

MINUTES

Greater Shepparton City Council

COUNCIL MEETING

5:30PM, Tuesday 20 April 2021

Function Room, Riverlinks Eastbank

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 20 APRIL 2021 AT 5:30PM**

**CHAIR
CR KIM O'KEEFFE**

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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 (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

Officers:	Peter Harriott	Chief Executive Officer
	Geraldine Christou	Director Sustainable Development
	Chris Teitzel	Director Corporate Services
	Kaye Thomson	Director Community
	Tim Zak	Acting Director Infrastructure
	Ropate Cabealawa	Official Minute Taker
	Boboleia Kom	Deputy Minute Taker
	Darryl Hancock	Manager Governance
	Marcus Daniel	Team Leader Governance

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

Moved by Cr Dobson

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

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.

Cr Sali declared a material conflict of interest in relation to Item 15.2 Greater Shepparton Cultural Heritage Awards 2021.

7 Confirmation of Minutes of Previous Meetings

Moved by Cr Priestly
Seconded by Cr Spinks

That the minutes of the 30 March 2021 Additional Council Meeting as circulated, be confirmed.

CARRIED UNOPPOSED

8 Public Question Time

Nil Received.

9 Deputations and Petitions

9.1 The Residents' Committee of Kensington Gardens, Shepparton - Council Rates Concern Petition

**Moved by Cr Dobson
Seconded by Cr James**

That the Council receive and note the petition titled 'The Residents' Committee of Kensington Gardens, Shepparton – with regards to Council Rates' in accordance with Governance Rule 80.

CARRIED UNOPPOSED

10 Community Directorate

10.1 Greater Shepparton Public Health Advisory Committee - Endorsement of Membership and Terms of Reference

Peter Harriott corrected the inconsistency between the report and the Terms of Reference that relates to Councillors voting ability.

Moved by Cr Abdullah
Seconded by Cr Priestly

That the Council:

1. approve the Terms of Reference (TOR) for the Greater Shepparton Public Health Advisory Committee to guide the formation of this advisory committee and to manage their role and expectations.
2. appoint the following community representatives to the Greater Shepparton Public Health Advisory Committee for a period of two years commencing on 1 May 2021 and concluding on 1 May 2023:
 - Dr. John Mackellar
 - Mr. Craig Chadwick
 - Dr. Sursh Jayasundera
 - Dr. Sharman Stone
 - Mr. Tony Triado
 - Mr. Charles Oguntade
 - Ms. Carla Dixon
 - Ms. Lisa Bourke
 - Ms. Katie Richter
 - Ms. Charlotte Brewer
 - Mr. Gordon Ross
 - Dr. Menon Parameswaran OAM
3. appoint the Mayor as the councillor representative and chair of the Greater Shepparton Public Health Advisory Committee.

CARRIED UNOPPOSED

10.2 Community Arts Grants - Round 2 2020/2021

Moved by Cr James
 Seconded by Cr Dobson

1. That the Council note the Director Community has awarded the Community Arts Grants projects under delegated authority to the following applicants:

Applicant	Project	Amount requested in application (Excluding GST)	Amount of grant recommended (Excluding GST)	Recommended for approval Including GST (*Not registered for GST)
Aldara Yenara Australia Aboriginal Corporation	Yalka Yakapna Woka (Children Family Country)	\$2,500.00	\$2,500.00	\$2,750.00
Awaken Dance Theatre Company Inc	Within	\$2,500.00	\$2,500.00	\$2,500.00*
Art in the Heart Project Group Auspiced by Shepparton Festival	Art in the HeART	\$2,500.00	\$2,500.00	\$2,750.00
Gowrie Street Primary School Community Hub	Both Ways: Women Crafting Stories	\$2,376.00	\$2,376.00	\$2,613.60
	TOTAL	\$9,876.00	\$9,876.00	\$10,613.60

CARRIED UNOPPOSED

10.3 Community Matching Grants - Round 2 2020/2021

Moved by Cr Sali
Seconded by Cr Brophy

That the Council:

- note the Director Community has awarded \$32,510.85 funding in Round 2 of the Community Matching Grants Program 2020/2021 under delegated authority to the following applicants:

Organisation	Project	Total Requested
Kidsafe Victoria	Hunter Boyle Swim Program	\$4,950
Horses for Hope	Client Information System Improvements	\$5,000
St Alban's Anglican Church Mooroopna	No 9 All Weather Pergola	\$5,000
Tatura & District Historical Society Inc.	Floor Coverings	\$5,000
Gowrie Street Community Hub	Get Cranking	\$4,495
Rotary Club of Mooroopna	History Book Rotary Club of Mooroopna	\$2,500
Goulburn Region Pre School Association	Murchison Pre School	\$4,400
Historical Society of Mooroopna Inc	Update Computer System	\$1,165.85
TOTAL		\$32,510.85

- note that due to the current COVID-19 pandemic, Council Officers will work with approved applicants, and will seek approval of variations where appropriate and support organisations to complete the projects as intended.

CARRIED UNOPPOSED

11 Corporate Services Directorate

11.1 Conflict of Interest Policy

Moved by Cr Dobson
Seconded by Cr Priestly

That the Council adopt the Conflict of Interest Policy 37.POL6.

CARRIED UNOPPOSED

11.2 Councillor Gift Policy

**Moved by Cr Priestly
Seconded by Cr Brophy**

That the Council:

- 1. adopt the Councillor Gift Policy 37.POL18; and**
- 2. revoke the Gifts and Benefits Policy 37.POL1, which was previously adopted by Council on 19 November 2019.**

CARRIED UNOPPOSED

11.3 Instrument of Delegation to the Chief Executive Officer

Moved by Cr Abdullah
Seconded by Cr Sali

In the exercise of the power conferred by S11(1)(b) of the *Local Government Act 2020* (the Act), Greater Shepparton City Council (Council) resolves that:

1. there be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.
2. the instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. on the coming into force of the instrument, all previous delegations to the Chief Executive Officer are revoked.
4. the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED UNOPPOSED

11.4 Instrument of Delegation to Members of Council Staff

Moved by Cr Priestly
Seconded by Cr Dobson

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Greater Shepparton City Council (Council) resolves that:

1. there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to Members of Council Staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
2. the instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. on the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED UNOPPOSED

11.5 March 2021 Monthly Financial Report

**Moved by Cr Abdullah
Seconded by Cr Dobson**

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

CARRIED UNOPPOSED

11.6 Contracts Awarded Under Delegation - March 2021

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

That the Council:

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

CARRIED UNOPPOSED

11.7 Council Meeting Schedules

**Moved by Cr Spinks
Seconded by Cr Sali**

That the Council resolves that Scheduled Council Meetings are to be held at 3.00pm on the third Tuesday of each month, at 70-90 Welsford Street, Shepparton.

CARRIED UNOPPOSED

11.8 Mayor and Councillor Allowances

Moved by Cr Dobson
Seconded by Cr Abdullah

That the Council

1. in accordance with Sections 74 and 223 of the Local Government Act 1989 (1989 Act), provide public notice in the Shepparton News of the intention to retain the Councillor allowance at \$26,244 and the Mayoral allowance at \$81,204.
2. stipulate in the public notice that persons may make a submission on the Councillor and Mayoral allowances in accordance with Section 223 of the 1989 Act, and that written submissions must be received by 5.00pm, Friday 21 May 2021.
3. stipulate in the public notice that submissions received will be made available for public inspection for a period of 28 days
4. authorise the Chief Executive Officer to undertake the administrative procedures necessary to enable the Council to carry out its functions under section 223 of the 1989 Act in relation to this matter:

If submissions are received under section 223 of the 1989 Act:

- a. an Additional Council Meeting be convened 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
 - b. a report on any section 223 submissions received by the Council, along with a summary of any hearings held, be provided to the Scheduled Council Meeting of 15 June 2021;
5. if no submissions are received within the prescribed period, the Council resolves to retain the Councillor allowance at \$26,244 and the Mayoral allowance at \$81,204, without further resolution of the Council.

