

# MINUTES

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## ORDINARY COUNCIL MEETING

HELD ON  
TUESDAY 16 FEBRUARY, 2016  
AT 5.30PM

IN THE COUNCIL BOARDROOM

**COUNCILLORS:**

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

***VISION***

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



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FOR THE  
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**CHAIR  
CR DINNY ADEM**

**INDEX**

<b>1.</b>	<b>ACKNOWLEDGEMENT .....</b>	<b>1</b>
<b>2.</b>	<b>APOLOGIES .....</b>	<b>1</b>
<b>3.</b>	<b>DECLARATIONS OF CONFLICT OF INTEREST .....</b>	<b>1</b>
<b>4.</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....</b>	<b>1</b>
4.1	Confirmation of Minutes of Previous Meetings .....	1
<b>5.</b>	<b>DEPUTATIONS AND PETITIONS.....</b>	<b>2</b>
5.1	Petition - Save the Historic Morten Bay Fig Trees .....	2
5.2	Petition - Sealing of Margaret Street, Tatura .....	3
5.4	Petition - Draft Commercial Activity Centres Strategy .....	4
<b>6.</b>	<b>MANAGEMENT REPORTS FROM THE OFFICE OF THE CHIEF EXECUTIVE OFFICER .....</b>	<b>5</b>
6.1	Instrument of Delegation to the Chief Executive Officer .....	5
6.2	Instrument of Delegation - Members of Staff and Development Hearings Panel .....	8
6.3	Contracts Awarded Under Delegation and Contracts Yet to be Awarded - February 2016 .....	12
6.4	Appointment of Independent Members to the Audit and Risk Management Committee .....	16
<b>7.</b>	<b>MANAGEMENT REPORTS FROM THE INFRASTRUCTURE DIRECTORATE .....</b>	<b>19</b>
7.1	Contract 1493 - Verney Road Stage 2 Upgrade - Civil Works .....	19
7.2	Contract 1647 - Maude Street Upgrade Design .....	24
7.3	Community Lease Renewals.....	29
7.4	Draft McLennan Street Mooroopna Master Plan .....	33
7.5	Contract 1350 - Provision of Facilities Cleaning .....	39
7.6	Contract 1425 - Goulburn Valley Water Main Reticulation Verney Road Stage 2 - between Hawkins Street and Graham Street, Shepparton .....	45
<b>8.</b>	<b>MANAGEMENT REPORTS FROM THE COMMUNITY DIRECTORATE .....</b>	<b>51</b>
8.1	CFA Schedule 13 Permit To Burn issued to a Person by Council during a Declared Fire Danger Period .....	51
<b>9.</b>	<b>MANAGEMENT REPORTS FROM THE BUSINESS DIRECTORATE .....</b>	<b>59</b>
9.1	January 2016 Monthly Financial Report .....	59
9.2	2015/2016 Mid Year Budget Review .....	61
<b>10.</b>	<b>MANAGEMENT REPORTS FROM THE SUSTAINABLE DEVELOPMENT DIRECTORATE .....</b>	<b>66</b>
10.1	Commercial Activities Centres Strategy November 2015 - Adoption - Lifting Report from the Table.....	66
10.2	Commercial Activity Centres Strategy, November 2015 - Adoption .....	67
10.3	Draft Cussen Park Environmental Management Plan .....	78

<b>11. TABLED MOTIONS .....</b>	<b>83</b>
<b>12. REPORTS FROM COUNCIL DELEGATES TO OTHER BODIES .....</b>	<b>83</b>
<b>13. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES.....</b>	<b>83</b>
13.1 Cr Houlihan's Report on Special Committees and Advisory Committees .....	83
<b>14. NOTICE OF MOTION, AMENDMENT OR RESCISSION .....</b>	<b>84</b>
<b>15. DOCUMENTS FOR SIGNING AND SEALING .....</b>	<b>84</b>
15.1 Documents for Signing and Sealing .....	84
<b>16. COUNCILLOR ACTIVITIES .....</b>	<b>85</b>
16.1 Councillors Community Interaction and Briefing Program .....	85
<b>17. ASSEMBLIES OF COUNCILLORS.....</b>	<b>100</b>
17.1 Assemblies of Councillors.....	100
<b>18. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA .....</b>	<b>101</b>
<b>19. PUBLIC QUESTION TIME .....</b>	<b>101</b>
<b>20. CONFIDENTIAL MANAGEMENT REPORTS .....</b>	<b>101</b>
20.1 Designation of Confidentiality of Information – Report Attachments.....	101

## RISK LEVEL MATRIX LEGEND

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

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

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

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

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

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

**Insignificant** Operational, add treatments where appropriate



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

**OFFICERS: Peter Harriott – Chief Executive Officer  
Steve Bowmaker – Director Infrastructure  
Johann Rajaratnam – Director Sustainable Development  
Chris Teitzel – Director Business  
Kaye Thomson – Director Community  
Maree Martin – Official Minute Taker  
Stephanie Giankos – 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 Received.

#### **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.**

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

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

That the Minutes of the Ordinary Council Meeting held 15 December 2015 and the Special Council Meeting held 27 January 2016 as circulated, be confirmed.

**CARRIED.**

## 5. DEPUTATIONS AND PETITIONS

### 5.1 Petition - Save the Historic Morten Bay Fig Trees

#### **Summary**

A petition containing 224 signatures has been received by Council requesting the Morten Bay Fig Trees be saved.

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

That the Council receive the petition relating to Save the Historic Morten Bay Fig Trees.

**CARRIED.**

#### **Attachments**

Nil



## 5. DEPUTATIONS AND PETITIONS

### 5.2 Petition - Sealing of Margaret Street, Tatura

#### **Summary**

A petition containing 59 signatures has been received by Council requesting the sealing of Margaret Street, Tatura.

**Moved by Cr Ryan**

**Seconded by Cr Oroszvary**

That the Council receive the petition relating to the sealing of Margaret Street, Tatura.

**CARRIED.**

#### **Attachments**

Nil

## 5. DEPUTATIONS AND PETITIONS

### 5.3 Petition - Draft Commercial Activity Centres Strategy

#### **Summary**

A petition containing 2866 signatures has been received by Council relating to the Draft Commercial Activity Centres Strategy. The petition advises of the signees' agreement to the possible rezoning for the land at Ford and Numurkah Road.

**Moved by Cr Houlihan**

**Seconded by Cr Ryan**

That the Council receive the petition relating to the Draft Commercial Activity Centres Strategy.

**CARRIED.**

#### **Attachments**

Nil

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.1 Instrument of Delegation to the Chief Executive Officer

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

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

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

**Author: Team Leader Governance**

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

**Approved by: Director Business**

#### **Executive Summary**

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

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

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

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

1. there be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that instrument.
2. the instrument comes into force immediately upon the common seal of Council being affixed to the instrument.
3. it authorises the Chief Executive Officer to sign and seal the Instrument of Delegation to the Chief Executive Officer.
4. on the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
5. the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
6. it is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the *Local Government Act 1989*.

**CARRIED.**

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.1 Instrument of Delegation to the Chief Executive Officer (continued)

#### **Background**

The previous Instrument of Delegation from the Council to the CEO was authorised by resolution at a Council meeting on 15 September 2015.

There have been only minor administrative changes made to the document since its last adoption, including updated dates and a name and title change to reflect the current Chief Executive Officer.

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

The review and adoption of a revised delegation to the CEO directly supports Objective 3 under High Performing Organisation (Leadership and Governance) “*ensure strong internal systems and processes to ensure best practice delivery of service for the community*”

#### **Risk Management**

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

Subscribing to the Maddocks service reduces the risk that legislative changes which have implications for the Council’s delegations and authorisations are not properly identified and implemented.

#### **Policy Considerations**

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

There is no policy conflicts associated with the matters outlined in this report.

#### **Financial Implications**

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

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

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

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

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

#### **Social Implications**

There are no social implications associated with this report.

#### **Economic Impacts**

There are no economic impacts associated with this report.

#### **Consultation**

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

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **6.1 Instrument of Delegation to the Chief Executive Officer (continued)**

#### **Strategic Links**

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

There are no direct links to Greater Shepparton 2030 Strategy

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

No other strategic links have been identified.

#### **Conclusion**

It is recommended that the amended Instrument of Delegation to the Chief Executive Officer be approved. This will allow better management of Council operations without the time delay of having to obtain Council approval.

#### **Attachments**

S5. Instrument of Delegation to Chief Executive Officer Page 103

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.2 Instrument of Delegation - Members of Staff and Development Hearings Panel

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

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

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

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

**Author: Team Leader Governance**

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

**Approved by: Director Business**

#### **Executive Summary**

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

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

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

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

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

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

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

1. the Council delegates to the members of staff holding, acting in or performing the duties of the offices or positions referred to in the *Instrument of Delegation - Members of Staff and Development Hearings Panel*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument
2. the Instrument comes into force immediately upon the common seal of Council being affixed to the instrument

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

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

3. it authorises the Chief Executive Officer to sign and seal *the Instrument of Delegation – Members of Staff and Development Hearings Panel* document
4. on the coming into force of the instrument, the *Instrument of Delegation to Members of Council Staff and Development Hearings Panel* adopted by the Council on 17 February 2015 be revoked.
5. the duties and functions set in the Instrument must be performed, and powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

**LOST**

#### **Background**

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

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

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

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

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

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

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

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

#### **Risk Management**

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

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

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

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

#### **Policy Considerations**

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

#### **Financial Implications**

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

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

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

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

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

#### **Social Implications**

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

#### **Economic Impacts**

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

#### **Consultation**

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

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

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

#### **Strategic Links**

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

There are no direct links to the Greater Shepparton 2030 Strategy

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

There are no other strategic links



## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

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

#### **Conclusion**

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

#### **Attachments**

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

Page 108

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

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

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

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

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

**Author: Contracts and Procurement Analyst**

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

**Approved by: Manager Corporate Performance**

#### **Executive Summary**

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

**Moved by Cr Ryan**  
**Seconded by Cr Houlihan**

That the Council notes the publicly advertised contracts awarded by the Chief Executive Officer under delegated authority and tenders that have been advertised but not yet awarded.

**CARRIED.**

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

<b>Contract Number</b>	<b>Contract Name</b>	<b>Contract details, including terms and provisions for extensions</b>	<b>Value inclusive of GST</b>	<b>Awarded to</b>
1660	Provision of Victoria Lake Caravan Park Management Services	Lump sum contract for the operation of the Victoria Lake Caravan Park in Shepparton. The contract term will be for 12 months and two weeks.	\$165,000.00 + 30% of cabin income and 15% site income and all other park income	Victoria Lake Caravan Park Management Services

**6. OFFICE OF THE CHIEF EXECUTIVE OFFICER**
**6.3 Contracts Awarded Under Delegation and Contracts Yet to be Awarded - February 2016 (continued)**
**Requests for Tenders advertised but not yet awarded**

<b>Contract No.</b>	<b>Contract Name</b>	<b>Contract detail, including terms and provisions for extensions</b>	<b>Status</b>
1621	Finance System Replacement	Lump sum contract for the supply and installation of a Financial Management System that fulfils the capabilities as detailed in its specification	Tender closed 26 August 2015. All site visits, demonstration and the evaluations have been completed.
1350	Provision of Facilities Cleaning Services	Schedule of rate contract for the provision of cleaning services to 40 Council buildings located throughout the municipality.	Tender closed 9 September 2015. Interviews and evaluations have been completed .This contract will go to the February Council Meeting.
1647	Maude Street Upgrade Design - High Street to Ashenden Street Shepparton	Lump sum contract for the provision of Engineering Design, Architectural Design and Landscape Architectural Services for the Functional and Detailed Design of the Maude Street (Vaughan Street Precinct) from High Street to Ashenden Street, Shepparton.	Tender closed 9 December 2015. Tenders are currently being evaluated. This contract will be signed under delegation
1626	Party and Events Equipment Hire Services	Schedule of rate contract for the provision of Event and Party Equipment Hire, including temporary fencing and crowd control barriers	Tender closed 9 December 2015. Tenders are currently being evaluated. This will be signed under delegation
1493	Verney Road Upgrade - Stage 2 between Hawkins Street and Graham Street, Shepparton	Lump sum contract for the upgrade of Verney Road between Graham Street and Hawkins Street, Shepparton. The works involve construction of new underground drainage and road pavement construction including wearing course, concrete works, line-marking and furniture.	Tender closed 16 December 2015. Evaluations completed This will go to the February Council meeting
1640	Tatura Senior Citizens Centre Extension	Lump sum contract for the Construction of the Tatura Senior Citizens Centre Extension	Tender closed 16 December 2016.

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

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

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1622	Construction of Small Pavilion	Lump sum contract Construction of small pavilion at the Greater Shepparton Regional Sports Precinct	Tender closes 9 March 2016
1669	Shepparton Senior Citizens Centre – External Toilet	Lump sum contract for the provision of minor works associated with the construction of an external single cell toilet at Welsford St, Shepparton, as	Tender closes 2 March 2016
1631	Construction of Cell 3 Capping	Lump sum contract for the Construction of Cell 3 Capping & Stormwater Management Infrastructure, Cosgrove 2 Landfill	Tender closes 24 February 2016
1632	Victoria Lake Holiday Park Fire Services	Lump sum contract for the construction of a new upgraded fire services system	Tender closes 24 February 2016
1666	Provision of Pavement Management Services	Lump sum contract for Pavement Management Services for the period of 5 years	Tenders close 17 February 2016
1431	Provision of Landfill Waste, Recyclables & Organics Transfer Services	Lump sum contract for the provision of waste, recyclables & Organics Transfer services	Tender closed 10 February 2016
1425	GVW Main reticulation works Verney Road Stage 2	Lump sum contract for the excavation, supply, laying and backfilling DICL Pipe line	Tender closed 20 January and has been evaluated. This will go to the February Council meeting

#### **Policy Considerations**

Through the *Instrument of Delegation to the Chief Executive Officer* the Council has delegated authority to the Chief Executive Officer to award a contract up to the value of \$400,000 excluding GST.

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

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

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

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

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

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

#### **Conclusion**

It is important that decisions and actions taken under delegation be properly documented and transparent in nature.

The report details of the status of requests for tenders that have not yet been awarded during the period December 2015 to February 2016.

#### **Attachments**

Nil

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.4 Appointment of Independent Members to the Audit and Risk Management Committee

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

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

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

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

**Author: Team Leader Risk**

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

**Approved by: Director Business**

#### **Executive Summary**

The 3 year terms for three of the independent members of the Audit and Risk Management Committee are due to expire in February 2016. To fill these vacancies, expressions of interest were invited by public notice.

Four expressions of interest were received. In line with charter requirements regarding committee member selection, the Manager Corporate Performance, Acting CEO and one Councillor committee member evaluated the applications from Mr. Geoff Cobbledick, Mr Graeme Jolly, Mr Peter Johnson and Ms Anne O'Connor.

The selection committee determined that Mr Geoff Cobbledick, Mr Graeme Jolly, Ms Anne O'Connor be recommended to be appointed to the committee.

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

That the Council

1. appoint Mr Geoff Cobbledick, Mr Graeme Jolly and Ms Anne O'Connor as independent members to the Audit and Risk Management Committee for a term of three years commencing on 17<sup>th</sup> February 2016 and ceasing on 16 February 2019
2. acknowledge and thank Mr Peter Johnson for his contribution to the Audit and Risk Management Committee.

**CARRIED**

#### **Background**

The Greater Shepparton Audit and Risk Management Committee membership comprises of six members – two Councillors and four external independent persons.

The committee's charter provides that "*external independent persons will have senior business management or financial management/reporting and risk management knowledge and experience, and be conversant with the financial and other reporting requirements.*"

It is considered that Mr Cobbledick, Mr Jolly and Ms O'Connor's professional experience will complement the skills of the existing committee members and enhance Council's internal audit processes.

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### **6.4 Appointment of Independent Members to the Audit and Risk Management Committee (continued)**

Mr Cobbledick has extensive business management and financial experience and was the General Manager Finance and Infrastructure at GOTAFE, which had responsibilities including Financial Management, Board Secretary, Audit and Risk Management and Quality Compliance. Mr Cobbledick is a member of a number of committees, including the current Chair of the Goulburn Murray Credit Union Risk Committee. Mr Cobbledick holds a Masters' degree in Leadership and Management and a Certificate in Governance Practice. Mr Cobbledick has completed one term on the Council Audit and Risk Management Committee, and currently holds the position of Chair.

Mr Jolly has a strong background in business and finance. Most recently, he held the position of General Manager, Financial Services at Goulburn Valley Region Water Corporation, which included having responsibility for strategic planning, preparation of financial statements, secretary of the Audit and Compliance Committee and Internal control and accounting procedures. Mr Jolly also has direct audit experience as an Audit Manager at Deloitte Haskin and Sells. He is a member of the Australian Institute of Company Directors and has completed one term on the Council Audit and Risk Management Committee.

Ms O'Connor has an informed, experienced understanding of local government in rural and regional demographics and has extensive experience working for and being part of Government funded boards. Ms O'Connor currently chairs the Audit and Risk Committee at Primary Care Connect and completed a three year term on the Audit and Risk Committee of Moira Shire Council, in 2015. Ms O'Connor is a Certified Practising Accountant, a member of the Australian Institute of Company Directors, and a graduate of the Fairley Leadership Program.

