

MINUTES

Greater Shepparton City Council

COUNCIL MEETING

5:30PM, Tuesday 16 March 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.

**MINUTES
FOR THE
COUNCIL MEETING
HELD ON
TUESDAY 16 MARCH 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:

- 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**

Officers:	<ul style="list-style-type: none"> Peter Harriott Geraldine Christou Chris Teitzel Kaye Thomson Ropate Cabealawa Boboleia Kom 	<ul style="list-style-type: none"> Chief Executive Officer Director Sustainable Development Director Corporate Services Director Community Official Minute Taker Deputy Minute Taker
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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

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.

Cr Dobson declared a material conflict of interest in relation to item 11.3 Adoption of Shepparton and Mooroopna 2050: Regional City Growth Plan.

Peter Harriott declared a material conflict of interest in relation to item 14.2 Confirmation of Chief Executive Officer Remuneration.

7 Confirmation of Minutes of Previous Meetings

Moved by Cr Dobson
Seconded by Cr Abdullah

That the minutes of the 16 February 2021 Council Meeting as circulated, be confirmed.

CARRIED UNOPPOSED

8 Public Question Time

Nil Received.

9 Community Directorate

9.1 Reconciliation Action Plan 2019-2020 Report and Future Directions

Moved by Cr James
Seconded by Cr Spinks

That the Council note:

1. the achievements of the Reconciliation Action Plan 2019-2020; and
2. the Engagement approach identified for the development of Council's next Reconciliation Action Plan.

CARRIED UNOPPOSED

9.2 Murchison Aged Care - Investigation and Future Directions Report

Peter Harriott, the Chief Executive Officer provided a statement acknowledging receipt of a letter from Hon Damian Drum MP.

Moved by Cr Abdullah
Seconded by Cr Spinks

That the Council, following receipt of further information from the Federal Government and building consultants will:

1. consider engaging a consultant to undertake a comprehensive feasibility study into the purchase of the Murchison Aged Care Facility; and
2. undertake a further review of all information gathered, and prepare a report for Council to inform future decisions with regards to any proposal for purchase of the facility.
3. lodge an Expression of Interest (EOI) to purchase the DP Jones Nursing Home in Murchison, prior to the cut-off date of April 1st 2021 at a value which is at the lesser of \$700,000 and a qualified valuers valuation less than 12 months old prepared on a vacant possession basis for the property.

This EOI will be subject to:

- a. receipt of further information from the Federal Government and building consultants as requested and documented in the accompanying report for this Agenda item; and
- b. due diligence and appropriate conditions as deemed necessary by the Council and will not commit the Council to any contractual obligation until such time as these conditions are met.

These conditions include, but are not limited to:

- consider engaging a consultant to undertake a comprehensive feasibility study into the purchase of the Murchison Aged Care Facility; and
- undertake a further review of all information gathered, and prepare a report for Council to inform future decisions with regards to any proposal for purchase of the facility.

Cr Summer sought an extension of time to speak to the motion.

GRANTED

Cr Dobson sought an extension of time to speak against the motion.

GRANTED

The motion was put and carried.

9.3 Establishment of a LGBTIQ+ Advisory Committee

Moved by Cr Summer
Seconded by Cr Spinks

That the Council:

1. approve the establishment of the Lesbian, Gay, Bisexual, Transgender, Intersex, Queer, Asexual and other sexuality, sex and gender diverse Advisory Committee (LGBTIQ+ Advisory Committee) as presented in this report; and
2. adopt an interim Terms of Reference for future review upon the establishment of the LGBTIQ+ Advisory Committee.

CARRIED UNOPPOSED

10 Corporate Services Directorate

10.1 February 2021 Monthly Financial Report

Moved by Cr Dobson
Seconded by Cr Brophy

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

CARRIED UNOPPOSED

10.2 Council Plan 2020-21 Quarter Two Progress Report

**Moved by Cr Summer
Seconded by Cr Dobson**

That the Council note the Council Plan 2020-21 Quarter Two Progress Report.

CARRIED UNOPPOSED

10.3 Contracts Awarded Under Delegation - February 2021

**Moved by Cr Spinks
Seconded by Cr Summer**

That the Council note:

- 1. contracts awarded under delegated authority by a Director;**
- 2. contracts awarded under delegated authority by a Manager; and**
- 3. request for tenders advertised but not yet awarded.**

CARRIED UNOPPOSED

11 Sustainable Development Directorate

11.1 Application of the Public Acquisition Overlay to realise Regional Infrastructure

Moved by Cr James
Seconded by Cr Abdullah

That the Council prepare and exhibit a planning scheme amendment to apply the Public Acquisition Overlay to the following parcels of land to realise the construction of shared and recreational paths, and land to serve as additional open space:

- 560 Archer Road, Kialla
- 90 Seven Creeks Drive, Kialla, and
- 7265 Midland Highway, Mooroopna

CARRIED UNOPPOSED

11.2 Grants Distribution Policy

**Moved by Cr Summer
Seconded by Cr Abdullah**

That the Council adopts the Grants Distribution Policy 43.2 POL1 with a footnote for clause 6(d) that should read 'a report on awarded grants be prepared and presented to the Executive Leadership Team and Councillors in a briefing format and communicated formally at an Ordinary Council Meeting'.

