

AGENDA

Greater Shepparton City Council

COUNCIL MEETING

5:30pm, Tuesday 20 October 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.

**A G E N D A
FOR THE
COUNCIL MEETING
HELD ON
TUESDAY 20 OCTOBER 2020 AT 5:30PM**

**CHAIR
CR SEEMA ABDULLAH
MAYOR**

INDEX

1	CARETAKER STATEMENT	6
2	PRIVACY NOTICE	7
3	ACKNOWLEDGEMENT	7
4	APOLOGIES	7
5	GOVERNANCE PRINCIPLES	7
6	DECLARATIONS OF CONFLICT OF INTEREST	8
7	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	8
8	RECOGNITION OF FORMER COUNCILLOR JOHN GRAY	8
9	COMMUNITY DIRECTORATE	8
10	SUSTAINABLE DEVELOPMENT DIRECTORATE	8
11	CORPORATE SERVICES DIRECTORATE	8
	11.1 2020/2021 Christmas Arrangements.....	8
	11.2 Rescheduling of the November 2020 Council Meeting	11
	11.3 September 2020 Monthly Financial Report	13
	11.4 Audit and Risk Management Committee Meeting Minutes	15
	11.5 2019-2020 Annual Report	18
12	INFRASTRUCTURE DIRECTORATE	21
	12.1 Variations 2 & 3 - Contract 1981 Design and Installation of Solar Photovoltaic Systems for Shepparton Saleyards and Aquamoves.....	21
13	CONFIDENTIAL MANAGEMENT REPORTS	25
	13.1 Designation of Confidentiality of Information - Report Attachments.....	25
14	DOCUMENTS FOR SIGNING AND SEALING	25
15	COUNCILLOR REPORTS	26
	15.1 Councillor Activities	26
	15.2 Council Committee Reports	28
	15.3 Notice of Motion, Amendment or Rescission	28
16	URGENT BUSINESS NOT INCLUDED ON THE AGENDA	28
17	CLOSE OF MEETING	28

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 Caretaker Statement

This agenda has been certified by the Chief Executive Officer, who has determined that the recommendations contained within this agenda are not prohibited decisions, as defined in either section 69(2) of the *Local Government Act 2020* or Council's Election Period Policy.

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 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."

4 Apologies

5 Governance Principles

Council considers that the decisions 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 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.

6 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.

7 Confirmation of Minutes of Previous Meetings

RECOMMENDATION

That the minutes of the 15 September 2020 Council Meeting as circulated, be confirmed.

8 Recognition of Former Councillor John Gray

RECOMMENDATION

That the Council note the passing of John Gray, and recognise his years of service to Council and the Greater Shepparton Community.

Statement of Recognition of John Gray by Cr Chris Hazelman (OAM)

John Phillip Cameron Gray. I knew his full name because he would call and announce himself JPCG here Chris. I initially thought what a strange affectation but somehow it suited John and around the Council table it was often how he was called or Grayboy.

A few words cannot do John justice, I could not list all of the organisations he belonged to nor talk about his personality or character as you already know those features. My piece is a reflection on my experiences with John and a friendship that spanned over 50 years.

I first met John through sport and sports administration. John would make impassioned pleas seeking Cricket Association support for some project which usually made no headway until some calmer heads would suggest a brief recess to allow the Executive to consider their position. A compromise would be worked out and presented to John who begrudgingly would accept the deal, his indignation was impressive given he usually worked the deal out on the phone the day before.

The stitching up a deal was a stock in trade for John which I saw many times later in local government and no doubt at the Catchment Management Authority and GV Water where he served for many years and indeed the countless groups and organisation with which John was involved.. John was a firm believer that end sum games were a waste of time and if you wanted to get results you needed to be prepared to compromise.

A couple of years later I was elected to the Shire of Shepparton and first on the phone offering congratulations was John which he repeated when I became Shire President. His generosity and warmth exemplified years later when my parents passed and first on the doorstep was John with his condolences and an offering.

