Partnership Committee	Cr Houlihan
Deakin Reserve Advisory Committee	Cr Patterson
Development Hearings Panel	Cr Oroszvary Cr Polan (Representative in Cr Oroszvary absence)
Festive Decorations Advisory Committee	Cr Summer
Disability Advisory Committee	Cr Summer
Goulburn Broken Greenhouse Alliance	Cr Summer
Goulburn Valley Regional Library Corporation Board	Cr Oroszvary
Goulburn Valley Regional Waste Management Group	Cr Summer
Greater Shepparton Aerodrome Advisory Committee	Cr Patterson

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.4 Councillor Representation on Committees (continued)

Greater Shepparton Audit and Risk Management Committee	Cr Polan Cr Houlihan
Greater Shepparton Safe Communities Advisory Committee	Cr Oroszvary
Greater Shepparton Women's Charter Alliance Advisory Committee	Cr Summer
Heritage Advisory Committee	Cr Ryan
Municipal Association of Victoria	Cr Polan
Positive Ageing Advisory Committee	Cr Summer
Regional Aboriginal Justice Advisory Committee	Cr Oroszvary
RiverConnect Community Advisory Committee	Cr Patterson
Rumbalara Aboriginal Cooperative Working Party	Cr Oroszvary
Shepparton Art Gallery Advisory Committee	Cr Polan
Shepparton Liquor Licensing Accord	Cr Patterson
Shepparton Regional Saleyards Advisory Committee	Cr Ryan
Shepparton Show Me Committee	Cr Oroszvary (Chair) Cr Summer
Sir Murray Bouchier Memorial Advisory Committee	Cr Ryan (Chair)
Sustainability and Environment Steering Group	Cr Ryan (Chair)
Tatura Park Advisory Board	Cr Patterson
Victorian Local Governance Association	Cr Polan

Moved by Cr Oroszvary
Seconded by Cr Patterson

That the Council confirm the appointment of delegates and representatives for committees shown in the following table:

Committee	Councillor Representative/s
Australian Botanic Gardens Shepparton Special Committee	Cr Houlihan
Best Start Municipal Early Years Partnership Committee	Cr Houlihan

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.4 Councillor Representation on Committees (continued)

Deakin Reserve Advisory Committee	Cr Patterson
Development Hearings Panel	Cr Oroszvary Cr Polan (Representative in Cr Oroszvary absence)
Festive Decorations Advisory Committee	Cr Summer
Disability Advisory Committee	Cr Summer
Goulburn Broken Greenhouse Alliance	Cr Summer
Goulburn Valley Regional Library Corporation Board	Cr Oroszvary
Goulburn Valley Regional Waste Management Group	Cr Summer
Greater Shepparton Aerodrome Advisory Committee	Cr Patterson
Greater Shepparton Audit and Risk Management Committee	Cr Polan Cr Houlihan
Greater Shepparton Safe Communities Advisory Committee	Cr Oroszvary
Greater Shepparton Women's Charter Alliance Advisory Committee	Cr Summer
Heritage Advisory Committee	Cr Ryan
Municipal Association of Victoria	Cr Polan
Positive Ageing Advisory Committee	Cr Summer
Regional Aboriginal Justice Advisory Committee	Cr Oroszvary
RiverConnect Community Advisory Committee	Cr Patterson
Rumbalara Aboriginal Cooperative Working Party	Cr Oroszvary
Shepparton Art Gallery Advisory Committee	Cr Polan
Shepparton Liquor Licensing Accord	Cr Patterson
Shepparton Regional Saleyards Advisory Committee	Cr Ryan (Chair)
Shepparton Show Me Committee	Cr Oroszvary (Chair) Cr Summer
Sir Murray Bouchier Memorial Advisory Committee	Cr Ryan (Chair)

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.4 Councillor Representation on Committees (continued)

Sustainability and Environment Steering Group	Cr Ryan (Chair)
Tatura Park Advisory Board	Cr Patterson
Victorian Local Governance Association	Cr Polan

CARRIED.

Background

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

It has now been determined that Councillor representation on committees will be reviewed annually.

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

- Municipal Emergency Management Planning Committee (MEMP)
- RiverConnect Steering Committee
- Rumbalara Aboriginal Co-operative Working Party
- Melbourne University Rural Clinical School Advisory Board and Department of Rural Health Management Advisory Committee

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

Australian Botanic Gardens Shepparton Special Committee -

The function of the Australian Botanic Gardens Shepparton Special Committee is to manage the former Kialla Landfill Site and to work closely with Council to prepare a development and management plan for the site, maximise the sustainable use of the facilities and encourage public interest and involvement in the development and use of the facility.

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

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

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

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.4 Councillor Representation on Committees (continued)

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

Goulburn Valley Regional Library Corporation Board – enables member councils (Greater Shepparton, Moira and Strathbogie municipalities) to provide, through economy of scale and structure, a standard level of library service for their communities and the regional community which they would be unable to provide individually for the same level of annual expenditure.

Goulburn Valley Regional Waste Management Group – responsible for planning the management of municipal solid waste in Victoria. Also plays a key role in educating the community about waste and environmental issues.

Greater Shepparton Aerodrome Advisory Committee – advises Council on the management and operation of the Shepparton Aerodrome.

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

Greater Shepparton Safe Communities Advisory Committee - The Greater Shepparton Safe Communities Advisory Committee (SCAC) provides a forum to advise on current community safety priorities and work towards developing initiatives to address these issues.

Greater Shepparton Women's Charter Alliance Advisory Committee – Provides advice to promote women in leadership and decision making roles.

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

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

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

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.4 Councillor Representation on Committees (continued)

Regional Aboriginal Justice Advisory Committee - The Regional Aboriginal Justice Advisory Committee (RAJAC) is an initiative of the Victorian Aboriginal Justice agreement (AJA), and based on Recommendation 2 of the 1991 Final Report of the Royal Commission into Aboriginal deaths in custody. Matters which the group might appropriately consider include:

- The implementation of the recommendations of this report, or such of them as receive the endorsement of the Government.
- Proposals to change policies which affect the operation of the criminal justice system.
- Programs for crime prevention and social control which enhance Aboriginal self-management and autonomy.
- Programs which increase the recruitment of Aboriginal people to the staff of criminal agencies.
- The dissemination of information on policies and programs between different agencies and between parallel bodies in different states.

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

Rumbalara Aboriginal Co-operative Working Party – consists of a joint working party formed between Rumbalara Aboriginal Cooperative and the Council to foster a cohesive working relationship between the Indigenous community and the Council.

Shepparton Art Gallery Advisory Committee – to formulate recommendations to the Council in respect of policies of relevance to the Art Gallery and to provide contract performance evaluation advice to the Council.

Shepparton Liquor Licensing Accord – involves interested parties within a local community meeting to address liquor-related problems affecting their area and working collaboratively to find mutually satisfactory solutions.

Shepparton Regional Saleyards Advisory Committee – to provide advice in relation to the annual budget, fees and charges and the strategic direction of the saleyards.

Shepparton Show Me Committee – promote the retail and commercial sector of Shepparton, and to help ensure its long-term viability and economic sustainability.

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

Sustainability and Environment Steering Group – The Greater Shepparton City Council Sustainability and Environment Strategy Stakeholder Reference Committee was established in February 2011 to inform the development of Council's Sustainability and Environmental Strategy. The development of the Sustainability and Environment Strategy will enable Council to identify and prioritise sustainability and climate change activities with improved integration across Council strategies and plans. The strategy will also increase the capacity and understanding of environmental and sustainability issues across Council and the community.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.4 Councillor Representation on Committees (continued)

Tatura Park Advisory Board – provides feedback to Council from user groups and discusses and puts forward ideas for the future development of the facility.

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

Council Plan/Key Strategic Activity

The review of representation on committees is consistent with objective 31 – engage our community when making decisions.

Risk Management

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

Policy Considerations

There are no conflicts with existing council policies.

Financial Implications

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

Legal/Statutory Implications

This proposal conforms with all relevant legislation.

Environmental/Sustainability Impacts

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

Social Implications

There are no social implications arising from this proposal.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

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

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

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.4 Councillor Representation on Committees (continued)

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

No other strategic links have been identified.

Options for Consideration

Councillors could choose not to appoint any Councillors to some or all of the listed committees. However this would reduce the Council's communication and advocacy capacity.

Conclusion

It is recommended that Councillors be appointed to these committees.

Attachments

Nil

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.5 Chief Executive Officer - Leave Arrangements

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: Executive Assistant to the Chief Executive Officer

Proof reader(s): Team Leader Governance

Approved by: Chief Executive Officer

Executive Summary

The Chief Executive Officer wishes to take leave for the period 2 December 2013 to 8 December 2013 (inclusive).

This report is advising Council of the proposed leave for information purposes, and recommends the appointment of an Acting Chief Executive Officer for this period.

Moved by Cr Patterson

Seconded by Cr Oroszvary

That the Council:

1. approve the Chief Executive Officer's leave arrangements from 2 December 2013 to 8 December 2013 (inclusive).
2. appoint Mr Johann Rajaratnam, Director Sustainable Development as Acting Chief Executive Officer and delegate all powers of the Chief Executive Officer for the period 2 December 2013 to 8 December 2013 (inclusive).

CARRIED.

Background

As an employee of Council, the Chief Executive Officer is entitled to approved leave; however the granting of leave is somewhat different to other employees. Generally Directors, Managers or the Chief Executive Officer as the case may be, will consider applications for leave.

The Chief Executive Officer's leave however needs to be approved by Council. The Chief Executive Officer seeks approval for leave for the period 2 December 2013 to 8 December 2013 (inclusive). He will be unavailable and as such not able to perform any of the duties associated with his position.

As such, Council also needs to appoint an Acting Chief Executive Officer to be responsible for the day-to-day operations, as well as the statutory requirements of the position, during this period.

The Chief Executive Officer is of the belief that there is a sufficiently experienced management team from which it is appropriate to make an appointment of an Acting

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.5 Chief Executive Officer - Leave Arrangements (continued)

Chief Executive Officer. It is for this reason; it is proposed that Johann Rajaratnam, Director Sustainable Development be appointed to the role of Acting Chief Executive Officer.

Should these arrangements be acceptable to Council, it is necessary for Johann Rajaratnam, Director Sustainable Development to be provided with relevant authority to undertake the role of Acting Chief Executive Officer.

Council Plan/Key Strategic Activity

There are no strategic implications relative to this matter.

Risk Management

There are very limited to no risks associated with the appointment of an Acting Chief Executive Officer, as all delegated powers are appointed to the Chief Executive Officer or any person acting in that position. All functions can be carried out by the Acting Chief Executive Officer as it would be by the appointed Chief Executive Officer.

Policy Considerations

There are no known policy implications relevant to this matter.

Financial Implications

There are no financial implications to Council in respect of the Chief Executive Officer's leave as all leave entitlements are provided for within the adopted budget.

Legal/Statutory Implications

Sections 94A of the *Local Government Act 1989*, relating to the general function provisions, and it is only the Council that can appoint the Chief Executive Officer and by extension an Acting Chief Executive Officer.

Chief Executive Officer's Employment Contract.

Environmental/Sustainability Impacts

There are no environmental/sustainability impacts relevant to this matter.

Social Implications

There are no social implications relevant to this matter.

Economic Impacts

There are no economic impacts relevant to this matter.

Consultation

Consultation has been conducted with the Mayor and the Executive Management Team

Strategic Links

There are no strategic links relevant to this matter.

Attachments

Nil

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.6 Bunbartha Recreation Reserve Committee of Management - Appointment of Additional Member

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

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

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

Council Officers involved in producing this report

Author: Committees Liaison Officer

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

Approved by: Chief Executive Officer

Executive Summary

The Bunbartha Recreation Reserve Committee of Management currently has six community representatives appointed to the committee for a term expiring on 19 March 2014. Council has now received an additional application from Brent Karl who is interested in joining the committee. Although the current term of office is due to expire in March 2014 the committee have requested that Brent Karl's application be considered and that he be appointed for the remainder of the current term of the committee.

Moved by Cr Polan
Seconded by Cr Patterson

That the Council:

1. having considered the application received from Brent Karl for appointment to the Bunbartha Recreation Reserve Committee of Management, appoint Brent Karl to the committee for a term expiring on 19 March 2014.
2. in accordance with section 82(2A) of the *Local Government Act 1989*, exempt Brent Karl from the requirement to submit primary and ordinary returns to the Chief Executive Officer.

CARRIED.

Background

At the Ordinary Council Meeting held on 20 March 2012 six members were appointed to the Bunbartha Recreation Reserve Committee of Management. Council has now received an additional application from a community member interested in joining the committee and it is recommended that the application be accepted and that Brent Karl be appointed to the Committee.

As the current term of office for the committee is due to expire on 19 March 2014 it is recommended that he only be appointed until that date. When Council calls for nominations for members to join the committee for a new term early in the new year he will have the opportunity to apply for a full two year term on the new committee.

Council Plan/Key Strategic Activity

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

- Active and Engaged Community (Social)
- Quality Infrastructure (Built)
- High Performance Organisation (Leadership and Governance)

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.6 Bunbartha Recreation Reserve Committee of Management - Appointment of Additional Member (continued)

Risk Management

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

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

The Bunbartha Recreation Reserve Committee of Management has been established under section 86 of the *Local Government Act 1989* and has been issued with an Instrument of Delegation and Guidelines outlining their responsibilities.

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

Environmental/Sustainability Impacts

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

Social Implications

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

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

At the time of the initial recruitment of members a public notice calling for applications from community members interested in joining the committee was placed in the Shepparton News. The Committee have also been advised that additional members can be appointed to the committee at any time and they have requested that Brent Karl be appointed to the committee at this time.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	<ul style="list-style-type: none"> Newspaper advertisements Website announcement Letters to outgoing committee

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.6 Bunbartha Recreation Reserve Committee of Management - Appointment of Additional Member (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
		members
Consult	Informed, listen, acknowledge	Council will consult with its committees prior to making decisions that relate to the relevant facilities
Involve	Work together. Feedback is an input into decision making	Committees provide an important source of feedback for Council manage their facilities.
Collaborate	Feedback will be incorporated into decisions to the maximum level possible	Council collaborates with its committees when making decisions about facility upgrades and maintenance
Empower	We will implement what the public decide.	Committees of Management have delegated powers to make decisions in relation to the day to day management of the facilities that they are responsible for.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

There are no other strategic links applicable to this proposal.

Options for Consideration

Councillors could choose not to appoint Brent Karl to the committee at this time but this is not the recommended option.

Conclusion

It is recommended that Council appoint Brent Karl to the committee as it helps to increase the involvement of the local community in the ongoing management of important facilities and reduces the amount of responsibility on the other committee members. It also reduces the need for Council to directly manage these facilities.

Attachments

Nil

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.7 Greater Shepparton Aerodrome Advisory Committee - Appointment of 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: Committees Liaison Officer

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

Approved by: Chief Executive Officer

Executive Summary

The term of appointment for four members of the Aerodrome Advisory Committee expired on 15 November 2013. The purpose of this report is to amend the Terms of Reference for the Committee and to appoint people to fill vacant positions on the committee.

Moved by Cr Patterson
Seconded by Cr Oroszvary

That the Council:

1. revoke the Guidelines Applying to the Greater Shepparton Aerodrome Advisory Committee which were adopted by Council on 17 May 2011
2. adopt the Terms of Reference for the Greater Shepparton Aerodrome Advisory Committee
3. having considered the nominations received for appointment to the Greater Shepparton Aerodrome Advisory Committee appoint the following members for a term expiring on 30 June 2016:
 - Christopher GREGORY – representative of Gawne Aviation
 - Susan CARROLL – representative of Secure Air Flight Training and Air Charter Today
 - Ken MUSTON – community representative

CARRIED.

Background

The Greater Shepparton Aerodrome Advisory Committee currently consists of up to eight members including two representatives from the commercial aero operators, one representative from the Goulburn Valley Aero Club, four community representatives and one Councillor. One of the commercial aero operator positions and three of the community representative positions expired on 15 November 2013 and it is necessary to appoint members to at least some of these positions.

Letters were sent to the outgoing members encouraging them to reapply for another term on the committee. Letters were also sent to all commercial aero operators that use the facility encouraging them to nominate a representative to join the committee. An

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.7 Greater Shepparton Aerodrome Advisory Committee - Appointment of Members (continued)

advertisement calling for applications was also advertised in the *Shepparton News* on Friday 11 October and Friday 18 October 2013.

1. Commercial Aero Operator Nominee Positions

Two nominations have been received from Commercial Aero Operators.

- Gawne Aviation have submitted a nomination requesting that Christopher Gregory be reappointed to the committee for another term as their representative
- Secure Air Flight Training and Air Charter Today have submitted a nomination requesting that Susan Carroll be appointed to the committee as their representative.

As there is currently only one vacancy for a commercial aero operator representative on the committee it is recommended that the Membership of the committee be amended to allow for both nominees to be appointed to the committee. Both Christopher Gregory and Susan Carroll have valuable knowledge and experience which they can bring to the committee and to support the ongoing management of the Shepparton Aerodrome.

2. Community Representative Positions

At the close of applications only one application has been received seeking appointment to the committee as a community representative. This application was received from Ken Muston who is nominating for re-appointment to the committee. It is recommended that he be appointed to the committee.

3. Term of Appointment

If the members being appointed to the committee were to be appointed for the standard two year term then their term of office would expire in November 2015. However, as the term of appointment for the other half of the committee is due to expire in June 2015 it is recommended that these new applicants be appointed for a term expiring on 30 June 2016. Although this results in the new members being appointed for a 2 ½ year term it will enable the committee to return to a situation whereby committee appointments are evenly spaced twelve months apart.

This leaves two vacant community representative positions and the committee members are continuing to liaise with contacts who they think may be interested in joining the committee. Should any additional applications be received in the future then these can be considered at a future Council meeting.

Council Plan/Key Strategic Activity

This proposal supports the following goals from the *Council Plan 2009-2017*:

- Active & Engaged Community (Social)
- Quality Infrastructure (Built)
- High Performing Organisation (Leadership & Governance)

Risk Management

By ensuring that committees are established and members appointed in accordance with the *Local Government Act 1989*, Council considerably reduces the governance risks associated with the operation of committees.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.7 Greater Shepparton Aerodrome Advisory Committee - Appointment of Members (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Lack of communication between the committee and Council	Possible	Minor	Low	A Councillor is an appointed member of the Greater Shepparton Aerodrome Committee to provide a communication channel and directions.
Advisory Committee members not covered under Council's insurance policy.	Possible	Minor	Low	Any recommendations made by the committee are referred to Council for final decision.
Non-compliance with Assembly of Councillors requirements under the <i>Local Government Act 1989</i> .	Possible	Minor	Low	Minutes of all meetings of the Greater Shepparton Aerodrome Advisory Committee are submitted to Council in accordance with the Act.

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

This proposal is consistent with the *Local Government Act 1989* and it is necessary to ensure compliance with this Act. As meetings of the committee will fit the definition of an Assembly of Councillors for any meeting at which there is at least one Councillor in attendance, an Assembly of Councillors record will be completed for each qualifying meeting and submitted to the next practicable Ordinary Council meeting for noting.

Environmental/Sustainability Impacts

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

Social Implications

Appointing community members to the committee will help to build a sense of community as it increases stakeholder participation and pride in their local community.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

Letters were sent to the outgoing members of the Greater Shepparton Aerodrome Advisory Committee encouraging them to reapply for another term on the committee. Letters were also sent to all commercial aero operators that use the facility encouraging them to nominate a representative to join the committee. A public notice calling for applications from community members interested in joining the committee was advertised in the *Shepparton News* on Friday 11 October and Friday 18 October 2013.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.7 Greater Shepparton Aerodrome Advisory Committee - Appointment of Members (continued)

Members of the committee and Council officers will continue to liaise with other members of the community who may be interested in joining the committee with a view to filling the two remaining community representative positions.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	<ul style="list-style-type: none"> • Newspaper advertisements • Consultation with committee members
Involve	Work together. Feedback is an input into decision-making.	<ul style="list-style-type: none"> • Council to consult with the Greater Shepparton Aerodrome Advisory Committee in relation to management of the facility.
Collaborate	Feedback and advice received from the Committee will be incorporated into decisions to the maximum level possible.	<ul style="list-style-type: none"> • Community members to be appointed to advisory committees. • Councillor appointee/s to advisory committees enables ongoing collaboration between the committees 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

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

b) Other strategic links

No other strategic links have been identified.

Options for Consideration

Council could decide not to issue a new Terms of Reference to the committee but this is not recommended. The revocation of the original guidelines applying to the committee and issue of a new Terms of Reference enables Council to bring the committee in line with the new template applying to advisory committee Terms of Reference.

Council could decide to leave the membership structure of the committee as including only two commercial aero operator representatives. Again this is not recommended as both of the nominated representatives are able to bring considerable knowledge and experience to the committee.

Council could decide not to appoint some or all of the recommended applicants but this would reduce the opportunity for the community to be involved in the management of the facility. It is also recommended that committees should consist of a minimum of five representatives to ensure there is sufficient community input into the running of the facility. If Council were to not appoint all of the recommended applicants then the Greater Shepparton Aerodrome Advisory Committee would be left with only four members.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.7 Greater Shepparton Aerodrome Advisory Committee - Appointment of Members (continued)

Conclusion

It is recommended that Council adopts the new Terms of Reference for the Greater Shepparton Aerodrome Advisory Committee and that all three applicants be appointed to the Greater Shepparton Aerodrome Advisory Committee.

Attachments

Draft Terms of Reference - Greater Shepparton Aerodrome Advisory Committee

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5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.8 Contracts Awarded Under Delegation Report - November 2013

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: Procurement Officer

Proof reader(s): Manager Corporate Performance

Approved by: Chief Executive Officer

Executive Summary

To inform the Council of publicly advertised contracts awarded by Officers under delegated authority of the Council during the period 23 September to 21 October 2013. The report also provides details of the status of requests for tenders that have not yet been awarded.

Moved by Cr Polan
Seconded by Cr Oroszvary

That the Council note the publicly advertised contracts awarded by the Chief Executive Officer and Directors under delegated authority.

CARRIED.