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

This proposal supports the implementation of key strategies outlined in Section 5 of the Council Plan 2013-2017 "High Performing Organisation (Leadership and Governance.)"

The primary objective of the Audit and Risk Management Committee is to assist the Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
There may be a lack of independent, expert advice available to Council on audit and risk management issues.	Possible	Moderate	Moderate	Appoint independent appropriately experienced and qualified members to the Audit and Risk Management Committee

#### **Policy Considerations**

There are no conflicts with existing Council policies.

## 6. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 6.4 Appointment of Independent Members to the Audit and Risk Management Committee (continued)

#### **Financial Implications**

There are no financial implications arising from this proposal.

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

Section 139 of the Local Government Act 1989 requires that the Council must establish an Audit Committee as an advisory committee to the Council. The Greater Shepparton Audit and Risk Management Committee Charter prescribes the membership, its functions and responsibilities.

#### **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**

Advertising for expressions of interest provided the opportunity for interested members of the community to apply for the positions. The Office of the CEO believe that appropriate consultation of has occurred and the matter is now ready for Council consideration.

#### **Strategic Links**

There are strategic links associated with this report.

#### **Conclusion**

It is recommended that Council appoint Mr Geoff Cobbledick, Mr Graeme Jolly and Ms Anne O'Connor as independent members to the Audit and Risk Management Committee for a term of three years

#### **Attachments**

- |  |          |
|--|----------|
| 1. Expression of Interest - Audit & Risk Management Committee - O'CONNOR, Anne | Page 209 |
| 2. Geoff Cobbledick CV   | Page 212 |
| 3. Graeme Jolly CV   | Page 216 |



## 7. INFRASTRUCTURE DIRECTORATE

### 7.1 Contract 1493 - Verney Road Stage 2 Upgrade - Civil 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: Project Engineer**

**Proof reader(s): Team Leader PMO and Development, Manager Projects**

**Approved by: Director Infrastructure**

#### **Executive Summary**

Verney Road Shepparton, between Balaclava Road and Ford Road, requires significant rectification works due to increased traffic loadings through the area. The increased traffic loadings are a result of the development of residential estates, a high school and increased commercial traffic.

The additional traffic had adversely affected the condition of the pavement and drainage conditions of the road. The road required additional maintenance works and the pavement condition has continued to deteriorate. Stage 1 – Ford Road to Hawkins Street was completed in May 2015

It is proposed to deliver the remaining reconstruction of Verney Road in two further stages:

- Stage 2 – Hawkins Street to Graham Street
- Stage 3 – Graham Street to Balaclava Road

Due to the complex nature of the works required for the Stage 2 section Council officers have issued two (2) separate tenders for these works.

The works under this contract, Contract 1493 relate to Stage 2, Hawkins Street to Graham Street, Shepparton civil works – drainage, road pavement, curb and channel and concrete path works.

The budget for the entire Stage 2 works is \$2,326,000. This being made up of:

- CN1493 Civil Works \$1,857,978
- GVW main relocation \$ 719,022 (excluding a reimbursement of \$384,000 from GVW)
- Variation allowance \$ 133,000

Following testing of the pavement, a design has been prepared and which will allow for the reconstruction of the road to new road centreline levels, as well as an improved underground stormwater drainage system.

Tenders were invited for this element of the Stage 2 project. Following evaluation of the tender submissions, the Tender Evaluation Panel has determined that the tender submitted by Mawson Constructions P/L offers the best value to Greater Shepparton City Council

## 7. INFRASTRUCTURE DIRECTORATE

### 7.1 Contract 1493 - Verney Road Stage 2 Upgrade - Civil Works (continued)

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

That the Council:

1. accept the tender submitted by Mawson Constructions Shepparton Pty Ltd of Shepparton for Contract No. 1493 - Verney Road Upgrade Stage 2 between Hawkins Street and Graham Street, Shepparton for the Lump Sum price of \$1,821,248.00 (including GST)
2. authorise the Chief Executive Officer to sign and seal the contract documents.

**CARRIED.**

#### **Contract Details**

Verney Road Upgrade Stage 2 Civil works between Hawkins Street to Graham Street, Shepparton will be a lump sum contract for:

- (a) Preliminaries
- (b) Supply and install drainage
- (c) Excavate the road pavement and dispose off-site
- (d) Supply and lay kerb & channel and concrete path.
- (e) Supply, lay and compact new pavement in layers
- (f) Supply, lay and compact spray seal / asphalt
- (g) Reinstatement of line-marking, furniture and driveways to private properties.
- (h) Tidy road reserve, nature strips and as built drawings

#### **Tenders**

The invitation to tender was publicly advertised in the Shepparton News, Tendersearch website and Council's website on Friday, 20 November 2015. Tender submissions closed at 4:00pm on Wednesday, 16 December 2015.

Tenders were received from:

Tenderers
Mawson Constructions Pty. Ltd., Shepparton
Jarvis Delahey Contractors Pty. Ltd., Congupna
Tactile Australia Pty. Ltd., Tatura

#### **Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Manager	Projects
Contract & Procurement Analyst	Procurement
Superintendent	Transport & Road Reserve
Project Engineer	Projects

## 7. INFRASTRUCTURE DIRECTORATE

### 7.1 Contract 1493 - Verney Road Stage 2 Upgrade - Civil Works (continued)

#### Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	40
Prices supplied for additional works	5
OH&S System and implementation	5
Environmental Sustainability	10
Previous relevant experience, corporate capability, relevant personnel and equipment.	25
Project delivery methodology, Works Program	10
Integrated management system (i.e. Quality, Risk, HR, Environmental Mgmt. Systems) and financial capability	5
Economic Contribution to the Shepparton Region	If required
<b>TOTAL</b>	<b>100</b>

#### Council Plan/Key Strategic Activity

Council Plan 2013-2017

Quality Infrastructure (Built)

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

2. Ensure that the community has access to appropriate transportation infrastructure.	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.
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#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Traffic, Pedestrian and Buses /Trucks management during construction	Likely	Moderate	Moderate	Traffic management and work methodology to provide for vehicle access
Damage to existing/proposed electric lines and electrocution	Likely	Major	High	Consult with Powercor to identify the proposed lines. Safety Management during construction – use of warning equipment / “spotters” for overhead lines.

## 7. INFRASTRUCTURE DIRECTORATE

### 7.1 Contract 1493 - Verney Road Stage 2 Upgrade - Civil Works (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Damage to assets owned by other Authorities	Likely	Moderate	Moderate	Consult with relevant authority to identify the proposed lines. Relocate assets prior to works Safety Management during construction

#### Policy Considerations

There are no conflicts with Council Policy

#### Financial Implications

Description:	2015 / 2016 Approved Budget for this proposal* \$	This Proposal \$ (ex gst)	Variance to Approved Budget \$	Comments
Expenditure Budget for complete Stage 2 works:	\$2,326,000			Revised budget - Ledger 61024 & 60715
Income		(\$384,000)		Proposed GVW reimbursement from water main relocation works under CN1425
Expense		\$719,022		CN1425 GVW main relocation - estimate
<b>Expense</b>		<b>\$1,655,680</b>		<b>CN1493 – Proposed award amount</b>
Allowance for variations (8%)		\$133,000		Allowance estimate
<b>Expenditure Result</b>	<b>\$2,326,000</b>	<b>\$2,123,702</b>	<b>\$202,298</b>	

\* 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*.

#### Environmental/Sustainability Impacts

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

## 7. INFRASTRUCTURE DIRECTORATE

### 7.1 Contract 1493 - Verney Road Stage 2 Upgrade - Civil Works (continued)

#### **Strategic Links**

##### a) Greater Shepparton 2030

Infrastructure – The provision and restructure of urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

##### b) Other Strategic Links

Asset Management Strategy 2007 (page 12)

#### **Infrastructure**

Greater Shepparton will provide urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

- Maintain the Council's major asset categories, such as roads, footpaths, kerb and channel, drainage and buildings to meet specified levels of service

#### **Conclusion**

Mawson Constructions Shepparton Pty Ltd has submitted a conforming tender and received the highest overall score.

Mawson Constructions Shepparton Pty Ltd is a local contractor who has completed projects for Greater Shepparton City Council. These include Verney Road Stage 1 upgrade, various stages of Balaclava Road Drainage, Archer Street Drainage, Archer Street Duplication, Knight Street Drainage and Vaughan Street redevelopment.

The panel is satisfied that Mawson Constructions Shepparton Pty Ltd has established a good performance history in the civil works industry and is considered to have the experience, capability and resources to complete this project within the time period stipulated.

Therefore, the tender submitted by Mawson Constructions Shepparton Pty Ltd for a total lump sum price of \$1,821,248.00 (including GST) has been determined to provide the best value for Council.

#### **Attachments**

Nil

## 7. INFRASTRUCTURE DIRECTORATE

### 7.2 Contract 1647 - Maude Street Upgrade Design

The Chief Executive Officer made a personal statement in relation to a potential conflict of interest by close association in relation to this report. Legal advice was sought in confirming that a conflict of interest did not exist, however the matter was brought before Council in the interest of transparency.

#### **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 Engineer**

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

**Approved by: Director Infrastructure**

#### **Executive Summary**

This project is an element of the CBD Revitalisation Program. A number of the individual elements for this redevelopment have been completed; eg Hoskins Street Carpark, Vaughan Street Upgrade and Sobraon Street carparking. The works now proposed for funding will see the section of Maude Street between High Street and Ashenden Street being upgraded, and will complement the works already undertaken.

The concept plan for this proposed project has been developed over the last two years. The Council has identified that there are limitations and issues with the bus interchange in its current location adjacent to the Coles store, to the north of Vaughan Street. As part of these works the bus interchange will be relocated to the south of Vaughan Street and will be expanded to allow for bus movements on both the east and west sides of Maude Street.

**Moved by Cr Summer**  
**Seconded by Cr Ryan**

That the Council:

1. accept the tender submitted by SPIIRE Pty Ltd of Shepparton for Contract No.1647 Functional and Detailed Design of Maude Street upgrade for the Lump Sum price of \$279,488.00 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

**CARRIED.**

#### **Contract Details**

- A completed detailed design for the implementation of the Maude Street Upgrade
- Detailed design report completed
- Specialist processes and products identified
- Land acquisition requirements identified and commenced
- Long lead time items identified

## 7. INFRASTRUCTURE DIRECTORATE

### 7.2 Contract 1647 - Maude Street Upgrade Design (continued)

- All required authority and stakeholder approvals are obtained and provided
- All service relocations designed and ready for implementation
- All services identified and proved
- P90 level of confidence cost estimate completed

#### **Tenders**

Tenders were received from:

Tenderers
CAF Consulting Pty Ltd
SPIIRE Pty Ltd

#### **Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Manager	Projects
Procurement & Contract Analyst	Procurement
Design Officer	Projects
Project Engineer	Projects

#### **Evaluation Criteria**

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	35
Prices supplied for additional works	5
OH&S System and implementation	5
Environmental Sustainability	10
Previous relevant experience, corporate capability, relevant personnel and equipment.	25
Project delivery methodology, Works Program	10
Integrated management system (i.e. Quality, Risk, HR, Environmental Mgmt. Systems) and financial capability	10
Social Procurement Economic Contribution to the Shepparton Region	If required
TOTAL	100

## 7. INFRASTRUCTURE DIRECTORATE

### 7.2 Contract 1647 - Maude Street Upgrade Design (continued)

#### Council Plan/Key Strategic Activity

Council Plan 2013-2017

4. Quality Infrastructure (Built)

Objective	Aim	Strategies
2. Ensure that the community has access to appropriate transportation infrastructure.	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.	<ul style="list-style-type: none"> <li>Lobby and advocate to other levels of government for funding for major infrastructure projects.</li> <li>Continue to develop plans for and commence implementation of streetscapes and town entrances.</li> <li>Advocate and lobby for funding to enable commencement of the Maude Street bus interchange project.</li> <li>In collaboration with the community lobby and advocate for the continued development of the Railway station precinct with priority linkage to the CBD.</li> </ul>

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Costs Overrun at design stage	Likely	Moderate	Moderate	Contingencies included in the estimates
Time overrun	Likely	Major	High	Council staff need to work to the funding timelines
Withdrawal of funding	Likely	Major	High	Council will have to put the project on hold until other funding is available

#### Policy Considerations

There are no conflicts with Council Policy

#### Financial Implications

	2015/2016 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue				
Expense	\$300,000	\$254,080.00		Proposed in this report
Net Result	\$300,000	\$254,080.00	\$45,920	

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



## 7. INFRASTRUCTURE DIRECTORATE

### 7.2 Contract 1647 - Maude Street Upgrade Design (continued)

#### **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 design works will include the assessments and proposals to mitigate the impact on the environment.

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

#### **ECONOMIC DEVELOPMENT**

*Theme: Retail/Commercial Centres*

3 To revitalise the CBD of Shepparton and improve the urban design and architectural standards of retail/commercial areas	3.3 Ensure personal safety is addressed in the urban design of the public areas and linkages, to attract a range of users including families, youth, elderly, people with a disability, tourists and staff.
	3.4 Encourage examples of landmark architecture for the Shepparton CBD.
	3.6 Encourage the redevelopment of peripheral areas of the Shepparton CBD (including expansion to Sobroan Street).

##### b) Other strategic links

Shepparton CBD Strategy

#### **Key Priorities**

1. Developing and promoting Shepparton as a leader in sustainability through building design, transport modes resource management, its natural riverine environment and strong community.
2. Consolidating the CBD as the principal retail centre in the region and creating an active, vibrant and safe CBD.
3. Supporting a robust economy and local employment through appropriate land use mix and activities in the CBD.
4. Improving the design, function and safety of key sites and precincts within the CBD including the Vaughan Street precinct, Maude Street Mall, Stewart Street and Shepparton Plaza.

#### **Conclusion**

Spiire has submitted a conforming tender and received the highest overall evaluation score. Spiire has extensive experience in urban development and infrastructure projects (their core activities). The company has provided local developers, Councils, Service Authorities and government agencies with professional services in the Shepparton region for over 15 years and is accredited on many of the Authority Accredited Consultants List.

Its understanding of local conditions is supplemented by the number of local and non-local sub-consultancies that will be engaged on the project. Spiire have provided numerous previous projects examples reflecting their experience levels. Spiire was the project manager for Council with the Vaughan Street Redevelopment Project from concept, stakeholder engagement through to completion of construction. Spiire's projects include Welsford Street upgrade between Knight Street and Fryers Street, Sobroan Street development and Wyndham Street Streetscape.

## 7. INFRASTRUCTURE DIRECTORATE

### **7.2 Contract 1647 - Maude Street Upgrade Design (continued)**

The panel recommends SPIIRE Pty Ltd for Contract No. 1647 – Functional and Detailed design of Maude Street, Shepparton for the price of \$279,488.00 (including GST).

#### **Attachments**

Nil

## 7. INFRASTRUCTURE DIRECTORATE

### 7.3 Community Lease Renewals

#### **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 and Coordinator Property**

**Approved by: Director Infrastructure**

#### **Executive Summary**

Council owns various building facilities which are leased to not for profit community organisations such as Sporting Clubs, Service Clubs, Country Fire Authorities and Historical Societies.

A number of these community lease agreements have expired or are due to expire in the next 12 months. Council officers are in the process of preparing new lease documents for the various facilities. Authorisation is being sought to advertise those leases in accordance with the *Local Government Act 1989* and if no submissions are received, then to authorise the signing of those lease documents.

**Moved by Cr Houlihan**

**Seconded by Cr Summer**

That the Council:

1. in accordance with Section 223 of the *Local Government Act 1989*, public notice be given in the *Shepparton News* of the intention to renew the following Community Leases:

<b>Property</b>	<b>Tenant</b>
Kialla – Lot 1 on PS119599 – 7570 Goulburn Valley Highway	Shepparton Pony Club Incorporated
Merrigum – 111-113 Waverley Avenue [Part]	Merrigum & District Historical Society
Shepparton – John McEwen Reserve [Part]	Goulburn Valley Hockey Association Incorporated
Shepparton – John McEwen Reserve [Part]	Shepparton Netball Association Incorporated
Shepparton – John McEwen Reserve [Part]	Northern Victorian Show Jumping Club Incorporated
Shepparton – John McEwen Reserve [Part]	Shepparton Little Athletics Centre
Shepparton – Community Group Complex – Lot 4 Packham Street	Shepparton Rowing Club Incorporated
Shepparton – Parkside Gardens	Philippine House Foundation Incorporated
Tatura – 49 Hogan Street	Tatura & District Historical Society

## 7. INFRASTRUCTURE DIRECTORATE

### 7.3 Community Lease Renewals (continued)

2. stipulate in the public notice that persons may make a submission on the Community Leases in accordance with Section 223 of the Act, and include the date on which written submissions must be received by the Council;
3. the Chief Executive Officer be authorised to undertake the administrative procedures necessary to enable the Council to carry out its functions under section 223 of the Act in relation to this matter;
 

if submissions are received under section 223 of the Act:

  - a) a Special Council Meeting be convened at a date and time to be determined to hear from any person or persons who request to be heard in support of a section 223 written submission and;
  - b) a report on any section 223 submissions received by the Council, along with a summary of any hearings held, be provided to the Special Council .
4. if no submissions are received within the prescribed period, the Council resolves to authorise the Chief Executive Officer to sign and seal all the documents necessary to facilitate the granting of the leases, without any further resolution of the Council.