John was a wonderful Councillor first at the Shire of Rodney and later COGS, across the issues, understanding of the players and an unparalleled network of contacts locally, in Spring St and Canberra. When I became Mayor, John provided subtle advice, never pushy, and he opened countless doors. One flaw in John's Councillor persona was finance, he hated profit and loss and balance sheets and on days when finance was on the agenda you knew he would easily be distracted. John's singular contribution on finance was to ask every year when bridge repairs were being discussed. "Could we get bridging finance?" I swear I heard that line countless times over the years. While he disliked finance John knew how the system worked and a careful reading of the budget papers would reveal several of John's projects where he had brought community groups to meet with Council staff and the seeds were sown. John always believed that a successful Councillor must develop close working relationships with their colleagues, CEO and Senior staff. Will not achieve anything flying solo was a quote often used over the years. Johns approach was motivated by his respect for the institution of the Council as a mechanism for making decisions and providing direction.

An issue of governance and team building that John pushed vigorously was the Council tour. In John's day we travelled half the Country looking at projects of interest and meeting

Councillors from a diverse range of Councils. I agree they were very valuable in both building relationships and generating useful information. On these trips when passing a cemetery John would invariably ensnare the newbie Councillor by stating "Very strange bylaw for that Cemetery, no one living within 5 kms can be buried there." John would go back to watching the passing landscape while the newbies debated the merits of said bylaw until finally realising the key word was living.

John was always entertaining, often mischievous but always focused on achieving a good outcome.

My favourite John story involved a major project and a series of public meetings which John quickly recognised was a platform for the same municipal malcontents (his trademark descriptor) to ask the same questions at each meeting. At the next of these meetings upon arrival John had a plan and loudly informed the chair that the Mayor may get called to an emergency meeting back in Shepparton. I dutifully made my presentation and as arranged pushed the mobile in my pocket and Johns phone rang loudly. Very theatrically he jumps to his feet loudly proclaiming that we needed to get back to Shepparton. Out the door like a shot fox and off to the Toolamba Pub for a couple of pots and laughing all the way. We would have been the ones shot if the plot had been uncovered.

When I visited him recently it was one of the favourite stories, he reminded me of.

There are literally thousands of funny John stories and Council, but I remember a very serious side as well.

He was passionate about the development of sports facilities and devoted hours to Deakin Reserve over the journey from making the wickets at one stage to being on the COM later on. He was instrumental in the redevelopment of the Mooroopna Recreation Reserve, successfully getting the thoroughbred racetrack removed and allowing the reserve to grow into the facility it is today. John's contribution was recognised in the naming of John Gray Oval. Many of the facilities in our small towns were the direct result of being championed by John.

He argued strongly for green development with parks and trees in each development that came before Council. Much of our street trees and landscape is the direct result of John's efforts. But even before his council involvement, John would propagate native species from seed and planted them all over Mooroopna in road reserves.

He was before his time in respect of indigenous recognition, successfully moving a motion in 2004 that all Council activity would be prefaced with a formal acknowledgement. He had raised the issue of flying the Aboriginal flag a few years earlier and got a mixed response around the table. That's fine he said I will put a notice of motion at the next meeting and we can have this discussion in public and you can express your views. Having called the bluff, the flags went up the next day.

John absolutely detested the occasions when Councillors would follow a populist line and knock back a contentious planning matter secure in the knowledge it would get approved at VCAT who could then be blamed for the outcome. The International Village and Apollo Drive Brothel fit this category, the path of least resistance was to align with the loud and noisy protest group but not John, he argued strongly for both decisions which were proven correct but the targeted backlash was key in John losing his place on Council.

Not that he was held back because he resumed his News column which became a real weapon for change. If John raised an issue an army of bureaucrats would scurry to

address it. A mere mention could generate letters to the editor and John revelled in the excitement.

He hated the right-wing extreme of politics publicly battling with the League of Rights, Australia First and One Nation over the journey and often used the column to expose the hypocrisy of what he called nutjobs.

With the column he was in his element and had a huge advantage over his targets. He was eloquent and articulate, and they were neither.

His other art form was Public Question time at Council meetings. He was vehemently opposed to the concept and submitted questions to expose in his view how stupid it was. On occasion it was suggested I approach John to withdraw a letter because it was potentially embarrassing. That's why he is doing it would be my response. What part of this don't you understand? You introduce questions and then complain because John is exploiting a flawed process.

On many occasions after his column or public questions we would meet up like conspiratorial schoolboys and laugh our heads off at his efforts and the discomfort he had created.

John leaves a huge void, countless organisations and community groups sought Johns backing and support for endless projects, projects that stood a far better chance of success with Johns support than without it.

I reflect on 50 years and a long and enduring friendship that at no stage had rancour or disagreement. John was an important mentor, respected colleague and a person that I desired to emulate.

I enjoyed his company, participated in his schemes and was a willing partner in his mischief.

