

# MINUTES

Greater Shepparton City Council

## COUNCIL MEETING

**3:00PM, Tuesday 21 June 2022**

Riverlinks Studio 1

### COUNCILLORS

Cr Shane Sali (Mayor)

Cr Anthony Brophy (Deputy Mayor)

Cr Seema Abdullah

Cr Geoffrey Dobson

Cr Greg James

Cr Kim O'Keeffe

Cr Sam Spinks

Cr Fern Summer

### VISION

**GREATER SHEPPARTON, GREATER FUTURE**

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

# Values

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

## **Respect first, always**

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

## **Take ownership**

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

## **Courageously lead**

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

## **Working together**

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

## **Continually innovate**

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

## **Start the celebration**

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

**M I N U T E S  
FOR THE  
COUNCIL MEETING  
HELD ON  
TUESDAY 21 JUNE 2022 AT 3:00PM**

**CHAIR  
CR SHANE SALI**

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## Risk Level Matrix Legend

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

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

**Extreme** Intolerable – Immediate action is required to mitigate this risk to an acceptable level. Event/Project/Activity is not to proceed without authorisation

**High** Intolerable – Attention is needed to treat risk.

**Medium** Variable – May be willing to accept the risk in conjunction with monitoring and controls

**Low** Tolerable – Managed by routine procedures

**PRESENT:** Cr Shane Sali (Mayor)  
Cr Anthony Brophy (Deputy Mayor)  
Cr Seema Abdullah  
Cr Geoffrey Dobson  
Cr Greg James  
Cr Sam Spinks  
Cr Fern Summer

<b>Officers:</b>	<b>Peter Harriott</b>	<b>Chief Executive Officer</b>
	<b>Gary Randhawa</b>	<b>Director Infrastructure</b>
	<b>Geraldine Christou</b>	<b>Director Sustainable Development</b>
	<b>Chris Teitzel</b>	<b>Director Corporate Services</b>
	<b>Louise Mitchell</b>	<b>Director Community</b>
	<b>Michael Carrafa</b>	<b>Acting Manager - Corporate Governance</b>
	<b>Ropate Cabealawa</b>	<b>Official Minute Taker</b>

## 1 Welcome to Country

The Council Meeting commenced with a Welcome to Country presented by Cr James on behalf of the Yorta Yorta Elders Council and the 16 family groups.

## 2 Acknowledgement

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

## 3 Privacy Notice

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

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

## 4 Governance Principles

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

1. Council decisions are to be made and actions taken in accordance with the relevant law;
2. priority is to be given to achieving the best outcomes for the municipal community, including future generations;

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

## 5 Apologies

Nil received.

## 6 Declarations of Conflict of Interest

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

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

- **Cr Geoffrey Dobson declared a conflict of interest in relation to Item 12.4 – Comprehensive Report on the Shepparton CBD Complimentary Parking Initiative.**
- **Cr Greg James declared a conflict of interest in relation to Item 12.1 – Proposed lease of Council land for the realisation of the Munarra Centre for Regional Excellence.**
- **Cr Greg James declared a conflict of interest in relation to Item 12.8 – Proposed sale and gifting of land at 5 Edward Street, 115-121 Maude Street and 92 Nixon Street, Shepparton (Maude, Nixon and Edward Streets Car Park) to Beyond Housing and Wintringham to realise Social Housing.**

## 7 Confirmation of Minutes of Previous Meetings

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

**That the Minutes of the 17 May 2022 Council Meeting and 9 June 2022 Additional Council Meeting as circulated, be confirmed.**

**CARRIED UNOPPOSED**



## 8 Public Question Time

Nil received.



## 9 Deputations and Petitions

### 9.1 **Objection to the Sale of 45 Parkside Drive Shepparton Petition**

Moved by Cr Dobson  
Seconded by Cr Summer

That the Council receive and note the petition titled 'Objection to the Sale of 45 Parkside Drive Shepparton Petition' in accordance with Governance Rule 80.

