

MINUTES

Greater Shepparton City Council

COUNCIL MEETING

5:30PM, Tuesday 16 February 2021

VIRTUALLY VIA ZOOM

COUNCILLORS

Cr Kim O’Keeffe (Mayor)
Cr Robert Priestly (Deputy Mayor)
Cr Seema Abdullah
Cr Anthony Brophy
Cr Geoffrey Dobson
Cr Greg James
Cr Shane Sali
Cr Sam Spinks
Cr Fern Summer

VISION

GREATER SHEPPARTON, GREATER FUTURE

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

Values

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

Respect first, always

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

Take ownership

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

Courageously lead

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

Working together

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

Continually innovate

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

Start the celebration

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

**M I N U T E S
FOR THE
COUNCIL MEETING
HELD ON
TUESDAY 16 FEBRUARY 2021 AT 5:30PM**

**CHAIR
CR KIM O'KEEFFE
MAYOR**

INDEX

1 WELCOME TO COUNTRY	6
2 ACKNOWLEDGEMENT	6
3 PRIVACY NOTICE	6
4 GOVERNANCE PRINCIPLES	6
5 APOLOGIES	7
6 DECLARATIONS OF CONFLICT OF INTEREST	7
7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	7
8 PUBLIC QUESTION TIME	7
9 COMMUNITY DIRECTORATE	8
9.1 Community Engagement Policy	8
10 CORPORATE SERVICES DIRECTORATE	9
10.1 Contracts Awarded Under Delegation - November 2020 - January 2021	9
10.2 Councillor Code of Conduct	10
10.3 Complaints Policy 37.POL8.....	11
10.4 January 2021 Monthly Financial Report.....	12
10.5 2020/2021 Quarter Forecast Review	13
10.6 Rates Rebate for Retail Land Occupied by Charitable Organisation Policy.....	14
10.7 Council Plan 2020-21 Quarter One Progress Report.....	15
11 SUSTAINABLE DEVELOPMENT DIRECTORATE	16
11.1 Affordable Housing Reference Group - Terms of Reference and Endorsement of Committee Members	16
11.2 Heritage Advisory Committee - Terms of Reference.....	17
11.3 Shepparton and Mooroopna 2050: Regional City Growth Plan	18
12 INFRASTRUCTURE DIRECTORATE	19
12.1 Road Discontinuance Part Shelby Court, Shepparton	19
12.2 Approval of Variation for Contract No. 2070 - Wyndham & Fitzjohn Street Intersection Works.....	20

12.3 Approval of Variation for Contract No. 2032 - Maude Street Stages 3 & 4 - Replacement of Water Main	21
13 DOCUMENTS FOR SIGNING AND SEALING	22
14 COUNCILLOR REPORTS	23
14.1 Councillor Activities	23
14.2 Council Committee Reports	24
14.2.1 Murray Darling Association	24
14.3 Notice of Motion, Amendment or Rescission	25
15 URGENT BUSINESS NOT INCLUDED ON THE AGENDA	25
16 CLOSE OF MEETING	25

Risk Level Matrix Legend

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

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

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

High Intolerable – Attention is needed to treat risk.

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

Low Tolerable – Managed by routine procedures

PRESENT: Cr Kim O'Keeffe (Mayor)
Cr Robert Priestly (Deputy Mayor)
Cr Seema Abdullah
Cr Anthony Brophy
Cr Geoffrey Dobson
Cr Greg James
Cr Shane Sali
Cr Sam Spinks
Cr Fern Summer

Officers: Peter Harriott **Chief Executive Officer**
Boboleia Kom **Official Minute Taker**
Darryl Hancock **Deputy Minute Taker**

1 Welcome to Country

The Council Meeting commenced with a Welcome to Country presented by Cr James on behalf of the Yorta Yorta Elders Council and the 16 family groups.

