

MINUTES

FOR THE
GREATER SHEPPARTON CITY COUNCIL

SPECIAL COUNCIL MEETING

HELD ON
TUESDAY 15 MAY, 2018
AT 1.00PM

IN THE COUNCIL BOARDROOM

COUNCILLORS:

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

VISION

*A THRIVING ECONOMY IN THE FOODBOWL OF VICTORIA WITH
EXCELLENT LIFESTYLES, INNOVATIVE AGRICULTURE
A DIVERSE COMMUNITY AND
ABUNDANT OPPORTUNITIES*

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**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

**PRESENT: Councillors Kim O’Keeffe, Seema Abdullah, Dinny Adem
Bruce Giovanetti, Chris Hazelman, Les Oroszvary, Dennis Patterson,
and Shelley Sutton.**

**OFFICERS: Peter Harriott – Chief Executive Officer
Phillip Hoare – Director Infrastructure
Geraldine Christou – Director Sustainable Development
Chris Teitzel – Director Corporate Services
Kaye Thomson – Director Community
Maree Martin – Official Minute Taker
Tina Irvine – 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 POLICY

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

3. APOLOGIES

**Moved by Cr Hazelman
Seconded by Cr Adem**

That the apology from Cr Summer be received and a leave of absence be granted.

CARRIED.

4. 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.

5. CORPORATE SERVICES DIRECTORATE

5.1 Draft Local Law No.2 Procedures for Council Meetings and Common Seal 2018 - Hearing of Section 223 Submissions

Disclosures of conflicts of interest in relation to advice provided in this report
Under section 80C of the *Local Government Act 1989* officers and persons engaged under a contract providing advice to Council must disclose any conflicts of interests, including the type and nature of interest.

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.

Council Officers involved in producing this report

Author: Team Leader Governance

Proof Reader(s): Manager Corporate Governance

Approved by: Director Corporate Services

Executive Summary

At the Ordinary Council Meeting held on Tuesday 20 March 2018, the Council resolved to advertise its Draft Local Law No.2 - Procedures for Council Meetings and Common Seal 2018 and call for submissions under Section 223 of the *Local Government Act 1989* ("the Act"). The public notice period closed at 5.00pm Friday, 27 April 2018. A total of two (2) submissions were received with (1) one of those requesting to be heard by Council.

The submissions in general contained suggestions under the following headings for consideration:

- Definitions
- Confirmations of Minutes
- Administrative corrections
- Addressing Councillors and officers
- Public Question Time
- Recording of Divisions
- Petitions
- Right of Reply

Moved by Cr Giovanetti

Seconded by Cr Oroszvary

That standing orders be suspended to allow the submitter to be heard.

CARRIED

Council to hear the presentation from the submitter.

Moved by Cr Adem

Seconded by Cr Oroszvary

That standing orders be resumed.

CARRIED

5. CORPORATE SERVICES DIRECTORATE

5.1 Draft Local Law No.2 Procedures for Council Meetings and Common Seal 2018 - Hearing of Section 223 Submissions (continued)

Moved by Cr Adem
Seconded by Cr Giovanetti

That the Council:

1. receive and note the submissions in response to the public advertisement of the Draft Local Law No.2 Procedures for Council Meetings and Common Seal 2018;
2. formally consider all received submissions and the adoption of the Local Law No.2 Procedures for Council Meetings and Common Seal 2018 at the Ordinary Council Meeting to be held on Tuesday 19 June 2018 at 5.30pm in the Council Boardroom.

CARRIED.

Background

In accordance with the Act, Council was required to give "public notice" that it intends to make a local law. The local law document must be made available for inspection at its offices and on its website for a period of 28 days and submissions invited from members of the public.

Council at the ordinary council meeting held on Tuesday 20 March 2018 resolved to advertise its Draft Local Law No.2 - Procedures for Council Meetings and Common Seal 2018 and to call for submissions under Section 223 of the Act. The public notice period closed at 5.00pm Friday 27 April 2018.

Council Plan/Key Strategic Activity

The review of Councils Local Laws is consistent with the following Council Plan objectives:

- 1.3 Council demonstrates strong leadership and sound decision making in the best interests of the community.
- 1.7 Council advocates on issues, priorities and needs that matter to our community in partnership with key stakeholders.
- 1.8 Consultation that is transparent, robust and accessible, and clear, consistent and timely communication provided to inform, educate and engage with the community.
- 2.9 Public places, open space and community facilities are safe and accessible for all and presented to a high quality.

Risk Management

Risks	Likelihood	Consequence	Rating	Mitigation Action
Review not completed prior to sunset of current Local Laws (extensions not available)	Possible	Major	High	
Negative response from Community in relation to proposed changes	Possible	Minor	Low	Detailed explanation will be provided of any proposed changes in the LLCIS

5. CORPORATE SERVICES DIRECTORATE

5.1 Draft Local Law No.2 Procedures for Council Meetings and Common Seal 2018 - Hearing of Section 223 Submissions (continued)

Policy Considerations

The review of Councils Local Laws presents no conflicts with existing Council policy.

Financial Implications

There are no financial implications associated with this report.

Legal/Statutory Implications

The detailed and timely review of Councils Local Laws ensures that council is meeting its statutory obligations under Section 91 and Section 111(1) of the *Local Government Act 1989*.

Any person has the right to make a submission on the Draft Local Law No.2 Procedures for Council Meetings and Common Seal 2018 under section 223 of the Act. Section 223 of the Act requires public notice to be given to allow for any person to make a submission on the matter. The section 223 process under the Act also allows the person making a submission to appear in person to be heard in support of their submission.

Environmental/Sustainability Impacts

There are no environmental/sustainability impacts associated with this report.

Social Implications

There are no social impacts associated with this report.

Economic Impacts

There are no economic impacts associated with this proposal.

Consultation

As part of the detailed review process, extensive consultation has been undertaken with relevant stakeholders. In addition, a formal Section 223 process has been undertaken Council for adoption in its final form.

Strategic Links

a) Greater Shepparton 2030 Strategy

There are no direct links with the 2030 strategy.

Conclusion

The public notice period for submissions on the Draft Local Law No.2 Procedures for Council Meetings and Common Seal 2018 was open from Friday 23 March 2018 and closed at 5.00pm Friday 27 April 2018. Two submissions were received with one requesting to be heard in person.

Attachments

Nil

6. URGENT AND OTHER BUSINESS NOT INCLUDED ON THE AGENDA

THE MEETING CLOSED AT 1.24PM