**CARRIED.**

#### **Background**

Over the past few years, four community lease agreements, being those for Goulburn Valley Hockey Association, Shepparton Netball Association, the Northern Victorian Show Jumping Club and Shepparton Little Athletics, have expired and have been over holding whilst works are undertaken at the Shepparton Sports Precinct. Three leases will expire in the next 12 months being Tatura and District Historical Society, Merrigum and District Historical Society and Shepparton Pony Club and two new lease agreements are required for Shepparton Rowing Club and Philippine House Foundation.

The community leases will offer each of the organisations three terms of five years each and they pay a community rate which is approximately \$200 per annum. A list of the community organisations and the properties they occupy are contained in the recommendation.

In 2005, following a review of council's property leases, it was decided to replace the "peppercorn" rents for each of the community groups with a base rental of \$150 + GST per annum with a 5% annual increase. This could only be applied to each lease as it expired. This has resulted in groups paying different amounts, but all within \$180 to \$220 per annum.

Subsidised leases have been offered to not for profit organisations, especially those who do not have their own revenue generating streams or a large membership base. The reduced rental amount also recognises that many of these community groups have built their own clubhouses and/or developed their own facilities over the years.

Community facilities are non-rateable, but most of the groups are asked to pay the fire services levy and waste services. These groups are also responsible for their day to day utility and maintenance cost, with Council being responsible for major structural works where we supply a building.

## 7. INFRASTRUCTURE DIRECTORATE

### 7.3 Community Lease Renewals (continued)

It is a requirement of the *Local Government Act 1989* that any lease for a period of ten years or more be advertised under section 223 to allow for any public submissions.

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

One of the aims identified in the Council Plan under Active and Engaged Communities is “*Council will work with the community in partnership and collaboration, to enable the provision of infrastructure that reflects the needs of the community*”. The provision of these new leases will allow our community organisations to continue in occupation of the facilities, many of which have been built by the various community organisations, into the future.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Community groups continuing in occupation of premises without lease agreements in place.	Medium	Low	Low	Ensure new leases are put in place to address this issue.

#### **Policy Considerations**

This proposal does not conflict with any current Council policies.

#### **Financial Implications**

There are no financial implications. Each of the community organisations pays a community rent of approximately \$200 per annum for their occupation of the respective premises. Even though some of the lease agreements have expired, each of the community organisations continues to pay their annual rent.

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

The new leases will be publicly advertised pursuant to section 223 of the *Local Government Act 1989*.

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

There are no environmental or sustainability impacts identified with this proposal.

#### **Social Implications**

The provision of these leases will allow the various community organisations to continue in their occupation of Council premises and allow these groups to provide community activities and services, which promote health and well-being and/or develop a strong sense of community.

#### **Economic Impacts**

There are no economic impacts which have been identified with this proposal.

#### **Consultation**

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	Advertising in the Shepparton News
Consult	Informed, listen acknowledge	Invite submissions under section 223 when advertising

## 7. INFRASTRUCTURE DIRECTORATE

### **7.3 Community Lease Renewals (continued)**

Officers believe that appropriate consultation will occur and the matter is now ready for Council consideration.

#### **Strategic Links**

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

One of the strategies identified in the 2030 Objectives and Strategies is to “*Enhance social connectedness, physical and mental health and well-being, education and participatory opportunities to improve liveability and provide a greater range of community services.*”

#### **Conclusion**

That the Council authorise the advertising of all community leases noted in the recommendation of this report and authorise the Chief Executive Officer to sign and seal all documents necessary to facilitate the granting of new leases.

#### **Attachments**

Locality Map of Community Facilities Page 219

## 7. INFRASTRUCTURE DIRECTORATE

### 7.4 Draft McLennan Street Mooroopna Master Plan

#### **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: Sports Development Officer**

**Team Leader Sports Development and Strategic Planning**

**Proof reader(s): Manager Parks Sport and Recreation**

**Approved by: Director Infrastructure**

#### **Executive Summary**

The McLennan Street Mooroopna Master Plan aims to provide strategic guidance for the future planning and development of the centre medium open space strip of land between Echuca Road and the Causeway Mooroopna.

In developing the master plan, feedback from stakeholders, including a wide variety of community groups, local retail and business organisations and residents, has led to the vision of:

“Capture the history of Mooroopna, help shape its identity and help make McLennan Street something the township can be proud of.”

The master plan makes recommendations that aim to provide benefit to the town in the following ways:

- Create a sense of pride amongst the general community for the place they live
- Attract new businesses, residents and visitors through creation of a well-designed and welcoming main street
- Capture and put on public display historical aspects of the area that defines the town.

A detailed background report has been prepared along with a site plan summarising key recommendations, including:

- A consistent landscaping approach throughout the site
- Improved amenity of the space available for community meeting places
- A welcoming environment for visitors
- A sense of place and pride for residents and businesses
- An upgrade to ageing infrastructure such as the public toilet and Rodney Place
- Improved accessibility and car parking

The master plan also acknowledges existing conditions and therefore recommends continued rollout of broader plans for some treatments including street tree plantings.

The master plan proposes a staged approach for development over time ensuring implementation can be realistically achieved. High priority works are primarily those components which can be captured within Council's existing operational and renewal budgets. Other higher cost projects that require significant Council investment or funding partnerships will be explored as opportunities arise.

## 7. INFRASTRUCTURE DIRECTORATE

### **7.4 Draft McLennan Street Mooroopna Master Plan (continued)**

Council officers are seeking endorsement to place the draft documents on public exhibition. As part of this process, Council officers will seek feedback on the draft master plan through a stakeholder consultation process involving media releases, letters to stakeholders, meetings with key stakeholders and through existing community events. Feedback will also be sought from internal Council departments and relevant State Government bodies.

**Moved by Cr Patterson  
Seconded by Cr Ryan**

That the Council release the draft McLennan Street Mooroopna Master Plan for public exhibition for a period of 4 weeks commencing on 17 February 2016 and concluding on 16 March 2016.

**CARRIED.**

#### **Background**

##### The Master Plan

The McLennan Street Mooroopna Master Plan provides strategic guidance for the development of the centre medium open space area, including an implementation plan highlighting high, medium to low priorities for action.

The master plan provides:

1. A planning guide to the strategic development of the central open space medium strip, including design drawings.
2. Feasible and realistic recommendations for development.
3. A realistic and achievable implementation plan inclusive of a staged approach.

##### Aim

The master plan aims to provide a realistic planned approach towards development, meeting the changing needs and expectations of the community and relevant stakeholders.

##### Vision

Capture the history of Mooroopna, help shape its identity and make McLennan Street something the township can be proud of.

##### Objectives

1. Maximise opportunities for use of the open space
2. Guide contemporary design of open space areas within McLennan Street
3. Ensure access to all and consider safety
4. Address ageing infrastructure
5. Respond to issues and opportunities for improved parking and pedestrian access through the open space areas
6. Identify improved linkages to other open space areas (such as the Goulburn River, Ferrari Park and the Mooroopna Recreation Reserve), community facilities and businesses.



## 7. INFRASTRUCTURE DIRECTORATE

### 7.4 Draft McLennan Street Mooroopna Master Plan (continued)

Consultation revealed the community valued the following aspects of McLennan Street:

1. The well-kept gardens and trees lining the street
2. Wide footpaths; ample seating for pedestrians who need to rest or meet others; ample rubbish bins, bike racks which do not obstruct the footpath
3. The established trees and water tower gardens
4. The lights on the water tower at night
5. The easy parking in the centre medium of the street.

The stakeholder consultation process identified a number of themes to guide the development of the master plan and include:

1. Improved accessibility
2. Addressing ageing infrastructure, such as the toilet block and Rodney Place
3. Improved passive recreation facilities such as picnic and BBQ facilities, seating and sheltered areas
4. Creation of events space to support events such as pop-up markets that could be open on Friday evenings or on weekends selling fresh produce and encouraging potential start-up businesses
5. Highlight existing features such as the water tower with improved landscaping and lighting to be able to tell the story of Mooroopna

An overall theme for McLennan Street arose from the consultations, identifying the town as family friendly , i.e. *'park easy, play easy and eat easy'*.

The master plan layout provides an overview of the general layout of the McLennan Street open space area. It is based on sectional blocks numbered 1 – 8. A summary of these blocks and recommendations follow:

#### Block 1 - Ferrari Park Link

Creation of a landscaped gateway to Mooroopna with a visual link from Ferrari Park through to the town centre.

#### Block 2 – Toolamba Road to Doonan Street

As for Block 1.

#### Block 3 – Doonan Street to Morell and Young Streets

Creation of a gathering space and pedestrian crossing space including interpretation of the many features and stories of Mooroopna. Highlight the existing Jack Findlay memorial. Proposal for additional car parking and safety fencing.

#### Block 4 – Morell & Young Streets to Mill Street

Redevelopment of the existing toilet block to meet accessibility standards, maintenance requirements and stakeholder expectations. Reposition street furniture to encourage use. Improve safety fencing and landscaping, inclusive of artwork depicting Mooroopna.

#### Block 5 – Mill Street to Archer Street

Redevelop car park space to be inviting with increased tree planting and landscaped seating space, overlooking the silo illumination.

#### Block 6 – Archer Street to O'Brien Street

Creation of a landscaped area as for Block 1 and 2, including events flag poles, time and temperature clock and Greater Shepparton cows.

## 7. INFRASTRUCTURE DIRECTORATE

### **7.4 Draft McLennan Street Mooroopna Master Plan (continued)**

#### **Block 7 – O'Brien Street to start of Elizabeth Street**

Redevelop Block 7 to increase green space and better respond to long vehicle parking and public transport requirements. Car parking will be reduced in Block 7, however, additional parks to be provided in Blocks 3 and 8.

#### **Block 8 – Elizabeth Street to Chinaman's Gardens**

Redevelop Block 8 to further highlight and improve access to the War Memorial, including additional sculptures recognizing local history. Develop landscaping and interpretive signage reflecting the war memorial, the fruit growing industry and the Chinamen's Gardens.

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

Active and Engaged Community – We will improve liveability through social and recreational opportunities, a range of inclusive community services and activities, and valuing our diversity.

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

#### **Risk Management**

Risk considerations for the general public and Council employees has been taken into consideration in the development of the master plan.

#### **Policy Considerations**

Relevant Council policies and external governing body policies have been considered in the development of the master plan.

#### **Financial Implications**

The master plan has identified an action and implementation plan. Associated with this, Council officers have discussed in detail the opportunity to schedule possible works under existing programs and salaries.

The master plan has identified a total of \$1,801,475 of recommended works. Irrigation upgrades of between \$100,000 to \$150,000 are required to be added to the total project estimate (this was not captured in the Opinion of Probable Costs provided to Council).

Of the total project estimate, the following items may be captured through existing sources of revenue:

1. Council Parks existing operations and renewal budgets \$85,000 per year for three years (totalling \$265,000)
2. Public toilet redevelopment, captured under Council's Public Toilet Strategy as a high priority totalling approximately \$250,000
3. A Council Town Entry Signage Program one off allocation of \$10,000
4. Council and VicHealth health and wellbeing programs, for example, drinking fountains and shade
5. Road safety treatment partnership opportunities with Vicroads.

In addition, the Opinion of Probable Costs has been developed based on commercial rates. There may be opportunity for Council to purchase items such as trees, landscaping materials and road work supplies at a discounted bulk purchase.

## 7. INFRASTRUCTURE DIRECTORATE

### **7.4 Draft McLennan Street Mooroopna Master Plan (continued)**

Projects with the potential to apply for external funding include:

1. Mooroopna War Memorial through the Department of Veterans Affairs in partnership with community fundraising.
2. Safety fence panelling capturing history and cultural aspects of Mooroopna through possible arts and/or cultural funding.

Should the master plan recommendations be endorsed by Council, costs associated with items will require financial consideration and commitments by relevant stakeholders (such as government funding bodies and community groups). Those items seeking a Council contribution will be subject to Council's normal capital budget bidding processes.

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

Statutory implications have been considered in the development of the plan.

VicRoads were an active member on the project working group ensuring State road regulations and requirements are met.

Councils planning, projects, works and parks departments have also been consulted to ensure other relevant legal and statutory requirements and implications have been considered, such as OHS and planning regulations.

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

Councils Environment department has been consulted in the development of the master plan. Councils Environment Strategy was also considered, particularly in consideration of climate change. Recommendations include increased tree planting, consideration of the types of trees and plants.

#### **Social Implications**

An exhaustive community and stakeholder consultation program was undertaken to ensure social opportunities and implications were taken into consideration.

Council's Neighbourhoods Department were actively involved in the planning and implementation of the stakeholder consultation process and in also the development of the master plan.

#### **Economic Impacts**

Economic considerations were taken into consideration by consulting with local businesses, Shepparton Chamber of Commerce, Shepparton Business Centre and Councils Investment Attraction Department. A business breakfast also assisted in identifying opportunities and impacts from local retailers and organisations.

#### **Consultation**

Extensive consultations were conducted such as individual and group meetings; online surveys and a series of workshops which included the following key stakeholder groups:

1. McLennan Street Master Plan project working group
2. Mooroopna Community Planning Group
3. Shepparton Chamber of Commerce
4. Council departments
5. Community groups
6. Event managers
7. VicRoads
8. Goulburn Broken Catchment Management Authority

## 7. INFRASTRUCTURE DIRECTORATE

### **7.4 Draft McLennan Street Mooroopna Master Plan (continued)**

9. Goulburn Murray Water
10. Local retailers and businesses
11. Sunday market retailers
12. Service clubs
13. General community.

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration to be placed on public exhibition.

#### **Strategic Links**

Councils strategic documents were considered in the development of the master plan.

State government regulations and strategic links were also considered.

#### **Conclusion**

The McLennan Street Master Plan aims to provide a strategic approach to the future development of McLennan Street to benefit retailers, business owners, residents and visitors. Community and stakeholder need has been assessed against local and state government policy, strategy and regulations.

By placing the McLennan Street Master Plan on public exhibition it will enable key stakeholders and the community to provide feedback to Council regarding recommendations and the all-encompassing plan.

#### **Attachments**

Draft McLennan Street Master Plan 020316 v6 Page 221

## 7. INFRASTRUCTURE DIRECTORATE

### 7.5 Contract 1350 - Provision of Facilities Cleaning

#### **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 Manager Building Maintenance**

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

**Approved by: Director Infrastructure**

#### **Executive Summary**

Council has undertaken a procurement process by way of public tender for the provision of cleaning services, in accordance with standards we have developed for cleaning of Council facilities. This contract will replace the current informal arrangements for the cleaning of Council facilities. The contract period is recommended to be two years plus the option of a one year extension.

Council has tendered for the cleaning of 40 key service buildings including Welsford Street, Doyles Road Complex, Goulburn Valley Regional Library – Shepparton, the Community Hubs at Shepparton and Mooroopna, our child care facilities and many other buildings across our municipality.

The presentation and cleanliness of Councils facilities is important to the delivery of our services to the community. The facilities included in this procurement require regular cleaning maintenance to ensure the facilities meet the needs of staff and visitors. The current annual estimated spend on the provision of cleaning services across the identified facilities is in the vicinity of \$560,000.

Council's current and past arrangements for cleaning of facilities have been varied, from formal contracts to ongoing verbal arrangements. The new cleaning contract will bring almost all existing arrangements under one improved contract arrangement that meets all requirements of the Local Government Act in relation to procurement, and Councils Purchasing Policy. All responsible service delivery areas were consulted in the development of this Contract.

#### **RECOMMENDATION**

That the Council:

1. accept the tender submitted by Ausbright Facilities Management of 20/23 Heyington Avenue Thomastown Victoria, for Contract No.1350 Provision of Facilities Cleaning for the lump sum price of \$1,153,126.32 (including GST)
2. note the contract period is two (2) years with a one (1) year extension option. The extension option has been included in the total lump sum price
3. authorise the Chief Executive Officer to sign and seal the contract documents

## 7. INFRASTRUCTURE DIRECTORATE

### 7.5 Contract 1350 - Provision of Facilities Cleaning (continued)

4. authorise the Chief Executive Officer to enter into the extension option should it be required.

#### **Moved Cr Summer Seconded Cr Oroszvary**

That Officers appoint 15 tenderers under contract for each Council Building based on best evaluated score per building and that Officers bring the matter of Provision of Facilities Cleaning back to Council for approval.

**LOST**

#### **Moved Cr Oroszvary Seconded Cr Houlihan**

That the Council:

1. accept the tender submitted by Ausbright Facilities Management of 20/23 Heyington Avenue Thomastown Victoria, for Contract No.1350 Provision of Facilities Cleaning for the lump sum price of \$1,153,126.32 (including GST)
2. note the contract period is two (2) years with a one (1) year extension option. The extension option has been included in the total lump sum price
3. authorise the Chief Executive Officer to sign and seal the contract documents
4. authorise the Chief Executive Officer to enter into the extension option should it be required.

**CARRIED**

#### **Contract Details**

The advertising period for the tender opened on Friday 21 August 2015 and closed on 18 September 2015. Twenty one tenders were received. Twelve of the tenderers put forward proposals to clean a limited set of buildings, and nine tenderers responded with a proposal to clean all buildings tendered.