CARRIED UNOPPOSED

11.9 2020/2021 Quarter 3 Forecast Review

Moved by Cr Priestly
Seconded by Cr Sali

That the Council:

1. adopt the 2020/2021 Quarter 3 Forecast Review; and
2. adopt the following Cosgrove Landfill commercial waste fees through to 30 June 2021 (excluding those customers that have signed an existing landfill disposal agreement):
 - a. Industrial/Commercial Waste (per tonne) \$250 inc GST
 - b. Industrial/Commercial Waste 1,000-5,000 tonnes per annum (per tonne) \$245.00 inc GST
 - c. Industrial/Commercial Waste 5,001-8,000 tonnes per annum (per tonne) \$241.00 inc GST
 - d. Industrial/Commercial Waste 8,001-9,000 tonnes per annum (per tonne) \$236.00 inc GST
 - e. Industrial/Commercial Waste 9,001+ tonnes per annum (per tonne) \$230.00 inc GST; and
 - f. Prescribed Waste (per tonne) \$339.00 inc GST.

CARRIED UNOPPOSED

11.10 Greater Shepparton City Council 2021/2022 Draft Budget

Moved by Cr Priestly
Seconded by Cr Brophy

That the Council:

1. endorse the 2021/2022 Draft Budget as presented for the purposes of section 94 of the *Local Government Act 2020*;
2. authorise the Chief Executive Officer to give public notice on the preparation of the 2021/2022 Draft Budget in accordance with Section 223 of the *Local Government Act 1989* and Section 96 of the *Local Government Act 2020* and stipulate that persons may make a written submission in accordance with Section 223 of the *Local Government Act 1989* that must be received by no later than 5.00pm, 21 May 2021; and
3. hold an Additional Council Meeting on Tuesday 1 June 2021 to hear any person wishing to be heard in support of their written submission on any proposal contained in the 2021/2022 Draft Budget in accordance with Section 223 of the *Local Government Act 1989*.

CARRIED UNOPPOSED

12 Sustainable Development Directorate

12.1 Draft Tatura Structure Plan 2021 - Authorisation for Public Exhibition

Moved By Cr Sali
Seconded by Cr Priestly

That the Council:

1. receive and note the *Conversation Report - Tatura Structure Plan Pre-draft Consultation, March 2021*;
2. authorise the *Draft Tatura Structure Plan* for public exhibition for a period of five weeks from 3 May 2021 to 4 June 2021; and
3. note that Council officers will report back to Council on any feedback, comments and submissions received from the public during the consultation period.

CARRIED UNOPPOSED

13 Infrastructure Directorate

13.1 Discontinuance of part Impey Street, Murchison

Moved By Cr Dobson
Seconded by Cr Priestly

That the Council:

1. in accordance with Sections 206 and 223 of the Local Government Act 1989 (the Act), give public notice of the Council's intention to discontinue the western part of Impey Street abutting Gregory Road, Murchison for the purpose of being sold to the owner of the abutting property at 25 Gregory Road, Murchison and consolidation with that allotment. The public notice will stipulate that persons may make submissions 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.
2. authorise the Chief Executive Officer to undertake the administrative procedures necessary to carry out the functions in relation to this matter under Section 223 of the Act.
3. if any submissions are received under Section 223 of the Act:
 - a. hold an additional meeting of the Council to hear from any person or persons who request to be heard in support of a Section 223 written submission and, if required, the special council meeting be held "at a time and date to be determined" in the Council Offices at 90 Welsford Street, Shepparton or other venue as decided by Council; 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 ordinary council meeting

CARRIED UNOPPOSED

13.2 Play Space Strategy 2020-2030

Moved By Cr Spinks
Seconded by Cr Abdullah

That the Council:

1. note feedback from the community consultation process;
2. *change the recommended* action in the “Play Space Strategy 2020-2030” from ‘*decommission*’ to ‘*end of life review*’; and
3. adopt the Play Space Strategy 2020-2030.