**CARRIED UNOPPOSED**

## 10 Community Directorate

### 10.1 Seniors Festival Grants 2022

Moved by Cr James  
Seconded by Cr Spinks

That the Council note the successful applicants awarded funding under delegated authority for the 2022 Seniors Festival Grant as follows:

Organisation	Grant Amount Awarded (GST Free)
The Lions Club of Toolamba Incorporated	\$500
The Lions Club of Toolamba Incorporated	\$500
Total	\$1,000

**CARRIED UNOPPOSED**

## **10.2 Australian Early Development Census (AEDC) 2021 results**

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

**That the Council note the results of the Australian Early Development Census 2021 for Greater Shepparton.**

**CARRIED UNOPPOSED**

## 11 Corporate Services Directorate

### 11.1 May 2022 Monthly Financial Report

Moved by Cr Dobson  
Seconded by Cr Abdullah

That the Council receive and note the May 2022 Monthly Financial Report.

**CARRIED UNOPPOSED**

## 11.2 2022/2023 Greater Shepparton City Council Budget

**Moved by Cr Dobson**  
**Seconded by Cr Abdullah**

**That the Council, having publicly advertised the preparation of the 2022/2023 Budget and after consideration of the public submissions received, adopt the 2022/2023 Budget as presented including;**

a) declaring the following rates and charges for the 2022/2023 financial year:

### **1. Amount intended to be raised**

An amount of \$86,813,808 excluding GST (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount which the Council intends to raise by general rates, the municipal charge, annual service charges and the cultural and recreational rate later described in this resolution which amounts are calculated as follows: General Rates \$68,996,549 Municipal Charges \$6,249,360, Waste Service Charges \$11,524,093 Cultural and Recreational Rate \$43,806

### **2. General Rates**

2.1 A general rate be declared in respect of the 2022/2023 rating year, being the period 1 July 2022 to 30 June 2023.

2.2 Declare that the general rate be raised by the application of differential rates for rateable land having the respective characteristics specified in Appendix B of the budget document.

2.3 Each differential rate will be determined by multiplying the Capital Improved Value of each rateable land by the relevant rate in the dollar as indicated as follows:

General \$0.00376418

Farm \$0.00338776

Commercial/Industrial \$0.00771657

Derelict Property \$0.01355105

### **3. Cultural and recreational rates**

3.1 In accordance with the Cultural and Recreational Lands Act 1963, the amount in lieu of rates payable in respect of each eligible rateable land be determined by multiplying the Capital Improved Value by \$0.00274785 where the rateable land has the following characteristics:

Rateable outdoor recreational lands developed primarily for regional use as evidenced by paid administrative support and/or commercial business dealings in the operation or management of the same.

Such rateable land as described below:

71 Gowrie Street TATURA 160-200 Ross Street TATURA

7580 Goulburn Valley Highway KIALLA

2 Fairway Drive MOORoopna

15 Golf Drive SHEPPARTON  
55 Rudd Road SHEPPARTON  
7582 Goulburn Valley Highway KIALLA

#### **4. Municipal charge**

Declare a municipal charge for 2022/2023 of \$195.00 for each rateable land (or part) in respect of which a municipal charge may be levied.

#### **5. Waste service charge**

5.1 Declare an annual waste service charge for 2022/2023 for the dual service of kerbside collection and disposal of refuse along with kerbside collection of recyclables. The service charge is applied as per the Greater Shepparton City Council Kerbside Landfill Waste, Recycling and Organics Collection Policy and will be as per follows:

5.1.1 Collection and disposal of contents of 80 litre refuse bin and either a 120 litre or 240 litre recyclable bin \$202.00\*\* per service.

5.1.2 Collection and disposal of contents of 120 litre refuse bin and either a 120 litre or 240 litre recyclable bin \$274.00\*\* per service.

5.1.3 Collection and disposal of contents of 240 litre refuse bin and either a 120 litre or 240 litre recyclable bin \$466.00\*\* per service.

5.2 Declare an annual waste service charge for 2022/2023 for the kerbside collection of recyclables only.

The service will be charged as collection and disposal of contents of either a 120 litre or 240 litre recyclable only bin \$107.00\*\* per service for eligible properties where requested and as per the Kerbside Landfill Waste, Recycling and Organics Collection Policy.

