

MINUTES

Greater Shepparton City Council

COUNCIL MEETING

3:00pm, Tuesday 16 May 2023

Council Boardroom, Welsford Street

COUNCILLORS

Cr Shane Sali (Mayor)

Cr Anthony Brophy (Deputy Mayor)

Cr Seema Abdullah

Cr Dinny Adem

Cr Geoffrey Dobson

Cr Greg James

Cr Ben Ladson

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 MAY 2023 AT 3:00PM**

**CHAIR
CR SHANE SALI
MAYOR**

INDEX

- 1 WELCOME TO COUNTRY.....6**
- 2 ACKNOWLEDGEMENT6**
- 3 PRIVACY NOTICE.....6**
- 4 GOVERNANCE PRINCIPLES.....6**
- 5 APOLOGIES.....8**
- 6 DECLARATIONS OF CONFLICT OF INTEREST.....8**
- 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....8**
- 8 PUBLIC QUESTION TIME9**
- 9 DEPUTATIONS AND PETITIONS.....10**
- 10 CORPORATE SERVICES DIRECTORATE11**
 - 10.1 Contracts Awarded Under Delegation - April 2023 11
 - 10.2 April 2023 Monthly Finance Report..... 12
 - 10.3 S5 Instrument of Delegation to the Chief Executive Officer 13
 - 10.4 S6 Instrument of Delegation to Members of Council Staff 14
 - 10.5 S18 Instrument of Sub-Delegation - Environment Protection Act 2017 15
- 11 SUSTAINABLE DEVELOPMENT DIRECTORATE16**
 - 11.1 Affordable Housing Reference Group Nomination of Community Representatives 16
 - 11.2 Telecommunications Tower - Echuca Road, Mooroopna 17
 - 11.3 Major and Minor Event Grants Round Two 2022/2023 19
- 12 CONFIDENTIAL MANAGEMENT REPORTS.....20**
 - 12.1 Designation of Confidentiality of Information - Reports20
 - 12.2 Close Meeting to Members of the Public.....20
- 13 DOCUMENTS FOR SIGNING AND SEALING21**
- 14 COUNCILLOR REPORTS22**
 - 14.1 Councillor Activities22
 - 14.1.1 Councillor Activities - April 202323
 - 14.2 Oaths and Affirmations of Office23

15 NOTICE OF MOTION, AMENDMENT OR RESCISSION24
16 URGENT BUSINESS NOT INCLUDED ON THE AGENDA24
17 CLOSE OF MEETING24

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 Shane Sali (Mayor)
Cr Anthony Brophy (Deputy Mayor)
Cr Seema Abdullah
Cr Dinny Adem
Cr Geoffrey Dobson
Cr Ben Ladson
Cr Sam Spinks
Cr Fern Summer

Officers:	Peter Harriott	Chief Executive Officer
	Louise Mitchell	Director Community
	Chris Teitzel	Director Corporate Services
	Gary Randhawa	Director Infrastructure
	Geraldine Christou	Director Sustainable Development
	Molly Wilmott	Official Minute Taker
	Janaka Samaranayake	Deputy Minute Taker

1 Welcome to Country

The Welcome to Country will not be provided in 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.

All care is taken to maintain your privacy; however as a visitor in the public gallery, it is assumed that your consent is given in the event that your image is broadcast to the public. It is also assumed that your consent is given to the use and disclosure of any information that you share at the meeting (including personal or sensitive information) to any person who accesses those recordings or Minutes.

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 Summer**

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

CARRIED UNOPPOSED

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.

Nil received

7 Confirmation of Minutes of Previous Meetings

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

That the minutes of the 16 March 2021 Council Meeting, 18 April 2023 Council Meeting and 2 May 2023 Additional Council Meeting as circulated, be confirmed.

CARRIED UNOPPOSED

8 Public Question Time

The following public question was submitted to Council in accordance with the Governance Rules.

I find the noise pollution from vehicular traffic in the Shepparton CBD and surrounding areas to be bad. Noise pollution is now widely recognized to have significant health impacts. Does the council recognize this? What measures is the council employing to first understand the problem, and second, mitigate the effects on residence?