Prior to closing the tender, Council invited all interested companies on a tour of the major facilities, and some indicative buildings, for them to experience firsthand the scope of the contract. Council had 23 companies accept this offer. A bus was hired to escort tenderers to each of the locations where they were afforded time to assess the scope of works.

The first stage of evaluation was undertaken by the evaluation panel members looking at non-price criteria such as relevant experience, organisational capacity, OHS and environmental management. This process was mediated by a procurement representative from Corporate Governance. Only once these criteria were scored, then price was considered.

## 7. INFRASTRUCTURE DIRECTORATE

### 7.5 Contract 1350 - Provision of Facilities Cleaning (continued)

There was a very broad range of tendered prices. To manage these price differences we considered our own internal estimate as a base score, then scored low any tenderer that was <79% and >150% of that price. Only prices within this range were considered realistic and scored better accordingly.

Interviews were conducted with the two highest scoring tenderers to confirm their local content statements: both reinforcing the information contained within their tenders, including employment of key personnel from the Shepparton area, and a local area supervisor to manage the contract. Each tenderer had allowed for centralised management at their corporate headquarters which is standard practice.

The recommended tenderer has indicated that local content is 94% of the tendered price. It is the opinion of the evaluation panel that the best value option for council is to proceed with the appointment of Ausbright Facilities Management to deliver the contract.

As this is the first time council has considered such a broad contract for facilities cleaning it is envisaged that there will be negotiation required throughout the initial tender period to enable cleaning frequencies and scope to be adjusted to suit the service delivery requirements of each building. These negotiations are envisaged to cause variations to the contract which will be managed within the delegated financial limits.

#### **Tenders**

Tenders were received from:

Tenderers
Sharv Cleaning Services
Rywal Pty Ltd trading as Sun Country Cleaning Services
Purity Property Services
Optimum
KC Facility Services
International Cleaning Services Pty Ltd
Gawne Aviation Pty Ltd
Entreza Facility Management
CAN Cleaning Services Pty Ltd
BG Corporate Services
Ausbright Facilities Management
Ambassador Property Services
Advanced National Services Pty Ltd
Woofanyaka Pty Ltd
Aliki Pty Ltd TA M&L Tricarico
Wildewood Pty Ltd
Wayne Cleaning Systems Pty Ltd
Top Mop Cleaning Specialists
STL Commercial Cleaning
Spotless Cleaning and Floors
Shining Knight Facilities Services

## 7. INFRASTRUCTURE DIRECTORATE

### 7.5 Contract 1350 - Provision of Facilities Cleaning (continued)

#### Tender Evaluation

Tenders were evaluated by:

Title	Branch
Bill Hayward	Building Maintenance
Mike Freeman	Strategic Assets
Sally Rose	Children's Services
Rob Aynsley (Moderator)	Procurement

#### Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	40
Quality and OHS Systems	20
Track Record/ Experience	30
Environmental Sustainability	10

#### Council Plan/Key Strategic Activity

Goal 1 - Active and Engaged Communities

Objective 4 – Provide sustainable community services to our community

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

Goal 4 – Quality Infrastructure (Built)

Objective 1 – 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
Council's facilities cleanliness deteriorates	Possible	Moderate	Moderate	Manage the contract to ensure cleaners are meeting standards established by Council
Choose a multiple contractor option	Possible	Moderate	Moderate	Council will need to set aside more staff resource time to manage various stakeholders in order to get consistency in cleaning performance.



## 7. INFRASTRUCTURE DIRECTORATE

### 7.5 Contract 1350 - Provision of Facilities Cleaning (continued)

#### Policy Considerations

Through the *Instrument of Delegation to the Chief Executive Officer* the Council has delegated authority to the Chief Executive Officer to award a contract up to the value of \$400,000 excluding GST.

#### Financial Implications

	2015/2016 Approved Budget for this proposal* \$	This Proposal \$	Variance to Approved Budget \$	Comments
Revenue	\$0	\$0	\$0	
Expense	\$560,000	\$384,075	\$175,925	Figures based on a full year however contract will not commence until April. Council should see this full savings in 16/17
Net Result	\$560,000	\$384,075	\$175,925	As per above – actual net saving for 15/16 will be only 25% of this figure of \$175,000

\* 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*.

#### Environmental/Sustainability Impacts

Council has required tenderers to specify the their cleaning products are detail how they will impact the environment. Companies who provided good details of the environmental benefits of their business systems and cleaning products were scored higher for that criteria in the evaluation.

#### Strategic Links

a) Greater Shepparton 2030 Strategy

NA

b) Other strategic links

NA

#### Conclusion

Council has undertaken a very thorough procurement process to run a tender for the provision of cleaning services for Council facilities. Once this contract is awarded, it will replace a number of formal, semi-formal and informal arrangements with various cleaning companies. Council expects to improve cleaning services through formal arrangements, which will see much better contract management, established service standards, and management systems in place to address contract issues or under performance.

## 7. INFRASTRUCTURE DIRECTORATE

### **7.5 Contract 1350 - Provision of Facilities Cleaning (continued)**

The cleanliness of Council facilities is important to our staff and to the public. The quality of cleanliness forms part of the experience people have when participating in Council services. It is therefore considered essential that we are able to deliver a productive, efficient and professional cleaning service. It is recommended this can best be achieved through a single provider arrangement.

#### **Attachments**

Nil

## 7. INFRASTRUCTURE DIRECTORATE

### 7.6 Contract 1425 - Goulburn Valley Water Main Reticulation Verney Road Stage 2 - between Hawkins Street and Graham Street, Shepparton

#### **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 Engineer**

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

**Approved by: Director Infrastructure**

#### **Executive Summary**

Verney Road Shepparton, between Balaclava Road and Ford Road, requires significant rectification works due to the increased traffic loadings through the area. The increased traffic loadings are a result of the development of residential estates, a high school and increased heavy vehicles traffic.

The reconstruction of this section of Verney Road is occurring in three stages:

Stage 1 – Ford Road to Hawkins Street - completed in May 2015

Stage 2 – Hawkins Street to Graham Street

Stage 3 – Graham Street to Balaclava Road

Due to the complex nature of the works required for the Stage 2 section Council officers have issued 2 separate tenders for these works.

The works under this contract, Contract 1425, relate to Stage 2, Hawkins Street to Graham Street, Shepparton GVW Water main reticulation works to remove conflict with the road infrastructure.

The budget for the entire Stage 2 works is \$2,326,000. This being made up of:

CN1493 Civil Works	\$1,655,680 (to be awarded)
CN1425 GVW main relocation	\$ 584,125 (to be awarded)
Variation allowance	\$ 179,200
Reimbursement from GVW*	(\$384,000)
Total	\$2,326,000

\*GVW will be making a contribution to the replacement of the water main due to the age of their existing infrastructure. Their estimated contribution will be approx. 60% of the total relocation costs.

Tenders were invited for this element of the Stage 2 project. Following evaluation of the tender submissions, the Tender Evaluation Panel has determined that the tender submitted by N L Drainage P/L offers the best value to Greater Shepparton City Council

## 7. INFRASTRUCTURE DIRECTORATE

### 7.6 Contract 1425 - Goulburn Valley Water Main Reticulation Verney Road Stage 2 - between Hawkins Street and Graham Street, Shepparton (continued)

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

That the Council:

1. accept the tender submitted by N L Drainage P/L of Tatura for Contract No. 1425 Goulburn Valley Water main reticulation stage 2 – Verney Road, Shepparton for the Lump Sum price of \$642,537.50 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

**CARRIED.**

#### **Contract Details**

GVW Water main reticulation - Verney Road Stage 2, Hawkins Street and Graham Street, Shepparton will be a lump sum contract for:

- (a) Site Establishment and traffic management systems
- (b) Abandoning of existing and aged Asbestos Cement (AC) / Ductile Iron Cement Lined (DACL) water main pipe and
- (c) Supply and installation of new mPVC and Ductile Iron Cement Lined (DACL) water main pipe on the west side of Verney Road including reconnection of the services.
- (d) All testing and commissioning
- (e) Tidy road reserve, nature strips and as built drawings

#### **Tenders**

The invitation to tender was publicly advertised in the Shepparton News, Tendersearch website and Council's website on Friday, 18 December 2015. Tender submissions closed at 4:00pm on Wednesday, 20 January 2016.

Tenders were received from:

Tenderers
N L Drainage, Tatura

#### **Tender Evaluation**

Tenders were evaluated by:

Title	Branch
Manager	Projects
Contract & Procurement Analyst	Procurement
Development Engineer	Projects.
Project Engineer	Projects

## 7. INFRASTRUCTURE DIRECTORATE

### 7.6 Contract 1425 - Goulburn Valley Water Main Reticulation Verney Road Stage 2 - between Hawkins Street and Graham Street, Shepparton (continued)

#### Evaluation Criteria

Tenders were evaluated on the following criteria:

Evaluation Criteria	Weighting
Price	40
Prices supplied for additional works	5
OH&S System and implementation	5
Environmental Sustainability	10
Previous relevant experience, corporate capability, relevant personnel and equipment.	25
Project delivery methodology, Works Program	10
Integrated management system (i.e. Quality, Risk, HR, Environmental Mgmt. Systems) and financial capability	5
Economic Contribution to the Shepparton Region	If required
<b>TOTAL</b>	<b>100</b>

#### Council Plan/Key Strategic Activity

Council Plan 2013-2017

Quality Infrastructure (Built)

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

2. Ensure that the community has access to appropriate transportation infrastructure.	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.
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## 7. INFRASTRUCTURE DIRECTORATE

### 7.6 Contract 1425 - Goulburn Valley Water Main Reticulation Verney Road Stage 2 - between Hawkins Street and Graham Street, Shepparton (continued)

#### Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Traffic, Pedestrian and Buses /Trucks management during construction	Likely	Moderate	Moderate	Traffic management and work methodology to provide for vehicle access
Damage to existing/proposed electric lines and electrocution	Likely	Major	High	Consult with Powercor to identify the proposed lines.  Safety Management during construction – use of warning equipment / “spotters” for overhead lines
Damage to assets owned by other Authorities	Likely	Moderate	Moderate	Consult with relevant authority to identify the proposed lines. Relocate assets prior to works Safety Management during construction

#### Policy Considerations

There are no conflicts with Council Policy

#### Financial Implications

Description:	2015 / 2016 Approved Budget for this proposal* \$	This Proposal \$ (ex gst)	Variance to Approved Budget \$	Comments
Expenditure Budget for complete Stage 2 works:	\$2,710,000			Revised budget - Ledger 61024 & 60715
Income	(384,000)	(\$384,000)		Proposed GVW reimbursement from water main relocation works under CN1425

## 7. INFRASTRUCTURE DIRECTORATE

### 7.6 Contract 1425 - Goulburn Valley Water Main Reticulation Verney Road Stage 2 - between Hawkins Street and Graham Street, Shepparton (continued)

Description:	2015 / 2016 Approved Budget for this proposal* \$	This Proposal \$ (ex gst)	Variance to Approved Budget \$	Comments
<b>Expense</b>		<b>\$584,125</b>		<b>CN1425 GVW main relocation - Proposed award amount</b>
Expense		\$1,655,680		CN1493 Civil works – Proposed award amount – OCM Feb 16
Allowance for variations (8%)		\$179,200.00		Allowance estimate
<b>Expenditure Result</b>	<b>\$2,326,000</b>	<b>\$2,419,005</b>	<b>(\$93,005)</b>	

\* 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*.

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

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

#### **Strategic Links**

##### a) Greater Shepparton 2030

Infrastructure – The provision and restructure of urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

##### b) Other Strategic Links

Asset Management Strategy 2007 (page 12)

#### **Infrastructure**

Greater Shepparton will provide urban and rural infrastructure to enhance the performance of the municipality and facilitate growth.

- Maintain the Council's major asset categories, such as roads, footpaths, kerb and channel, drainage and buildings to meet specified levels of service

#### **Conclusion**

N L Drainage Pty Ltd has submitted the only conforming tender and received highest overall score.

N L Drainage Pty Ltd is a local contractor who is an accredited GVW contractor and has completed many similar projects for Goulburn Valley Water including Verney Road Stage 1 GVW main reticulation works. The panel is satisfied that N L Drainage Pty Ltd has established a good performance history in the water industry and is considered to have the experience, capability and resources to complete this project within the time period stipulated.

## 7. INFRASTRUCTURE DIRECTORATE

### **7.6 Contract 1425 - Goulburn Valley Water Main Reticulation Verney Road Stage 2 - between Hawkins Street and Graham Street, Shepparton (continued)**

Therefore, the tender submitted by N L Drainage Pty Ltd for a total lump sum price of \$642,537.50 (including GST) has been determined to provide the best value for Council.

#### **Attachments**

Nil



## 8. COMMUNITY DIRECTORATE

### **8.1 CFA Schedule 13 Permit To Burn issued to a Person by Council during a Declared Fire Danger Period**

**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: Emergency Management Coordinator**

**Proof reader(s): Director Community**

**Approved by: Director Community**

#### **Executive Summary**

Most country municipal councils, including the Greater Shepparton City Council, have a long history of supporting the Country Fire Authority Act 1958 by issuing CFA Schedule 13 Permits to Burn during the declared fire danger period.

This practice has continued without consideration of the risks and consequences with issuing a CFA Schedule 13 Permit to Burn or why Councils provides this service in light of current accountabilities and sensitivities associated with fires.

The inquiry into the 2015 Lancefield - Cobaw Fire Investigation is completed and includes 22 recommendations. In summary a number of these recommendations relate to systems and processes and risk management associated with planned burns. The recommendations relating to risk included “...*knowledge and experience commensurate to the level of risk posed by a burn*”.

The Country Fire Authority does not provide guidelines, standards, advice or training to municipal councils to guide or support when considering, issuing or granting a Schedule 13 Permit to Burn.

Council also does not have Officers trained or experienced in determining what conditions and/or restrictions are reasonably required for a Permit associated with a planned burn.

At the same time Councils involvement in issuing a CFA Schedule 13 Permit to Burn is discretionary, there is no legislative requirement to perform this function.

This report is intended to highlight the risks and consequences to the Greater Shepparton City Council by issuing and granting the CFA Schedule 13 Permit to Burn under the current legislation and without the support of guidelines or processes from the Country Fire Authority.

## 8. COMMUNITY DIRECTORATE

### 8.1 CFA Schedule 13 Permit To Burn issued to a Person by Council during a Declared Fire Danger Period (continued)

**Moved by Cr Houlihan**  
**Seconded by Cr Ryan**

That the Council:

1. endorse the Municipal Fire Prevention Officer's use of discretionary power to not issue Country Fire Authority Act 1958 Schedule 13 – Permit to Burn by a Private Person during the declared fire danger period;
2. re-consider this decision if, and when the Country Fire Authority develops and provides appropriate guidelines and processes that reduces the risks to Council.
3. advise Community members to use the existing CFA online process to obtain a schedule 14 permit to burn during a declared fire danger period for agricultural purposes.

**Cr Adem vacated the chair at 6.36pm to speak to the motion.**

**Cr Summer assumed the chair at 6.36pm.**

**Cr Adem resumed the chair at 6.38pm.**

The motion was lost.

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

That the Council continue to lobby the Country Fire Authority to develop and provide appropriate guidelines and processes that reduces the risk to all Councils.

**CARRIED**

#### **Background**

The Country Fire Authority ("the CFA") is the administrator of the Country Fire Authority Act 1958 ("the Act") and the Country Fire Authority Regulations 2014 ("the Regulations") made in accordance with the Act.

S.4 of the Act empowers the Chief Executive Officer of the CFA to declare a fire danger period for the Country area of Victoria.

S.37 of the Act prohibits the lighting of fires during a declared fire danger period unless authorized by some other provision of the Act – Penalty: 120 penalty units or imprisonment for 12 months or both.

A proviso to the above offence is contained in S.38 of the Act whereby permits may be issued to burn during a declared fire danger period. These permits must be in writing and in the prescribed form as determined by the Regulations.

## 8. COMMUNITY DIRECTORATE

### **8.1 CFA Schedule 13 Permit To Burn issued to a Person by Council during a Declared Fire Danger Period (continued)**

One of those Permits is issued in accordance with clause 109 of the Regulations – a Schedule 13 Permit to Burn by a Private Person (“Permit/s”) and is issued by a Municipal Fire Prevention Officer (MFPO) of a municipal council or the Chief Officer (or a delegated person) of the CFA.

S.38(3) of the Act also includes an offence for failing to comply with the conditions of a Permit; Penalty 120 penalty units or imprisonment for 12 months or both.

The declaring of a fire danger period varies each year and is subject to annual climatic conditions. In northern Victoria it is generally early December and remains in force through to 1 May unless revoked or curtailed earlier. In 2015 the CFA declared commencement of the fire danger period from 26 October 2015.

For the 2014/2015 summer season, between approximately February and March, 2015, the Greater Shepparton City Council issued 330 Permits.

During the declared fire danger period the CFA at the District Level manages a weekly process and works with the farming community to allow fires to burn grass and stubble for agricultural purposes – S.38(1)(a) of the Act. This is a CFA process and MFPO’s or Councils do not have input into these decisions or conditions. This CFA process determines some of the conditions included in a Permit issued by the MFPO of a municipal council.

S.96A of the Act requires every Council in the country area of Victoria to appoint a person as a MFPO who amongst other things has the ability to consider an application for a Permit to be issued in accordance with the abovementioned section.