5.3 Declare an annual waste service charge for 2022/2023 for the kerbside collection of green organic waste.

The service will be charged as collection and disposal of contents of either a 120 litre or 240 litre green organics bin \$87.00\*\* per service as determined by the Kerbside Landfill Waste, Recycling and Organics Collection Policy.

\*\*Note: These charges do not include GST which applies to all service charges that are levied against non-residential and other non-compulsory kerbside collections.

#### **6. Setting of interest rate on unpaid rates and charges**

The Council will charge interest for rates and charges which have not been paid by the due dates, as specified under section 167 of the Local Government Act 1989.

#### **7. Payment of rates and charges**

Declare that a person can pay a rate or charge (other than a special rate or charge) by:

7.1 Four (4) instalments which are due and payable on the dates fixed by the Minister by notice published in the Government Gazette; or

7.2 Ten (10) instalments which are due and payable in the ten-month period that commences September and ends in June.

## 8. Consequential

That the Chief Executive Officer be authorised to levy and recover the general rates, municipal charge and service charges in accordance with the Local Government Act 1989.

b) changes to the draft budget as disclosed in Appendix C of the 2022/2023 Budget document including amendments as a result of internal reviews and amendments as a result of public submissions such as budget allocation for landscaping at the former Katandra West Hall site, an allocation of budget for the designs of the Toolamba Tennis Courts and Murchison-Toolamba Community Hub, increased contributions to Shepparton Foodshare and Shepparton Search and Rescue and a budget allocation for play equipment at the Tatura Recreation Reserve.

c) authorise the Chief Executive Officer to give notice of the adoption of the Budget

**LOST**

**Moved by Cr Spinks**

**Seconded by Cr James**

**That the Council, having publicly advertised the preparation of the 2022/2023 Budget and after consideration of the public submissions received, adopt the 2022/2023 Budget as presented including;**

a) declaring the following rates and charges for the 2022/2023 financial year:

### 1. Amount intended to be raised

An amount of \$86,068,514 excluding GST (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount which the Council intends to raise by general rates, the municipal charge, annual service charges and the cultural and recreational rate later described in this resolution which amounts are calculated as follows: General Rates \$68,251,628 Municipal Charges \$6,249,360, Waste Service Charges \$11,524,093 Cultural and Recreational Rate \$43,433

### 2. General Rates

2.1 A general rate be declared in respect of the 2022/2023 rating year, being the period 1 July 2022 to 30 June 2023.

2.2 Declare that the general rate be raised by the application of differential rates for rateable land having the respective characteristics specified in Appendix B of the budget document.

2.3 Each differential rate will be determined by multiplying the Capital Improved Value of each rateable land by the relevant rate in the dollar as indicated as follows:

General \$0.00372354

Farm \$0.00335119

Commercial/Industrial \$0.00763326

Derelict Property \$0.01340474

### 3. Cultural and recreational rates

3.1 In accordance with the Cultural and Recreational Lands Act 1963, the amount in lieu of rates payable in respect of each eligible rateable land be determined by multiplying the Capital Improved Value by \$0.00271818 where the rateable land has the following characteristics:

Rateable outdoor recreational lands developed primarily for regional use as evidenced by paid administrative support and/or commercial business dealings in the operation or management of the same.

Such rateable land as described below:

71 Gowrie Street TATURA 160-200 Ross Street TATURA

7580 Goulburn Valley Highway KIALLA

2 Fairway Drive MOOROPNA

15 Golf Drive SHEPPARTON

55 Rudd Road SHEPPARTON

7582 Goulburn Valley Highway KIALLA

### 4. Municipal charge

Declare a municipal charge for 2022/2023 of \$195.00 for each rateable land (or part) in respect of which a municipal charge may be levied.

### 5. Waste service charge

5.1 Declare an annual waste service charge for 2022/2023 for the dual service of kerbside collection and disposal of refuse along with kerbside collection of recyclables. The service charge is applied as per the Greater Shepparton City Council Kerbside Landfill Waste, Recycling and Organics Collection Policy and will be as per follows:

5.1.1 Collection and disposal of contents of 80 litre refuse bin and either a 120 litre or 240 litre recyclable bin \$202.00\*\* per service.

