

AGENDA

Greater Shepparton City Council

ADDITIONAL COUNCIL MEETING

5:30PM, Tuesday 26 October 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.

**A G E N D A
FOR THE
ADDITIONAL COUNCIL MEETING
HELD ON
TUESDAY 26 OCTOBER 2021 AT 5:30PM**

**CHAIR
CR KIM O'KEEFFE
MAYOR**

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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:

1 Welcome to Country

To be 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 recommendations contained in this Agenda 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.

Nil Received.

7 Corporate Services Directorate

7.1 Councillors Statement of Expectations for the role of Mayor of Greater Shepparton City Council

Author Governance Officer
 Approved by Director Corporate Services
 Purpose For Decision by Council

Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020*, officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

RECOMMENDATION

That the Council re-adopt the Councillors Statement of Expectations for the role of Mayor of Greater Shepparton City Council as attached to this report.

Executive Summary

The purpose of this report is to review and adopt the Councillors Statement of Expectations (SOE) for the role of Mayor of Greater Shepparton City Council.

The Mayor is the leader of the Council and has a number of roles which are both legislative and functional.

The functions of the Mayor are defined in legislation under Section 18 and 19 of the *Local Government Act 2020*.

The SOE has been developed in addition to the functions outlined in the legislation to provide clarity on the Mayor's key responsibility areas, skills, knowledge, qualifications and experience. The role extends well beyond officiating council meetings or other municipal proceedings and includes providing leadership, promoting positive relationships, and modelling good governance.

Report Detail

A SOE is presented for adoption to provide clarity on the role, prior to conducting the election of the Mayor and Deputy Mayor.

This document sets out the objectives and accountabilities for the position, to enable the Council and the community to assess the Mayor's performance in these areas.

The SOE is reviewed prior to each Mayoral election to ensure that it continues to reflect the legislative and other requirements of the position, as well as the expectations that the Council has of the incumbent.

The *Local Government Act 2020* states that the functions of the Mayor include:

- Chairing Council meetings
- Acting as the principal spokesperson for the Council
- Leading engagement with the municipal community on the development of the Council Plan
- Helping promote behaviour among Councillors that meets the standards of conduct set out in the Councillor Code of Conduct
- Assisting Councillors to understand their role
- Providing advice to the Chief Executive Officer in relation to setting the agenda for Council meetings and
- Carrying out civic and ceremonial duties on behalf of the Council.

The Councillors Statement of Expectations for the role of Mayor was reviewed by the Mayor and Deputy Mayor in May 2021 and it was determined that no changes were required.

Council Plan/Key Strategic Activity

LEADERSHIP AND GOVERNANCE

Provide strong civic leadership, advocacy and good governance in the operation of Greater Shepparton City Council.

1.3 Council demonstrates strong leadership and sound decision making in the best interests of the community.

Risk Management

| Risks | Likelihood | Consequence | Rating | Mitigation Action |
|---|------------|-------------|--------|--|
| Mayor not adhering to the SOE | Unlikely | Moderate | Low | Councillor induction training is provided. Support and advice will be available from the CEO and Council officers. |
| Elected Councillor not understanding the increased responsibility and time commitments arising from Mayoral appointment | Unlikely | Moderate | Low | These responsibilities are clearly outlined in the SOE which is provided to all Councillors. |

Policy Considerations

The SOE is consistent with the principles outlined in the Councillor Code of Conduct.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

There are no legal or statutory implications arising from this proposal.

Environmental/Sustainability Impacts

There are no environmental or sustainability impacts arising from this proposal.

Social Implications

There are no social implications arising from this proposal.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

Councillors have been briefed on the roles and responsibilities of the Mayor as part of the induction program. Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

- There are no direct links to the *Greater Shepparton 2030 Strategy*.

b) Other strategic links

- There are no other strategic links.

Conclusion

The SOE is reflective of the current legislative responsibilities associated with the role of Mayor. It is recommended that Council approve its adoption.

Attachments

1. M20 98727 Councillors Statement of Expectations for the role of Mayor of Greater Shepparton City Council – Adopted 23 November 2020 [7.1.1 - 5 pages]

7.2 Election of Mayor

| | |
|-------------|-----------------------------|
| Author | Governance Officer |
| Approved by | Director Corporate Services |
| Purpose | For Decision by Council |

Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020* officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

RECOMMENDATION

That the Mayoral term be set for a period of one year.

NOMINATION

In accordance with Part 2 of the Governance Rules, the positions of Mayor and Deputy Mayor now become vacant and the Chief Executive Officer will call for nominations to fill the position of Mayor.

Executive Summary

The purpose of this summary report is to facilitate the election of a Councillor to be the Mayor of Greater Shepparton City Council.

Report Detail

In accordance with Section 25 of the *Local Government Act 2020*, Councillors must elect a Councillor to be the Mayor of the Council. Traditionally Council has appointed Mayors for one-year terms. However, under section 26(3) of the Act Council may resolve to elect a Mayor for a term of two years.

The process for the election of the Mayor is to be undertaken in accordance with Part 2 of Council's Governance Rules.

