



GREATER
SHEPPARTON

AGENDA

Greater Shepparton City Council

ORDINARY COUNCIL MEETING

5.30pm, Tuesday 19 May 2020

VIRTUALLY VIA ZOOM

COUNCILLORS

Cr Seema Abdullah (Mayor)
Cr Dinny Adem (Deputy Mayor)
Cr Bruce Giovanetti
Cr Chris Hazelman OAM
Cr Kim O'Keeffe
Cr Les Oroszvary
Cr Dennis Patterson
Cr Fern Summer
Cr Shelley Sutton

VISION

GREATER SHEPPARTON, GREATER FUTURE

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

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FOR THE
GREATER SHEPPARTON CITY COUNCIL

ORDINARY COUNCIL MEETING

TO BE HELD ON
TUESDAY 19 MAY, 2020
AT 5.30PM

VIRTUALLY VIA ZOOM

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VISION

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**A G E N D A
FOR THE
ORDINARY COUNCIL MEETING
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TUESDAY 19 MAY, 2020 AT 5.30PM**

**CHAIR
CR SEEMA ABDULLAH**

INDEX

1.	ACKNOWLEDGEMENT	1
2.	PRIVACY NOTICE	1
3.	APOLOGIES	1
4.	DECLARATIONS OF CONFLICT OF INTEREST	1
5.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	1
6.	PUBLIC QUESTION TIME	1
7.	MANAGEMENT REPORTS FROM THE INFRASTRUCTURE DIRECTORATE	2
7.1	Contract 1982 Construction of Flood Lighting to Princess Park - Variation.....	2
8.	MANAGEMENT REPORTS FROM THE COMMUNITY DIRECTORATE	6
8.1	Australian National Piano Award - Funding Agreement 2023 to 2025	6
8.2	Murchison Neighbourhood House - Request for Financial Support	10
9.	MANAGEMENT REPORTS FROM THE CORPORATE SERVICES DIRECTORATE	13
9.1	April 2020 Monthly Financial Report.....	13
9.2	Contracts Awarded Under Delegation and Contracts Advertised but yet to be Awarded.....	15
10.	MANAGEMENT REPORTS FROM THE SUSTAINABLE DEVELOPMENT DIRECTORATE	19
10.1	Electricity Procurement Update.....	19
12.	REPORTS FROM SPECIAL AND ADVISORY COMMITTEES	23
13.	NOTICES OF MOTION, AMENDMENT OR RESCISSION.....	23
14.	DOCUMENTS FOR SIGNING AND SEALING	24
14.1	Shepparton Adult and Community Education College Inc (known as Shepparton ACE College) Funding Deed of Agreement.....	24
15.	COUNCILLOR ACTIVITIES	25
15.1	Councillors Community Interaction and Briefing Program	25
16.	URGENT BUSINESS NOT INCLUDED ON THE AGENDA	27

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:

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. 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.

3. APOLOGIES

RECOMMENDATION

That the apology from Cr Giovanetti be noted and a leave of absence be granted.

4. 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.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION

That the minutes of the 21 April 2020 Council Meeting and 28 April 2020 Special Council Meeting as circulated, be confirmed.

6. PUBLIC QUESTION TIME

Nil Received

7. INFRASTRUCTURE DIRECTORATE

7.1 Contract 1982 Construction of Flood Lighting to Princess Park - Variation

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: Project Manager

Proof reader(s): Manager Projects, Team Leader Project Management Office

Approved by: Director Infrastructure

Executive Summary

The purpose of this report is to approve a Variation to Contract 1982 Construction of Flood Lighting to Princess Park. This contract variation is a result of a delay in delivery caused by the current pandemic. The variation will facilitate the project to proceed as scheduled and assist local business by ensuring this project continues during the current difficult times. The variation of \$56,439.77 ex GST covers purchase of replacement light poles from an Australian supplier where delivery is not currently impacted by the COVID 19 pandemic. The original poles priced under the contract at \$42,079 ex-GST will still be delivered at a later date and reassigned to a separate lighting project. Therefore the effective additional cost to Council could be considered as the difference i.e. approximately \$14,360 ex GST.

In accordance with Council's Procurement Policy for contracts above \$250k where the total of all variations is 20 per cent or above, Council approval is required. The original contract sum for Contract 1982 was \$303,860.00 ex GST. Variation 5, for which approval is sought, is for the supply, installation, engineering, permits, cages, fixings and transport of four Australian made 30 metre light poles totalling an additional \$56,439.77 ex GST. This variation brings the total percentage for all variations for this contract to 24.07% of the original approved contract sum and therefore requires Council approval.

Noting that 20% of the original contract sum is approximately \$60,000 ex GST and the sum of previous variations and the cost difference of replacement poles totals approximately \$31,000 ex GST (\$16,687.48 + \$14360.00) it is recommended that the CEO be provided authorisation to approve future variations up to a cumulative value of \$29,000.00 ex GST (equivalent to 20% assuming the cost difference is the effective variation).

RECOMMENDATION

That the Council:

1. Approve Contract Variation No.5 under Contract 1982 - Construction of flood lighting to Princess Park with a value of \$62,083.75 (inc. GST).
2. Authorise the Chief Executive Officer to approve future variations under this contract to the value of \$31,900.00 (inc GST).

7. INFRASTRUCTURE DIRECTORATE

7.1 Contract 1982 Construction of Flood Lighting to Princess Park - Variation (continued)

Background

Watters Electrical Pty Ltd was awarded Contract 1982 for the construction of flood lighting to Princess Park under the Chief Executive Officers delegation for the amount of \$303,860.00 ex-GST in November 2019.