5.1.2 Collection and disposal of contents of 120 litre refuse bin and either a 120 litre or 240 litre recyclable bin \$274.00\*\* per service.

5.1.3 Collection and disposal of contents of 240 litre refuse bin and either a 120 litre or 240 litre recyclable bin \$466.00\*\* per service.

5.2 Declare an annual waste service charge for 2022/2023 for the kerbside collection of recyclables only.

The service will be charged as collection and disposal of contents of either a 120 litre or 240 litre recyclable only bin \$107.00\*\* per service for eligible properties where requested and as per the Kerbside Landfill Waste, Recycling and Organics Collection Policy.

5.3 Declare an annual waste service charge for 2022/2023 for the kerbside collection of green organic waste.

The service will be charged as collection and disposal of contents of either a 120 litre or 240 litre green organics bin \$87.00\*\* per service as determined by the Kerbside Landfill Waste, Recycling and Organics Collection Policy.

\*\*Note: These charges do not include GST which applies to all service charges that are levied against non-residential and other non-compulsory kerbside collections.



## **6. Setting of interest rate on unpaid rates and charges**

The Council will charge interest for rates and charges which have not been paid by the due dates, as specified under section 167 of the Local Government Act 1989.

## **7. Payment of rates and charges**

Declare that a person can pay a rate or charge (other than a special rate or charge) by:

7.1 Four (4) instalments which are due and payable on the dates fixed by the Minister by notice published in the Government Gazette; or

7.2 Ten (10) instalments which are due and payable in the ten-month period that commences September and ends in June.

## **8. Consequential**

That the Chief Executive Officer be authorised to levy and recover the general rates, municipal charge and service charges in accordance with the Local Government Act 1989.

b) changes to the draft budget as disclosed in Appendix C of the 2022/2023 Budget document including amendments as a result of internal reviews and amendments as a result of public submissions such as budget allocation for landscaping at the former Katandra West Hall site, an allocation of budget for the designs of the Toolamba Tennis Courts and Murchison-Toolamba Community Hub, increased contributions to Shepparton Foodshare and Shepparton Search and Rescue and a budget allocation for play equipment at the Tatura Recreation Reserve.

**c) authorise the Chief Executive Officer to give notice of the adoption of the Budget**

**CARRIED**

### **11.3 Contracts Awarded under Delegation - May 2022**

**Moved by Cr James  
Seconded by Cr Summer**

**That the Council:**

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

**CARRIED UNOPPOSED**

## 11.4 Instrument of Delegation to the Chief Executive Officer - S5

Moved by Cr Summer  
Seconded by Cr Brophy

That the Council, in the exercise of the power conferred by S11(1)(b) of the *Local Government Act 2020* (the Act) resolves that:

1. there be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument;
2. the instrument comes into force immediately the common seal of Council is affixed to the instrument;
3. on the coming into force of the instrument, all previous delegations to the Chief Executive Officer are revoked; and
4. the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

**CARRIED UNOPPOSED**

## **11.5 Instrument of Delegation to Members of Council Staff - S6**

**Moved by Cr Dobson  
Seconded by Cr Spinks**

**That the Council, in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, resolves that:**

- 1. there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to Members of Council Staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;**
- 2. the instrument comes into force immediately the common seal of Council is affixed to the instrument;**
- 3. on the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked and**
- 4. the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

**CARRIED UNOPPOSED**

## 12 Sustainable Development Directorate

### 12.1 Proposed lease of Council land for the realisation of the Munarra Centre for Regional Excellence

Cr James declared a conflict of interest and left the meeting at 4:04pm.

Moved by Cr Spinks  
Seconded by Cr Abdullah

That the Council, having undertaken a community engagement process in accordance with section 115 of the *Local Government Act 2020*:

1. receive and note the contents of the submissions received and Council officers' responses as outlined in the *Proposed Lease of land to Munarra Limited Conversation Report March 2022*;
2. endorse the leasing of Council-owned land at 120-174 Numurkah Road and 80 Packham Street, Shepparton to Munarra Limited for up to a term of 50 years at a peppercorn rental (of \$1.00 per annum plus GST) to realise the Munarra Centre for Regional Excellence; and
3. authorise the Chief Executive Officer to negotiate and enter into an Agreement for Lease and Lease with Munarra Limited to realise the Munarra Centre for Regional Excellence.

