

MINUTES

Greater Shepparton City Council

COUNCIL MEETING

3:00PM, Tuesday 15 February 2022

Council Meeting Room

COUNCILLORS

Cr Kim O’Keeffe (Mayor)

Cr Anthony Brophy (Deputy Mayor)

Cr Seema Abdullah

Cr Geoffrey Dobson

Cr Greg James

Cr Rob Priestly

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 15 FEBRUARY 2022 AT 3:00PM**

**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

1 Welcome to Country

The welcome to Country was not provided due to the absence of Cr James.

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
Seconded by Cr Sali**

That the Council:

- 1. accept the apology from Cr Priestly and grant him a leave of absence from his official Councillor duties, from Monday 24th of January, until the results of the upcoming Federal Election are declared; and**
- 2. note that during the leave of absence, Cr Priestly has requested that his Councillor allowance be suspended, and has returned his Council devices.**

CARRIED UNOPPOSED

Cr Spinks moved that the apology from Cr James be accepted.

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 Dobson indicated a general conflict of interest in relation to item 16.3.1 - Provision and Extension of Complimentary, Timed Parking for the Shepparton Central Business District.

Cr O'Keeffe indicated a conflict of interest in relation to item 16.3.1 - Provision and Extension of Complimentary, Timed Parking for the Shepparton Central Business District.

7 Confirmation of Minutes of Previous Meetings

Moved by Cr Spinks

That the minutes of the 21 December 2021 Council Meeting as circulated, be confirmed.

CARRIED UNOPPOSED

8 Public Question Time

Nil Received.

9 Deputations and Petitions

9.1 **Petition for Immediate Construction of Foot Path on Bridge Road, Toolamba**

**Moved by Cr Spinks
Seconded by Cr Dobson**

That the Council receive and note the petition titled 'Petition for Immediate Construction of Foot Path on Bridge Road, Toolamba' in accordance with Governance Rule 80.

CARRIED UNOPPOSED

10 Community Directorate

10.1 Alliance for Gambling Reform - Commencement of Partnership as a Leadership Council

Moved by Cr Abdullah
Seconded by Cr Brophy

That the Council:

1. commence a partnership as a Leadership Council with *The Alliance for Gambling Reform*.
2. commit to becoming a Leadership Council with *The Alliance for Gambling Reform* for an investment of \$15,000 per year for two years before reassessing the cost vs benefit of being a paid member of the alliance.

CARRIED UNOPPOSED

10.2 Universal Access and Inclusion Plan 2022-2026

**Moved by Cr Brophy
Seconded by Cr Spinks**

That the Council adopts the Greater Shepparton Universal Access and Inclusion Plan 2022-2026.

CARRIED UNOPPOSED

**10.3 Greater Shepparton Disability Advisory Committee
Draft Terms of Reference and recruitment of new
members**

**Moved by Cr Spinks
Seconded by Cr Dobson**

That the Council:

- 1. adopt the Draft Terms of Reference for the Greater Shepparton Disability Advisory Committee (the DAC); and**
- 2. note the process to commence recruitment for new members.**

CARRIED UNOPPOSED

10.4 Positive Ageing Strategy & Advisory Committee

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

That the Council:

- 1. adopts the revised Terms of Reference (TOR) for the Greater Shepparton Positive Ageing Advisory Committee (PAAC); and**
- 2. notes the commencement of a process to recruit new members to the PAAC.**

CARRIED UNOPPOSED

11 Corporate Services Directorate

11.1 Contracts Awarded under Delegation - December 2021 - January 2022

Moved by Cr Sali
Seconded by Cr Brophy

That the Council:

1. note the Contracts awarded under delegated authority by the Chief Executive Officer;
2. note the Contracts awarded under delegated authority by a Director;
3. note the Contracts awarded under delegated authority by a Manager; and
4. note the requests for tender advertised but not yet awarded.

CARRIED UNOPPOSED

11.2 Quarter 2 Forecast Review 2021/2022

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

That the Council adopt the revised forecasts identified by the 2021/2022 Quarter 2 Forecast Review.

CARRIED UNOPPOSED

11.3 January 2022 Monthly Financial Report

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

That the Council receive and note the January 2022 Monthly Financial Report.