CARRIED UNOPPOSED

13.3 Australian Botanic Gardens Shepparton Advisory Committee - Appointment of Community Representatives

**Moved By Cr Dobson
Seconded by Cr James**

That the Council:

- 1. adopt the Terms of Reference for the Australian Botanical Gardens Shepparton Advisory Committee and note that due to the calibre of nominations, change from six community representatives to eight community representatives**
- 2. appoint the following community representatives to the Australian Botanic Gardens Shepparton Advisory Committee for a two year term commencing 21 April 2021 and concluding on 20 April 2023:**
 - Audrey Hurst**
 - Marilyn Bazeley**
 - Melissa Stagg**
 - Wendy D'Amore**
 - Suzanne White**
 - Jenny Houlihan**
 - Mary Jane Taylor**
 - Karen Kilgour**
- 3. Appoint a Councillor representative to participate on the newly formed Australian Botanical Gardens Shepparton Advisory Committee**

CARRIED UNOPPOSED

13.4 Greater Shepparton City Council Road Management Plan Review

**Moved by Cr Sali
Seconded by Cr Priestly**

That the Council:

- 1. endorse the Road Management Plan Version 6;**
- 2. authorise the Chief Executive Officer to:**
 - a. give public notice of the Road Management Plan Version 6 in the Government Gazette and the Shepparton News;**
 - b. stipulate in the public notice that persons may make submissions on the Road Management Plan Version 6 in accordance with Section 223 of the Local Government Act (the Act) and that written submissions must be received by 5.00pm, 28 May 2021; and**
 - c. to undertake the administrative procedures necessary to enable to Council to carry out its functions under Section 223 of the Act in relation to this matter;**
- 3. at an Additional Council Meeting at a time and date to be confirmed, hear any person wishing to be heard in support of their submission on any proposal contained in the Road Management Plan Version 6 in accordance with Section 223 of the Local Government Act 1989; and**
- 4. consider all written submissions on any proposal contained within the Road Management Plan Version 6.**

CARRIED UNOPPOSED

13.5 Award of Contract Number 2077 Construction of Northern Taxiway and Helipark at Shepparton Aerodrome

Moved by Cr Priestly
Seconded by Cr Spinks

That the Council:

1. accept the tender submitted by Mawson Constructions Pty Ltd of Shepparton for Contract No. 2077 Construction of Northern Taxiway and Helipark at Shepparton Aerodrome for the Lump Sum price of \$1,100,589.24 (including GST).
2. authorise the Chief Executive Officer to sign the contract documents.

CARRIED UNOPPOSED

14 Documents for Signing and Sealing

Nil Received.

15 Confidential Management Reports

15.1 Designation of Confidentiality of Information

Moved by Cr Spinks
Seconded by Cr Brophy

That pursuant to section 66(1) of the Local Government Act 2020, resolve that the Council meeting be closed to members of the public for consideration of a confidential item.

CARRIED UNOPPOSED

15.2 Greater Shepparton Cultural Heritage Awards 2021.

15.3 Re-opening of the Council Meeting to Members of the Public.

15.4 Designation of Confidentiality of Information - Report Attachments

The following report attachment have been designated confidential by the Chief Executive Officer under Governance Rule 107 and in accordance with the definition of *Confidential Information* in the Local Government Act 2020 (the Act).

- Item 13.5: Award of Contract Number 2077 Construction of Northern Taxiway and Helipark at Shepparton Aerodrome - Contract 2077 Moderated Evaluation Report.

This document contains information which is consistent with the definition of 'private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage'.

16 Councillor Reports

16.1 Councillor Activities

16.1.1 Councillor Activities - March 2021

Moved By Cr Abdullah
Seconded by Cr Brophy

That the Council receive and note the summary of the Councillor's community interaction, briefing program and record of Assemblies of Councillors.

CARRIED UNOPPOSED

16.2 Council Committee Reports

Nil Received.

16.3 Notice of Motion, Amendment or Rescission

Nil Received.

17 Urgent Business not Included on the Agenda

Nil Received.

18 Close of Meeting

Meeting closed at 6.56pm.