Four 30 metre light poles were ordered by the contractor in 2019 from Ingal in accordance with the specification for this project. As Ingal manufacture their poles in China unfortunately the impacts of COVID-19 has severely delayed the manufacturing and shipping of this order.

With Ingal unable to confirm a delivery date for the poles and the Shepparton Swans Football Netball Club needing lights for training commencing daylight savings, the contractor was asked to investigate Australian manufactured poles which would be more readily available. The contractor subsequently identified Coslee as a suitable Australian manufacturer for the specified light poles with the ability to ship within six to seven weeks of approval of the drawings. Coslee poles were quoted at \$56,439.77 ex GST including supply and installation, engineering, permits, reo cages, fixings and transport by Watters Electrical.

As the Ingal light pole order has been confirmed, this is unable to be cancelled. Council's Manager Parks Sport and Recreation has confirmed that they have other recreation reserve/oval lighting projects where the Ingal light poles will be able to be used in the future. It is proposed that when the Ingal poles are received, they are placed in storage at the Doyles Road Complex for future project use. The cost for the Ingal poles will be transferred from this project to the relevant project once it has been confirmed.

During the delivery of this project a number of prior variations have been approved as follows:

Variation No	Description	Amount Ex GST
1	Supply and installation of Illuminator system and ancillary equipment	\$7,105.00
2	Shepparton Runners Club switchboard upgrade	\$3,305.99
3	Shepparton Swans switchboard upgrade	\$3,928.48
4	Time keepers building switchboard upgrade	\$2,348.01
Total		\$16,687.48
Contract Awarded Sum		\$303,860.00
Total Contract Sum (inclusive of variations 1-4 above)		\$320,547.48

The proposed Variation 5 totalling \$56,439.77 ex GST equates to 18.57% of the contract sum. This subsequently brings the total variation percentage to 24.07% above the original approved contract sum.

The Superintendent has assessed the variation amount as being reasonable and consistent with market rates.

7. INFRASTRUCTURE DIRECTORATE

7.1 Contract 1982 Construction of Flood Lighting to Princess Park - Variation (continued)

Council Plan/Key Strategic Activity

Greater Shepparton Council Plan 2017-2021.

Social

2.9 Public places, open space and community facilities are safe and accessible for all and presented to a high quality.

Built

4.4 Quality infrastructure is provided and maintained to acceptable standards

Risk Management

Negligible to Minor risks have been identified and will be addressed at the operational level.

Policy Considerations

There are no conflicts with existing Council policy. The action sought under this report ensures compliance with Council's Procurement Policy and Council's Exercise of Delegations Policy.

Financial Implications

The Superintendent has assessed the need for the variation and the variation estimate and has concluded that the works are necessary to achieve the project intent and the estimate of additional cost to be fair.

The approved 2019/20 capital budget of \$430,000 is sufficient to accommodate the recommended variation.

	Approved Contract Sum ¹ \$	This Variation GST Exclusive \$	Variance to Approved Budget \$	Revised Contract Sum GST Inclusive ² \$
Revenue	0	0	0	0
Expense	\$320,547.48	\$56,439.77	-\$53,012.75	\$414,685.98
Net Total	\$320,547.48	\$56,439.77	-\$53,012.75	\$414,685.98

¹ Budgets are GST exclusive

² For Contract Award reports the GST inclusive expense shall match the amount reported in the recommendation

Legal/Statutory Implications

This recommendation is consistent with the Local Government Act 1989.

Environmental/Sustainability Impacts

No environmental impacts have been identified as a result of this recommendation.

The light towers which are currently on order from China will be stored for use with planned future reserve lighting projects.

Social Implications

This project was on a critical time path to achieve this lighting upgrade prior to the commencement of daylight savings to ensure the Shepparton Swans had oval lighting for training. Due to the impacts of the covid-19 and the resulting delay to the Ingal light pole delivery timeframe an alternate Australian made pole manufacturer was found in an

7. INFRASTRUCTURE DIRECTORATE

7.1 Contract 1982 Construction of Flood Lighting to Princess Park - Variation (continued)

attempt to reduce the impact on the Shepparton Swans Football Netball Club. By utilising Australian made poles combined with the country football/netball decision to postpone commencement of the season until 31 May 2020 it is anticipated that the Australian made light poles will be installed and operational prior to this date.

Economic Impacts

Purchasing Australian made poles supports the Australian economy.

Consultation

Ongoing engagement and consultation has been undertaken throughout this project with the following user groups:

- Shepparton Swans Football Netball Club
- Shepparton United Cricket Club
- Shepparton Runners Club
- Shepparton Italian Social Club

User groups are provided with regular updates in relation to this project and are aware of the delays encountered.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Community Life

1. To ensure that facilities, services and policies are accessible and inclusive, and appropriate to the sporting and recreation needs of the community.
- 1.2 Encourage parks and facilities to cater for a range of recreational and sporting activities.

b) Other strategic links

Nil

Conclusion

Officers recommend that the variation to Contract No. 1982 be approved in accordance with the Superintendent's assessment of the claim.

Attachments

Nil

8. COMMUNITY DIRECTORATE

8.1 Australian National Piano Award - Funding Agreement 2023 to 2025

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 Performing Arts and Conventions

Proof reader(s): Director Community

Approved by: Director Community

Executive Summary

The Australian National Piano Award (ANPA) is a prestigious piano competition held at Riverlinks Eastbank every two years. It began in 1992 and council has been sponsor of first prize for many years.