Above everything John was a close friend and I loved him dearly, unreservedly and without question.

Being asked to speak at his funeral was an honour and privilege.

He has influenced my life and indeed many others in a positive way that I suspect John never realised, his natural goodness always shone through.

We are the better for his being and the poorer for his passing.



9 Community Directorate

Nil Received.

10 Sustainable Development Directorate

Nil Received.

11 Corporate Services Directorate

11.1 2020/2021 Christmas Arrangements

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 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.

RECOMMENDATION

That the Council resolve to close Council offices at 3.00pm on Thursday 24 December 2020 and reopen at 8.15am, Monday 4 January 2021.

Executive Summary

The Council Office in Welsford Street and the Doyles Road Complex closes over the Christmas and New Year period each year, with the length of closure varying slightly, depending on when each public holiday falls.

This year, Christmas Day falls on a Friday and therefore it is proposed that the office closes from 3.00pm Thursday 24 December 2020 and reopens at 8.15am, Monday 4 January 2021. This length of closure is consistent with previous years and has been widely accepted by staff and the community.

It is important to note that this closure relates mainly to Council administration, and many of Councils services will still be available during this time. Directors will make appropriate staffing arrangements to ensure that Council services and programs required to operate during this period continue to do so without interruption.

Report Detail

The period between Christmas and New Year is a very quiet time for the organisation with most businesses and traders in the area closing prior to Christmas and remaining closed well into January.

As Christmas Day falls on a Friday this year, it is proposed that the office closes from 3.00pm Thursday 24 December 2020 and reopens at 8.15am, Monday 4 January 2021. This would require the majority of staff to take three days of leave, with staff involved in delivering essential services and programs continuing to operate throughout this period as required.

Council Plan/Key Strategic Activity

There are no direct links to the Council Plan.

Risk Management

There is no risk associated with closing the Council Offices over the Christmas and New Year period. Arrangements will be put in place to ensure programs and services continue to operate during this period.

Policy Considerations

There are no conflicts with existing Council Policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

This proposal conforms with the Local Government Act 2020 and all other relevant legislation.

Environmental/Sustainability Impacts

There are no environmental or sustainable impacts that will arise from this proposal.

Social Implications

There are no social implications associated with closing the Council Offices over Christmas and New Year.

Economic Impacts

There are no economic impacts arising from this proposal.

Consultation

Level of public participation	Promises to the public/stakeholders	Examples of techniques to use
Inform	Staff and public will be informed of the closure period once resolved by Council.	<u>External Communication:</u> <ul style="list-style-type: none"> Flyer at Welsford Street main entrance GSCC Website / Social Media <u>Internal Communication:</u> <ul style="list-style-type: none"> Insite Email to all staff Internal newsletters

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 strategic links to the *Greater Shepparton 2030 Strategy*

b) Other strategic links

- There are no objective links to the *Council Plan 2017-2021*.

Conclusion

The proposed closure period will provide staff with an adequate break over the festive season with minimal disruption to daily business and services to the public.

Attachments

Nil

11.2 Rescheduling of the November 2020 Council Meeting

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 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.

RECOMMENDATION

That the Council:

- 1. reschedule the 17 November 2020 Council Meeting to Monday 23 November 2020 at 3.00pm;**
- 2. note that the meeting will be held at the Eastbank Centre, 70 Welsford Street, Shepparton;**
- 3. inform members of the public that the public gallery will remain closed due to COVID-19 restrictions, however a live stream and recording of the meeting will be made publicly available.**

Executive Summary

The purpose of the November Council meeting will be to adopt the Mayoral Position Description, and elect the Mayor and Deputy Mayor.

Due to the general election occurring this year, and the declaration of election results not occurring until Friday 13 November, the scheduled Council Meeting date does not allow sufficient time for the new Council to be briefed on key matters prior to this meeting.

This report therefore proposes that the November Council Meeting be rescheduled to Monday 23 November 2020 at 3:00pm.

Report Detail

By resolution, Council Meetings are currently held on the third Tuesday of every month.

The November Council Meeting is currently scheduled for 17 November 2020, being only two business days following the anticipated declaration of the election.

Officers do not believe this would provide sufficient time for the new Council to be briefed on key matters including meeting procedures, the role of the Mayor and Deputy Mayor positions.

It is therefore proposed that the November Council Meeting be rescheduled to Monday 23 November 2020 at 3:00pm.