Tendered Contracts Awarded under Delegated Authority by the CEO

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

Requests for Tenders advertised but not yet awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1388	Management and Operation of the Shepparton Regional Saleyards	This contract is for the provision of management and operation of the Shepparton Regional Saleyards for a period of three years from 1 January 2014 with the option of two additional 12 month terms at the sole discretion of the Council.	Tender closed 4 September 2013. Tenders currently being evaluated. This contract will be tabled at the November Council meeting for approval.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER
5.8 Contracts Awarded Under Delegation Report - November 2013 (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1448	Provision of Professional Advocacy Services	Provision of Professional Advocacy Services to assist Council to continue to strongly advocate to secure significant funding support from all levels of government	Tender closed 25 September 2013. Tenders currently being evaluated. This contract will be signed under delegation.
1460	Landfill Compactor 2013	Lump Sum contract for the supply of a Landfill Compactor and possible trade in on existing compactor.	Tender closed 25 September 2013. Tenders currently being evaluated. This contract will be tabled at the November Council meeting for approval.
1462	Provision of Concreting, Kerbing and Associated Services 2013	Provision of Concreting, Kerbing and Associated Services within the City of Greater Shepparton. The contract will be for a period of 3 years plus 1 year.	Tender closed 2 October 2013. Tenders currently being evaluated. This contract will be tabled at the November Council meeting for approval.
1464	Purchase of Quarry & Manufactured Materials	Purchase of a range of road making materials including, Gravel, Crushed Rock, Crushed Concrete and Cement Treated materials. The contract is for a period of 3 years plus a potential 1 year extension.	Tender closed 2 October 2013. Tenders currently being evaluated. This contract will be tabled at the November Council meeting for approval.
1461	Provision of Supply & Delivery of Pre-Mixed Concrete	Supply and Delivery of Pre-Mixed Concrete within Greater Shepparton. The contract is for a 2 year period plus a potential 2, 2 year extensions (2+2+2).	Tender closed 2 October 2013. Tenders currently being evaluated. This contract will be tabled at the November Council meeting for approval.
1463	Supply of Asphalt Products and Surfacing Works	Supply of Asphalt Products and Surfacing Works within Greater Shepparton. The contract is for a 3 year period plus a potential 2 year extension (3+2).	Tender closed 2 October 2013. Tenders currently being evaluated. This contract will be tabled at the November Council meeting for approval.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.8 Contracts Awarded Under Delegation Report - November 2013 (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1378	Supply and Delivery of Bituminous Products	Supply and delivery of Bituminous Products including bitumen, emulsions, cutter and flux oil for Greater Shepparton City Council for a period of 3 years plus potential extensions of 1 year.	Tender closed 2 October 2013. Tenders currently being evaluated. This contract will be tabled at the November Council meeting for approval.
1459	Provision of Digital Enterprise Training Services	Provision of Digital Enterprise Training Services to the Greater Shepparton Business Community.	Tender closes 16 October 2013.
1427	Safer Cities Camera Network (Shepparton - Stage One) - Civil Works	Lump Sum contract for civil works including the supply and installation of conduit and pit infrastructure within the Shepparton CBD.	Tender closes 23 October 2013.
1428	Safer Cities Camera Network (Shepparton - Stage One) - Security/Electrical	Lump sum contract for design, supply, installation and commissioning of a Digital Video Management System at the Shepparton Police Station, dedicated optical fibre & wireless network and CCTV cameras within the Shepparton CBD.	Tender closes 23 October 2013.
1449	Construction of Aquamoves Mechanical Ventilation Upgrade	Lump sum contract for the construction, supply and installation of Mechanical Ventilation System in the Shepparton Aquamoves Aquatic Centre.	Tender closes 30 October 2013.

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 \$750,000 including GST.

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

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.

5. OFFICE OF THE CHIEF EXECUTIVE OFFICER

5.8 Contracts Awarded Under Delegation Report - November 2013 (continued)

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 23 September to 21 October 2013.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Round 1 2013/14 - Minor and Sports Aid

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: Program and Services Coordinator

Proof reader(s): Team Leader Recreation & Strategy, Manager Recreation & Parks

Approved by: Director Infrastructure

Executive Summary

Four applications have been received for the first round of funding for the 2013/2014 Our Sporting Future Funding Program – Minor Facilities and Sports Aid Category:

1. Northern Victorian Show Jumping Club - Arena Fencing and Day Yards
2. Tatura Bowls Club Inc. - Seating Project
3. Kialla Golf Club - Sprinkler Project
4. Shepparton Cycling Club - Junior Development Plan.

All applications have been considered by a Council assessment team and recommendations are made in relation to funding allocations.

A number of other enquiries have been received for the program. Council officers are working with these groups to progress project plans to meet program guidelines and enable future applications to be made.

Two further funding rounds are planned for the 2012/13 financial year. A total of \$82,000 remains in the current budget for allocation in these rounds. Council officers will work closely with Communications to undertake advertising for the next funding round to be completed by November 2013.

It will be a mandatory condition that successful grant recipients ensure recognition of Council contribution (for example signage) and ensure assets purchased are protected to remain in the recipient's ownership. Specific requirements and conditions will be included in the letter of offer and is required to be signed by the grant recipient.

Moved by Cr Ryan

Seconded by Cr Summer

That the Council approves funding for the following projects:

Our Sporting Future – Minor Facilities Category

Club	Project	Allocation
Northern Victorian Show Jumping Club	Arena Fencing and Day Yards	\$12,070
Tatura Bowls Club Inc.	Seating Project	\$2,465
Kialla Golf Club	Sprinkler Project	\$7,591

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Round 1 2013/14 - Minor and Sports Aid (continued)

Our Sporting Future – Sports Aid Category

Club	Project	Allocation
Shepparton Cycling Club	Junior Development Plan	\$5,000

CARRIED.

Details of each project

Northern Victorian Show Jumping Club

Funding Category	Minor		
Project	Arena Fencing and Day Yards		
What will the project achieve	<p>The grass arena fence at WB Hunter Reserve is around 30 years old, it has been repaired and maintained over the years but now most of the Red Gum posts have rotted and are unsafe. In 2010 the Club replaced 60 metres of this fence with cypress pine post and 40mm galvanised rail. This new fencing has proved very successful and the Club wish to replace the 400m old fencing with this new design. Over the years the Club has built 120 day yards. These yards are used at training days and at competitions to confine horses safely. They are an important part of our risk management as horses in yards are less likely to get loose and cause an accident to person or property, than being tied to a truck or float. The additional 50 yards will help in keeping WB Hunter reserve a much safer sports ground.</p>		
Total Project Cost	\$24,410	Organisation Cash	\$6,170
Requested Council Contribution	\$12,070	Organisation In-kind	\$5,900
Recommendation from the Interim assessment team	<p>The project is consistent with the funding criteria in providing facility upgrade. The project is recommended for funding with an allocation of \$12,070.</p>		

Tatura Bowls Club Inc.

Funding Category	Minor		
Project	Seating Project		
What will the project achieve	<p>The club would like to provide safe and clean Aluminium bench back-rest seating for spectators in close proximity to the bowling green. Six 3 metre aluminium seats with backrest support is envisaged. The frailty of many spectators and the long hours of seating as spectators at games, justifies the safety aspect in obtaining back-rest seating that is of a modern, clean and efficient design. The Tatura Club has in recent years held many of the Associations Finals at their</p>		

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Round 1 2013/14 - Minor and Sports Aid (continued)

	venue and many spectators and supporters are in attendance.		
Total Project Cost	\$4,930	Organisation Cash	\$2,165
Requested Council Contribution	\$2,465	Organisation In-kind	\$300
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing facility upgrade. The project is recommended for funding with an allocation of \$2,465.		

Kialla Golf Club

Funding Category	Minor		
Project	Sprinkler Project		
What will the project achieve	Currently Kialla Golf Club has approximately 450 sprinklers to irrigate the 18 holes. Many of the sprinklers are second hand and they are in desperate need of being replaced in order for the Club to maintain its excellent condition. The project will allow an initial 64 sprinklers to be replaced.		
Total Project Cost	\$15,182	Organisation Cash	\$5,591
Requested Council Contribution	\$7,591	Organisation In-kind	\$2,000
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing facility upgrade. The project is recommended for funding with an allocation of \$7,591.		

Shepparton Cycling Club

Funding Category	Sports Aid		
Project	Junior Development Plan		
What will the project achieve	<p>The aim of the Shepparton Cycling Club Junior Development Plan is to promote track and road cycling in schools, community groups and through council to show that cycling is a fun and enjoyable sport for all age groups, demographics and cultures.</p> <p>The component of the plan that we are seeking funding from the Greater Shepparton City Council is the purchase of 10 new track bikes of varying sizes to help us cater for the extra members we are hoping the plan will provide. The bikes will be available for new members to use free of charge which will greatly reduce the costs involved in getting started in the sport.</p>		
Total Project Cost	\$6,950	Organisation Cash	\$1,950
Requested Council Contribution	\$5,000	Organisation In-kind	\$0
Recommendation from the Interim assessment team	The project is consistent with the funding criteria in providing access and participation opportunities. The project is recommended for funding with an allocation of \$5,000.		

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Round 1 2013/14 - Minor and Sports Aid (continued)

Background

The Our Sporting Future Funding Program has been established to assist community organisations with the implementation of small to medium sized facility development projects. The types of projects that may be funded include:

- Sports surface development
- OHS and public safety improvements
- Lighting upgrades
- Pavilion upgrades
- Shade for participants
- Disability Access

The program also assists with development programs for new and developing sporting organisations throughout Greater Shepparton.

The funding program provides three categories for funding:

- Major facility development – for projects on a \$1 for \$1 basis but not exceeding \$30,000
- Minor facility development – for projects on a \$1 for \$1 basis but not exceeding \$15,000
- Sports Aid - funding between \$500 and \$5,000 (without matching contributions) for special sports projects that provide support to new and developing sporting organisations, or for special access and participation projects.

The Minor and Sports Aid applications are assessed in three rounds, with the first round closing on Friday 26 July 2013.

A cross department interim assessment team has been developed to improve the assessment of applications. The team consists of the following members:

- Program and Services Coordinator
- Team Leader Events and Promotions
- Youth Development Officer
- Healthy Communities Coordinator
- Grants, Statistics and Economic Research Officer

The Our Sporting Future Funding Program is available for all sporting/recreational groups with the municipality. The program is promoted on council's external website, advertised in SportsConnect (a Council newsletter) and by word of mouth. ValleySport, the Goulburn Valley's regional sports assembly, actively advertise the funding program through their network of known local community sport and recreation groups. ValleySport also recommend the funding program to groups throughout the year.

The Our Sporting Future Funding Program is being reviewed as part of a Council wide review of all external grants and donations programs for 2013/2014.

The Our Sporting Future Funding has an acquittal process at the completion of the project. Community Organisations receive 80% of the funding for the project when they sign the funding agreement and will only receive the final 20% when the project is completed and a written funding acquittal form is completed including supporting documentation of invoices and photographs of installation. A Recreation and Parks Branch member also goes on site to check that the project has been completed.

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Round 1 2013/14 - Minor and Sports Aid (continued)

Council Plan/Key Strategic Activity

Recommended projects are supported by the Council's Sport 2050 Strategic Plan.

Risk Management

Consideration has been given to risk management issues during the assessment of all applications for funding support

Policy Considerations

There are no conflicts with existing Council policy

Financial Implications

2013/2014 Approved Budget	Funds Previously Committed in 2013/2014	Funds Requested this Round	Balance Remaining for Future Rounds
\$110,000	\$0	\$27,126	\$82,874

Legal/Statutory Implications

All project applicants must comply with planning, building and health legislative and statutory requirements prior to commencement of projects and/or release of the Council's funds.

Environmental/Sustainability Impacts

There are no environmental/sustainability impacts arising from these projects.

Social Implications

These projects will support community participation in sporting activity.

Economic Impacts

There is expected to be a minor regional economic stimulus arising from the construction works.

Consultation

Recreation and Parks Branch staff have discussed the projects with applicants and have assisted in the application process. All applicants have been reminded that projects will not be funded retrospectively.

A number of other inquiries have been made by community organisations. Council officers will continue to work with these groups to develop plans and projects in anticipation of an application being made in a future round.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

This proposal supports the community and infrastructure objectives of the Greater Shepparton 2030 Strategy.

b) Other strategic links

This proposal supports the community and infrastructure objectives of the Municipal Health and Wellbeing Plan.

6. INFRASTRUCTURE DIRECTORATE

6.1 Our Sporting Future Funding Round 1 2013/14 - Minor and Sports Aid (continued)

Options for Consideration

1. Not fund the projects
Not recommended as projects will ensure that community assets are renewed and facilities are modernised.
2. Fund the projects
Agree to fund the projects - Recommended

Conclusion

Council officers recommend the allocation of funding to project applications submitted through Councils Our Sporting Futures Program.

Recommended projects under the first 2013/14 funding round of the Our Sporting Future Program support Council's vision to improve liveability through social and recreational opportunities, a range of inclusive community services and activities, and valuing our diversity.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.2 Public Toilet Policy

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

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

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

Council Officers involved in producing this report

Author: Project Coordinator Recreation and Parks

Proof reader(s): Team Leader Recreation and Strategy Recreation and Parks

Approved by: Director Infrastructure

Executive Summary

A Public Toilet Policy has been developed for Council consideration and approval.

The 2013 Public Toilet Review has informed the Public Toilet Policy.

Once the Public Toilet Policy is adopted, a Public Toilet Development Plan will be prepared. This Plan will provide Council with strategic recommendations for capital improvements, developments, possible decommissions and prioritise annual budget capital works bids. The Plan will also recommend high quality service levels, allocation of required resources, monitoring and measurement of service.

Community consultation has been undertaken in regards to the Public Toilet Policy. Community feedback will be a key consideration in the drafting of the Public Toilet Development Plan.

The Public Toilet Development Plan will also consider relevant legislative building codes where retrofit of current facilities is not mandatory, however, could be considered a moral responsibility by Council.

The Plan will also inform other strategic planning processes such as Community Plans and Reserve Master Plans.

Moved by Cr Summer

Seconded by Cr Oroszvary

That Council adopts the Public Toilet Policy and proceed with the preparation of a Public Toilet Development Plan.

CARRIED.

Background

At the 20 November, 2012 Council meeting, the following resolution was made:

“That a Public Toilet Policy be tabled at the Ordinary Meeting of Council to be held in April 2013 to include the following:

- 1. An inventory of council-managed toilets in the municipality to include comments regarding suitable location, physical condition, safety aspects, accessibility, perceived usage, frequency of cleaning, aesthetics and estimated adequacy into the future.*

6. INFRASTRUCTURE DIRECTORATE

6.2 Public Toilet Policy (continued)

2. *An assessment of areas, with emphasis on the three main CBDs and highway entrances, where there may be a significant need for additional toilet facilities.*
3. *A “draft Public Toilet Policy for Greater Shepparton” to be presented for public exhibition and comment to be adopted after submissions prior to 30th June 2013.*

The objective of the Public Toilet Policy is to formalise the Greater Shepparton City Council’s commitment to the provision of high quality, well maintained and accessible public toilet facilities through appropriate;

1. siting and distribution
2. quality and service levels
3. cleanliness and maintenance
4. risk management and public safety
5. design (including access).

The draft Public Toilet Policy and Report was placed on public exhibition until the 16 August, 2013. There were 19 submissions received, all relating to the report (table of responses attached). No submissions were received relating to the draft Public Toilet Policy.

A number of common issues were raised from the submission process relating to the report. A summary of these are:

1. The report suggested removal of the Harry Bird toilets. Eight submissions were received highlighting the need to retain the toilets due to the amount of usage the southern boat ramp now receives with local sporting groups, community groups and the general public.
2. The report also suggested removal of the Jaycee toilets in Murchison. Three submissions were received concerned that many larger vehicles including trucks, caravans and horse floats use this stop due to the availability of larger and more vehicle friendly parking.
3. A number of submissions received highlighted the need for adult change facilities at venues across the municipality and the need for toilets to meet all of the necessary relevant access codes.
4. Other submissions included:
 - waste dump points for caravans and motor homes are needed in Shepparton and Mooroopna
 - support for the removal of the Ducat Reserve toilets
 - the need to co-operate with Vic Roads to create wayside stops.

It is proposed that based on the reported feedback that a Public Toilet Development Plan be prepared. This Plan will provide a strategic approach to annual budget capital works bids, achieving high quality service levels, allocation of required resources, monitoring and measurement of service.

Council Plan/Key Strategic Activity

Consultation undertaken to assist the development of the 2013-2016 Council Plan indicated a high expectation that public facilities are fully accessible to all members of the community and that public toilets be of high quality, suitably located and well maintained.

6. INFRASTRUCTURE DIRECTORATE

6.2 Public Toilet Policy (continued)

Risk Management

The review includes risk assessment in relation to the provision of public toilet facilities and services. This assessment includes consideration of risks associated with the physical condition of the facilities and risks associated with non-compliance to relevant codes, regulations and legislation.

Policy Considerations

There are no identified conflicts with Council Policies.

Financial Implications

A budget of \$40,000 has been allocated to commence works arising from the preparation of a Public Toilet Development Plan.

Legal/Statutory Implications

There are many applicable relevant codes, regulations and legislation that apply in relation to the provision of public facilities. This includes Australian Standard AS 1428.1 (Design for Access, the Mobility), the Federal Disability Discrimination Act and the Disability (Access to Premises - buildings) Standards 2010 (the Premises Standards).

Environmental/Sustainability Impacts

The Public Toilet Service Plan will consider relevant environmental/sustainability impacts associated with the provision of public toilets.

Social Implications

The provision of high quality, suitably located, well maintained and fully accessible public toilet facilities allows all members of the community to participate in social and community activities.

The Public Toilet Development Plan will place emphasis on actions to address gaps in accessibility such limited adult change and maternal care facilities in accordance with the policy adopted by Council.

Economic Impacts

The Public Toilet Policy and Development Plan will provide high quality amenities influencing a positive impact on visitor and resident experience. It is anticipated improved amenities will increase visitation and pedestrian/cycle travel throughout the Municipality to recreation, entertainment, retail, tourism and open space destinations.

Consultation

The draft Policy and Report document went on public display for a 3 week period closing on 16th August, 2013.

There were 19 submissions received through Council's website and submission forms. All submissions received related to the Report document and with no submissions relating to the Policy document.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	Media release Public notice Accessible on-line
Consult	Listen, acknowledge, consider	Public submissions invited

6. INFRASTRUCTURE DIRECTORATE

6.2 Public Toilet Policy (continued)

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

Strategic Links

a) Greater Shepparton Council Plan

The Public Toilet Policy supports the community and infrastructure objectives of the Greater Shepparton City Council Plan to provide and maintain urban and rural infrastructure to support the development and liveability of our communities.

Council will work with the community in partnership and collaboration to enable the provision of infrastructure that reflects the needs of the community.

Options for Consideration

Support the adoption of the Public Toilet Policy as exhibited and the preparation of a Public Toilet Development Plan.

This option is recommended as will guide the Greater Shepparton City Councils provision, management and servicing of public toilets throughout the municipality.

Conclusion

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

Attachments

1. Public Toilet Policy Page 143
2. Public Toilet Review Submissions Page 150

6. INFRASTRUCTURE DIRECTORATE

6.3 Supply and Delivery of Bulk Fuels

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 Works

Proof reader(s): Team Leader Fleet and Stores

Approved by: Director Infrastructure

Other: Procurement Officer

Executive Summary

The purpose of this report is to gain Council approval to participate in the Procurement Australia contract 1610/0106 Supply and Delivery of Bulk Fuels. The contract will be referred as Contract 1473 for Council purposes.

Council spends a significant amount of money purchasing fuel which is stored at the Doyles Road Complex. The fuel is used to operate Council's plant as well as a limited number of fleet vehicles. The value of the contract is dependent on available budget each year but will be in excess of \$700,000 per annum which exceeds the amount which can be approved by Council's Chief Executive Officer under delegated authority.

Moved by Cr Patterson

Seconded by Cr Polan

That the Council:

1. accept the tender submitted by Scott Petroleum of Ballarat for the Procurement Australia Contract No. 1473 Supply and Delivery of Bulk Fuels, which Greater Shepparton City Council is a participating member. The contract is based on a schedule of prices.
2. note that the Procurement Australia contract number is 1610/0106 but will be referred to as contract 1473 for Council purposes.
3. note that the contract is for three years with a further two year extension option.
4. authorise the Chief Executive Officer to award the contract extension option for a further 2 years if appropriate to do so.
5. authorise the Chief Executive Officer to sign and seal the contract documents.

CARRIED.

Contract Details

Procurement Australia, acting as tendering agent for 29 participating Member Council's, sought public tender for the Supply and Delivery of Bulk Fuels from suitably experienced and qualified parties to be part of a panel of providers.

6. INFRASTRUCTURE DIRECTORATE

6.3 Supply and Delivery of Bulk Fuels (continued)

Procurement Australia has undertaken a thorough and rigorous process to derive a schedule of prices from tenderers, given the degree of fluctuation in the market from time to time. All Bulk Fuels are priced based on a reference price plus loading from suppliers. The reference price is the suppliers Terminal Gate Price (TGP) - for us, and near 50% of the market this is through Shell - and then freight, marketing, load size discounts (or surcharges), credit charges and contract discounts are applied to get a final delivered price.

Procurement Australia took two sample periods of one and three months and calculated the delivered price for the specified period. This provides participating members a reference point over a period of time. The mechanism for changing the TGP differs, and the price itself differs, however, over a term the average reflected the relative position for each supplier.

Tenders

Tenders were received from:

Tenderers
Caltex Australia Petroleum Pty Ltd
Eagle Fuels Pty Ltd
Maxi-Tankers Pty Ltd
I.A.McLennan Electrical Pty Ltd
National Biodiesel Limited
BP Regional/Reliance Petroleum
Scott Agencies T/as Scott Petroleum
United Petroleum Pty Ltd

Approved Tenderers
Caltex Australia Petroleum Pty Ltd
Eagle Fuels Pty Ltd
Maxi-Tankers Pty Ltd
National Biodiesel Limited
BP Regional/Reliance Petroleum
Scott Agencies T/as Scott Petroleum

Tenderers Not Approved
I.A.McLennan Electrical Pty Ltd
United Petroleum Pty Ltd

There were only two companies who submitted prices for supply and delivery to Shepparton. These were Scott Petroleum and United. United failed to reach the minimum weighted aggregated score of 250 (see Evaluation Report attached) and was not offered a contract by Procurement Australia.

Caltex only provided specific quotes for delivery to existing sites they already supply.

Tender Evaluation

Tenders were evaluated by Procurement Australia. The evaluation report is attached.

Evaluation Criteria

Tenders were evaluated on the following criteria:

6. INFRASTRUCTURE DIRECTORATE

6.3 Supply and Delivery of Bulk Fuels (continued)

Evaluation Criteria	Weighting
Compliance with Specification	20%
Customer Focus	12.5%
Contractor Performance	10%
Corporate Social Responsibility Profile	7.5%
Price	50%

Council Plan/Key Strategic Activity

The supply of Bulk Fuel to Doyles Road Complex supports the delivery of services provided with Council's Plant and Fleet, therefore the following Council Plan Goal is appropriate.