**CARRIED UNOPPOSED**

Cr James returned to the meeting at 4:12 pm.

**12.2 Adoption of Amendment C228gshe to the Greater Shepparton Planning Scheme - application of the Public Acquisition Overlay to realise Shared Paths**

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

**That the Council:**

- 1. adopt Amendment C228gshe with post-exhibition changes to the Greater Shepparton Planning Scheme in accordance with Section 29 of the *Planning and Environment Act 1987*; and**
- 2. submit Amendment C228gshe to the Greater Shepparton Planning Scheme to the Minister for Planning for approval in accordance with Section 31 of the *Planning and Environment Act 1987*.**

**CARRIED UNOPPOSED**

**12.3 Greater Shepparton Heritage Advisory Committee  
Annual Report 2021**

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

**That the Council receive and note the attached Greater Shepparton Heritage  
Advisory Committee Annual Report 2021 for the year ended 31 December 2021.**

**CARRIED UNOPPOSED**

## **12.4 Comprehensive Report on the Shepparton CBD Complimentary Parking Initiative**

Cr Dobson declared a conflict of interest and left the meeting at 4:24 pm.

Moved by Cr Brophy  
Seconded by Cr Summer

That the Council:

1. receive and note the attached *Shepparton CBD Complimentary Car Parking Comparative Impact Analysis 11 March 2022* prepared by Geografia Pty Ltd; and
2. receive and note the attached complimentary parking survey conducted by the Shepparton Chamber of Commerce and Industry;

**CARRIED UNOPPOSED**

Cr Dobson returned to the meeting at 4:35 pm.



## 12.5 Climate Emergency Action Plan

Cr Spinks noted a correction to the report, being the addition of item 2.22 in Table 2: Strategic Priority 2 in the Climate Emergency Action Plan – Investigate grants to Support positive ESD outcomes in commercial development.”

Moved by Cr Spinks  
Seconded by Cr Brophy

That the Council

1. acknowledge the feedback from public consultation and subsequent amendments to the draft plan as attached; and
2. adopt the Our Climate Safe Future - Climate Emergency Action Plan as attached.

**CARRIED UNOPPOSED**

**12.6 Strategic Cycling Corridors - Shepparton Railway Station to the Greater Shepparton Secondary College and Victoria Park Lake**

**Moved by Cr Summer  
Seconded by Cr Spinks**

**That the Council receive and note the *Conversation Report – Strategic Cycling Corridors, June 2022* summarising the consultation process associated with the realisation of Strategic Cycling Corridors linking the Shepparton Railway Station to the Victoria Park Lake and the Greater Shepparton Secondary College.**

**CARRIED UNOPPOSED**

## 12.7 Proposed sale of land – 45 Parkside Drive, Shepparton – Affordable Housing Proposal

Moved by Cr Spinks  
Seconded by Cr Abdullah

That the Council:

1. note the conclusion of the community engagement process which was conducted under section 114 of the *Local Government Act 2020*;
2. receive and note the attached *Conversation Report – Proposed sale of part of the land at Parkside Drive, Shepparton June 2022* summarizing all submissions received or heard in relation to the proposed sale of land at 45 Parkside Drive, Shepparton;
3. sell part of the land at 45 Parkside Drive, Shepparton to Women’s Housing Ltd to facilitate Affordable Housing;
4. authorise the Chief Executive Officer to do all things necessary to complete the transaction with Women’s Housing Ltd;
5. note that any development on the land will be subject to a future planning process at which time the matter or further community engagement will be addressed as part of that process;
6. include in the Memorandum of Understanding a requirement for a Management Framework that outlines the standards, policies, and procedures to support the tenants, support the management of the building and support the community. This will include, but not limited to:
  - tenant and housing services;
    - Eligibility, allocation, and termination of assistance
    - Housing service standards
    - Tenant and resident engagement
    - Access to support for applicants and tenants with support needs
    - Complaints and appeals
  - Housing asset management such as property condition and maintenance
  - Community engagement including contributing to socially inclusive communities
  - Governance such as compliance with legal requirements and government policies
7. Include in the Memorandum of Understanding, a requirement for local content and procurement; and