The prize money for these events needs to be a sufficient incentive to attract the very highest calibre of musicians. This ensures the competition continues to build its prestige and reputation as the country's 2nd most important piano competition (after Sydney International Piano Competition). This clearly reflects well on Shepparton and council, as host and major sponsor of the event.

It is proposed that council continues to support this event by contributing the funds for first prize and that funding is increased by an amount equivalent to approximately 3% per annum over the four years since the previous funding agreement.

There are strong reasons for council to support this event:

- This is an event of international significance which enhances the image of Shepparton,
- It puts Shepparton on the cultural "map" both nationally and across the world,
- It develops local support for performing arts,
- It boosts cultural tourism,
- It provides an opportunity for musicians to gain performing experience at the highest level.

It should be noted that the 2020 Piano Award has been postponed to 2021 due to the impact of the COVID-19 outbreak. Future Awards are therefore put back one year and are now scheduled for 2023 and 2025.

RECOMMENDATION

That the council supports the Australian National Piano Award through the provision of funding to a total value of \$121,000 including GST, for the piano competitions to be held in 2023 and 2025.

8. COMMUNITY DIRECTORATE

8.1 Australian National Piano Award - Funding Agreement 2023 to 2025 **(continued)**

Background

Supporting an event of unique significance

This event is unique in regional Australia. Most major music competitions are held in capital cities such as the Sydney International Piano Competition or the Melbourne International Chamber Music Competition.

If we accept that arts and culture have the potential to change the way we see ourselves, this event has the added advantage of changing the way others see us. This is a good news story for Shepparton and this news travels internationally.

Media coverage for both the event and the various winners is extensive. From Wikipedia's entry for Amir Farid, one of ANPA past winners, to press and web reports in the wider music world, many of them will mention Shepparton as the host of this event.

A good example is from Australia's classical music magazine, *Limelight*, which states, *Proudly supported by Greater Shepparton City Council, in the heart of rural Victoria, the Australian National Piano Award is a major piano competition, recognised worldwide.*

The final concerts of the competition are broadcast nationally and streamed internationally.

Grow local support for performing arts

Many residents support this event. The fact that such a prestigious and high level piano competition is held in Shepparton inspires and motivates local music students and music lovers. It is also a source of great pride for local residents that this event is held here.

Cultural tourism

About 30% of attendees come from outside the catchment area, many of them from Melbourne. There is further capacity to encourage these visitors to stay longer in the region or to return on future occasions. Council's Tourism and Events department is fully committed to promoting this event in the region.

Provide an opportunity for musicians to gain experience of performing at the highest level

The ANPA website describes the event; *acclaimed for its standard of excellence, the Award is held every two years in Shepparton, Victoria and represents a true test of artistic talent and technical mastery in the world of classical piano.* It is very often a career making opportunity for the participants.

The event is successful and will continue to grow

The competition is managed by a Board of Management who manage the event in a very professional way. They have the resources and ability to grow the event with support from patrons such as the Honourable Linda Dessau AC, Governor of Victoria and Mr Julian Burnside AO. Sponsors include the Sir Andrew and Lady Fairley Foundation, Robert Salzer Foundation, Furphy Foundation, Bendigo Bank as well as many private individuals who believe this is a worthwhile cause to support.

Steinway Piano

It should also be noted that the Steinway concert grand piano was purchased jointly about 20 years ago by council and ANPA specifically to enable this competition to develop.

8. COMMUNITY DIRECTORATE

8.1 Australian National Piano Award - Funding Agreement 2023 to 2025 (continued)

Council Plan/Key Strategic Activity

2.5 Creativity and participation in arts and culture is nurtured and encouraged.

3.3 Greater Shepparton is a major destination for events and tourism.

Risk Management

There are no risks identified with this report.

Policy Considerations

There are no policy considerations identified with this report.

Financial Implications

Over the past two events, 2018 and 2020, council has provided funding of \$49,000 per event. The total funding was therefore \$98,000.

Over the past two events, 2018 and 2020, council has provided funding of \$49,000 (exclusive of GST) per event and officers recommend this is increased for the next two events to reflect an increase of 3% per annum.

The proposed council funding for 2023 and 2025 is \$60,500 per event (inclusive of GST) - a total of \$121,000 (inclusive of GST).

Year	Items	GST exclusive	GST	GST inclusive
2023	First Prize	\$28,000	\$2,800	\$30,800
	Additional funding	\$27,000 = \$55,000	\$2,700	\$29,700
2025	First Prize	\$28,000	\$2,800	\$30,800
	Additional funding	\$27,000 = \$55,000	\$2,700	\$29,700
TOTALS		\$110,000	\$11,000	\$121,000

Legal/Statutory Implications

There are no legal or statutory implications identified with this report.

Environmental/Sustainability Impacts

There will be no environmental or sustainable implications with this report.

Social Implications

The high reputation of this event enhances the cultural image of Greater Shepparton, building local pride and strengthening social cohesion.

Economic Impacts

The cultural tourism aspect of this event brings many visitors to the area, enabling businesses to leverage off the event.

8. COMMUNITY DIRECTORATE

8.1 Australian National Piano Award - Funding Agreement 2023 to 2025 **(continued)**

Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Promotion to members of the public	General range of promotional methods
Consult	Music organisations within the community have been consulted.	Meetings held to consult with these groups.
Involve	Other Council staff will be involved in delivering this project.	Meetings held to discuss with other council departments.
Collaborate	With the Board of ANPA	Attendance at meetings.
Empower	ANPA rents the space from Riverlinks Eastbank and is the driver of this event.	ANPA committee members organise the event themselves.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

ANPA has a long term strategy to develop this event and intends to be key contributor to the region's cultural vitality in the future.