The decision by the MFPO of the municipal council to issue a Permit is discretionary, S.38(1) of the Act provides that either the MFPO or the Chief Officer (or a delegated person) can issue a Permit.

The CFA does not provide guidelines, standards, advice or training to a MFPO of a municipal council to guide or support what should be considered when considering, issuing or granting a Permit. Further, the CFA does not monitor compliance with a Permit when fires are lit during a declared fire danger period.

The decision by the MFPO of a municipal council to issue a Permit is deemed a Council function and responsibility it undertakes as a service and not as an administrative function on behalf of the CFA. For that reason Council has the responsibility to develop a process that takes into account the risks, liabilities and consequences of issuing and granting a Permit.

A council process to consider each individual application for a Permit is potentially complex and should include, amongst other factors (as per the attached legal advice from Maddocks):

- assess each application separately to determine if the Permit should be granted and what conditions and/or restrictions are reasonably required for that Permit (11.3.11);
- assessing the risks on adjoining land (12.4); and
- assessing the capacity or skill of an applicant in relation to what is required in complying with Permit conditions (10.3.9).

## **8. COMMUNITY DIRECTORATE**

### **8.1 CFA Schedule 13 Permit To Burn issued to a Person by Council during a Declared Fire Danger Period (continued)**

Fire in the environment, whether it is controlled or uncontrolled, is a topic growing rapidly as a major public concern. Recent examples in Victoria include the 2009 fires, which resulted in significant class actions, and the 2015 Lancefield Cobaw fires, a planned fuel reduction burn which was subject to a Victorian Inquiry and which will probably result in a class action against the Authority responsible for planning and managing the fire.

Agencies and individuals that use fire or permit fire to be used, for mitigation and livelihood purposes, are under increasing accountability as a consequence of fires not adequately planned and managed. A municipal council involved in the process of assessing and issuing a Permit for a planned burn has the same level of accountability. The fires and inquiries from the 2009 fires and the 2015 Lancefield fires should be a reminder to reassess Councils exposure to risk by providing this service.

Councils do not have the skills to appropriately assess and issue a Permit. Additionally, the CFA do not provide guidelines, support, quality assurance, training or governance to Councils in support of a CFA process. The CFA Act provides that both Councils and the CFA are able to grant and issue a Permit and there is no mandatory legislative requirement for Councils to issue a Permit. By granting and issuing a Permit Councils are exposing themselves unnecessarily to the risks and consequences associated with lighting fires during a declared fire danger period, when the risk of bushfires is greatest.

The preparation of this Report has included obtaining legal advice from Councils legal services, Maddocks (attached), and discusses Councils obligations and responsibilities in relation to the Act and the Permits.

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

This report is aligned to the Strategic Council Plan Goal No 5. High Performing Organisation (Leadership & Governance) – Deliver Council services to the community efficiently, and provide leadership and governance that is future thinking, transparent and accountable.

#### **Risk Management**

This report is based entirely on and addresses the risk to Council by providing a specific service to the community of receiving applications for and determining if a Permit should be granted and what conditions and/or restrictions are reasonably required for a Permit that allows a person to conduct a planned burn during a fire danger period.

## 8. COMMUNITY DIRECTORATE

### 8.1 CFA Schedule 13 Permit To Burn issued to a Person by Council during a Declared Fire Danger Period (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Implications of a fire burning out of control	Likely	Major	High	<p>-The responsibility for complying with the conditions of a Permit lies with the Permit holder</p> <p>-Formal processes relating to the compliance with Permits do not exist.</p> <p>-Conditions on a Permit require the Permit holder to make formal notifications when a burn is being conducted.</p>
Councils ability to assess and determine what conditions and/or restrictions are reasonably required for a Permit,	Almost certain	Moderate	High	<p>-No policy, guidelines, training or policy provided by CFA</p> <p>-No specialised skills in Council</p> <p>-Permit conditions do include times when fires can be lit and minimum standard of equipment required by the permit holder</p>
Councils ability to assess the vulnerabilities associated with issuing and granting a Permit; including the ability of the applicant to comply with the conditions of the Permit and the standard of equipment nominated to use.	Likely	Major	High	<p>-Minimum standards of equipment do not exist for the purpose of a Permit</p> <p>-Minimum standards of experience do not exist for the purpose of a Permit.</p>

#### **Policy Considerations**

Council does not have a Policy on this issue.

#### **Financial Implications**

Council provides this service with no reimbursement from the CFA.

## **8. COMMUNITY DIRECTORATE**

### **8.1 CFA Schedule 13 Permit To Burn issued to a Person by Council during a Declared Fire Danger Period (continued)**

Council currently charges a notional application fee for each application lodged.

The development and implementation of a process to adequately assess each application will have a significant impact on council resources and reduce the ability of local laws to fulfil other obligations.

There is no separate budgetary provision for Local laws to provide this service.

The quantity of Permit applications received by Council is subject to climatic and seasonal factors which mean the workload is variable and unpredictable. As a result the workload is reactive and takes Council resources away from other services. The financial implications to Council associated with any civil action resultant from any planned fire lit in accordance with a Permit issued by Council would be significant.

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

Council's role in issuing and granting a Permit is discretionary. In the absence of guidelines, training or support from the CFA Council should consider the appropriateness of the skills and experience of a Council Officer who has the responsibility of managing, assessing and granting a Permit.

A Council process to support issuing a Permit must support the Criminal Offence for the offence of Fail to comply with the conditions of a Permit, S.38(3), any other criminal offence such as a Crimes Act offences, civil proceedings and any other inquiry process as a consequence of a planned fire burning out of control or a Permit not complied with. Legal advice to clarify some of Councils roles and responsibilities in granting and issuing a Permit has been obtained and is attached for information.

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

An out of control planned burn can have a substantial impact on the built and natural environment.

Large scale planned burning operations can result in complaints regarding air quality and health issues. The community may have a perception that Council is responsible for planning and sanctioning the activity.

#### **Social Implications**

Most Council's, including the Greater Shepparton City Council, have a long history of issuing Permits to the rural sector to support farming practices. The re assessment of Councils exposure to risk and the consequences of a fire lit under the provisions of the Act is not intended to restrict farming practices. It is an acknowledgement of the risk councils are exposed too as a result of a lack of guidelines and support from the CFA in this process.

There is a perception that Councils provide the service as an administrative function on behalf of the CFA. Additionally, within the CFA District 22 and the neighbouring Districts, the CFA do not issue Permits. Adding to this the CFA web sites and information on these Permits indicate it is a Council process and responsibility. As a result there is a lack of awareness in the community that the CFA is also able to issue the Permits.

## 8. COMMUNITY DIRECTORATE

### **8.1 CFA Schedule 13 Permit To Burn issued to a Person by Council during a Declared Fire Danger Period (continued)**

For Greater Shepparton City Council to stop providing this service there will be concerns within the rural community that they will no longer be able to access these Permits. The Act provides for the Permits to be issued by the CFA.

The intention of preparing this report is to reduce the risk to Council with the intention of working with the CFA to improve a process for the benefit of everyone involved.

#### **Economic Impacts**

The agricultural sector uses these Permits for agricultural purposes. The loss of the ability to manage their farm by planned burning could result in reduced earning capacity. If Council was to no longer issue the Permits this would not affect farming practises as the Act provides for the Permits to be issued by the CFA.

#### **Consultation**

In the preparation of this report internal consultation has included;

- Greater Shepparton City Council Emergency Management Coordination Group;
- Risk Management;
- Local Laws;
- Maddocks Lawyers - legal advice requested and attached.

Prior to the preparation of this report there has been approximately 12 months of discussions with the CFA. These discussions were requested by Council for the purpose of highlighting the risks raised in this report and to partner with the CFA to develop a process that streamlined and modernised the Permit process for the benefit of the CFA, Council and the rural sector. Discussions with the CFA have included;

- District 22 Operations Manager
- General Counsel & Corporate Secretary
- Manager of the MFPO program
- Representatives of CFA Burwood
- District 22 Brigade representatives.

While there has been agreement by all that the Permit process is out dated and unchanged to reflect the change in attitudes and accountabilities of introducing fire into the environment during a fire danger period there has been no measurable progress or reduction in the risk Council is exposed too.

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

#### **Strategic Links**

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

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

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

No other strategic links have been identified.

## 8. COMMUNITY DIRECTORATE

### **8.1 CFA Schedule 13 Permit To Burn issued to a Person by Council during a Declared Fire Danger Period (continued)**

#### **Conclusion**

At the current time the CFA as the appointed Statutory Authority responsible for the Act does not provide guidelines, support, quality assurance, training or governance to Council to support a process under the Act and Regulations. While there is no mandatory legislative requirement for Councils to issue a Permit we deliver a service which requires Council to determine if a Permit should be granted and what conditions and/or restrictions are reasonably required for each Permit during the declared fire danger period; when the risk of bushfires is greatest. Council provides that service without the specialised skills to assess the risks associated with each individual planned burn and to determine conditions and/or restrictions that minimises the likelihood and consequence of a fire burning out of control.

At the current time the role of the CFA and Council in a high risk fire related activity is disproportionate and the service provided by Council exposes Council to an unacceptable level of risk that should not continue.

The discontinuance of a service may appear to be significant but I would suggest it is appropriate as it is incumbent on the CFA to provide governance and leadership on matters arising relating to fires and from the Act. It is also appropriate that Council continue working with the CFA to develop a system and process that improves the level of service to all affected but at the same time reduces the risk to Council.

#### **Attachments**

Legal Advice - Maddocks - Issuing CFA Schedule 13 Permits - 7 July 2015 Page 293



## 9. BUSINESS DIRECTORATE

### 9.1 January 2016 Monthly Financial Report

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

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

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

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

**Author: Team Leader Corporate Accounting**

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

**Approved by: Director Business**

#### **Executive Summary**

The report presents Council's actual financial performance compared to the budget for the seven months ended 31 January 2016.

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

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

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

**CARRIED.**

#### **Background**

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

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

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

The Jan 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

## 9. BUSINESS DIRECTORATE

### 9.1 January 2016 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**

There are no financial implications arising from this proposal.

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

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

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

No Environmental or Sustainability impacts have been identified.

#### **Social Implications**

No Social implications have been identified.

#### **Economic Impacts**

No Economic impacts have been identified.

#### **Consultation**

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

#### **Conclusion**

The report provides details of Council’s financial performance compared to the budget for the seven months ended 31 January 2016.

#### **Attachments**

January 2016 Monthly Financial Report Page 305

## 9. BUSINESS DIRECTORATE

### 9.2 2015/2016 Mid Year 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): Manager Finance and Rates**

**Approved by: Director Business**

#### **Executive Summary**

The report presents as at 31 December 2015 the draft forecast financial performance for the full 2015/2016 financial year.

Council's forecast performance is an accounting surplus of \$3.81 million, a \$2.4 million improvement on the September Quarter budget review.

Importantly, Council's underlying operating result (excluding non-operating income and expenditure) is a deficit of \$9.05 million, an increase of only 0.6% which highlights the actions taken to offset as much as possible any forecast expenditure increases.

Council's capital works program has increased by \$4.05 million from September Quarter to a full year forecast of \$44.15 million and largely reflects expenditure relating to additional capital grant income and projects previously budgeted in prior financial years.

While Council's forecast working capital is a healthy \$16.44 million, the restricted investments ending balance is forecast to be \$19.21 million.

This demonstrates Council has the necessary funds to cover debts, however, the remaining funds should not be treated as being available for discretionary use.

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

That the Council:

1. adopt the revised forecasts identified by the 2015/2016 Mid Year Budget Review; and
2. adopt a revision to the Planning Notice in Newspaper fee from \$257.50 to be "Cost inclusive of GST".

#### **Cr Houlihan left the room at 6.54pm**

The motion was put and carried.

## 9. BUSINESS DIRECTORATE

### 9.2 2015/2016 Mid Year Budget Review (continued)

#### **Background**

Under section 138 of the *Local Government Act 1989* the Chief Executive Officer at least every three 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.

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

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

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

The quarterly budget review process involves Managers reviewing the September Quarter Budget Review 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.

#### **2015/2016 Mid Year Review**

Council's forecast performance is an accounting surplus of \$3.81 million, a \$2.4 million improvement on the September Quarter budget review.

Accounting Surplus Sept Qtr	1,409	
Increased operating expenses	(1,630)	Includes \$387k depreciation, \$381k waste and resource recovery, \$240k arboriculture services – power line tree clearing.
Decreased operating expenses	914	Includes \$419k savings in employee costs, \$270k in organisation wide training savings and \$160k reduction in consultants expenditure.
Increased operating revenue	644	Largely due to rating supplementaries \$609k
Increased non-operating revenue	2,475	Includes \$1.33m additional Roads to Recovery grant funding and \$750k from VicRoads relating to the Shepp East Drainage Scheme.
<b>Accounting Surplus Mid Year</b>	<b>3,812</b>	

\*For further information please see Notes to the Income Statement in the attached report.

Importantly, Council's underlying operating result (excluding non-operating income and expenditure) is a deficit of \$9.05 million, an increase of only 0.6% which highlights the actions taken to offset as much as possible any forecast operating expenditure increases.

## 9. BUSINESS DIRECTORATE

### 9.2 2015/2016 Mid Year Budget Review (continued)

Council's capital works program has increased by \$4.05 million from September Quarter to a full year forecast of \$44.15 million and largely reflects expenditure relating to additional capital grant income and projects previously budgeted in prior financial years.

Capital Works Program Sept Qtr	40,096	
Decreased capital expenditure	(1,182)	Includes \$900k in items to be considered for re-budget in 2016/17 and \$282k in various savings
Increased capital expenditure – New	3,141	Includes \$1.3m in additional Roads to Recovery projects as per increased grant funds, \$480k in Regional Sports Precinct works brought forward from 2016/17 and \$348k in Mooroopna West Growth Corridor fencing and land acquisition costs
Increased capital expenditure – budgeted/funded in previous years	2,094	Includes \$1.78m in works re-budgeted from 2015/16 and \$318k in grants received in previous financial years
<b>Capital Works Program Mid Year</b>	<b>44,149</b>	

\*For further information please see Notes to the Capital Works Statement in the attached report.

In consideration of the forecast operating and capital income and expenditure forecast, Council's cash and investments are forecast to have an ending balance of \$31.6 million.

After allowing for forecast current liabilities (debts due within 12 months) Council's forecast working capital is a healthy \$16.44 million.

Despite the healthy working capital forecast, Council's restricted investments ending balance is forecast to be \$19.21 million.

	2015/2016 Adopted Budget \$'000	2015/2016 Sept Qtr \$'000	2015/2016 Mid Year \$'000	Variance to Adopted \$'000
Net current assets	10,461	17,706	16,443	(1,263)
Less Restricted investments	(18,266)	(18,970)	(19,206)	(236)
Underlying net current assets	<b>(7,805)</b>	<b>(1,264)</b>	<b>(2,763)</b>	<b>(1,499)</b>

This demonstrates Council has the necessary funds to cover debts, however, in considering restricted investments the remaining working capital should not be treated as being available for discretionary use (it is committed).

Further information regarding the Mid Year Review is contained with the attached report.

#### Fees and Charges - Amendment

Within Council's adopted 2015/2016 Schedule of Fees and Charges the Planning Department currently has a \$257.50 incl GST fee for advertising (notices in newspaper).

A review of this fee shows the cost to Council is often much higher. The fee is proposed to be revised to be "Cost including GST". This will allow the Planning Department to recover all costs from the proponent.

## 9. BUSINESS DIRECTORATE

### 9.2 2015/2016 Mid Year Budget Review (continued)

#### **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 2015/2016 adopted 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.

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 2015/2016 adopted 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.

## 9. BUSINESS DIRECTORATE

### 9.2 2015/2016 Mid Year Budget Review (continued)

#### **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)”.

#### **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**

2015/2016 Mid Year Budget Review Page 326

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.1 Commercial Activities Centres Strategy November 2015 - Adoption - Lifting Report from the Table

#### **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.

At the Ordinary Meeting held on Tuesday 15 December 2015 moved:

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

That this matter lay on the table.

**CARRIED**

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

#### **Seconded by Cr Hazelman**

That the Council resolves to take the question from the table.

#### **Cr Houlihan returned to the meeting at 6.55pm**

The motion was put and carried.



## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.2 Commercial Activity Centres Strategy, November 2015 - Adoption

#### **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: Graduate Strategic Planner Amendments**

**Proof reader(s): Acting Team Leader Strategic Planning and Manager Planning**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The *Commercial Activity Centres Strategy, November 2015* (the Strategy) has been prepared by Essential Economics Pty Ltd. The objective of the Strategy is to ensure that Shepparton Central Business District (CBD) remains the primary focus for retail and commercial investment in the region. The Strategy also provides guidance on the level of growth that can be supported in activity centres across the municipality.

The Strategy has been informed by an extensive consultation program with a variety of key stakeholders, Council departments and the general public. Additionally, the Strategy undertook an in-depth economic and demographic analysis to project the future retail and commercial needs of the Municipality and broader region over the next twenty years.

At the 18 August 2015 Ordinary Council Meeting, Council resolved to release the *Draft Commercial Activity Centres Strategy, June 2015* for public consultation. This was undertaken from 24 August 2015 to 24 September 2015 and included a call for submissions from the general public, and workshops and meetings with key stakeholders.