CARRIED UNOPPOSED

12 Sustainable Development Directorate

12.1 Shopfront Improvement Grant Program

Moved by Cr Sali
Seconded by Cr Brophy

That the Council:

1. approve the establishment of the Shopfront Improvement Grant Program; and
2. note the Shopfront Improvement Grant Program Guidelines as attached.

CARRIED UNOPPOSED

12.2 Land Sale - 30R Florence Street, Shepparton

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

That the Council resolve to:

- 1. authorise the sale of part of the land at 30R Florence Street, Shepparton, shown generally as the 2,415m² rectangular parcel marked '2 (Pt)' on Spiire Australia Pty Ltd drawing 307410UD00 and the carrying-out of all necessary actions to effect the sale; and**
- 2. authorise the Chief Executive Officer to sign all documentation associated with or necessary to effect the sale.**

CARRIED UNOPPOSED

12.3 Land purchase - Seven Creeks Drive, Kialla

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

That the Council resolve to:

- 1. authorise the purchase of Proposed Acquired Land, being part of land at 90 Seven Creeks Drive, Kialla for an amount of \$241,000, plus GST and professional costs necessarily incurred by the landowner as a result of the purchase, and authorise the carrying out of all necessary actions to effect this purchase; and**
- 2. authorise the Chief Executive Officer to sign all documents associated with, or necessary to effect the land purchase.**

CARRIED UNOPPOSED

12.4 Climate Emergency Action Plan

Moved by Cr Spinks
Seconded by Cr Brophy

That the Council release the Draft Our Climate Safe Future - Climate Emergency Action Plan for community consultation.

CARRIED UNOPPOSED

12.5 Shepparton Mooroopna 1% AEP Flood Mapping Project August 2021

Moved by Cr Sali
Seconded by Cr Dobson

That the Council:

1. adopt the *Shepparton Mooroopna 1% AEP Flood Mapping Project August 2021*; and
2. prepare and exhibit a planning scheme amendment to include the findings and recommendations of the *Shepparton Mooroopna 1% AEP Flood Mapping Project August 2021* into the Greater Shepparton Planning Scheme.

CARRIED UNOPPOSED

12.6 Update to the Urban Development Program 2021

Moved by Cr Sali
Seconded by Cr Dobson

That the Council:

1. receive and note the *Residential Land Supply and Demand Assessment City of Greater Shepparton January 2022* and the *Industrial Land Supply and Demand Assessment City of Greater Shepparton January 2022*;
2. note the additional funding provided in the 2020/2021 and 2021/2022 financial years to bring forward a number of projects within Council's Strategic Work Program that will assist with addressing the findings and recommendations of these assessments;
3. note that additional funding will be required in the 2022/2023 financial year and that this will be considered as part of the normal budgetary process in early to mid-2022; and
4. have the CEO request the Victorian Planning Minister provide additional funds and resources to the Victorian Planning Authority to accelerate the rezoning of multiple residential and industrial growth fronts within Greater Shepparton.

CARRIED UNOPPOSED

12.7 Proposed sale of land – 45 Parkside Drive, Shepparton – Affordable Housing Proposal

Moved by Cr Abdullah
Seconded by Cr Spinks

That the Council, having considered the request from Women's Housing Limited, received on 21 December 2021:

1. provides in-principle support for the preparation of any funding applications by Women's Housing Limited to purchase land at 45 Parkside Drive, Shepparton for the purposes of constructing approximately 45 lots of Affordable Housing;
2. notes Council's possible sale of land (subject to the processes outlined below) at 45 Parkside Drive, Shepparton to Women's Housing Limited and further notes that the sale will require Women's Housing Limited to enter into a Contract of Sale and a Section 173 Agreement under the *Planning and Environment Act 1987* as described in the draft Memorandum of Understanding (MoU);
3. authorises the Chief Executive Officer to sign the MoU;
4. subject to a Council resolution to sell the land following the completion of the Section 114 of the *Local Government Act 2020* (the Act) process, authorises the Chief Executive Officer to finalise the drafting of the Contract of Sale and Section 173 Agreement, and any other documents necessary to complete the transaction with Women's Housing Limited. The Chief Executive Officer may in future make changes to the structure of the transactional arrangements contemplated by this recommendation if advised to do so by the Council's solicitors;
5. approves the commencement of the process under Section 114 of the Act to consider the sale of the land at 45 Parkside Drive, Shepparton by Council to Women's Housing Limited;
6. in accordance with Section 114 of the Act and the *Greater Shepparton City Council Community Engagement Policy 2021*, Council authorises that a public notice in the Shepparton News be given of its intention to sell the land at 45 Parkside Drive, Shepparton and call for submissions;
7. publish a copy of the public notice on Council's website, and provide a copy to owners and occupiers of all properties abutting the land, and any other properties that officers consider to be affected;
8. authorise the Chief Executive Officer to undertake the administrative procedures necessary to carry out Council's functions under Section 114 of the Act in relation to this matter; and

