

MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

SPECIAL COUNCIL MEETING

HELD ON
TUESDAY 9 JUNE, 2015
AT 5.30PM

IN THE COUNCIL BOARDROOM

COUNCILLORS:

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

VISION

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

**MINUTES
FOR THE
SPECIAL COUNCIL MEETING
HELD ON
TUESDAY 9 JUNE, 2015 AT 5.30PM**

**CHAIR
CR DENNIS PATTERSON**

INDEX

1.	ACKNOWLEDGEMENT	1
2.	APOLOGIES	1
3.	DECLARATIONS OF CONFLICT OF INTEREST	1
4.	MANAGEMENT REPORTS FROM THE BUSINESS DIRECTORATE.....	2
4.1	2015/2016 Draft Budget - Hearing of Section 223 Submissions	2
5.	URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA	7

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 Dennis Patterson, Fern Summer, Dinny Adem, Jenny Houlihan, Les Oroszvary, Michael Polan and Kevin Ryan.

**OFFICERS: Gavin Cator – Chief Executive Officer
Steve Bowmaker – Director Infrastructure
Chris Teitzel – Director Business
Kaye Thomson – Director Community
Stephanie Giankos – Official Minute Taker
Maree Martin – Deputy Minute Taker**

1. ACKNOWLEDGEMENT

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

2. APOLOGIES

Nil.

3. DECLARATIONS OF CONFLICT OF INTEREST

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

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

4. BUSINESS DIRECTORATE

4.1 2015/2016 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): Director Business

Approved by: Director Business

Executive Summary

At a Special Council Meeting held on Tuesday 28 April 2015, the Council resolved to 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 29 May 2015. A total of 18 submissions were received with 3 of those requesting to be heard by Council.

Submissions ranged in content however generally contained the following themes:

- Opposition to the proposed capital works of \$160,000 feature lighting of the Telstra Tower and instead fund lighting on the western side of Victoria Park Lake
- Request for security/safety fence at Shepparton Heritage Centre
- Concern over the increase in hourly fee for parking meters and request for Shepparton Show Me funds to be diverted to free parking
- Belief that Council needs to be more efficient, productive, proficient and pro-active in controlling the budget, that spending should be cut and assets should be sold
- Concern that Council is not trying to reduce the burden on its citizens and ratepayers

Cr Patterson noted an amendment that there would be four submitters.

Moved by Cr Polan

Seconded by Cr Summer

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

CARRIED.

Council to hear presentations from four submitters.

Moved by Cr Polan

Seconded by Cr Adem

That standing orders be resumed.

CARRIED.

4. BUSINESS DIRECTORATE

4.1 2015/2016 Draft Budget - Hearing of Section 223 Submissions (continued)

RECOMMENDATION

That the Council:

1. receive and note the submissions in response to the public advertisement of the 2015/2016 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 2015/2016 budget at a Special Council Meeting to be held on Tuesday 23 June 2015 at 5.30pm in the Council Boardroom.

Moved by Cr Summer Seconded by Cr Oroszvary

That the Council:

1. receive and note the submissions in response to the public advertisement of the 2015/2016 draft budget.
2. formally consider all received submissions and the adoption of the 2015/2016 budget at a Special Council Meeting to be held on Tuesday 23 June 2015 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 a special council meeting held on Tuesday 28 April 2015 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 29 May 2015.

Council Plan/Key Strategic Activity

The Draft 2015/2016 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 2015/2016 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 2015/2016 audited annual report.

4. BUSINESS DIRECTORATE

4.1 2015/2016 Draft Budget - Hearing of Section 223 Submissions (continued)

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.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Failure to comply with the Local Government Act 1989	Unlikely	1	High	Special meeting scheduled 9 June to hear submissions as per Section 223. Special meeting to adopt budget scheduled 23 June to achieve 30 June 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 2015/2016 budget document however a summary is provided below.

	2014/2015 Forecast	2015/2016 Draft Budget	Variance \$	Comments
Revenue	123,581,000	125,696,000	2,115,000	1.7 per cent increase
Expense	124,816,000	116,582,000	8,234,000	6.6 per cent decrease
Net Result	(1,235,000)	9,114,000	10,349,000	

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.

4. BUSINESS DIRECTORATE

4.1 2015/2016 Draft Budget - Hearing of Section 223 Submissions (continued)

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 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 2015/2016 Budget.

Social Implications

The Draft 2015/2016 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 \$9.24 million of infrastructure works proposed for the 2015/2016 financial year to encourage economic activity.

Consultation

The Draft 2015/2016 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 1 May 2015 that Council's Draft 2015/2016 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 29 May 2015.

It should also be noted that the Draft 2015/2016 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"> • Public submissions • Hearing of submissions

4. BUSINESS DIRECTORATE

4.1 2015/2016 Draft Budget - Hearing of Section 223 Submissions (continued)

Strategic Links

a) Greater Shepparton 2030 Strategy

The Draft 2015/2016 Budget is linked to the *Greater Shepparton 2030 Strategy* via the Council Plan 2013-2017.

b) Other strategic links

The Draft 2015/2016 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 2015/2016 Budget was open from Friday 1 May 2015 and closed at 5.00pm Friday 29 May 2015. A total of 18 submissions were received with 4 of those requesting to be heard by Council.

Attachments

Nil

5. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

Nil Received.

THE MEETING CLOSED AT 6.12PM.