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

There is no risk associated with this proposal.

Policy Considerations

There are no conflicts with existing Council Policies.

Financial Implications

There are no financial implications associated with this proposal.

Legal/Statutory Implications

Section 26(1) of the *Local Government Act 2020* requires that the Mayor is to be elected no later than one month after the date of a general election. The proposed rescheduled date of Monday 23 November 2020 complies with this requirement.

Environmental/Sustainability Impacts

There are no environmental or social impacts that will arise from this proposal.

Social Implications

There are no social implications associated with rescheduling the November 2020 Council Meeting.

Economic Impacts

There are no economic impacts arising from this proposal

Consultation

Internal consultation occurred between Council's Governance officers and the Executive Team.

Strategic Links

Greater Shepparton 2030 Strategy

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

Conclusion

In order for the new Council to have sufficient time to be briefed on key matters relating to the election of the Mayor and Deputy Mayor positions, it is recommended that Council reschedule the Tuesday 17 November 2020 Council Meeting to Monday 23 November 2020 at 3:00pm.

Attachments

Nil

11.3 September 2020 Monthly Financial Report

Author	Management Accountant
Approved by	Director Corporate Services
Purpose	For Noting

Disclosures of Conflict of Interest in Relation to 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.

RECOMMENDATION

That the Council receive and note the September 2020 Monthly Financial Report.

Executive Summary

The report presents the Council's actual financial performance compared to the budget for the three months ended 30 September 2020.

Report Detail

The 2020/2021 Budget was adopted at the Ordinary Council Meeting held 16 June 2020.

The 2020/2021 Budget provided for an operating surplus of \$5.22 million with revenue of \$152.62 million and expenditure of \$147.40 million. The 2020/2021 Budget also provided for capital works of \$61.72 million.

On 15 September 2020, Council adopted the 2020/2021 Q1 Adopted Forecast with an accounting surplus of \$6.80 million which is \$1.59 million more than the 2020/2021 Adopted Budget. The capital works program of \$65.28 million is forecast to be expended during the 2020/2021 financial year which is an increase of \$3.56 million from the 2020/2021 Adopted Budget.

Council actual financial performance compared to the budget is presented to Council on a monthly basis.

The September 2020 Monthly Financial Report incorporates the following sections which are presented for Council's consideration:

- Operating Performance
- Capital Works Performance
- Income Statement
- Balance Sheet
- Cash Flow Statements
- Capital Works Statement

Council Plan/Key Strategic Activity

LEADERSHIP AND GOVERNANCE

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

1.4 Financial management is responsible and effective in responding to challenges and constraints with a focus on the financial sustainability of the Council.

1.9 Service standards and service delivery models are realistic and meet community expectations and demand while being financial viable and in line with Council's core business.

Risk Management

There are no risks identified in providing this financial report.

Policy Considerations

There are no conflicts with existing Council policies.

Financial Implications

There are no financial implications arising from this proposal.

Legal/Statutory Implications

Section 137 of the *Local Government Act 1989* provides that Council maintain a budgeting and reporting framework that is consistent with the principles of sound financial management. In addition, Section 138 requires that at least every 3 months a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to Council at a Council meeting which is open to the public. This report satisfies that requirement.

Environmental/Sustainability Impacts

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

Social Implications

There are no social implications associated with this report.

Economic Impacts

There are no economic implications associated with this report

Consultation

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

Strategic Links

Nil.

Conclusion

The report presents Council's actual financial performance compared to the budget for the three months ended 30 September 2020.

Attachments

1. September 2020 Monthly Financial Statements [11.3.1 - 9 pages]

11.4 Audit and Risk Management Committee Meeting Minutes

Author Team Leader – Risk & Assurance
 Approved by Director Corporate Services
 Purpose For Noting

Disclosures of Conflict of Interest in Relation to 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.

RECOMMENDATION

That the Council receive and note the minutes for the Audit and Risk Management Committee meetings:

- 11 September 2019
- 13 November 2019
- 5 February 2020
- 6 May 2020.

Executive Summary

The Audit and Risk Management Committee (ARMC) held four meetings between September 2019 and May 2020. The September meeting of the ARMC is specifically held to review Councils Financial Report and Performance Statements. The meetings held in November, February and May are scheduled meetings to review the findings of any internal audits, monitor progress on corrective actions and review any other compliance activities undertaken by Council.