This event will contribute to strategies of Community life, theme of Lifelong learning and strategy of Economic Development – Theme of Tourism:

b) Other strategic links

None identified.

Conclusion

This is an event of national significance which contributes to cultural tourism. It enhances the image of Shepparton locally, nationally and internationally. Council has invested in the past and the recommendation is that funding continues with a small increase to account for rising costs.

Attachments

Proposed Funding Agreement with Australian National Piano Award - 2023 to 2025 [↓](#)

Page 29

8. COMMUNITY DIRECTORATE

8.2 Murchison Neighbourhood House - Request for Financial Support

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 Neighbourhood

Proof reader(s): Community Development Officer

Approved by: Director Community

Executive Summary

Murchison Neighbourhood House Committee of Management is seeking a one-off payment of \$30,000 (GST free) from Council to contribute toward the purchase of the existing Neighbourhood House building in Impey Street Murchison.

Murchison Neighbourhood House has been affected by the larger liquidation of assets by Murchison Community Care which was recently placed into receivership.

The building which currently houses Murchison Neighbourhood House (Township Zone) is now scheduled for sale by expression of interest. On the site is the Neighbourhood House, 2 residential units and a Men's Shed.

Purchase of the site by Murchison Neighbourhood House Committee of Management would ensure that the house continues to operate and provide important community services. Also operating from the Neighbourhood House are Maternal and Child Health Services, the Goulburn Region Pre-School Association, Hairdresser and visiting health professionals.

RECOMMENDATION

That the Council approve the provision of a one-off \$30,000 payment (GST free) to Murchison Neighbourhood House Committee of Management to go toward the purchase of 23 Impey Street, Murchison. This payment will be contingent on the Committee of Management signing an agreement with Council outlining the provisions of the financial support.

Background

Murchison Neighbourhood House currently operates from 23 Impey Street Murchison.

The Neighbourhood House provides services that are integral to the local community including education classes, events that promote social inclusion, an information hub, local links, and a pre loved shop – amongst others. Also operating from the same building are Maternal and Child Health Services, the Goulburn Region Pre-School Association, Hairdresser and visiting health professionals.

Recently the entity that owns the building – Murchison Community Care – was placed into liquidation. As part of this liquidation process the building located at 23 Impey Street is scheduled for sale by expression of interest.

8. COMMUNITY DIRECTORATE

8.2 Murchison Neighbourhood House - Request for Financial Support (continued)

Murchison Neighbourhood House Committee of Management (COM) would like to purchase this building and are seeking a one-off payment of \$30,000 (GST free) from Council. On the site is the Neighbourhood House, 2 residential units and a Men's Shed.

The COM is seeking this funding contingent on the COM gaining further funding from other sources.

The \$30,000 (GST free) payment will be subject to various conditions outlined in a funding agreement. If approved, any such funding agreement will be signed by the Chief Executive Officer of Council and the President of Murchison Neighbourhood House Committee of Management.

The funding agreement will outline that the payment:

- Is a one off payment
- Does not commit Council to any future maintenance costs or other costs associated with the premises
- Is subject to the COM securing enough funding from other sources to enable the purchase
- Is subject to the COM providing proof of sale.

Council Plan/Key Strategic Activity

This report has links to the following Council Plan objectives:

Social:

2.3 Lifelong learning is valued and fostered in our community.

2.4 Social and cultural, educational and employment opportunities are created to enable children, young people, individuals and families to actively participate in their community.

2.6 Volunteering is promoted and encouraged along with other measures to improve community resilience.

Risk Management

There are no risks associated with this report. Any payment made by Council will only be paid subject to Murchison Neighbourhood House Committee of Management securing enough remaining funding for the purchase of the building.

Policy Considerations

This report is consistent with policy considerations.

Financial Implications

Should the recommendation be supported, a variation will be made to the 2019/20 budget.

Legal/Statutory Implications

There are no legal or statutory implications associated with this report.

Environmental/Sustainability Impacts

There are no environmental/sustainability impacts associated with this report.

8. COMMUNITY DIRECTORATE

8.2 Murchison Neighbourhood House - Request for Financial Support **(continued)**

Social Implications

The social implications associated with this report are positive.

Murchison Neighbourhood House is an integral part of the Murchison and surrounds community. Murchison has been hit hard by the liquidation of Murchison Community Care which has impacted upon the DP Jones Nursing Home, the Neighbourhood House, and several businesses including a medical practice.

By securing the existing building in Impey Street, Murchison Neighbourhood House would have security of tenure and would have a solid foundation from which they can continue their community programs.

Murchison Neighbourhood House is very important to the local community.

Economic Impacts

The continuation of the Murchison Neighbourhood House will contribute to the Murchison economy as local people will still be able to seek out services in their local town.

Consultation

The level of vocal activity about the liquidation of Murchison Community Care is a clear indication that services such as Murchison Neighbourhood House are important to the local community. Council officers have been in regular communication Murchison Community House representatives regarding their future aspirations.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Direction 2 – Community Life

b) Other strategic links

Nil

Conclusion

The commitment by Council to provide a one-off payment of \$30,000 (GST free) to the Murchison Neighbourhood House Committee of Management will enable the COM to explore the purchase of the existing building.

Should they be successful, the purchase of the building will go a long way to ensuring the future of Murchison Neighbourhood House – an integral part of the Murchison Community.

Attachments

Nil

9. CORPORATE SERVICES DIRECTORATE

9.1 April 2020 Monthly Financial Report

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 Corporate Services

Approved by: Director Corporate Services

Executive Summary

The report presents Council's actual financial performance compared to the budget for the ten months ended 30 April 2020.