Goal 4 Quality Infrastructure

Objective – Ensure that the community has access to high quality facilities

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

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Fuel Spillage or Explosion at DRC	Unlikely	High	High	Supplier to provide Job Safety Audits, undertake site induction, request quality control documents from supplier, test Council infrastructure on a regular basis
Supplier cannot deliver	Possible	Moderate	Moderate	Council holds significant fuel reserves to continue to operate through a short period without delivery. Council could utilise a service station if failure to deliver was prolonged.

Policy Considerations

Council's procurement policy has been considered as part of this contract. The contract has been conducted in accordance with Section 186 and Section 55 of the Local Government Act.

Financial Implications

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	
Expense	\$750,000	\$735,000	(\$15,000)	Budget has been revised down from initial estimates.
Net Result	\$0	\$0	(\$15,000)	

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

6. INFRASTRUCTURE DIRECTORATE

6.3 Supply and Delivery of Bulk Fuels (continued)

Please note that the total value of this contract is estimated to be \$3.75m - \$4.25m based on historic annual budgets for concreting works.

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 evaluation process undertaken by Procurement Australia, tenderers were required to comply with all relevant EPA standards, have OHS management systems and environmental management systems to mitigate risk of accident, harm to people or the environment. All company drivers are to be appropriately accredited, complete all logs and undertake pre-trip safety checks.

Strategic Links

a) Greater Shepparton 2030 Strategy

Given the supply of Bulk Fuel to Doyles Road Complex supports the delivery of services provided with Council's Plant and Fleet, the proposal supports the principals of the Greater Shepparton 2030 Strategy.

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

b) Other strategic links

Nil

Options for Consideration

Option 1 – Recommended

Participate in the Procurement Australia tender for the Supply and Delivery of Bulk Fuels and benefit from the combined buying power of the participating 29 other Councils to achieve the most competitive bulk fuel rates. Note the competitive buying power does not affect the wholesale price of fuel, but does affect the delivery price.

Option 2 – Not Recommended

Greater Shepparton City Council may choose to run its own tender for Bulk Fuels. This option will require Council to undertake a new procurement process and risk that its buying power will be sufficient to gain contract discounts from tenderers equivalent or better than that achieved through the Procurement Australia contract.

Conclusion

The contract is for delivery and supply of bulk fuels. Tenderers have provided prices based on a starting point of the wholesale price at the time, plus their freight mark up. While market trends can move rapidly, generally Council will be paying a discount on fuel compared to prices at the pump through this contract.

Scott's Petroleum have tendered for the Shepparton region and having been awarded a contract through Procurement Australia's panel of supplier. Council can proceed to purchase its fuel through Scott's, fully compliant with the Procurement Policy and the Local Government Act.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.4 Supply of Quarry and Manufactured Materials

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 Works

Proof reader(s): Team Leader Works

Approved by: Director Infrastructure

Other: Procurement Officer

Executive Summary

This contract is for the supply of Quarry and Manufactured Materials (fine crushed rocks, hill gravel, aggregate etc). The estimated contract commitment is \$3,200,000 per annum, depending on available budget.

Products are utilised in delivery of Council's capital and maintenance works, predominately in road re-sheeting and re-sealing works, but including other works such as road construction, footpath and kerb and channel maintenance.

This contract is for a panel of suppliers based on a schedule of rates. The contract term is three years with 1 year extension (3+1).

The purpose of this report is to provide information to Councilors so they can make an informed decision to:

1. support the recommendation, or
2. reject the recommendation, or
3. defer a decision pending provision of further information, or
4. select a contractor of their own choice

Why it is being presented

1. The value of the contract exceeds the amount which can approved by Council's Chief Executive Officer under delegated authority,
2. The value of the contract exceeds the tender thresholds stated in Section 186 of the *Local Government Act 1989 (amended 2007)*

Moved by Cr Ryan

Seconded by Cr Polan

That the Council:

1. accept the tenders submitted by Boral Construction Materials, Norville Nominees T/A Redstone Crushing, and E. B. Mawsons and Sons Pty Ltd for Contract No. 1464 Supply of Quarry and Manufactured Materials under a standing offer of agreement based on a schedule of rates.
2. note the contract term will be for a three year period with one 12 month extension period (3+1).

6. INFRASTRUCTURE DIRECTORATE

6.4 Supply of Quarry and Manufactured Materials (continued)

3. authorise the Chief Executive Officer to award the contract extension period if appropriate.
4. authorise the Chief Executive Officer to sign and seal the contract documents.

CARRIED.

Contract Details.

This contract is for the supply of Quarry and Manufactured Materials (fine crushed rocks, hill gravel, aggregate etc) based on a schedule of rates. The estimated contract commitment is \$3,200,000 per annum, depending on available budget.

Products are utilised in delivery of Council's capital and maintenance works, predominately in road re-sheeting and re-sealing works, but including other works such as road construction, footpath and kerb and channel maintenance.

The contract term is three years with 1 year extension (3+1). Council received eight tender submissions.

Approved tenderers will be allocated purchase orders based upon product availability, price and location of their quarry to any specific project/works. Tenders do vary in supply of product and transport costs. The distance of a suppliers quarry to a particular job/or project site can at times result in the most expensive supplier being able to deliver at a cheaper cost than their competitors. This is the main benefit of a Panel of Suppliers under a Standing Order.

The contract contains a 'clause' for Council to consider alternative methods of transportation of quarry products other than the tenderer's company's trucks. This means if we can source transport cheaper through a third party then we can use that option to reduce costs. While it is most unlikely this 'clause' will need to be invoked given the submitted cartage rates, it will ensure that tenderers remain competitive on this front.

Tenders

Tenders were received from:

Tenderers
Boral Construction Materials
Norville nominees T/A Redstone Crushing
E. B. Mawsons & Sons Pty Ltd
Global Contracting Pty Ltd
Lima South Quarry Pty Ltd
Andrew Goldman Constructions
EMM Group Pty Ltd
Violet Town Quarries P/L

Tenderers Recommended
Boral Construction Materials
Norville Nominees T/A Redstone Crushing
E. B. Mawsons & Sons Pty Ltd

6. INFRASTRUCTURE DIRECTORATE

6.4 Supply of Quarry and Manufactured Materials (continued)

Tenderers Not Recommended
Global Contracting Pty Ltd
Lima South Quarry Pty Ltd
Andrew Goldman Constructions
EMM Group Pty Ltd
Violet Town Quarries P/L

It is not recommended that Council enters into contracts with Global Contracting Pty Ltd, Lima South Quarry Pty Ltd, Andrew Goldman Constructions, EMM Group Pty Ltd and Violet Town Quarries P/L due to the tendered products and/or distance of their quarries from the municipality and for reasons stated earlier in this report.

It can be demonstrated through the assessment process and panel members' evaluations that their transport costs to get the product to the nearest possible work sites are (predominately due to distance) more expensive than Boral, Mawsons or Norville. As such, it is unlikely we would ever require them to supply product.

Council should limit contracts to those companies we are sure to utilise, who will be competitive given relative distance to a road/project location where Council is undertaking work.

Tender Evaluation

Tenders were evaluated by:

Title	Branch
Manager Works	Works
Team Leader Works	Works
Procurement Officer	Procurement

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	60%
Project Delivery	20%
Quality Management Systems	10%
Environmental Sustainability	10%

Council Plan/Key Strategic Activity.

Goal 4 Quality Infrastructure

Objective – Ensure that the community has access to appropriate transportation infrastructure

Aim – Council, through the understanding that the need for appropriate transportation infrastructure is a key to the health and wellbeing of the community will continue to advocate for and strive to deliver the appropriate level of service across Greater Shepparton to serve the community.

6. INFRASTRUCTURE DIRECTORATE

6.4 Supply of Quarry and Manufactured Materials (continued)

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Accident or injury to staff or a member of the public on job sites	Possible	High	High	Contractor Inductions to worksites, Contractor site audits for OHS compliance, Job Safety Analysis forms completed and signed to, Safe Work Method Statement on site including contractor/s hire.
Contractor compliance with contract terms and conditions	Possible	High	High	Contractor engagement on a regular basis, Evaluation of contract performance, Mediation where required

Policy Considerations

Council's Procurement Policy has been adhered to in the development and delivery of this contract.

Financial Implications

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$500,000	\$500,000		Council receives in excess of \$1 million per annum through the R2R Program of which part will be utilised to supply aggregate for road projects. The amount will vary year to year.
Expense	\$3,200,000	\$3,200,000	\$0	Funding sources include from Roads to Recovery and Roads to Renewal. Supplies will also be sourced from a number of smaller maintenance type accounts.
Net Result	(\$2,700,000)	(\$2,700,000)	\$0	

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

Legal/Statutory Implications

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

6. INFRASTRUCTURE DIRECTORATE

6.4 Supply of Quarry and Manufactured Materials (continued)

Environmental/Sustainability Impacts

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

Nil

Options for Consideration

1. Withdraw the tender (Not Recommended)

Positives

- Available funds and resources can be utilised elsewhere

Negatives

- Existing assets would not be maintained to a standard that is acceptable to the public and increase litigation risk.
- Allowing significant road infrastructure degradation increases future costs to Council
- Frequent complaints from members of the public may lead to damage of Council's reputation
- Increases the risk of vehicular and pedestrian accidents as well as public safety.
- Increases risk of water damage to assets or flooding
- Risk loss of Federal Government funding supplied under an own source contribution.

2. Proceed to award Contracts to the companies which obtained satisfactory evaluations (Recommended)

Positives

- Competitive companies are selected to deliver quality products to Council
- Assets will be maintained to high standard resulting in community expectations being met and or exceeded.
- Council secures the supply of materials for roads infrastructure maintenance and upgrades into the future.
- Roads and associated infrastructure would be maintained in a condition that ensures public safety and mitigates litigation risk.
- Well maintained roads are an indication that Council is delivering on one of the core functional activities.
- Council generates greater competition for our work for future tenders by allowing limited contractors to maximise the benefits of winning the tender.
- Roads will be maintained in line with council's Road Management Plan.

Negatives

- We note production of crushed rock has a high environmental impact. This is mitigated as much as possible through the use of modern quarrying technologies and methods and by sourcing products from as near to the job/project site as possible to reduce the environmental impacts of transportation.
- There will be some disruption to the public while works are being carried out.

6. INFRASTRUCTURE DIRECTORATE

6.4 Supply of Quarry and Manufactured Materials (continued)

Conclusion

Through an open tender process to procure the supply of Quarry and Manufactured Materials, Council received eight tenders of which six were compliant. Three contractors have been recommended for contracts based on their submitted rates, both for product and transport, sound business quality management systems, occupational health and safety and environmental systems. Contractors are necessary to deliver Council's capital works and maintenance programs. This procurement process ensures Council is compliant with its own procurement policy and the Local Government Act.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.5 Provision of Supply and Delivery of Pre-Mixed Concrete

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 Works

Proof reader(s): Team Leader Works

Approved by: Director Infrastructure

Other: Procurement Officer

Executive Summary

Council procures approximately \$500,000 worth of pre-mix concrete each year for use in the delivery of its internal concrete maintenance services including footpath, kerb and channel and drainage maintenance. This contract is for a panel of suppliers based on a schedule of rates. The contract term is two years with two, two year extensions (2+2+2).

The purpose of this report is to provide information to Councillors so they can make an informed decision to:

1. support the recommendation, or
2. reject the recommendation, or
3. defer a decision pending provision of further information, or
4. select a contractor of their own choice

Why it is being presented

1. The value of the contract exceeds the amount which can approved by Council's Chief Executive Officer under delegated authority,
2. The value of the contract exceeds the tender thresholds stated in Section 186 of the *Local Government Act 1989 (amended 2007)*

Moved by Cr Polan

Seconded by Cr Summer

That the Council:

1. accept the tender submitted by Boral Construction Materials of 251 Salmon Street Port Melbourne for Contract No. 1461 Provision of Supply and Delivery of Pre-Mix Concrete under a standing offer agreement based on a schedule of rates.
2. note that the contract with Boral Construction Materials will be for two years with two additional 2 year extension periods (2+2+2).
3. authorise the Chief Executive Officer to award the contract extensions if appropriate.
4. authorise the Chief Executive Officer to sign and seal the contract documents.

CARRIED.

6. INFRASTRUCTURE DIRECTORATE

6.5 Provision of Supply and Delivery of Pre-Mixed Concrete (continued)

Contract Details

This contract is for the supply and delivery of Pre-Mix Concrete for two years based on a schedule of rates. The estimated contract commitment is \$500,000 per annum, depending on available budget. Products are used to assist Council deliver capital and maintenance functions, generally for kerb, channel and footpath works. The contractor will be allocated a purchase order based on quantity and type of product, and location to work site on a job by job basis.

The tender was issued as a panel of suppliers contract. Council received two tenders. Council is not bound to accept both tenders and can choose to select only one tenderer to issue a contract to. As Boral has capacity to deliver, good references, good management systems and consistently cheaper prices, the Procurement Panel agreed that it is in Council's best interests to procure solely through Boral for the term of this contract. Council officers are not inclined to issue contracts where there is limited intention of using a contractor as a supplier through the contract term.

Council will have an option to purchase product outside of this contract should the contractor be unable to supply Council with an acceptable quality product in a timely manner.

Tenders

Tenders were received from:

Tenderers
Boral Construction Materials
E.B. Mawson & Sons Pty Ltd

Tenderers Recommended
Boral Construction Materials

Tenderers Not Recommended
E.B. Mawson & Sons Pty Ltd

The procurement team has recommended Boral as the sole contractor. While a panel is an option, Council staff would be required to still seek the cheaper rates each job and based on submitted rates it will be Boral. Boral has capacity to meet our needs; therefore it is inappropriate to award Mawson's a contract.

Tender Evaluation

Tenders were evaluated by:

Title	Branch
Manager Works	Works
Team Leader Works	Works
Procurement Officer	Procurement

6. INFRASTRUCTURE DIRECTORATE

6.5 Provision of Supply and Delivery of Pre-Mixed Concrete (continued)

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	50%
Project Delivery	20%
Quality Management Systems	10%
OHS Management Systems	10%
Environmental Systems	10%

Council Plan/Key Strategic Activity

Goal 4 Quality Infrastructure

Objective – Ensure that the community has access to high quality facilities

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

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Accident or injury to staff or a member of the public on contractor job site	Possible	High	High	Contractor Inductions, Contractor site audits for OHS compliance including traffic management, appropriate level of staffing, Job Safety Analysis forms completed, Safe Work Method Statement on site.
Contractor compliance with contract terms and conditions	Possible	High	High	Contractor engagement on a regular basis, Evaluation of contract performance, Mediation where required

Policy Considerations

Council's Procurement Policy has been adhered to in the development and delivery of this contract.

Financial Implications

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$0	\$0	\$0	
Expense	\$500,000 (approx.)	\$500,000	\$0	Supply under the contract will be funded through Council's Path, Kerb and Channel maintenance account (10627), the Culvert Repair and Maintenance account

6. INFRASTRUCTURE DIRECTORATE

6.5 Provision of Supply and Delivery of Pre-Mixed Concrete (continued)

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
				(10634), the Urban Drainage Maintenance account (10636), the Kerb and Channel renewal account (60526) and the Footpath renewal account (60527)
Net Result	(\$500,000)	(\$500,000)	\$0	

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

Please note that the contract is for an initial period of two years with 2 x two year potential extensions (total of 6 years possible). Contract value over 6 years is estimated to be approximately \$3m.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

Nil

Options for Consideration

1. Withdraw the Tender (Not Recommended)

Positives

- Available funds and resources can be utilised elsewhere

Negatives

- Existing assets would not be maintained to a standard that is acceptable to the public.
- Allowing significant footpath and kerb and channel infrastructure degradation increases future costs to Council
- Frequent complaints from members of the public may lead to damage of Council's reputation

6. INFRASTRUCTURE DIRECTORATE

6.5 Provision of Supply and Delivery of Pre-Mixed Concrete (continued)

- Increases the risk of vehicular and pedestrian accidents as well as public safety.
- Increases risk of water damage to assets or flooding

2. Choose to award both tenderers a contract (Not Recommended)

Positives

- Council continues to support both companies by using both suppliers
- Council avoids conflict with a company who has provided a pre-mix concrete service to Council over many years.

Negatives

- Council maintains a contract with a company who is not likely to receive a significant amount of work from Council
- Council reduces the competitiveness of the tender process by awarding contracts to companies despite supplied rates and non-price information.

3. Proceed to award a single Contract (Recommended)

Positives

- The most competitively priced company can deliver a quality service to Council
- Assets will be maintained to high standard resulting in community expectations being met and or exceeded
- Council secures the supply of materials for footpath and drainage infrastructure maintenance and upgrades into the future
- Footpaths, kerbs and channels would be maintained in a condition that ensures public safety and access.

Negatives

- Council may expect some fall out from one tenderer who has had a contract with Council over many years but is not being recommended in this process.
- There will be some disruption to the public while works are being carried out.

Conclusion

Based on the supplied schedule of rates, Council's experience working with the contractor, and demonstration of Quality Management Systems, OHS Management Systems and Environmental Systems, it is recommended a single contract be issued as the outcome of tender 1461, to Boral Construction Materials. While Boral is a National Company, it has plant facilities in Shepparton and Tatura and a quarry based at Cosgrove which means they are a significant employer and economic contributor in the Municipality.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.6 Supply and Delivery of Bituminous Products

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 Works

Proof reader(s): Team Leader Works

Approved by: Director Infrastructure

Other: Procurement Officer

Executive Summary

This tender is for the supply and delivery of bituminous products which are utilised by Council to undertake our road sealing and re-sealing capital works programs. This is a panel of suppliers contract based on a schedule of rates. Council spends approximately \$1.5 million dollars per annum purchasing bituminous products. This contract is for a three year period with a possible one plus one year extension.

The purpose of this report is to provide information to Councilors so they can make an informed decision to:

1. support the recommendation, or
2. reject the recommendation, or
3. defer a decision pending provision of further information, or
4. select a contractor of their own choice

Why it is being presented

1. The value of the contract exceeds the amount which can approved by Council's Chief Executive Officer under delegated authority,
2. The value of the contract exceeds the tender thresholds stated in Section 186 of the *Local Government Act 1989 (amended 2007)*

Moved by Cr Ryan

Seconded by Cr Summer

That the Council:

1. accept the tenders submitted by Downer EDI Works Pty Ltd of Lorimer Street Port Melbourne and SAMI Bitumen Technology of Oben Court Laverton for Contract No. 1378 Supply and Delivery of Bituminous Products under a standing offer agreement based on a schedule of rates.
2. note that the contract will be for three years with a one plus one year extension period (3+1+1).
3. authorise the Chief Executive Officer to award the contract extension if appropriate.
4. authorise the Chief Executive Officer to sign and seal the contract documents.

CARRIED.

6. INFRASTRUCTURE DIRECTORATE

6.6 Supply and Delivery of Bituminous Products (continued)

Contract Details

This tender is for the supply and delivery of bituminous products within the Greater Shepparton Municipality. The products are used primarily for Council's road re-sealing program, the sealing of reconstructed roads and some road maintenance works.

Council uses over 1,000,000 litres of bitumen per annum. The tender also called for rates to be submitted for Polymers and Emulsions which are alternate applications to bitumen for undertaking road works. Council uses far less of these products than we do bitumen but they are still important for delivering our road works program. Council also requested rates for Cutter which is used to control how bitumen cures in hot and cool conditions.

Council has storage facilities for all these products at the Doyles Road Complex. We currently have storage capabilities for 25,000 litres of bitumen, but this will be increased shortly to 35,000 litres with the purchase of a new tank. Council receive several deliveries per week, depending on the stage of the sealing season.

Council has previously procured its bituminous products under contract to provide best value to Council. The current contract ends in 2013.

Tenders

Tenders were received from:

Tenderers
Downer EDI Works Pty Ltd
SAMI Bitumen Technologies

The tender was released as a panel of suppliers. The tender has been extremely close with virtually nothing separating the two companies with regard to Bitumen, Polymers and Emulsion. Downer has not tendered for the supply and delivery of Cutter and therefore it is appropriate under a panel of suppliers to award two contracts to ensure Council has full coverage of supply of necessary products.

Council has an existing contract with Downer and we have been happy with their service over the past four years. Council staff undertook referee checks for the new competitor, SAMI Bitumen Technologies, to ensure they have been servicing other organisations satisfactorily. We received only good reports.

All Australia's bitumen is imported and sold wholesale through a limited number of refineries. The wholesale price to the major suppliers is driven by market forces and is linked to the "terminal gate price" so no supplier receives a competitive advantage in purchasing bitumen. The end price Council pays includes the supplier's wholesale price, their mark up and the transport costs to Shepparton. For a \$1.5m contract per annum, the two competing tenderers came within \$3,000 of each other.

Through an evaluation process that included price, the ability to deliver, quality management, and environment and OH&S systems there was nothing between the two companies.

6. INFRASTRUCTURE DIRECTORATE

6.6 Supply and Delivery of Bituminous Products (continued)

Tender Evaluation

Tenders were evaluated by:

Title	Branch
Manager Works	Works
Team Leader Works	Works
Procurement Officer	Procurement

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	50%
Project Delivery	20%
Quality Management Systems	10%
OHS Management Systems	10%
Environmental Systems	10%

Council Plan/Key Strategic Activity

Goal 4 Quality Infrastructure

Objective – Ensure that the community has access to appropriate transportation infrastructure

Aim – Council, through the understanding that the need for appropriate transportation infrastructure is a key to the health and wellbeing of the community will continue to advocate for and strive to deliver the appropriate level of service across Grater Shepparton to serve the community.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Bitumen spills while transferring products to the DRC storage tanks	Possible	High	High	Contractor Inductions, Contractor and staff site audits for OHS compliance, Job Safety Analysis forms completed, Safe Work Method Statement on site.
Explosion	Unlikely	Extreme	Extreme	OHS chemical burn showers located around storage facilities. Evacuation procedures enacted. Fire and emergency services contacted. CCTV cameras trained on storage facilities is an option being explored.

6. INFRASTRUCTURE DIRECTORATE

6.6 Supply and Delivery of Bituminous Products (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Contractor compliance with contract terms and conditions	Possible	High	High	Contractor engagement on a regular basis, Evaluation of contract performance, Mediation where required
Inability to supply product due to national or global problems	Possible	Medium	Medium	Council has 6 to 7 months to complete its sealing program and could absorb time loss of upwards to 1-2 months.

Policy Considerations

Council's Procurement Policy has been adhered to in the development and delivery of this contract.