Report Detail

The key topics discussed at each of the ARMC meeting minutes include:

11 September 2019

- Financial report and Performance Statements;
- VAGO closing report and final management letter;
- Annual report; and
- The approval of the Financial report and Performance Statement by the Audit and Risk Management Committee for year ended 30 June 2019.

13 November 2019

- OH&S and WorkCover Report
 - Establishment of annual OH&S plan and matrix;
 - OH&S online training through ELMO;
 - Establishment of facilities emergency management committees
- OH&S audit report – update provided on progress of recommendations;
- October finance report;

- Updates on overdue audit recommendations presented by Manager Strategic Assets
- Fraud review on Unusual Logon Times;
- High/extreme project and operational risk reporting;
- Internal audits – Follow-up, Leases and Privacy Act Compliance and Management reviews

5 February 2020

- Action list from previous meetings noting those outstanding, undertaken and closed;
- Overview from the CEO on topical issues local governments currently facing;
- February finance report;
- Risk and claims report noting high/extreme operational risks and Council’s current public liability claims;
- Internal audit reporting – Building and Planning;
- Memorandum audit planning for internal audits upcoming;
- Overview of the annual Business Continuity exercise;
- Insurance premiums noting that a 20% increase is likely to occur for 2020/2021.

6 May 2020

- OH&S and WorkCover report;
- CEO’s impacts and responses report for COVID-19;
- Presentation of the CEO’s credit card expenses;
- Legislative compliance report;
- May finance report with the budgetary impacts from COVID-19;
- Shell financial statement and asset valuation review
- Overdue and outstanding audit recommendations – Committee raised concerns at the time taken to address high and medium risks;
- Committee concerned with the lack of detail in high/extreme project risks and asked for this to be reviewed;
- Internal audit reports
 - Emergency Management – very pleasing result
 - Fringe Benefits Tax – complex issue however Council is mostly compliant;
- Presentation of 3-year draft strategic internal audit plan.

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

The Audit and Risk Management Committee are to provide guidance to Council in external and internal audit, annual financial reporting, insurance and risk exposures, compliance and assessment and review, all of which are high risk components of Council’s role.

Risks	Likelihood	Consequence	Rating	Mitigation Action
Council may be unaware of significant issues e.g. control weakness discussed at Committee meetings.	Likely	Moderate	Medium	Present accurate, timely Committee minutes to Council.

Policy Considerations

There are no conflicts with existing Council policy considerations.

Financial Implications

Financial reporting is discussed as a regular agenda item at all Audit and Risk Management Committee meetings.

Legal/Statutory Implications

The Audit and Risk Management Committee considers compliance related issues as part of their Charter.

Environmental/Sustainability Impacts

There are no environmental impacts associated with the details within this report.

Social Implications

Social implications associated with the Audit and Risk Management Committee have been addressed within the Charter.

Economic Impacts

There are no economic impacts associated with the details within this report.

Consultation

Council Officers believe that appropriate consultation has occurred and the matter is now ready for Council consideration. This includes obtaining confirmation from the ARMC members on the accuracy of the minutes.

Council 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

- No other strategic links have been identified.

Conclusion

In accordance with the Charter requirements, the confirmed Audit and Risk Management Committee minutes of the 11 September and 13 November 2019, 5 February, and 6 May 2020 meetings are presented to Council to be received and noted.

Attachments

1. Audit and Risk Management Committee - Meeting Minutes - 11 September 2019 [11.4.1 - 2 pages]
2. Audit and Risk Management Committee - Meeting Minutes - 13 November 2019 [11.4.2 - 8 pages]
3. Audit and Risk Management Committee - Meeting Minutes - 5 February 2020 [11.4.3 - 8 pages]
4. Audit and Risk Management Committee - Meeting Minutes - 6 May 2020 [11.4.4 - 9 pages]

11.5 2019-2020 Annual Report

Author Team Leader - Marketing & Communications
 Approved by Director Corporate Services
 Purpose For Decisions

Disclosures of Conflict of Interest in Relation to 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.

RECOMMENDATION

That the Council:

- 1. endorse the Greater Shepparton City Council Annual Report 2019-2020 for the year ended 30 June 2020, including the Financial Statements and Performance Statement, as certified by the Auditor-General;**
- 2. note that the attachment is declared confidential until 24 October 2020 to ensure compliance with Council's Election Period Policy.**

Executive Summary

The Annual Report is a requirement under the Section 131 of the *Local Government Act 1989* requires Council to prepare an Annual Report for the financial year just completed. A copy of this report must be provided to the Minister for Local Government within three months of the end of the financial year and the Council must then consider the report at a meeting of the Council within one month of its provision to the Minister. Council's Annual Report for the Financial Year 2019-2020 will be forwarded to the Minister on Friday 23 October 2020.