The following answer was provided by Council officers.

Old Dookie Road is a designated B-Double route as it links the industrial area to the highways and arterial roads, in this case Doyles Road. Large heavy vehicles such as B-doubles must stay on the designated routes or they require a National Heavy Vehicle Regulator's (NHVR) Permit. The NHVR Safety and Compliance Officers are responsible for permits, non-compliance issues and noise regulation.

9 Deputations and Petitions

9.1 Petition Regarding Lake Bartlett, Tatura

Moved by Cr Spinks
Seconded by Cr Dobson

That the Council receive and note the petition titled 'Lake Bartlett, Tatura' in accordance with Governance Rule 81.

CARRIED UNOPPOSED

10 Corporate Services Directorate

10.1 Contracts Awarded Under Delegation - April 2023

Moved by Cr Adem
Seconded by Cr Dobson

That the Council:

1. note no contracts were awarded under delegation pursuant to a formal tender process for the reporting period; and
2. note the requests for tender advertised but not yet awarded.

CARRIED UNOPPOSED

10.2 April 2023 Monthly Finance Report

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

That the Council receive and note the April 2023 Monthly Financial Report.

CARRIED UNOPPOSED

10.3 S5 Instrument of Delegation to the Chief Executive Officer

Moved by Cr Dobson
Seconded by Cr Adem

That the Council, in the exercise of the power conferred by S11(1)(b) of the *Local Government Act 2020* (the Act) 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 Chief Executive Officer signature is affixed to the instrument.
3. on the coming into force of the instrument, all previous delegations to the Chief Executive Officer are revoked; and
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

10.4 S6 Instrument of Delegation to Members of Council Staff

Moved by Cr Dobson
Seconded by Cr Adem

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 Chief Executive Officer signature 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

10.5 S18 Instrument of Sub-Delegation - Environment Protection Act 2017

**Moved by Cr Adem
Seconded by Cr Dobson**

In the exercise of the power conferred by s 242(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Greater Shepparton City Council (Council) resolves that:

- 1. The members of Council staff referred to in the instrument attached be appointed and authorised as set out in the instrument.**
- 2. The instrument comes into force immediately upon being signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.**

CARRIED UNOPPOSED

11 Sustainable Development Directorate

11.1 Affordable Housing Reference Group Nomination of Community Representatives

Moved by Cr Brophy
Seconded by Cr Dobson

That the Council

1. appoint the following community representatives to the Affordable Housing Reference Group for a two-year term commencing on 16 May 2023 and concluding on 20 May 2025:
 - Tania Tonks
 - Terry Court
 - Kathleen Mills
 - Denise Moseley
2. formally acknowledge and thank Bruce Mactier as the outgoing community representative.

CARRIED UNOPPOSED

11.2 Telecommunications Tower - Echuca Road, Mooroopna

Moved by Cr Adem
Seconded by Cr Abdullah

That the Council, in relation to Planning Permit Application 2022-324, on the basis of the information before the Council and having considered all relevant matters as required by the *Planning and Environment Act 1987*, resolves to issue a Notice of Decision to Grant a Planning Permit for the buildings and works to erect a telecommunications facility subject to the following conditions:

1. The layout of the proposed development on the endorsed plans is not to be altered without the written consent of the responsible authority.
2. The exterior colour and cladding of the building(s) must be of a non-reflective nature to the satisfaction of the responsible authority.
3. The telecommunications facility must comply to the satisfaction of the responsible authority with the ARPANSA *Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2003* or such other standard as is adopted from time to time by the Australian Communications and Media Authority.
4. If the telecommunications facility hereby approved becomes redundant, all infrastructure associated with the telecommunication facility must be removed and the area reinstated to the satisfaction of the responsible authority. All works to comply with this condition must be completed within three months of the facility ceasing to operate and must be carried out at the expense of the Permit Holder.
5. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. Transport of materials, goods, or commodities to or from the land;
 - b. Appearance of any building, works or materials;
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, or oil;
 - d. Presence of vermin or otherwise;

Goulburn Broken Catchment Management Authority Conditions

6. The finished floor level of the proposed equipment shelter must be constructed at least 300 millimetres above the 1 in 100 AEP flood level of 111.79 metres AHD, i.e., 112.09 metres AHD, or higher level deemed necessary by the responsible authority.