Financial Implications

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$500,000	\$500,000	\$0	Council receives in excess of \$1m per annum through the Roads to Recovery grant. Some portion of this grant is used for sealing works with that amount varying each year depending on program.
Expense	\$1,500,000 (approx.)	\$1,500,000	\$0	Supply under the contract will be funded through Council's road maintenance and capital works budgets
Net Result	(\$1,000,000)	(\$1,000,000)	\$0	

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

Please note that the contract is for an initial period of three years with a potential one year extension (total of 5 years possible). Contract value over 5 years is estimated to be approximately \$7.5m.

Legal/Statutory Implications

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

6. INFRASTRUCTURE DIRECTORATE

6.6 Supply and Delivery of Bituminous Products (continued)

Environmental/Sustainability Impacts

As part of the tender process, tenderers were evaluated on their commitment to the environment and quality management systems (QMS). Tenderers were required to declare if they had a formal environmental or QMS certification under AS14000 2007 or AS/NZS 4801:2001, and to demonstrate they had company systems in place to ensure their business had a sustainability focus did not negatively impact on the environment.

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

Nil

Options for Consideration

1. Do Nothing (Not Recommended)

Positives

- Available funds and resources can be utilised elsewhere

Negatives

- Existing assets would not be maintained to a standard that is acceptable to the public.
- Allowing significant road infrastructure degradation increases future costs to Council
- Council could not maintain current staffing numbers as staff involved in Councils resealing crew could not be kept employed.
- Frequent complaints from members of the public may lead to damage of Council's reputation
- Increases the risk of vehicular and pedestrian accidents as well as public safety.
- Increases risk of water damage to road pavement if proper maintenance is not carried out.

2. Proceed to award a single Contract (Recommended)

Positives

- Assets will be maintained to high standard resulting in community expectations being met and or exceeded
- Council secures the supply of materials for road infrastructure maintenance and upgrades into the future
- Roads will be maintained in a condition that ensures public safety and access.

Negatives

- There will be some disruption to the public while works are being carried out.

6. INFRASTRUCTURE DIRECTORATE

6.6 Supply and Delivery of Bituminous Products (continued)

Conclusion

Both companies have provided very competitive tenders with virtually nothing between the rates and the management systems. Downer has provided Council very good customer service over the past four years, and we are happy to continue with Downer. SAMI Technologies have provided a good tender, have good references and can supply Cutter (which Downer cannot). As this is a panel of suppliers it is fitting to award both companies a contract.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.7 Supply of Asphalt Products and Surfacing Works

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

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

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

Council Officers involved in producing this report

Author: Manager Works

Proof reader(s): Team Leader Works

Approved by: Director Infrastructure

Other: Procurement Officer

Executive Summary

This tender is for the supply of asphalt products which Council uses in the delivery of its sealed road maintenance program, and for surfacing works: the delivery of large scale asphaltting by a contractor as part of Council's sealed road capital works program.

Council will spend approximately one million dollars per annum through this contract: \$500,000 on the purchase of asphalt products and \$500,000 on surfacing works. The amount spent on surfacing works can vary year to year depending on the capital works program and approved budget.

This contract is for a panel of suppliers based on a schedule of rates. The contract term is three years with a two year extension period (3+2). Council only received one tender.

The purpose of this report is to provide information to Councilors so they can make an informed decision to:

1. support the recommendation, or
2. reject the recommendation, or
3. defer a decision pending provision of further information, or
4. select a contractor of their own choice

Why it is being presented

1. The value of the contract exceeds the amount which can approved by Council's Chief Executive Officer under delegated authority,
2. The value of the contract exceeds the tender thresholds stated in Section 186 of the *Local Government Act 1989 (amended 2007)*

Moved by Cr Polan

Seconded by Cr Oroszvary

That the Council:

1. accept the tender submitted by Downer EDI Works Pty Ltd of Apollo Drive Shepparton for Contract No. 1463 Supply of Asphalt Products and Surfacing Works under a standing offer agreement based on a schedule of rates.
2. note that the contract with Downer EDI Works Pty Ltd will be for three years with two additional one year extension periods (3+2).

6. INFRASTRUCTURE DIRECTORATE

6.7 Supply of Asphalt Products and Surfacing Works (continued)

3. authorise the Chief Executive Officer to award the contract extensions if appropriate.
4. authorise the Chief Executive Officer to sign and seal the contract documents.

CARRIED.

Contract Details

This tender is for the supply of asphalt products which Council uses in the delivery of its sealed road maintenance program, and for surfacing works: the delivery of large scale asphalt by a contractor as part of Council's sealed road capital works program. The contract value is approximately \$1m per annum and will be for three years with a possible two year extension period.

Asphalt is an expensive product, but its strength and durability mean it is the best product to use on certain road works. It is used in our maintenance works to fill potholes or patch small sections of road. It is relatively easy to work with, can be laid down quickly, it sets very hard but with flexibility, and the road can be opened to traffic almost immediately.

Where sections of road are prone to high traffic wear such as roundabouts, intersections, or courts; where there is a lot of heavy traffic, resistance or screwing action of tyres, asphalt is a better product than a standard primer seal. Where a section of a road has failed warranting a repair, but not requiring the whole road to be reconstructed, again asphalt provides a strong, and cost effective option once plant, time and convenience to the public is factored in.

Asphalt must be hot when applied during road works, and as a result it cannot be transported from long distances economically. As such, Council received only one tender from the local supplier, Downer EDI.

Council has previously had a 3 year + one contract with Downer EDI: Contract 1182 which expires in 2013. Downer did not increase its rates in the final year of this contract. The new rates submitted with Downer's tender demonstrate an increase of 5.2% since 2011/12 financial year, or this can be interpreted as a 2.6% increase per annum since 2011/12. This is an acceptable rate increase given the rising costs of bitumen.

The estimated contract commitment is \$1,000,000 per annum, depending on available budget.

Tenders

Tenders were received from:

Tenderers
Downer EDI Works Pty Ltd

Tender Evaluation

Tenders were evaluated by:

Title	Branch
Manager Works	Works
Team Leader Works	Works
Procurement Officer	Procurement

6. INFRASTRUCTURE DIRECTORATE

6.7 Supply of Asphalt Products and Surfacing Works (continued)

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	50%
Project Delivery	20%
Quality Management Systems	10%
OHS Management Systems	10%
Environmental Systems	10%

Council Plan/Key Strategic Activity

Goal 4 Quality Infrastructure

Objective – Ensure that the community has access to appropriate transportation infrastructure

Aim – Council, through the understanding that the need for appropriate transportation infrastructure is a key to the health and wellbeing of the community will continue to advocate for and strive to deliver the appropriate level of service across Grater Shepparton to serve the community.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Accident or injury to staff or a member of the public on Council job site	Possible	High	High	Contractor Inductions, Contractor and staff site audits for OHS compliance including traffic management, appropriate level of staffing, Job Safety Analysis forms completed, Safe Work Method Statement on site.
Contractor compliance with contract terms and conditions	Possible	High	High	Contractor engagement on a regular basis, Evaluation of contract performance, Mediation where required

Policy Considerations

Council's Procurement Policy has been adhered to in the development and delivery of this contract.

Financial Implications

	2012/2013 Approved Budget for this proposal*	This Proposal	Variance to Approved Budget	Comments
	\$	\$	\$	
Revenue	\$300,000	\$300,000	\$0	Council receives in excess of \$1m per annum through the Roads to Recovery grant. Some portion of this grant is used for asphalt works with that

6. INFRASTRUCTURE DIRECTORATE

6.7 Supply of Asphalt Products and Surfacing Works (continued)

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
				amount varying each year depending on program.
Expense	\$1,000,000 (approx.)	\$1,000,000	\$0	Supply under the contract will be funded through Council's road maintenance and capital works budgets
Net Result	(\$700,000)	(\$700,000)	\$0	

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

Please note that the contract is for an initial period of three years with a potential two year extension (total of 5 years possible). Contract value over 5 years is estimated to be approximately \$5m.

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 and quality management systems (QMS). Tenderers were required to declare if they had a formal environmental or QMS certification under AS14000 2007 or AS/NZS 4801:2001, and to demonstrate they had company systems in place to ensure their business had a sustainability focus did not negatively impact on the environment.

Asphalt is a 100% recyclable product. Council retains all milled asphalt and reuses it in road works. Downer EDI are also improving plant to be able to reuse recycled asphalt in a new asphalt product.

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

Nil

Options for Consideration

1. Do Nothing (Not Recommended)

Positives

- Available funds and resources can be utilised elsewhere

6. INFRASTRUCTURE DIRECTORATE

6.7 Supply of Asphalt Products and Surfacing Works (continued)

Negatives

- Existing assets would not be maintained to a standard that is acceptable to the public.
- Allowing significant road infrastructure degradation increases future costs to Council
- Council could not sustain current staffing numbers as staff that lay asphalt would not be required.
- Frequent complaints from members of the public may lead to damage of Council's reputation
- Increases the risk of vehicular and pedestrian accidents as well as public safety.
- Increases risk of water damage to road pavement if proper maintenance is not carried out.

2. Proceed to award a single Contract (Recommended)

Positives

- Assets will be maintained to high standard resulting in community expectations being met and or exceeded
- Council secures the supply of materials for road infrastructure maintenance and upgrades into the future
- Roads will be maintained in a condition that ensures public safety and access.

Negatives

- There is only one supplier of Asphalt which does reduce price competition.
- There will be some disruption to the public while works are being carried out.

Conclusion

Based on the supplied schedule of rates, Council's experience working with the contractor, and demonstration of Quality Management Systems, OHS Management Systems and Environmental Systems, it is recommended Downer EDI be awarded a contract to supply asphalt products and surfacing works.

Downer is the only supplier of asphalt products in the region and was the only tendering contractor. Their rates were benchmarked against existing contract rates and found to be reasonable.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.8 Concreting, Kerbing and Associated Works

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

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

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

Council Officers involved in producing this report

Author: Manager Works

Proof reader(s): Team Leader Works

Approved by: Director Infrastructure

Other: Procurement Officer

Executive Summary

Council undertakes approximately \$800,000 worth of concreting works each year using external contractors to deliver a large portion of our capital works program including footpath renewal, kerb and channel renewal, and drainage works. This contract is for a panel of suppliers based on a schedule of rates. The contract term is three years with one 12 month extension.

The purpose of this report is to provide information to Councilors so they can make an informed decision to:

1. support the recommendation, or
2. reject the recommendation, or
3. defer a decision pending provision of further information, or
4. select a contractor of their own choice

Why it is being presented

1. The value of the contract exceeds the amount which can be approved by Council's Chief Executive Officer under delegated authority,
2. The value of the contract exceeds the tender thresholds stated in Section 186 of the *Local Government Act 1989 (amended 2007)*

Moved by Cr Ryan

Seconded by Cr Patterson

That the Council:

1. accept the tenders submitted by Global Contracting of Cnr Delatite & Highlands Rd Seymour, Tactile Australia of Ross Street Tatura and Cleave's Earthmoving and Drainage of Wanganui Rd Shepparton for Contract No. 1462 Concreting, Kerbing and Associated Works under a standing offer of agreement based on a schedule or rates.
2. note the contract term will be for a three year period with one 12 month extension period (3+1).
3. authorise the Chief Executive Officer to award the contract extension period if appropriate.
4. authorise the Chief Executive Officer to sign and seal the contract documents.

CARRIED.

6. INFRASTRUCTURE DIRECTORATE

6.8 Concreting, Kerbing and Associated Works (continued)

Contract Details

This contract is for the provision of concreting, kerbing and associated works based on a schedule of rates to deliver works within the municipality of Greater Shepparton. The estimated contract commitment is \$800,000 per annum, depending on available budget. Council received four tenders of which three were compliant.

These works are contracted by Council to deliver concrete works predominantly for capital projects, but some maintenance of footpath, kerb and channel, and drainage will also be included. Council does not have the capacity to deliver the full program of capital works and Council has relied on contractors for many years to complete the annual concreting program. There is no existing contract for concrete works currently in place.

As part of this tender process a schedule of rates was included for short lengths of work 15m and under, for footpath and kerb and channel renewal. These lengths are usually classified as maintenance (not capital) and are currently delivered by Council's internal concreting team. We sought rates from companies in order to establish a market benchmark for our team to match or better. This will be monitored throughout the term of this contract.

Approved contractors will be allocated a purchase order to complete works on a job by job basis based on a quotation consisting of tender submitted rates and any changes or variations to work to be delivered which was not specifically priced in the contractors' tender submitted rates.

Council will have an option to purchase works outside of this contract if the approved contractors are unable to supply Council with an acceptable quality product in a timely manner.

Tenders

Tenders were received from:

Tenderers
Global Contracting Pty Ltd
Cleave's Earthmoving and Drainage Pty Ltd
Tactile Australia
N&R Innocenti Concreting

Tenderers Recommended
Global Contracting Pty Ltd
Cleave's Earthmoving and Drainage Pty Ltd
Tactile Australia

Tenderers Not Recommended
N&R Innocenti Concreting

Based on the supplied rates and non-price related criteria, Global, Cleave's and Tactile have provided acceptable tenders and are recommended for a contract. These three contractors have demonstrated sufficiently that they will have capacity to complete all Councils external concreting works.

N & R Innocenti has not supplied a compliant tender and is not being further considered.

6. INFRASTRUCTURE DIRECTORATE

6.8 Concreting, Kerbing and Associated Works (continued)

Tender Evaluation

Tenders were evaluated by:

Title	Branch
Manager Works	Works
Team Leader Works	Works
Procurement Officer	Procurement

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	50%
Capability and Performance	20%
Quality Management Systems	10%
OH&S Safety and Risk Management	10%
Environmental Sustainability	10%

The tender requested contractors supply a schedule of rates across many tasks they would be required to undertake, at various locations within the municipality. The procurement panel focused on a selection of tasks; this being renewal of type B2 standard kerb and renewal of existing footpath 1.5m width and over 15m in length, and traffic control. This selection of work makes up over 80% of the cost of outsourced work and provided the best indicator of price.

Contractors were also required to provide evidence of their Occupational Health and Safety, Quality Management and Environmental systems. Collectively these criteria made up 50% of the evaluation. While three contractors had acceptable systems in place, one contractors tender was assessed as non-compliant based on the lack of evidence of management systems.

Council Plan/Key Strategic Activity

Goal 4 Quality Infrastructure

Objective – Ensure that the community has access to high quality facilities

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

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Accident or injury to staff or a member of the public on contractor job site	Possible	High	High	Contractor Inductions, Contractor site audits for OHS compliance including traffic management, appropriate level of staffing, Job Safety Analysis forms completed, Safe Work Method Statement on site.
Contractor compliance with contract terms and conditions	Possible	High	High	Contractor engagement on a regular basis, Evaluation of contract performance, Mediation where required

6. INFRASTRUCTURE DIRECTORATE

6.8 Concreting, Kerbing and Associated Works (continued)

Policy Considerations

Council's Procurement Policy has been adhered to in the development and delivery of this contract.

Financial Implications

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$0	\$0	\$0	Projects are delivered from Council's own sources. There are no grants or income generating activities performed.
Expense	\$800,000	\$800,000	\$0	Council will utilise the following accounts in procuring concreting works and associated services; Path Kerb and Channel maintenance (10627), Kerb and Channel renewal (60526), Footpath Renewal (60527). The Projects Department will also utilise contractors through the delivery of infrastructure projects.
Net Result	(\$800,000)	(\$800,000)	\$0	

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

Please note that the contract is for an initial period of three years with a potential one year extensions (total of 4 years possible). Contract value over 4 years is estimated to be approximately \$3.2m.

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

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

Council collects all concrete that is excavated from footpaths and kerb and channel where it is being replaced, and recycles it for use as a stabilised road base when undertaking road reconstructions.

Strategic Links

a) Greater Shepparton 2030 Strategy

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

6. INFRASTRUCTURE DIRECTORATE

6.8 Concreting, Kerbing and Associated Works (continued)

b) Other strategic links

Nil

Options for Consideration

1. Withdraw the tender (Not Recommended)

Positives

- Available funds and resources can be utilised elsewhere

Negatives

- Existing assets would not be maintained to a standard that is acceptable to the public.
- Allowing significant footpath and kerb and channel infrastructure degradation increases future costs to Council
- Frequent complaints from members of the public may lead to damage of Council's reputation
- Increases the risk of vehicular and pedestrian accidents as well as public safety.
- Increases risk of water damage to assets or flooding

2. Proceed to award Contracts to the companies which obtained satisfactory evaluations (Recommended)

Positives

- Competitive companies are selected to deliver a quality service to Council
- Assets will be maintained to high standard resulting in community expectations being met and or exceeded
- Council secures the supply of materials for footpath and drainage infrastructure maintenance and upgrades into the future
- Footpaths, kerbs and channels would be maintained in a condition that ensures public safety and access.
- Council generates greater competition for our work for future tenders by allowing limited contractors to maximise the benefits of winning the tender.

Negatives

- Council may expect some fall out from contractors who have received work from Council over many years, but have not been successful in this process.
- There will be some disruption to the public while works are being carried out.

Conclusion

Through an open tender process to procure concreting, kerbing and associated services, Council received four tenders of which three were compliant. Three contractors have been recommended for contracts based on their tender submitted rates and non-price criteria such as sound business systems, occupational health and safety and environmental systems. Contractors are necessary to deliver Council's capital works program as Council does not have sufficient staff nor plant to undertake all concrete works internally. This procurement process ensures Council is compliant with its own procurement policy and the Local Government Act.

Attachments

Nil

6. INFRASTRUCTURE DIRECTORATE

6.9 Purchase or Lease of a Landfill Waste Compactor

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 Works

Proof reader(s): Team Leader Fleet and Stores

Approved by: Director Infrastructure

Other: Coordinator Plant and Fleet

Executive Summary

Council operates a TANA Gx320 waste compactor as part of its landfill operation at Cosgrove. The machine is used to compact general solid waste to ensure the extended life of the landfill site, and to meet Council's Environment Protection Authority (EPA) responsibilities.

The existing machine purchased in 2008 (Fleet number F840) is due for renewal as it has reached its optimal operating life of 10,000 hours. Council has sought tenders for a purchase option or a six year/10,000 hour lease option (whichever comes first) to replace the existing machine. The recommendation to Council is to purchase the Tana E320.

The purpose of this report is to provide information to Councilors so they can make an informed decision to:

1. support the recommendation, or
2. reject the recommendation, or
3. defer a decision pending provision of further information, or
4. select an option of their own choice.

Why it is being presented

1. The value of the contract exceeds the amount which can be approved by Council's Chief Executive Officer under delegated authority,
2. The value of the contract exceeds the tender thresholds stated in *Section 186 of the Local Government Act 1989 (amended 2007)*

Moved by Cr Patterson

Seconded by Cr Ryan

That the Council:

1. accept the tender submitted by GCM Enviro Pty Ltd of 34 Beaumont Rd Mt Kuring-Gai NSW for Contract No. 1460 Purchase of a Tana E320 Landfill Waste Compactor for the Lump Sum price of \$761,640 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

CARRIED.

6. INFRASTRUCTURE DIRECTORATE

6.9 Purchase or Lease of a Landfill Waste Compactor (continued)

Contract Details

Council has gone to tender for the supply of a Landfill Waste Compactor to either purchase outright, or lease for a period of 6 years or 10,000hrs, whichever comes first.

Council currently operates a TANA Gx320 waste compactor as part of its landfill operation at Cosgrove. The existing machine (Fleet number F840) is due for renewal as it has exceeded 10,000 operating hours.

The Waste Compactor is used to spread waste evenly over the landfill, to compact waste to reduce its volume and stabilize the landfill. The Compactor is designed to shred, tear and press together various waste items to maximise landfill airspace; the higher the compaction, the more waste the landfill can receive and store. A dense waste mass also reduces the major nuisance factors of pests (scavengers), odour, items being scattered by wind and surface water contamination. Given the cost of opening a new cell for waste, this process is essential to reduce the cost of operating landfill sites.

The Institute of Public Works Engineering Australia recommend in their Plant and Vehicle Management Manual that the retention period of a Waste Compactor is 10,000 operating hours. This is because this type of machine will start to incur increased maintenance costs and overhaul expenses. For instance, an organisation operating a Waste Compactor could experience (and should ideally plan for) the following component replacements after 10,000 hours if it plans on retaining that machine into the future.

Component	Number	Hours	Cost	Total
Drive Motors	2	10,000	\$9,000	\$18,000
Hydrostatic Pumps	2	10,000	\$32,000	\$64,000
Equipment Pump	3	10,000	\$11,000	\$33,000
Drum Spikes (Guaranteed to 10,000 hrs)	70 per wheel = 140 units	10,000	\$1,000	\$140,000
Scrapers	2	10,000	\$10,000	\$20,000
Blade Edges	2	5,000	\$4,000	\$8,000
Cylinder Rams	6	10,000	\$5,000	\$30,000
Total				\$313,000

Council's waste compactor has reached 10,000 operating hours and it is recommended we trade in this machine before we incur the costs above. Council has recently replaced one of the hydrostatic pumps at a cost of \$32,000. The risk of continuing to operate this machine is that Council will invest more capital in the machine while its value, due to operating hours and age, declines. The machine has reached the optimum point for disposal.

Tenders

Tenders were received from:

Tenderers
GCM Enviro Pty Ltd – Purchase Option, Tana E320
GCM Enviro Pty Ltd – Lease Option, Tana E320
Caterpillar - Purchase Option, Caterpillar 826H
Caterpillar – Lease Option, Caterpillar 826H

6. INFRASTRUCTURE DIRECTORATE

6.9 Purchase or Lease of a Landfill Waste Compactor (continued)

Recommended Tenderer
GCM Enviro Pty Ltd – Purchase Option, Tana E320

The TANA E320 is a purpose built machine for landfill waste compaction and meets all of Council's specified requirements. Council's staff are familiar with the TANA machine which has a very positive level of user acceptance. The machine is well supported in the area with Shepparton, Moira, and Albury, who are all operating TANA. There are over 30 Council's utilising the TANA machine along the east coast of Australia. Council has received very good after sales service with the existing machine.

Tender Evaluation

Tenders were evaluated by:

Title	Branch
Team Leader Fleet and Stores	Fleet and Stores
Coordinator Plant and Fleet	Fleet and Stores
Manager Environment	Environment
Plant Operator Cosgrove Landfill	Environment
Procurement Officer	Procurement

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	35%
Specification	40%
Contract Performance	5%
Customer Service	10%
Environmental	10%

Council Plan/Key Strategic Activity

Goal 1 Active and Engaged Communities

Objective – Provide sustainable community services to our community

Aim – Council is committed to ensuring that the services provided to our communities reflect the needs and aspirations of the community.

