

MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

SPECIAL COUNCIL MEETING

HELD ON
TUESDAY 22 JULY, 2014
AT 5.30PM

IN THE COUNCIL BOARD ROOM

COUNCILLORS:

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

VISION

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

**M I N U T E S
FOR THE
SPECIAL COUNCIL MEETING
HELD ON
TUESDAY 22 JULY, 2014 AT 5.30PM**

**CHAIR
CR JENNY HOULIHAN**

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RISK LEVEL MATRIX LEGEND

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

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

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

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

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

Low Operational, manage through usual procedures and accountabilities

Insignificant Operational, add treatments where appropriate

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

**OFFICERS: Gavin Cator – Chief Executive Officer
Steve Bowmaker – Director Infrastructure
Johann Rajaratnam – Director Sustainable Development
Rosanne Kava – Acting Director Business
Kaye Thomson – Director Community
Rebecca Bertone – 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

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

That an apology be received, and leave of absence granted to Cr Oroszvary.

CARRIED.

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. BUSINESS DIRECTORATE

4.1 2014/2015 Draft Budget - Hearing of Section 223 Submissions

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

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

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

Council Officers involved in producing this report

Author: Manager Finance and Rates

Proof reader(s): Acting Director Business

Approved by: Acting Director Business

Executive Summary

At the Ordinary Council Meeting held on Tuesday 17 June 2014, the Council resolved to adopt and advertise its proposed budget and call for submissions under Section 223 of the *Local Government Act 1989* ("the Act"). The public notice period closed at 5.00pm Friday 18 July 2014. A total of six individuals made submissions with one of those requesting to be heard by Council.

Submissions ranged in content however generally contained the following themes:

- Request for security fence at Shepparton Heritage Centre
- Concern with ongoing rate increase and the level of governance and administration costs as advertised in the Shepparton News
- Level of differential rate for Cultural and Recreational Land compared to that of other municipalities
- Concern over the prioritisation of capital projects for Tatura
- Support for rates not to be increased, support for the planned services review, support more of the proposed budget to be allocated to maintaining and improving current infrastructure and facilities, support for reducing costs of utilities, support for reduction in advertising and promotion expenditure and support for the reintroduction of the discount for the lump sum payment of rates.
- Concern over the figures reported in the budget document and that the current level of rate increases are unfair

Moved by Cr Patterson

Seconded by Cr Adem

That standing orders be suspended to allow submitters to be heard.

CARRIED.

Council to hear presentation from one submitter.

Moved by Cr Polan

Seconded by Cr Adem

That standing orders be resumed.

CARRIED.

4. BUSINESS DIRECTORATE

4.1 2014/2015 Draft Budget - Hearing of Section 223 Submissions (continued)

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

That the Council:

1. receive and note the submissions in response to the public advertisement of the 2014/2015 draft budget.
2. hear those who wish to be heard in support of their written submission.
3. formally consider all received submissions and the adoption of the 2014/2015 Budget at a Special Council Meeting to be held on Wednesday 6 August 2014 at 5.30pm in the Council Boardroom.

CARRIED.

Background

In accordance with the requirements of the Act, Council is required to give "public notice" that it intends to adopt a budget. The draft budget document must be made available for inspection at its offices and on its website for a period of 28 days and submissions invited from members of the public.

Council at its ordinary meeting held on Tuesday 17 June 2014 resolved to advertise its proposed budget and to call for submissions under Section 223 of the Act. The public notice period closed at 5.00pm Friday 18 July 2014.

Council Plan/Key Strategic Activity

The Draft 2014/2015 Budget is consistent with the five strategic goals of the Council Plan which include:

1. Active & Engaged Community (Social)
2. Enhancing the Environment (Natural)
3. Economic Prosperity (Economic)
4. Quality Infrastructure (Built)
5. High Performing Organisation (Leadership & Governance)

The Draft 2014/2015 Budget also includes 13 Service Performance Outcome indicators and 12 Financial Performance indicators as required by the *Local Government (Planning and Reporting) Regulations 2014 No. 17*. The final outcomes of these indicators will be reported in the 2014/2015 audited annual report.

Risk Management

A well planned budget will reduce the risk that Council will not be able to provide the services expected and required by the community.