RECOMMENDATION

That the Council receive and note the April 2020 Monthly Financial Report.

Background

The 2019/2020 Budget was adopted at the Ordinary Council Meeting held 18 June 2019. The 2019/2020 Adopted Budget provided for an operating surplus of \$25.33 million with revenue of \$153.32 million and expenditure of \$127.99 million. The 2019/2020 Adopted Budget also provided for capital works of \$73.68 million.

On 15 October 2019, Council adopted the 2019/2020 Q1 Adopted Forecast with an accounting surplus of \$23.29 million which is \$2.04 million less than the 2019/2020 Adopted Budget. The capital works program of \$73.0 million was forecast to be expended during the 2019/2020 financial year which is a decrease of \$0.7 million from the Adopted Budget.

Council adopted the 2019/2020 Q2 Adopted Forecast on 18 February 2020, with an accounting surplus of \$23.96 million which is \$0.67 million more than the Q1 Adopted Forecast. The capital works program was \$73.5 million which is an increase of \$0.6 million from the Q1 Adopted Forecast.

Council adopted the 2019/2020 Q3 Adopted Forecast on 21 April 2020, with an accounting surplus of \$28.81 million which is \$4.85 million more than the Q2 Adopted Forecast. This was largely due to an increase in non-monetary contributions (developer gifted assets). The capital works program is \$70.6 million which is a decrease of \$2.95 million from the Q2 Adopted Forecast.

Council's actual financial performance compared to the budget is presented to Council on a monthly basis.

The April 2020 Monthly Financial Report incorporates the following sections which are presented for Council's consideration:

- Operating Performance
- Capital Works Performance

9. CORPORATE SERVICES DIRECTORATE

9.1 April 2020 Monthly Financial Report (continued)

- Income Statement
- Balance Sheet
- Cash Flow Statement
- Capital Works Statement

Council Plan/Key Strategic Activity

The report is consistent with the leadership and governance goal “High Performing Organisation” as included in the *Council Plan 2017-2021*.

Risk Management

There are no risks identified in providing this financial report.

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

Section 137 of the *Local Government Act 1989* provides that Council maintain a budgeting and reporting framework that is consistent with the principles of sound financial management. In addition Section 138 requires that at least every 3 months a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a Council meeting which is open to the public. This report satisfies that requirement.

Environmental/Sustainability Impacts

There are no environmental or sustainability impacts associated with this report.

Social Implications

There are no social implications associated with this report.

Economic Impacts

There are no economic implications in providing this financial report.

Consultation

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

Conclusion

The report presents Council’s actual financial performance compared to the budget for the ten months ended 30 April 2020.

Attachments

April 2020 - Monthly Financial Statements [↓](#) Page 49

9. CORPORATE SERVICES DIRECTORATE

9.2 Contracts Awarded Under Delegation and Contracts Advertised but yet to be Awarded

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 Contracts and Procurement
Proof reader(s): Acting Manager Corporate Governance
Approved by: Director Corporate Services

Executive Summary

To inform the Council of the status of requests for tenders that have been awarded under delegation and those that have been publicly advertised but are yet to be awarded.

RECOMMENDATION

That the Council note:

1. contracts awarded under delegated authority by the Chief Executive Officer;
2. contracts awarded under delegated authority by a Director; and
3. requests for tenders advertised but not yet awarded.

Contracts Awarded under Delegated Authority by the Chief Executive Officer

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
Nil				

Contracts Awarded under Delegated Authority by a Director

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
2015	Construction of Sewer Rising Main and Pressure Sewer System, Victoria Park	Lump Sum Contract for a suitably GVW accredited contractor for the supply of all labour, plant and materials for the construction of the Sewer Reticulation, Pressure Sewer System and the associated Sewer Rising Main at Victoria Park Lake, Shepparton.	\$110,330.00	NL Drainage & Concrete Construction Pty Ltd

9. CORPORATE SERVICES DIRECTORATE

9.2 Contracts Awarded Under Delegation and Contracts Advertised but yet to be Awarded (continued)

Contracts Awarded under Delegated Authority by a Director (continued)

Contract Number	Contract Name	Contract details, including terms and provisions for extensions	Value inclusive of GST	Awarded to
2016	Construction of Water Main Works – Fitzjohn Street, Victoria Park Lake Shepparton	Lump Sum Contract for a suitably GVW accredited contractor for the supply of all labour, plant and materials for the construction of water main works at Fitzjohn Street, Victoria Park Lake, Shepparton.	\$173,371.00	NL Drainage & Concrete Construction Pty Ltd
2020	Appointment of SAM Brand Campaign Creative, Production and Media Placement Agency	Request for Quotation - Lump Sum Contract for the Appointment of SAM Brand Campaign Creative, Production and Media Placement Agency	\$99,000.00	Alchemy Media

Requests for Tenders advertised but not yet awarded

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
1964	Provision of Parking Enforcement Services OR Provision of Parking Enforcement PLUS Administration Services	Lump Sum Contract for Provision of Parking Enforcement Services OR Provision of Parking Enforcement PLUS Administration Services	Tender closed on 22 January 2020. Tender currently being evaluated.
1980	Provision of Waste Operations Software	Lump Sum Contract for the Provision of Waste Operations Software	Tender closed 5 February 2020. Tender currently being evaluated.
2019	Supply of 40 RPM Bikes, Aquamoves Leisure Centre, Shepparton	Request for Quotation (Select) - Lump Sum Contract for the Supply of 40 RPM Bikes, Aquamoves Leisure Centre, Shepparton	Tender closed on 6 April 2020. Tender currently being evaluated.
2030	Provision of Development of Council Plan 2021-2025	Request for Quotation (Select) - Lump Sum Contract for the Provision of Development of Council Plan 2021-2025	Tender closed on 1 April 2020. Tender currently being evaluated.