- 8. Undertake and return to Council a feasibility assessment for the development of the remaining stages of Parkside Gardens Estate within the next 12 months, including but not limited to the development of the remaining 45 house lots, provision of adequate lighting throughout the estate, provision of play space and open space, and safety concerns identified by the single point of entry to the estate.**

**Carried**

**Cr Abdullah called for a Division.**

**Councillors who voted in favour of the motion: Cr Spinks, Cr Abdullah, Cr James, Cr Dobson and Cr Brophy.**

**Councillors who voted against the motion: Cr Summer and Cr Sali.**

**The motion was carried.**

## 12.8 Sale of Land – at 5 Edwards Street, 115-121 Maude Street and 92 Nixon Street, Shepparton – Affordable Housing Proposal

Cr James declared a conflict of interest and left the meeting at 5:18 pm.

Moved by Cr Abdullah  
Seconded by Cr Spinks

That the Council:

1. note the conclusion of the community engagement process which was conducted under Section 114 of the *Local Government Act 2020*;
2. receive and note the *Conversation Report - Proposed sale of the Maude Nixon and Edward Streets Car Park, Shepparton June 2022* summarising all submissions received or heard in relation to the proposed sale of land at 5 Edward Street, 115-121 Maude Street and 92 Nixon Street, Shepparton;
3. sell the land for one dollar (\$1) at 5 Edward Street, 115-121 Maude Street and 92 Nixon Street, Shepparton to Beyond Housing and Wintringham to realise Social Housing;
4. note that the ground floor carpark will be returned to Council ownership on completion of construction;
5. authorises and directs the Chief Executive Officer to do all things necessary to complete the transactions with Beyond Housing and Wintringham;
6. note that any development on the land will be subject to a future planning application process at which time the matter of further community engagement will be addressed as part of that process;
7. include in the Memorandum of Understanding, the following built form parameters for any future building constructed on the land:
  - No apartment balconies facing onto the ACE internal courtyard
  - Any passageways have appropriate screening to prevent overlooking into the ACE courtyard
  - Adequate lighting and visibility of the carpark at street level to ensure perception of safety is acceptable
  - Access to the ACE roller door and gate from the Council's car park is maintained (except during construction)
  - The setback of the building on Maude Street be at least 5 metres
  - Generally,
    - not more than 70% (excepting roof top open space, communal areas and lift access etc) of the building fronting Nixon and Maude Street is to exceed 3 storeys;

- any 4<sup>th</sup> storey apartments must be setback at least 10 metres from Nixon Street;
8. include in the Memorandum of Understanding a requirement for a Management Framework that outlines the standards, policies, and procedures to support tenants, management of the building and community. This will include, but not limited to:
    - Tenant and housing services
      - Eligibility, allocation, and termination of assistance
      - Housing service standards
      - Tenant and resident engagement
      - Access to support for applicants and tenants with support needs
      - Complaints and appeals
    - Housing asset management such as property condition and maintenance
    - Community engagement including contributing to socially inclusive communities
    - Governance such as compliance with legal requirements and government policies;
  9. Include in the Memorandum of Understanding a minimum 20% of the Beyond Housing apartments to support transitional housing for Shepparton Youth Foyer tenants, where eligible and in accordance with allocation policies and frameworks;
  10. include in the Memorandum of Understanding, a requirement for local content and procurement; and
  11. commence the process to formalise ACE access to the car park through an access agreement.

**LOST**

**Cr Abdullah called for a Division.**

**Councillors who voted in favour of the Motion were Cr Abdullah and Cr Spinks.**

**Councillors who voted against the Motion were Cr Dobson, Cr Brophy, Cr Summer and Cr Sali.**

**The motion was lost.**

**Cr James returned to the meeting at 5:57pm.**

## 13 Infrastructure Directorate

### **13.1 Award of Contract No. 2174 - Panel of Suppliers - Onsite Crushing of Recycled Concrete/Bricks and Shredding of Green Waste**

Moved by Cr Dobson  
Seconded by Cr Spinks

That the Council:

1. accept the tender for Award of Contract No. 2174 - Panel of Suppliers - Onsite Crushing of Recycled Concrete/Bricks and Shredding of Green Waste submitted by Eco 1 Recycling Centre Pty Ltd, Triple J Plant Hire, Allstone Quarries and Local Mix Quarries;
2. authorise the Chief Executive Officer to sign and seal the contract documents; and
3. authorise the Chief Executive Officer to award the optional contract extension periods.