Nine submissions were received and are summarised in *Attachment 1 – Submissions Recorder*. The most significant issues raised in the submissions related to the recommendations in the Strategy for the following:

- Floorspace cap increases at specific activity centres such as the Shepparton Marketplace;
- Extension of the land included in the Shepparton North activity centre to facilitate a second full line supermarket;
- Extension of the Activity Centre Zone to Benalla Road and the Marketplace;
- Restriction of tenancy size;
- Control of cinemas outside of the Shepparton Central Business District; and
- Potential rezoning of the Mooroopna Hospital site.

Essential Economics Pty Ltd, together with Council Officers, has considered the content of each submission, provided a response (see *Attachment 2 – Response to Submissions*) and have revised the Strategy accordingly.

The Strategy will inform the preparation of subsequent planning scheme amendments to facilitate the development and economic growth of the Municipality's commercial activity centres, while maintaining the primacy of the Shepparton CBD in accordance with the recommendations of the Strategy.

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.2 Commercial Activity Centres Strategy, November 2015 - Adoption (continued)

**Moved by Cr Hazelman**  
**Seconded by Cr Patterson**

That the Council:

1. adopt the *Commercial Activity Centres Strategy, November 2015*.
2. develop an implementation plan to further develop the actions and recommendations of the *Commercial Activity Centres Strategy, November 2015* and note that budget bids will be made for the 2016/17 budget process
3. prepare and exhibit planning scheme amendment(s) to implement the recommendations of the *Commercial Activity Centres Strategy, November 2015*
4. update the *Shepparton CBD Strategy, October 2008* to reflect the recommendations of the *Commercial Activity Centres Strategy, November 2015*

**Cr Houlihan moved an Amendment**  
**Seconded Cr Oroszvary**

That the Council:

1. adopt the *Commercial Activity Centres Strategy, November 2015*
2. develop an implementation plan to further develop the actions and recommendations of the *Commercial Activity Centres Strategy, November 2015* and note that budget bids will be made for the 2016/17 budget process
3. prepare and exhibit planning scheme amendment(s) to implement the recommendations of the *Commercial Activity Centres Strategy, November 2015*
4. update the *Shepparton CBD Strategy, October 2008* to reflect the recommendations of the *Commercial Activity Centres Strategy, November 2015*
5. discourages the allocation of additional retail floor space in the Shepparton North Activity Centre until there is evidence that this will not have a detrimental effect on the CBD, in accordance with Appendix A of the *Commercial Activity Centres Strategy*.

**CARRIED**

**Cr Ryan called for a division.**

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

**Those voting against the motion: Cr Ryan, Cr Patterson and Cr Hazelman.**

**Cr Summer left the meeting at 7.25pm**

**Cr Summer returned to the meeting 7.27pm**

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.2 Commercial Activity Centres Strategy, November 2015 - Adoption (continued)

#### **Moved by Cr Houlihan an Amendment** **Seconded Cr Oroszvary**

That the Council:

1. adopt the *Commercial Activity Centres Strategy, November 2015*.
2. develop an implementation plan to further develop the actions and recommendations of the *Commercial Activity Centres Strategy, November 2015* and note that budget bids will be made for the 2016/17 budget process
3. prepare and exhibit planning scheme amendment(s) to implement the recommendations of the *Commercial Activity Centres Strategy, November 2015*
4. update the *Shepparton CBD Strategy, October 2008* to reflect the recommendations of the *Commercial Activity Centres Strategy, November 2015*
5. discourages the allocation of additional retail floor space in the Shepparton North Activity Centre until there is evidence that this will not have a detrimental effect on the CBD, in accordance with Appendix A of the *Commercial Activity Centres Strategy*
6. acknowledges that previous activation strategies in the Mall resulted in an increase in sales;
7. develops and implements a further three year activation strategy for the Mall and provides and appropriate budget allocation to implement the strategy effectively.

**LOST**

#### **Cr Summer moved an Amendment**

That the Council:

1. adopt the *Commercial Activity Centres Strategy, November 2015*.
2. develop an implementation plan to further develop the actions and recommendations of the *Commercial Activity Centres Strategy, November 2015* and note that budget bids will be made for the 2016/17 budget process
3. prepare and exhibit planning scheme amendment(s) to implement the recommendations of the *Commercial Activity Centres Strategy, November 2015*
4. update the *Shepparton CBD Strategy, October 2008* to reflect the recommendations of the *Commercial Activity Centres Strategy, November 2015*
5. discourages the allocation of additional retail floor space in the Shepparton North Activity Centre until there is evidence that this will not have a detrimental effect on the CBD, in accordance with Appendix A of the *Commercial Activity Centres Strategy*

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.2 Commercial Activity Centres Strategy, November 2015 - Adoption (continued)

6. That references to Cinemas be removed from the Commercial Activity Centres Strategy document prior to implementation.

**MOTION LAPSED FOR WANT OF A SECONDER**

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

That the Council:

1. adopt the *Commercial Activity Centres Strategy, November 2015*
2. develop an implementation plan to further develop the actions and recommendations of the *Commercial Activity Centres Strategy, November 2015* and note that budget bids will be made for the 2016/17 budget process
3. prepare and exhibit planning scheme amendment(s) to implement the recommendations of the *Commercial Activity Centres Strategy, November 2015*
4. update the *Shepparton CBD Strategy, October 2008* to reflect the recommendations of the *Commercial Activity Centres Strategy, November 2015*
5. discourages the allocation of additional retail floor space in the Shepparton North Activity Centre until there is evidence that this will not have a detrimental effect on the CBD, in accordance with Appendix A of the Commercial Activity Centres Strategy.

**CARRIED**

#### **Background**

The preparation of the *Commercial Activity Centres Strategy, June 2015* has the following strategic justification:

- An objective of the Municipal Strategic Statement (MSS) at Clause 21.06-5 (Commercial/Activity Centres) of the Planning Scheme is “to have a hierarchy of viable activity centres”;
- A strategy of the *Greater Shepparton City Council: Council Plan 2013-2017* is to “develop, adopt and commence implementation of a Retail Strategy”;
- An action of the *Greater Shepparton 2030 Strategy (2006)* is to “undertake a Retail/Commercial Floorspace Strategy to investigate the potential additional floor space with an economic impact assessment on the expansion of the centres relative to population projections”; and
- The *Planning Scheme Review Report 2014*, adopted by Council at the Ordinary Council Meeting held on 21 October 2014 identified the need to complete a Commercial Activity Centre Strategy.

Council engaged Essential Economics Pty Ltd on 4 June 2014 to complete a Commercial Activity Centres Strategy. Essential Economic Pty Ltd, together with Spiire Pty Ltd, was appointed in accordance with Council’s procurement policy. The decision making process involved the appointment of an evaluation panel and a selection process.

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **10.2 Commercial Activity Centres Strategy, November 2015 - Adoption (continued)**

The main objective of the Strategy is to preserve and promote the Shepparton CBD as the primary activity centre for retail and commercial activities in the region. A key instrument in achieving this objective is the commercial activity centre hierarchy contained in the MSS at Clause 21.06-5 (Commercial/Activity Centres) of the Planning Scheme. The Strategy proposes to amend this hierarchy to reflect the current and future commercial needs of the growing Municipality and region.

The Strategy identifies the relationship between economic activity, population levels, demographics and social sustainability of activity centres. By understanding these relationships, the Strategy provides guidance on the level, type and timing of growth that can be supported in each activity centre without compromising the role and function of the Shepparton CBD.

Furthermore, the Strategy suggests a planning policy framework to respond to the unintended consequences resulting from the introduction of the new Commercial Zones in the Victorian Planning Provisions in 2013. For example, land uses (office, cinema and cinema based entertainment) are now 'as-of-right' and do not require a permit for use under the new Commercial Zones, meaning the development of these uses cannot be controlled in areas outside of the CBD. Offices, cinemas and cinema based entertainment facilities contribute positively to the vibrancy of CBD's. Their presence attracts large numbers of visitors, which stimulates social interaction and supports a strong retail base. The strategy suggests planning policy to control out-of-centre development of these attractors to the CBD.

The draft Strategy has been informed by an extensive consultation program with a variety of key stakeholders, Council departments and the general public. Specifically the consultation process included:

- A call for submission from the general public;
- One-to-one meetings with retailers, developers, shopping centre owners and trader group representatives;
- Meetings with The Committee for Greater Shepparton, Shepparton Show Me Committee and the Shepparton Chamber of Commerce;
- Two community workshops;
- Engagement with Council's Planning and Investment Attraction Departments;
- A briefing with Councillors;
- An online business survey; and
- A household telephone survey, with 500 participants from across the Municipality and region.

Additionally, a final round of consultation was undertaken. At the 18 August 2015 Ordinary Council Meeting, Council resolved to release the draft *Commercial Activity Centres Strategy, June 2015* (draft Strategy) for public consultation. The draft Strategy was available for public viewing and comment from 24 August 2015 to 24 September 2015 (see *Attachment 3 – Consultation Brochure*). Consultation included:

- A call for submissions from the general public;
- Three industry workshops; and
- Individual meetings with developers, activity centre owners and major supermarket chains.

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.2 Commercial Activity Centres Strategy, November 2015 - Adoption (continued)

Nine submissions were received and are summarised in *Attachment 1 – Submissions Recorder*. The most significant matters or issues raised in the submissions are summarised in this section, grouped into themes, following with Council Officers' position relating to each theme.

#### **Floorspace Cap Increase**

- Recommendation in Strategy:  
 The Strategy recommends the amount of additional floorspace the Municipality can accommodate over the next twenty years. The Strategy anticipates the need for 35,700m<sup>2</sup> to 55,300m<sup>2</sup> of additional retail floorspace. Also included are specific recommendations for the amount of additional floorspace certain centres should be allocated in the short term.
- Issues raised in submissions:  
 The owners of the Fairleys IGA site (Metcash Ltd) and the Fairleys IGA business (IGA) have questioned the amount of additional floorspace each activity centre can accommodate without risking rising vacancy rates throughout the municipality. The owners of the Shepparton Marketplace (Dexus Pty Group) have expressed opposition to any floorspace cap on the Marketplace. However, if the floorspace cap was retained, it is their position that the proposed floorspace cap increase of 7,500m<sup>2</sup> is inadequate; they are requesting an additional 10,000m<sup>2</sup> – 15,000m<sup>2</sup>.
- Council officers' position:  
 The retail floorspace forecasts are an indicative guide to ensure that planning policy can respond to anticipated growth and development. The Strategy undertook extensive demographic and economic analysis to project the future retail needs of the Municipality. The recommended floorspace cap increases reflect the projected growth in population and spending across the region. The process and calculations behind this forecast are detailed in the Strategy.  
 Currently, the Shepparton Marketplace (15,600m<sup>2</sup>) is smaller than the average retail floorspace for a shopping centre anchored by a discount department store (21,000m<sup>2</sup>). Therefore, the recommendation to increase the Shepparton Marketplace to 21,500m<sup>2</sup> is determined to be appropriate. This proposal forms part of an initial planning scheme amendment to give effect to the recommendations of the Strategy.

#### **Shepparton North**

- Recommendation in Strategy:  
 The Strategy recommends the extension of the Commercial 1 Zone (C1Z) to a site fronting the Goulburn Valley Highway between Ford Road and Hawkins Street and increase the floorspace cap by 6,000m<sup>2</sup> to accommodate a second full-line supermarket in Shepparton North.
- Issues raised in submissions:  
 The owners of a site on the corner of Goulburn Valley Highway and Ford Road support the extension of the C1Z to their land and the increase in floorspace in Shepparton North to accommodate a second full-line supermarket. Woolworths Limited has expressed interest in opening a supermarket on this potential site. Metcash Ltd and IGA have expressed opposition to the provision of 6,000m<sup>2</sup> to a site currently outside of the existing C1Z, stating that this would create a disjointed, multi-node activity centre and a poor planning outcome.

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.2 Commercial Activity Centres Strategy, November 2015 - Adoption (continued)

- Council officers' position:  
To ensure the development of a second full-line supermarket is delivered, the expansion of the C1Z in North Shepparton may be required. This is an outcome necessary to serve the anticipated growth in north Shepparton. The area between Ford Road and Hawkins Street possesses a range of land use synergies. It is highly accessible, contains a diverse range of commercial uses and has access to key infrastructure. For these reasons and the lack of undeveloped land adjacent to the existing centre, Council Officers do not agree that the extension of the C1Z would represent a poor planning outcome. The Strategy recommends that this proposal should form part of an initial planning scheme amendment.

#### **Extension of the Activity Centre Zone, restriction of tenancy size and prohibition of cinemas**

- Recommendation in Strategy:  
The Strategy recommends the implementation of appropriate planning controls to the Shepparton Marketplace, Riverside Plaza and Shepparton North to ensure these centres do not undermine the role and function of the Shepparton CBD as the higher-order Central Activities District for the region. The Strategy recommends the following planning controls for these centres:
  - The application of the Activity Centre Zone (ACZ) or Special Use Zone (SUZ);
  - A floorspace cap on new tenancies of 4,000m<sup>2</sup>; and
  - The control of a cinema.
- Issues raised in submissions:  
The Dexus Pty Group opposes the planning controls listed above. Their opposition is based in an argument that restrictions on the growth of this centre are unnecessary and the addition of large retailers and/or a cinema will not be detrimental to the growth or sustainability of the CBD.
- Council officers' position:  
Council has a long standing and well-established policy to ensure the primacy of the Shepparton CBD. The Strategy reinforces this intention by only supporting growth that is complementary to the CBD.

The proposed controls are intended to ensure that major retailers and anchor tenants remain in the Shepparton CBD by restricting the maximum tenancy size and either prohibiting or restricting a cinema for complementary centres. These proposed controls can be implemented through the application of the ACZ or SUZ.

#### **Mooroopna Hospital site**

- Recommendation in Strategy:  
The draft Strategy did not provide any specific mention of the Mooroopna Hospital site.
- Issues raised in submissions:  
Submissions were received which requested that the Strategy identify the Mooroopna Hospital as a potential site for commercial or mixed use development to make the redevelopment of this site more economically feasible.
- Council officers' position:  
Council Officers support the potential rezoning of the Mooroopna Hospital to establish the appropriate strategic planning framework to facilitate redevelopment without detrimentally impacting upon the cultural heritage significance of the site.

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.2 Commercial Activity Centres Strategy, November 2015 - Adoption (continued)

#### **Second full-line supermarket in Mooroopna**

- Recommendation in Strategy:  
 The Strategy makes a recommendation for a second full-line supermarket in Mooroopna on the northern side of McLennan Street. Though, the addition of a new supermarket is not anticipated to be required in the next 10 years.
- Issues raised in submissions:  
 Dawson Planning Services Pty Ltd has provided support for a second full-line supermarket in Mooroopna in the next 10 years.
- Council officers' position:  
 Council officers support a second full-line supermarket in the Mooroopna CBD (possibly the re-location of the Coles from Mooroopna North). A location on the north side of McLennan Street supports the specialty retailing concentrated on this part of the centre.

Essential Economics Pty Ltd has considered the content of each submission and provided a response to each issue raised (see *Attachment 2 – Response to Submissions*). The Strategy has been revised and strengthened to reflect the feedback gained from the latest round of consultation (see *Attachment 4 – Commercial Activity Centres Strategy, November 2015*).

Council officers believe the Strategy is sufficiently informed by economic and demographic research, public and industry consultation and policy consideration and is now ready to be adopted by Council.

Council should also note that the Strategy provides the basis to proceed with future planning scheme amendments to implement the findings of the Strategy and protect the primacy of the Shepparton CBD, while advancing the development and economic viability of all commercial activity centres in the Municipality.

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

The Strategy is consistent with the vision and strategic goals of the *Greater Shepparton City Council: Council Plan 2013-2017*. In particular, it implements the following:

- Goal 3: *Economic Prosperity*
- Objective 2: *Ensure retail strategies deliver appropriate outcomes for the community.*
- Strategy: *Develop, adopt and commence implementation of a Retail Strategy.*

#### **Risk Management**

There are no adverse risks associated with adopting the Strategy. There could be a risk associated with not adopting the Strategy and not implementing the findings contained within it. The planning policy contained in the Strategy is required to ensure the growth of activity centres throughout the Municipality occurs in a manner that is complementary to the growth of CBD. This risk is explained further in the Economic Impacts section of this report.

#### **Policy Considerations**

The Strategy supports existing Council policy including the *Greater Shepparton City Council: Council Plan 2013-2017* and the *Greater Shepparton 2030 Strategy 2006*.

An objective of the Municipal Strategic Statement at Clause 21.06-5 (Commercial/Activity Centres) of the Planning Scheme is “to have a hierarchy of viable activity centres”.



## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.2 Commercial Activity Centres Strategy, November 2015 - Adoption (continued)

#### **Financial Implications**

The recommendation does not have any financial or budgetary implications for Council. A budget allocation was included in the adopted budget for the 2014-'15 financial year to complete the project.

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

All procedures associated with the Strategy comply with the legislative requirements and the Strategy has been prepared in accordance with the Planning Scheme and Council's Engagement Strategy.

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

The Strategy will provide positive environmental benefits. If the recommendations contained in the Strategy are implemented through a future planning scheme amendment, development and growth will occur in a consolidated and organised manner. Existing infrastructure and road and public transit networks can be utilised more efficiently to accommodate the increased traffic generated at these activity centres.

There are no adverse environmental impacts associated with adopting the Strategy.