4. BUSINESS DIRECTORATE

4.1 2014/2015 Draft Budget - Hearing of Section 223 Submissions (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to comply with the Local Government Act 1989	Unlikely	1	High	Special meeting scheduled 22 July to hear submissions as per Section 223. Special meeting to adopt budget scheduled 6 August to achieve 31 August deadline.
Operating surplus not achieved	Possible	3	Medium	Monthly and Quarterly Budget Reviews reported to Council
Capital works budget not delivered within the financial year	Possible	3	Medium	Project bids and cost estimates have been reviewed

Policy Considerations

There are no conflicts with Council policy. The annual budget resources the Council Plan to enable the outcomes in the Council Plan to be achieved, including Council policies.

Financial Implications

The full financial implications are outlined in the Draft 2014/2015 budget document however a summary is provided below.

	2013/2014 Forecast	2014/2015 Draft Budget	Variance \$	Comments
Revenue	115,300,000	119,973,000	4,673,000	4.1 per cent increase
Expense	111,109,000	110,729,000	380,000	0.3 per cent decrease
Net Result	4,191,000	9,244,000	5,053,000	121 per cent increase

Legal/Statutory Implications

Section 129 of the Act requires the Council to give public notice of the preparation of the budget and a person has a right to make a submission on any proposal contained in the budget.

Section 11 of the *Local Government (Planning and Reporting) Regulations 2014 No. 17* further stipulates:

For the purposes of section 129(3)(a) of the Act, a public notice under section 129(1) of the Act must contain the following information—

- (a) the date on which Council will meet to adopt its budget or revised budget;
- (b) in the case of a revised budget, a summary of reasons for the preparation of the revised budget.

Section 223 of the Act covers the right to make a submission and states that the Council must publish a public notice stating that a person making a submission is entitled to request in the submission that the person wishes to appear in person at a meeting to be heard in support of the submission. If a request is made under this clause, Council must

4. BUSINESS DIRECTORATE

4.1 2014/2015 Draft Budget - Hearing of Section 223 Submissions (continued)

provide the person with the opportunity to be heard in support of the submission at a meeting of the Council.

Environmental/Sustainability Impacts

Environmental and sustainability impacts have been considered when developing the Draft 2014/2015 Budget.

Social Implications

The Draft 2014/2015 Budget provides resources for the implementation of various strategies, plans, works and the delivery of services required to achieve the objectives of the Council plan including an active and engaged community.

Economic Impacts

The boost from the Greater Shepparton Regional Sports Precinct Project is important with \$5.31 million of infrastructure works proposed for the 2014/2015 financial year to encourage economic activity.

Consultation

The Draft 2014/2015 Budget has taken into account the goals and strategies of the Council Plan 2013-2017 and the strategic directions of the Strategic Resource Plan.

Public notice was given in the Shepparton News on Friday 20 June 2014 that Council's Draft 2014/2015 Budget had been prepared and was available for inspection on Council's website, or at Council's offices in Welsford Street and Doyles Road and that written submissions were invited in accordance with Section 223 of the Act.

Submissions were to be received by 5.00pm Friday 18 July 2014.

In addition to this statutory notice a number of budget community forums were held in the following towns:

- Tatura Ballantyne Centre – Monday 30 June 2014, 6pm to 8pm
- Shepparton Eastbank Centre – Wednesday 2 July 2014, 6pm to 8pm
- Mooroopna Community Hub – Monday 7 July 2014, 6pm to 8pm
- Dookie Recreation Reserve – Wednesday 9 July 2014, 6pm to 8pm

It should also be noted that the Draft 2014/2015 Budget provides funding for nominated projects and where appropriate further community consultation will occur throughout the year specific to each project.

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Keep informed	<ul style="list-style-type: none"> • Media Releases • Social Media • Radio • Council Website
Consult	Inform, Listen, Acknowledge	<ul style="list-style-type: none"> • Information forums • Public submissions • Hearing of submissions

4. BUSINESS DIRECTORATE

4.1 2014/2015 Draft Budget - Hearing of Section 223 Submissions (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

The Draft 2014/2015 Budget is linked to the *Greater Shepparton 2030 Strategy* via the Council Plan 2013-2017.

b) Other strategic links

The Draft 2014/2015 Budget is linked to the Council Plan by the funding of the Strategic Objectives contained in the Council Plan.

Options for Consideration

1. That the written submissions not be considered and verbal submission not be heard.
Not recommended.
2. That the written submissions be received and noted and hear those that wish to support their submission. **Recommended.**

This will ensure that Council is complying with Section 223 of the Act.

Conclusion

The public notice period for submissions on the Draft 2014/2015 Budget was open from Friday 20 June 2014 and closed at 5.00pm Friday 18 July 2014. A total of six individuals made submissions with one of those requesting to be heard by Council.

Attachments

Nil

5. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

Nil Received

MEETING CLOSED AT 5.41PM