

MINUTES

Greater Shepparton City Council

COUNCIL MEETING

5:30pm, Tuesday 15 September 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

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 SEPTEMBER 2020 AT 5:30PM**

**CHAIR
CR SEEMA ABDULLAH
MAYOR**

INDEX

1	ACKNOWLEDGEMENT	6
2	PRIVACY NOTICE.....	6
3	GOVERNANCE PRINCIPLES.....	6
4	APOLOGIES.....	8
5	DECLARATIONS OF CONFLICT OF INTEREST.....	8
6	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....	8
7	PUBLIC QUESTION TIME	8
8	CORPORATE SERVICES DIRECTORATE	10
	8.1 Financial Hardship Policy.....	10
	8.2 Local Law No.2 Conduct at Meetings and Common Seal.....	11
	8.3 Contracts Awarded Under Delegation - August 2020	12
	8.4 Council Plan 2019-20 Progress Report.....	13
	8.5 Financial Statements and Performance Statement for Year Ended 30 June 2020.	16
	8.6 2020/2021 Quarter 1 Forecast Review	17
	8.7 August 2020 Monthly Financial Report	18
9	COMMUNITY DIRECTORATE.....	19
	9.1 Memorandum of Understanding - Yorta Yorta Nation Aboriginal Corporation and Greater Shepparton City Council	19
	9.2 Greater Shepparton Women's Charter Advisory Committee Membership Appointments	19
	9.3 Safer City Camera Network Policy	21
	9.4 Greater Shepparton Best Start Early Years Plan 2020-2025.....	22
	9.5 Greater Shepparton Sports Hall of Fame Advisory Committee - Appointment of Committee Member.....	23
10	INFRASTRUCTURE DIRECTORATE	24
	10.1 Play Space Strategy 2020-2030.....	24
	10.2 Signing of Council Leases.....	25

10.3 Contract 2070 Wyndham Street - Fitzjohn Street Intersection Upgrade Works	26
10.4 Contract 2033 - Construction of Maude Street Upgrade, Vaughan Street to High Street.....	27
10.5 Approval of Variation - Contract 2073 Watt Road Bridge Repairs	28
11 SUSTAINABLE DEVELOPMENT DIRECTORATE	29
12 DOCUMENTS FOR SIGNING AND SEALING	29
12.1 Greater Valley Calisthenics Funding Deed	29
13 CONFIDENTIAL MANAGEMENT REPORTS	30
13.1 Designation of Confidentiality of Information.....	30
13.2 Chief Executive Officer Performance Review 2020	30
13.3 Reopening of the Council Meeting to Members of the Public	30
13.4 Designation of Confidentiality of Information - Report Attachments.....	30
14 COUNCILLOR REPORTS	31
14.1 Councillor Activities	31
14.2 Council Committee Reports	32
14.3 Notice of Motion, Amendment or Rescission	32
15 URGENT BUSINESS NOT INCLUDED ON THE AGENDA	32
16 CLOSE OF MEETING	33

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

Officers:	Peter Harriott	Chief Executive Officer
	Darryl Hancock	Manager Corporate Governance
	Boboleia Kom	Official Minute Taker
	Rebecca Good	Deputy Minute Taker

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 Governance Principles

Council considers that the decisions contained in this 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 municipal community is to be engaged in strategic planning and strategic decision making;
4. innovation and continuous improvement is to be pursued;
5. collaboration with other Councils and Governments and statutory bodies is to be sought;
6. the ongoing financial viability of the Council is to be ensured;
7. regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
8. the transparency of Council decisions, actions and information is to be ensured.

4 Apologies

Moved by Cr Oroszvary

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

CARRIED UNOPPOSED

5 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.

PH declared a direct conflict of interest in relation to Item 13.2.

6 Confirmation of Minutes of Previous Meetings

Moved by Cr Giovanetti
Seconded by Cr Adem

That the minutes of the 18 August 2020 Scheduled Council Meeting and the 4 September 2020 Additional Council Meeting as circulated, be confirmed.

CARRIED UNOPPOSED

7 Public Question Time

Question 1 - Brendan Gosstray

What has been the total cost to 30 July 2020 to Council for all planning and operating costs relating to the new SAM since 1st July 2013?

Response

GSCC has spent approximately \$5.5 million to the 30th July 2020 on those matters.

Question 2 - Brendan Gosstray

How much of the \$8 million has been raised by the Foundation to 30 July 2020?

Response

The SAM Foundation currently has fundraising pledges and commitments to approximately 7.5 million for the new SAM project.

8 Corporate Services Directorate

8.1 Financial Hardship Policy

Moved by Cr O'Keeffe
Seconded by Cr Adem

That the Council:

1. adopt the Financial Hardship Policy 34.POL 2 Version 2.2 , and
2. review the Financial Hardship Policy every four years in line with the Rating Strategy review.