Council Plan/Key Strategic Activity

LEADERSHIP AND GOVERNANCE

Provide strong civic leadership, advocacy and good governance in the operation of Greater Shepparton City Council.

1.3 Council demonstrates strong leadership and sound decision making in the best interests of the community.

Risk Management

| Risks | Likelihood | Consequence | Rating | Mitigation Action |
|--|------------|-------------|--------|---|
| Elected Councillor not understanding the increased responsibilities and time commitments arising from Mayoral appointment. | Unlikely | Moderate | Low | A Mayoral Statement of Expectations that details the responsibilities of the Mayor will be adopted. |

Policy Considerations

This proposal does not conflict with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal. Provision has been provided for the payment of a Mayoral Allowance in the 2021/22 Budget.

Legal/Statutory Implications

Section 25 of the *Local Government Act 2020* states that the Council must elect a Councillor to be the Mayor of the Council at a meeting of the Council that is open to the public. Due to COVID-19 restrictions, the public gallery seating will be closed. Members of the public are invited to watch the live stream on Council's Facebook page. A link to the recording will be made available on Council's website afterwards.

Environmental/Sustainability Impacts

There are no environmental or sustainability impacts arising from this proposal.

Social Implications

There are no social implications arising from this proposal.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

There are no direct links to the *Greater Shepparton 2030 Strategy*.

b) Other strategic links

There are no other strategic links.

Conclusion

In accordance with section 25 of the *Local Government Act 2020*, the Councillors must appoint one of their members to serve as Mayor of the Greater Shepparton City Council.

Attachments

Nil

7.3 Election of Deputy Mayor

Author Governance Officer
 Approved by Director Corporate Services
 Purpose For Decision by Council

Disclosures of Conflict of Interest in Relation to this Report

Under section 130 of the *Local Government Act 2020*, officers, delegates and persons engaged under a contract providing advice to Council must disclose any conflicts of interests.

No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

RECOMMENDATION

That the Council:

1. **elect a Deputy Mayor for the Mayoral Term; and**
2. **if during the Mayoral Term, there is a vacancy in the office of the Mayor or the Mayor is absent, incapable of acting or refusing to act, then provided the Deputy Mayor is available, the Council hereby appoints the Deputy Mayor to be the Acting Mayor in accordance with Sections 20B(1) of the *Local Government Act 2020*.**

NOMINATION

In accordance with Part 2 of the Governance Rules, the Mayor will call for nominations for a Councillor to fill the position of Deputy Mayor.

Executive Summary

The purpose of this report is to enable Council to elect a Deputy Mayor to serve during the Mayoral term of office.

Report Detail

There is no statutory requirement to elect a Deputy Mayor, but Council has traditionally adopted the practice of appointing a Councillor to this role, to act as the Chair in the absence of the Mayor at Council meetings or when the Mayor is required to vacate the chair. It also allows the Deputy Mayor to receive the pledge of commitment at citizenship ceremonies and to act as spokesperson in the Mayor's absence. No additional allowance is payable and the Council will need to resolve that a Deputy Mayor be elected. There is no position description for the role of Deputy Mayor, as the Mayoral position description applies on all occasions that the Deputy Mayor acts in that role and there are no separate and distinct duties or responsibilities assigned to the position of Deputy Mayor.

In accordance with Council's *Governance Rules* the election of a Deputy Mayor will follow the same procedure as that used for the election of Mayor.

Council Plan/Key Strategic Activity

LEADERSHIP AND GOVERNANCE

Provide strong civic leadership, advocacy and good governance in the operation of Greater Shepparton City Council.

1.3 Council demonstrates strong leadership and sound decision making in the best interests of the community.

Risk Management

| Risks | Likelihood | Consequence | Rating | Mitigation Action |
|--|------------|-------------|--------|--|
| Councillor appointed to the role of Deputy Mayor not understanding their responsibilities when deputising for the Mayor. | Unlikely | Moderate | Low | A Mayoral position description will be adopted. Advice and support will also be available from the Mayor and Council officers. |

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal as there are no additional allowance payable to the Deputy Mayor.

Legal/Statutory Implications

There are no statutory requirements for the Council to elect a Deputy Mayor but Council has traditionally adopted the practice of appointing a Councillor to this role. The process for electing a Deputy Mayor is provided for in Section 27 of the *Local Government Act 2020*.

Environmental/Sustainability Impacts

There are no environmental or sustainability impacts arising from this proposal.

Social Implications

There are no social implications arising from this proposal.

Economic Impacts

There are no economic implications arising from this proposal.

Consultation

Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration.

Strategic Links

a) Greater Shepparton 2030 Strategy

There are no direct links to the *Greater Shepparton 2030 Strategy*.

b) Other strategic links

There are no other strategic links.

Conclusion

It is recommended that Councillors elect a Councillor to fill the role of Deputy Mayor for purposes of receiving pledge of commitment at citizenship ceremonies and to attend functions and act as Council spokesperson on occasions when the Mayor is available to do so.

Attachments

Nil



8 Close of Meeting