Strategy – Monitor and appropriately support the provision of quality services within the municipality

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
The risk of not replacing the current waste compactor is increasing maintenance costs, increased downtime and reduced resale.	Likely	High	High	Renew the Waste Compactor.
Over utilisation of the new Waste	Likely	High	High	Council must review the operation of the landfill

6. INFRASTRUCTURE DIRECTORATE

6.9 Purchase or Lease of a Landfill Waste Compactor (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Compactor. Ideally this machine should not incur 10,000 hours for up to 8 years				site and determine how it might reduce the hours of the compactor. The national annual average for this type of machine is 1200 hours, Council's machine is doing 2000 hours.
Availability of experienced Waste Compactor Operators	Possible	Moderate	Medium	Provide training to identified backup operator and utilise a rostering system to give staff more opportunity to gain experience operating the machine
High levels of mechanical breakdown	Unlikely	Moderate	Moderate	Machine is new and is under warranty. Company will provide support in the event of excessive mechanical breakdown
Operator and staff safety	Possible	High	High	SWMS, Job Safety Assessment, Plant start-up check sheets, site inductions, all alarms and safety lights fitted and operating, safety railings/handles.

Policy Considerations

There are no policy considerations associated with the purchase of a Waste Compactor.

Financial Implications

	2012/2013 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	(\$150,000)	(\$140,000)	10,000	Best trade in offered
Expense	\$630,000 (Ex GST)	\$692,400 (Ex GST)	\$62,400	Best estimate at the time provided.
Net Result	\$480,000	\$552,400	\$72,400	Council has saved money on tractor renewals (2X) and a planned renewal cemetery truck is no longer required owing to reassignment of an existing truck to the cemetery.

6. INFRASTRUCTURE DIRECTORATE

6.9 Purchase or Lease of a Landfill Waste Compactor (continued)

A summary of costs is presented below to demonstrate what the ownership or lease cost to Council would be for each option. The options below are presented based on a 6 year and 10,000 hours retention period, a 6 year 12,000hrs retention period, and a 5 year 10,000 hours retention period. The current machine is operating at 2000 hours per annum, which is equal to 5 years and 10,000 hours.

Whole Of Life Cost Items	Owned 6 years = 12,000hrs	Owned 5 years = 10,000hrs	Maintenance Lease, minimum 6 years =12,000hrs	Finance Lease minimum 6 years = 12,000hrs	Finance Lease Min 5 years***** = 10,000hrs	Finance Lease Minimum 6 years = 10,000hrs
Purchase Price	\$692,400	\$692,400	-	-		
Lease Price Total	-		\$1,025,095	\$702,262	\$702,262	\$702,262
Residual/ Resale	\$100,000	\$140,000	-	-		
Total	\$592,400	\$552,400	\$1,025,095	\$702,262	\$702,262	\$702,262
Retention Period	6 yrs	5 yrs	6 yrs	6yrs	5yrs	6yrs
1. Ownership per annum (p.a)	\$98,733	\$110,480	\$170,850	\$117,044	\$140,452	117,044
2. R&M p.a	\$18,000	\$18,000	-	\$18,000	\$18,000	\$18,000
3. Fuel/Oil p.a	\$56,000	\$56,000	\$56,000	\$56,000	\$56,000	\$56,000
4. Registration p.a	-		-	-		
5. Insurance p.a*	\$362	\$362	\$362	\$362	\$362	\$362
6. Administration p.a	\$500		\$500	\$500	\$500	\$500
7. Tyres p.a**	-		-	-		
8. Lost Opportunity p.a***	\$24,270	\$24,091	-	-		-
Over Utilisation Cost****	-	-	\$35,666	\$35,666	-	-
Ownership Cost per annum	\$197,865	\$208,933	\$263,718	\$227,572	\$215,314	\$191,906
Ownership Cost 6 yrs	\$1,187,190	\$1,044,665	\$1,580,268	\$1,365,432	\$1,076,570	\$1,151,436

* Insurance costs are applied at a flat rate for all plant and fleet across the organisation

** Waste Compactor has steel drum rollers – no tyres

*** Lost opportunity applied at 6.5%

**** Under a 6 year contract term, every hour over 10,000hrs is charged at \$107 per hour.

***** If 10,000 hours is reached in 5 years, the full lease cost must be paid within 5 years – the lease option is 6 years or 10,000hrs – the cost is the same for each option. If Council only did 8,000hrs in 6 years the cost will still be the same.

The purchase option provides Council the best option with least risk. It provides more flexibility as to how we manage this machine into the future. If we can significantly decrease utilisation, reaching 10,000 hours over 7 or 8 years, this will markedly reduce

6. INFRASTRUCTURE DIRECTORATE

6.9 Purchase or Lease of a Landfill Waste Compactor (continued)

the annual operating costs, providing a better outcome than what is presented above. If we cannot reduce utilisation, we are not exposed to the higher rates which apply under the lease option.

While we might also reduce utilisation under a lease option, the longest we could hold the machine is 6 years and as such we would try get the most out of it in that time – while trying not to incur over utilisation cost.

Regarding the lease option, if 10,000 hours is reached in 5 years, we still must pay the full lease cost. If we opt to operate the machine for a further year, then the final year is charged at \$107 per hour or \$214,000 for that year. If we manage to reduce utilisation and stretch 10,000 hours over six years, the lease option becomes the cheapest option, but there is a significant risk to Council if utilisation is not reduced and then the higher costs apply.

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

The TANA machine comes with emission controls fitted to the engine which comply with the latest Australian Emission Control standards. The engine is also compatible with Biodiesel.

The Waste Compactor plays a very important part in maximising the capacity of Greater Shepparton City Council's landfill. The process of compacting waste extends the useful life of the landfill cell, which also assists in the long term sustainability of waste management.

The process of compaction increases the stability of the landfill cell which means there is far less likelihood of the site sinking after the cell has been closed off and rehabilitation of the site is more likely to be successful.

Compaction reduces the risk of vermin infestations, of odours, of wind spreading waste and ground water contamination.

The Waste Compactor is both expensive to purchase and operate, but these negative impacts are offset by the benefit of being able to better manage our landfill sites through the process of compacting waste and extending the life of the landfill.

Strategic Links

a) Greater Shepparton 2030 Strategy

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

b) Other strategic links

Waste Management Strategy

6. INFRASTRUCTURE DIRECTORATE

6.9 Purchase or Lease of a Landfill Waste Compactor (continued)

Options for Consideration

Do not purchase the Waste Compactor

Positives

- Council funds will not be expended

Negatives

- The existing waste compactor will start to experience increasing maintenance costs, more down time and its trade in value will continue to decline. The current machine has a limited life span.
- The operating life of Cosgrove landfill cells will be reduced by many years without the ongoing use of a compactor.
- Failing to regularly compact waste will create a number of environmental problems around the landfill site.
- The landfill site will become an unsafe work environment.
- GSCC urban populations are increasing, and there is greater demand than ever for space to deposit waste.
- Frequent complaints from members of the public about the sanitation of the Cosgrove landfill site will effect Council's reputation.
- Increases the risk of accidents at the landfill site from scattered debris and increased sanitation issues.

Lease the Waste Compactor (Not Recommended)

Positives

- Council could lease a Waste Compactor rather than purchase which means the expense is divided across a number of financial years.
- Capital is freed up for other purposes.

Negatives

- The lease option is more expensive as demonstrated in the table above
- The lease option is likely to incur over utilisation charges exceeding \$30,000 per annum over 6 years.

Purchase Waste Compactor Tana E320 (Recommended)

Positives

- Fit for purpose machine.
- Quality brand with low depreciation rates
- Council staff operators are familiar with machine
- Best value for money machine as demonstrated through the tender process
- Trade in offered on existing machine
- Tana has a spare parts and service department based in Fitzroy Street, Geelong and in Cobram.

Negatives

- All waste compactors are expensive machines to own and operate but this cost is offset by the benefits of extended life of landfill cells.

6. INFRASTRUCTURE DIRECTORATE

6.9 Purchase or Lease of a Landfill Waste Compactor (continued)

Conclusion

Council tendered for the purchase or lease of a waste compactor. There were two tenderers who both offered lump sum price and lease options. GCM Enviro Pty Ltd are the agent for Tana in Australia and have supplied the best quote on a machine that meets Council's specifications.

The recommendation to Council is to purchase the Tana E320. Council will operate the machine for 10,000 hours which will be five years. The current machine will be traded in with the purchase of the new machine and has attracted \$140,000 to offset the purchase price.

Attachments

- | | |
|-------------------------|----------|
| 1. Existing Tana Photos | Page 153 |
| 2. New TANA E320 | Page 155 |

7. COMMUNITY DIRECTORATE

7.1 Refugee Welcome Zone

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

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

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

Council Officers involved in producing this report

Author: Team Leader Community Strengthening

Proof reader(s): Manager Neighbourhoods

Approved by: Director Community

Executive Summary

The Greater Shepparton City Council has a strong and significant history of welcoming refugees into its community and has been invited to join the Refugee Council of Australia's 'Refugee Welcome Zone' initiative to further acknowledge this relationship and history. By entering into this initiative the Greater Shepparton City Council would join a large number of councils in Victoria and Australia who have made a commitment to welcome refugees into the community, uphold human rights and demonstrate compassion for refugees and enhance cultural and religious diversity in the community. Becoming a 'Refugee Welcome Zone' is a commitment in spirit to uphold these values.

Moved by Cr Polan

Seconded by Cr Patterson

That the Council signs the declaration to become a Refugee Welcome Zone with Refugee Council of Australia and hosts a signing ceremony.

CARRIED.

Background

The Refugee Council of Australia has invited Local Government to acknowledge Australia's historically important role in assisting refugee settlement and promoting community harmony by becoming a 'Refugee Welcome Zone'. This initiative began in 2002 to recognise Australia being home to over 800,000 refugees since the Second World War and Shepparton's population at the 2011 Census was made up of nearly 8000 residents who identify as been born overseas – this was a 3% increase from 2006 and it is strongly believed this upwards trend will continue.

The Refugee Council of Australia sees the 'Refugee Welcome Zone' as an opportunity for Council to publicly acknowledge the relationships local government have with Refugee communities and the ongoing focus on promoting community harmony. This Declaration is simply 'a commitment in spirit to welcoming refugees into our community, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in our community'. By making this Declaration the Refugee Council hopes that local government will continue efforts to support the men, women and children who make the difficult journey to Australia to seek protection and encourage the continued development of a more coordinated approach to supporting refugee settlement.

7. COMMUNITY DIRECTORATE

7.1 Refugee Welcome Zone (continued)

The signing of the declaration to become a 'Refugee Welcome Zone' is at no cost to Council and it does not infer any obligation to Council to undertake any particular activities or events, the signing of the Declaration is simply a public affirmation by Greater Shepparton City Council to continue to support the values stated within the Declaration. The Refugee Council of Australia does encourage Council to hold a public signing ceremony to bring together the community, local groups and services that support refugees and where possible a member of the Refugee Council will attend the ceremony. This public show of support is a main consideration for become a 'Refugee Welcome Zone'.

By signing the Declaration, Greater Shepparton City Council will join 27 Victorian Councils including Shire of Campaspe, City of Bendigo and Greater Geelong City Council and 64 interstate councils and will be listed on the Refugee Council website as a Refugee Welcome Zones. Once the commitment has been made through signing the declaration there is no further obligation to renewal or subscription.

Council Plan/Key Strategic Activity

Council Plan

Goal One: Active and Engaged Communities (Social)

Objective Five: Embrace and strengthen cultural harmony & diversity

Strategies:

- Ensure Council's activities and events support and enhance cultural harmony and inclusiveness.
- Continue to monitor, review annually, and implement the Greater Shepparton Cultural Diversity and Inclusion Strategy.
- Recognise and take advantage of opportunities to celebrate our diversity.

Risk Management

No Moderate or Extreme risks are identified with this proposal. There is a low chance the political nature of the Refugee topic may create some negative interest in the community but by not acting on this invitation to become a Welcome Zone, Council are reducing their commitment to support and enhance cultural harmony and inclusiveness.

Policy Considerations

There are no requirements for a policy on this matter as it is only a commitment in spirit.

Financial Implications

There are no ongoing costs associated with becoming a Refugee Welcome Zone unless Council decides to hold a signing ceremony. If council wishes to do this the costs would be minimal.

Legal/Statutory Implications

There are no Legal or Statutory considerations for this action.

Environmental/Sustainability Impacts

There are no Environmental or Sustainability considerations for this action.

Social Implications

The action of becoming a Refugee Welcome Zone will build on Shepparton's sense of community through recognising and embracing the diverse makeup that makes up Greater Shepparton and the strong cultural history the region has of welcome refugee's to the area. This commitment in spirit will demonstrate Council's commitment to cultural

7. COMMUNITY DIRECTORATE

7.1 Refugee Welcome Zone (continued)

diversity and support for its multicultural citizens and the support services that operate in the area to provide assistance to refugees. There are many Government funded support services now operating in Shepparton that are solely aimed at providing support for refugees already choosing to settle in the area and contribute to the region's economy.

Economic Impacts

Becoming a Refugee Welcome Zone will allow Greater Shepparton to embrace the arrival of often skilled refugees and their families who once settled will be able to contribute to our economy through employment, education and utilising services provided to residents.

Consultation

No consultation is required for this action.

Strategic Links

a) Greater Shepparton 2030 Strategy

The Housing Strategy will become a key driver of more detailed local policies and will analysis and recommend strategies in areas of concern to housing including identification of cultural communities and their needs, for both established and newly arrived communities.

b) Other strategic links

Cultural Diversity & Inclusion Strategy & Action Plan

Vision: *"Greater Shepparton City Council's vision for this region is of a vibrant, cohesive society which celebrates and incorporates aspects of cultural diversity within daily life. It is essential that we continue to be a welcoming place for migrants into the future and provide appropriate services to CALD communities, many who have specific cultural needs."*

Options for Consideration

1. Do nothing
This option would not be preferred as it does not meet the key strategic direction of the Council Plan and Cultural Diversity and Inclusion Strategy and Action Plan.
2. Become a 'Refugee Welcome Zone' by signing the declaration only.
This would demonstrate Councils continued commitment to refugees and Greater Shepparton's diverse community and be in support of the actions within the Cultural Diversity and Inclusion Strategy and Action Plan. Without a signing ceremony this would reduce the public celebration and recognition of the act.
3. Become a 'Refugee Welcome Zone' by signing the declaration and hosting a signing celebration.
This would be a public demonstration of Councils continued commitment to refugees and Greater Shepparton's diverse community. It would be an opportunity to celebrate diversity and provide a networking opportunity for residents, service providers and Council staff.

7. COMMUNITY DIRECTORATE

7.1 Refugee Welcome Zone (continued)

Conclusion

By signing the Declaration to become a 'Refugee Welcome Zone' and hosting a signing ceremony, Greater Shepparton City Council will be acknowledging its continued commitment to welcoming new arrivals in particular refugees to the area. Signing the declaration will add the Greater Shepparton City Council to a number of Victorian Councils who are already 'Refugee Welcome Zone's' and support the actions of our Council Plan and Cultural Diversity and Inclusion Strategy and Action Plan.

Attachments

Refugee Welcome Zone Information Sheet Page 157

7. COMMUNITY DIRECTORATE

7.2 Anti-Discrimination Campaign - Racism. It Stops With Me

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: LEAD Coordinator

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

Approved by: Director Community

Executive Summary

The Australian Human Rights Commission has written to Mayor Jenny Houlihan on 19 July 2013 regarding Greater Shepparton City Council supporting a national anti-discrimination campaign called, "Racism. It Stops with Me". This campaign is supported by the Municipal Association of Victoria (MAV) and another 150 organisations including twelve Local Government Authorities. Should Greater Shepparton City Council agree to support the national campaign, there are a number of commitments to the program over a three year period for Council to consider which is outlined in the Discussion Points section below.

As this national anti-discrimination campaign is aligned with Council's anti-discrimination policies via LEAD and current Cultural Diversity and Inclusion Strategy and Action Plan, it is recommended that the Greater Shepparton City Council support this national campaign initiative.

**Moved by Cr Summer
Seconded by Cr Polan**

That the Council support the Australian Human Rights Commission national anti-discrimination campaign, "Racism. It Stops with Me", via its LEAD Project, Cultural Diversity and Inclusive Strategy and Action Plan and Aboriginal Six Point Plan.

CARRIED.

Background

The Australian Human Rights Commission is seeking the support of Local Government to play an important role in creating respectful and inclusive local communities which are free from discrimination. The Australian Human Rights Commission are calling for Council and other business supporters to take a stand against racism by signing up as a supporter of the national "Racism. It Stops with Me" campaign.

The campaign aims to:

- Ensure that more Australians recognise that racism is unacceptable
- Give people the tools and resources to take practical action against racism
- Empower individuals and organisations to prevent & respond effectively to racism wherever it happens.

7. COMMUNITY DIRECTORATE

7.2 Anti-Discrimination Campaign - Racism. It Stops With Me (continued)

The campaign, "Racism. It Stops With Me" started in 2013 and will run until 30 June 2015. The media campaign has already involved extensive TV, Radio and Newspaper delivery. Australia's elite sporting personalities that are involved in the electronic delivery of the campaign include, Michael Clarke (Australian Cricket Captain), Adam Goodes (AFL Indigenous player/Brownlow medallist), Sally Pearson (Australian Olympic Gold medallist 2012), Nick Maxwell (AFL Collingwood Player/Captain). This campaign has been very active and seen via a large local audience sending its main campaign message via the above personalities "Racism It Stops With Me".

To date, approximately 150 businesses including Telstra, AFL, ANZ and Australian Red Cross and twelve local Councils have agreed to support the campaign. Support has also come from Australia's Race Discrimination Commissioner, Australian Human Rights Commission, Department of Immigration and Citizenship, Attorney-General's Department, Department of Families, Housing, Community Services and Indigenous Affairs, Australian Multicultural Council, National Congress of Australia's First Peoples and Federation of Ethnic Communities' Councils of Australia.

Supporters agree to promote the campaign and distribute information and material through their networks and undertake activities such as anti-discrimination forums to promote local community pro-diversity which in turn responds to racism. In return the Commission will acknowledge and promote the supporters on the Campaign website and promote supporter events or activities. Current Victorian Councils that are supporters include the City of Darebin, City of Monash, City of Port Philip, Hobsons Bay City Council, Maribyrnong City Council, Moreland City Council and Mornington Peninsula Council.

Councils pro-diversity commitments as outlined within its current Cultural Diversity and Inclusive Strategy and Action Plan and the Aboriginal Six Point Plan. Examples of Councils ongoing commitments within its two plans that meet the campaigns requirements are:

- Proactively work with key industries to reduce race-based discrimination in policy and practice
- Encourage the regions Community Centres to promote their facilities to the CALD communities
- Increase the diversity of Council staff by developing a cultural appropriate recruitment policy (linked to Human Resources policy in development)
- Executive and Councillors to participate in Cultural Awareness training to be conducted by the Yorta Yorta Nation Aboriginal Corporation.

As the Shepparton LEAD Project will finish at the end of December 2013, the Australian Human Rights Commission campaign highlights many of the outgoing anti-discrimination initiatives left from the Shepparton LEAD Project. By supporting this campaign will allow Council to continue its strong message against anti-discrimination behaviour.

Should the Greater Shepparton City Council support the national campaign, "Racism. It Stops with Me", the following commitments are required from supporters:

1. Feature the campaigns logo on Greater Shepparton City Councils website site:



7. COMMUNITY DIRECTORATE

7.2 Anti-Discrimination Campaign - Racism. It Stops With Me (continued)

2. Provide approval for National campaign to display Greater Shepparton City Councils logo for use on Australian Human Rights Commission web page and promotional material:
3. Greater Shepparton City Council to specifically run activities to support the campaigns stance against racism. These activities will be run within Councils LEAD Project and Cultural Diversity and Inclusion Strategy & Action Plan.

Council Plan/Key Strategic Activity

This campaign is aligned with the 2013–2017 Council Plan under Goal 1, Active & Engaged Community, Objective 5 'Embrace and strengthen cultural harmony and diversity'.

Risk Management

There are no moderate to extreme risks arising from this proposal.

Policy Considerations

There are no policy impacts arising from this proposal.

Financial Implications

There is no financial contribution required from Council to join this national campaign. However, should Council wish to celebrate this campaign within the community, there would be associated costs with such event.

Legal/Statutory Implications

There are no legal/statutory impacts arising from this proposal.

Environmental/Sustainability Impacts

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

Social Implications

Should Council not support this national anti-racism campaign, it may send the message that Council is reducing its involvement in anti-discrimination initiatives and could cause increase negative coverage locally/nationally, which would be to the detriment of community social cohesion.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

There has been no community consultation arising from this proposal. However, this anti-racism campaign proposal has been endorsed by Council's Executive and Councillor Briefing.

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

Strategic Links

a) 2013 – 2017 Council Plan - Greater Shepparton City Council

Goal 1. Active & Engaged Community (Social)

Objective 5 'Embrace and strengthen cultural harmony and diversity'

7. COMMUNITY DIRECTORATE

7.2 Anti-Discrimination Campaign - Racism. It Stops With Me (continued)

b) LEAD Project 2009 – 2013

Wider Community – communications with the community through targeted media campaigns.

Council Setting – awareness raising education programs and pro-diversity organisational change.

c) Cultural Diversity and Inclusion Strategy & Action Plan 2012 – 2015.

Action 3.1 - As part of the review of the Communications Strategy for Council, implement initiatives that promote the positive benefits of cultural diversity to the broader community.

Options for Consideration

1. Do nothing
This option would not be preferable as it may send the message that Council is reducing its involvement in anti-discrimination initiatives and could cause increased negative coverage locally/nationally, which would be to the detriment of community social cohesion.
2. Council to agree to become supporter of the 'Racism. It Stops With Me.' Campaign.
This option will allow Council to continue its anti-discrimination message throughout the municipality in conjunction with Australian Human Rights Commission and its associated partners. By allowing the above Commission to use Councils logo, sends a strong message throughout the local and national community that the Greater Shepparton City Council supports the anti-racism campaign "Racism. It Stops With Me".

Conclusion

The campaign, "Racism. It Stops With Me" aligns well with Councils LEAD Project, Cultural Diversity and Inclusion Strategy & Action Plan and Aboriginal Partnerships. In light of Councils current programs against anti-discrimination and supporting cultural diversity within Greater Shepparton area, this provides Council an opportunity to highlight on a national forum the positive work which is being undertaken throughout our region. As the campaign's main advertising measure is via electronic delivery, the potential for Councils logo to be seen is on a national scale. Vic Health who is a major sponsor of the LEAD Project has encouraged Greater Shepparton City Council to support this national campaign initiative, as it supports the LEAD Project through its actions on Anti-discrimination behaviour and Pro-Diversity measures.

Attachments

Invitation to Support National Anit-Racism Campaign Page 162

7. COMMUNITY DIRECTORATE

7.3 Tatura Park Advisory Group - Terms of Reference

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: Event Support Officer

Proof reader(s): Team Leader Tourism & Events, Manager Arts, Events & Tourism

Approved by: Director Community

Executive Summary

The Tatura Park Advisory Group Terms of Reference has been amended to better reflect the interests of the user groups.