Report Detail

The Victorian Local Government Act (1989) requires all Councils to present an Annual Report to the Minister by 30 September each year. This year an extension has been granted due to COVID-19 until the end of November. Importantly, the Annual Report provides an account of Council's performance to our community. It details Council achievements against the goals of the Council Plan and our performance against stipulated measures. It further provides an account of Council's financial management during the previous financial year.

The Annual Report is also an opportunity to acknowledge all the great activities that have happened across the municipality and note the challenges of COVID-19 that have impacted on operations during the year.

The Annual Report 2019-2020 contains:

- A report on the operations of the Council including highlights throughout the year

- Audited Financial Statements and Performance Statement
- Other general information required by the Local Government (Finance and Reporting) Regulations 2004 and the Local Government Act

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.

1.4 Financial management is responsible and effective in responding to challenges and constraints with a focus on the financial sustainability of the Council.

1.5 Council is high performing; customer focused and is marked by great people and quality outcomes.

Risk Management

Any risks associated with this report relate to compliance with relevant Council policies including accounting policies and communications guidelines.

Policy Considerations

The Annual Report has been prepared in accordance with relevant Council policies including accounting policies and communication guidelines.

The design of the Annual Report and Financial Report is an in-house cost as Council has a graphic designer on staff. This has saved council a considerable amount of money by having the design done internally rather than outsourcing. The proof reading of the Annual Report has been outsourced and 10 hours work has been allocated in the costs below.

Quotes on the printing of the Annual Report will be obtained once final sign off has been obtained from the state government. This cost forms part of the marketing and communications annual budget.

	Approved Budget Estimate for this proposal ¹	This Proposal GST Exclusive	Variance to Approved Budget Estimate	This Proposal GST Inclusive ²
	\$	\$	\$	\$
Revenue				
Expense	2000	TBC		TBC
Net Total	2000			

¹ Budgets are GST exclusive

² For Contract Award reports the GST inclusive expense shall match the amount reported in the recommendation

Section 131 of the *Local Government Act 1989* requires Council to prepare an Annual Report for the financial year just completed. A copy of this report must be provided to the Minister for Local Government within three months of the end of the financial year and the Council must then consider the report at a meeting of the Council within one month of its provision to the Minister.

Environmental/Sustainability Impacts

There are no environmental/sustainability impacts associated with this report. Only 50 copies are printed as the Annual Report is available online.

Social Implications

There are no social implications associated with this report.

Economic Impacts

There are no economic implications associated with this report.

Consultation

The Councillors, Executive Leadership Team, Senior Leadership Group and Council officers were all consulted in the preparation of the 2019-2020 Annual Report. No external consultation is required.

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

Strategic Links

a) Greater Shepparton 2030 Strategy

- The Annual Report is consistent with the Greater Shepparton 2030 Strategy and provides a mechanism for reporting against the achievement of strategic goals.

b) Other strategic links

2017-2021 Council Plan

Leadership and Governance:

- 1.3 Council demonstrates strong leadership and sound decision making in the best interest of the community.
- 1.4 Financial management is responsible and effective in responding to challenges and constrains with a focus on the financial sustainability of the Council.
- 1.5 Council is high performing; customer focused and is marked by great people and quality outcomes.

2019-2020 Greater Shepparton City Council Marketing Strategy

Conclusion

That Council receives and considers the Greater Shepparton City Council Annual Report 2019-2020 for the year ended 30 June 2020, including the Financial Statements and Performance Statement, as certified by the Auditor-General.

Attachments

Confidential Attachment

12 Infrastructure Directorate

12.1 Variations 2 & 3 - Contract 1981 Design and Installation of Solar Photovoltaic Systems for Shepparton Saleyards and Aquamoves

Author Project Manager
 Approved by Director Infrastructure
 Purpose For Decision by Council

Disclosures of Conflict of Interest in Relation to 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.

RECOMMENDATION

That the Council:

1. approve payment of Variation 2 under Contract 1981 – Supply and construction of solar photovoltaic systems for the Shepparton Saleyards and Aquamoves with a value of \$61,453.26 including GST;
2. approve payment of Variation 3 under Contract 1981 – Supply and construction of solar photovoltaic systems for the Shepparton Saleyards and Aquamoves with a value of \$35,110.35 including GST.

