

MINUTES

Greater Shepparton City Council

COUNCIL MEETING

3:00PM, Tuesday 21 November 2023

Studio 1, Riverlinks Eastbank

COUNCILLORS

Cr Shane Sali (Mayor)

Cr Anthony Brophy (Deputy Mayor)

Cr Seema Abdullah

Cr Dinny Adem

Cr Geoffrey Dobson

Cr Greg James

Cr Ben Ladson

Cr Sam Spinks

Cr Fern Summer

VISION

GREATER SHEPPARTON, GREATER FUTURE

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

Values

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

Respect first, always

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

Take ownership

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

Courageously lead

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

Working together

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

Continually innovate

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

Start the celebration

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

**MINUTES
FOR THE
COUNCIL MEETING
HELD ON
TUESDAY 21 NOVEMBER 2023 AT 3:00PM**

**CHAIR
CR SHANE SALI
MAYOR**

INDEX

- 1 WELCOME TO COUNTRY.....7**
- 2 ACKNOWLEDGEMENT7**
- 3 PRIVACY NOTICE.....7**
- 4 GOVERNANCE PRINCIPLES.....7**
- 5 APOLOGIES.....8**
- 6 DECLARATIONS OF CONFLICT OF INTEREST.....8**
- 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....8**
- 8 PUBLIC QUESTION TIME8**
- 9 DEPUTATIONS AND PETITIONS.....8**
- 10 COMMUNITY DIRECTORATE9**
 - 10.1 Community Matching Grants 2023/24 Round One9
 - 10.2 Access and Inclusion Grant Program 2023/2410
- 11 CORPORATE SERVICES DIRECTORATE11**
 - 11.1 October 2023 Monthly Finance Report11
 - 11.2 Audit & Risk Management Committee - Confirmed Minutes - 9 August and 6
September 2023.....12
 - 11.3 Community Engagement Policy13
 - 11.4 Contracts Awarded Under Delegation - October 202314
- 12 SUSTAINABLE DEVELOPMENT DIRECTORATE15**
 - 12.1 Greater Shepparton Heritage Advisory Committee - Nomination of Community
Representatives15
 - 12.2 GV LINK Land Sale16
 - 12.3 Land Acquisition - 420 Goulburn Valley Highway, Shepparton North18
 - 12.4 Proposed Sale of land - 45 Parkside Drive, Shepparton - Goulburn Valley Health
and Victorian Health Building Authority proposal19
 - 12.5 7 Dwellings - 57 Mason Street, Shepparton20
 - 12.6 1225 Union Road, Kialla East - Dwelling.....23

13 INFRASTRUCTURE DIRECTORATE24

 13.1 Australian Botanic Gardens Shepparton Advisory Committee - Appointment of
 Community Representatives24

14 CONFIDENTIAL MANAGEMENT REPORTS25

15 DOCUMENTS FOR SIGNING AND SEALING25

16 COUNCILLOR REPORTS26

 16.1 Councillor Activities26

 16.1.1 Councillor Activities - October 202326

17 NOTICE OF MOTION, AMENDMENT OR RESCISSION27

 17.1 Notice of Motion, Amendment or Rescission27

18 URGENT BUSINESS NOT INCLUDED ON THE AGENDA28

19 CLOSE OF MEETING28

Risk Level Matrix Legend

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

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

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

High Intolerable – Attention is needed to treat risk.

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

Low Tolerable – Managed by routine procedures

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

Officers:	Peter Harriott	Chief Executive Officer
	Louise Mitchell	Director Community
	Chris Teitzel	Director Corporate Services
	Gary Randhawa	Director Infrastructure
	Geraldine Christou	Director Sustainable Development
	Molly Willmott	Official Minute Taker
	Janaka Samaranayake	Deputy Minute Taker

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.

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 James and Cr Adem declared a conflict of interest in relation to item 12.5: 7 Dwellings - 57 Mason Street, Shepparton.

7 Confirmation of Minutes of Previous Meetings

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

That the minutes of the 17 October 2023 Council Meeting, 24 October 2023 Additional Council Meeting, and 3 November 2023 Additional Council Meeting as circulated, be confirmed.

CARRIED UNOPPOSED

8 Public Question Time

Nil Received.

9 Deputations and Petitions

Nil Received.

