

# MINUTES

FOR THE  
GREATER SHEPPARTON CITY COUNCIL

## SPECIAL COUNCIL MEETING

HELD ON  
TUESDAY 24 NOVEMBER, 2015  
AT 5.30PM

IN THE COUNCIL BOARDROOM

**COUNCILLORS:**

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

***VISION***

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



**MINUTES  
FOR THE  
SPECIAL COUNCIL MEETING  
HELD ON  
TUESDAY 24 NOVEMBER, 2015 AT 5.30PM**

**CHAIR  
ACTING CHIEF EXECUTIVE OFFICER  
CR DINNY ADEM**

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

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

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

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

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

**Insignificant** Operational, add treatments where appropriate

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

**OFFICERS: Chris Teitzel – Acting Chief Executive Officer  
Steve Bowmaker – Director Infrastructure  
Johann Rajaratnam – Director Sustainable Development  
Kaye Thomson – Director Community  
Matthew Jarvis – Acting Director Business  
Maree Martin – Official Minute Taker  
Peta Bailey – 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. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 4.1 Mayoral Position Description

**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: Acting Team Leader Governance**

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

**Approved by: Acting Chief Executive Officer**

#### **Executive Summary**

The purpose of this report is to review and adopt the Mayoral position description.

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

That the Mayoral position description be adopted.

**CARRIED.**

#### **Background**

In previous years, a position description has been adopted for the Mayor. This document sets out the objectives and accountabilities for the position, to enable the Council and the community to assess the Mayor's performance. The position description also outlines the Mayor's overall responsibilities, key responsibility areas, skills, knowledge, qualifications and experience.

The position description is reviewed prior to each Mayoral election to ensure that it continues to reflect the legislative and other requirements of the position, as well as the expectations that the Council has of the incumbent.

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

This proposal supports Objective 35 of the *Council Plan 2009-2013*: "Provide best practice management and administrative systems and structures to support the delivery of Council services and programs".

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Mayor not adhering to the position description	D	2	Low	Councillor induction training is provided. Support and advice will be available from Council officers.
Elected Councillor not understanding the increased responsibility and time commitments arising from Mayoral appointment	D	4	Low	A Mayoral position description outlining the responsibilities of the Mayor will be adopted.

## 4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 4.1 Mayoral Position Description (continued)

#### **Policy Considerations**

There are no direct links to existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal.

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

There are no legal or statutory implications arising from this proposal.

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

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

#### **Social Implications**

There are no social implications arising from this proposal.

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

Councillors have been consulted in relation to the review of the Mayoral position description.

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

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

##### b) Other strategic links

There are no other strategic links

#### **Options for Consideration**

Councillors could choose not to adopt a Mayoral position description or to adopt a modified version of the document.

#### **Conclusion**

As the position description outlines the Mayor's overall responsibilities, key responsibility areas, skills, knowledge, qualifications and experience and enables the Council and the community to assess the Mayor's performance, it is recommended that Council adopt the Mayoral position description.

#### **Attachments**

Mayoral Position Description Page 10

#### 4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

##### 4.2 Election of Mayor

###### **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:** Acting Team Leader Governance

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

**Approved by:** Acting Chief Executive Officer

###### **Executive Summary**

The purpose of this report is to facilitate the election of a Councillor to be the Mayor of Greater Shepparton City Council.

**Moved by Cr Summer**

**Seconded by Cr Oroszvary**

That the Council appoint a Councillor to the position of Mayor for a 1 year term.

**CARRIED.**

**Cr Hazelman nominated Cr Adem**

Cr Adem accepted the nomination.

There being no further nominations, the Chair declared Cr Adem duly elected as the Mayor of Greater Shepparton City Council.

###### **Background**

In accordance with section 71 of the *Local Government Act 1989*, Councillors must elect a Councillor to be the Mayor of the Council. Traditionally Council has appointed Mayors for one year terms. However, under section 71(2) of the Act Council may resolve to elect a Mayor for a term of two years.

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

There are no direct links to the *Council Plan 2013-2017*.

###### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Elected Councillor not understanding the increased responsibility and time commitments arising from Mayoral	D	4	Low	A Mayoral position description outlining the responsibilities of the Mayor will be adopted.