9. CORPORATE SERVICES DIRECTORATE

9.2 Contracts Awarded Under Delegation and Contracts Advertised but yet to be Awarded (continued)

Requests for Tenders advertised but not yet awarded (continued)

Contract No.	Contract Name	Contract detail, including terms and provisions for extensions	Status
2004	Construction of Katandra West Basin Station Upgrade	Lump Sum Contract for the Construction of Katandra West Basin Upgrade, Katandra West	Tender closed on 15 April 2020. Tender currently being evaluated.
2009	Design and Construction of Route 5 Pedestrian Bridge and Shared Path, Lincoln Drive, Shepparton	Lump Sum Contract for the Design and Construction of Route 5 Pedestrian Bridge and shared Path, Lincoln Drive, Shepparton	Tender closed on 15 April 2020. Tender currently being evaluated.
2022	SAM Art Collection Relocation	Lump Sum Contract for the SAM Art Collection Relocation	Tender closed on 1 April 2020. Tender currently being evaluated.
2011	Supply and Delivery of Sealed Roads Stabilisation Services	Schedule of Rates Contract for the Supply and Delivery of Sealed Roads Stabilisation Services	Tender scheduled to close on 20 May 2020.
1995	Renewal of Stock Pens in Shepparton Saleyards	Lump Sum Contract for the Design, Supply and Installation for Renewal of Stock pens in Shepparton Saleyards.	Tender scheduled to close on 20 May 2020.
2043	Detailed Design of Princess Park Pavilion, Shepparton	Lump Sum Contract for Detailed Design of Princess Park Pavilion, Shepparton	Tender scheduled to close on 6 May 2020.
2045	Provision of North Street Streetscaping – Fryers Street to Vaughan Street, Shepparton	Request for Quotation (Select) - Lump Sum Consultancy Services Contract for the Provision of North Street Streetscaping between Fryers Street to Vaughan Street, Shepparton	Tender scheduled to close on 22 May 2020.
2050	Construction of Midland Highway Recreational Path, Shepparton East	Request for Quotation (Select) - Lump Sum Contract for the Construction of Midland Highway Recreational Path, Shepparton East	Tender scheduled to close on 14 May 2020.

Policy Considerations

Through the *Instrument of Delegation to the Chief Executive Officer* the Council has delegated authority to the Chief Executive Officer to award a contract up to the value of \$500,000 including GST.

The Council through the *Exercise of Delegations* Policy has delegated authority to the Director Corporate Services to approve a contract up to the value of \$500,000 and the Director Infrastructure, Director Community and Director Sustainable Development to approve a contract up to the value of \$150,000 for goods and services and \$200,000 for

9. CORPORATE SERVICES DIRECTORATE

9.2 Contracts Awarded Under Delegation and Contracts Advertised but yet to be Awarded (continued)

works. Through this Policy, the Manager Projects department also has delegated authority to approve contracts up to the value of \$100,000, for goods, services or works.

Legal/Statutory Implications

Section 186 of the *Local Government Act 1989* (the Act) establishes the requirements for tendering and entering into contracts.

Section 186(1) of the Act requires that before Council enters into a contract for the purchase of goods or services to the value of \$150,000 or more, or for the carrying out of works to the value of \$200,000 or more, it must give public notice of the purpose of the contract and invite tenders or expressions of interest from any person wishing to undertake the contract.

Conclusion

It is important that decisions and actions taken under delegation be properly documented and transparent in nature. The report details the publicly advertised contracts awarded by the Chief Executive Officer and Directors under delegated authority of the Council during the period 1 April 2020 to 30 April 2020.

Attachments

Nil

10. SUSTAINABLE DEVELOPMENT DIRECTORATE

10.1 Electricity Procurement Update

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: Sustainability Officer

**Proof reader(s): Team Leader Sustainability and Environment,
Manager Environment**

Approved by: Director Sustainable Development

Executive Summary

The purpose of this report is to provide an update to Council on the Local Government Power Purchasing Agreement (LGPPA) project, and the purchase of renewable electricity.

The previous report presented to Council in July 2019 stated that the purchase of electricity would commence from 1 January 2021. Due to unforeseen delays the commencement date will now be 1 July 2021.

Council's large market and unmetered street lighting electricity contracts are due for renewal on the 1 January 2021. Due to the delay in the LGPPA project, Council is required to procure electricity for large market sites and unmetered street lighting. This will be an interim six month contract in line with the start of the LGPPA project.

RECOMMENDATION

That the Council:

1. Approve a 6 month interim electricity contract for large market sites and unmetered streetlights with the Municipal Association of Victoria with an estimated value of \$726,000, including GST.
2. Acknowledge the delay in the Local Government Power Purchasing Agreement.
3. Authorise the Chief Executive Officer to sign the Participation Deed and the decision points throughout the development process of the Local Government Power Purchasing Agreement.

Background

The Victorian Greenhouse Alliances established a Local Government Electricity Contract Working Group to help Victorian Councils save money and reduce greenhouse gas emissions through their electricity procurement. Emerging from this is the development of a Power Purchase Agreement (PPA) for Victorian Councils to procure low-cost electricity from renewable energy sources.