CARRIED 7/0
One Councillor abstained from voting

8.2 Local Law No.2 Conduct at Meetings and Common Seal

**Moved by Cr Oroszvary
Seconded by Cr Sutton**

That the Council:

1. having:

1.1 completed the statutory process under Part 119 of the *Local Government Act 1989* for the making of the proposed Local Law No. 2 – Conduct at Meetings and Common Seal;

1.2 undertaken, and been satisfied with, the evaluation of Local Law No. 2 – Conduct at Meetings and Common Seal, as set out in the Community Impact Statement attached to this Report; and

1.3 not received any submissions in respect of Local Law No. 2 – Conduct at Meetings and Common Seal,

resolves to make Local Law No. 2 – Conduct at Meetings and Common Seal in the form attached to this Report.

2. authorises the Chief Executive Officer to:

2.1 give public notice, and notice in the Victoria Government Gazette, of the making of Local Law No. 2 – Conduct at Meetings and Common Seal; and

2.2 send a copy of Local Law No. 2 – Conduct at Meetings and Common Seal, as made, to the Minister for Local Government.

CARRIED UNOPPOSED

8.3 Contracts Awarded Under Delegation - August 2020

**Moved by Cr Hazelman OAM
Seconded by Cr O'Keeffe**

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

8.4 Council Plan 2019-20 Progress Report

**Moved by Cr Summer
Seconded by Cr Adem**

That Council note the Council Plan 2019-20 Quarter 4 Progress report.

CARRIED UNOPPOSED

8.5 Financial Statements and Performance Statement for Year Ended 30 June 2020

Moved by Cr Giovanetti
Seconded by Cr O'Keeffe

That the Council:

1. approve in principle the financial statements and performance statement for the financial year ended 30 June 2020; and
2. authorise the Mayor, Cr Seema Abdullah, the Deputy Mayor, Cr Dinny Adem and the Chief Executive, Peter Harriott, to certify the financial statements and to certify the performance statement in their final form after any changes recommended or agreed to by the auditor, have been made.

CARRIED UNOPPOSED

8.6 2020/2021 Quarter 1 Forecast Review

**Moved by Cr O'Keeffe
Seconded by Cr Adem**

That the Council:

- 1. adopt the revised forecasts identified by the 2020/2021 Quarter 1 Forecast Review; and**
- 2. adopt the following amendments to User Fees and Charges:**
 - a) registration of microchipped and desexed Cat under 6 months of age.
Current amount \$4 exc GST. Amended amount – No charge.**
 - b) registration of microchipped and desexed Dog under 6 months of age.
Current amount \$7 exc GST. Amended amount – No charge.**

CARRIED 7/1

8.7 August 2020 Monthly Financial Report

**Moved by Cr Giovanetti
Seconded by Cr Oroszvary**

That the Council receive and note the August 2020 Monthly Financial Report

CARRIED UNOPPOSED

9 Community Directorate

9.1 Memorandum of Understanding - Yorta Yorta Nation Aboriginal Corporation and Greater Shepparton City Council

Moved by Cr Hazelman OAM
Seconded by Cr Adem

That the Council approve the Memorandum of Understanding between Greater Shepparton City Council and Yorta Yorta Nation Aboriginal Corporation, with the following amendment:

- Item 6.1(i): replace '*Traditional Owners of the land*' with '*Yorta Yorta peoples*'.

Cr Hazelman OAM was granted an extension of time to speak to the motion.

The Mayor exercised her casting vote in favour of the motion.

The motion was carried 5/4

9.2 Greater Shepparton Women's Charter Advisory Committee Membership Appointments

**Moved by Cr O'Keeffe
Seconded by Cr Sutton**

That the Council:

- 1. endorse the Greater Shepparton Women's Charter Advisory Committee membership applications for the below members for a two year term, effective immediately and concluding on 19 July 2022:**
 - Samantha Spinks**
 - Simone Masters**
 - Kathryn Maddox**
 - Olga Novak**
- 2. thank Fatmatta Munu, Zubaidah Mohammed Shaburidin and Suzanne Wallis for their significant contributions to the Greater Shepparton Women's Charter Advisory Committee.**

CARRIED UNOPPOSED

9.3 Safer City Camera Network Policy

**Moved by Cr Oroszvary
Seconded by Cr Giovanetti**

That the Council adopt the Safer City Camera Network Policy 10.POL3.

CARRIED UNOPPOSED

**9.4 Greater Shepparton Best Start Early Years Plan
2020-2025**

**Moved by Cr Summer
Seconded by Cr O'Keeffe**

**That the Council endorse the Greater Shepparton Best Start Early Years Plan
2020-2025.**

CARRIED UNOPPOSED

**9.5 Greater Shepparton Sports Hall of Fame Advisory
Committee - Appointment of Committee Member**

**Moved by Cr Giovanetti
Seconded by Cr Adem**

That the Council appoint Peter Holland as a Community Member Representative to the Greater Shepparton Sports Hall of Fame Advisory Committee commencing 16 September 2020 and concluding 18 March 2022.