**CARRIED UNOPPOSED**

## **13.2 Award of Contract - CN 2241 - Davies Road Intersection Upgrade**

**Moved by Cr Summer  
Seconded by Cr Spinks**

**That the Council:**

- 1. accept the tender for Award of Contract - CN 2241 - Davies Road Intersection Upgrade submitted by Jarvis Delahey Contractors for Contract No. 2241 Davies Rd Intersection Upgrade for the total lump sum amount of \$745,563.70 (inc GST); and**
- 2. note the Chief Executive Officer is authorised to execute such documents as are necessary to give effect to this resolution.**

**CARRIED UNOPPOSED**



### **13.3 Award of Contract - CN 2229 - Facilities Maintenance Services Panel of Suppliers**

Moved by Cr Dobson  
Seconded by Cr Abdullah

That the Council:

1. accept tenders for Award of Contract – CN 2229 – Facilities Maintenance Services Panel of Suppliers submitted by the following companies:
  - Norvec
  - Croxford Building Constructions Pty Ltd,
  - D & S Kilpatrick Plumbing Pty Ltd,
  - BLR Provincial Construction Pty Ltd,
  - GV Plumbing Pty Ltd,
  - Gutter Vac Shepparton,
  - Dowsett Electrical Pty Ltd,
  - Brett Collins Refrigeration,
  - Insight Protection Solutions Pty Ltd,
  - Admoor Plumbing,
  - Watters Electrical,
  - Bonnetts Staff Electrical Contractors Pty Ltd
  - Mat Langley Electrical Pty Ltd,
  - Reilly Electrical & Sunvalley Solar,
  - Total Pest Control,
  - Chris Martin Building and Maintenance,
  - A&P Devine plumbing,
  - Rentokil Pest Control,
  - Appliance Tagging Services Pty Ltd,
  - FWSR Group,
  - KTR Electronics Pty Ltd,
  - Programmed Property Services,
  - J & K Gardner,
  - Jonesys Bobcat Hire,
  - Shepparton Plumbing Services Pty Ltd,
  - Moretto Building, and
  - Modus Projects Pty Ltd to be appointed to a Panel for provision of Facilities Maintenance Services.
  
2. note that the contract term is for a period of three years, with two 1 Year extension options at Council’s discretion. The estimated contract value over the 5 years is \$7,325,000 Ex GST; and

3. **authorise the Chief Executive Officer to execute the contract documents and approve any 1-year contract extensions as deemed appropriate.**

**CARRIED UNOPPOSED**

**13.4 Contract 1987 - Panel of Suppliers for Provision of Landfill Waste, Recyclables and Organics Transfer and Disposal Services**

Moved by Cr Spinks  
Seconded by Cr Summer

That the Council:

1. accept the tenders submitted for Contract 1987 - Panel of Suppliers for Provision of Landfill Waste, Recyclables and Organics Transfer and Disposal Services by Immix Integrated Metal Management, Foott Waste Solutions, Cleanaway Industrial Solutions and Veolia Environmental Services;
2. authorise the Chief Executive Officer to sign and seal the contract documents; and
3. authorise the Chief Executive Officer to award the optional contract extension periods.