10. SUSTAINABLE DEVELOPMENT DIRECTORATE

10.1 Electricity Procurement Update (continued)

RECOMMENDATION 16 July 2019

That the Council:

- 1. Participate in the tender process for the Victorian Local Government indirect supply-linked Power Purchasing Agreement from renewable sources for 100% of council's electricity load for a term of no longer than 10 years with a value range commencing at \$4,233,054 (Net Present Value) and not exceeding \$4,820,313 (Net Present Value). In addition there will be associated electricity charges that at this stage are unknown.*
- 2. Authorise the Chief Executive Officer to sign and seal the contract documentation resulting from the Power Purchasing Agreement tender process.*

Initially, 39 Councils agreed to participate in the first stage of the project to develop a business case. This has since expanded to 48 Councils that have confirmed their participation in the tender phase of the LG PPA project.

Council resolved at the July 2019 Ordinary Council Meeting:

The above resolution is still current and officers have received advice that the business case figures are still relevant.

Council's small market electricity contract expires on 30 June 2021. Council's large market and unmetered street lighting electricity contracts are due for renewal from 1 January 2021. Therefore an interim contract needs to be entered into for a period of 6 months from 1 January 2021 – 30 June 2021. The Municipal Association of Victoria (MAV) are offering a 6 month electricity contract to accommodate Councils participating in the LGPPA project. This will be for the purchase of black power, as renewable electricity is currently not available. This course of action will bridge the gap between the end of the current contracts and the commencement of the PPA, but also brings all of Council's electricity contract expiry dates into alignment.

The previous report indicated that the LGPPA would commence at the end of Council's current contract but this has now been delayed by six months until 1 July 2021.

Previous negotiations identified that the MAV would act as the procurement agent but an agreement between the MAV and Darebin City Council could not be reached. The primary reason for the discordant positions is related to each party being contracted to different energy advisors, a key component of the tender development and contract evaluation process. This has led to Darebin City Council investigating other options for a procurement agent for the project.

Darebin City Council engaged Maddocks Lawyers to undertake a review of the procurement process and governance structure. The report presents options to proceed with the tender process and appointment of a relevant procurement agent to assist now that MAV are not involved in the process. The LGPPA project will continue to be led by Darebin City Council, but it is yet to be confirmed who the procurement agent will be. Council will be required to sign a Participation Deed with Darebin City Council acknowledging involvement in the project.

10. SUSTAINABLE DEVELOPMENT DIRECTORATE

10.1 Electricity Procurement Update (continued)

The figure (in Attachment 1) outlines the revised process and timeline for the LGPPA project. It also shows a number of exit points throughout the LGPPA process. This gives Council the opportunity to withdraw from the project. It is recommended above that Council authorise the Chief Executive Officer to sign off on decision points throughout the development process of the Local Government Power Purchasing Agreement.

The LGPPA project has been overseen by Darebin City Council, a Project Control Group (including Greater Shepparton City Council Manager Environment) and a Working Group (including Greater Shepparton City Council Sustainability Officer) as well as a Project Team of Greenhouse Alliance Executive Officers, and Darebin City Council staff. The project is expected to be one of the largest PPA's undertaken in Australia.

Council Plan/Key Strategic Activity

1.4 Financial management is responsible and effective in responding to challenges and constraints with a focus on the financial sustainability of the council.

5.5 Alternative energy sources with both environmental and economic gains are promoted and encouraged.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
BAU	Possible	Moderate	Medium	Investigate alternative options to procure electricity

Policy Considerations

Procurement processes are covered by Darebin City Council which aligns with Local Government requirements.

Financial Implications

The delay in the PPA project may cause an increase in electricity prices due to the requirement of an interim short term contract. This will be unknown until the contract has proceeded to tender.

	Approved Budget Estimate for this proposal ¹ \$	This Proposal GST Exclusive \$	Variance to Approved Budget Estimate \$	This Proposal GST Inclusive ² \$
Revenue				
Expense	660,000	660,000		726,000
Net Total	660,000	660,000		726,000

¹ Budgets are GST exclusive

² For Contract Award reports the GST inclusive expense shall match the amount reported in the recommendation

Legal/Statutory Implications

The LGPPA has sought legal advice as the project has developed and advice will continue to be sought as required.

10. SUSTAINABLE DEVELOPMENT DIRECTORATE

10.1 Electricity Procurement Update (continued)

Environmental/Sustainability Impacts

The implementation of the LGPPA will have positive sustainability impacts for Council, most significantly, the reduction in greenhouse gas emissions related to electricity. The power purchased through the LGPPA would be emission free and 100% renewable, and act as a first step in Council achieving the 2030 Zero Carbon Emission Target. Council will be acting as a leader to the community in the purchase of renewable energy.

Social Implications

The implementation of the LGPPA will give a positive image to the community about acting on climate change. It will also show the community that it is possible to choose what sort of energy you do procure and you do have a choice.

Economic Impacts

The initial 6 month interim contract could see an increase in price Council pays for electricity. This will only be short term. The business case that has been presented previously, show the LGPPA is potentially cost saving over a 10 year period compared to business as usual.

Consultation

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

Strategic Links

a) Greater Shepparton 2030 Strategy

Environment

4. To reduce greenhouse gas emissions by local actions, in the interests of current and future generations

b) Other strategic links

Greater Shepparton Procurement Policy

Greater Shepparton and Goulburn Valley Regional Collaborative Alliance Procurement Guidelines

Environmental Sustainability Strategy

3.1 Reduce Council's greenhouse gas emissions and the financial costs of Council's energy use.

Conclusion

With the adoption of a zero carbon emissions target by 2030, the procurement of renewable electricity is a major decision in ensuring achievement of that goal. The process outlined for the Local Government Power Purchasing Agreement will enable Council to ensure that this goal is realistic and achievable.