9. notes that, following the completion of the consultation process, any submissions received in relation to Council's intent to sell the land at 45 Parkside Drive, Shepparton will be considered by Council at a future scheduled Council Meeting.

CARRIED UNOPPOSED

13 Infrastructure Directorate

13.1 Adoption of Lease and Licence Policy

Moved by Cr Dobson
Seconded by Cr Spinks

That the Council adopt the Lease and Licence Policy 19.POL1 (version 1.0) as attached.

Cr Brophy moved that the motion be laid on the table.

CARRIED UNOPPOSED

13.2 Memorandum of Understanding to Participate in the North East and Goulburn Valley Collaborative Procurement of Kerbside Services

**Moved by Cr Abdullah
Seconded by Cr Spinks**

That the Council agree to participate in the Collaborative Procurement Tender for Council's Kerbside Collection and Associated Service with the Goulburn Valley and the North East Regional Waste Resource Recovery Groups.

CARRIED UNOPPOSED

14 Confidential Management Reports

14.1 Designation of Confidentiality of Information - Attachments

The following report attachment has 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 13.2: Report Title – MOU to participate in the Northern East and Goulburn Valley Collaborative Procurement of Kerbside Services

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 disadvantage.'

15 Documents for Signing and Sealing

Nil Received.

16 Councillor Reports

16.1 Councillor Activities

16.1.1 Councillor Activities - December 2021 and January 2022

Moved by Cr Dobson
Seconded by Cr Spinks

That the Council receive and note the summary of the Councillor's Community Interactions and Informal Meetings of Councillors.

CARRIED UNOPPOSED

16.2 Council Committee Reports

Nil Received.

16.3 Notice of Motion, Amendment or Rescission

16.3.1 Provision and Extension of Complimentary, Timed Parking for the Shepparton Central Business District

Cr O'Keeffe declared a conflict of interest that she and her husband owned a building at Maude Street that they rent out that may benefit from this motion, vacated the chair and left the meeting at 4:46 pm.

Cr Dobson declared a conflict of interest and left the meeting at 4:47pm.

Cr Brophy assumed the Chair of the meeting at 4.47pm.

**Moved by Cr Spinks
Seconded by Cr Abdullah**

That the Council:

- 1. at the conclusion of the complimentary timed parking in the Shepparton Central Business District (1 November 2021 to 28 February 2022) for Council owned on street car-parking spaces with only time limits applying (noting off street Council car parks are already complimentary) that a comprehensive report be completed on the merits of the initiative, with analysis on the financial cost to Council, and**
- 2. that this report based on the period of the aforementioned initiative is presented to Council no later than the May Scheduled Council Meeting for consideration for the 2022-23 Council Budget thus to allow for possible inclusion of options of future complimentary parking in the 2022-23 financial year.**
- 3. note that a media release be developed to explain to the public the finishing of this current initiative and the consideration of future complimentary car parking in the Shepparton CBD upon the aforementioned report being presented.**

CARRIED UNOPPOSED

Cr Summer moved an amendment to the motion that: "Point 3 be removed from the motion."

The proposed amendment was not accepted as it did not comply with Governance Rule 46.

The motion was put to a vote.

Cr Dobson returned to the meeting at 4:57 pm.

Cr O'Keeffe returned to the meeting and assumed the chair of the meeting at 4:57 pm.

17 Urgent Business not Included on the Agenda

Nil Received.

18 Close of Meeting

Meeting closed at 4.57pm.