#### **Social Implications**

The Strategy will provide positive social benefits. If the recommendations contained in the Strategy are implemented through a future planning scheme amendment, the role and viability of the Shepparton CBD will be strengthened, while supporting an appropriate level of growth in the Municipality's sub-regional, neighbourhood and local centres.

Strong activity centres will help to create vibrant public spaces, places where people congregate, which foster social interaction and promote the exchange of ideas.

There are no adverse social impacts associated with adopting the Strategy.

#### **Economic Impacts**

The Strategy will provide positive economic benefits. If the recommendations contained in the Strategy are implemented through a future planning scheme amendment, there is an opportunity for the expansion of a number of activity centres. This would create employment opportunities and have a positive impact upon the local economy.

The implementation of the findings of the Strategy will provide each centre with certainty as to the level and type of growth that can be supported by Council. This will encourage investment and direct development to appropriate commercial activity centres throughout the Municipality.

There are no adverse economic impacts associated with adopting the Strategy. However, there could be adverse economic impacts associated with not adopting the Strategy and not implementing the findings contained within it.

The planning policy within the Strategy is vital to ensuring that the growth of activity centres outside of the CBD occurs in a manner that complements the growth of the CBD. Without this policy, there is a risk that investment will be diverted out of the CBD, leading to high vacancy rates and a deteriorating economic climate within the CBD.

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **10.2 Commercial Activity Centres Strategy, November 2015 - Adoption** **(continued)**

#### **Consultation**

The consultation process is a vital aspect of the project. An extensive consultation exercise was undertaken. This has involved:

- Two calls for submissions from the general public;
- Multiple meetings with retailers, developers, shopping centre owners and trader group representatives;
- Meetings with The Committee for Greater Shepparton, Shepparton Show Me Committee and the Shepparton Chamber of Commerce;
- Five community and industry workshops;
- Engagement with Council's Planning and Investment Attraction Departments;
- A briefing with Councillors;
- An online business survey; and
- A household telephone survey, with 500 participants from across the Municipality and region.

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

#### **Strategic Links**

##### **a) Greater Shepparton 2030 Strategy 2006**

An action of the *Greater Shepparton 2030 Strategy 2006* is to "undertake a Retail/Commercial Floorspace Strategy to investigate the potential additional floor space with an economic impact assessment on the expansion of the centres relative to population projections".

The implementation of the recommendations of the *Commercial Activity Centres Strategy, November 2015* will assist in achieving the vision of the *Greater Shepparton 2030 Strategy 2006*.

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

Nil

#### **Conclusion**

The objective of the Strategy is to ensure that Shepparton CBD remains the primary focus for retail and commercial investment in the region. The Strategy provides guidance on the level, type and timing of growth that can be supported in each activity centre without compromising the role and function of the Shepparton CBD.

The Strategy has been informed by an extensive consultation program with a variety of key stakeholders, Council departments and the general public. The Strategy undertook an in-depth economic and demographic analysis to project the future retail and commercial needs of the Municipality and broader region over the next twenty years. Furthermore, the Strategy suggests a planning policy framework to respond the unintended consequences resulting from the introduction of the new Commercial Zones in the Victorian Planning Provisions in 2013.

The draft *Commercial Activity Centres Strategy, June 2015* was released for public viewing and comment from 24 August 2015 to 24 September 2015. Nine submissions were received and are summarised in *Attachment 1 – Submissions Recorder*.

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **10.2 Commercial Activity Centres Strategy, November 2015 - Adoption (continued)**

Essential Economics Pty Ltd has considered the content of each submission and provided a response to each issue raised (see *Attachment 2 – Response to Submissions*). The Strategy has been revised and strengthened to reflect the feedback gained from the latest round of consultation (see *Attachment 4 – Commercial Activity Centres Strategy, November 2015*).

Council officers believe the Strategy is sufficiently informed by economic and demographic research, public and industry consultation and policy consideration and is now ready to be considered by Council.

Council officers recommend that Council adopts the *Commercial Activity Centres Strategy, November 2015* and commence the preparation of planning scheme amendments to implement the findings.

#### **Attachments**

- |   |          |
|---|----------|
| 1. Submissions Recorder                 | Page 350 |
| 2. Response to Submissions              | Page 352 |
| 3. Consultation Brochure                | Page 363 |
| 4. Commercial Activity Centres Strategy | Page 365 |

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.3 Draft Cussen Park Environmental Management Plan

#### **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: Sustainability and Environment Officer**

**Proof reader(s): Team Leader Sustainability and Environment,  
Manager Environment**

**Approved by: Director Sustainable Development**

#### **Executive Summary**

The current Cussen Park Environmental Management Plan was produced in 2009, to provide management guidelines to both Council and the then Cussen Park Committee of Management. The Plan requires a review to consolidate a range of information relating to the current management of the Park and to provide clear management objectives and responsibilities into the future.

The Draft Cussen Park Environmental Management Plan has been reviewed by Council's Sustainability and Environment Department, with extensive consultation with the Cussen Park Advisory Committee, and internal Council departments including Native Open Space and Risk. Officers are now seeking endorsement of the Draft Plan so that the community consultation phase of the plan can commence.

Once complete the final plan will be tabled at council for final consideration.

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

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

That Council release the Draft Cussen Park Environmental Management Plan for community consultation for a period of 3 weeks, commencing 22 February 2016 and concluding on 11 March 2016.

**CARRIED.**

#### **Background**

Cussen Park (the Park) is an Australian bushland style park encompassing 33 ha of wetlands, woodlands and open space in the northern outskirts of Tatura. The land that forms the Park is owned by the Greater Shepparton City Council (Council), and is surrounded by freehold industrial, residential and irrigated farm land.

The Park was formed from reclaimed wastelands by the Tatura community working closely with Council, State and Federal agencies, and local sponsors. It now forms a valuable community asset for the township of Tatura, providing educational opportunities, passive recreation, and significant habitat for indigenous plants and animals. The Park is also used to partially treat Tatura's urban stormwater, improving the quality of water flowing to wetlands and farms downstream.

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **10.3 Draft Cussen Park Environmental Management Plan (continued)**

The Cussen Park Committee of Management was formed in 1994, and in 2012 the structure of the committee changed to become an Advisory Committee. The Committee meet every month, and are passionate about the Park and its environmental values. An officer represents Council at every meeting.

The Cussen Park Environmental Management Plan (the Plan) was produced and endorsed by Council in 2009, with support from the Cussen Park Committee of Management.

The Plan describes the broad management philosophy for the Park, as well as more detailed information including specific management actions. The Plan identifies roles and responsibilities, and provides guidance to ensure that the Park continues to function as a key community asset into the future.

A number of actions from the Plan have been completed, including:

- Planting hundreds of indigenous seedlings
- Installing new signage
- Providing advice in managing water levels, regulating structures and culverts
- Supporting community events such as carp fishing competitions and spotlight walks, and engagement with local schools visiting the Park
- Successfully holding a 20<sup>th</sup> Anniversary celebration in 2013.

The Cussen Park Advisory Committee (Advisory Committee) has worked extensively with Council officers in the review of the Plan to ensure it is relevant and applicable to current issues and management techniques. Internal consultation has also occurred with Sustainability and Environment, Native Open Space, and the Risk Department.

Once the draft Plan is released, community consultation will include adjacent landholders, the wider Tatura community (including through the Tatura Community Plan committee and local print media), relevant agencies such as Goulburn Broken Catchment Management Authority (GBCMA) and Goulburn-Murray Water (G-MW), and relevant businesses such as Tatura Milk.

The Draft Cussen Park Environmental Management Plan is ready for community consultation, and requires Council endorsement prior to releasing the Plan for public comment.

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

Council Plan 2013-2017: The Cussen Park Environmental Management Plan is relevant to achieving the goals and objectives of the Council Plan 2013-2017.

##### *Active and engaged community:*

- Objective 1: Continue to enhance community capacity building.
- Objective 3: Ensure liveability issues are always considered in our decision-making activities

##### *Enhancing the environment:*

- Objective 1: Ensure that the environment is a major priority in planning for the future.

##### *High performance organisation:*

- Objective 1: Develop and implement best practice communication strategies.

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.3 Draft Cussen Park Environmental Management Plan (continued)

#### **Risk Management**

The Plan will reduce risk through clearly defined management options and responsibilities, resulting in efficient management and communication between Council, the Advisory Committee and the wider community.

Risks	Likelihood	Consequence	Rating	Mitigation Action
No management recommendations or actions take place – Conservation values of the Park decline, weeds increase and issues occur with safety and water management.	C	3	Moderate	Council endorse the Draft Cussen Park Environmental Management Plan for community consultation.
The community misunderstands Council's management role and responsibilities with regard to the Park.	B	3	Moderate	Council endorse the Draft Plan, as it clarifies Council's Management objectives and responsibilities.

#### **Policy Considerations**

The above recommendations do not conflict with any Council Policy.

#### **Financial Implications**

Costs associated with Community Consultation of the Draft Plan will be funded under Council's existing operating budget for Cussen Park and is not expected to exceed \$700. Actions for the Plan will be funded through the normal budget process.

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

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

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

The Plan will enhance the environmental benefits and sustainability of the Park, through a clear and shared understanding of management priorities and activities between Council and the Advisory Committee. The actions identified in the Plan will enhance community ownership of the Park, through education and events held at the Park.

#### **Social Implications**

The Plan will encourage the local community to become more involved in understanding their local environment, through participating in the future management actions of the park.

#### **Economic Impacts**

The above recommendation does not have any economic impact.

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### 10.3 Draft Cussen Park Environmental Management Plan (continued)

#### Consultation

The Cussen Park Advisory Committee have worked extensively with Council officers in the review of the Plan. Internal consultation has also occurred with Sustainability and Environment, Landscaping and Native Open Space, and the Risk Department. The Engagement Plan (Attachment 2 – Community Engagement Plan) was developed in accordance with the guidelines and requirements of the Greater Shepparton Community Engagement Strategy and Community Engagement Toolkit, and outlines consultation undertaken to date.

Once the Plan is endorsed, community consultation will include adjacent landholders, the wider Tatura community (including through the Tatura Community Plan committee and local print media), relevant agencies such as Goulburn Broken Catchment Management Authority (GBCMA) and Goulburn-Murray Water (G-MW), and relevant businesses.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Inform public of review, and process for input into review.	Information in local print media (Tatura Area Bulletin, Tatura Guardian, Shepparton News); Cussen Park website; Council website; electronic noticeboard (Hogan St, Tatura).
Consult	Hold a community consultation session in Tatura.	Organise session with public and Council staff to discuss Plan and collect feedback. Consult with the Tatura Community Plan committee.
Involve	Involve local businesses/stakeholders in the review.	Letter to introduce review and process for input into review.
Collaborate	Seek feedback from external agencies – GBCMA, G-MW.	Email copy of draft plan requesting feedback.
Empower	Empower adjacent residents to be part of the review process.  Empower Advisory Committee to continue their valued role in the review and Plan implementation.	Letter to introduce review and invitation to an on-site session. Continue to consult with the Advisory Committee throughout the review, and be part of the community consultation session.

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

## 10. SUSTAINABLE DEVELOPMENT DIRECTORATE

### **10.3 Draft Cussen Park Environmental Management Plan (continued)**

#### **Strategic Links**

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

The proposal is consistent with the Community Life and the Environment topics within the Strategy, specifically:

- Outcome 4.3.3 A Balance of Urban Settlements and a Beautiful Rural Environment
- Outcome 4.3.4 The Municipality is More Attractive
- Outcome 4.3.7 The Municipality is Greener
- Outcome 4.3.13 The Municipality is More Active.

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

Greater Shepparton City Council Environment and Sustainability Strategy (2014 – 2030)  
*Protecting and enhancing our natural assets (Land and biodiversity).*

Objective 1.1: To protect and enhance remnant native vegetation and to maximise the biodiversity values of Council owned and managed land.

Action 1.1.1: Develop, review and implement key land and biodiversity strategies and ensure these documents are informed by State and Federal Government land and biodiversity policy considerations.

Performance indicators/targets: Review current plans/strategies - Cussen Park Management Plan

1.3 To partner with, support and empower our community to increase the biodiversity values of private and public land.

2.5 Partner with, support and empower our community to achieve healthy, productive and sustainable water resources.

Tatura Community Plan Action Plan 2015:

- Goal: Cussen Park. Action: Support the implementation of the Cussen Park Management Plan

#### **Conclusion**

The Draft Cussen Park Environmental Management Plan will provide both Council and the Cussen Park Advisory Committee with clear direction for the ongoing management and future direction of the Park. The draft Plan has been developed following extensive consultation with the key stakeholders. The draft Plan is now ready to be released for community consultation.

#### **Attachments**

- |  |          |
|--|----------|
| 1. Draft Cussen Park Environmental Management Plan Review 2016         | Page 535 |
| 2. Community Engagement Plan – Cussen Park Management Plan Review 2016 | Page 573 |



**11. TABLED MOTIONS**

Nil Received

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

Nil Received

**13. REPORTS FROM SPECIAL COMMITTEES AND ADVISORY COMMITTEES**
**13.1 Cr Houlihan's Report on Special Committees and Advisory Committees**

Name of Committee	Date of Meeting Attended	Key Items
Australian Botanic Gardens Shepparton	28/01/2016	<ul style="list-style-type: none"> <li>• Picnic Setting purchased from Furphy's Shepparton. Table and benches selected for their accessibility features.</li> <li>• New signage made by Shepparton business Michel Signs being installed: Interpretive signage for three gardens, entry signs, sign inside front gate showing map and pathways and directional signposts within gardens.</li> <li>• ABGS agreed to take part in the BGANZ (Botanic Gardens Australia and New Zealand) Botanic Gardens Open Day, on May 29th, 2016</li> <li>• Concept Design by Louise Pelle (Design by Nature) for a Children's Play Area approved to move to detailed design stage. This will be an innovative and interactive play area featuring mainly natural materials.</li> </ul>
Heritage Advisory Committee	1/2/2016	<ul style="list-style-type: none"> <li>• Further development of Guidelines for the GS Cultural Heritage Awards, to be held in 2017.</li> <li>• Advisory Committees reviewed their membership and goals for 2016.</li> <li>• Initial concepts and ideas for holding the inaugural Greater Shepparton Heritage Lecture were put forward by one of the committee's working groups. The plan is to deliver this during 2016.</li> </ul>

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

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

**CARRIED.**

## 14. NOTICE OF MOTION, AMENDMENT OR RESCISSION

Nil Received

## 15. DOCUMENTS FOR SIGNING AND SEALING

### 15.1 Documents for Signing and Sealing

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

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

The following document has been presented for signing and sealing:

- **Transfer of Lease** – The owner of property on which the Hotel Australia is located lease an area of the footpath located in Maude Street from Council which has been built on to extend the hotel's dining area. The freehold of the property has been sold to Five Girls Pty Ltd and accordingly the lease is to be transferred to the new property owners. There are 5 years remaining on the current lease term.