10 Community Directorate

10.1 Community Matching Grants 2023/24 Round One

Moved by Cr Abdullah
 Seconded by Cr Brophy

That the Council note the successful applicants awarded funding under delegated authority for Round One of the 2023/24 Community Matching Grants Program as follows:

Organisation	Project	Total Requested (GST Free)
Tatura Civic Halls Inc.	Upgrade of electrical switchboards	\$5,000.00
Goulburn Valley Woodworkers	Woodworking Show	\$3,322.00
Shepparton Access	Gaming Cafe	\$5,000.00
Tallygaroopna Men's Shed Inc.	Cladding of shade shed	\$5,000.00
Mooroopna Education and Activity Centre	Barbeque Project	\$1,000.00
Toolamba Recreation Reserve and Community Centre Community Asset Committee	Lighting and kitchen facilities upgrade	\$3,406.50
Murchison Community Plan	Art Project	\$2,525.00
Primary Care Connect	Micro Kitchen Gardens Project	\$1,850.00
Siasi Uesiliana Tauataina o Tonga i Aositelelia, Shepparton Branch	PA System for Community Hall	\$5,000.00
Caniambo Public Hall	Renew Window Furnishings	\$ 765.00
TOTAL		\$32,868.50

CARRIED UNOPPOSED

10.2 Access and Inclusion Grant Program 2023/24

Moved by Cr Ladson
 Seconded by Cr Spinks

That the Council note the successful applicants awarded funding under delegated authority for the Access and Inclusion Grants Program 2023/24 as follows:

Organisation	Project	Stream	Grant Amount Awarded (GST Free)
Mooroopna Education and Activity Centre	Creation of a sensory space	1	\$500.00
Bunbartha Recreation Reserve	Installation of a step ramp	1	\$200.00
Slade Consulting	Transcending the Narrative	1	\$660.00
Shepparton Access	Construction of a covered parking area	2	\$10,000.00
Shepparton Heritage Centre	Installation of access ramp	2	\$6,084.80
	Total Amount Awarded		\$17,444.80

CARRIED UNOPPOSED

11 Corporate Services Directorate

11.1 October 2023 Monthly Finance Report

Moved by Cr Dobson
Seconded by Cr Brophy

That the Council note the October 2023 Monthly Finance Report, as attached.

CARRIED UNOPPOSED

**11.2 Audit & Risk Management Committee - Confirmed
Minutes - 9 August and 6 September 2023**

**Moved by Cr Ladson
Seconded by Cr Brophy**

That the Council receive and note the minutes of the 9 August 2023 and 6 September 2023 Audit and Risk Management Committee meetings, as attached.

CARRIED UNOPPOSED

11.3 Community Engagement Policy

**Moved by Cr Spinks
Seconded by Cr Ladson**

That the Council adopt the Community Engagement Policy, as attached.

CARRIED UNOPPOSED

11.4 Contracts Awarded Under Delegation - October 2023

**Moved by Cr Abdullah
Seconded by Cr Adem**

That the Council:

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

CARRIED UNOPPOSED

12 Sustainable Development Directorate

12.1 Greater Shepparton Heritage Advisory Committee - Nomination of Community Representatives

Moved by Cr Brophy
Seconded by Cr Ladson

That the Council resolve to appoint the following community representatives to the Greater Shepparton Heritage Advisory Committee for a term of two years commencing on 1 December 2023 and concluding on 1 December 2025:

- John Dainton
- Jenny Nightingale, and
- Jill Muir

CARRIED UNOPPOSED

12.2 GV LINK Land Sale

Moved by Cr Dobson
Seconded by Cr Spinks

That the Council;

1. Notes the GV Link – *Economic Valuation Report 3 – Final Report* by Ethos Urban dated 12 October 2023 (including all previous reports referred to therein) which confirms the findings of the *First Interim Report (Assessing Exceptional Circumstances Supporting Private Treaty Land Sales)* dated 23 May 2023, also prepared by Ethos Urban. This earlier report establishes the business case that exceptional circumstances exist justifying private treaty sales at discounted market values of lots within Stage 1, GV Link as an early mover advantage for purchasers prepared to commit to purchase and develop those lots within agreed development timeframes.
2. Acting under section 114 of the *Local Government Act 2020 (Vic) (Act)*, resolves to commence the required statutory processes to give notice of an intention to sell one or more lots within the proposed Stage 1 of GV Link, being the land generally shown on the plan titled GV Link – Staging Plan (current) as attached and being part of the land contained certificates of title Volume 11071 Folios 690 and 695 and Volume 12022 Folio 891, on the following terms:
 - I. to business operators, manufacturers, producers, or persons of a like nature;
 - II. at a discount to market value, as an early mover advantage; and
 - III. in consideration of commitments from the purchasers to the early development of part of the relevant lot.
3. In accordance with section 114 of the Act and the Greater Shepparton City Council Community Engagement Policy 2021, authorises that a public notice outlining Council’s intention to sell lots within Stage 1 GV Link, and calling for submissions, be:
 - I. placed in the Shepparton News (or such other news publication chosen by Council officers); and
 - II. published on Council’s website.
4. Authorises the Chief Executive Officer and/or their nominees to undertake the administrative procedures necessary to carry out Council’s functions under section 114 of the Act in relation to this matter.
5. Notes that, following the completion of the consultation process, any submissions received in relation to Council’s intention to sell land within Stage 1 of GV Link will be considered by Council at a future scheduled Council Meeting.
6. Authorises the Chief Executive Officer to sign (on behalf of Council) memorandums of understanding (or such similar documents) with potential purchasers outlining the proposed terms of sale that would be acceptable to each such potential purchaser if Council decides, following compliance with section 114 of the Act, to sell any of the Stage 1 lots by private treaty.