This amendment includes an increase to the number of members in the group, allowing between 5-10 people (previously 5-9 people) to ensure a wide range of user groups are represented.

Moved by Cr Patterson

Seconded by Cr Ryan

That the Council adopt the Terms of Reference for the Tatura Park Advisory Group.

CARRIED.

Background

The Tatura Park Advisory Group is made up of representatives from all the user groups in the Tatura Park Precinct. These include; Tatura Football and Netball Club, Tatura Cricket Club, Tatura Agricultural Society, one special interest user and one person representing the Equestrian interests, currently this is a representative from the Reigning and Quarter Horse industry. Council is represented by up to two Councillors' on the group and two officers from the Greater Shepparton City Council's Tourism and Events Team. It is proposed that the advisory group numbers be increased by one additional member to 10 people, allowing an additional representative from the equestrian industry to better represent the interests of this diverse group.

The role of the group is to provide feedback and advice for future planning and capital works and represent the feedback and interests of the user groups they represent.

Meetings are held quarterly at the Ballantyne Centre in Tatura.

The terms of reference have been amended from a dated council template and are in line with similar advisory group structures (i.e. aerodrome). Information includes the committee's purpose, role, committee membership, procedures and principles and that a review will occur on a biannual basis prior to the renewal of members.

Council Plan/Key Strategic Activity

A key council plan and strategic activity linked is to "Ensure that the community has access to high quality facilities". The Tatura Park Advisory Group enhances the

7. COMMUNITY DIRECTORATE

7.3 Tatura Park Advisory Group - Terms of Reference (continued)

opportunities for community participation in a broad range of activities at both a passive and active level to allow council continue to provide for the development and maintenance of high quality facilities.

Risk Management

Failure to endorse the Terms of Reference would reduce the Committee's ability to receive adequate feedback from a wide range of user groups.

Policy Considerations

There are no conflicts with any Council policies arising from the revised Terms of Reference for the Tatura Park Advisory Group.

Financial Implications

There are no financial implications relating to the amendment of the Tatura Park Advisory Groups Terms of Reference.

Legal/Statutory Implications

The proposal conforms with the *Local Government Act 1989* and all other relevant legislation.

Environmental/Sustainability Impacts

User groups can use the Tatura Park Advisory Group Meetings as a platform to provide feedback on master planning and capital works that may have an environmental/sustainability impact.

Social Implications

Education and skills development – educating members of the community on strategic planning processing, developing master plans and working as part of a committee to provide advice and give feedback.

Economic Impacts

Changes to the Terms of Reference will provide no direct economic impact.

Consultation

The terms of reference were provided to the Tatura Park Advisory Group to review and consider and at the meeting on 2nd September, the group approved/endorsed them.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The revised terms of Reference for the Tatura Park Advisory Group is consistent with the objectives, strategies and actions outlined in the Community Life (Recreation and Open space) Section F the Greater Shepparton 2030 Strategy.

Options for Consideration

1. Do nothing – Should the Council decide to do nothing, the Equestrian industry will continue to be represented by only one member of the Group. Given the high volume of use generated by this industry and the diverse needs of the various disciplines it is preferred that an additional member be appointed to the group.

7. COMMUNITY DIRECTORATE

7.3 Tatura Park Advisory Group - Terms of Reference (continued)

2. Approve the increase to the number of people on the committee and endorse Terms of Reference
3. Endorse the Terms of Reference but not approve the change to increase the number of people on the committee

Conclusion

Officers believe that the Tatura Park Advisory Group will benefit from both the endorsement of the Terms of Reference, as well as an additional member to the group from the equestrian industry, should the increase to the number of people on the committee be improved.

Sufficient consultation has occurred with the group to ensure the Terms of Reference reflect current practice, council procedures and the needs of the group.

Attachments

Terms of Reference - Tatura Park Advisory Group Page 164

8. BUSINESS DIRECTORATE

8.1 Victoria Lake Holiday Park Fees

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: Property Officer

Proof reader(s): Manager Strategic Assets

Approved by: Director Business

Executive Summary

This report seeks Council's approval to reinstate special rates at the Victoria Lake Holiday Park for group bookings, Top Tourist members and consecutive nights to maintain occupancy rates.

A schedule of 2013/14 fees for the Victoria Lake Holiday Park was adopted by Council as part of the Council budget process however it did not allow for special rates. The adopted fees reflected the published fees of the previous lessee which did not include special rates offered.

It is proposed that the amended fee structure be introduced as of 1 December 2013 as the Park is losing forward bookings through not being able to offer special rates.

Moved by Cr Summer

Seconded by Cr Oroszvary

That the Council approve the amended fee structure for the Victoria Lake Holiday Park effective from 1 December 2013.

Description of Fees and Charges	2013/14 inc GST
Fees based on 1 to 2 people per night	
Luxury Lakeview Cabin - Off peak	\$140.00
Luxury Lakeview Cabin - Peak	\$160.00
Family Deluxe Cabin - Off Peak	\$130.00
Family Deluxe Cabin - Peak	\$140.00
Deluxe Cabin - Off Peak	\$115.00
Deluxe Cabin - Peak	\$130.00
Ensuite Powered Site - Off Peak	\$42.00
Ensuite Powered Site - Peak	\$52.00
Waterfront Powered Site - Off Peak	\$32.00
Waterfront Powered Site - Peak	\$37.00
Non Waterfront Powered Site - Off Peak	\$32.00

8. BUSINESS DIRECTORATE

8.1 Victoria Lake Holiday Park Fees (continued)

Non Waterfront Powered Site - Peak	\$37.00
Unpowered Site – Off Peak	\$27.00
Unpowered Site - Peak	\$30.00
Extra person	\$15.00
Bedding – per pack	\$15.00
Cancellation fees – within 14 days of arrival date	\$30.00
Special rates	
Stay 4 nights pay for 3	
Stay 7 nights pay for 5	
Top Tourist members' special rates	10% off the applicable rates
Group bookings of 10 or more	10% off the applicable rates
Twelve month agreement Class A	\$1,800.00 per year
Twelve month agreement Class B	\$110.00 per week plus electricity

CARRIED.

Background

Potential Victoria Lake Holiday Park (Park) bookings are being lost when customers are informed that no special rates are offered. In many cases customers will only stay one night when informed that no special rates are offered for longer stays.

The ability to offer special rates will ensure that the Park maintains patronage and allow the Park to renew its membership with Top Tourist Parks.

It is proposed that Council adopt Victoria Lake Holiday Park special rates for group bookings and Top Tourist members and longer stays.

Top Tourist Parks is an Australia wide organisation that offers special rates to members at participating holiday parks. Being a member of one of these organisations provides an ongoing referral from member parks in surrounding areas.

A schedule of 2013/14 fees for the Victoria Lake Holiday Park has been adopted by Council as part of the Council budget process however it did not allow for special rates. The adopted fees reflect the published fees of the previous lessee which did not include special rates offered.

As a comparison some Shepparton caravan parks offer rates that are more expensive but when you take into account the special rates they offer, then their rates can be cheaper. Other caravan parks offer special rates for 2, 4 and 6 night stays. Victoria Lake

8. BUSINESS DIRECTORATE

8.1 Victoria Lake Holiday Park Fees (continued)

Holiday Park does not have all of the facilities that other caravan parks have but does have a great location which is central to the CBD.

The change in fees is hoped to attract people to stay more than one night.

The 2013/14 fees which have been previously approved by the Council for Cabins at the Victoria Lake Holiday Park are shown below.

Adopted fees per night Cabins	Peak	Weekend	Weekday
Luxury Lakeview Cabin	\$160	\$140	\$130
Family Deluxe Cabin	\$140	\$130	\$120
Deluxe Cabin	\$130	\$115	\$100

The proposed standard rates for cabins as detailed below are based on the adopted fees however the weekday rates have been removed and the weekend rates have become the standard off peak rates. The removal of week day rates for the off peak period will be offset by special rates for longer stays.

Revised fees per night Cabins	Peak	Off peak
Luxury Lakeview Cabin	\$160	\$140
Family Deluxe Cabin	\$140	\$130
Deluxe Cabin	\$130	\$115

Adopted fees per night Sites - no changes proposed	Peak	Off peak
Ensuite Powered Site	\$52	\$42
Waterfront Powered Site	\$37	\$32
Off Waterfront Powered Site	\$37	\$32
Unpowered Site	\$30	\$27

Other – no changes proposed	Per night
Extra person	\$15
Bedding – per pack	\$15
Cancellation fees – within 14 days of arrival date	\$30

8. BUSINESS DIRECTORATE

8.1 Victoria Lake Holiday Park Fees (continued)

The proposed special rates are detailed below.

Proposed rates	
Stay 4 nights pay for 3	
Stay 7 nights pay for 5	
Top Tourist members' special rates	10% off the applicable rates
Group bookings of 10 or more	10% off the applicable rates
Twelve month agreement Class A	\$1,800 per year
Twelve month agreement Class B	\$110 per week plus electricity

All fees are inclusive of GST.

Victoria Lake Holiday Park is known in the industry as a transit park not a destination park. Destination parks are where tourists spend a week or two on holidays. Traditionally people stay for 1 or 2 nights at Victoria Lake Holiday Park on their way somewhere else.

The peak period is considered to be from 15 November to the end of the Easter school holidays each year.

A members or group booking special rate may also be offered in addition to the rates for extended night stays.

If the Council is able to offer special rates for group bookings then it will make the Park more competitive and will allow the Park to renew its membership with the Top Tourist organisation. In order to be a member of Top Tourist Parks, the Council must be able to offer a 10% special rate to all Top Tourist members who visit the Park.

The new special rate will be offered to anyone who has already made a bookings beyond 1 December 2013.

Twelve month agreement Class A fees are charged to allow people to leave their caravan and annex on a specific site for 12 months. They are allowed to use the van 28 days per year. Any additional nights are charged at the daily rate. There are currently 19 registered under this category at the Park. The proposed rate is the same as it was during the 2012/13 financial year.

Twelve month agreement Class B fees are charged to allow people to leave their caravan and annex on a site for up to 12 months. The site is to be on Council owned land. There are currently four registered under this category at the Park. The proposed rate is the same as it was during the 2012/13 financial year.

Council Plan/Key Strategic Activity

Council's Plan states that "in conjunction with Tourism Greater Shepparton, we will increase our tourism product, to attract more people to our wide and expanding range of attractions and events and help tourism businesses grow and develop."

8. BUSINESS DIRECTORATE

8.1 Victoria Lake Holiday Park Fees (continued)

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Reduced income through reducing fees	Low	Low	Low	Reducing fees should increase patronage
Fees being too low when compared with competitors	Low	Low	Low	Annual benchmarking of fees to ensure caravan park fees remain at a competitive level

Policy Considerations

Council's Asset Management Policy sets out the Council's commitment to manage and care for its assets in a way which assists in the achievement of its vision and meets the infrastructure needs of the community. Offering special rates will ensure a greater patronage of the facility, thus increasing revenue which will ultimately benefit ratepayers.

Financial Implications

There is a very slight possibility that by offering special rates, Council may lose income. However, traditionally caravan parks and accommodation houses have offered special rates which has led to an increase in patronage.

	2013/2014 Approved Budget for this proposal\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	220,000	220,000	0	
Expense	220,000	220,000	0	
Net Result	0	0	0	

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

Legal/Statutory Implications

The adoption of fees and charges is being carried out in accordance with the provisions of the *Local Government Act 1989*.

Environmental/Sustainability Impacts

This proposal will have minimal environmental impact.

Social Implications

Maintaining patronage of the Park will have a positive impact on tourism in the local area.

Economic Impacts

The Park supports Greater Shepparton tourism businesses overall by providing accommodation. Increased patronage is a positive not only for the Park but for local businesses. Benchmarking against other parks in the area indicates that the Victoria Lake Holiday Park fees are competitive with the other parks.

8. BUSINESS DIRECTORATE

8.1 Victoria Lake Holiday Park Fees (continued)

Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	List of all approved fees	Updating the Victoria Lake Holiday Park website with the additional fees and updating the fees on the Council's website and at the Visitor Information Centre

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The Strategy, sub heading Tourism considered that it was an objective *"To provide tourist services which suitably meet the needs of visitors to the municipality"*.

Options for Consideration

- Option 1: Approve the list of proposed fees and charges to attract more patronage, particularly for longer stays. Recommended
- Option 2: Leave the fees and charges as they are and not allow any special rates. Not recommended.

This will preclude the caravan park from joining the Top Tourist organisation and affect the competitiveness of the Park. Potential bookings are being lost when customers are informed that special rates are offered. In many cases customers will only stay one night when informed that no special rates are offered for longer stays. The loss of referrals from Top Tourist has also affected the numbers staying at the Park and affects other Top Tourist parks in the region because of the lack of referrals from the Victoria Lake Holiday Park.

Conclusion

The adoption of special rates will increase patronage at the Victoria Lake Holiday Park.

Attachments

Site Fee comparison Page 168

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy

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

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

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

Council Officers involved in producing this report

Author: Manager Strategic Assets

Proof reader(s): Property Officer

Approved by: Director Business

Executive Summary

The report presents for consideration the development of a long term strategy for the Shepparton Regional Saleyards.

The Shepparton Regional Saleyards (Saleyards) is an important industry to Greater Shepparton with 6 stock agents employing 46 staff members directly. The turnover of livestock in the yards is in the order of \$80 million.

The regional significance of the Saleyards is demonstrated by the catchment area for stock being transported to the yards which includes destinations from mid NSW, Central, Northern and Eastern Victoria. In the 2012/13 financial year 154,716 head of sheep and 89,075 head of cattle were sold through the Saleyards.

The Saleyards is a Council owned facility which has been in continuous operation for more than 70 years. Over the last seven years over \$3.5 million capital has been invested in the upgrade and modernisation of the Saleyards based upon a Master Plan developed in 2008.

There are a number of components to the Saleyards operations including:

- Co-ordination of sales
- Management of infrastructure
- Management of environmental issues

The sale of stock at the Saleyards will mean continued demands for maintenance and upgrade of the existing site. To maintain operations the schedule of capital works outlined at an estimated cost of \$1.1 million over the period 2013-2016 will be required to be invested including the expansion of the cattle yards.

To maintain the status of the Shepparton Regional Saleyards it is proposed that a long term strategy be developed before significant funds are committed to infrastructure upgrade works, including expansion of the roofed area.

After considering the proposed development of a long term strategy Council's Shepparton Regional Saleyards Advisory Committee recommended that the Council implement the existing masterplan fully before developing another long term strategy to support the importance and potential of the facility.

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

Long term issues include:

- Capacity to manage fluctuating number and type of stock sold at the saleyards within the constraints of the existing saleyards site due to lack of room for expansion in the future.
- Infrastructure upgrades required for the saleyards to meet future demand.
- Changing expectations from nearby residents regarding noise and odour from the saleyards.
- Increase in level and impact of heavy vehicle transport movement.
- Increasing accreditation requirements including the management of trade waste.

As part of the development of a long term strategy for the Shepparton Regional Saleyards it is proposed that an overarching independent review of the long term future direction of the Shepparton Regional Saleyards be undertaken. The review will take into account the long term issues and further investigate options and implications including:

- Are further infrastructure upgrades required at the Saleyards to meet future demand, including the proposed expansion of the roofed cattle area?
- Will the constraints of the current Saleyards site enable the development required to meet future demand?
- What would be the cost benefit of relocating the Saleyards to a greenfield site or the sale of the Saleyards to a private enterprise?

RECOMMENDATION

That the Council develop a long term strategy for the Shepparton Regional Saleyards by engaging a consultant to undertake an overarching review of future options.

Moved by Cr Ryan Seconded by Cr Oroszvary

That the Council:

1. continue to undertake the capital works as identified in the Shepparton Regional Saleyards Masterplan;
2. prepare a brief to examine the long term future of the Shepparton Regional Saleyards; and
3. refer to the 2014/15 budget for possible funding to enable long term future direction.

CARRIED.

Background

The Council at its meeting on 16 July 2013 resolved that a further report be prepared relating to the engagement of a consultant to undertake an overarching review of the future options of the Shepparton Regional Saleyards, prior to any major capital works being undertaken, such as the expansion of the roofed area.

The Shepparton Regional Saleyards (Saleyards) has been in continuous operation at the site on the corner of New Dookie Road and Wheeler Street Shepparton for more than 70 years. The Saleyards is a Council owned facility comprising of approximately 4 hectares

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

acres of land. The infrastructure includes sheep yards, cattle yards, former pig yards, stock agent offices, cafeteria, and a two bay truck wash.

The Saleyards are an important economic activity within Greater Shepparton with 6 stock agents employing approximately 46 staff members directly. The turnover of livestock in the yards is approximately \$80 million per annum which includes \$65 million in cattle sales.

The Saleyards is one of the larger saleyards in regional Victoria and provides a service to buyers and sellers of livestock over a large geographical area. Regionally cattle sales at Shepparton are the second largest in the region to Wodonga. The regional significance is also exemplified by the catchment area for stock being transported to the yards which includes destinations from mid NSW, Central, Northern and Eastern Victoria.

The Saleyards has good arterial road access with only 1km to the major truck bypass of Shepparton. However care must be taken with immediate access to the site as manoeuvring transports can encroach on traffic lanes in both directions. The Saleyards Site is bounded on all sides by key roads and a railway reserve. The Saleyards site is in an Industrial Zone 1.

There are a number of components to the Saleyards operations including:

- Co-ordination of Sales
- Management of infrastructure
- Management of environmental issues

Co-ordination of Sales

The co-ordination and marketing of sales at the Saleyards is undertaken by a Contract Manager. There are three weekly sales:

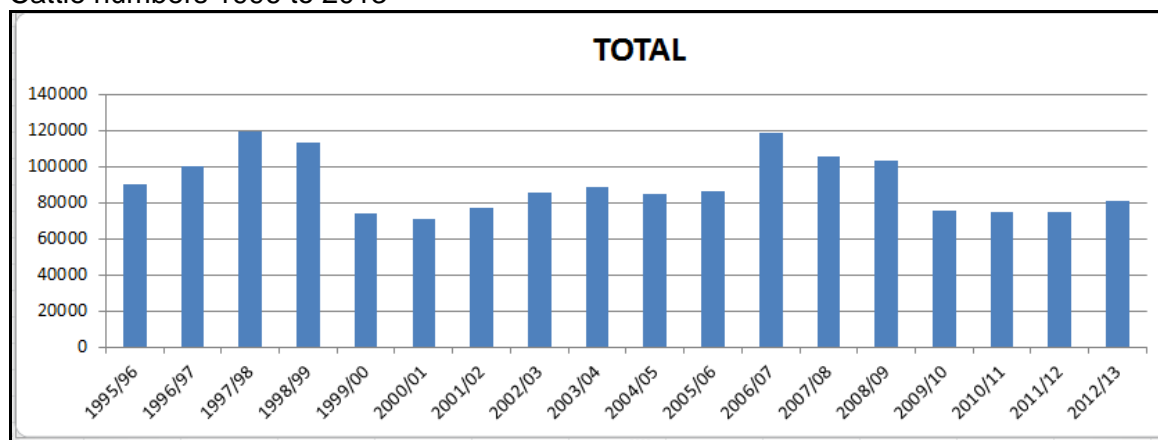
- Monday – Bobby calves from 10:00am
- Tuesday – Cattle from 8:30am
- Friday – Sheep from 10:00am

There has been a noticeable change in penning number for all saleyards. Smaller rural saleyards have been witnessing decreased numbers over previous years where as larger regional centres like Shepparton has been maintaining its pen numbers. The Saleyards is required to record where cattle come from to the yards, and also where they go once they leave. These records indicate that sales from the Saleyards result in 80% of cattle being sold to abattoirs and 20% being sold to various farming/feedlot destinations throughout Australia.

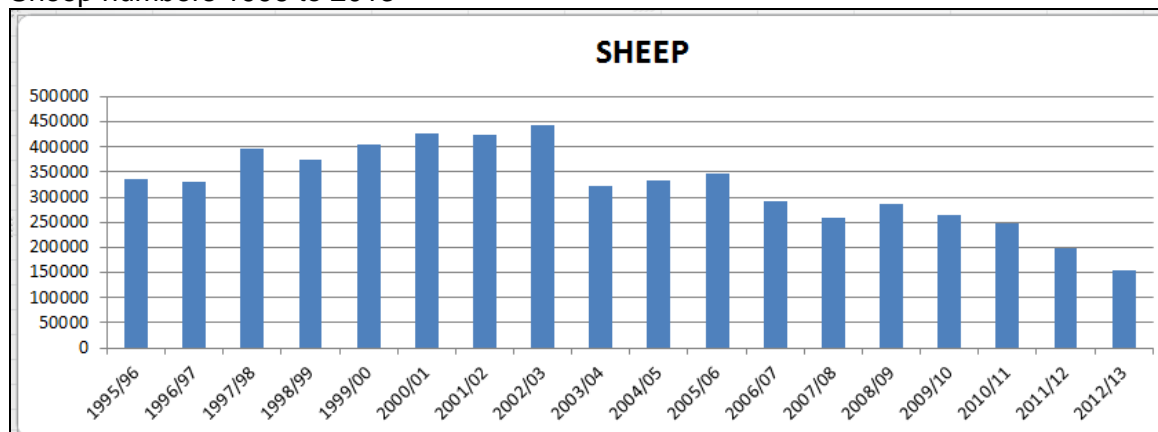
8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

Cattle numbers 1996 to 2013



Sheep numbers 1996 to 2013



The decline in sheep numbers has been apparent in the last 10 years. This can be attributed to farmers selling directly to abattoirs where they have been able to achieve better prices as a whole. Top end lambs are still selling at a premium in regional saleyards.

Management of Infrastructure

The Council in 2008 commissioned the preparation of a Master Plan and Development Options for the Shepparton Regional Saleyards by Kattle Gear Australia Pty Ltd, which has informed subsequent infrastructure upgrades.

The following recommendations made by Kattle Gear Australia have been implemented:

General - estimated cost \$29,200

- Installation of Wheeler Street and New Dookie Road security fence.
- Car Parking improvements.
- Stock grids at entrances.

Sheep and Calf Yards - estimated cost \$2,500,000

- Reconstruct receival/delivery, drafts and ramps with realignment to separate saleyard operations from Wheeler Street.
- Reconstruct selling pens including upgrades of auctioneers walkways and access to comply with Australian standards.
- Provide roof for sheep/ calf yards.