2 Acknowledgement

“We, Greater Shepparton City Council, acknowledge the Yorta Yorta Peoples of the land which now comprises Greater Shepparton, we pay our respect to their tribal elders, we celebrate their continuing culture and we acknowledge the memory of their ancestors.”

3 Privacy Notice

This public meeting is being streamed live via our Facebook page and made available for public access on our website along with the official Minutes of this meeting.

4 Governance Principles

Council considers that the decisions contained in these Minutes gives effect to the overarching governance principles stated in Section 9(2) of the *Local Government Act 2020*. These principles are as follows:

1. Council decisions are to be made and actions taken in accordance with the relevant law;
2. priority is to be given to achieving the best outcomes for the municipal community, including future generations;
3. the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
4. the municipal community is to be engaged in strategic planning and strategic decision making;
5. innovation and continuous improvement is to be pursued;

6. collaboration with other Councils and Governments and statutory bodies is to be sought;
7. the ongoing financial viability of the Council is to be ensured;
8. regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
9. the transparency of Council decisions, actions and information is to be ensured.

5 Apologies

Nil Received.

6 Declarations of Conflict of Interest

In accordance with section 130 (1)(a) of the Local Government Act 2020 Councillors are required to disclose any “conflict of interest” in respect of a matter to be considered at a Council Meeting.

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

7 Confirmation of Minutes of Previous Meetings

**Moved by Cr Dobson
Seconded by Cr Brophy**

That the minutes of the 15 December 2020 Council Meeting as circulated, be confirmed.

CARRIED UNOPPOSED

8 Public Question Time

Nil Received.

9 Community Directorate

9.1 Community Engagement Policy

Moved by Cr Abdullah
Seconded by Cr Sali

That the Council adopt the Community Engagement Policy 07.POL4.

CARRIED UNOPPOSED

10 Corporate Services Directorate

10.1 Contracts Awarded Under Delegation - November 2020 - January 2021

Moved by Cr Sali
Seconded by Cr James

That the Council note:

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

CARRIED UNOPPOSED

10.2 Councillor Code of Conduct

**Moved by Cr Abdullah
Seconded by Cr Brophy**

**That the Council adopt the Councillor Code of Conduct dated 16 February 2021
and revoke all previous versions.**

CARRIED UNOPPOSED

10.3 Complaints Policy 37.POL8

**Moved by Cr Dobson
Seconded by Cr Sali**

That the Council adopt the Complaints Policy 37.POL8.

CARRIED UNOPPOSED

10.4 January 2021 Monthly Financial Report

**Moved by Cr Abdullah
Seconded by Cr Priestly**

That the Council receive and note the January 2021 Monthly Financial Report.

CARRIED UNOPPOSED

10.5 2020/2021 Quarter Forecast Review

**Moved by Cr Priestly
Seconded by Cr Abdullah**

That the Council receive and note the 2020/2021 Quarter 2 Forecast Review.

CARRIED UNOPPOSED

10.6 Rates Rebate for Retail Land Occupied by Charitable Organisation Policy

**Moved by Cr Brophy
Seconded by Cr James**

That the Council adopt the Rates Rebate for Retail Land Occupied by Charitable Organisations Policy 16.POL3.

CARRIED UNOPPOSED

10.7 Council Plan 2020-21 Quarter One Progress Report

**Moved by Cr Summer
Seconded by Cr Dobson**

That the Council note the Council Plan 2020-21 Quarter 1 Progress report.

CARRIED UNOPPOSED

11 Sustainable Development Directorate

11.1 Affordable Housing Reference Group - Terms of Reference and Endorsement of Committee Members

Moved by Cr Spinks
Seconded by Cr Summer

That the Council:

1. adopt the amended Terms of Reference of the Affordable Housing Reference Group; and
2. endorse the appointment of the following community representatives for a two year term concluding on 31 March 2023:
 - Tania Tonks
 - Rebecca Lorains
 - Bruce Mactier

CARRIED UNOPPOSED

11.2 Heritage Advisory Committee - Terms of Reference

**Moved by Cr Dobson
Seconded by Cr Summer**

That the Council adopt the amended Terms of Reference for the Greater Shepparton Heritage Advisory Committee.