CARRIED UNOPPOSED

10 Infrastructure Directorate

10.1 Play Space Strategy 2020-2030

**Moved by Cr Summer
Seconded by Cr O'Keeffe**

That the Council release the Draft Play Space Strategy 2020-2030 for public exhibition for a period of six weeks commencing on 26 October 2020 and concluding on 7 December 2020 and invite submissions from the community and key stakeholders.

CARRIED UNOPPOSED

10.2 Signing of Council Leases

Moved by Cr Giovanetti
Seconded by Cr Adem

1. note that the following leases were advertised in accordance with Section 223 of the *Local Government Act 1989*, with no submissions received:
 - Lease – Deltoid Nominees Pty Ltd – Hangar 2 North, Shepparton Aerodrome
 - Lease – D Kerr & C Kinnane – Hangar 3 North, Shepparton Aerodrome
 - Lease - Regional Aircraft Charter Pty Ltd – Hangar 6 North, Shepparton Aerodrome
 - Lease - Ian Orrman – Hangar 7 North, Shepparton Aerodrome
 - Lease - Geoff Williams – Hangar 9 North, Shepparton Aerodrome
 - Lease - Conquest Industries Pty Ltd – Hangar 10 North, Shepparton Aerodrome
 - Lease - Rodney North – Hangar 12 North, Shepparton Aerodrome
 - Lease - Pendergast Investments – Hangar 13 North, Shepparton Aerodrome
 - Lease - Shepair Pty Ltd – Hangar 14 North, Shepparton Aerodrome
2. note that each of the above mentioned leases will commence on 1 July 2020 and expire on 30 June 2030, with the option of an additional 10 year extension period.
3. authorise execution of the above leases by the Chief Executive Officer.

CARRIED UNOPPOSED

10.3 Contract 2070 Wyndham Street - Fitzjohn Street Intersection Upgrade Works

**Moved by Cr Oroszvary
Seconded by Cr Giovanetti**

That the Council:

- 1. accept the tender submitted by Apex Earthworks Pty Ltd for Contract No. 2070 Construction of Wyndham Street / Fitzjohn Street upgrade works for the Lump Sum price of \$3,156,979.65 (including GST).**
- 2. authorise the Chief Executive Officer to sign and seal the contract documents.**

CARRIED UNOPPOSED

10.4 Contract 2033 - Construction of Maude Street Upgrade, Vaughan Street to High Street

Moved by Cr Giovanetti
Seconded by Cr O'Keeffe

That the Council:

1. accept the tender submitted by Jarvis Delahey Contractors Pty Ltd for Contract No. 2033 Construction of Maude Street Upgrade, Vaughan Street to High Street for the Lump Sum price of \$3,498,456.52 (including GST).
2. authorise the Chief Executive Officer to sign and seal the contract documents.

CARRIED UNOPPOSED

10.5 Approval of Variation - Contract 2073 Watt Road Bridge Repairs

**Moved by Cr Sutton
Seconded by Cr Adem**

That the Council authorise payment of Contract Variation No.1 under Contract 2073 – Watt Road Bridge Repairs with a value of \$47,305.50 including GST.

CARRIED UNOPPOSED

11 Sustainable Development Directorate

Nil Received.

12 Documents for Signing and Sealing

12.1 Greater Valley Calisthenics Funding Deed

Moved by Cr Adem
Seconded by Cr Oroszvary

That the Council authorise the Chief Executive Officer to sign and seal the Funding Deed of Agreement for the relocation of the Greater Valley Calisthenics Club Inc.

CARRIED UNOPPOSED

13 Confidential Management Reports

13.1 Designation of Confidentiality of Information

Moved by Cr Adem
Seconded by Cr Giovanetti

That pursuant to section 89(2)(d) of the Local Government Act 1989, resolve that the Council meeting be closed to members of the public for consideration of a confidential item.

CARRIED UNOPPOSED

Peter Harriott declared a direct conflict of interest in relation to Item 13.2 and left the room at 7:25pm.

13.2 Chief Executive Officer Performance Review 2020

13.3 Reopening of the Council Meeting to Members of the Public

PH returned to the meeting at 7:32pm.

13.4 Designation of Confidentiality of Information - Report Attachments

**Moved by Cr Giovanetti
Seconded by Cr Oroszvary**

That the Council:

In accordance with section 77(2)(b) of the Local Government Act 1989 (the Act) the Council designates as confidential all documents used to prepare the following agenda items, previously designated by the Chief Executive Officer in writing as confidential under section 77(2)(c) of the Act:

- **item 10.3: Contract 2070 Wyndham Street - Fitzjohn Street Intersection Upgrade Works. This report attachment relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act;**
- **item 10.4: Contract 2033 - Construction of Maude Street Upgrade, Vaughan Street to High Street. This report attachment relates to a contractual matter, which is a relevant ground applying under section 89(2)(d) of the Act.**

CARRIED UNOPPOSED

14 Councillor Reports

14.1 Councillor Activities

14.1 Councillor Activities - August 2020

Moved by Cr Adem
Seconded by Cr Sutton

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

Nil Received.

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 7:36pm