**CARRIED UNOPPOSED**

## **13.5 Sport 2050 Strategic Plan Adoption**

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

**That the Council:**

- 1. note the Sport 2050 Strategic Plan Review and Update;**
- 2. note the consultation undertaken between May and June 2021, and consultation findings outlined within the Sport 2050 Strategic Plan; and**
- 3. adopt the final Sport 2050 Strategic Plan as attached.**

**CARRIED UNOPPOSED**

**13.6 Terms of Reference For Shepparton Aerodrome  
Advisory Committee**

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

**That the Council adopt the reviewed Shepparton Aerodrome Advisory Committee  
Terms of Reference as attached.**

**CARRIED UNOPPOSED**

## **13.7 Adoption of Council Asset Plan**

**Moved by Cr Summer  
Seconded by Cr Spinks**

**That the Council adopt the Asset Plan as attached to this agenda.**

**CARRIED UNOPPOSED**

## **13.8 Developments Abutting the Aerodrome & Planning Implications**

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

**That the Council in its capacity as the owner of the Shepparton Aerodrome and a determining referral authority under the Greater Shepparton Planning Scheme:**

- 1. Object to Permit 2011-6/K - Multi Lot Staged Residential Subdivision on the following grounds:**
  - **If approved, the subdivision will be inconsistent with the recent Australian Noise Exposure Forecast (ANEF) to the extent that there will be no way of safeguarding community amenity from the impacts of aircraft noise;**
  - **The subdivision is inconsistent with State Planning Policy and the associated National Airports Safeguarding Framework (NASF);**
  - **Further encroachment on the aerodrome boundaries increases the risk to safety of not only aircraft operators but also the community; and**
  - **If approved, it will impact on the ability of aerodrome operations to comply with MOS Part 139 and hinder any potential future upgrades of the facility;**
  
- 2. Object to the Extension of Time Request for Permit 2011-398 – Multi Lot Staged Subdivision & Removal of one Grey Box Tree on the following grounds:**
  - **If approved, the subdivision will be inconsistent with the recent Australian Noise Exposure Forecast (ANEF) to the extent that there will be no way of safeguarding community amenity from the impacts of aircraft noise;**
  - **The subdivision is inconsistent with State Planning Policy and the associated National Airports Safeguarding Framework (NASF);**
  - **Further encroachment on the aerodrome boundaries increases the risk to safety of not only aircraft operators but also the community; and**
  - **If approved, it will impact on the ability of aerodrome operations to comply under MOS Part 139 and hinder any potential future upgrades of the facility; and**
  
- 3. Note that application 2011-6/K is currently before VCAT.**

**CARRIED UNOPPOSED**

## 14 Confidential Management Reports

### 14.1 Designation of Confidentiality of Information - Attachments

The following report attachments has been designated confidential by the Chief Executive Officer under Governance Rule 107 and in accordance with the definition of *Confidential Information* in the Local Government Act 2020 (the Act).

- Item 13.1: Award of Contract - CN 2174 – Panel of Suppliers – Onsite Crushing of Recycled Concrete/Bricks and Shredding of Green Waste – CN 2174 Post Moderation Summary Report.
- Item 3.2: Award of Contract – CN 2241 – Davies Road Intersection Upgrade – CN 2241 Davies Road Intersection Upgrade Post Moderation Report.
- Item 13.3: Award of Contract – CN 2229 – Facilities Maintenance Services Panel of Suppliers – CN 2229 Facilities Management Cost Moderation Summary Report.
- Item 13.4: Contract 1987 – Panel of Suppliers for Provision of Landfill Waste, Recyclables and Organics Transfer and Disposal Services –
  - Contract 1987 Provision of Landfill Recyclables Organics Transfer and Disposal Services – Procurement Plan.
  - CN 1987 Provision of Landfill Waste Recycling and organics Transfer and Disposal Services Post Moderation Summary Report.

This document contains information which is consistent with the definition of ‘private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking disadvantage.’

## 15 Documents for Signing and Sealing

**Nil received.**



## 16 Councillor Reports

### 16.1 Councillor Activities

#### 16.1.1 Councillor Activities - May 2022

Moved by Cr Abdullah  
Seconded by Cr Spinks

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

**CARRIED UNOPPOSED**

## 16.2 Council Committee Reports

### 16.2.1 River Reflections - Connecting Basin Communities, Industries and Ideas

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

**That the Council receive and note Cr Dobson's Report - River Reflections – Connecting Basin Communities, Industries and Ideas.**

**CARRIED UNOPPOSED**

### **16.3 Notice of Motion, Amendment or Rescission**

**Nil received.**

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

**Nil received.**

### **18 Close of Meeting**

**Meeting closed at 6:26pm.**