7. Notes additional funding of \$100,000 to be provided in the 2023/24 budget to continue scoping and development of the site.

CARRIED

12.3 Land Acquisition - 420 Goulburn Valley Highway, Shepparton North

Moved by Cr Summer
Seconded by Cr Ladson

That the Council

1. authorise the Chief Executive Officer to undertake the administrative procedures and acquire, by agreement or compulsory acquisition, the Proposed Road Land (portion of land at 420 Goulburn Valley Highway, Shepparton North), including pursuant to the processes under the *Land Acquisition and Compensation Act 1986 (Vic)*, and to take all steps necessary to resolve the consideration or compensation payable to finalise the matter; and
2. authorise the Chief Executive Officer to sign and seal all documentation associated with or necessary to effect the acquisition and finalisation of the matter.

CARRIED UNOPPOSED

12.4 Proposed Sale of land - 45 Parkside Drive, Shepparton - Goulburn Valley Health and Victorian Health Building Authority proposal

Moved by Cr Ladson
Seconded by Cr Brophy

That the Council:

1. abandon the proposal to sell part of the land at 45 Parkside Drive, Shepparton to Women's Housing Ltd, since the Women's Housing Ltd's funding application under the Big Housing Build program was not successful;
2. note the progress of the Parkside Gardens feasibility assessment;
3. authorise the commencement of a new statutory process pursuant to section 114 of the Local Government Act 2020 to consider an alternative proposal to sell part of the land at 45 Parkside Drive, Shepparton to the Victorian Government (Department of Health) for health infrastructure (new Early Parenting Centre), and Goulburn Valley Health for staff accommodation; and
4. note that following the completion of the consultation process, any submissions received in relation to Council's intent to sell part of the land at 45 Parkside Drive, Shepparton will be considered by Council at a future scheduled Council Meeting.

CARRIED UNOPPOSED

12.5 7 Dwellings - 57 Mason Street, Shepparton

Cr Adem and Cr James declared a conflict of interest and left the meeting at 4:23pm.

Moved by Cr Dobson
Seconded by Cr Spinks

That the Council in relation to Planning Permit Application 2023-116, on the basis on the information before the Council and having considered all relevant matters as required by the Planning and Environment Act 1987, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of seven single storey dwellings and the reduction of one visitor car park at 57 Mason Street, Shepparton, subject to the following conditions:

Amended Plans Required

Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and be provided. Such plans must be generally in accordance with the plan submitted with the section 57A application but modified to show:

Adequate turning circles for all dwellings, with an internal radius of 4m
The location of external storage of 6 cubic metres per dwelling
The location of mailboxes and bin store area for each dwelling
The driveway to be setback 1.5m from habitable room windows
New side and rear boundary fencing to a height of 1.95m

Layout Not Altered

The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Buildings and works on endorsed plans to be completed prior to occupation

Before the dwellings are occupied, all buildings and works, including landscaping shown on the endorsed plans forming part of this permit, including landscaping, must be completed to the satisfaction of the responsible authority unless otherwise agreed in writing by the responsible authority.

Drainage Discharge Plan

Before the development begins, a drainage plan with computations prepared by a suitably qualified person or organisation, to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and submitted in an electronic format. The plans must be in accordance with Council's Infrastructure Design Manual and include:

- a. how the land will be drained;
- b. underground pipe drains conveying stormwater to the legal point of discharge;

- c. measures to enhance stormwater discharge quality from the site and protect downstream waterways;
- d. maximum discharge rate shall not be more than (37) lit/sec/ha with (12) litres (Tank/Basin) or (14) litres (Pipe) of storage for every square metre of Lot area, in accordance with Infrastructure Design Manual Clause 19 Table 13 (or as agreed in writing by the responsible authority).;
- e. incorporation of water sensitive urban design in accordance with Clause 20 of the Infrastructure Design Manual or as otherwise approved in writing by the Responsible Authority; and
- f. provision of an electronic copy of the MUSIC model (or equivalent) demonstrating the achievement of the required reduction of pollutant removal to the satisfaction of the Responsible Authority.

Before the occupation of the new dwellings all drainage works required by the endorsed drainage plan must be completed to the satisfaction of the responsible authority.