7. No equipment sensitive to the ingress of floodwaters is to be located or stored below the Nominal Flood Protection Level (300 millimetres above the 1 in 100 AEP flood level of 111.79 metres AHD, i.e., 112.09 metres AHD).
8. This permit will expire if one of the following circumstances applies:
 - a. The development is not started within two years of the date of this permit.
 - b. The development is not completed within four years of the date of this permit.

CARRIED UNOPPOSED

11.3 Minor and Major Event Grants Round Two 2022/2023

Moved by Cr Brophy
 Seconded by Cr Ladson

That the Council note the successful applicants awarded funding under delegated authority for Round Two of the 2022/2023 Minor and Major Event Grants Program as follows:

Organisation	Grant Amount Awarded (GST Free)
Goulburn Valley Seniors Association Inc.	\$500
Picnic 4 Peace	\$500
Murchison and District Historical Society	\$900
Shepparton Cycling Club Incorporated	\$2,000
G V Rail Club Inc.	\$1,100
Generations Church ACC Inc	\$500
Northern Victorian Sled Dog Club Inc	\$1,750
Tallygaroopna Primary School	\$500
Goulburn Valley Reining Horse Association Inc	\$2,000
Shepparton Region Reconciliation Group Inc	\$1,250
Greater Shepparton Nepalese Community (GSNC)	\$500
GV Hospice Care	\$1,250
St Paul's African House	\$500
Goulburn Valley Gamers Guild Inc	\$600
Shepp Feathers Incorporated	\$250
Victorian Waterfowl Association	\$1,500
GV Pride Inc.	\$1,500
Total	\$17,100

CARRIED UNOPPOSED

12 Confidential Management Reports

12.1 Designation of Confidentiality of Information - Reports

The following report and attachments 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 12.3 Membership of the Positive Ageing Advisory Committee
- Item 12.4 Chief Executive Officer Performance Review 2022 and Remuneration Review

These documents contain information, which is consistent with the Local Government Act 2020, definition of 'personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs'.

Moved by Cr Adem

Seconded by Cr Dobson

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 the following confidential item:

- **Item 12.3: Membership of the Positive Ageing Advisory Committee**
- **Item 12.4: Chief Executive Officer Performance Review 2022 and Remuneration Review**

CARRIED UNOPPOSED

The meeting was closed to members of the public at 3:40pm.

The meeting was reopened to members of the public at 3:45pm.



13 Documents for Signing and Sealing

Nil Received.

14 Councillor Reports

14.1 Councillor Activities

14.1.1 Councillor Activities - April 2023

Moved by Cr Ladson
Seconded by Cr Adem

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

CARRIED UNOPPOSED

14.2 Oaths and Affirmations of Office

14.2.1 Oaths and Affirmations of Office

Author	Team Leader Governance
Approved by	Chief Executive Officer
Purpose	For Noting at a Council Meeting

Section 30 of the Local Government Act 2020 requires that Councillors take an oath or affirmation of office and that it be administered by the Chief Executive Officer, dated and signed before the Chief Executive Officer and recorded in the minutes of the Council.

The following oaths and affirmations were taken by Councillors:

- Cr Seema Abdullah – 10 November 2020
- Cr Anthony Brophy – 10 November 2020
- Cr Geoff Dobson – 10 November 2020
- Cr Gregory James – 10 November 2020
- Cr Kim O’Keeffe – 10 November 2020
- Cr Rob Priestly – 10 November 2020
- Cr Shane Sali – 10 November 2020
- Cr Sam Spinks – 10 November 2020
- Cr Fern Summer – 10 November 2020
- Cr Dinny Adem – 11 July 2022
- Cr Ben Ladson – 19 January 2023

Attachment

1. Oath or Affirmation of Office - Councillors

15 Notice of Motion, Amendment or Rescission

Nil Received.

16 Urgent Business not Included on the Agenda

Nil Received.

17 Close of Meeting

Meeting closed at 3:49pm.