Executive Summary

Contract 1981 is for the design and construction of solar photovoltaic systems for the Shepparton Saleyards (55kw) and Aquamoves (99kw).

This report provides details regarding Variations 2 and 3 for Contract 1981 which are required to facilitate Council's obligations under this contract to pay the Contractor (Watters Electrical) the funds received for the Small Scale Technology Certificates (STC's) created by these installations. The lump sum value of the contract was calculated on the basis that the certificates received for the STC's were transferred to the contractor. However, due to Clean Energy Regulator requirements, it was not possible to transfer the STC's directly to the Contractor, instead the funds associated with the sale of the certificates had to be paid to Council.

Report Detail

Council awarded Contract 1981 to Watters Electrical Pty Ltd in December 2019 for the design and construction of solar photovoltaic systems for the Shepparton Saleyards and Aquamoves.

This contract was structured to enable the successful contractor to be transferred the STC's generated by the installation of the two solar systems in return for an equal deduction in the lump sum contract price.

Small Scale Technology Certificates (STC's)

STC's are government incentive certificates which are provided after installation of renewable energy generation. The number of STC's received is calculated based on where the system is installed, the STC value at the time of installation and the deeming period (the number of years remaining until 2030 when the scheme is scheduled to conclude). Once received, the certificates are sold generating the incentive payment.

Due to Clean Energy Regulator requirements it was not possible to transfer the STC's directly to Watters Electrical Pty Ltd with the funds associated with the sale of the certificates needing to be paid instead to Council. Variations 2 and 3 have been created to facilitate the payment of the funds received by Council from the STC's to the Contractor in accordance with Council's obligations under Contract 1981.

Variations for Contract 1981 – Lump Sum Contract Value \$175,563.08 ex-gst

Variation Number	Details	Amount (ex. GST)
VAR01	Supply, fabricate and install hand rail at Shepparton Saleyards - Approved Under Delegation	\$715
VAR02	Payment of Aquamoves Solar 1514 x Small Scale Technology Certificates	\$55,866.60
VAR03	Payment of Shepparton Saleyards Solar 865 x Small Scale Technology Certificates	\$31,918.50

Whilst the net cost to Council of Variations 2 & 3 is \$0 because the income from the STC's offsets the payment cost to the Contractor, the variations must be processed to enable the payments of the amounts to the Contractor under the contract. Therefore, as both of these variations exceed the delegations of Council officers, Council approval is required before payment can be processed.

All works under this contract have been satisfactorily completed and Practical Completion was issued on 27 May 2020.

Council Plan/Key Strategic Activity

BUILT

Provide and support appealing relevant infrastructure that makes Greater Shepparton an attractive, liveable regional city.

4.4 Quality infrastructure is provided and maintained to acceptable standards.

ENVIRONMENT

Enhance and protect the clean, green environment that makes Greater Shepparton the unique place it is.

5.4 Council has positioned itself to be a leader in building Greater Shepparton's response to climate change issues, in partnership with key stakeholders.

5.5 Alternative energy sources with both environmental and economic gains are promoted and encouraged.

Risk Management

This recommendation is considered to be low risk as Council has already received the benefit of the deduction from the lump sum contract amount.

Policy Considerations

There are no conflicts with existing Council policy. The action sought under this report ensures compliance with Council's Procurement Policy and Council's Exercise of Delegations Policy.

Financial Implications

The Superintendent has assessed the need for the variations and has concluded that the Variations are necessary for Council to comply with its obligations under the Contract.

The approved 2019/20 capital budget for C1981 was \$190,000 ex GST.

The table below shows that the total of these variations will result in expenditure of \$0 inc GST.

	Approved Project Budget for this proposal ¹ \$	This Proposal GST Exclusive \$	Variance to Approved Budget Estimate \$	This Proposal GST Inclusive ² \$
Revenue	0	-87,785	-87,785	-96,563.50
Expense	176,278.08	264,063.08	87,785	290,469.40
Net Total	176,278.08	176,278.08	0	193,905.90

¹ Budgets are GST exclusive

² For Contract Award reports the GST inclusive expense shall match the amount reported in the recommendation

Legal/Statutory Implications

This recommendation is consistent with the *Local Government Act 1989*.

Environmental/Sustainability Impacts

No environmental impacts have been identified as a result of this recommendation.