## 4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 4.2 Election of Mayor (continued)

Risks	Likelihood	Consequence	Rating	Mitigation Action
appointment				

#### **Policy Considerations**

This proposal does not conflict with existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal. Provision has been provided for the payment of a Mayoral Allowance in the 2015/16 Budget.

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

Section 71 of the *Local Government Act 1989* states that the Council must elect a Councillor to be the Mayor of the Council at a meeting of the Council that is open to the public.

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

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

#### **Social Implications**

There are no social implications arising from this proposal.

#### **Economic Impacts**

There are no economic impacts arising from this proposal.

#### **Consultation**

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

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

##### b) Other strategic links

There are no other strategic links.

#### **Options for Consideration**

That the Council determine to appoint a Councillor to the position of Mayor for a period of one year.

#### **Conclusion**

In accordance with section 71 of the *Local Government Act 1989* the Councillor must appoint one of their members to serve as Mayor of Greater Shepparton.

#### **Attachments**

Nil

## 4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 4.3 Election of Deputy Mayor

**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: Acting Team Leader Governance**

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

**Approved by: Acting Chief Executive Officer**

#### **Executive Summary**

The purpose of this report is to appoint a Deputy Mayor to serve during the Mayoral term of office.

**Moved by Cr Oroszvary**

**Seconded by Cr Ryan**

That the Council:

1. appoint a Deputy Mayor for the Mayoral Term and
2. if, during the Mayoral Term, there is a vacancy in the office of the Mayor or the Mayor is absent, incapable of acting or refusing to act, then provided the Deputy Mayor is available, the Council hereby appoints the Deputy Mayor to be the Acting Mayor in accordance with Section 73(3) of the Local Government Act 1989.

**CARRIED.**

**Cr Oroszvary nominated Cr Summer.**

Cr Summer accepted the nomination.

There being no further nominations, the Mayor declared Cr Summer duly elected as the Deputy Mayor of Greater Shepparton City Council.

#### **Background**

There is no statutory requirement to elect a Deputy Mayor, but the Council has traditionally adopted the practice of appointing a Councillor to this role, to act as the chair in the absence of the Mayor at Council meetings or where the Mayor is required to vacate the chair. It also allows the Deputy Mayor to receive the pledge of commitment at citizenship ceremonies and to act as spokesperson in the Mayor's absence. No additional allowance is payable and the Council will need to resolve that a Deputy Mayor be appointed. There is no position description for the role of Deputy Mayor, as the Mayoral position description applies on all occasions that the Deputy Mayor acts in that role and there are no separate and distinct duties or responsibilities assigned to the position of Deputy Mayor.

## 4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 4.3 Election of Deputy Mayor (continued)

In accordance with *Local Law No. 2 – Processes of Municipal Government (Meetings and Common Seal)* the election of a Deputy Mayor will follow the same procedure as that used for the election of Mayor.

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

There are no direct links to the *Council Plan 2013-2017*.

#### **Risk Management**

Risks	Likelihood	Consequence	Rating	Mitigation Action
Councillor appointed to the role of Deputy Mayor not understanding their responsibilities when deputising for the Mayor.	D	4	Low	A Mayoral position description will be adopted. Advice and support will also be available from the Mayor and Council officers.

#### **Policy Considerations**

There are no conflicts with existing Council policies.

#### **Financial Implications**

There are no financial implications arising from this proposal as there is no additional allowance payable to the Deputy Mayor.

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

There is no statutory requirement for the Council to elect a Deputy Mayor but the Council has traditionally adopted the practice of appointing a Councillor to this role in order to receive the pledge of commitment at citizenship ceremonies and to act as spokesperson in the absence of the Mayor.

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

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

#### **Social Implications**

There are no social implications arising from this proposal.

#### **Economic Impacts**

There are no economic implications arising from this proposal.

#### **Consultation**

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

#### **Strategic Links**

##### a) Greater Shepparton 2030 Strategy

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

##### b) Other strategic links

There are no other strategic links.

#### **Options for Consideration**

Councillors could decide not to appoint a Deputy Mayor.

## 4. OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 4.3 Election of Deputy Mayor (continued)

#### **Conclusion**

It is recommended that Councillors elect a Councillor to fill the role of Deputy Mayor for the purposes of receiving a pledge of commitment at citizenship ceremonies and to attend functions and act as Council spokesperson on occasions when the Mayor is unavailable to do so.

#### **Attachments**

Nil

**THE MEETING CLOSED AT 5.41 PM**