Urban Vehicle Crossing Requirements

Before the dwellings are occupied vehicle crossings shall be constructed in accordance with the endorsed plans and constructed to Councils IDM standard drawing SD235, and must:

- a. be constructed at right angles to the road, and any redundant crossing shall be removed and replaced with concrete (kerb and channel);
- b. be setback a minimum of 1.5 metres from any side-entry pit, power or telecommunications pole, manhole cover or marker, or 3 metres from any street tree unless otherwise agreed in writing by the responsible authority.

A Works within Road Reserves permit must be obtained from the responsible authority prior to carrying out of any vehicle crossing works.

Underground Connection

Before the dwellings are occupied, the electricity connection to the development must be undergrounded.

Goulburn Valley Region Water Corporation Requirements

- a. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;
- b. Provision of one water tapping per lot with 7-way manifold meter assembly to service each dwelling at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;
- c. Provision of separate water supply meters to each tenement within the development, located at the property boundary and to the satisfaction of Goulburn Valley Region Water Corporation;
- d. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
- e. Provision of combined sewer drains with an inspection opening to each allotment within the development, at the developer's expense, in accordance

with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;

In the case of multi-tenement development, the works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage,' and include disconnection of any existing house connection drain to the satisfaction of the Corporation's Property Services Section;

- f. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.

All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage,' and to the satisfaction of the Corporation's Property Services Section;

Goulburn Broken Catchment Management Authority Requirements

The finished floor levels of the seven dwellings must be constructed at least 300 millimetres above the highest existing ground level underneath the building footprint. In terms of the building footprint, it excludes all associated non-habitable areas such as the garage, carport, patio, verandah areas and the like.

Time for Starting and Completion

This permit will expire if one of the following circumstances applies:

- a. the development is not started within *two (2) years* of the date of this permit;
- b. the development is not completed within *four (4) years* of the date of this permit.

CARRIED UNOPPOSED

Cr Adem and Cr James returned to the meeting at 4:31pm.

12.6 1225 Union Road, Kialla East - Dwelling

Moved by Cr Dobson
Seconded by Cr James

That the Council in relation to Planning Permit Application 2022-244, on the basis of the information before the Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, resolves to Refuse a Planning Permit for the use and development of the land for a dwelling for the following reasons:

1. The proposal is contrary to Clause 14.01-1S as it will lead to the loss or fragmentation of productive agricultural land.
2. The proposal is contrary to the decision guidelines of Clause 14.01-1L and Clause 35.07-6 as it fails to demonstrate a nexus between the dwelling and the agricultural use of the land.
3. The proposal is incompatible with the surrounding land uses contrary to the decision guidelines of Clause 35.07-6.
4. The proposal fails to consolidate existing lots to support the ongoing agricultural use of the land through a process of property restructure.

Moved by Cr Brophy

That the motion be laid on the table until the next scheduled Council Meeting, pending further information.

CARRIED UNOPPOSED

13 Infrastructure Directorate

13.1 Australian Botanic Gardens Shepparton Advisory Committee - Appointment of Community Representatives

Moved by Cr Dobson
Seconded by Cr Adem

That the Council appoint community representative Karen Kilgour to the Australian Botanic Gardens Shepparton Advisory Committee for a period of two years commencing on 22 November 2023 and concluding on 20 September 2025.

CARRIED UNOPPOSED

14 Confidential Management Reports

Nil Received.

15 Documents for Signing and Sealing

Nil Received.

16 Councillor Reports

16.1 Councillor Activities

16.1.1 Councillor Activities - October 2023

Moved by Cr Brophy
Seconded by Cr Ladson

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

CARRIED UNOPPOSED

17 Notice of Motion, Amendment or Rescission

17.1 Notice of Motion, Amendment or Rescission

Moved by Cr Abdullah
Seconded by Cr Adem

That the Council:

1. acknowledge that sections of the Greater Shepparton's community are deeply impacted and grieving due to the events unfolding in Gaza. These communities have strong family, social and above all, human connection with the victims of the war in Gaza.
2. write a letter to the Federal Government to take the following actions:
 - a. Condemn the initial attacks on civilians and subsequent attacks on hospitals, schools and refugee shelters that has resulted in the killing of thousands of civilians including women and children in the current conflict.
 - b. Call for an immediate cessation of hostilities in Gaza-Palestine.
 - c. Support the UN resolutions for an honourable peace and truce in Palestine.

Cr Abdullah called for a division.

Those voting in favour of the motion: Cr Adem, Cr Abdullah, Cr Spinks and Cr Summer.

Those abstained from voting: Cr Sali, Cr James, Cr Ladson, Cr Dobson and Cr Brophy.

The motion was put and lost.

18 Urgent Business not Included on the Agenda

Nil Received.

19 Close of Meeting

Meeting closed at 5:04pm.