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

Cattle Yards - estimated cost \$1,057,000

- Provide 6 single animal description centres
- Modify existing selling pens for efficient cleaning
- Provide 2 double deck loading ramps
- Modify public access and auctioneers walkways
- Provide more natural lighting on western side of yards

The following recommendations made by Kattle Gear Australia have not yet been implemented:

Cattle Yards

- Demolish pig shed and provide new shed with 44 additional selling pens, receival yards and associated walkways \$583,000
- Subdivision of existing southern pens and provision of walkways to provide eight selling pens \$80,000
- Reconstruct sections of eastern delivery pens \$24,000

The estimated replacement cost and written down value of Saleyards site is detailed in the table below:

Group	Description	Replacement value \$	Written down value \$
Land		1,486,500	1,486,500
Land Improvement		276,245	89,781
Buildings			
	Sheep yards	2,875,585	2,714,803
	Cattle yards	2,326,000	1,831,744
	Pig yards	270,000	100,802
	Café/office complex	420,200	315,153
	Toilets/workshop	172,800	69,122
	Store Building - Old Dog Pound	72,000	21,601
	New Truck Wash	90,000	64,801
	Old Truck Wash	30,000	0
		6,256,585	5,118,026
Furniture & Equip.	Pumps, weighing & office equipment	93,297	3,655
	Waste Disposal System	127,240	0
		220,537	3,655
Computer equipment		146,396	3,569
Drainage		51,401	45,474
Grand Total		8,437,664	6,747,005

Sheep yards

The existing sheep yards were constructed in the early 1990's. The yards are quite functional and cater for the numbers to be sold on sale days. The complex was roofed in the 2009/2010 financial year and has hard floors.

Cattle yards

The existing cattle sale pens have a capacity to sell approximately 1,800 head of cattle per day. If the numbers are greater than this, then they can be managed with moving

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

stock between selling and non selling pens which is not ideal. Post sale weighing is employed with scales centrally located within the complex. The complex has most of the features of a modern cattle complex and is roofed, with concrete flooring and sawdust overlay.

Pig yards

Pigs are no longer sold through the Shepparton Regional Saleyards. The existing pig yards are only suitable for the sale of pigs. It was recommended in the Master Plan that the existing roofed area be demolished and the roofed area of the abutting cattle yards be extended to cover those existing pig pens. New pens with overhead agent walkways will be installed. A verbal estimate has been obtained for the construction of a new roof which is estimated at \$200,000. The demolition of the existing shed and the construction of new pens and walkways has not yet been costed. It may also be required to remove an existing water main which is currently located under the pig pens if these demolition works proceed. Preliminary costs for removal of this water main are estimated at \$300,000.

Cafe

There is a café at the Saleyards site which is leased out with the lease expiry in early 2014. The café operates Monday to Friday servicing staff, agents and the public visiting the Saleyards.

Office

There are six agents offices that are currently utilised by the standing agents. These agents pay an annual rent to the Council for the use of those offices on sale day.

Truckwash

A Truck wash facility services transport operators moving through Shepparton on a daily basis. The truck wash is accessible 24 hours a day and is accessed by an Avdata Key system the holders of which are billed for access. There is also a shower facility available with the Avdata Key system.

Since 2010 the truck wash has been used in excess of 16,000 times.

Lighting

The Saleyards complex has extensive lighting for daytime and night time operations.

Sealed Pavements and car parking

The saleyards has good sealed internal roads and a double turning area. There is also good onsite car parking, with an area for trailers to be parked on sale days.

Waste Management Systems

Roofing of the complex has meant significant onsite water catchment has been achieved allowing for the recycling of the water throughout the complex. Water and waste water systems at the complex have been under significant pressure as the quantity of water passing through the saleyards and entering the sewerage system has been substantially reduced as a result of roofing both the cattle and sheep yards. Accordingly the concentration of elements and solids in the trade waste have increased. Waste water treatment and solids removal have been under constant review by Council, Goulbourn Valley Water and the Environment Protection Authority.

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

Discussion

To maintain the status of the Shepparton Regional Saleyards it is proposed that an overarching independent review of the long term future direction of the Shepparton Regional Saleyards be undertaken before Council commits significant funds to infrastructure upgrade works, including expansion of the roofed area.

Long term issues include:

- Capacity to manage fluctuating number and type of stock sold at the saleyards within the Constraints of the existing saleyards site due to lack of room for expansion in the future.
- Infrastructure upgrades required for the saleyards to meet future demand.
- Changing expectations from nearby residents regarding noise and odour from the saleyards.
- Increase in level and impact of heavy vehicle transport movement.
- Increasing accreditation requirements including the management of trade waste.

The review will take into account long term issues and further investigate options and implications including:

- Are further infrastructure upgrades required at the Saleyards to meet future demand, including the proposed expansion of the roofed cattle area?
- Will the constraints of the current Saleyards site enable the development required to meet future demand?
- What would be the cost benefit of relocating the Saleyards to a greenfield site or the sale of the Saleyards to a private enterprise?

Economic, social and financial analysis is required to confirm if it is in the public interest for Council to control the operation of the Saleyards. The sale of the Saleyards business and assets would release considerable capital for other Council projects. To date \$6.7m (written down value) is invested in the Shepparton Regional Saleyards site. If Council was to sell the Saleyards business and assets, Council would no longer have responsibility or be liable for the operation of the Saleyards however it would no longer have control over pricing and policy.

Council Plan/Key Strategic Activity

The Shepparton Regional Saleyards supports the Council Plan 2013-2017 goal Economic Prosperity, we will promote economic growth, business development and diversification, with a focus on strengthening the agricultural industry.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Odour and noise	Likely	Low	Low	Cows are on soft standing in a roofed area and relaxed. Cleaning regularly ensures minimal odours.
Trade Waste	Likely	Moderate	Moderate	External review is being undertaken. EPA and GV Water analysis

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
				undertaken regularly.
Traffic	Likely	Low	Low	New design of access minimised trucks parking on road and causing issues
Loss of accreditation	Unlikely	Low	Low	Ensuring contractor is familiar with accreditation requirements
No capacity to meet demand of numbers	Likely	Low	Low	Extended cattle selling area

Policy Considerations

The operation of the Saleyards does not conflict with any existing Council policy.

A Saleyards Advisory Committee is in place to provide a means of keeping Council informed with saleyards operation and to discuss and advise on various matters such as capital, budgets and legislation.

Financial Implications

It is estimated that an overarching external review of the future direction of the Shepparton Regional Saleyards would cost \$50,000 which has not been provided for with the 2013/14 Budget

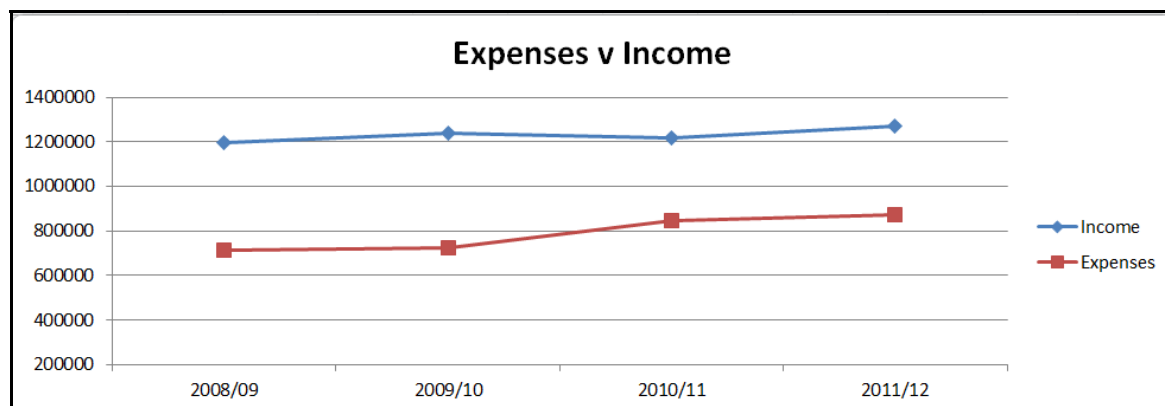
	2013/2014 Approved Budget for this proposal*\$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	
Expense	0	50,000	50,000	
Net Result	0	50,000	50,000	

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

The Saleyards is generating an annual cash surplus of approximately \$270,000. These surplus funds are put aside for capital renewal and improvements to the site. The annual surplus of the Saleyards is transferred to a restricted asset to fund future works which currently holds \$702,149. Over the past years when there has been sufficient funds accumulated, capital improvements have been scheduled, including the roofing of the sheep yards, installation of rain water tanks and water harvesting facilities, installation of new loading ramps for cattle etc.

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

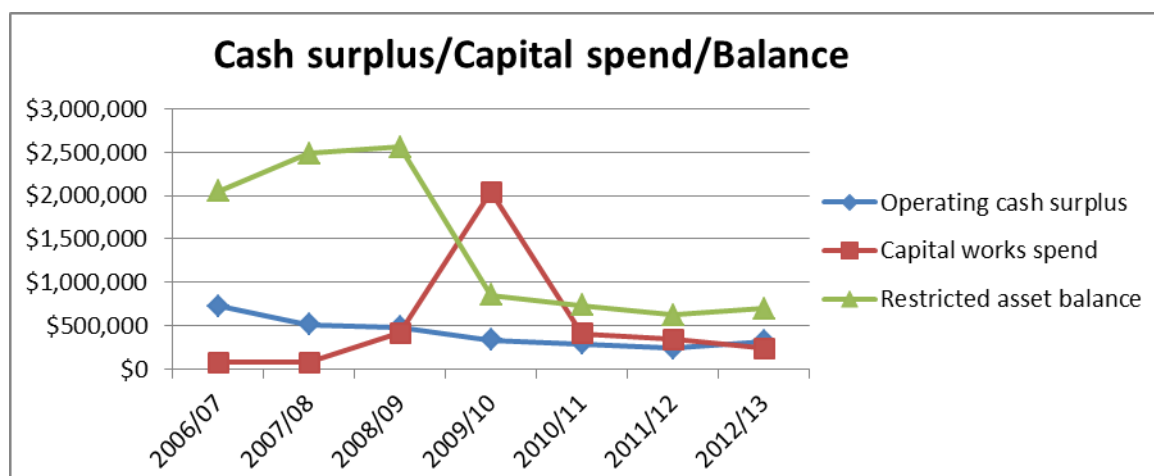


Over the past 4 years the fees and charges for selling have increased by the following percentages:

2010/11	2011/12	2012/13	2013/14
8%	4%	5%	5%

The operating surplus figures offset by capital works and the closing restricted asset balance for the past 7 years including the 2012/13 financial year are detailed in the table and graph below.

Year	Operating cash surplus	Capital works spend	Closing restricted asset balance
2006/07	\$727,242	\$79,353	\$2,052,056
2007/08	\$511,177	\$79,551	\$2,483,682
2008/09	\$487,356	\$415,681	\$2,555,357
2009/10	\$337,680	\$2,041,097	\$851,940
2010/11	\$294,345	\$412,813	\$733,472
2011/12	\$241,496	\$348,166	\$626,802
2012/13	\$320,207	\$244,860	\$702,149



8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

Budgeted 2013/14 works

Description	Estimate
Loading Ramp and Security Cameras (inc \$76k grant)	\$ 104,000
Annual renewal allocation	\$ 90,000
	\$ 194,000

Future works 2014/15 to 2015/16

Description	Estimate
Trade Waste Works (pending investigation)	\$90,000
Overhead plumbing in sheep yards	\$21,000
Pig yards power upgrade	\$30,000
New weigh station	\$120,000
Pig yard roof demolition	\$80,000
Pig yard roof replace	\$200,000
Pig yard replacement of pens and walkways	\$100,000
Campbell's pipe upgrade	\$300,000
	\$941,000

These estimates have been provided by trades people, written quotes and original master plan being updated and on the basis that they were to be done now. In addition to the future works listed above an annual allocation for capital renewal would also be required.

Legal/Statutory Implications

Occupational Health & Safety has required the continual upgrading of the facility to meet increasing standards. When cattle sales exceed 1,800 head (46% of sales in 2011/12) the adjoining former pig yards are utilised for the storage of animals awaiting sale or post sale.

The Saleyards comply with the Code of Practice for the Welfare of Animals at Saleyards and the Code of the Operation of the NLIS in Victoria which are monitored by the Department of Primary Industries.

The tender process for the Contract Manager of the Saleyards is carried out according to the requirements of *Section 186* of the *Local Government Act 1989*.

Environmental/Sustainability Impacts

Some complaints have been received by Council in relation to noise and odour. The installation of the soft standing in the cattle yards and roofing of the cattle pens, means that the cattle are comfortable and tend to sleep in the yards after they are penned. This reduces the noise levels over night. The present contractor ensures that the yards are cleaned when required to reduce the risk of any odours. However with a growing industrial and residential neighbourhood nearby, Council must be diligent in monitoring these matters in the future of the saleyard complex operation.

The management of trade waste and trade waste water is also significant activity.

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

The volume of solid trade waste from the site is approximately 2000 m³ per year. There are two main sources from which trade waste is generated which include:

- used soft fall material (sawdust contaminated with and cow manure) that has been removed from cattle pens and stockpiled at the eastern side of the site. Used soft fall is mixed with the solids that have been collected from the interceptor pits and filter screen with the use of an excavator. This is then left outdoors until to some of the moisture evaporates. The process is repeated as needed until the product dries out further, then it is stockpiled for the length of time needed to kill any seeds etc. After that it is sold to farmers, processed further and spread on farms. A portion of this is retained on site for further processing then sold as fertiliser.
- solids (manure) from the Truck Wash which have been removed from the liquid waste system. This is scooped from interceptor pits with an excavator and also harvested from a filter screen. This waste contains a lot of liquid and is stockpiled with the used soft fall material. Liquid waste that is generated from the Truck Wash is sent over a filter screen then goes to the trade waste sewer system.

The trade waste water is regularly analysed by SGS Australia and Goulburn Valley Water (GV Water). Analysis has identified the issue that Council has been consistently in breach of the trade waste agreement with GV Water in that the total dissolved solids, the total suspended solids and the salt content have been above the levels allowed for in the trade waste agreement.

The history of the breaches is that approximately five years ago GV Water requested that Council construct a roof over the existing Sheep Yards. The request was made as in a significant rain event, the large volume of outflows to sewer caused capacity issues at GV Water's sewerage treatment plant. The 10,500m² roof was completed two years ago and water tanks with the capacity to store 1m³ of harvested water have been installed.

While this resolved a problem for GV Water, it resulted in the volume of dissolved solids in the trade waste that is diverted to sewer increasing beyond the limits of Council's trade waste agreement.

A consultant has been engaged to review the trade waste water management systems on the site and make recommendations for future management.

Other environmental risks such as animal disease outbreaks need to be considered when working with Agents and National and State Authorities to maintain a vigilant awareness of possible disease outbreaks.

Social Implications

The saleyards is an important asset to the community that draws the rural community together on sale days. It is an opportunity for our regional farmers to catch up on a social level as well as for business. It also provides direct and indirect employment for locals through the management contract, and through the agents, transport operators and buying agents.

Market Impacts National, State Influences

Future throughput at regional saleyards will be influenced by a number of factors. At the National and State levels the stability of cattle and sheep markets have become more dependent on global influences as the proportion of export consumption vs domestic consumption increases. Recent publicity of stock treatment by overseas importers has demonstrated the risks to the Australian export market being impacted upon when this

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

publicity sees periods of restraint in export activity until policy and agreements are renegotiated. Conversely Australia's quality assurance conditions and "clean and green image" is a major advantage in the retention of market share in overseas trade.

Economic Importance – Local (livestock industry, livestock agents, employment, transport industry, retailers, vendors)

The Shepparton Regional Saleyards conducts three weekly sales and draws business from a wide sector of northern Victoria and southern New South Wales. The importance of this business is in providing a livestock selling centre that has a multiplier effect in the local economy through livestock agents employment of staff, transport operators employment of staff and goods and services, agricultural businesses, providing goods and services to stock breeders and stock breeders employment of staff and purchase of goods and services.

Regional Competitors

A review of the activity of Shepparton Regional Saleyards over the past 10 years indicates the competition for business within approximately 100 kilometres of Shepparton.

Whilst the overall cattle numbers appear to have decreased, when compared with figures from 2002, we are maintaining similar numbers, ie 85,619 in 2002 and 84,456 in 2012 whereas trends for other regional saleyards over the past 10 years are:

- Bendigo numbers have dropped by 64%
- Cobram numbers have dropped by 58%
- Deniliquin numbers have dropped by 42%
- Echuca numbers have dropped by 9%
- Wangaratta and Euroa have shown a slight increase.

A review of sheep numbers provided by Livestock Saleyards Association of Victoria over the 4 years to 2012 show the following trends in sheep numbers:

- Yarrawonga numbers have dropped by 41%
- Shepparton have dropped by 30%
- Bendigo numbers have dropped by 26%
- Finley numbers have dropped by 4%
- Corowa numbers have increased by 5%
- Deniliquin have increased by 21%

Additional external risks will need to be considered as they arise such as the uncertainty of operational costs to transport operators of fuel cost increases thereby making paddocks sales more attractive to breeders in the future.

Consultation

Council's Shepparton Regional Saleyards Advisory Committee has been consulted regarding the proposed development of a long term strategy.

At its meeting held on 22 August 2013 the Advisory Committee recommended that the Council implement the existing masterplan fully before developing another long term strategy to support the importance and potential of the facility.

8. BUSINESS DIRECTORATE

8.2 Shepparton Regional Saleyards - Long Term Strategy (continued)

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Consult	Future direction of the Saleyards discussed with Council's Advisory Committee	Shepparton Regional Saleyards Advisory Committee

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

Strategic Links

a) Greater Shepparton 2030 Strategy

The Background & Analysis Report No 5: Economic Development Objective 2: To support developing and emerging agribusinesses and their increasing requirement for high technical infrastructure.

Options for Consideration

1. Continue implementation of the Shepparton Regional Saleyards Master Plan developed in 2008 without further review. Not recommended

To maintain operations and meet demand for the sale of cattle, capital works at an estimated cost of \$1.1 million over the period 2013-2016 will be required to be invested including the demolition of the former pig yards, the extension of the existing roofed cattle yards and construction of additional selling pens to increase capacity by an additional 440 head. Annual operating surpluses in excess of \$250,000 will allow for further works to upgrade the existing site to be conducted in the future.

2. Develop a long term strategy for the Shepparton Regional Saleyards by undertaking an overarching review of the future options. Recommended

To enable appropriate consideration of the long term future options of the Shepparton Regional Saleyards it is proposed that an independent consultant be engaged to undertake an overarching review prior to any major capital works being undertaken, such as the expansion of the roofed area.

Conclusion

To maintain the status of the Shepparton Regional Saleyards it is proposed that a long term strategy be developed before significant funds are committed to infrastructure upgrade works, including expansion of the roofed area.

Attachments

1. Aerial map of Saleyards site Page 170
2. Aerial map of surrounding area Page 171
3. Map of planning zones Page 172

8. BUSINESS DIRECTORATE

8.3 Management of Shepparton Regional Saleyards

Cr Polan declared an indirect financial interest in relation to report number 8.3 “Management of the Shepparton Regional Saleyards” as he has had business dealings with some of the tenderers.

Cr Ryan declared an indirect interest by close association in relation to report number 8.3 “Management of the Shepparton Regional Saleyards” as his family members were involved in the contract.

Councillors Michael Polan and Kevin Ryan left the meeting, the time being 6:35 PM

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: Property Officer

Proof reader(s): Manager Strategic Assets

Approved by: Director Business

Executive Summary

The purpose of this report is to present the evaluation of tenders received for the Council to consider awarding a contract for the Management of the Shepparton Regional Saleyards.

The recommended tenderer submitted their tender as individuals. In their tender they indicated that they would form a company to perform the contract if successful.

**Moved by Cr Patterson
Seconded by Cr Summer**

That the Council:

1. accept the tender submitted by Kneale Ladgrove and Ian McDermott as agents for Leo Downs Pty Ltd of 126 Hogan Street, Tatura (Tenderer) and enter into contract with Leo Downs Pty Ltd for Contract 1388 Management of Shepparton Regional Saleyards for three years with the option of two 12 month extensions at Council’s discretion. The estimated contract value for three years is \$2,632,308 (including GST) or \$4,561,571 (including GST) for a total of five years.
2. authorise the Chief Executive Officer to sign and seal the contract documents for Contract 1388 Management of Shepparton Regional Saleyards commencing on 1 January 2014.
3. authorise the Chief Executive Officer to award the contract extension for two additional 12 month periods, if appropriate.

CARRIED.

Councillors Michael Polan and Kevin Ryan returned to the meeting, the time being 6:36 PM

8. BUSINESS DIRECTORATE

8.3 Management of Shepparton Regional Saleyards (continued)

Contract Details

The current contract for the operation of the Shepparton Regional Saleyards expires on 31 December 2013. The current contractor has not submitted a tender for this new contract.

At its ordinary meeting on 16 July 2013 the Council resolved to invite tenders for the operation of the Shepparton Regional Saleyards for a period of 3 years plus 2 one year extensions at Council's discretion.

The contract that has been tendered is a schedule of rates contract for a period of three years plus two 12 month extensions to commence on 1 January 2014.

The value of the contract has been benchmarked against Council wages for the performance of the same duties and the price tendered is reasonable.

Tenders

Invitations to tender were advertised in the Shepparton News on 9 August and 16 August 2013 and in Stock and Land on 15 and 22 August 2013 and in the Weekly times on 14 and 21 August 2013.

A compulsory pre-tender meeting was held on Tuesday, 26 August 2013. Representatives from six prospective tenderers attended the meeting. The meeting addressed the various significant aspects of the saleyards operation, clarified the scope of tender requirements, facilitated a guided tour of the saleyards site conducted by the current contractor and answered questions from tenderers.

Tenders were received from:

Tenderers
Justin Bell Livestock Transport
Kneale Ladgrove and Ian McDermott
Jateah Pty Ltd
P&S Ryan Branding
Scanclear Pty Ltd

Tender Evaluation

Tenders were evaluated by:

Title	Department
Manager Strategic Assets	Strategic Assets
Property Officer	Strategic Assets
Team Leader Finance	Finance and Rates
Team Leader Risk Management	Risk Management
A representative of Shepparton Regional Saleyards Advisory Committee	Goulburn Valley Stock Agents Association

The evaluation of the tenders was observed by a procurement representative.

8. BUSINESS DIRECTORATE

8.3 Management of Shepparton Regional Saleyards (continued)

Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	50%
Previous experience	25%
Methodology	10%
Environment	10%
Capability – staff and equipment	5%

When considering the tenders received, the tender evaluation panel looked at such things as price, experience in running saleyards, whether the tenderers had proposed to employ sufficient staff to run the day to day operations, had the tenderers completed a methodology which showed that they understood the extent and type of works required to run the saleyards and whether they were aware of environmental issues.