Social Implications

No social impacts have been identified as a result of this recommendation.

Economic Impacts

No economic impacts have been identified as a result of this recommendation.

Consultation

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

Strategic Links

a) Greater Shepparton 2030 Strategy

- Environment: Conservation and enhancement of significant natural environments and cultural heritage - Objective 4 To reduce greenhouse gas emissions by local actions, in the interests of current and future generations

b) Other strategic links

- Sustainable Decision Making Policy

Conclusion

Officers recommend that Variations 2 and 3 to Contract Number 1981 be approved in accordance with the Superintendent's assessment of the claim.

Attachments

Nil

13 Confidential Management Reports

13.1 Designation of Confidentiality of Information - Report Attachments

RECOMMENDATION

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

- **Item 11.5: 2019-2020 Annual Report - This document contains information which may be considered to contain election material, which is a relevant ground applying under section 89(2)(h) of the *Local Government Act 1989*.**

14 Documents for Signing and Sealing

Nil Received.

15 Councillor Reports

15.1 Councillor Activities

15.1 Councillor Activities - September 2020

Author Governance Support Officer
 Approved by Chief Executive Officer
 Purpose For Noting

Disclosures of Conflict of Interest in Relation to 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.

RECOMMENDATION

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

Councillor's Community Interaction and Briefing Program

From 1 September 2020 to 30 September 2020, some or all of the Councillors have been involved in the following activities:

- Regional Cities Victoria | Mayoral Meeting
- Special Best Start Early Years Partnership Meeting
- Parking Reference Group Meeting
- Waste Resource Recovery Group | Chairs and Executive Officers
- Meeting | Best Start Early Years Partnership and Lighthouse
- Council Mayor visits Mayor of Spooontown – Murchison
- 2020 Local Government Mayoral Advisory Panel
- Audit and Risk Management Committee Meeting - Financial and Performance Statements
- 2020 Dungala Kaiela Oration
- Goulburn Broken Greenhouse Alliance | Annual General Meeting
- Disability Advisory Committee Meeting
- Regional Cities Victoria | Meeting
- Ministerial Meeting: Recycling Victoria Implementation Discussion with Waste Resource Recovery Groups
- Greater Shepparton Pasifika Youth | Engage & Thrive Project Presentation [Know Your Roots]
- Murray Darling Association | 76th National Conference and Annual General Meeting
- Sod Turning | Museum of Vehicle Evolution [MOVE]
- Recycling Victoria Update
- COVID-19 Municipal Recovery Meeting

- Northern Victoria Rail Discussion | Mitchell Shire, Strathbogie Shire and Moira Shire
- Cub Scout | Grey Wolf Award Presentation
- Goulburn Valley Regional Libraries Board Meeting
- Development Panel Hearing
- Sports Hall of Fame Advisory Committee Meeting
- Local Government Waste Forum Special Briefing
- Waste Regional Recovery Group | Change and Transition Readiness Session
- Meeting | First Nation Men's Shed
- Greater Shepparton Volunteer Recognition Awards
- Recycling Victoria North East Waste Resource Recovery Group
- Regional Cities Victoria | meeting with the Hon Jaala Pulford
- SAM Limited Artistic and Acquisitions Committee

In accordance with section 106 of *Councils Governance Rules* the records of the Assemblies of Councillors are attached.

Attachments

1. CEO and Councillor Catch Up - 1 September 2020. [15.1.1.1 - 1 page]
2. Councillor Briefing Session - 1 September 2020 [15.1.1.2 - 1 page]
3. CEO and Councillor Catch Up - 8 September 2020 [15.1.1.3 - 2 pages]
4. Councillor Briefing Session - 8 September 2020 [15.1.1.4 - 1 page]
5. Unconfirmed Developments Hearing Panel - 18 September 2020 [15.1.1.5 - 150 pages]
6. Councillor Briefing Session - 15 September 2020 [15.1.1.6 - 1 page]
7. CEO and Councillor Catch Up - 22 September 2020 [15.1.1.7 - 1 page]
8. Councillor Briefing Session - 22 September 2020 [15.1.1.8 - 1 page]
9. CEO and Councillor Catch Up - 29 September 2020 [15.1.1.9 - 1 page]

15.2 Council Committee Reports

Nil Received.

15.3 Notice of Motion, Amendment or Rescission

Nil Received.

16 Urgent Business not Included on the Agenda

17 Close of Meeting