Attachments

LG PPA Project Revised Process [↓](#) Page 59

11. REPORTS FROM COUNCILLORS

Nil Received

12. REPORTS FROM SPECIAL AND ADVISORY COMMITTEES

Nil Received

13. NOTICES OF MOTION, AMENDMENT OR RESCISSION

Nil Received

14. DOCUMENTS FOR SIGNING AND SEALING

14.1 Shepparton Adult and Community Education College Inc (known as Shepparton ACE College) Funding Deed of Agreement

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

Under section 80C of the Local Government Act 1989, Council officers and others who are contracted to provide advice or services to the Council must disclose any conflicts of interests they have before any advice they provide is considered. Disclosures must be in writing, to the Chief Executive Officer and must specify the type and nature of the conflict.

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.

The following document has been presented for signing and sealing:

- Funding Deed of Agreement – The Funding Deed provides for a contribution toward the relocation of the Shepparton Adult and Community Education College Inc (known as Shepparton ACE College) facilities at Karibok Park, Shepparton to alternate premises in Shepparton. The funded amount is to be used solely for the delivery of a relocated Shepparton ACE College facility. The relocation of Shepparton ACE College was necessary as part of the Country Fire Authority (CFA) Shepparton Station relocation to Karibok Park. The funding (subject of this Deed) for the relocation of ACE was provided to the Council by the CFA.

RECOMMENDATION

That the Council authorise the Chief Executive Officer to sign and seal the Funding Deed of Agreement for the relocation of the Shepparton Adult and Community Education College Inc (known as Shepparton ACE College).

15. COUNCILLOR ACTIVITIES

15.1 Councillors Community Interaction and Briefing Program

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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.

Councillors' Community Interaction and Briefing Program

From 1 April 2020 to 30 April 2020, some or all of the Councillors have been involved in the following activities:

- Fairley Leadership Director's Meeting
- 2020 Local Government Mayoral Advisory Panel - Coronavirus (COVID-19)
- Shepparton Show Me Meeting
- Best Start Early Years Partnership
- Greater Shepparton Secondary College and Combined Elders Approach - Planning Meeting
- Goulburn Valley Waste Resource Recovery Group Board Meeting
- Murray Darling Basin Association Meeting
- Maude Street Mall Stakeholder Information Session
- Goulburn Murray Community Leadership Meeting
- SAM Advisory Committee Meeting
- GV Pride
- Greater Shepparton Municipal Emergency Planning Executive Committee Meeting
- Greater Shepparton Women's Charter Advisory Committee
- Goulburn to Murray Trade Review
- Goulburn Valley Waste Resource Recovery Group | Delivery Recycling Victoria

In accordance with section 80A of the *Local Government Act 1989* records of the Assemblies of Councillors are attached.

RECOMMENDATION

That the summary of the Councillors' community interaction and briefing program be received and record of assemblies of Councillors be noted.

Attachments

- | | | | |
|-----|---|-------------------|---------|
| 1. | CEO and Councillor Catch Up - 31 March 2020 | ↓ | Page 62 |
| 2. | Councillor Briefing Session - 31 March 2020 | ↓ | Page 63 |
| 3. | CEO and Councillor Catch Up - 7 April 2020 | ↓ | Page 64 |
| 4. | Councillor Briefing Session - 7 April 2020 | ↓ | Page 66 |
| 5. | Councillor Briefing Session - 14 April 2020 | ↓ | Page 67 |
| 6. | CEO and Councillor Catch Up - 14 April 2020 | ↓ | Page 69 |
| 7. | Councillor Briefing Session - 21 April 2020 | ↓ | Page 70 |
| 8. | CEO and Councillor Catch Up - 21 April 2020 | ↓ | Page 71 |
| 9. | Women's Charter Advisory Committee Meeting - 29 April 2019 | ↓ | Page 72 |
| 10. | Women's Charter Advisory Committee Meeting - 25 March 2019 | ↓ | Page 73 |
| 11. | Women's Charter Advisory Committee Meeting - 11 February 2019 | ↓ | Page 74 |

15. COUNCILLOR ACTIVITIES

15.1 Councillors Community Interaction and Briefing Program (continued)

12.	Women's Charter Advisory Committee Meeting - 27 May 2019	↓	Page 75
13.	Women's Charter Advisory Committee Meeting - 24 June 2019	↓	Page 76
14.	Women's Charter Advisory Committee Meeting - 22 July 2019	↓	Page 77
15.	Women's Charter Advisory Committee Meeting - 28 August 2019	↓	Page 78
16.	Women's Charter Advisory Committee Meeting - 23 September 2019	↓	Page 79
17.	Women's Charter Advisory Committee Meeting - 28 October 2019	↓	Page 80
18.	Women's Charter Advisory Committee Meeting - 25 November 2019	↓	Page 85
19.	Women's Charter Advisory Committee Meeting - 16 December 2019	↓	Page 86
20.	Women's Charter Advisory Committee Meeting - 3 February 2020	↓	Page 87
21.	Women's Charter Advisory Committee Meeting - 24 February 2020	↓	Page 89
22.	Informal Women's Charter meeting via Zoom - 27 April 2020	↓	Page 90
23.	CEO and Councillor Catch Up - 28 April 2020 - 28 April 2020	↓	Page 91
24.	Councillor Briefing Session - 28 April 2020	↓	Page 93

16. URGENT BUSINESS NOT INCLUDED ON THE AGENDA