It was evident to those carrying out the evaluation that the recommended tenderer had an intimate knowledge of what is required to run the saleyards on a day to day basis.

Reference checks have been undertaken in respect of the recommended tenderer which were satisfactory.

The local economic impact was not assessed as part of the tender evaluation as the weighted evaluation of the recommended tenderer was greater than 5% of the other tenders received.

Council Plan/Key Strategic Activity

The Shepparton Regional Saleyards supports the Council Plan 2013-2017 goal Economic Prosperity, we will promote economic growth, business development and diversification, with a focus on strengthening the agricultural industry.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Not having a contract in place on 1 January 2014	Medium	Medium	Low	Award the contract as recommended
Accepting a tender that is over the forecast budget	High	Low	Low	Review of annual budget
Complaints from unsuccessful tenderers that the process was not fairly conducted	Medium	Low	Low	Evaluation process in accordance with Council's Procurement Policy and Guidelines

Policy Considerations

The tender process has been carried out in accordance with Council's Procurement Policy.

8. BUSINESS DIRECTORATE

8.3 Management of Shepparton Regional Saleyards (continued)

Financial Implications

	2013/2014 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	0	0	0	
Expense	731,853	772,150	40,297	The budget variation for the 2013/14 financial year is halved as the new contract will only be in place for half of the financial year.
Net Result	731,853	772,150	40,297	

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

This budget variation may be less than \$40,297 as \$110,000 of the contract price is a provisional amount based on charges for maintenance and materials and cleaning of the truck wash. New waste treatment measures and hourly rates of the tenderer may result in maintenance budget savings.

Legal/Statutory Implications

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

The tenderers have formed a company to be named as the contractor and both Kneale Ladgrove and Ian McDermott are directors of that company. Legal advice recommended that it should be noted in the recommendation that the individual tenderers lodged their tender as agents for the company. The directors of the company will be required to provide personal guarantees for the performance of the contract by the company.

Environmental/Sustainability Impacts

Council has an environmental responsibility in respect of the Saleyards and the contractor is to assist Council with achieving environmental goals set by Environment Protection Authority, Goulburn Valley Water and any other authority. The recommended tenderer has given such an undertaking and is well aware of the requirements and procedures in respect of water sampling, storage of compost materials, noise levels and other environmental impacts.

Strategic Links

a) Greater Shepparton 2030 Strategy

The Background & Analysis Report No 5: Economic Development Objective 2: To support developing and emerging agribusinesses and their increasing requirement for high technical infrastructure.

Options for Consideration

1. That the Council accept the tender submitted by Kneale Ladgrove and Ian McDermott as agents for Leo Downs Pty Ltd for the Management of Shepparton Regional Saleyards. (Recommended)

8. BUSINESS DIRECTORATE

8.3 Management of Shepparton Regional Saleyards (continued)

2. That the Council not accept any of the current tenders and undertake a new tender process. This is not recommended as the current contract expires on 31 December 2013. (Not recommended)
3. That the Council award the contract to one of the other tenderers. This is not recommended as the evaluation panel recommend the contract be awarded to Kneale Ladgrove and Ian McDermott. (Not recommended)

Conclusion

That the Council award Contract 1388 for the Management of the Shepparton Regional Saleyards to Leo Downs Pty Ltd of 126 Hogan Street, Tatura, as nominated by Kneale Ladgrove and Ian McDermott.

Attachments

Nil

8. BUSINESS DIRECTORATE

8.4 2013-2014 September Quarter Budget Review

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

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

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

Council Officers involved in producing this report

Author: Team Leader Corporate Accounting

Proof reader(s): Acting Manager Finance and Rates

Approved by: Director Business

Executive Summary

The report presents the forecast financial performance for the 2013-2014 financial year compared to budget based on the September Quarter Budget Review.

Moved by Cr Polan

Seconded by Cr Patterson

That the Council approve the changes to the Operating and Capital budgets as identified in the 2013-2014 September Quarter Budget Review Report.

CARRIED.

Background

Under section 138 of the Local Government Act 1989 the Chief Executive Officer at least every 3 months must ensure quarterly statements comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date are presented to the Council.

The 2013/2014 Budget was adopted by Council at its meeting on 20 August 2013. The 2013/2014 Budget provides for an operating surplus of \$8.8 million with revenue of \$108.3 million and expenditure of \$99.5 million. The 2013/2014 Budget also provides for capital works of \$36.2 million.

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

The quarterly budget review process involves Managers reviewing the adopted budget for their departmental areas compared to actual income and expenditure. Managers are to update forecasts to reflect the expected year end result. The Executive then undertake a detailed review to understand and confirm forecast variations. The quarterly review is then submitted to Council for consideration.

Forecast variances to the adopted budget include re-budgeted projects that are to be delivered in the 2013-2014 financial year where funding was received or is held from last financial year and were not included in the adopted 2013-2014 Budget.

8. BUSINESS DIRECTORATE

8.4 2013-2014 September Quarter Budget Review (continued)

Report

As a result of the 2013-2014 September Quarter Budget Review, forecast year end variances compared to the adopted 2013-2014 Budget include:

- Budgeted operating surplus of \$8.813 million, forecast to decrease by \$2.51 million due to:
 - Increased expenditure in non-cash items of \$2.75 million including \$2.19 million increase in depreciation expense and \$375,000 in long service leave accrued expense.
 - An increase in operating expenditure of \$717,000 for re-budgeted items where income was received in previous years including \$300,598 for the Best Start Program and \$150,000 for the Provincial Leaders Program.
 - An increase in operating expenditure of \$967,000 offset by income to be received in 2013/2014 of \$947,000 which was not budgeted. This includes \$335,000 for Victoria Park Lake Caravan Park, Visitor Information Centre Insurance Claims \$200,000 and Digital Enterprise Program Grant \$114,000.
 - Requests for additional expenditure of \$595,000 including \$150,000 for Town Planning legal fees, \$132,000 for corporate training, \$122,000 for February/March 2012 Floods, \$80,000 for an injury prevention and management program and \$76,000 for fleet expenses.
 - Offset by additional funding from the Victoria Grants Commission of \$273,000.
 - Offset by identified expenditure savings of \$518,000 including \$212,000 relating to employee vacancies.
 - Offset by income to be received in 2013/2014 of \$776,000 for capital works and non-discretionary reserves which was not budgeted.
- Budgeted capital works program of \$36.203 million, forecast to increase by \$4.55 million due to:
 - Re-budgeted projects of \$3.00 million including \$625,300 plant purchases, Cosgrove Landfill 2 Cell 3 Cap \$442,615, Land Purchase Hogan Street Tatura \$300,000, Ferguson Road \$231,623 and Northlinks \$150,000.
 - Additional funding of \$980,000 required for Vaughan Street reconstruction.
 - Associated capital works relating to a \$536,218 increase in Capital Grants and Contributions

Further analysis is contained within the attached 2013-2014 September Quarter Budget Review report.

Cash Surplus

The term surplus is often perceived to be cash. Table 1 below provides a high level summary as to how the forecast operating surplus is converted into an underlying cash surplus.

The surplus reported in the Income Statement is an accounting surplus, it is accrual based and prepared in accordance with accounting standards. It should be noted that it contains both cash and non-cash items.

It is important that a cash surplus is generated from Council's operations to fund the capital works program. Capital income is reported as part of the operating surplus however capital works are reported as an increase in assets in the Balance Sheet rather than an operating expense.

8. BUSINESS DIRECTORATE

8.4 2013-2014 September Quarter Budget Review (continued)

	Budget 2013/2014 \$'000	Sept Qtr 2013/2014 \$'000	Variance \$'000
Operating Surplus from the Income Statement	8,813	6,301	(2,512)
<i><u>Less cash items not included in Income Statement</u></i>			
Capital Works Expenditure	36,203	40,760	(4,557)
Loan Repayments - Principal	426	426	0
Transfers from Notional Reserves *	(16,121)	(19,622)	3,501
Transfers to Notional Reserves	4,325	4,602	(277)
Sub total	24,833	26,166	(1,333)
<i><u>Add non-cash items included in the Income Statement</u></i>			
Depreciation	18,452	20,645	2,193
Assets Sold	513	513	0
Long Service Leave Accrued Expense		375	375
Contributed Assets	(3,000)	(3,000)	0
	15,965	18,533	2,568
UNDERLYING CASH SURPLUS/(DEFICIT) FORECAST	(55)	(1,332)	(1,277)

The forecast increase in the underlying cash surplus compared to budget for the 2013/14 financial year is mainly due to increased funding required to complete the Vaughan Street reconstruction.

Note:

Transfers from Notional Reserves include both operating and capital funds received in past financial year or project allocations re-budgeted.

* Transfers from notional reserves includes \$5.52 million for Victoria Grants Commission funding, \$4.00 million for Building Better Regional Cities, \$2.52 million for Waste Management capital works and \$800,000 for Shepparton Sports Precinct.

Council Plan/Key Strategic Activity

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

Risk Management

Monitoring of performance against the adopted 2013-2014 Budget as well as the forecast year end position provides for prudent financial management and ensures that Council is made aware of any known or potential financial risks.

8. BUSINESS DIRECTORATE

8.4 2013-2014 September Quarter Budget Review (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Inability to achieve current budget due to income not reaching budgeted levels or costs exceeding budget exposing the Council to a cash deficit.	Likely	Moderate	Moderate	Review detailed monthly financial reports and take corrective action where forecast varies against budget.
Breaching the Local Government Act by expending funds against line items without endorsed budget.	Possible	Moderate	Moderate	Undertake quarterly budget reviews to formally consider and adjust for any known variances.

Policy Considerations

There are no identified conflicts with existing Council Policies.

Financial Implications

Forecast variances to the adopted 2013-2014 Budget are detailed throughout the attached report.

Legal/Statutory Implications

Section 138 of the Local Government Act 1989 requires that at least every three months the Chief Executive Officer must ensure a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date are presented to the Council. A detailed financial report is presented to the Council each month.

Environmental/Sustainability Impacts

There are no environmental or sustainable impacts that will arise from this proposal.

Social Implications

There are no social impacts that will arise from this proposal.

Economic Impacts

There are no identified economic impacts.

Consultation

External consultation has not occurred regarding the contents of this report. Specific consultation, however, has and will take place on some specific items within the budget as and when appropriate.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	Actual financial performance compared to budget reported to Council monthly. Review of forecast financial performance compared to budget presented to Council quarterly.

8. BUSINESS DIRECTORATE

8.4 2013-2014 September Quarter Budget Review (continued)

Appropriate consultation has occurred with Council officers and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

Nil

b) Other strategic links

The report is consistent with the governance principle of Strategic Objective five of the Council Plan 2013-2017 “High Performing Organisation (Leadership and Governance)”.

Options for Consideration

1. That the Council not adopt the revised forecasts identified by the 2013-2014 September Quarter Budget Review.

This option is not recommended.

2. The Council adopt the revised forecasts identified by the 2013-2014 September Quarter Budget Review (with or without further amendment).

This option is recommended as it provides for the known budgetary variances to be reflected in the end of financial year forecasts.

Conclusion

This report has been prepared and presented to identify and reflect known variances in the end of year financial forecast compared to budget.

Attachments

2013-2014 September Quarter Budget Review Page 174

8. BUSINESS DIRECTORATE

8.5 October 2013 Monthly Financial Report

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

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

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

Council Officers involved in producing this report

Author: Team Leader Corporate Accounting

Proof reader(s): Acting Manager Finance and Rates

Approved by: Director Business

Executive Summary

The report presents Council's actual financial performance compared to the budget for the four months ended 31 October 2013.

Moved by Cr Oroszvary

Seconded by Cr Summer

That the Council receive and note the October 2013 Monthly Financial Report.

CARRIED.

Background

The 2013/2014 Budget was adopted by Council at its meeting on 20 August 2013. The 2013/2014 Budget provides for an operating surplus of \$8.8 million with revenue of \$108.3 million and expenditure of \$99.5 million. The 2013/2014 Budget also provides for capital works of \$36.2 million.

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

Council's forecast financial performance is reviewed and updated based on any known changes to the number of factors which influence the budget. The revised forecast is submitted to Council for approval as part of the quarterly budget review process. The September Quarter Budget Review will be presented to Council for consideration at its Ordinary Meeting on 19 November 2013.

Monthly Financial Report

The monthly financial report incorporates the following sections which are presented for Council's consideration:

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

8. BUSINESS DIRECTORATE

8.5 October 2013 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 2013-2017*.”

Risk Management

No risks have been identified in providing this financial report.

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

The full financial implications of this report are outlined within the attachment.

Legal/Statutory Implications

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

Environmental/Sustainability Impacts

No Environmental or Sustainability impacts have been identified.

Social Implications

No Social implications have been identified.

Economic Impacts

No Economic impacts have been identified.

Consultation

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

Options for Consideration

This report is for information purposes only and does not present any options for consideration.

Conclusion

The report provides details of Council's financial performance compared to the budget for the four months ended 31 October 2013.

Attachments

October 2013 Monthly Financial Report Page 212

9. TABLED MOTIONS

Nil Received

10. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES

Nil received

11. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES

Nil Received

12. NOTICE OF MOTION, AMENDMENT OR RESCISSION

12.1 Notice of Motion 4/2013 - Cr Dennis Patterson

Cr Patterson has given notice that he will move:

Moved by Cr Patterson
Seconded by Cr Oroszvary

That the Greater Shepparton City Council lobby both the State and Federal Government to reintroduce cattle grazing in both the Lower Goulburn National Park and the Shepparton Regional Park to help protect Shepparton and Mooroopna from an extreme bushfire event.

Moved by Cr Polan
Seconded by Cr Summer

That the Greater Shepparton City Council write to both the State and Federal Government, to investigate meaningful methods to protect Shepparton and Mooroopna from extreme bushfires.

CARRIED.

12.2 Notice of Motion 5/2013 - Cr Fern Summer

Cr Summer has given notice that she will move:

Moved by Cr Summer
Seconded by Cr Oroszvary

That Councillors revise the waste management options paper to include the provision of a 360lt recycle bin for non-rural residents prior to tender for the waste collection contract.

Moved by Cr Polan
Seconded by Cr Patterson

That the Council revise the waste collection tender specification documentation to include the provision of a 360L recycle bin for non-rural residents (as an opt-in option).

CARRIED.

13. DOCUMENTS FOR SIGNING AND SEALING

Nil Received

14. COUNCILLOR ACTIVITIES

14.1 Councillors Community Interaction and Briefing Program

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

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

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

Councillors' Community Interaction and Briefing Program

The Mayor tabled a report on her visit to Sister City Korce, Albania.

From 1 October 2013 to 31 October 2013 some or all of the Councillors have been involved in the following activities:

- Greenhouse Alliance | Sustainable Decision Making Workshop
- SPCA Filming Interview
- Company Directors Course | Friday 4 October
- 100 Year Centenary Celebration of Orrvale Primary School
- Annual Salami Night | Tatura
- Cussen Park | 20 Year Celebration
- Speak to Year 2 Students | Guthrie Street Primary School
- Official Launch | Christmas Decorations | The Tatura Christmas Decorations group
- The McLennan Kiwanis Club | Combined Service Club Dinner
- North East ALGWA | AGM & Dinner
- PAAC Meeting
- Official Opening | Primary Care Connect
- Shepparton Show | Official Opening
- Speak to Students – Leadership | St Mary's Primary School
- Community Matching Grants | Afternoon Tea
- *Women In Business* Breakfast
- Murray Darling Basin Plan | Update – Public Session
- VCAL Luncheon | Mooroopna Secondary College
- Shepparton Show Me Ordinary Committee Meeting
- Invisible Homelessness Forum
- Shepparton Italian Women's Group | 30th Anniversary
- RiverConnect Implementation Advisory Committee Meeting
- SAM Committee Meeting
- VIC Volunteers | Celebration & Orientation
- Friends of SAM | AGM
- Visitor Information Centre | Industry 'Sneak Preview' & Morning Tea
- Goulburn River Valley Tourisms AGM
- Local Government Electoral Review
- Waste Management | Technical Advisory Committee meetings
- Shepparton Children's Koori Court | Launch
- Twilight Stroll | Shepparton - Mooroopna
- Shepparton South Soccer Club | Presentation Night

14. COUNCILLOR ACTIVITIES

14.1 Councillors Community Interaction and Briefing Program (continued)

- Relay for Life | Opening
- Jim Diers | Community Plan Steering Committee - Celebration Dinner
- Tatura Children's Centre | AGM
- Destination Management Plan Consultation | Councillors, Executive & SLG
- Australian Botanic Gardens | AGM
- MAV Annual Conference
- MAV Annual Dinner
- Greater Shepparton Best Start Partnerships | Meeting
- MAV | State Council Meeting
- Women's Charter Alliance Advisory Committee Meeting
- Disability Advisory Committee Meeting
- Town Olympics | Tallygaroopna
- Shepparton Chamber of Commerce & Industry | Business Awards
- Aquamoves Relaunch
- Greek National Day
- Productivity Commission Hearing | Melbourne
- Community Consultation process | Off Leash Dog Park Trial - Sherbourne Reserve & Ducat Reserve
- University of Melbourne & Rural Health Academic Centre - Joint Meeting
- Pest V Rest 2013 | Natures Poetry Pathway
- Meeting with Orrvale Action Group
- Meeting with Carrillo Gantner and others | Melbourne

Councillors were also briefed on the following matters:

- Anti-Discrimination - Racism - It Stops With Me
- Flash Flood Response
- SAM Foundation Update
- Goulburn Broken Catchment Management Authority | Chief Executive Office - Chris Norman
- Goulburn Valley Water | Chief Executive Officer - Peter Quinn
- Refugee Welcome Zone
- Tatura Park Advisory Group – TOR
- 2012-2013 Annual Report
- Our Sporting Future Funding | Round 1 - 2013/2014
- 2013-2014 September Quarter Budget Review
- Management of Shepparton Regional Saleyards
- Local Government Electoral Review - Submission discussion
- Supply & Delivery of Bulk Fuels
- Provision of Supply & Delivery of Pre-Mixed Concrete
- Supply & Delivery of Bituminous Products
- Supply of Asphalt products & Surfacing Works
- Concrete Kerbing & Associated Works
- Supply of Quarry & Manufactured Materials
- SSM Annual Report
- SSM Quarterly Report
- Victoria Lake Holiday Park Fees
- 2012-2013 Greater Shepparton Annual Report
- Election of Mayor, Deputy Mayor, Mayoral Position description & Councillor Committees

14. COUNCILLOR ACTIVITIES

14.1 Councillors Community Interaction and Briefing Program (continued)

- GRVT Board Members | Briefing to Councillors & Executive
- LG Electoral Review | Submission discussion

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

Moved by Cr Oroszvary
Seconded by Cr Summer

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

CARRIED.

Attachments

- | | |
|---|----------|
| 1. Minutes Positive Ageing Advisory Committee Meeting 13 September 2013 | Page 233 |
| 2. Disability Advisory Committee Meeting Minutes 27 September 2013 | Page 236 |
| 3. SAM Advisory Committee Meeting - 16 October 2013 | Page 239 |
| 4. Councillor Briefing Session - 8 October 2013 | Page 240 |
| 5. Councillor Briefing Session - 15 October 2013 | Page 241 |
| 6. Councillor Briefing Session - 22 October 2013 | Page 242 |
| 7. Mayor Report on Visit to Sister City Korce, Albania | Page 249 |

15. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

Nil Received.

16. PUBLIC QUESTION TIME

Question 1 - John Gray

In response to a question tabled on 18th December 2012 I was advised that “Council does not currently have a strategy for shade or positioning of public seating on shared pathways and other public areas although all new pathways and developments have seating and shade incorporated into their master planning. Council does retain a budget for the renewal of street and pathway furniture which includes public seating”. Can you please further advise if Council considers it needs and proposes a strategy, or indeed a policy, in respect to “seating and shade” and further, the allocation in the current budget for “renewal of street and pathway furniture”?

Response

As previously advised, all new residential, commercial and pathway developments incorporate the planning for public seating and, where relevant, associated shade through either tree plantings or other structures. As such Council does not see the need to develop an additional strategy or policy on this matter. Good examples of this are the new Vaughan Central redevelopment with plenty of new public seating and shade trees and the soon to be built Murchison Rail Trail which has seating incorporated into those areas that the community wishes to showcase along the trail. The costs of this seating is incorporated into the capital budgets for these projects. In addition to this the adopted Council Budget 2013/14 allocates \$50,000 to road furniture and signage renewals and a further \$80,000 to parks furniture renewals.

Question 2 - John Gray

In a response, at the meeting (above) to a parking time question, I was advised that “A review of a number of parking areas and the duration of parking times available within them will occur in the first half of 2013. This review will include the areas, amongst others, of Welsford Street (in front of the lawn tennis courts) and Nixon Street (north of the Eastbank Centre) outlined in the query. This review will consider all possible time limit options for parking in these areas and, without predetermining any outcome from the review, there may be a mix of time limits recommended”.

Can you please advise of the overall outcome of that review, together with the rationale used and the implementation of the resulting recommendations?

Response

The suggested review has not progressed however the duration of parking times available will be incorporated into a CBD Parking Strategy.

The Council Plan 2013-2017 includes the development and implementation of a CBD Parking Strategy.

Allocation of the funding required to develop a CBD Parking Strategy will be considered as part of the preparation of Council's 2014/15 Budget.

The CBD Parking Strategy will also take into account submissions received in response to the *Parking in Shepparton's Central Business District Discussion Paper* prepared in August 2011.

Prior to any changes being made further community consultation will be undertaken.

17. CONFIDENTIAL MANAGEMENT REPORTS

17.1 Designation of Confidentiality of Information – Report Attachments

**Moved by Cr Polan
Seconded by Cr Ryan**

In accordance with section 77(2)(b) of the *Local Government Act 1989* (the Act) the Council designates as confidential all documents used to prepare the following agenda items and previously designated by the Chief Executive Officer in writing as confidential under section 77(2)(c) of the Act.

1. Report 6.3: Supply and Delivery of Bulk Fuels. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.
2. Report 6.4: Supply of Quarry and Manufactured Materials. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.
3. Report 6.5: Provision of Supply and Delivery of Pre-Mixed Concrete. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.
4. Report 6.6: Supply and Delivery of Bituminous Products. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.
5. Report 6.7: Supply of Asphalt Products and Surfacing Works. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.
6. Report 6.8: Concreting, Kerbing and Associated Works. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.
7. Report 6.9: Purchase or Lease of a Landfill Waste Compactor. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.
8. Report 8.3: Management of Shepparton Regional Saleyards. This document relates to a contractual matter and legal advice, which are relevant grounds applying under sections 89(2)(d)(f) of the Act.

CARRIED.

**MEETING CLOSED
7.02PM**