CARRIED UNOPPOSED

11.3 Shepparton and Mooroopna 2050: Regional City Growth Plan

Moved by Cr Summer
Seconded by Cr Brophy

That, regarding the *Shepparton and Mooroopna 2050: Regional City Growth Plan*, the Council:

1. notes the resolution made at the Ordinary Council Meeting held on 18 August 2020 to ‘defer the adoption of the Shepparton and Mooroopna 2050 Regional City Growth Plan for six months to allow time for extended consultation with the Greater Shepparton community’;
2. notes that the additional community consultation submission period closed on 24 December 2020; and
3. determines to defer consideration of adoption of the *Shepparton and Mooroopna 2050: Regional City Growth Plan*.

CARRIED UNOPPOSED

12 Infrastructure Directorate

12.1 Road Discontinuance Part Shelby Court, Shepparton

Moved by Cr Spinks
Seconded by Cr Sali

That the Council:

1. in accordance with Sections 206 and 223 of the *Local Government Act 1989* (the Act), public notice be given in the *Shepparton News* of the intention to discontinue part of the court bowl at Shelby Court.
2. stipulate in the public notice that persons may make a submission on the proposed road discontinuance and sale in accordance with Section 223 of the Act and that written submissions must be received within 28 days of publication of the public notice;
3. authorise the Chief Executive Officer to undertake the administrative procedures necessary to enable the Council to carry its functions in relation to this matter under Section 223 of the Act;

if any submissions are received under Section 223 of the Act:

- a. hold an additional Council Meeting to hear from any person or persons who request to be heard in support of a Section 223 written submission and, if required, the additional Council Meeting be held at a time and date to be determined; and
- b. a report on any Section 223 submissions received by the Council, along with a summary of any hearings held, be provided to the Council Meeting at which the matter is to be considered.

CARRIED UNOPPOSED

12.2 Approval of Variation for Contract No. 2070 - Wyndham & Fitzjohn Street Intersection Works

**Moved by Cr Sali
Seconded by Cr Abdullah**

That the Council

- 1. authorise payment of Variations 16, 17, 18, 19, 20 and 21 under Contract 2070 - Construction of Wyndham Street and Fitzjohn Street Intersection for a total value of \$244,023.55 inc GST**
- 2. authorise the Chief Executive Officer to approve additional variation payments, up to a cumulative limit of \$110,000.00 inc GST.**

CARRIED UNOPPOSED

12.3 Approval of Variation for Contract No. 2032 - Maude Street Stages 3 & 4 - Replacement of Water Main

Moved by Cr Dobson
Seconded by Cr Sali

That the Council:

1. authorise payment of Variation 1 under Contract 2032 – Maude Street Stages 3 & 4 – Replacement of Water Main for a total value of \$53,982.50 inc GST
2. authorise the Chief Executive Officer to approve additional variation payments, up to a cumulative limit of \$25,000.00 inc GST.

CARRIED UNOPPOSED



13 Documents for Signing and Sealing

Nil Received.

14 Councillor Reports

14.1 Councillor Activities

14.1.1 Councillor Activities - December 2020 and January 2021

Moved by Cr Brophy
Seconded by Cr Priestly

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

CARRIED UNOPPOSED

14.2 Council Committee Reports

14.2.1 Murray Darling Association

Moved by Cr Sali
Seconded by Cr James

That the Council note Cr Dobson's report on the Murray Darling Association.

CARRIED UNOPPOSED

14.3 Notice of Motion, Amendment or Rescission

Nil Received.

15 Urgent Business not Included on the Agenda

Nil Received.

16 Close of Meeting

Meeting closed at 6.53pm