CARRIED UNOPPOSED

11.3 Adoption of Shepparton and Mooroopna 2050: Regional City Growth Plan

Cr Dobson declared a material conflict of interest in relation to item 11.3 and left at the meeting at 6.35pm.

Moved by Cr Priestly
Seconded by Cr Sali

That the Council defer consideration of item 11.3 'Adoption of the Shepparton and Mooroopna 2050: Regional Growth Plan' to an additional Council Meeting, which is to be scheduled on Tuesday 30 March 2021 at 5.30pm.

CARRIED UNOPPOSED

Cr Dobson returned to the meeting at 6.37pm.

12 Infrastructure Directorate

12.1 Our Sporting Future Funding Guidelines for Adoption

Moved by Cr Abdullah
Seconded by Cr Sali

That the Council adopt the updated Our Sporting Future Funding Guidelines to be implemented for Round One 2021/2022.

CARRIED UNOPPOSED

12.2 State Government Additional \$2.5M for New SAM - Delegation Alteration

**Moved by Cr Priestly
Seconded by Cr Dobson**

That the Council authorise the Chief Executive Officer (CEO) to approve all post award variations for a cumulative value of \$3,450,000 including GST, for the following:

- **Contract 1865 (Construction); and**
- **Contract 1732 (Architectural and Engineer)**

CARRIED UNOPPOSED

13 Documents for Signing and Sealing

13.1 Documents for Signing and Sealing

Moved by Cr Priestly
Seconded by Cr Summer

That the Council authorises the Chief Executive Officer to sign and seal the following document:

- Deed of Gift between Carrillo Gantner, Shepparton Art Museum Ltd and Greater Shepparton City Council.

CARRIED UNOPPOSED

14 Confidential Management Reports

14.1 Designation of Confidentiality of Information

Peter Harriott declared a material conflict of interest in relation to item 14.2 and left the meet at 6.51pm.

Moved by Cr Dobson
Seconded by Cr Spinks

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

CARRIED UNOPPOSED

14.2 Confirmation of Chief Executive Officer Remuneration

14.3 Re-opening of the Council Meeting to Members of the Public

Peter Harriott returned to the meeting at 6.55pm.

15 Councillor Reports

15.1 Councillor Activities

15.1.1 Councillor Activities - January and February 2021

Moved by Cr James
Seconded by Cr Spinks

That the summary of the Councillors' community interaction and briefing program be received and record of Assemblies of Councillors be noted.

CARRIED UNOPPOSED

15.2 Council Committee Reports

15.2.1 Murray Darling Association

Moved by Cr Dobson
Seconded by Cr James

That the Council note Cr Dobson's report on the Murray Darling Association.

CARRIED UNOPPOSED

15.3 Notice of Motion, Amendment or Rescission

15.3.1 Notice of Motion 2/2021 - LGBTIQ+

Moved by Cr Spinks
Seconded by Cr Fern

That the Council prepare a report to:

1. install a permanent 'Rainbow Footpath' at a public location within the municipality.
2. fly the LGBTQIA+ Rainbow Flag from the Greater Shepparton City Council office buildings all year round, and ongoing.
3. publicly acknowledge LGBTQIA+ annual days of celebration and significance (in 2021 and on subsequent dates in the years ahead) utilising the GSCC media platforms such as social media and media statements; with dates including but not limited to:
 - Transgender Visibility Day - 31st March
 - 'International Day Against Homophobia, Biphobia, Intersexphobia and Transphobia (IDAHOBIT)' - 17th May
 - LGBT Pride Month – whole of June
 - International Non-Binary Peoples Day – 14th July
 - 'Wear It Purple Day' - 27th August
 - National Coming Out Day – 11th October
 - World AIDS Day – 1st December

Cr Spinks sought an extension of time to speak to the motion.

GRANTED

The motion was put and lost.

Cr Summer called for a division.

Those voting in favor of the motion: Cr Spinks, Cr Abdullah, Cr Priestly and Cr Summer.

Those voting against the motion: Cr Dobson, Cr Sali, Cr Brophy, Cr James and Cr Sali.

The motion was put and lost.

15.3.2 Notice of Motion 3/2021 - Governance Rules

**Moved by Cr Summer
Seconded by Cr Priestly**

That the Council prepare a report and costings in regard to striking out clause 62.5 our Governance Rules which states:

62.5 A Notice of Motion must call for a Council report if the Notice of motion proposes any action that:

- 62.5.1 impacts the levels of Council service;**
- 62.5.2 commits Council to either a loss of income, or expenditure that is not included in the adopted Council Budget, to the value of \$25,000 or greater;**
- 62.5.3 proposes to establish, amend or extend Council policy;**
- 62.5.4 proposes to impact the rights of any person who has not had the opportunity to contribute their views;**
- 62.5.5 commits Council to any contractual arrangement; or**
- 62.5.6 concerns any litigation in respect of which Council is a party.**

These requirements are adequately covered by clause 62.3 of the Governance Rules, which states: The Chief Executive Officer must inform Councillors about the potential legal and cost implications of any proposed Notice of Motion.

CARRIED

16 Urgent Business not Included on the Agenda

Nil Received.

17 Close of Meeting

Meeting closed at 7.28pm.