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

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

**CARRIED.**

## 16. COUNCILLOR ACTIVITIES

### 16.1 Councillors Community Interaction and Briefing Program

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

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

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

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

From 1 December 2015 to 31 January 2016, Councillors have been involved in the following activities:

#### **Cr Dinny Adem**

Opening | Aquamoves Car Park  
 Meeting & Luncheon | Councillors & Sailability Shepparton  
 Council's Christmas Greeting for LA Vision  
 Meeting with The Hon Jaala Pulford and fruit growers  
 MAV Mayoral Program | Melbourne  
 Japanese Emperor's Birthday Reception  
 Visit and Tour of VCAT  
 SAM Look in... Look Out! Exhibition Opening  
 Greater Shepparton Basketball Association Junior championships  
 Launch 2016 Riverlinks Season  
 SAM | Governance Workshop  
 Primary Agency's meeting | 'GMW Connections Project' Consultation  
 Civic Reception - Council's Thank you | Christmas Function  
 Development Hearings Panel  
 Audit and Risk Management Committee meeting  
 Launch of Art Mural Wall & lunch - Shepparton Police Complex  
 Tallygaroopna Rural Fire Brigade Awards Ceremony and 75th Anniversary Lunch  
 Sporting Chance/Sports Equipment Library Wishing Tree media launch  
 Shepparton Showgrounds Advisory Group Initial Meeting  
 Present Awards at Shepparton High School Presentation Night  
 Celebration for 10 years of River Connect | BBQ & Canoeing  
 Launch | Netball Preseason International Challenge  
 CatholicCare Sandhurst | Indigenous Flag Raising Ceremony  
 Regional Cities Victoria | Meeting  
 Launch of Super women pose - GS Women's Charter Alliance Advisory Committee  
 Christmas Celebration | Shepparton Fire Station  
 2015 Shepparton Carols by Candlelight  
 New Year's Eve | Drawing the Car Raffle  
 National Speedway Solo Titles | Presentation  
 Australian Seniors Teams Carnival and Individual Championships | Welcome Event  
 Danish Farmers Agricultural Tour of Victoria | Visit to the Saleyards  
 Mayoral Leadership Conference | Yarravalley  
 Shepparton Gold Cup | Shepparton Harness Racing Club  
 Youth Hub Conversation  
 2016 Dairy Industry Leaders Breakfast  
 Official Roof Opening - Tatura Park

## 16. COUNCILLOR ACTIVITIES

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

#### **Cr Dinny Adem (continued)**

Meeting and dinner with Chinese Investors  
Greater Shepparton Women's Charter Alliance Advisory Committee  
2016 Shepparton Festival - Be Consumed Launch  
Thank You Afternoon Tea | Tennis Seniors Australia  
GSCC Australia Day Eve Celebrations  
Australia Day Celebration & Citizenship Ceremony | Shepparton  
Award Asia Exchange Scholarship

#### **Cr Dennis Patterson**

International Day of People with a Disability Celebration BBQ  
Tatura Park Advisory Group Meeting  
SAM | Governance Workshop  
Primary Agency's meeting | 'GMW Connections Project' Consultation  
Civic Reception - Council's Thank you | Christmas Function  
Shepparton Aerodrome Advising Committee Meeting  
Seven Creeks Neighbourhood Christmas Party  
Commercial Activity Centre Strategy | Meeting  
Shepparton Showgrounds Advisory Group Initial Meeting  
Celebration for 10 years of River Connect | BBQ & Canoeing  
2015 Shepparton Carols by Candlelight  
Opening of Harmony Village BBQ Area  
Youth Hub Conversation  
Liquor Licence Accord Meeting  
2016 Shepparton Festival - Be Consumed Launch  
Australia Day Celebration | Mooroopna

#### **Cr Fern Summer**

Opening | Aquamoves Car Park  
Meeting & Luncheon | Councillors & Sailability Shepparton  
International Day of Volunteers | Morning Tea  
International Day of People with a Disability Celebration BBQ  
Gallery Kaiela Exhibition Opening | New Art Works by Local Aboriginal Artists  
SAM Look in... Look Out! Exhibition Opening  
Launch 2016 Riverlinks Season  
SAM | Governance Workshop  
Primary Agency's meeting | 'GMW Connections Project' Consultation  
Civic Reception - Council's Thank you | Christmas Function  
Grant Options Meeting | The Flying Club  
Best Start Partnership  
Launch of Art Mural Wall & lunch - Shepparton Police Complex  
Commercial Activity Centre Strategy | Meeting  
GV Health | Public Forum  
Celebration for 10 years of River Connect | BBQ & Canoeing  
Launch | Netball Preseason International Challenge  
Disability Advisory Committee Meeting  
2015 Shepparton Carols by Candlelight  
RiverConnect Turtle Talk Event  
Australia Day | Harmony Villages

## 16. COUNCILLOR ACTIVITIES

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

#### **Cr Jenny Houlihan**

Opening | Aquamoves Car Park  
 Meeting & Luncheon | Councillors & Sailability Shepparton  
 International Day of People with a Disability Celebration BBQ  
 2015 Fairley Leadership Graduation Dinner  
 Launch 2016 Riverlinks Season  
 Primary Agency's meeting | 'GMW Connections Project' Consultation  
 Civic Reception - Council's Thank you | Christmas Function  
 Launch of Art Mural Wall & lunch - Shepparton Police Complex  
 Commercial Activity Centre Strategy | Meeting  
 Celebration for 10 years of River Connect | BBQ & Canoeing  
 Suzanna Sheed | Christmas function refreshments  
 2015 Shepparton Carols by Candlelight  
 Australian Seniors Teams Carnival and Individual Championships | Welcome Event  
 Tennis Seniors Australia Presentation Dinner  
 Youth Hub Conversation  
 Official Roof Opening - Tatura Park  
 Meeting and dinner with Chinese Investors  
 2016 Shepparton Festival - Be Consumed Launch  
 GSCC Australia Day Eve Celebrations  
 Australia Day Ceremony | Murchison  
 Australia Day Celebration | Toolamba  
 Climate Change Think Tank Breakfast Workshop

#### **Cr Chris Hazelman**

Opening | Aquamoves Car Park  
 MAV Regional Forum | Benalla  
 2015 Fairley Leadership Graduation Dinner  
 SAM | Governance Workshop  
 Civic Reception - Council's Thank you | Christmas Function  
 Launch of Art Mural Wall & lunch - Shepparton Police Complex  
 Australian Seniors Teams Carnival and Individual Championships | Welcome Event  
 Youth Hub Conversation  
 Official Roof Opening - Tatura Park  
 2016 Shepparton Festival - Be Consumed Launch  
 Australia Day Celebration | Arcadia

#### **Cr Kevin Ryan**

Opening | Aquamoves Car Park  
 Tatura Park Advisory Group Meeting  
 Official Roof Opening - Tatura Park  
 Australia Day Ceremony | Tatura

#### **Cr Les Oroszvary**

Film Councillor Christmas Message  
 International Day of People with a Disability Celebration BBQ  
 Civic Reception - Council's Thank you | Christmas Function  
 Launch of Art Mural Wall & lunch - Shepparton Police Complex  
 Australian Seniors Teams Carnival and Individual Championships | Welcome Event  
 Australia Day Ceremony | Dookie

## 16. COUNCILLOR ACTIVITIES

### **16.1 Councillors Community Interaction and Briefing Program (continued)**

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

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

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

**CARRIED.**

**Cr Patterson called for a division.**

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

**Those voting against the motion: Cr Patterson, Cr Ryan and Cr Oroszvary.**

#### **Attachments**

Nil

**17. ASSEMBLIES OF COUNCILLORS**
**17.1 Assemblies of Councillors**

Heritage Advisory Committee - Monday 7 September 2015		
Councillors:	Councillor Jenny Houlihan	
Officers:	Michael MacDonagh, Lynette Bolitho	
Matter No.	Matters discussed	Councillors Present for Discussion
1	Introductions & apologies	Cr Houlihan
2.	Declarations of Conflict of Interest	Cr Houlihan
3	Confirmation of Meeting Minutes	Cr Houlihan
4	Strategic Work Program	Cr Houlihan
5	Information Purposes – Michael MacDonagh	Cr Houlihan
6	Information Purposes – Deborah Kemp	Cr Houlihan
7	Active Planning Permit Applications within the Heritage Overlay	Cr Houlihan
8	<i>Greater Shepparton Heritage Study Stage IIC: Rural</i>	Cr Houlihan
9	Short Discussion Session	Cr Houlihan
10	General or other business	Cr Houlihan
Conflict of Interest Disclosures		
Matter No.	Nil	

## 17. ASSEMBLIES OF COUNCILLORS

### 17.1 Assemblies of Councillors (continued)

Heritage Advisory Committee - Monday 9 November 2015		
Councillors:	Councillor Jenny Houlihan	
Officers:	Michael MacDonagh, Lynette Bolitho	
Matter No.	Matters discussed	Councillors Present for Discussion
1	Introductions & apologies	Cr Houlihan
2	Declarations of Conflict of Interest	Cr Houlihan
3	Items to be raised general/other business	Cr Houlihan
4	Confirmation of Meeting Minutes	Cr Houlihan
5	Election of Chairperson, Deputy Chairperson and Secretary	Cr Houlihan
6	Strategic Work Program	Cr Houlihan
7	Information Purposes – Michael MacDonagh	Cr Houlihan
8	Information Purposes – Deborah Kemp	Cr Houlihan
9	Active Planning Permit Applications within the Heritage Overlay	Cr Houlihan
10	Greater Shepparton Heritage Study Stage IIC: Rural	Cr Houlihan
11	Short Discussion Session	Cr Houlihan
12	General or other business	Cr Houlihan
Conflict of Interest Disclosures		
Matter No.	Nil	



**17. ASSEMBLIES OF COUNCILLORS**
**17.1 Assemblies of Councillors (continued)**

Heritage Advisory Committee - Monday 7 December 2015		
Councillors:	Councillor Jenny Houlihan	
Officers:	Lynette Bolitho	
Matter No.	Matters discussed	Councillors Present for Discussion
1	Introductions & apologies	Cr Houlihan
2	Declarations of Conflicts of Interest	Cr Houlihan
3	Items to be raised general/other business	Cr Houlihan
4	Confirmation of Meeting Minutes	Cr Houlihan
5	Strategic Work Program	Cr Houlihan
6	Information Purposes – Michael MacDonagh	Cr Houlihan
7	Information Purposes – Deborah Kemp	Cr Houlihan
8	Active Planning Permit Applications within the Heritage Overlay	Cr Houlihan
9	<i>Greater Shepparton Heritage Study Stage IIC: Rural</i>	Cr Houlihan
10	Short Discussion Session	Cr Houlihan
11	General or other business	Cr Houlihan
Conflict of Interest Disclosures		
Matter No.	Nil	

## 17. ASSEMBLIES OF COUNCILLORS

### 17.1 Assemblies of Councillors (continued)

Councillor Briefing Session – 1 December 2015		
Councillors	Cr Adem (Chair), Cr Summer, Cr Hazelman, Cr Houlihan, Cr Patterson, Cr Oroszvary and Cr Ryan	
Officers:	Chris Teitzel, Steve Bowmaker, Johann Rajaratnam, Kaye Thomson, Matthew Jarvis Anna Feldtman, Majenta Rose, Amanda Tingay, Braydon Aitken, Ronan Murphy, Kelli Halden, Amy Jones, Melinda Western, Sharlene Still and Rebecca Bertone (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Grants Quarterly Update	Cr Adem (Chair) Cr Summer Cr Houlihan Cr Patterson Cr Oroszvary (partial)
2.	Long Term Financial Plan	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan (partial)
3.	Submission on Review of the <i>Local Government Act 1989</i>	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
4.	Councillor Representation on Committees	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
5.	Goulburn Valley Community Care and Emergency Relief – Request for Additional Funding	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan

**17. ASSEMBLIES OF COUNCILLORS**
**17.1 Assemblies of Councillors (continued)**

Matter No.	Matters discussed	Councillors Present for Discussion
6.	Use and Development of Land for Sand Extraction	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
7.	Contract to Construct Synthetic Multi-Purpose Field	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
8.	Itinerant Traders	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
9.	Surplus Land Sales	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
10.	Shepparton East Locality Plan	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
11.	St Georges Road Neighborhood Plan	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
12.	Lighting of the Telstra Tower	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan

## 17. ASSEMBLIES OF COUNCILLORS

### 17.1 Assemblies of Councillors (continued)

Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
1	Cr Hazelman	Yes

Audit & Risk Management Committee Meeting - Thursday 8 October 2015		
Councillors:	Mayor Dinny Adem, Councillor Chris Hazelman	
Officers:	Geoff Cobbledick, Peter Johnson, John Calleja, Graeme Jolly, Chris Teitzel, Sharlene Still, Natarlie Phillips, Matthew Jarvis, Brian Doyle, Peter Schnorrenberg	
Matter No.	Matters discussed	Councillors Present for Discussion
1	Conflict of Interest	Mayor Dinny Adem Cr Chris Hazelman
2	Confirmation of Minutes of Previous Meeting	Mayor Dinny Adem Cr Chris Hazelman
3	Action Register	Mayor Dinny Adem Cr Chris Hazelman
4.1	Discussion with VAGO Representative	Mayor Dinny Adem Cr Chris Hazelman
5.1	OH&S Report	Mayor Dinny Adem Cr Chris Hazelman
5.2	Financial Reporting	Mayor Dinny Adem Cr Chris Hazelman
5.3	Risk Report	Mayor Dinny Adem Cr Chris Hazelman
5.4	Status of Audit Recommendations	Mayor Dinny Adem Cr Chris Hazelman
5.5	Risk Team Planner	Mayor Dinny Adem Cr Chris Hazelman
5.6	CEO's Report	Mayor Dinny Adem Cr Chris Hazelman
6.1	3 Year Audit Plan	Mayor Dinny Adem Cr Chris Hazelman

**17. ASSEMBLIES OF COUNCILLORS**
**17.1 Assemblies of Councillors (continued)**

Matter No.	Matters discussed	Councillors Present for Discussion
6.2	Status on 3 ARMC Positions	Mayor Dinny Adem Cr Chris Hazelman
7	Any Other Business	Mayor Dinny Adem Cr Chris Hazelman
Conflict of Interest Disclosures		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

**Councillor Briefing Session – 15 December 2015**

Councillors	Cr Adem (Chair), Cr Summer, Cr Hazelman, Cr Houlihan, Cr Patterson, Cr Oroszvary and Cr Ryan	
Officers:	Chris Teitzel, Steve Bowmaker, Johann Rajaratnam, Kaye Thomson, Matthew Jarvis, Amanda Tingay and Rebecca Bertone (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Legal Expenses	Cr Adem (Chair) Cr Hazelman Cr Houlihan
2.	Ferrari Park Toilets	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson
3.	Victoria Park Lake Master Plan	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson
4.	Australian Botanic Gardens – Annual Report	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Ryan (partial)

**17. ASSEMBLIES OF COUNCILLORS**
**17.1 Assemblies of Councillors (continued)**

Matter No.	Matters discussed	Councillors Present for Discussion
5.	Goulburn Valley Community Care and Emergency Relief	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary (partial) Cr Ryan
6.	Community Fund – Annual Report	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
7.	Application for Sand Extraction	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
8.	Finance Systems Contract	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
<b>Conflict of Interest Disclosures</b>		
Matter No.	Names of Councillors who disclosed conflicts of interest	Did the Councillor leave the meeting?
	Nil.	

**17. ASSEMBLIES OF COUNCILLORS**
**17.1 Assemblies of Councillors (continued)**

<b>Greater Shepparton Women's Charter Alliance Advisory Committee</b>		
Councillors:	Cr Dinny Adem	
Officers:	Emma Hofmeyer, Michelle Bertoli, Charlene Norton, Jean Young	
<b>Matter No.</b>	<b>Matters discussed</b>	<b>Councillors Present at Discussion</b>
4	Correspondence in and out	Cr Dinny Adem
5	Media – articles about the Women's Charter Committee in the last month	Cr Dinny Adem
6	Budget – current remaining budget for GSWCAAC 2015/2016	Cr Dinny Adem
8	Committee Membership	Cr Dinny Adem
9	Women's Charter Award 2016 – panel decision	Cr Dinny Adem
10	3x3 action plan	Cr Dinny Adem
11	LGPro Award for Organisational Diversity – finalist	Cr Dinny Adem
12	International Women's Day sub-committee	Cr Dinny Adem
13	Women in Local government forum – with Governance and VLGA	Cr Dinny Adem
14	Membership drive and sub-committee	Cr Dinny Adem
15	Queen's Gardens Honour board and rose garden	Cr Dinny Adem
16	Young women and the GSWCAAC	Cr Dinny Adem
17	Woman of the Month profile	Cr Dinny Adem
18	Malala Movie	Cr Dinny Adem
19	2016 meeting schedule	Cr Dinny Adem
23	Soroptimists breakfast	Cr Dinny Adem

**17. ASSEMBLIES OF COUNCILLORS**
**17.1 Assemblies of Councillors (continued)**

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

Councillor Briefing Session – 27 January 2016		
Councillors	Cr Adem (Chair), Cr Summer, Cr Hazelman, Cr Houlihan, Cr Patterson, Cr Oroszvary and Cr Ryan	
Officers:	Peter Harriott, Chris Teitzel, Steve Bowmaker, Johann Rajaratnam, Kaye Thomson, Geraldine Christou, Michael Carrafa, Anthony Nicolaci, Colin Kalms, Michael MacDonagh, Sam Kemp, Elke Cummins, Matthew Jarvis, Dan Shephard, Mike Freeman, Bill Hayward, Sharlene Still and Rebecca Bertone (not all officers were present for all items).	
Matter No.	Matters discussed	Councillors Present for Discussion
1.	Investment Attraction - Quarterly Update Report	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
2.	Update on findings from Urban Enterprise regarding the Economic Development Strategy 2016-2020	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
3.	Commercial Activity Centres Strategy, November 2015	Cr Adem (Chair) (partial) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson (partial) Cr Oroszvary Cr Ryan (partial)
4.	Rate capping update	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan



**17. ASSEMBLIES OF COUNCILLORS**
**17.1 Assemblies of Councillors (continued)**

Matter No.	Matters discussed	Councillors Present for Discussion
6.	Contract 1350 - Provision of Facilities Cleaning	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
7.	Contract Number 1493 - Verney Road Stage 2 Upgrade - Civil Works	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
8.	Contract No 1647 - Maude Street Upgrade Design	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
9.	Motor wreckers in Mooroopna	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
10.	VCAT Matter	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan
11.	Resource Recovery Centre	Cr Adem (Chair) Cr Summer Cr Hazelman Cr Houlihan Cr Patterson Cr Oroszvary Cr Ryan

**17. ASSEMBLIES OF COUNCILLORS**

**17.1 Assemblies of Councillors (continued)**

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

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

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

**CARRIED.**

**Attachments**

Nil

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

Nil

**19. PUBLIC QUESTION TIME**

Nil

**20. CONFIDENTIAL MANAGEMENT REPORTS**

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

**Moved by Cr Houlihan  
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:

1. Report 7.1: Contract 1493 - Verney Road Stage 2 Upgrade - Civil Works
2. Report 7.2: Contract 1647 - Maude Street Upgrade Design
3. Report 7.5: Contract 1350 - Provision of Facilities Cleaning
4. Report 7.6: Contract 1425 - Goulburn Valley Water Main Reticulation Verney Road Stage 2 - between Hawkins Street and Graham Street, Shepparton.

previously designated by the Chief Executive Officer in writing as confidential under section 77(2)(c) of the Act. This document relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.

**CARRIED.**

**THE MEETING CLOSED AT 7.55PM**